

RURAL MUNICIPALITY OF GIMLI SOLID WASTE BY-LAW

BY-LAW NO. 08-0029

Being a By-Law of the Rural Municipality of Gimli for the purpose of regulating Solid Waste.

WHEREAS Section 232(1) of *The Municipal Act*, S.M. 1996 c. 58 provides in part:

SPHERES OF JURISDICTION

232(1) A Council may pass By-Laws for Municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;
- (c) subject to 233, activities or things in or on private property;
- (d) – (o)

CONTENTS OF BY-LAWS UNDER CLAUSE 232(1)(C)

233 A By-Law under clause 232(1)(c) (activities or things in or on private property) may contain provisions only in respect of

- (a) the requirement that land and improvement be kept and maintained in a safe and clean condition;
- (b)
- (c)
- (d) activities or things that in the opinion of the Council are or could become a nuisance, which may include noise, weeds, odors, unsightly property, fumes and vibrations.

AND WHEREAS “The Municipal and Various Acts Amendments Act” S.M. 1996, c.58 provides as follows:

“Power to amend and repeal a by-law

147 (1) The power to pass a by-law under this or any other Act includes the power to amend or repeal the by-law.

Manner of repeal or amendment

147 (2) The amendment or repeal of a by-law is subject to the same requirements that apply to passing the by-law, unless this or any other Act expressly provides otherwise.

NOW THEREFORE BE IT RESOLVED THAT the Council for the Rural Municipality of Gimli in open session, duly assembled, enacts as a By-Law as follows:

1.0 SHORT TITLE:

1.1 THAT this by-law be referred to as the “Rural Municipality of Gimli Solid Waste By-Law”.

2.0 THAT Council may from time to time, by resolution, add or attach additional schedules as deemed necessary and amend each and every schedule attached to this by-law and set out as attached hereto:

Schedule ‘A’

3.0 DEFINITIONS

For the purposes of this By-Law, certain words and terms are defined as follows:

- 3.1 Animal & Agricultural Wastes** – means manures, crop residues and like materials from agricultural pursuits, stables, kennels, veterinary establishments and other such premises.
- 3.2 Ashes** – means the residue of any substance used as fuel and reduced to a size not larger than six (6) inches cubed and sufficiently cooled so as to be safely placed in a separate plastic bag or other suitable and separate container and may not to be mixed with other garbage or rubbish;
- 3.3 Authorized Staff** – means an employee designated to enforce municipal By-Laws excluding members of Council.
- 3.4 Building Refuse** – means the materials from cellars or other excavation materials used by the building trade, debris from any building destroyed by fire or debris created by any other cause.
- 3.5 Bulky Wastes** – means large items of refuse exceeding 18.144 kilograms (40 pounds) in weight or exceeding 0.9 meters (3 feet) in any direction, including large appliances and furniture, hot water tanks, mattresses and carpets, and including auto parts regardless of size or weight.
- 3.6 By-Law Enforcement Officer** – means the ‘By-Law Enforcement Officer’ appointed or authorized by the Council of the Rural Municipality of Gimli to enforce by-laws of the Municipality.



- 3.7 **Compost Waste** – means grass clippings, leaves, plant stalks, hedge trimmings, twigs and annual weeds without seed heads.
- 3.8 **Construction and demolition wastes** – means waste building materials and rubble resulting from construction, remodeling, repair, demolition or fire in houses, commercial buildings, pavements and other structures.
- 3.9 **Contractor** – means a person or contractor who agrees to furnish materials and/or perform services at a special price.
- 3.10 **Domestic Waste** – means any debris, rubbish, refuse, discard or garbage of a type arising from a residence, belonging to or associated with a house or use of a house or residential property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather, and for even greater certainty it is hereby declared that “domestic waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:
- a) Broken or torn bits of twigs, splinters or rags, tree cuttings or cut limbs and brush from any shrub or tree of not more than 0.9 meters (3 feet) in length or 100 millimeters (4 inches) in diameter in bundles not exceeding 18.144 kilograms (40 pounds), and waste lumber, excepting only cut and stacked firewood for use in a fireplace on the property;
 - b) Paper, paper cartons and other paper products;
 - c) Rotting vegetable matter, or rotting animal matter;
 - d) Accumulations, deposits, leavings or sweeping of litter, remains, rubbish, or trash of any sort, whether animal, mineral or vegetable;
 - e) Broken or indoor/outdoor furniture of not more than 0.9 meters (3 feet) in length or 100 millimeters (4 inches) in diameter in bundles not exceeding 18.144 kilograms (40 pounds);
 - f) Crockery, dishes, pots, and pans and;
 - g) Construction, demolition, repair or renovation debris or leftovers from such work of not more than 0.9 meters (3 feet) in length or 100 millimeters (4 inches) in diameter in bundles not exceeding 18.144 kilograms (40 pounds);
- 3.11 **Debris** – shall include grass clippings, leaves and other like garden waste.
- 3.12 **Designated Officer** – means a building inspector, development officer, Chief Administrative Officer or other official appointed by Council, from time to time, to enforce this by-law.
- 3.13 **Dirt** – means natural soil, earth, sand and stone



3.14 **Environment Officer** – means the Public Health Inspector or Environment Officer as person or persons appointed or designated under the Manitoba Clean Environment Act.

3.15 **Garbage** – means animal and vegetable waste, including food packaging material with residual food materials, resulting from the handling, preparation, cooking and serving of foods in households, institutions and commercial concerns; and market wastes resulting from the handling, storage and selling of foods in wholesale and retail stores and markets.

3.16 **Habitation** – shall include any building, house, tents, trailer or other accommodation that is used for human habitation or to provide food, lodging or entertainment for a human being or human beings or used for commercial or industrial purposes.

3.17 **Hazardous Waste** – means any waste that may present a hazard to a person in contact with such waste, and includes, but is not limited to, wastes such as propane cylinders, petroleum distillates, light fuels, Household waste paints, caustics, drugs, medical waste, acute Hazardous Waste chemicals, waste crankcase oils and lubricants, inorganic chemicals, halogenated pesticides and herbicides, non-halogenated organic pesticides and any other wastes of pathological, explosive, highly flammable, radioactive, toxic or acidic in nature. It shall also mean any substance that is designated a “hazardous waste” under the **Dangerous Goods and Transportation Act** R.S.M. 1987 c.D12.

3.18 **Industrial Waste** – means any debris, rubbish, refuse, sewage effluent, discard, or garbage of a type arising from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on the property due to exposure or the weather, and for even greater certainty it is hereby declared that “industrial waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:

- a) Debris, discarded things or matter, or effluent which in whole or in part are derived from or are constituted from or consist of,
 - i) animal or vegetable matter, paper, lumber, or wood, or,
 - ii) mineral, metal, or chemicals, or fill contaminated with petrochemical or petroleum products;
- b) Piles of miscellaneous plastic, wood or metal parts, or combinations of such materials;
- c) Automotive parts not packaged for immediate shipment, inoperative vehicles, vehicle parts, inoperative mechanical equipment, mechanical parts, accessories or adjuncts to the



vehicles and mechanical equipment not contained in a legal salvage yard;

- d) Piping, ducting, tubing, conduits, cable, wire and fittings or related accessories, with or without adjuncts, and not packaged for immediate shipment;
- e) Material resulting from or as part of, construction, demolition, repair or renovation projects including debris and leftovers;
- f) Rubble or fill;
- g) Bones, feathers, hides or other animal parts or carcasses;
- h) Sewage;
- i) Dust emanating from the operation of the enterprise; and
- j) Ashes

3.19 **Inoperative Motor Vehicle** – means a motor vehicle which is not operative or which is not currently licensed pursuant to the provisions of the Highway Traffic Act and amendments thereto, or a vehicle having missing bodywork, components or parts, including tires, or damaged components, parts, bodywork, glass or deteriorated or removed adjuncts, which prevent its mechanical function.

3.20 **Litter** – shall mean accumulated odds and ends, leaving, a state of untidiness, a disorderly accumulation of paper and other refuse.

3.21 **Medical Waste** – means any solid waste that is generated in the diagnosis, treatment or immunization of human beings or animals.

3.22 **Municipality** – means the Rural Municipality of Gimli.

3.23 **Municipal Inspector** – means the person appointed as such from time to time by the Council of the Municipality.

3.24 **Occupant** – means any person or persons over the age of 18 years in possession of the property.

3.25 **Occupier** – means the person in occupation of a premise or if it is vacant, the person in charge thereof.

3.26 **Owner** – includes:

- a) both the owner in trust and beneficial owner of land,
- b) the person for the time being managing or receiving rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and
- c) a lessee or occupant of the property who manages or controls the condition of the property

3.27 **Order** – means any notice of non-compliance issued under this by-law.

3.28 **Person** – includes firm, association, partnership and corporation.

3.29 **Premise** – means a building or part thereof which is used by a person, corporation, firm, partnership, institution or association.

3.30 **Property** – means any grounds, yard or vacant lot.

3.31 **Refuse** – includes all manner of waste and debris as provided for or defined in this by-law but does not include a building or buildings on a

property, but does include parts or pieces of such structures on the property that are dismantled or are rubble, or which have become detached from the building, whether by construction, demolition, damage or deterioration.

3.32 Residential Premise – means a premise, or part thereof, used as a place of abode.

3.33 Rubbish – means “combustible”....”non-combustibles”.... and “yard rubbish” consisting of prunings, grass clippings, weeds, leaves, general garden wastes, residential trees and tree cuttings of not more than 0.9 (3 feet) in length or 100 millimeters (4 inches) in diameter in bundles not exceeding 18.144 kilograms (40 pounds), all exclusive of solid wastes otherwise classified herein.

3.34 Unsanitary Conditions – means any nuisance or any condition, matter or thing which, in the opinion of the By-Law Enforcement Officer, Municipal Inspector or Environment Officer, may be injurious to health or which, in his or her opinion, may result in the creation of a garbage control problem or a nuisance.

3.35 Waste Collection Tag – means a properly authorized marker, obtained from the Rural Municipality of Gimli, or its agent, with adhesive backing or a tie mechanism to be placed on the approved containers, bins, transparent bags or compost bags at a fee as set out in the Fees and Charges By-Law.

4.0 STORAGE OF SOLID WASTES

4.1 Every habitation shall at all times be equipped with sufficient receptacles or containers to hold all garbage and ashes brought to or created in the habitation or on the land upon which the habitation is located, between regular pick-ups the owner or occupier of any real property shall cause the same to be kept free of garbage, ashes, building refuse, debris or like matter.

4.2 The By-Law Enforcement Officer/Designated Officer, Municipal Inspector, or any person authorized by the Municipal Council, may enter upon any real property located in the Municipality for the purpose of:

4.2.1 removing any materials which may be allowed to accumulate thereon contrary to this By-Law and depositing said materials in a disposal area chosen by the Municipality; or,

4.2.2 for the purpose of compelling the owner and/or occupant of the real property to remove any materials which may be allowed to accumulate thereon contrary to this By-Law and deposit said materials in a disposal area chosen by the Municipality;

4.3 All charges incurred by the Municipality with respect to subparagraph 4.2. are payable when demanded in writing by the Municipality and may be collected as a debt by action, or by adding it to, and as against real property taxes against any land in the Municipality owned by the owner referred to in subparagraph 4.1.

4.4 Subject to the provisions of this By-Law, the Municipality shall establish and maintain, at the expense of the Municipality, on a regular and scheduled basis as per Schedule 'A' the collection, removal, and disposal of garbage, ashes, refuse, debris, domestic waste, non-bulky waste and rubbish which it is the duty of the Municipality to remove, and shall accept and act upon the lawful direction of the Environment Office relating to such collection, removal and disposal.

4.5. Between periods of collection, all containers, bins, transparent bags or compost bags shall be kept from view from the front street of any residence, including structures constructed for the purpose of storing waste.

4.6 All containers, bins, transparent bags or compost bags shall be placed out for collection not sooner than 8:00P.M. on the day prior to, and not later than 7:00A.M. on the designated collection day.

4.7 The Municipality shall conduct an annual spring and fall clean up collection of compost waste (other than items referred to in clause 4.9) and tree limbs. These items must not be larger than 0.9 meters (3 feet) in length and 4 inches in diameter (with a limit of two bundles per premise) and the weight must not exceed 40 pounds (18.144 kilograms). This will under normal circumstances take place within the weeks following the May long weekend and the weeks following the Thanksgiving Day long weekend and duly advertised. Compost waste (other than items referred to in clause 4.9) shall be placed out for collection not sooner than 2 days prior to the advertised collection day. Any occupant/occupier/owner or person of each premise or residential premise who misses the placing for collection of compost waste (other than items referred to in clause 4.9) during the advertised dates for collection of the Spring and Fall clean up period shall be responsible for the removal of same at his/her own expense to an approved disposal site. Outside of the spring and fall clean up, it is the responsibility of each occupant, occupier or owner at his/her own expense to remove all transparent or compost bags over the one limit per schedule pick up and have them taken to the approved disposal sites within the Municipality. This would also apply to tree branches and twigs larger than 0.9 meters (3 feet) in length and 4 inches in diameter weighing more than 40 pounds (18.144 kilograms). During the spring and fall clean up period there will be no limit as to the number of bundles of tree branches or limbs that will be picked up provided they do not exceed 0.9 meters (3 feet) in length and 4 inches in diameter and weigh more than 40 pounds (18.144 kilograms).

4.8 It is the responsibility of the occupant/occupier/owner or person of each premise or residential premise to dispose of building refuse, bulky wastes, domestic waste, debris and rubbish that exceeds 0.9meters (3feet) in length and 4inches in diameter and weighs more than 40 pounds (18.144 kilograms) at his/her own expense to an approved disposal site and in a timely manner (no more than one week) so as not to create a safety, unhealthy or unsightly condition.

4.9 Bales of hay/straw/flax, bags of leaves or the like, for the sole purpose of insulating exteriors of buildings, residences, structures or sewage systems and water pipes must be removed from properties within the Rural Municipality of Gimli at the owner's expense by May 30th. in each year. Under no circumstances are bales of hay/straw/flax or the like to be burned on private or public property within the boundaries of the Rural Municipality of Gimli.

4.10 No person shall place garbage, ashes, refuse, debris, domestic waste, non-bulky waste or rubbish in a non approved container, bin or other like material as defined in this by-law, and the Rural Municipality of Gimli shall not be liable for the removal or emptying of any container, bin or other like material that is not approved in this by-law.

4.11 All animal waste should be double bagged before disposing in a refuse container.

5.0 ILLEGAL DUMPING

5.1 It shall be deemed an illegal act and therefore a violation of this by-law for any unauthorized individual or person(s) to place or cause to be placed any type of ashes, building refuse, bulky wastes, construction and demolition wastes, domestic waste, debris, dirt, garbage, industrial waste, inoperative motor vehicle, refuse or rubbish on any private or public property. Further it shall be deemed an illegal act and therefore a violation of this by-law for any unauthorized individual or person(s) to place or cause to be placed any type of ashes, building refuse, bulky waste, debris, dirt, garbage, industrial waste, inoperative motor vehicle, refuse or rubbish into any suitable solid waste container, as defined in Section 6 of this by-law, **NOT BELONGING TO THAT INDIVIDUAL OR PERSON(S) WHETHER OWNED PRIVATELY OR PUBLICLY.**

5.2 No person owning or occupying property shall allow litter to accumulate upon that property in such a manner as to be unsightly or in such a manner that said litter may be blown or otherwise carried by the natural elements onto a public place, public area or private property.

5.3 Persons owning or occupying property shall keep the ditches, sidewalk, lane at the rear of, and/or the boulevard in front of and flanking the property free of litter.

5.4 No person shall load a vehicle used for the conveyance of litter in such a manner that the load may be readily disturbed by vehicular movement or wind unless such vehicle is so constructed as to totally enclose the load or the load is covered by a tarpaulin, netting or other device of adequate size and design so as to totally cover the load and to prevent material escaping from the load.

5.5 No person shall drive or move any vehicle within the Rural Municipality unless such vehicle is so constructed, loaded, or covered

- to prevent any load, contents or litter from being blown or deposited upon any public place, public area, or private property.
- 5.6 The operator of any vehicle shall not throw, deposit, drop, or dump from any vehicle or allow to be blown from any vehicle, any refuse except where authorized under this by-law.
- 5.7 Owners and tenants in lawful control of a public area shall provide litter receptacles in appropriate and easily accessible locations and shall be responsible for the servicing and maintenance of these receptacles.
- 5.8 Every proprietor of any place where foodstuffs or refreshments are sold in cartons, containers or papers, and the business is carried on under such circumstances that cartons, containers or papers are discarded in the vicinity by patrons of the place, shall keep the premises and all public or private lands, streets, lanes or passageways within a distance of 30 meters from the premises free of all discarded cartons, containers or papers by collecting and disposing of the same at such times and in such manner as shall be satisfactory to the By-Law Enforcement Officer/Designated Officer, Municipal Inspector, Environment Officer or Manager of Public Works for the Rural Municipality of Gimli.
- 5.9 Where a business described in subsection 5.8 is carried on in any place, all discarded cartons, containers and papers, of a kind used in the business, that are found within 30 meters distance from the place pursuant to subsection 5.8 shall be presumed to have been used for the sale of goods sold in that place, and to have been discarded by patrons thereof.
- 5.10 No person shall in any public place or on private property abandon a shopping cart or leave a shopping cart unattended.

6.0 SUITABLE CONTAINERS

Containers for solid wastes shall meet the following requirements:

6.1 They shall be of a type approved by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector and shall be loaded in such a manner that the contents may be easily removed by collection personnel and shall be:

- 6.1.1 Galvanized metallic material or other approved rust-resistant and rodent-resistant material, water-tight, not larger than 762 millimeters (30 inches) in height and 508 millimeters (20 inches) in diameter, or a capacity not exceeding 0.14 cubic meters, weighing not more than 6.8 kilograms (15 pounds) and equipped with close-fitting cover and handles;

- 6.1.2 A durable plastic container not larger than 762 millimeters (30 inches) in height and 508 millimeters (20 inches) in diameter, or a capacity not exceeding 0.14 cubic meters, weighing not more than 6.8 kilograms (15 pounds) with a close-fitting lid and handles;
 - 6.1.3 Metal containers or bins, as approved by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector of a size and type suitable for mechanically dumping into collection vehicles. Such containers shall be used in all locations where the quantity of solid waste equals or exceeds 1.5 cubic meters per week and where suitable conditions exist for mechanical collections. All multi-residential structures, trailer parks and commercial businesses must utilize the pre-determined quantity of Municipal owned and approved containers or bins. The pre-determined quantity of containers or bins shall be set by the Public Works department of the Rural Municipality of Gimli and approved by the C.A.O. of the Municipality. If required, waste collection tags for the pick-up of additional approved containers or bins, over the pre-determined quantity, can be obtained from the Municipality with additional costs of rental and pick up fees borne by the owner of said premises as set out in the Fees and Charges By-law.
 - 6.1.4 Any other container approved by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector.
- 6.2 In the case of the containers supplied under Paragraph 6.1.1 and 6.1.2 above, the combined weight of the container and its contents shall not exceed 24.944 kilograms (55 pounds).
- 6.2.1 That the Municipality has the right to limit the number of solid waste containers that will be picked up free of charge to no more than three per residential premise. Further, that by a resolution of Council, the quantity limit can be changed to ensure the collection, removal and disposal of solid waste within the Municipality can be maintained as per Schedule 'A' or for reasons deemed necessary.
 - 6.2.2 That the Municipality has the right to limit the number of bags of grass clippings, leaves or like garden waste (debris) to no more than one per scheduled pick up. Further, by a resolution of Council, the number limit can be changed from time to time as deemed necessary. The exception

being the Annual Spring and Fall clean up as described in Section 4.7.

- 6.2.3 That the Municipality has the right to set a fee for the pick up of additional solid waste containers over the prescribed limit per residential premise as set out in the Fees & Charges By-Law per additional container or bag. The occupant, occupier or owner of a residential premise may purchase tags issued by the Municipality for the purpose of attaching to each additional solid waste container over the limit of three per scheduled pickup or in the case of grass cuttings and leaves each additional transparent or composting bag over the limit of one bag per scheduled pickup.

6.3 All containers shall be maintained in a condition satisfactory to the By-Law Enforcement Officer/Designated Officer or Municipal Inspector and shall be kept clean. Failure to maintain containers in a satisfactory and clean condition shall exclude such containers from being emptied by the crew. The crew shall report these violations for action by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector.

6.4 In the case of the containers supplied under Paragraph 6.1.1 and 6.1.2 above, the combined weight of the container and its contents shall not exceed 24.944 kilograms (55 pounds).

6.5 The use of garbage can stands on private residential property for the placement of suitable containers will be permitted provided that they do not exceed a height of 1.52 meters (5 feet) and can be opened from the front. The stands must be within a distance of no more than 0.6 meters (2 feet) of the property line. If the stands are further than 1.83 meters (6 feet) from the curbside or the laneway, the suitable container must be removed from the stand and placed to within 1.83 meters (6feet) of the curbside or laneway on the day of collection. The stands must be maintained and kept in a satisfactory and clean condition.

6.6 When emptied by the crew, the suitable container will have the lid replaced by the crew and placed on the curbside or laneway. It will be the responsibility of the occupant, occupier or owner to replace the suitable container back to its proper position within the property line.

6.7 All grass cuttings and leaves must be in transparent or composting bags.

7.0 PLACEMENT OF CONTAINER AND BULKY WASTE

7.1 In the case of property with an adjacent back lane, containers shall be placed in an area on the property being serviced immediately adjacent to the back lane and shall be easily accessible from the back lane.

- 7.2 In the case of property not served by a back lane, containers shall be placed for collection on refuse pick-up days within 1.83 meters (6 feet) of the curbside and easily accessible from the street.
- 7.3 Notwithstanding Paragraphs 7.1 and 7.2, all properties using containers described in Paragraph 6.1.3 shall place the container at an unobstructed location on the property suitable for handling with mechanical equipment.
- 7.4 Where in his opinion the placement of garbage containers creates a nuisance or is aesthetically offensive to the neighborhood, the By-Law Enforcement Officer/Designated Officer or Municipal Inspector shall have the power to direct the owner or occupant of the premises to appropriately screen the said garbage containers or move them to a location satisfactory to the said By-Law Enforcement Officer/Designated Officer or Municipal Inspector.
- 7.5 Containers shall be stored in a manner approved by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector, such that there is no harborage for rodents in or near the containers. Containers shall be held upright and tightly secured so that they cannot be easily toppled and in such a manner that will prevent animals, birds, or other forms of wild life from breaking bags and/or scattering the contents. The owner or occupant of the premises shall immediately clean up any spillage or scattering due to improper storage. Failure to clean up any spillage or scatterings due to improper storage will result in Public Works not being responsible for the pick up of such spillage or scatterings and further, the crew shall report violations to the By-Law Enforcement Officer or Municipal Officer for further action as deemed necessary by the By-Law Enforcement Officer or Municipal Officer.
- 7.6 Containers specified in Paragraph 6.1.3 shall be stored on a pad of sufficient size and to allow for maneuvering of the container. The location of the pad shall be determined by the Municipality. The roadway providing access across private property to the containers specified in Paragraph 6.1.3 shall be of such a design and structural strength to prevent damage to the roadway by the collection vehicle and to the collection vehicle.
- 7.7 Ashes are to be stored in suitable receptacles, not solid waste containers, approved by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector and are not to be mixed with other garbage or rubbish. The owner or occupier of any real property who puts live ashes in garbage containers shall be held responsible for all costs arising from any resulting fire.
- 7.8 All garbage shall be strained to eliminate liquids and enclosed in sufficient paper or other like substance to completely enclose the contents and prevent any leakage or spillage and shall be securely tied or fastened prior to placement in containers. All garbage shall be enclosed in sufficient paper or other like substance to completely enclose the contents and shall be securely tied and fastened prior to placement in the containers.

8. MOTOR VEHICLE SALVAGE

- 8.1 No person shall use any land or structure in the Municipality for storing used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal including the purposes of repairing other vehicles.
- 8.2 Subsection 8.1 above does not apply if zoning by-laws permit the land to so be used and the person holds a current and valid license issued by the Municipality for the land, permitting motor vehicle salvage.

9. WARNINGS, ORDERS AND ENFORCEMENT

- 9.1 That the written order issued by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector shall state a time within which the owner must comply with the order and state that if the order is not complied with within the specified time, the Rural Municipality of Gimli will take action or measures at the expense of the owner.
- 9.2 That the written order issued by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector shall be served on the owner of the property, either personally or by mailing it Priority Post mail to the last address for that owner recorded on the Municipality's tax rolls; in the event service is carried out by Priority Post mail it shall be conclusively deemed to have been served on the owner five (5) days after it is mailed.
- 9.3 That any owner aggrieved by an order issued by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector under this by-law may, within 15 days of the order, appeal to the Council.
- 9.4 That Council may hear the appeal as a committee of the whole, or by subcommittee especially established for this purpose.
- 9.5 That upon the hearing of an appeal, the Council may:
 - 9.5.1 uphold, rescind, suspend or modify the order issued by the By-Law Enforcement Officer/Designated Officer or Municipal Inspector;
 - 9.5.2 extend the time within which compliance with the order shall be made; or
 - 9.5.3 make such other decision or order as in the circumstances of each case it deems just, and the decision or order of the Council, upon being communicated to the appellant, shall stand in place of the order against which the appeal is made.



- 9.6 That the costs of actions or measures taken by the Rural Municipality of Gimli to carry out the terms of an order issued under the By-Law Enforcement Officer/Designated Officer or Municipal Inspector are an amount owing to the Rural Municipality of Gimli by the owner of the property and may be collected by the Municipality in the same manner as a tax collected or enforced under the *Municipal Act*.
- 9.7 That any person who contravenes or disobeys, or refuses or neglects to obey any order made under this By-Law is guilty of an offence and is liable, on summary conviction, to a fine not exceeding \$1000.00. or in the case of an individual, to imprisonment for a term not exceeding six months or to both such a fine and such an imprisonment.
- 9.8 That where a corporation commits an offence under this By-Law, each Director or Officer of the corporation who authorized, consented to, connived at, or knowingly permitted or acquiesced in the doing of the act or omission that constitutes the offence, is likewise guilty of an offence and is liable, on summary conviction, to the penalties for which provision is made in Section 9.7 above.
- 9.9 That where the contravention, refusal, neglect, omission, or failure, continues for more than one day, the person or corporation is guilty of a separate offence for each day it continues.
- 9.10 That the authorized staff of the Rural Municipality of Gimli is hereby authorized to enter any lands or premises during reasonable hours to inspect for conditions that may constitute a condition or health hazard or contravene or fail to comply with the provisions of this By-Law.

10.0 That this By-Law shall come into force and effect on and from the date of its enactment.

DONE AND PASSED by the Council of the Rural Municipality of Gimli duly assembled this 4th day of March, 2009.



Tammy Axelsson,
Mayor



Joann King,
Chief Administrative Officer

Read a first time this 22nd day of October, 2008

Read a second time this 4th day of March, 2009

Read a third time this 4th day of March, 2009

'SCHEDULE A'

R.M. OF GIMLI GARBAGE PICK-UP SCHEDULE

Rural Garbage Pick-up Schedules:

Day 1

Silver Harbour, Silver Creek, Spruce Bay, Spruce Sands, Bayshore Heights, Heideland, Glen Bay, Brewster Bay.

Day 2

Nes Country Estates, Shorewood, Loch Woods, Lake Forest, Camp Morton, Gilwel Estates, King's Park Estates, Pelican Beach, Loni Beach.

Day 3

Willow Island, Centre Avenue West/Aumnwood, Industrial Park, South Beach

Day 4

Siglavik, Husavik, Sandy Hook 8th to 17th. Avnues.

Day 5

Sandy Hook Golf Course, Sandy Hook 1st. to 7th. Avenues, PR 229 North side.

NOTE: In the event that a holiday should fall on any given day cycle, the day cycle would resume the day after the holiday.

Pick-up West of Highway 8

North of PR #231: Thursdays

South of PR #231: Wednesdays

URBAN CENTRE REFUSE SCHEDULE

Tuesday – All residences within the Urban Centre that are south of Centre Street, and Vesturland area.



Thursday – All residences within the Urban Centre that are north of Centre Street.

Commercial Pick-up:

Summer Schedule in effect from May 1 through September 30 – Monday, Wednesday & Friday.

Winter Schedule in effect from October 1 through April 30 – Monday & Friday.

NOTE: Holidays that fall on Monday or Tuesday, the regular Tuesday pick-up will be Wednesday.

Holidays that fall on Thursday or Friday, the regular Thursday pick-up will be Wednesday.

