

BYLAW NO. 28-2022

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO PROVIDE FOR THE ESTABLISHMENT OF A LANDFILL USE BYLAW.

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with the safety, health and welfare of people and the protection of people and property, services provide by or on behalf of the City, and public utilities;

AND WHEREAS the *Lloydminster Charter* provides authority to City Council to pass bylaws given by this Charter is to be interpreted as including the power to: establish fees for the activity authorized, including fees that may be in the nature of a reasonable tax or for the purpose of raising revenue; establish fees that are higher for persons who do not reside or maintain a place of business in the City or for businesses that are not located in the City compared with fees for persons or business in the City;

AND WHEREAS the *Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws;

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in the *Lloydminster Charter*, enacts as follows:

1. SHORT TITLE

- 1.1. This Bylaw shall be cited as the "Landfill Use Bylaw".

2. DEFINITIONS

- 2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

- 3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.
- 3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:
 - 3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City;
 - 3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;
 - 3.2.3. establish any forms required for the administration of this Bylaw.

4. ACCEPTABLE AND PROHIBITED WASTE

- 4.1. A list of Acceptable Waste for landfill disposal is detailed in Schedule "B", Acceptable Waste, which is attached to and forms part of this Bylaw.

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- 4.2. A list of Prohibited Waste is detailed in Schedule "C", Prohibited Waste, which is attached to and forms part of this Bylaw.
- 4.3. Any waste not identified as Acceptable Waste shall be subject to further investigation and approval by the City Manager, prior to the load being allowed or access or tipping at the City of Lloydminster Landfill.

5. LANDFILL MATERIALS BAN

- 5.1. The following recyclable materials shall be banned from the landfill's Working Face:

- 5.1.1. Metal

- 5.1.2. Clean Concrete

- 5.1.3. Non-Coated Cardboard

- 5.2. Loads containing more than five percent (5%) (by visual inspection) of the said materials shall be charged "Mixed load" plus custom billing spent for sorting. Custom billing will be calculated from landfill Man-hours and equipment hours and current loaded rates.

6. DISPUTED LOADS

- 6.1. Notification and investigation of a disputed load:

In the event that a landfill customer does not agree with a landfill charge, the customer has the option to dispute the said load or ticket within fifteen (15) business days from the date the load was tipped at the landfill. The customer is required to submit notification of the dispute in writing supplying the load information and the reason(s) the landfill charge is being disputed. The City will investigate and notify the customer if adjustments to the bill will be made. If the disputed load was not brought to the City's attention within fifteen (15) business days, the customer will be required to pay the original invoiced amount.

- 6.2. Third Party Load:

In the event that the customer (hauler) was hauling for another company (generator), the City will not mediate between the hauler and the generator. The customer with the landfill account will be billed the corresponding amount and will be responsible for the landfill fee.

7. COMPLIANCE TO LANDFILL SITE REGULATIONS

- 7.1. Customers using the City of Lloydminster Landfill shall comply with the landfill site regulations, as posted at the landfill. Customers shall report to the Scalehouse, follow directions given, and deposit waste in the designated location, as instructed. Any person deemed not compliant can be refused access to the landfill at the discretion of the City Manager.
- 7.2. Any person behaving in an unsafe manner, using threatening or abusive gestures shall be denied access to the landfill at the discretion of the City Manager.

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8. UNPAID LANDFILL FEES

- 8.1. Landfill fees are due upon receipt of the invoice and will be considered late if not paid within thirty (30) days of the invoice date. All unpaid fees will be subject to a finance charge of 1.5% per month.
- 8.2. Customers whose accounts have been cancelled due to unpaid landfill fees past ninety (90) days shall be eligible to re-apply for an account once full payment of outstanding balance including the finance charge has been processed. This account will remain under probation for a period of six (6) months. Customers whose accounts have been cancelled three (3) times for late payment will no longer be eligible to re-apply and will be required to pay at the landfill on a per use basis.

9. FEES AND SURCHARGES - EXPLANATION

9.1. Fees

- 9.1.1. All persons hauling waste that is assessed acceptable to the landfill shall pay disposal fees as directed in Schedule "D", Fees and Surcharges, which is attached and forms part of this Bylaw.

9.2. Surcharge

9.2.1. Extended Hours Surcharge

Extended hours surcharge will be applied to a customer requesting the landfill to extend hours beyond normal posted operating hours. This surcharge defrays the additional cost to extend the operating hours of the landfill. Minimum charge for extended hours: one (1) hour.

9.2.2. Oversized Concrete Surcharge

Oversized concrete surcharge will be applied to concrete loads if more than twenty-five percent (25%) of the visible load does not meet the recycling size specification for Clean Concrete and Asphalt. Oversized concrete surcharge defrays the additional cost associated with recycling oversized concrete.

9.2.3. Unsecured Load Surcharge

Unsecured load surcharge is applied to any vehicle coming into the landfill with unsecured loads. Examples of acceptable practices of securing loads include but are not limited to: using a tarp, using nets, or using heavy materials to weigh down the load.

9.2.4. Weighing Fee

Weighing fee is applied to loads that are coming into the landfill for the sole purpose of being weighed; no material will be offloaded. This fee defrays the cost of operating the Scalehouse.

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10. NUMBER AND GENDER REFERENCES

10.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

11. SEVERABILITY

11.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

This Bylaw shall come into force and effect upon the final passing thereof.

The following bylaws and all amendments thereto are hereby repealed:

- 37-2014
- 36-2016
- 13-2022

INTRODUCED AND READ a first time this ___ day of ____, 20XX, A.D.

READ a second time this ___ day of ____, 20XX, A.D.

READ a third time this ___ day of ____, 20XX, A.D.

Date Signed

MAYOR

Date Signed

CITY CLERK

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SCHEDULE "A"

Definitions

Administration	An employee or Contract employee of the City of Lloydminster.
Battery	Includes car batteries, wet and dry cell batteries.
Blue Bag Material	Materials accepted in the curbside recycling program, including but not limited to: <ul style="list-style-type: none">• Plastics• Paper• Cardboard• Deposit items
City	The City of Lloydminster and the area contained within the corporate boundaries of the City.
City Manager	The Commissioner of the City of Lloydminster as appointed by Council or designate.
Clean Concrete and Asphalt	Concrete and Asphalt with absolute minimum amount of contamination, Concrete with rebar protruding not more than 6 inches, and size of 3ft x 4ft x 6in.
Clean Fill	Topsoil, clay, or second cut material with absolute minimum amount of physical contamination.
Commercial	Loads originating from a premise used to conduct a profession, business, industry, or institutional property.
Contamination	Presence of a minor or unwanted constituent in a material. Example of which is clean fill mixed with sod or other organic debris.
Construction and Demolition Waste	Mixed non-metal construction/demolition waste. Examples of such including but not limited to: insulation, shingles and roofing material, gypsum wall boards, stucco etc.
Council	The Municipal Council of the City of Lloydminster.
Electronics	Includes, but not limited to, TV's computers and accessories, miscellaneous electronics (ex. microwave, DVD/CD player, stereo, etc.)
Garbage	Waste material that is not listed as prohibited or designated as recyclable and is allowed for landfill disposal based on the City of Lloydminster Landfill Permit to Operate Waste Disposal Grounds issued by the Saskatchewan Ministry of Environment.
In-Town	Commercial or residential loads originating from within the City's corporate limits.

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Man-hours	Amount of Administration time in terms of hours used to accomplish a task.
Metal and Appliance	Miscellaneous metals (example fence, metal wires, bikes, etc.) and appliances excluding microwaves. Does not include concrete filled metal pipes or contaminated metals (example yellow jacket pipes).
Out of Town	Commercial or residential loads originating from outside the City's corporate limits.
Paint	Waste paint includes but is not limited to latex, non-latex, and aerosols.
Residential	Loads originating from one's own home within the corporate limits of the City.
Scalehouse	Main entrance through a landfill where incoming or outbound loads are weighed. The Scalehouse is equipped with an industrial scale and staffed by a gate attendant.
Septic Waste	Septic waste from domestic and industrial origin.
Sump and Hydrovac Waste	Sump waste from car/truck wash and hydrovac waste that requires testing and approval prior to disposal at the Wet Cells.
Third Party Load	Loads that are brought to the landfill by a waste hauler for another company as the generator.
Tipping fee	Fee charged to a customer for use of the landfill.
Tires	All tire types from small vehicles to large agricultural tires as accepted by Saskatchewan Scrap Tire Program.
Unrecyclable Concrete	Concrete that does not meet recycling specification or Clean Concrete and Asphalt.
Wood	Clean, non-treated wood. Examples of such including but not limited to pallets, trees, shacks.
Working Face	Open area of the landfill where waste is deposited, compacted, and covered with soil or alternative cover material.

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SCHEDULE "B"

Acceptable Waste

City of Lloydminster Landfill shall accept non-hazardous waste for landfill disposal, treatment, or recycling. Acceptable waste includes but is not limited to:

1. Landfilled

- a. Garbage
- b. Unrecyclable Concrete
- c. Construction/Demolition Waste
- d. Specified Risk Material
- e. Asbestos
- f. Mattress

2. Treated

(Requires approval as per the Sump Waste Acceptance, Handling and Disposal Procedure)

- a. Septic Waste
- b. Sump and Hydrovac Waste

3. Recycled

- a. Used Oil, Filters, Containers and Glycol
- b. Cardboard and Blue Bag Material
- c. Electronics
- d. Battery
- e. Paint
- f. Tires
- g. Metal and Appliance
- h. Clean Fill
- i. Clean concrete and Asphalt
- j. Wood

Disposal of these materials are subject to fees and surcharges as per Schedule "D" of this Bylaw.

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Schedule "C"

Prohibited Waste

All substances listed in the Saskatchewan Hazardous Substances and Waste Dangerous Goods Regulations as explosives, gases, flammable liquids, flammable solids, oxidizing substances, organic peroxides, poisonous substances, infectious substances, radioactive material, corrosive substances, including their containers are prohibited from the landfill.

Prohibited waste includes but is not limited to:

- a. PCB's – Polychlorinated Biphenyls
- b. Automobile bodies
- c. Infectious/biomedical waste
- d. Dry cleaning fluids
- e. Coated/wrapped metal pipe/yellow jacket
- f. Paint thinner/varsol
- g. Bulk liquid, except Sump, Hydro vac and Septic Waste materials
- h. Electroplating products
- i. Unwashed plastic or metal chemical containers
- j. Fuel tanks including automotive and storage unless steamed and cut in manageable size
- k. Petroleum remains or by-products (except soil to be recycled)
- l. Concrete with rebar protruding more than six (6) inches
- m. Bulk quantity concrete powder or any powder substance; unless proven to be a non-hazardous/dangerous substance
- n. Pipe or tubing of any type unless it is cut into four (4) foot lengths
- o. Oilfield waste: Any unwanted substance (by the generator) or mixture of substances that results from the construction, operation or reclamation of a well site, oil and gas battery, gas plant, compressor station, crude oil terminal, pipeline, gas gathering system, heavy oil site, oil sands site, or related facility
- p. Bentonite
- q. Ammunition Casings
- r. Chemicals of any kind
- s. Herbicide/pesticide containers
- t. Concrete filled pipe
- u. Agriculture pesticide and containers
- v. Spoiled grain
- w. Explosives, combustibles, compressed gas containers
- x. Any material not listed as permitted is prohibited pending prior arrangement with the Landfill Foreman. Landfill staff will refuse the disposal of any unknown substance that is deemed to be potentially hazardous to the environment.

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Schedule "D"

Landfill Fees and Surcharges

1. Landfill Fees and Surcharges Effective January 1, 2023

Material	Tipping Fee (\$/tonne)		
	In-Town		Out-of-Town
	Residential	Commercial	
Garbage	No charge ¹	83.00	137.00
Asbestos	328.00	328.00	437.00
Clean Concrete/Asphalt	No charge ¹	No charge ¹	No charge ¹
Unrecyclable Concrete	328.00	328.00	377.00
Clean Fill	No charge ¹	11.50	17.00
Septic Waste (per load)	72.00	72.00	72.00
Sump or Hydrovac Waste	N/A	72.00	82.00
Cardboard	No charge ¹	No charge ¹	No charge ¹
Electronics	No charge ¹	No charge ¹	No charge ¹
Battery	No charge ¹	No charge ¹	No charge ¹
Metal and Appliance	No charge ¹	No charge ¹	No charge ¹
Paint ² (per gal)	No charge ²	Accepted ²	Not accepted
Tires (per piece, rimless) ³			
Type 0 (PLT Sm Ag/Ind)	5.25	5.25	5.25
Type 1 (Med Truck + 20 Imp)	14.75	14.75	14.75
Type 2 (Ag over 20 + Grader)	26.25	26.25	26.25
Type 3 (OTR 20.5x25 + up)	60.00	60.00	60.00
Type 4 (SPE)	26.25	26.25	26.25
Type 5 (OTR II 26.5 to 39)	147.00	147.00	147.00
Used Oil, Containers, and Filters ⁴	No charge ¹	No charge ¹	No charge ¹
Glycol (per load) ⁴	6.00	6.00	12.00
Mixed load ⁵ (mix of metal, garbage, soil)	273.00	273.00	315.00
Mattress (each)	11.25	11.25	22.25
Extended Hours Surcharge (per hour)	110.00	110.00	110.00
Oversized concrete Surcharge	6.00	6.00	6.00
Unsecured Load Surcharge	22.50	22.50	22.50
Weighing Fee	17.00	17.00	17.00
Special Waste (ie. Specified Risk Materials or materials requiring special handling)	328.00	328.00	437.00

¹ Re-evaluated annually

² Household quantities of paint are accepted free of charge; Commercial quantities of eligible paint materials are accepted with conditions and pre-approval.

³ Tires with rims on will be charged double the tipping fees stated above

⁴ Household quantities of used oil, glycol, and filters.

⁵ Loads where recyclable materials are mixed with landfilled materials (Section 6)

⁶ Not applicable to residential loads

Minimum fees:

Material	Tipping Fee (\$/tonne)	
	In-Town	Out-of-Town
Garbage, Sump or Hydrovac Waste	12.50 ⁶	20.50
Clean Fill	6.00 ⁶	6.00
Special Waste (Asbestos, Unrecyclable Concrete, Mixed Load)	110.00	110.00

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2. Snow Disposal Fees Effective January 1, 2023

Truck Type	Rate
Single Axle Truck	\$3.25
Tandem Axle Truck	\$6.50
Tandem Axle Truck with pup/trailer	\$12.75
Tri-axle truck/trailer	\$19.00

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