



**TOWN OF BANFF**  
**GOVERNANCE AND FINANCE COMMITTEE**  
**ORDER OF BUSINESS**  
**Regular Meeting of the Governance and Finance Committee**  
**Town of Banff Virtual Meeting**  
**Monday, 2022 March 14, at 9:00 a.m.**

**PLEASE NOTE:**

Due to the extraordinary circumstances and measures being taken to slow the spread of COVID-19, this meeting will be held virtually using Zoom; all Members of the Governance and Finance Committee will be participating remotely.

Members of the Public may watch the live stream of this Meeting at [www.banff.ca/live](http://www.banff.ca/live)

**MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN EITHER/ BOTH OF THE FOLLOWING MANNERS:**

- Public wishing to make written submissions **relating to approved Agenda Items** may do so by emailing the Municipal Clerk at [Municipal.Clerk@banff.ca](mailto:Municipal.Clerk@banff.ca) **prior to 12:00 p.m. noon, Sunday, 2022 March 13**. Submissions received will be included in the Agenda package publicly available through [www.banff.ca/AgendaCenter](http://www.banff.ca/AgendaCenter). Personal information provided in submissions is collected under the authority of Procedures Bylaw 44-7 and Section 33(c) of the *Freedom of Information and Protection of Privacy* (FOIP) Act of Alberta, for the purpose of receiving public participation in municipal decision-making. If you have questions regarding the collection and use of your personal information, please contact the FOIP Coordinator at 403-762-1209 or at Banff Town Hall, Box 1260, Banff, Alberta, T1L 1A1;

**AND/ OR**

- Public wishing to speak **to approved Agenda Items** at the meeting during the 'Public Input' portion of the Agenda must register by contacting the Municipal Clerk at [Municipal.Clerk@banff.ca](mailto:Municipal.Clerk@banff.ca) or 403-762-1209 prior to **4:30 p.m. on Friday, 2022 March 11**.

## **1.0 CALL TO ORDER**

The 2022 March 14 Regular Meeting of the Governance and Finance Committee will be conducted virtually using Zoom and will live streamed on the internet, and recorded, in accordance with Council Policy C8002-1, Video Recording and Live Streaming of Legislated Meetings. It will be made available on the Town of Banff website.

## **2.0 APPROVAL OF AGENDA**

### **2.1 Agenda for the 2022 March 14 Virtual Regular Meeting of the Governance and Finance Committee**

Recommendation:

That the Agenda for the 2022 March 14 Virtual Regular Meeting of the Governance and Finance Committee be approved.

## **3.0 ADOPTION OF PREVIOUS GOVERNANCE AND FINANCE COMMITTEE MINUTES**

### **3.1 Minutes of the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee**

Recommendation:

That the Minutes of the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee be adopted.

## **4.0 DELEGATIONS AND INVITED PRESENTATIONS**

None

## **5.0 PUBLIC INPUT ON AGENDA ITEMS**

### **5.1 Written Submissions**

### **5.2 Verbal Submissions**

## **6.0 UNFINISHED BUSINESS**

None



## **7.0 REPORTS**

### **7.1 Request for Direction: Non-residential Waste Bylaw 377 Proposed Amendments**

Recommendation:

That Governance and Finance Committee recommend that Council adopt, by Bylaw, the proposed amendments to the Non-Residential Waste Bylaw 377 (Attachment 1).

## **8.0 CORRESPONDENCE**

None

## **9.0 NEW/URGENT BUSINESS**

## **10.0 CONFIDENTIAL ITEMS**

None

## **11.0 ADJOURNMENT**



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

**MINUTES OF THE VIRTUAL GOVERNANCE AND FINANCE COMMITTEE MEETING**  
of the Town of Banff in the Province of Alberta  
**Regular Meeting of the Governance and Finance Committee**  
Monday, 2022 February 28, at 9:00 a.m.

**MEMBERS PRESENT**

Corrie DiManno	Mayor	(Remote Participation)
Ted Christensen	Councillor and Deputy Mayor	(Remote Participation)
Grant Canning	Councillor and Acting Mayor	(Remote Participation)
Chip Olver	Councillor	(Remote Participation)
Barb Pelham	Councillor	(Remote Participation)
Hugh Pettigrew	Councillor	(Remote Participation)
Kaylee Ram	Councillor	(Remote Participation)

**MEMBERS ABSENT**

None

**ADMINISTRATION PRESENT**

Kelly Gibson	Town Manager	(Remote Participation)
Silvio Adamo	Director, Protective Services, and Fire Chief	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Darren Enns	Director, Planning & Development	(Remote Participation)
Alison Gerrits	Director, Community Services	(Remote Participation)
Paul Godfrey	Director, Operations	(Remote Participation)
Chris Hughes	Director, Corporate Services	(Remote Participation)
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives + Special Projects	(Remote Participation)
Andrea Stuart	Finance Manager	(Remote Participation)
Renée Lavergne	Information Governance Coordinator	(Remote Participation)
Lisa Lee	Executive Assistant, Mayor's Office	(Remote Participation)
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	(Remote Participation)

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

## 1.0 CALL TO ORDER

To confirm Members of the Governance and Finance Committee, who all participated virtually due to the ongoing COVID-19 Pandemic, as present, the following roll call was conducted:

ROLL CALL:

Present: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

Mayor DiManno called the virtual Regular Meeting of the Governance and Finance Committee to order at 9:01 a.m.

## 2.0 APPROVAL OF AGENDA

### 2.1 Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee

A clerical correction was noted to page 2 of 4, of the Agenda page, Item 2.1, Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee, in the first line of the Recommendation, by deleting the date “14” and substituting with the date “28”.

FIN22-70 **Moved by** Mayor DiManno

That the corrected Agenda for today’s meeting be amended as follows:

- By adding a new Item to Section 5.1, Written Submissions., entitled "5.1.3, Lee O’Donnell: Email Re: Can’t speak at GFC this Morning! Work has come up! Please accept as my submission, Received 2022 February 28 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)”; and
- By removing Item 5.2.1, Lee O’Donnell (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, and Item 7.1, Briefing: Pre-Audit Planning) from Section 5.2, Verbal Submission

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-69 **Moved by** Councillor Ram

That the corrected Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee be approved, **as amended**.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

### 3.0 **ADOPTION OF PREVIOUS GOVERNANCE AND FINANCE COMMITTEE MINUTES**

3.1 Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee

The following clerical corrections were noted to the Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee:

- Page 7 of 12, Motion FIN22-58, by deleting the vote tally in its entirety and replacing with the following:  
For (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pettigrew, Councillor Pelham and Councillor Ram
- Page 8 of 12. Motion FIN22-61, in the Against line of the vote tally, by deleting the name “Councillor Pettigrew”.

FIN22-71 **Moved by** Councillor Pelham

That the Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee be adopted, **as corrected**.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

#### 4.0 DELEGATIONS AND INVITED PRESENTATIONS

No Delegations and Invited Presentations were scheduled as part of this meeting.

#### 5.0 PUBLIC INPUT ON AGENDA ITEMS

##### 5.1 Written Submissions

Council, by unanimous consent, received the following Written Submissions for the Corporate Record:

- 5.1.1. Stuart Back, Chief Operating Officer/ Banff Jasper Collection: Email, Received 2022 February 14 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)
- 5.1.2. Banff Cannabis Inc: Letter, Dated 2022 February 25 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)
- 5.1.3. Lee O'Donnell: Email Re: Can't speak at GFC this Morning! Work has come up! Please accept as my submission, Received 2022 February 28 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)

##### 5.2 Verbal Submissions

- 5.2.1. Item Removed at the Request of the Speaker and by way of Motion FIN22-70.

**NOTE:** This Item was removed from the Agenda by way of Motion FIN22-70 at the request of the Speaker as noted in an email received 2022 February 28 included on the Agenda as Item 5.1.3.

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

## 6.0 UNFINISHED BUSINESS

6.1 Request for Direction: Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121

FIN22-72 **Moved by** Councillor Christensen

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Bylaw 388-4, the 2022 Fees and Charges Bylaw, that would address the fees charged for sidewalk seating and outdoor merchandising based on a market-based fee structure.

For: (5): Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (2): Mayor DiManno, and Councillor Canning

**MOTION CARRIED**

FIN22-73 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Sidewalk Seating Policy C7005 that would allow for consideration of non-abutting sidewalk seating throughout the downtown.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_





Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-74 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Sidewalk Seating Policy C7005 that would allow for Sidewalk seating allocations of up to a maximum of 25 per cent larger with the permission of the adjacent property owner whose frontage is proposed for use.

For: (5): Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Pelham, and Councillor Ram

Against: (2): Councillor Christensen, and Councillor Pettigrew

**MOTION CARRIED**

FIN22-75 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would incorporate the 2020 and 2021 priority system for considering Sidewalk Seating and applications throughout the downtown.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, and Councillor Ram

Against: (1): Councillor Pettigrew

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



FIN22-76 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would add a definition for “personal warming device”.

For: (2): Mayor DiManno, and Councillor Olver

Against: (5): Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION DEFEATED**

FIN22-77 **Moved by** Councillor Pelham

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for heating devices to be used.

For: (5): Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Pelham, and Councillor Ram

Against: (1): Councillor Christensen, Councillor Pettigrew

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-78 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for limited signage allowances within a sidewalk seating area.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

FIN22-79 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for sidewalk seating infrastructure that provides a range of options.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-80      **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would require a performance bond in association with a Sidewalk Seating Applications.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

FIN22-81      **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would allow consideration of non-abutting outdoor merchandising displays on Bear Street.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-82 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would incorporate the 2020 and 2021 priority system logic for considering Outdoor Merchandising applications throughout the downtown.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

FIN22-83 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would require a performance bond in association with an Outdoor Merchandising Applications.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

## 7.0 REPORTS

### 7.1 Briefing: Pre-Audit Planning

FIN22-84 **Moved by** Mayor DiManno

That Committee recess at 12:44 p.m. to the call of the chair, to reconvene in a closed meeting, to be conducted in a confidential Zoom Meeting environment, pursuant to Sections 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect to Item 7.1, Pre-Audit Planning, and that the following individuals be invited into Committee's closed meeting discussions:

- Collin Mitchell, CA, Partner – Audit, KPMG Enterprise; and
- Taylor Thompson, Senior Manager, KPMG Enterprise.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

Committee reconvened in closed meeting at 12:46 p.m. with Mayor DiManno in the Chair.

Committee recessed in closed meeting at 1:13 p.m.

Committee reconvened in public meeting at 1:14 p.m. with Mayor DiManno in the chair.

FIN22-85 **Moved by** Mayor DiManno

That Committee rise and report.

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

FIN22-86      **Moved by** Mayor DiManno

That with respect to Item 7.1, Pre-Audit Planning, the following be approved:

That the Governance and Finance Committee direct that the Confidential Attachment, KPMG – 360 Review – Audit Plan, and the closed meeting discussions remain confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

## 8.0      **CORRESPONDENCE**

No Correspondence was considered at this meeting.

## 9.0      **NEW/URGENT BUSINESS**

No New/Urgent Business was considered at this meeting.

## 10.0      **CONFIDENTIAL ITEMS**

No Confidential Items were considered at this meeting.

Minutes approved by: \_\_\_\_\_



Governance and Finance Committee Virtual Regular Meeting  
2022 February 28

## 11.0 ADJOURNMENT

FIN22-87 **Moved by** Councillor Christensen

That the Committee adjourn at 1:15 p.m.

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

**MOTION CARRIED**

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Corrie DiManno  
Mayor

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Libbey McDougall  
Municipal Clerk

Minutes approved by: \_\_\_\_\_





## REQUEST FOR DIRECTION

### Subject: Non-Residential Waste Bylaw 377 Proposed Amendments

Presented to: Governance and Finance Committee

Date: 2022 March 14

Item #: 7.1

Submitted by: Carla Bitz,  
Environmental Coordinator

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## RECOMMENDATION

That Governance and Finance Committee recommend that Council adopt, by Bylaw, the proposed amendments to the Non-Residential Waste Bylaw 377 (Attachment 1).

## BACKGROUND

### Reason for Report

The purpose of this report is to seek direction from the Governance & Finance Committee on administration's recommendation to implement a ban on placing food scraps and recyclable materials into municipal garbage collection bins, by way of amending the Non-Residential Waste Bylaw 377.

### Summary of Issue

On June 11, 2018, Council adopted the 'Town of Banff Options for Waste Diversion Targets and Tactics' report, to serve as a guide for increasing waste diversion for the Town of Banff. Council also adopted a target of 70% waste diversion by 2028 and zero waste to landfill by 2050. These proposed requirements are critical to advance the following council strategic target of 70% waste diversion by 2028 and zero waste to landfill.

One of the tactics listed in the Options for Waste Diversion Targets and Tactics report was considerations of material bans that would require all non-residential sector entities to separate designated banned materials from garbage (Tactic B1).

Banff's non-residential sector is comprised of businesses, organizations, and institutions, and is responsible for approximately 65% of municipal solid waste. Results from a 2015-2016 waste characterization study demonstrated that approximately 48% of non-residential waste to landfill consists of food scraps and food-soiled paper that could have been diverted for composting. It is also estimated that an additional 16.6% of all non-residential waste to landfill comes from mixed recyclable materials including paper, glass, plastic and metal.

### Food Scraps & Food-Soiled Paper

The launch of the Zero Waste Trail campaign for the commercial sector, alongside a re-vamp of communications resources and targeted outreach, has been the focus of administration in the effort to increase diversion of food scraps and food-soiled paper for non-residential sector entities.

The Town of Banff food waste collection service provides a convenient pickup service for non-residential sector entities and has been in place for over a decade. Food waste collection rates are subsidized by garbage collection rates, in order to incentivize non-residential users to divert food waste.

Council approved a bylaw amendment in 2021 that required all non-residential sector entities to provide infrastructure for diversion of food scraps. Most non-residential properties have achieved compliance with the requirement to provide a food bin, and diversion progress has been observed as a result. Data trends shows improvements with respect to the ratio of food to garbage, and a general diversion rate increase in the non-residential sector.

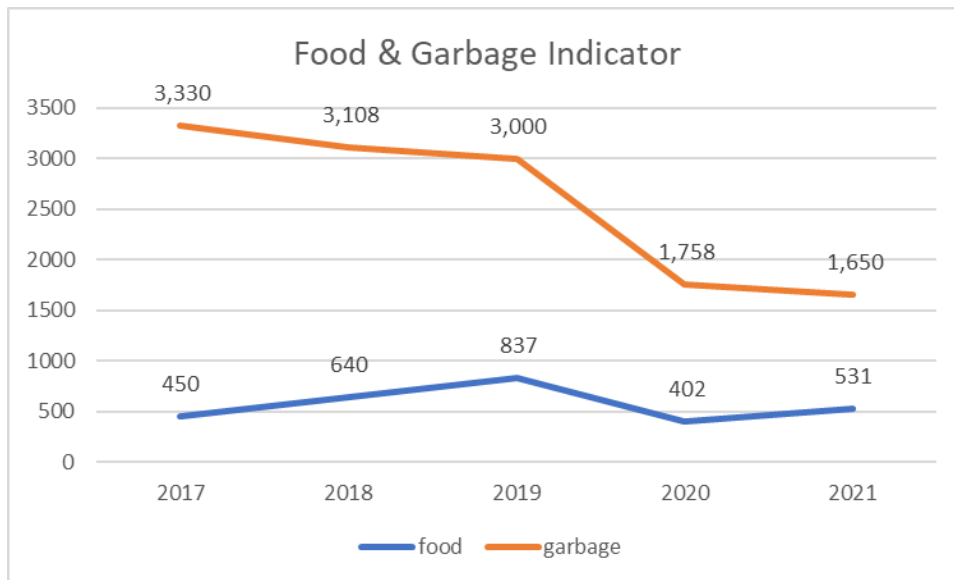


Figure 1: Comparison of Food & Garbage tonnages

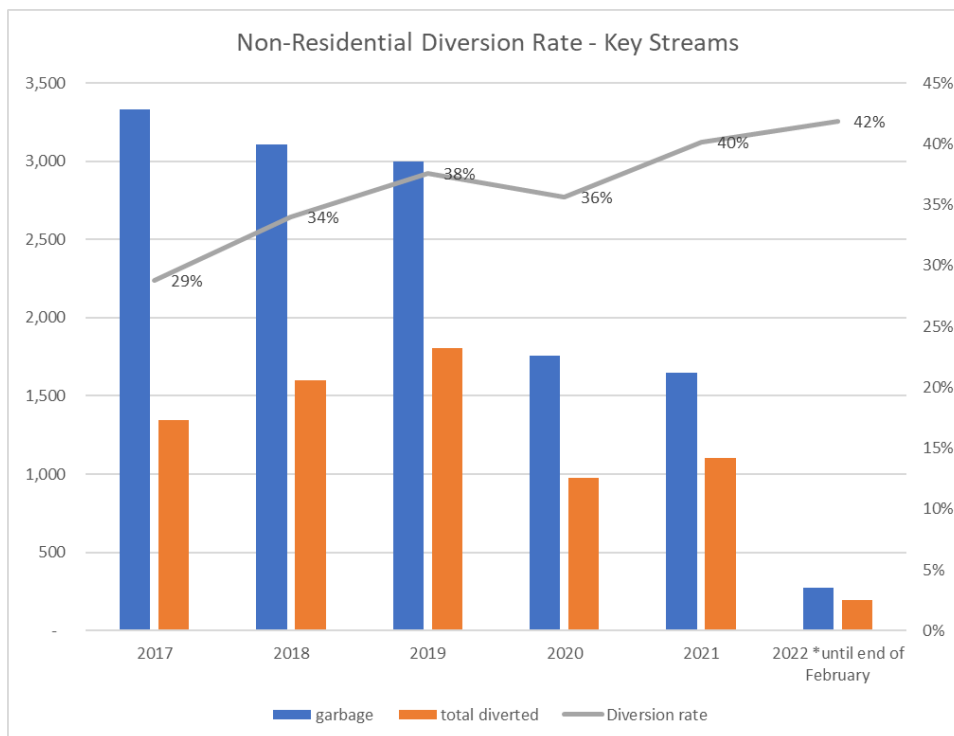


Figure 2: Diversion rate among target material streams in the non-residential sector

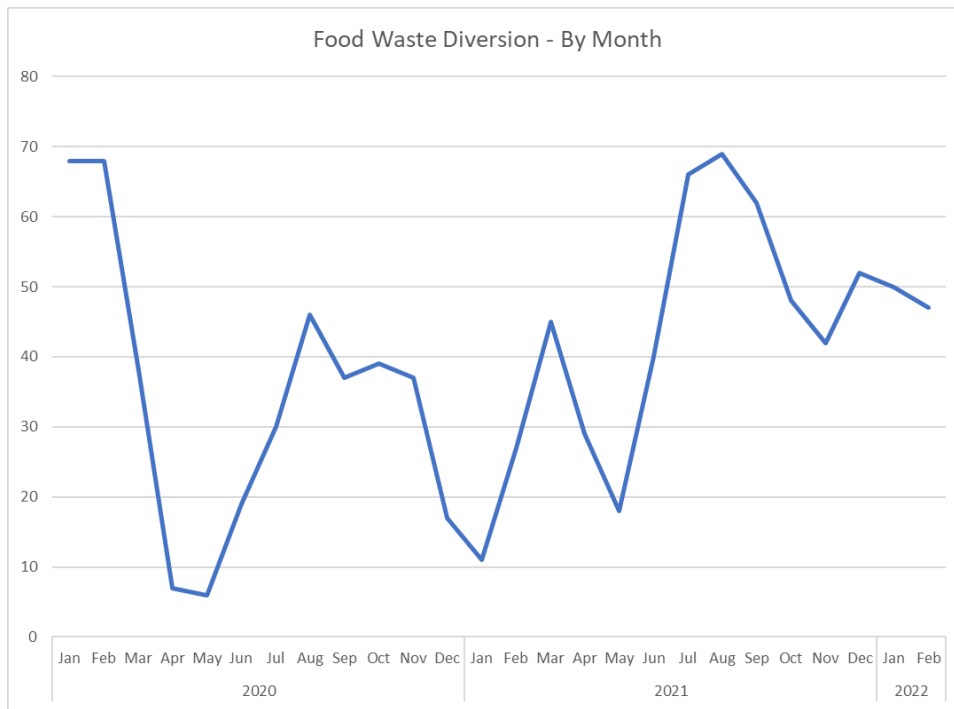


Figure 3: Non-residential food waste diversion by month

Despite recent progress, administration estimates that food scraps and food-soiled paper remain the most significant opportunity for improved waste diversion in the town’s non-residential waste stream.

There are several gaps with respect to diversion of food scraps & food-soiled paper and recycling which could be addressed by the introduction of a material ban, for example:

1. Some establishments that still do not separate food scraps & food-soiled paper, despite having a bin available in their building;
2. Among existing participants, some materials may not be captured in the food stream (ex. paper towels);
3. There are some areas where infrastructure isn't available and significant food waste may be generated (ex. hotel kitchenettes)

# GARBAGE BIN CONTAMINATION REPORT

## Section 1

Date and time	Nov 21, 2021 10:49:00 AM MST
Operator name	[REDACTED]
Garbage bin type	Garbage
Garbage bin location (locations beginning with "A" or "B")	[REDACTED]
Description of contamination or concern	Food in the garbage
Take up to 5 photos of garbage bin	



Figure 4: Pronto Forms that show significant amounts of Food in the Garbage

### Mixed Recyclables

The Town has also put in place several convenient recycling options for businesses, including:

- Adding the Downtown Depots;
- Changing the waste bylaw to permit businesses to use any residential blue bin, and;
- Removing charges at the Waste Transfer site for mixed recyclables.

Businesses also have the option to pay to hire a private hauler. Administration has communicated these options to businesses directly, and there are plans for a targeted outreach will take place prior to summer of 2022. Despite many businesses that utilise one of these options for mixed recyclables, it is still not uncommon to find these materials in the non-residential garbage stream.

Data suggests that diversion of non-residential mixed recyclables is not improving; however it must be noted that there are limitations to this data such as the involvement of private haulers and impacts of the pandemic.

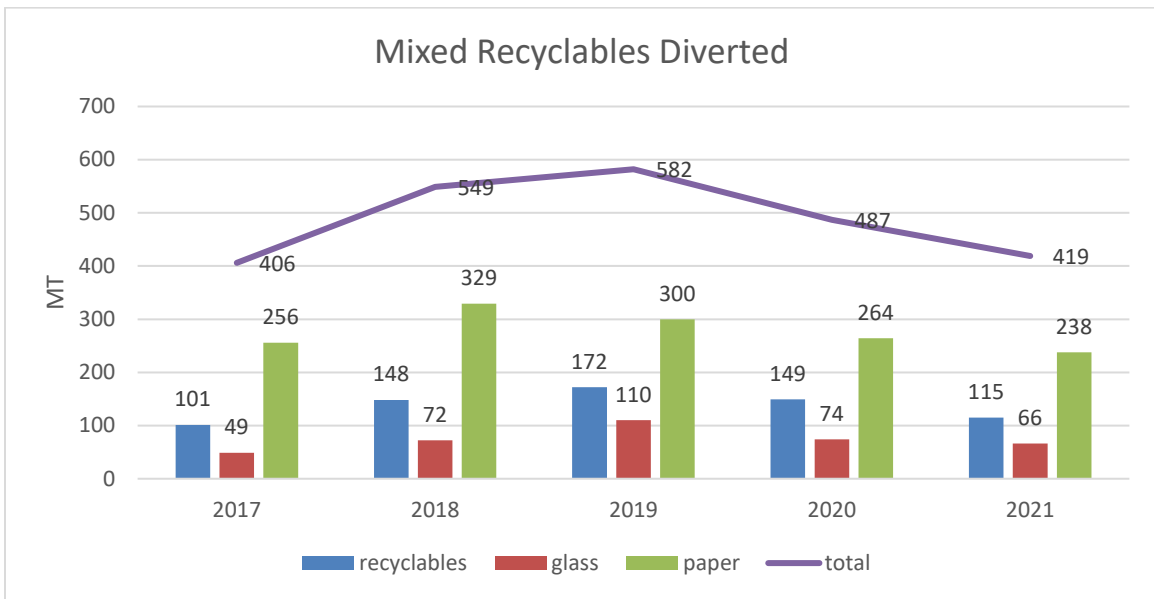


Figure 5: Total mixed recyclables collected for diversion (both sectors)

**Take up to 5 photos of garbage bin**



**Operator signature**

Figure 6: Pronto forms that show significant amounts of Mixed Recyclables in the Garbage

**Proposed Amendments to Non-Residential Waste Bylaw 377**

Amendment	Section	Rationale
<p><b>Disposal of Waste from a Non-Residential Premises</b></p>	<p>6.2</p>	<p>The following words in underline are added, and the word ‘cardboard’ is deleted in strikethrough, to stipulate which designated materials are banned from garbage. 6.2 Every Owner shall <u>provide infrastructure and ensure that Occupants separate the following designated banned materials</u> <del>cardboard</del> from Garbage.</p> <p style="text-align: center;"> <u>6.2.1. Cardboard as defined in Schedule A.</u>  <u>6.2.2. Food Waste as defined in Schedule B.</u>  <u>6.2.3. Recyclable Materials as defined in Schedule C.</u> </p>
	<p>6.4</p>	<p>The following words in underline are added to stipulate and provide instructions with respect to the requirement to separate Cardboard from Garbage.</p> <p>6.4 Owners or Occupants of a Non-Residential Premises shall dispose of Cardboard generated by the Occupants of a Non-Residential Premises by first preparing it in accordance with Schedule ‘A’ of this bylaw and depositing the same entirely within, the appropriate Approved Bin provided to the Owner of the Non-Residential Premises by the Town for that purpose.</p> <p style="text-align: center;"> <u>6.4.1. Every Owner shall inform Occupants of the Cardboard collection program and the requirement to separate Cardboard from Garbage, by way of signage and annual communication.</u> </p>
	<p>6.5</p>	<p>The following words are deleted in strikethrough, as the requirement to provide infrastructure for separation of Food Waste from Garbage is stated in the renumbered Section 6.5.</p> <p><del>6.5 Every Owner of a Non-Residential Premises shall provide infrastructure, which may include but is not limited to storage bins or other receptacles, for the separation of Food Waste for use by the Owner and Occupants.</del></p> <p style="text-align: center;"> <del>6.5.1 Every Owner shall inform Occupants of the Food Waste collection program and the opportunity to participate in separating Food Waste from Garbage</del> </p> <p>The section is reworded by deleting the following words in strikethrough and inserting the following words in underline to stipulate and provide instructions with respect to the requirement to separate Food Waste from Garbage.</p> <p>6.5 Owners or Occupants of a Non-Residential Premises shall dispose of Food Waste <u>generated by the Occupants of a Non-Residential Premises as garbage, in which case the provisions of this bylaw related to Garbage will apply or, may choose to dispose of Food Waste as recycling, in which case Owners and Occupants will first by preparing</u> the materials in</p>

		<p>accordance with <del>this bylaw including</del> Schedule “B” hereof and will deposit the same entirely within the Approved Bins provided to the Owner of the Non-Residential Premises by the Town for those purposes.</p> <p><u>6.5.1 Every Owner shall inform Occupants of the Food Waste Collection program and the requirement to separate Food Waste from Garbage, by way of signage and annual communication.</u></p>
	6.6	<p>The section is reworded by deleting the following words in strikethrough and inserting the following words in underline to stipulate and provide instructions with respect to the requirement to separate Recyclable Materials from Garbage.</p> <p>6.6 Owners or Occupants of a Non-Residential Premises shall dispose of Recyclable Materials <u>generated by the Occupants of a Non-Residential Premises</u> as garbage, <del>in which case the provisions of this bylaw related to Garbage will apply or, may choose to dispose of Recyclable Materials as recycling, in which case Owners and Occupants will first by</del> preparing the materials in accordance with <del>this bylaw including</del> Schedule “C” hereof <del>and will deposit the same entirely within the Approved Bins provided to the Owner of the Non-Residential Premises by the Town for those purposes.</del></p> <p><u>6.6.1 Every Owner shall inform Occupants of the requirement to separate Recyclable Materials from Garbage, by way of signage and annual communication.</u></p>
<b>Schedule B – Food Waste</b>		<p>The preparation column is reworded by deleting the following words in strikethrough and inserting the following words in underline to stipulate that compostable bags must be used in certain contexts to prevent food waste from freezing:</p> <ul style="list-style-type: none"> <li>• <del>Loose</del></li> <li>• <u>All Food Waste must be placed in certified compostable bags</u> <del>are required.</del></li> <li>• <u>Food Waste does not need to be placed in compostable bags prior to disposal where the food waste bin is located inside a heated space.</u></li> </ul>
<b>Schedule C – Recyclable Materials</b>		<p>The following words in underline are added to clarify that Recyclable Materials may be disposed of in bins provided by private haulers.</p> <p>Recyclable Materials are accepted for disposal in any Approved Bin, <u>waste receptacle provided by a private hauler in any Approved Enclosure</u>, or at the Transfer Site.</p>

<b>Schedule D – Construction Waste</b>		Schedule D is deleted due to a redundancy in the previous iteration of the bylaw. Schedule E is renamed Schedule D accordingly.
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**Response Options**

That Governance and Finance Committee:

1. Recommend that Council adopt, by Bylaw, the proposed amendments to the Non-Residential Waste Bylaw 377 (Attachment 1); and,
2. Recommend that Administration make changes to the proposed amendments to the Non-Residential Waste Bylaw 377 (Attachment 1) and return to a future meeting of Governance & Finance for consideration.

**IMPLICATIONS OF DECISION**

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**Budget**

A communications budget of \$12,000 has been allocated in 2022 toward these material bans. An additional budget of \$8,000 is allocated for 2023. Please see approved 2018 service review documents for more information.

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**Internal Resources**

*Enforcement*

Administration is proposing that enforcement be conducted by leveraging the existing “Pronto” system utilised by Resource Recovery staff. Resource Recovery collections drivers are already diligent in using the Pronto system to communicate issues with waste enclosures to administrative staff and management. Additional time will be required between drivers, administrative staff, and management to identify, coordinate, and respond when non-compliance issues arise.

As with previous bylaws, an education-first approach would allow administration to inform the owner of a non-residential premises when they are not in compliance with this component of the bylaw, by way of administrative warnings and education. Administration will reach out, provide educational resources, and collaborate with the establishment for up to one month, with the shared goal being to reach compliance.



Figure 7: Compliance process including education & enforcement



Administration expects that many non-residential sector entities would reach compliance through administrative warnings and education. In the case that compliance is not reached, Municipal Enforcement would be involved to issue warnings and Voluntary Payments (fines) as listed in the bylaw. As such, some time will be required by Municipal Enforcement to support the implementation of the bylaw.

Administration is proposing that the new bylaw changes come into effect October 1<sup>st</sup>, 2022 to allow for adequate communication to inform the non-residential sector. Enforcement will not be conducted until January, 2023, which would allow for an extended grace period acknowledging that some types of establishments may need time to adjust to the requirement and implement operational changes.

### *Communications*

Implementing the material bans requires a communications effort to notify all non-residential sector entities of the new requirement. Communications tactics include the following:

- 
- ✓ Updates to print & digital communications resources to include information on bylaw change.
  - ✓ Use of existing channels (print, social, newsletter) for public communication of the bylaw change.
  - ✓ Direct communication (in-person, phone, email) with non-residential sector entities
  - ✓ A notification in waste utility bills
  - ✓ Communication through key industry channels ex. newsletters (BLLHA, BVCC, BLLT)
- 

The Town of Banff will continue to provide all businesses with zero waste assistance including program set-up advice and staff engagement tips. Businesses that implement new programs before the bylaw comes into effect will be provided with a free starter kit including educational decals and compostable bags.

### **Banff Community Plan**

Environmental Leadership: be a model for environmental management, sustainable development, and tourism.

### **Council Strategic Priorities**

Leading Conservation (Nurturing a Model Environmental Community).

Waste: actions are underway, and 2022 indicators show progress on-track toward achieving 70% community-wide waste diversion by 2028.

### **Environmental Master Plan**

Waste Action 6: Work with relevant partners to implement a timed series of materials focused rate disincentives and material bans on recyclable material streams most commonly found in the waste streams of the commercial and construction/renovation/demolition sectors.

## **ATTACHMENTS**

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Attachment 1 – Amended Current Non-Residential Waste Bylaw 377

Attachment 2 – Waste Diversion Targets & Tactics (Tactic B1 NSLR)

Circulation date: February 25<sup>th</sup>, 2022

Submitted By:   
Carla Bitz, Environmental Coordinator

Reviewed By: On Original  
Kelly Gibson, Town Manager

## Office Consolidation

**TOWN OF BANFF  
BYLAW 377**

**Non-Residential Waste Bylaw**

**A Bylaw to establish and maintain a system for the collection of Non-Residential waste  
in the Town of Banff**

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The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

**1.0 CITATION**

- 1.1 This bylaw may be cited as the Non-Residential Waste Bylaw.

**2.0 DEFINITION**

- 2.1 In this bylaw:
- 2.1.1 “Approved Bin” means a receptacle for the collection service provided by the Town for the separate disposal of Garbage, Cardboard, Recyclable Materials, Food Waste or Pedestrian Waste.  
Amended 2021.03.08 – Bylaw 434
- 2.1.2 “Approved Enclosure” means an enclosure, owned and installed by the Owner of a Non-Residential Premises, designed for the storage of Approved Bins between collection times that prevents access to Non-Residential Waste.
- 2.1.3 “Ashes” means the solid residue derived as a by-product from the burning of or combustion of any material or substance.
- 2.1.4 “Bulky Waste” means a discarded chattel, material or equipment of any kind exceeding 1.2 meters in any dimension or 23 kilograms in weight including but not limited to furniture, appliances, packaging and mattresses.
- 2.1.5 “Business” means any person or entity, whether or not for profit and however organized or formed, including a co-operative or association of Persons which conducts:
- a) a commercial, merchandising or industrial activity or undertaking(s);
  - b) a profession, trade, occupation, calling or employment; or
  - c) an activity providing goods or services.
- 2.1.6 “Cardboard” means any material as described in Schedule ‘A’ of this bylaw.
- 2.1.7 “Clear Bag” means a plastic bag which is clear and transparent, or a plastic bag which is lightly tinted provided that the tinting is such that the contents of the bag can clearly be seen through the tinting.

Town of Banff Bylaw 377 – Non-Residential Waste  
Page 1 of 23

**Office Consolidation**

- 2.1.8 “Construction Waste” means all waste produced in the process of constructing, altering, renovating, repairing or demolishing a building, or infrastructure or, development, including vegetation, topsoil, and excavated material displaced during this process.
- Amended 2021.03.08 – Bylaw 434
- 2.1.9 “Construction Waste Storage Container” means a container provided or used for the temporary storage of Construction Waste.
- 2.1.10 “Dwelling” means any building or place including the land upon which the building or place is located, which is occupied or used as a place of abode.
- 2.1.11 “FOG” means any fats, oils or greases of any kind including residue.
- 2.1.12 “Food Waste” means any material described in Schedule ‘B’ of this bylaw.
- 2.1.13 “Garbage” means all abandoned, rejected or discarded matter generated in and/or coming from a Non-Residential Premises but does not include:
- a) Food Waste
  - b) Cardboard
  - c) Recyclable Materials
  - d) Construction Waste
  - e) Bulky Waste
  - f) Unacceptable Waste
- 2.1.14 “Hazardous Waste” means any solid, liquid or gaseous substance defined or described by legislation or regulation of the Province of Alberta as being hazardous and/or toxic. This includes waste that presents a hazard to Persons, flora, fauna, or lands, including but not limited to waste of a biological, biohazardous, pathological, explosive, highly flammable, radioactive or toxic nature, which, without limiting the foregoing, shall include asbestos and blood samples, but shall not include domestic animal feces.
- 2.1.15 “Hazardous Waste Round Up” means a Town sponsored event for the collection of Hazardous Waste.
- 2.1.16 “Non-Residential Premises” includes any building, structure or premises which is not used for residential purposes, and for greater certainty, but not to be restricted the generality of the foregoing, any building, structure or premises which is used by any Business or for any professional, institution, industrial, commercial, retail, restaurant or worship purpose.

Amended 2021.03.08 – Bylaw 434

**Office Consolidation**

- 2.1.17 “Non-Residential Waste” means solid waste generated by or discarded as refuse from a Non-Residential Premises.
- 2.1.18 “Occupant” means any Person occupying a premises whether they are in fact the Owner, renter, tenant, or lessee of the premises.
- 2.1.19 “Out-of-Town Waste” means any Residential Waste or Non-Residential Waste not emanating from within the corporate limits of the Town of Banff.
- 2.1.20 “Owner” means:
- a) In regard to Crown Land a Person who is the lessee of Crown land and that Person’s successors and assigns;
  - b) In respect to land other than Crown land, the Person who is the registered owner of the fee simple interest in the land;
  - c) In respect of any property other than land, the actual owner, occupant, operator or Person in lawful possession of the property; and,
  - d) In respect to a vehicle, the Person who owns or rents a vehicle, or any person that has the exclusive use of a vehicle for a period of more than thirty (30) days whether pursuant to a lease or otherwise.
- 2.1.21 “Peace Officer” means the following persons while that person is in the exercise or discharge of this power or duties:
- a) a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act;
  - b) a Community Peace Officer appointed pursuant to the Peace Officers Act;
  - c) a member of the Royal Canadian Mounted Police;
  - d) a park warden appointed under the National Parks Act of Canada.
- 2.1.22 “Pedestrian Waste” means any waste or refuse generated or discarded by a Person, or in the case of domestic animal waste, by a domestic animal owned or under the control of a Person, while that Person is travelling by foot or non-motorized means within the Town, other than when indoors. Pedestrian Waste includes but is not limited to food wrappers, beverage containers, fruit peels or cores and domestic animal waste.
- 2.1.23 “Person” means any individual, Occupant, Owner, firm, partnership, association, corporation, company or organization of any kind.
- 2.1.24 “Recyclable Materials” means any material described in Schedule ‘C’ of this bylaw.
- 2.1.25 “Residential Waste” means solid waste generated by or discarded as refuse from a Dwelling.

### Office Consolidation

- 2.1.26 “Town” means the Corporation of the Town of Banff and where, the context requires, the land included within the boundaries of the Town of Banff;
- 2.1.27 “Town Manager” means a Person appointed as the Town Manager by Town Council, or the Person designated by the Town Manager to carry out a particular duty.
- 2.1.28 “Transfer Site” means the Town of Banff Waste Transfer Site located at 160 Hawk Avenue.
- 2.1.29 “Unacceptable Waste” means any material as described in Schedule “E” of this bylaw.
- Re-lettered 2021.03.08 – Bylaw 434
- 2.1.30 “Yard Waste” means the organic matter formed as a result of gardening or horticultural endeavours, including materials such as grass clippings, leaves, tree and hedge clippings, tree limbs but excludes fruits, vegetables, construction and demolition debris, stumps, large bushes or contaminated soil.

### 3.0 INTERPRETATION

- 3.1 The headings in the body of this bylaw form no part of the bylaw and are inserted for convenience and reference only.

### 4.0 ESTABLISHMENT OF MUNICIPAL SERVICE

- 4.1 A municipal service is hereby established to collect, remove and dispose of Non-Residential Waste generated within the Town.
- 4.2 The municipal service provided to Owners and Occupants of Non -Residential Premises shall provide separate collection, removal and disposal of:
- a) Garbage
  - b) Food Waste, and
  - c) Cardboard;
- as provided for herein.
- 4.3 The Town shall operate a Waste Transfer Site to receive and dispose of non-residential Recyclable Material as listed in Schedule ‘C’ hereto.
- 4.4 No Person shall dispose of Out-of-Town Waste within the Town limits unless they make application to the Town Manager and enter into an agreement with the Town to be supplied with Non-Residential Waste collection, removal and/or disposal services, or deliver the Out-of-Town Waste directly to the Transfer Site.

**Office Consolidation**

- 4.5 As a condition of the municipal service and as operating needs dictate, employees of the Town shall have free access to all parts of the Non-Residential Premises, in which the collection of Non-Residential Waste is carried out, for the purpose of:
- a) Collecting and removing Non-Residential Waste; and
  - b) Inspections for compliance with this bylaw.
- 4.6 Notwithstanding the provisions of this bylaw, the Town Manager may make special arrangements and enter into contracts related to the collection and/or disposal of Non-Residential waste or Out-of-Town Waste.
- 4.7 The Town may freely dispose of, recycle or reuse in any manner, all Non-Residential Waste delivered to or collected by the Town.
- 4.8 The Town shall not be liable in any manner whatsoever for any damage, loss, or associated costs related to Non- Residential Waste or its collection, removal or disposal, unless directly due to the gross negligence of the Town.

**5.0 STORAGE OF NON-RESIDENTIAL WASTE**

- 5.1 The Town shall provide each Owner of a Non-Residential Premises with Approved Bins specific to the municipal service requested by that Owner.
- 5.2 An Approved Enclosure shall be provided by the Owner of each Non-Residential Premises unless the Owner applies for and obtains a written exemption from the Town Manager. The Town Manager shall not issue such an exemption unless the Town Manager is satisfied that adequate alternate arrangements have been made for the disposal of Non-Residential Waste from the Premises without the need for an Approved Enclosure. The Town Manager may also issue such exemptions subject to such terms or conditions that the Town Manager considers appropriate to ensure that the principles of this bylaw are complied with, including temporary or time limited exemptions.
- 5.3 Approved Bins provided to the Owners of a Non-Residential Premises are for the exclusive use of the Owners and Occupants of that Premises, except where an agreement exists between two or more Owners of Non-Residential Premises for shared use of Approved Bins.
- 5.4 Each Owner of a Non-Residential Premises shall locate Approved Bins inside an Approved Enclosure.
- 5.5 Owners of Non-Residential Premises must store Non-Residential Waste to be picked up by the Town in Approved Bins.

**Office Consolidation**

5.6 Each Owner of a Non-Residential Premises shall:

- a) Maintain the Approved Enclosure and Approved Bins designated for their Non-Residential Premises in a safe, serviceable and sanitary condition;
- b) Ensure that the Approved Enclosure and Approved Bins are at all times accessible to employees and agents of the Town, unless other arrangements are first made with the Town Manager;
- c) Ensure the schedule for removal of Non-Residential Waste is of an appropriate frequency such that Waste does not overflow or accumulate beside the Approved Bins located in an Approved Enclosure;
- d) Be responsible for clean-up and removal of litter or debris from their property that may have spilled out of an Approved Bin during the filling or emptying process;
- e) Clean and repair the Approved Enclosure when requested by the Town Manager;
- f) Notify the Town Manager within 15 days if an Approved Bin requires repair or replacement;
- g) Ensure that Approved Enclosures and Approved Bins:
  - i) are properly placed;
  - ii) contain only properly prepared or properly placed Non-Residential Waste;
  - iii) pose no danger to Town employees, or Town Equipment;
  - iv) will not be inaccessible due to snow or ice;
  - v) that the Town has an operable key if the Approved Enclosure or Approved Bin, or access thereto is locked; and
  - vi) Approved Bins do not contain more than the manufacturers allowed or recommended weight.

Amended 2021.03.08 – Bylaw 434

## **6.0 DISPOSAL OF WASTE FROM A NON-RESIDENTIAL PREMISES**

6.1 All Persons shall be responsible to comply with any Town requirements for the separation of any materials for separate collection or disposal.

6.2 Every Owner shall provide infrastructure and ensure that Occupants separate the following designated banned materials ~~Cardboard~~ from Garbage.

6.2.1 Cardboard as defined in Schedule A.

6.2.2 Food Waste as defined in Schedule B.

6.2.3 Recyclable Materials as defined in Schedule C.



Office Consolidation

6.3 Owners or Occupants of a Non-Residential Premises shall dispose of Garbage generated by the Occupants of that Premises by first placing it in an appropriate Clear Bag, securely tied or sealed, with a maximum weight of 23kg and depositing the same entirely within, the appropriate Approved Bin provided to the Owner of the Non-Residential Premises by the Town for that purpose.

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6.4 Owners or Occupants of a Non-Residential Premises shall dispose of Cardboard generated by the Occupants of a Non-Residential Premises by first preparing it in accordance with Schedule 'A' of this bylaw and depositing the same entirely within, the appropriate Approved Bin provided to the Owner of the Non-Residential Premises by the Town for that purpose.

6.4.1 Every Owner shall inform Occupants of the Cardboard collection program and the requirement to separate Cardboard from Garbage, by way of signage and annual communication.

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6.2 Every Owner of a Non-Residential Premises shall provide infrastructure, which may include but is not limited to storage bins or other receptacles, for the separation of Food Waste from Garbage for use by the Owner and Occupants.

6.5.1 Every Owner shall inform Occupants of the Food Waste collection program and the opportunity to participate in separating Food Waste from Garbage.

Amended 2021.03.08 – Bylaw 434

6.36.5 Owners or Occupants of a Non-Residential Premises may choose to shall dispose of Food Waste generated by the Occupants of a Non-Residential Premises as Garbage, in which case the provisions of this bylaw related to Garbage will apply or, may choose to dispose of Food Waste as recycling, in which case Owners and Occupants will first by preparing the materials in accordance with this bylaw including Schedule "B" hereof and will deposit the same entirely within the Approved Bins provided to the Owner of the Non-Residential Premises by the Town for those purposes.

6.346.5.1 Every Owner shall inform Occupants of the Food Waste Collection program and the requirement to separate Food Waste from Garbage, by way of signage and annual communication.

Amended 2021.03.08 – Bylaw 434

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6.6 6.7 Owners or Occupants of a Non-Residential Premises may choose to shall dispose of Recyclable Materials generated by the Occupants of a Non-Residential Premises as Garbage, in which case the provisions of this bylaw related to Garbage will apply or, may choose to dispose of Recyclable Materials as recycling, in which case Owners or Occupants will first by preparing the materials in accordance with this bylaw including Schedule "C" hereof and will deposit the same entirely within the Approved Bins provided by the Town for these purposes.

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~~6.3.26.6.1~~ Every Owner shall inform Occupants of the requirement to separate Recyclable Materials from Garbage, by way of signage and annual communication.

Amended 2019.09.18 Bylaw 423

- 6.7 Owners or Occupants of a Non-Residential Premises shall ensure the schedule for removal of Garbage, Food Waste and Cardboard is of an appropriate frequency such that said material does not overflow or accumulate beside an Approved Bin located in an Approved Enclosure.  
Renumbered 2019.09.18 Bylaw 423
- 6.8 Owners or Occupants of a Non-Residential Premises shall not dispose of FOG collected from a grease trap in Approved Bins.  
Renumbered 2019.09.18 Bylaw 423
- 6.9 All Persons shall follow the directions on posted signs on Approved Bins.  
Renumbered 2019.09.18 Bylaw 423
- 6.10 All Persons shall be responsible to dispose, in a proper manner, at an approved site any waste for which the Town does or does not accept responsibility for disposal.  
Renumbered 2019.09.18 Bylaw 423
- 6.11 Owners or Occupants of a Non-Residential Premises shall deliver Bulky Waste to the Transfer Site or to a facility approved for the disposal of Bulky Waste outside of the Town.  
Renumbered 2019.09.18 Bylaw 423  
Renumbered and Amended 2021.03.08 – Bylaw 434
- 6.12 Owners or Occupants of a Non-Residential Premises shall deliver Yard Waste to the Transfer Site, or to an acceptable facility outside of the Town.
- 6.13 Owners or Occupants of a Non-Residential Premises shall dispose of Hazardous Waste,  
a) where permitted to do so by the Town, at the Transfer Site, Hazardous Waste Round Up facilities or sites designed by the Town; or  
b) at other approved site(s) in accordance with federal and/or provincial legislation.
- 6.14 Owners or Occupants of Non-Residential Premises shall deliver Construction Waste to the Transfer Site where acceptable, or in the alternative, to the Francis Cooke Regional Class III Landfill and Resource Recovery Center or to other approved sites in accordance with all applicable federal and/or provincial legislation; and,  
a) ensure that construction waste is separated by material stream for recycling as outlined in Schedule D.

Renumbered 2019.09.18 Bylaw 423  
Amended 2021.03.08 – Bylaw 434

**Office Consolidation**

- 6.15 Owners or occupants of a Non-Residential Premises who supply and/or use a Construction Waste Storage Container for the temporary storage of Construction Waste shall ensure that:
- a) the container is sturdily constructed and is capable of containing the material deposited within;
  - b) the container is equipped with a cover capable of restricting the entry of animals and preventing the escape of litter produced by wind, which container cover shall be closed at all times other than during active construction hours and when directed by the Town Manager;
  - c) the container cover is an opaque tarp, canvas, or steel lid, or alternative material specifically approved by the Town of Banff;
  - d) the container cover is affixed to the container using a method that will ensure the cover remains in place;
  - e) any tarp or canvas cover overhangs the container and is affixed a minimum of 30 cm below the edge of the bin opening;
  - f) the container is cleaned out regularly; and
  - g) Any litter placed in a construction waste bin is contained by a separate means of containment that prevents the litter from becoming wind born when the container is emptied.

Renumbered 2019.09.18 Bylaw 423  
Amended 2021.03.08 – Bylaw 434  
Amended 2021.09.13 – Bylaw 461

- 6.16 Owners or Occupants of a Non-Residential Premises on which a Construction Waste Storage Container is placed shall ensure that:
- a) any such storage container does not become unsightly or cause a nuisance or health related problems; and,
  - b) all construction waste is separated by material stream for recycling as outlined in Schedule D; and,
  - c) the area around the storage container is maintained free from litter.

Renumbered 2019.09.18 Bylaw 423  
Amended 2021.03.08 – Bylaw 434

**7.0 PEDESTRIAN WASTE**

- 7.1 All Persons shall transport Pedestrian Waste to, and deposit the same entirely within, an appropriate Approved Bin designated by the Town for Pedestrian Waste.
- 7.2 No Person shall deposit any items in an Approved Bin designed for the collection of Pedestrian Waste other than Pedestrian Waste.

**8.0 PROHIBITIONS**

- 8.1 Unless instructed by the Town Manager as part of a special collection program or provided for elsewhere in this bylaw, no Person shall deposit Unacceptable Waste listed in Schedule 'D' anywhere within the Town except:

Town of Banff Bylaw 377 – Non-Residential Waste  
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**Office Consolidation**

- a) at a location as prescribed by the Town; or,
  - b) at a site outside of the Town in accordance with applicable provincial and federal legislation.
- 8.2 No Person shall dispose of Non-Residential Waste in any manner which contravenes any provision of this bylaw.
- 8.3 No Person shall allow Non-Residential Waste to accumulate outside any building, on any land or other premises, or anywhere in any manner which contravenes any provision of this bylaw.
- 8.4 No Person shall dispose of Residential Waste or Pedestrian Waste in an Approved Bin owned by or provided to the Owner of a Non-Residential Premises, unless authorized by the Owner of that Non-Residential Premises.
- 8.5 No Person shall:
- a) pile Non-Residential Waste above the top of an Approved Bin;
  - b) fill any Approved Bin in such a manner that the contents thereof cannot be easily removed therefrom;
  - c) place or pile waste on top of a closed Approved Bin or Approved Enclosure;
  - d) place waste on the floor in an Approved Enclosure where it interferes with the free movement of the Approved Bin; and,
  - e) obstruct access to an Approved Bin.
- 8.6 No Person shall deposit any items in an Approved Bin designed for the collection of Food Waste other than Food Waste.
- 8.7 No Person shall deposit any items in an Approved Bin designed for the collection of Cardboard other than Cardboard Waste.
- 8.8 No Person shall deposit any items in an Approved Bin designed for the collection of Garbage other than Garbage.
- 8.9 No Person shall deposit any items in an Approved Bin designed for the collection of Recyclable Material other than Recyclable Material in accordance with Schedule "C".
- 8.10 No Person shall deposit Non-Residential Waste in an Approved Bin designed for the collection of Pedestrian Waste.
- 8.11 No Person shall deposit any items in an Approved Bin designed for the collection of Pedestrian Waste other than Pedestrian Waste.

**Office Consolidation**

- 8.12 No Person shall deposit any items in or remove any items from a Construction Waste Storage Container without the permission of the Owner or renter of the container.  
Amended 2021.03.08 – Bylaw 434
- 8.13 No Person shall deposit Ashes in an Approved Bin unless they are quenched.
- 8.14 No Person shall leave Non-Residential Waste of any kind on public or private property where it is accessible to animals.
- 8.15 No Person shall park or allow to be parked a vehicle, whether on public or private property, that contains waste that is accessible to animals.
- 8.16 No Person shall alter the location, access, operation, or otherwise interfere with the use and servicing of an Approved Bin.
- 8.17 No Person other than an employee, contractor or agent of the Town providing municipal service, shall pick over, interfere with, scavenge, disturb, remove or scatter any Non-Residential Waste that has been placed in an Approved Bin.
- 8.18 No Person shall hinder, interrupt or cause to be hindered any employee of the Town or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to Non-Residential Waste as authorized or required in this bylaw.
- 8.19 Except as permitted by this bylaw, no Person shall permit, suffer or allow property, real or personal, which he owns, occupies or controls, to be in contravention of this bylaw.
- 8.20 The Town or its contractors, servants, agents or workers may inspect any waste deposited or being deposited in an Approved Bin or Construction Waste Storage Container that is collected by the Town, or any waste being deposited at any Town facility, including the Transfer Site or landfill.  
Amended 2021.03.08 – Bylaw 434
- 8.21 No Person shall deposit Food Waste, as defined in Schedule B, in any Construction Waste Storage Container.  
Added 2021.03.08 – Bylaw 434

**9.0 FEES**

- 9.1 The fees, rates and charges outlined in the Fees and Charges Bylaw are hereby adopted and will be due and owing to the Town for the services outlined in the Fees and Charges Bylaw.
- 9.2 All accounts for Non-Residential Waste services provided under this bylaw shall be due and payable when rendered.

**Office Consolidation**

- 9.3 Accounts shall be deemed to be sufficiently forwarded if they are left on the property of the Person being charged or if they are mailed by ordinary mail to the Person being charged at the mailing address of that Person.

**Office Consolidation**

- 9.4 All charges for services which remain unpaid for a period exceeding 30 days from the due date shall be subject to interest charges in accordance with the Fees and Charges Bylaw. All sums payable by an Owner pursuant to this bylaw, including the rates set out in the Fees and Charges Bylaw, are a debt due and owing to the Town and shall constitute a preferential lien and charge on the parcel which may be levied and collected in a like manner as municipal taxes, in accordance with the *Municipal Government Act*.
- 9.5 An Owner or Occupant of a Non-Residential Premises shall bring any alleged error in any charge to the attention of the Town Manager or designate within one year of the end of the period for which such Non-Residential Waste rates were imposed.
- 9.6 The Town reserves the right to withhold services, or take legal action, when fees are unpaid.

**10.0 VIOLATIONS AND ENFORCEMENT**

- 10.1 Any Person who contravenes any provision of this bylaw is guilty of an offence and is liable for a penalty as provided for herein.
- 10.2 For the purposes of this bylaw, an act or omission by a tenant is deemed also to be an act or omission of the Owner of the real property on which the offence occurred.
- 10.3 When a Business commits an offence under this bylaw, every principal, director, manager, employee or agent of the Business who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence whether or not the Business has been prosecuted for the offence.
- 10.4 If a vehicle is involved in any contravention of this bylaw, the Owner of that vehicle is guilty of an offence.
- 10.5 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.
- 10.6 Any Person found to be violating any provision of this bylaw may be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall permanently cease all violations, or carry out or cause to be done any such work as may be required to conform with this bylaw in accordance with the notice.

**Office Consolidation**

- 10.7 When a Person is alleged to have contravened any provision of this bylaw, a Peace Officer may issue a Town of Banff Notice of Offence which shall state:
- a) The nature of the offence;
  - b) The penalty payable in connection with the offence; and
  - c) The time period within which the penalty must be paid.
- 10.8 A Town of Banff Notice of Offence shall be deemed to be sufficiently served for the purposes of this bylaw if:
- a) served personally on the accused; or,
  - b) mailed by registered post to the address of the registered Owner of the Premises concerned, or to the Person concerned; or,
  - c) attached to or left securely and visibly upon the Vehicle in respect of the offence that is alleged to have been committed.
- 10.9 A Peace Officer may issue a ticket, or lay an information pursuant to the provisions of the Provincial Offences Procedure Act in regard to any offence that is alleged pursuant to this bylaw, regardless of whether or not a Town of Banff Notice of Offence has been issued.
- 10.10 In lieu of prosecution, the Person named in the Town of Banff Notice of Offence may elect to voluntarily make payment to the Town of the penalty amount specified in the Town of Banff Notice of Offence which shall be as set out in Schedule "F" attached hereto.
- 10.11 If the payment specified in the Town of Banff Notice of Offence is not paid in accordance with the terms of the Notice of Offence and in the time required by the Notice of Offence, a prosecution may be commenced for the alleged contravention of this bylaw.
- 10.12 Any Person violating any of the provisions of this bylaw shall become liable to the Town for any expense, loss or damage incurred by the Town by reason of such violation.
- 10.13 Upon summary conviction, any Person who is guilty of a first offence under this bylaw is liable to a fine of not less than the amount specified in Schedule "F" of this bylaw as a voluntary payment for a first offence and not more than \$10,000.00 per offence, plus costs, and/or to a term of imprisonment not exceeding six (6) months, or in default of payment of any fine imposed is liable to imprisonment for a term not exceeding six (6) months.



### Office Consolidation

- 10.14 Upon summary conviction, any Person who is found guilty of a second offence under this bylaw, is liable to a fine of not less than the amount specified in Schedule “E” of this bylaw as a voluntary payment for a second offence and not more than \$10,000.00 per offence, plus costs, and/or for imprisonment for any period not exceeding six (6) months in the case of non-payment of the fine and costs imposed for such offence.
- 10.15 Upon summary conviction, any Person who is found guilty of a third or subsequent offence under this bylaw, is liable to a fine of not less than the amount specified in Schedule “E” of this bylaw as a voluntary payment for a third or subsequent offence and not more than \$10,000.00 per offence, plus costs, and/or for imprisonment for a period not exceeding six (6) months in the case of non-payment of the fine and costs imposed for such offence.
- 10.16 Upon the failure by any Person to comply with the provisions of this bylaw, the Town may proceed in accordance with the *Municipal Government Act* and perform any corrective measures required. All costs incurred may be recovered from the Owner and shall be deemed a debt due to the Town by the Owner. Debts due may be charged against the premises concerned as a special lien to be recovered in like manner as property taxes.
- 10.17 If, in the opinion of the Town Manager, a contravention of this bylaw requires immediate action, the Town may perform any work necessary to address the contravention of this bylaw without prior notice and all costs incurred by the Town will be payable by the Person alleged to have contravened this bylaw.
- 10.18 Notwithstanding any other provision of this bylaw, the imposition of a fine either by issuance of a Town Notice of Offence or by summary conviction in court shall not relieve any Person so fined from any liability to pay to the Town any expenses arising from any damage or loss caused by that Person to Town property.
- 10.19 The Town Manager, or his or her delegate, is hereby authorized to issue Orders pursuant to S. 545 or S. 546 of the *Municipal Government Act* in regard to any contravention of or the enforcement of this bylaw.

### 11.0 SEVERABILITY

- 11.1 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

### 12.0 SCHEDULES

- 12.1 Schedules ‘A’, ‘B’, ‘C’, ‘D’, ‘E’, and ‘F’ referred to herein as attached to this bylaw form part of this bylaw.

Amended 2020.09.18 Bylaw 423  
Amended 2021.03.08 – Bylaw 434

Town of Banff Bylaw 377 – Non-Residential Waste  
Page 15 of 23

**Office Consolidation****13.0 TRANSITION**

- 13.1 Notwithstanding Section 6.3 hereof, during the eight-month period immediately following the date this bylaw comes into effect, an opaque or coloured or non-transparent plastic bag may be used, provided that the other requirements of Section 6.3 are met.

**14.0 ENACTMENT**

- 14.1 This bylaw comes into force upon receiving third and final reading and execution by the Superintendent of Banff National Park, for the Minister of the Environment.

READ A FIRST TIME this 9<sup>th</sup> day of January, 2017.

READ A SECOND TIME this 27<sup>th</sup> day of February, 2017.

READ A THIRD TIME this 27<sup>th</sup> day of February, 2017.

SIGNED AND PASSED this 28th day of February, 2017.

On original 2017.02.28

Karen Sorensen  
Mayor

On original 2017.02.28

Robert Earl  
Town Manager

Approved by the Minister of the Environment by his/her delegate this 21<sup>st</sup> day of March, 2017.

On original 2017.03.21

Minister of the Environment/Delegate

**Office Consolidation**

**SCHEDULE A – CARDBOARD**

Cardboard is accepted for disposal in any Approved Bins provided to the Owner of the Non-Residential Premises by the Town for those purposes. The following materials listed as acceptable shall be deemed to be Cardboard for the purposes of this bylaw:

Material	Acceptable	Not Acceptable	Preparation	Disposal
Cardboard	<ul style="list-style-type: none"> <li>All corrugated cardboard</li> <li>Paper egg cartons and drink trays</li> <li>Food item boxes</li> <li>Boxboard (shoe and product type boxes)</li> </ul>	<ul style="list-style-type: none"> <li>Padded envelopes</li> <li>Carbon paper</li> <li>Elastic bands</li> <li>Paper clips</li> <li>Metal fasteners</li> <li>Plastic liners</li> </ul>	<ul style="list-style-type: none"> <li>Remove food debris, elastic bands, paperclips, and metal fasteners (staples are okay)</li> <li>Break down and flatten all boxes</li> <li>Remove all plastic wrappings and polystyrene inserts</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of cardboard in any Approved Bin provided to the Owner of the Non-Residential Premises by the Town for those purposes</li> </ul>

Amended 2020.09.18 Bylaw 423

Office Consolidation

**SCHEDULE B – FOOD WASTE**

Food Waste is accepted for disposal in any Approved Bin provided to the Owner of the Non-Residential Premises by the Town for those purposes. The following materials listed as acceptable shall be deemed to be Food Waste for the purposes of this bylaw:

Materials	Acceptable	Not Acceptable	Preparation	Disposal
Food	<ul style="list-style-type: none"> <li>Fruits &amp; vegetables</li> <li>Pits, peelings, rinds, tops, cores and husks</li> <li>Rice, breads, cereal, noodles, toast, tortillas, baked goods, pastries, pies, etc.</li> <li>Pumpkins</li> <li>Coffee grounds and filters</li> <li>Tea bags and leaves</li> <li>Dairy products</li> <li>Paper soiled with food</li> <li>Egg &amp; eggshells</li> <li>Popsicle and stir sticks (wooden only)</li> <li>Meat, fish &amp; bones</li> </ul>	<ul style="list-style-type: none"> <li>Plastic</li> <li>Elastics</li> <li>Twist ties</li> <li>Stickers</li> <li>Plastic labels</li> <li>Fabrics</li> <li>Pet waste</li> </ul>	<ul style="list-style-type: none"> <li><del>Loose</del></li> <li>All Food Waste must be placed in certified compostable bags <del>are required</del></li> <li>Food Waste does not need to be placed in compostable bags prior to disposal where the food waste bin is located inside a heated space</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of food waste in any Approved Bin provided to the Owner of the Non-Residential Premises by the Town for those purposes</li> </ul>

Amended 2020.09.18 – Bylaw 423

Office Consolidation

**SCHEDULE C – RECYCLABLE MATERIALS**

Recyclable Materials are accepted for disposal in any Approved Bin, [waste receptacle provided by a private hauler in an Approved Enclosure](#), or at the Transfer Site. The following materials listed as acceptable shall be deemed to be Recyclable Material for the purposes of this bylaw:

Material	Acceptable	Not Acceptable	Preparation	Disposal
<b>Mixed Containers</b>	<p><b>Plastics</b></p> <ul style="list-style-type: none"> <li>All plastic containers with a Mobius loop and number 1, 2, 3, 4, 5, 6, and 7</li> </ul> <p><b>Metal food cans</b></p> <ul style="list-style-type: none"> <li>Tin and aluminum food and beverage containers and lids</li> </ul>	<ul style="list-style-type: none"> <li>Plastic bags</li> <li>Plastic containers without a Mobius Loop</li> <li>Toxic product containers</li> <li>Polystyrene foam type</li> <li>Plastic film, wrap, or cellophane packaging</li> <li>Appliances</li> </ul>	<ul style="list-style-type: none"> <li>Remove lids and rinse all containers</li> <li>Thoroughly rinse</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of mixed containers in any Approved Bin or at the Transfer Site</li> </ul>
<b>Glass</b>	<ul style="list-style-type: none"> <li>Glass jars</li> <li>Glass bottles</li> </ul>	<ul style="list-style-type: none"> <li>Windows</li> <li>Windshields</li> <li>Ceramics</li> <li>Tableware</li> <li>Light bulbs</li> </ul>	<ul style="list-style-type: none"> <li>Remove lids</li> <li>Rinse bottles and clean jars</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of glass in any Approved Bin or at the Transfer Site</li> </ul>
<b>Refundable Beverage Containers</b>	<ul style="list-style-type: none"> <li>Refundable glass bottles and cans</li> <li>Milk containers</li> <li>Soy and rice milk containers</li> <li>Juice boxes</li> </ul>	<ul style="list-style-type: none"> <li>Non-beverage Tetra Paks</li> </ul>	<ul style="list-style-type: none"> <li>Empty, remove all straws, and rinse</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of refundable beverage containers in any Approved Bin, at the Transfer Site, or at the bottle depot</li> </ul>
<b>Mixed Paper</b>	<p><b>Newsprint and Magazines</b></p> <ul style="list-style-type: none"> <li>Newspaper and inserts</li> <li>Magazines</li> <li>Glossy flyers, catalogues and brochures</li> <li>Soft cover and paperback books</li> <li>Gift wrap</li> </ul> <p><b>Office Paper</b></p> <ul style="list-style-type: none"> <li>Office and computer paper</li> <li>Junk mail and envelopes</li> </ul>	<ul style="list-style-type: none"> <li>Padded envelopes</li> <li>Carbon paper</li> <li>Elastic bands</li> <li>Paper clips</li> <li>Metal fasteners</li> <li>Plastic liners</li> </ul>	<ul style="list-style-type: none"> <li>Remove elastic bands, paperclips, and metal fasteners (Staples are okay)</li> <li>Break down and flatten all boxes</li> <li>Remove all plastic wrappings and Styrofoam inserts</li> </ul>	<ul style="list-style-type: none"> <li>Dispose of mixed paper in any Approved Bin or at the Transfer Site</li> </ul>

Amended 2020.09.18 – Bylaw 423

**SCHEDULE D – CONSTRUCTION WASTE**

Construction Waste shall be separated in accordance with the below material streams and delivered to the Transfer Site where acceptable, or in the alternative, to the Francis Cooke Regional Class III Landfill or other approved site in accordance with rules for materials accepted at each facility and federal and/or provincial legislation.

Material	Acceptable	Not Acceptable	Disposal
<b>Asphalt</b>	<ul style="list-style-type: none"> <li>• Clean asphalt</li> <li>• Asphalt shingles</li> </ul>	<ul style="list-style-type: none"> <li>• Nails</li> <li>• Paper</li> <li>• Plastics</li> <li>• Wood</li> </ul>	<ul style="list-style-type: none"> <li>• No food waste or food packaging waste</li> <li>• In accordance with rules for materials accepted at each facility</li> <li>• Hazardous waste and hydrovac waste must be disposed of in accordance with federal and/or provincial legislation</li> <li>• Recyclable materials must be disposed of in accordance with Schedule C</li> </ul>
<b>Concrete</b>	<ul style="list-style-type: none"> <li>• Smaller than 3m x 3m</li> </ul>		
<b>Drywall</b>		<ul style="list-style-type: none"> <li>• Wood</li> <li>• Tiles</li> <li>• Metal</li> </ul>	
<b>White Wood</b>	<ul style="list-style-type: none"> <li>• Kiln-dried lumber</li> <li>• Plywood</li> <li>• Strand board</li> </ul>	<ul style="list-style-type: none"> <li>• Drywall</li> <li>• Pressure Treated Wood</li> </ul>	
<b>Pressure Treated Wood</b>			
<b>Grass, leaves and flowers</b>		<ul style="list-style-type: none"> <li>• Branches</li> <li>• Soil</li> <li>• Compostable bags</li> </ul>	
<b>Branches, scrub and brush</b>	<ul style="list-style-type: none"> <li>• Stumps &amp; roots must be larger than 3m x 3m</li> </ul>	<ul style="list-style-type: none"> <li>• Compostable bags</li> </ul>	
<b>Assorted metals</b>	<ul style="list-style-type: none"> <li>• Scrap metal</li> <li>• Furnaces</li> <li>• Hot water tanks</li> </ul>	<ul style="list-style-type: none"> <li>• Fuel</li> <li>• Cylinders</li> <li>• Flammable items</li> </ul>	
<b>Other materials from CRD sites</b>	<ul style="list-style-type: none"> <li>• Electronics</li> <li>• Mattresses/box springs</li> <li>• Refrigerators/freezers</li> <li>• Lighting</li> </ul>		

Amended 2021.03.08 – Bylaw 434

### SCHEDULE D-E – RECOVERABLE CONSTRUCTION, RENOVATION, AND DEMOLITION MATERIALS

Construction Waste shall be separated in accordance with the below recoverable material streams and delivered to the Transfer Site where acceptable, or in the alternative, to the Francis Cooke Regional Class III Landfill And Resource Recovery Centre or other approved site in accordance with rules for materials accepted at each facility and federal and/or provincial legislation.

Material	Acceptable	Not Acceptable	Disposal
<b>Asphalt</b>	<ul style="list-style-type: none"> <li>Clean asphalt</li> </ul>	<ul style="list-style-type: none"> <li>Nails</li> <li>Paper</li> <li>Plastics</li> <li>Wood</li> </ul>	<ul style="list-style-type: none"> <li>No food waste or food packaging waste</li> <li>In accordance with rules for materials accepted at each facility</li> <li>Hazardous waste and hydrovac waste must be disposed of in accordance with federal and/or provincial legislation</li> <li>Recyclable materials must be disposed of in accordance with Schedule C</li> </ul>
<b>Asphalt Shingles</b>	<ul style="list-style-type: none"> <li>Clean asphalt shingles</li> </ul>	<ul style="list-style-type: none"> <li>Metal</li> <li>Plastic</li> <li>Wood</li> <li>Not accepted at Town of Banff Waste Transfer Site</li> </ul>	
<b>Concrete</b>	<ul style="list-style-type: none"> <li>Clean</li> <li>Smaller than 1M x 1M</li> </ul>	<ul style="list-style-type: none"> <li>Plastic buckets</li> <li>Wood</li> <li>Asphalt</li> </ul>	
<b>Drywall</b>	<ul style="list-style-type: none"> <li>Clean</li> </ul>	<ul style="list-style-type: none"> <li>Wood</li> <li>Tiles</li> <li>Metal</li> </ul>	
<b>White Wood</b>	<ul style="list-style-type: none"> <li>Kiln dried lumber</li> <li>Plywood</li> <li>Strand Board</li> </ul>	<ul style="list-style-type: none"> <li>Drywall</li> <li>Pressure Treated Wood</li> <li>MDF</li> <li>No plastic wrapping</li> <li>No creosote</li> </ul>	
<b>Yard and Garden Materials</b>	<ul style="list-style-type: none"> <li>Grass</li> <li>Leaves</li> <li>Flowers</li> </ul>	<ul style="list-style-type: none"> <li>Branches</li> <li>Soil</li> <li>Compostable bags</li> </ul>	
<b>Branches, scrub and brush</b>	<ul style="list-style-type: none"> <li>Stumps &amp; roots must be smaller than 1M x 1M</li> </ul>	<ul style="list-style-type: none"> <li>Compostable bags</li> </ul>	
<b>Assorted metals</b>	<ul style="list-style-type: none"> <li>Scrap metal</li> <li>Furnaces</li> <li>Hot water tanks</li> </ul>	<ul style="list-style-type: none"> <li>Fuel</li> <li>Cylinders</li> <li>Flammable items</li> </ul>	
<b>Other materials from CRD sites</b>	<ul style="list-style-type: none"> <li>Electronics</li> <li>Mattresses/box springs</li> <li>Refrigerators/freezers</li> <li>Lighting</li> </ul>		

Amended 2021.03.08 – Bylaw 434

**SCHEDULE F – UNACCEPTABLE WASTE**

The following materials shall be deemed to be Unacceptable Waste and are not acceptable for disposal within the Town:

- a) Any materials that are not set out in accordance with the provisions of this bylaw;
- b) Hazardous Waste, unless specifically permitted by the Town Manager;
- c) Biohazardous Waste;
- d) Dead animals or parts of dead animals with the exception of Food Waste;
- e) Sod, soil, dirt, and stones;
- f) Contaminated soil; or,
- g) Any other material or item designated as Unacceptable Waste by the Town Manager.

Amended 2020.09.18 Bylaw 423  
Renumbered 2021.03.08 – Bylaw 434



**Schedule F – Voluntary Payments**

First offense (all sections)	\$150
Second offense	\$300
Third and all subsequent offenses	\$500

Amended 2020.09.18 Bylaw 423  
Renumbered 2021.03.08 – Bylaw 434

**11 of 11 New Service Level Request – Waste Diversion B1 Non-residential Material Ban****Summary:**

Within the Town of Banff, it would be feasible to consider implementing material bans as a waste diversion tool for the non-residential sector. Food scraps and food-soiled paper represent the best candidate for consideration as a material banned from the waste stream. Yard and garden materials in the non-residential sector are also a good candidate for a material ban.

**Description:**

Currently, the Town of Banff offers collection services for garbage, cardboard and food / food-soiled paper for this sector. The most practical candidates for a material ban would be food and food-soiled paper, yard and garden materials, and potentially other recyclable materials. The current Non-Residential Waste Bylaw states in section 6.2: 'Every Owner shall separate Cardboard from Garbage'; however, this material ban has not been actively enforced to date.

Food scraps and food-soiled paper represent the best candidate for consideration as a material banned from the waste stream, given that an extensive collection program for this material has existed for many years, and it comprises the largest component of the non-residential waste stream. Although extensive education programming would likely lead to substantial increases in waste diversion in the non-residential sector, achieving 70-80% diversion would likely require implementation of a material ban for this material.

Yard and garden materials in the non-residential sector are also a good candidate for a material ban, especially if Action C3 is implemented first, to increase the convenience of diverting yard and garden materials for this sector, and Action F1 is implemented to provide a financial incentive. Implementation of a material ban for yard and garden materials following these previous actions would help to achieve a diversion rate of at least 80% of yard and garden materials from the non-residential waste stream.

Given that the Non-Residential Waste Bylaw already indicates that the non-residential sector must separate cardboard from the waste stream for recycling, the Town could choose to begin enforcing this material ban. The low proportion of cardboard in the non-residential waste stream (1.5%) would suggest that actively enforcing this material ban should be a lower priority than implementing material bans for food and food-soiled paper and yard and garden materials which comprise a much greater proportion of the waste stream.

The recent implementation of a requirement for the non-residential sector to use clear bags for garbage disposal would facilitate compliance monitoring and enforcement of any material bans. Given Banff's relatively small community size, there would be an opportunity to conduct extensive public education, engagement and direct communication with the non-residential sector as part of the planning and implementation of any material disposal bans.

## Attachment 2 Waster Diversion Targets &amp; tactics (Tactic B1 NSLR)

**Table 22.** Anticipated results and cost of Action B1 – Material ban for food and food-soiled paper and yard and garden materials from the non-residential sector waste stream.

<b>B1. Ban food and food-soiled paper and yard and garden materials from the non-residential waste stream.</b>				
Target material		Food and food-soiled paper, yard and garden materials		
Anticipated increase in sector diversion		Divert 20% of food and food-soiled paper and yard and garden materials currently in non-residential sector waste stream (364 tonnes/y)		
Anticipated increase in total community diversion		3.7%		
GHG emissions reduction		327 tonnes/year		
Annual Capital Cost	Annual O&M Cost	Total Annual Cost <sup>1</sup>	Estimated Cost/Tonne Diverted	Estimated Cost/Tonne GHG Emissions Reduction
\$0	\$2,000	\$2,000	\$5	\$6

**Capital Costs:** N/A

**Operating Costs:**

	2019	2020	2021	2022	2023	2024
Communications Resources	\$0	\$0	\$0	\$20,000	\$2,000	\$2,000

As with other Resource Recovery expenses, should council approve this initiative, it would be 75% rate funded and 25% tax funded.

**Resources Required to Implement & Maintain:**

Action B1 would require staff time to implement an education and communications effort that would notify all non-residential sector entities of the material ban. This action would also lead to increased demand for collection service for food and food-soiled paper in the non-residential sector; however, it should also lead to a corresponding decline in the frequency of garbage pick-up for the sector. Cost savings from reduced amounts of food and food-soiled paper in the waste stream should off-set cost increases from collection service.

**Estimated Delivery Date:**

Implementation of Action B1 would take place in Q1 of 2022.

**Council Strategic Priority? Yes**

- Be an environmental role model for communities around the world.
- Divert recovered resources from the waste stream.
- Increase residential and commercial recycling.
- Implement a restaurant food waste diversion project.
- Investigate and implement environmental best practices in all Town functions.
- Reduce the Town's impact on the surrounding national park.
- Reduce Banff's ecological footprint.
- By 2018, existing environmental programs continue to be successful, as measured by waste diversion, effluent quality, water use reduction and uptake on environmental grants.

**Supporting Materials:**

[Options for Waste Diversion Targets and Tactics – Report \(p. 46-47\)](#)

[Council minutes from June 11, 2018 – Item 7.5](#)

[Town of Banff Bylaw 377](#)