

REQUEST FOR DECISION

Subject: Waste Bylaws 433 and 434 – Proposed Amendments to Bylaw 376, the Residential Waste Bylaw, and Bylaw 377, the Non-Residential Waste Bylaw



Presented to: Council

Date: 2021 January 25

Submitted by: Carla Bitz,
Coordinator, Resource Recovery

Item #: 8.4

RECOMMENDATION

That Council:

1. Amend Proposed Bylaw 433, the Residential Waste Amendment Bylaw, as follows:

- By adding new Section 1.1.12 as follows:

11.1.12 Adding new Section 6.20 as follows:

6.20 No Person shall deposit Food Waste, as defined in Schedule B, in any Construction Waste Storage Container.

- By deleting the name “Francis Cooke Regional Class III Landfill” and substitute with “Francis Cooke Regional Class III Landfill and Resource Recovery Centre” wherever it occurs in the proposed Bylaw; and
- By adding Revised Schedule D (Attachment 8).

2. Give second and third reading to Proposed Bylaw 433, as amended;

3. Amend Proposed Bylaw 434, the Non-Residential Waste Amendment Bylaw, as follows:

- By adding new Section 1.1.14 as follows:

1.1.14 By adding new Section 8.21 as follows:

8.21 No Person shall deposit Food Waste, as defined in Schedule B, in any Construction Waste Storage Container.

- By deleting the name “Francis Cooke Regional Class III Landfill” and substitute with “Francis Cooke Regional Class III Landfill and Resource Recovery Centre” wherever it occurs in the proposed Bylaw; and
 - By adding Revised Schedule D (Attachment 9); and
4. Give second and third reading to Proposed Bylaw 434, as amended.

BACKGROUND

Reason for Report

On October 26, 2020, the Governance and Finance Committee directed administration to return to council with proposed amendments to the Waste Bylaws, pertaining to food scraps and construction, renovation, and demolition (CRD) sector waste management.

On November 9th, council gave first reading and moved forward the following motions with respect to the Waste Bylaws:

COU20-329 Moved by Mayor Sorensen

That with respect to Recommendation 1 contained in Item 8.6, Proposed Bylaw 433 – Amendments to Bylaw 376, the Residential Waste Bylaw – and Proposed Bylaw 434 – Amendments to Bylaw 377, the Non-Residential Waste Bylaw, the following be adopted:

That Bylaw 433 be introduced and read a first time.

For (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Council Poole, and Councillor Standish

MOTION CARRIED

COU20-330 Moved by Councillor Standish

That with respect to Recommendation 2 contained in Item 8.6, Proposed Bylaw 433 – Amendments to Bylaw 376, the Residential Waste Bylaw – and Proposed Bylaw 434 – Amendments to Bylaw 377, the Non-Residential Waste Bylaw, the following be adopted:

That Bylaw 434 be introduced and read a first time.

For (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Council Poole, and Councillor Standish

MOTION CARRIED

Administration is seeking second and third reading from Council with respect to the following proposed requirements and associated amendments to Residential Waste Bylaw 376 and Non-Residential Waste Bylaw 377:

With respect to Food Scraps & Food-Soiled Paper waste management:

1. Require non-residential sector entities to provide infrastructure for diversion of food scraps and food-soiled paper; and
2. Permit specific non-residential sector entities to deposit food scraps and food-soiled paper in residential food bins.

With respect to Construction, Renovation, and Demolition (CRD) waste management:

3. Require that all construction waste storage containers have wildlife proof covers; and
4. Require that CRD waste materials are separated out for recycling.

These proposed requirements are critical in order to advance the following council strategic priorities:

Move toward Zero Waste: 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.

Address Human-Wildlife Coexistence Concerns: there is concern that encounters between humans and wildlife in the Bow Valley has become more frequent. The Human-Wildlife Coexistence (HWC) Technical Report was created to provide recommendations to reduce conflict between wildlife and humans in the Bow Valley. The report is used by the management organizations in the Bow Valley as a guide to enhance human-wildlife coexistence.

Please see attached “RFD – Waste Bylaws 433 and 434 Proposed Amendments” as presented at the November 9th, 2020 Virtual Meeting of Council for background information regarding tactics being proposed, along with specific details on all bylaw amendments.

Summary of Issue

Public Input Process & Summary of Input Received

Following first reading of Proposed Bylaw 433 and 434, administration invited input from key stakeholders pertaining to both issues of food scraps and CRD waste management. Outreach was primarily conducted via email, targeting those stakeholders whom administration predicts will be most directly affected by the bylaw amendments. Additional communication channels were leveraged to communicate the opportunity to provide input and reach other potential stakeholders, and the general public.

Public Input: Proposed Amendments related to Food Scraps

Summary of process, feedback, and follow-up actions	
Tactics	The following communications channels were used to inform stakeholders, along with the general public, of the opportunity to provide input: <ul style="list-style-type: none">➤ Content posted on Banff.ca➤ Emails targeting those likely to be affected by the proposed requirement (building owners, property managers, food-service tenants)➤ Follow up phone calls where appropriate➤ RMO advertisement➤ Viewpoints survey on Banff.ca➤ Social media post

Responses	<ul style="list-style-type: none"> ➤ A total of 16 responses were received from stakeholders regarding proposed food scraps requirements.
What We Heard: Key Themes	<ul style="list-style-type: none"> ➤ Respondents support the proposed requirements. The majority of responses were in support of the proposed requirements and that they believe they are in the best interest of Banff's community. ➤ Educational resources are needed. Stakeholders expressed that they will benefit from Town of Banff templates such as posters, signage, and How-To resources. ➤ There is a need for clarification on <i>who</i> is responsible. Responses indicated that initial information may not have been entirely clear as to which non-residential sector entities this requirement targets. For example, tenants are affected as they will be asked to participate in the program, but ultimately the responsibility falls on the building owner and/or property manager to provide the infrastructure in the waste enclosure. ➤ Stakeholders want clear instructions on implementation. There was a desire to know what the options are to divert food waste and how implementation will work. There appeared to be some confusion around whether these changes were the result of a new waste collection system, or if stakeholders were being asked to work within the existing program (Resource Recovery's commercial service). ➤ Challenges exist but they are manageable. Respondents indicated certain challenges including cost (labour, extra bins), space, etc. but in most cases they appeared willing to address these challenges if given the right support from the Town of Banff. ➤ Some exemptions may be needed. For example, hotel and hostel rooms with kitchenettes may not have a practical solution to divert food scraps at this time.
Follow-Up Actions:	<ul style="list-style-type: none"> ➤ Created FAQ on Banff.ca (<i>complete</i>) ➤ Expanded web content around implementation and 'How-To' instructions to address some confusion around who is responsible, and how implementation must be conducted (<i>complete</i>) ➤ Created breakdown for specific requirements for Building Owners & Property Managers, Tenants, and Food-Service Businesses (<i>complete</i>) ➤ Created an Email Template for Property Managers to inform tenants of the program (<i>complete</i>) ➤ Information sheet provided as an insert in utility bills (<i>complete</i>) ➤ Research best practices for unique circumstances (ex. hostels/hotels with kitchenettes) and determine if exemption is needed ➤ Consider options to support businesses in purchasing additional infrastructure or start up costs, for example selling sorting bins at cost or discounted price ➤ Key stakeholders and respondents to be notified of opportunity to provide written and/or verbal input to council when report returns for 2nd/3rd reading

Proposed Amendments related to CRD

Summary of process, feedback, and follow-up actions	
Tactics	<ul style="list-style-type: none"> ➤ Content posted on Banff.ca ➤ Emails targeting those likely to be affected by the proposed requirement (building owners and developers, those issues construction permits in 2020)
Responses	<ul style="list-style-type: none"> ➤ Only 3 responses were received from stakeholders regarding proposed CRD requirements. Administration conducted additional phone conversations with a construction waste storage container provider, BOWDA, and Francis Cooke Facility staff.
What We Heard: Key Themes	<ul style="list-style-type: none"> ➤ Cost is a concern with respect to waste diversion. Respondents expressed that the need to have additional bins onsite will increase costs, which will ultimately be passed on to the clients. ➤ Space is a concern with respect to waste diversion. It was suggested that the Town could support in the street use permitting process, or by providing space for sorting at the Waste Transfer Site. ➤ Important to ensure consistency with policies and implementation approaches. Ensure all stakeholders are brought in and on the same page. Discuss with BOWDA, container companies, and other contractors to harmonize systems. ➤ Need to improve alignment of bylaw instructions with facilities where material will be disposed of. Thorough feedback was provided by Francis Cooke facility regarding specific areas of the bylaw that could be amended to increase alignment with their guidelines and requirements. ➤ Town of Banff could consider additional ways to support CRD diversion. For example, it was suggested that the Town's commercial cardboard collection service could consider including CRD projects.
Follow-Up Actions:	<ul style="list-style-type: none"> ➤ Consider options to support stakeholders in waste sorting via the Street Use Permitting process. ➤ Consider piloting a cardboard collection service for CRD sites. ➤ Continue conversation with Parks Canada and Francis Cooke Facility (initiated in December) to address Human-Wildlife concerns with respect to CRD sites; consider options for a potential collaboration on communications and signage. ➤ Key stakeholders and respondents to be notified of opportunity to provide written and/or verbal input to council when report returns for 2nd/3rd reading.

Additionally, based on feedback from staff at the Francis Cooke Landfill and Resource Recovery Centre, the following changes are suggested for Proposed Bylaws 433 and 434 with respect to CRD waste. The purpose of these adjustments was to ensure alignment with instructions in the Town of Banff bylaw and requirements of the Francis Cooke Facility, which is the most common end destination for these materials. Suggested changes are as follows:

- Add Section 6.20 to Proposed Bylaw 433 and Section 8.21 to Proposed Bylaw 434 stating that “No Person shall deposit Food Waste, as defined in Schedule B, in any Construction Waste Storage Container”.
- Change “Francis Cooke Regional Class III Landfill” to “Francis Cooke Regional Class III Landfill And Resource Recovery Centre” throughout the Bylaw as it is the proper name and better represents diversion activities that occur at the facility.
- Within Schedule D:
 - Change title of schedule D from “Construction Waste” to “Recoverable Construction, Renovation, and Demolition Materials” and add the word “recoverable” to the preamble.
 - Add “Asphalt Shingles” to indicate that they must be separate from other types of “Asphalt”.
 - Move “Pressure Treated Wood” and add “MDF” to Not Acceptable column in instructions for White Wood.
 - Add the word “Clean” to Drywall and Concrete; add unacceptable items for concrete.
 - Change “Grass, Leaves and Flowers” to say “Yard and Garden Materials”.

A complete summary of public input received from stakeholder groups and the general public is included as an attachment to this report.

Response Options

The Council may:

1. Give second and third readings to proposed Bylaws 433 and 434 as previously presented; or
2. Direct administration to return to Council with additional information or amendments to Proposed Bylaw 433, the Residential Waste Amendment Bylaw, and Proposed Bylaw 434, the Non-Residential Waste Amendment Bylaw.

IMPLICATIONS OF DECISION

Budget

As approved through the 2018 Service Review process, a communications budget of \$7500 has been allocated toward food waste diversion requirement changes. This was one of ten tactics approved by Council as a part of the Waste Diversion Targets and Tactics strategy. This communications budget will be used toward print and/or digital advertising, educational resources, and any additional stakeholder engagement needs.

The main budgetary consideration with respect to CRD materials is time required from Municipal Enforcement and a communications strategy targeting large developers, and support sectors. A communications strategy will be brought to Governance & Finance Committee in 2021, based on an estimated budget of \$3,000, which will be brought to service review as part of the annual budget process.

Internal Resources: Food Scraps & Food-Soiled Paper

Communication

Implementing the requirement for non-residential sector entities to provide infrastructure for diversion of food waste requires a communications effort at the time of the bylaw change to notify all non-residential sector entities of the new requirement. Resource Recovery, with support of Communications & Marketing, will implement strategic communications tactics which may include but not be limited to:

- Updates to print & digital communications resources to include information on bylaw changes;
- Information sharing through Town of Banff communications channels (i.e. web, social media);
- FAQ section on the ToB webpage (addressing questions and areas confusion identified in public input responses);
- Advertising through local media channels such as newspaper or radio;
- Outreach via phone calls or in-person (pending COVID-19 restrictions) targeting non-residential sector entities; and
- Free information sessions and workshops, virtual if needed

Education

The Town of Banff has developed resources to help businesses get on the Zero Waste Trail, with a particular focus on food waste diversion. Resources include the following:

- One-on-one waste assessments
- A free “starter kit” which includes bin decals, posters, and a case of compostable bags
- How-To guides including system set-up advice, staff engagement tips, and ‘what goes where’ information
- Email template for building owners and property managers (to inform tenants of the program)
- Information and resources on BanffZeroWasteTrail.ca, including a new ‘What Goes Where’ digital trail guide search tool
- Trailblazers program recognizing business leadership in zero waste and showcasing best practices

Enforcement

With respect to the Non-Residential Waste Bylaw amendment that would require all establishments to provide infrastructure for diversion of food waste, administration is proposing that enforcement be conducted on a ‘complaint-based, education-first’ approach. This would allow Resource Recovery staff, employees of non-residential establishments, or the general public to inform the Town of Banff when an establishment is not in compliance with this component of the bylaw. The case would be accepted into the education process, where Resource Recovery staff would reach out, provide educational resources, and collaborate with the establishment for an established time period, with the shared goal being to reach compliance. In the case that the establishment did not reach compliance in the established time period, the case would be passed along to Municipal Enforcement for further investigation.

The City of Calgary’s ICI Food & Yard Waste Bylaw mandated similar requirements to those being proposed by Town of Banff administration, also utilizing a ‘complaint-based, education first approach’. The approach proved to be successful in that the majority of complaint cases reached compliance through the education process.

Should the Council wish to proceed with the bylaw amendment, administration is proposing that the requirement come into place on June 1st, 2020. This would allow time for adequate communication to inform the non-residential sector of the change while ensuring that systems are in place prior to the busy summer season, in order to maximize waste diversion opportunities. However, considering the impact of the Covid-19 pandemic on Banff's community, Council may wish to consider an extended grace period in order to provide businesses with additional time to set up new systems.

With respect to the Residential Waste Bylaw amendment that would permit specific non-residential sector entities to deposit food-scrap and food-soiled paper in residential food bins, administration believes that enforcement efforts would not be a critical component in achieving the goals of this action. The option would be communicated through conversations with establishments where it would be believed to be feasible, but not actively promoted.

Internal Resources: Construction, Renovation & Demolition

Communication

Effective internal collaboration will be critical toward successful implementation of these new requirements with respect to CRD waste management. Key departments include: Planning & Development, Engineering, and Bylaw. A proposed communications strategy will be brought to the Governance & Finance Committee in 2021.

Enforcement

With respect to CRD sector bylaw amendments, enforcement will be conducted by monthly or quarterly blitzes, i.e. 1 day per quarter, or a half-day each month by a single bylaw officer. For the rest of the year enforcement would be conducted on a complaint basis. For projects with a Development Permit, the Development Compliance Officer will conduct enforcement.

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)

- EeC1: implement requirement for all construction waste bins to have wildlife proof covers, and present options for an enforcement plan to support requirement for commercial waste producers
- EW2: implement construction, renovation and demolition sector, and biosolid waste to diversion rate accounting, and set target for reductions.
- EW4: pilot mandatory recycling and composting for all Town of Banff capital projects. Develop mandatory construction, renovation and demolition recycling and composting regulations.

LINKS

[Options for Waste Diversion Targets and Tactics Report](#)

ATTACHMENTS

- Attachment 1 – Proposed Bylaw 433, Residential Waste Amendment Bylaw
- Attachment 2 – Current Residential Waste Bylaw 376, Tracked Changes
- Attachment 3 – Proposed Bylaw 434, Non-Residential Waste Amendment Bylaw
- Attachment 4 – Current Non-Residential Waste Bylaw 377, Tracked Changes
- Attachment 5 – Summary of Public Input via Email (Food Scraps)
- Attachment 6 – Viewpoints Survey Responses (Food Scraps)
- Attachment 7 – Summary of Public Input via Email (CRD)
- Attachment 8 – Revised Schedule D to Proposed Bylaw 433, the Residential Waste Amendment Bylaw
- Attachment 9 – Revised Schedule D to Proposed Bylaw 434, The Non-Residential Waste Amendment Bylaw

Circulation date: 2021 January 12

Submitted By: 
Carla Bitz, Resource Recovery Coordinator

Reviewed By: On Original
Kelly Gibson, Town Manager

PROPOSED

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Attachment 1

TOWN OF BANFF BYLAW 433

Residential Waste Bylaw Amendment No. 2 (Disposal of Waste from a Non-Residential Premises and Disposal of Waste from a Dwelling)

A BYLAW TO AMEND THE TOWN OF BANFF RESIDENTIAL WASTE BYLAW WITH RESPECT TO DISPOSAL OF WASTE FROM A NON-RESIDENTIAL PREMISES AND DISPOSAL OF WASTE FROM A DWELLING

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

1.0 PROVISIONS

1.1 Residential Waste Bylaw 376, as amended, is further amended by:

1.1.1 Amending Section 2.1 by inserting the following words in underline:

“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.

1.1.2 Amending Section 2.1e by deleting the following words in strikethrough and inserting the following words in underline:

“Construction Waste” means all waste produced in the process of constructing, altering, renovating, repairing, or demolishing a building, structure or development, including vegetation, topsoil, and excavated material displaced during this process.

1.1.3 Amending Section 2.1k by deleting the following words in strikethrough:

“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 non-profit organization~~ or for any professional institution, industrial, commercial, retail, restaurant or worship purpose.

1.1.4 Amending Section 5.6 by inserting the following words in underline:

Owners or Occupants of a Dwelling shall deliver Construction Waste from a Dwelling to the Transfer Site where acceptable, or in the alternative, to the

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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; and,

a) ensure that construction waste is separated by material stream for recycling as outlined in Schedule D.

1.1.5 Amending Section 5.7 by deleting the following words in strikethrough, inserting the following words in underline and renumbering the section as necessary:

~~Any Person~~ Owners or Occupants of a Dwelling who ~~supplies~~ supply and/or ~~uses~~ use a Construction Waste Storage Container for the temporary storage of Construction Waste shall ensure that ~~such container:~~

- a) ~~That such the container~~ is sturdily constructed and is capable of containing the material deposited within; and,
- b) 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 ~~as and if when~~ directed by the Town Manager; and,
- c) the container cover must be an opaque tarp, canvas, or steel lid, or alternative material specifically approved by the Town of Banff; and,
- d) the container cover is affixed to the container using a method that will ensure the cover remains in place; and,
- e) any tarp or canvas cover overhangs the container and is affixed a minimum of 30cm below the edge of the bin opening; and,
- f) the container is cleaned out regularly; and,
- g) any litter placed in the container is contained by a separate means of containment that prevents it from becoming wind born when the container is emptied.

1.1.6 Amending Section 5.8 by deleting the following words in strikethrough, inserting the following words in underline and renumbering the section as necessary:

Owners or Occupants of a Dwelling 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) the Construction Waste is not accessible to animals; and~~
- b) all construction waste is separated by material stream for recycling as outlined in Schedule D; and,

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- c) the area around the storage container is maintained free from litter

- 1.1.7 Amending Section 6.3 by deleting the following words in strikethrough, inserting the following words in underline and renumbering the section as necessary:

No Person shall dispose of Non-Residential Waste in an Approved Bin provided for Residential Waste, with the exception of:

- a.) Recyclable Materials as defined in Schedule 'C' ~~and~~
- b.) Mixed Paper as defined in Schedule 'B' and
- c.) Food Waste generated by an establishment that is not or does not include an Eating and Drinking Establishment, Hotel, Hostel, or any establishment selling groceries, as those terms are defined in the Town of Banff Land Use Bylaw.

- 1.1.8 Amending Section 6.10 by inserting the following words in underline:

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.

- 1.1.9 Amending Section 6.19 by inserting the following words in underline:

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, or at any Town facility, including the Transfer Site or landfill.

- 1.1.10 Amending Schedule A by inserting the following words in underline:

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:

Preparation:

- Loose
- In certified compostable bags

- 1.1.11 Adding Schedule D to define construction waste materials that must be separated for recycling and renumbering the rest of the section as necessary.

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2.0 SEVERABILITY

- 2.1 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.

3.0 ENACTMENT

- 3.1 This bylaw comes into force when it receives third and final reading and execution by the Superintendent of Banff National Park, for the Minister of the Environment.
- 3.2 The Town Manager is authorized to consolidate Bylaw 376.

READ A FIRST TIME this xx day of month, 20xx.

READ A SECOND TIME this xx day of month, 20xx.

READ A THIRD TIME this xx day of month, 20xx.

SIGNED AND PASSED this xx day of month, 2020.

Karen Sorensen
Mayor

Kelly Gibson
Town Manager

APPROVED by the Minister of the Environment, by his delegate this xx day of month, 20xx:

Minister of the Environment/Delegate

TOWN OF BANFF

BYLAW 376

Residential Waste Bylaw

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

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 Residential Waste Bylaw.

2.0 DEFINITIONS

2.1 In this bylaw:

- a) “Approved Bin” means a receptacle for the collection service provided by the Town for the disposal of Garbage, Recyclable Material, Food Waste or Paper Waste.
- b) “Ashes” means the solid residue derived as a by-product from the burning of or combustion of any material or substance.
- c) “Bulky Waste” means a discarded household chattel, material or equipment of any kind exceeding 1.2 meters in any dimension or 23 kilograms in weight including but not limited to household furniture, appliances, packaging and mattresses.
- d) “Business” means the following, 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;
 - b) a profession, trade, occupation, calling or employment; or
 - c) an activity providing goods or services.
- e) “Construction Waste” means all waste produced in the process of constructing, altering, renovating, repairing, or demolishing a building, structure or development, including vegetation, topsoil, and excavated material displaced during this process.
- f) “Construction Waste Storage Container” means a container provided for the temporary storage of Construction Waste.
- g) “Dwelling” means any building or place including the land upon which the premises is located, which is occupied or used as a place of abode.

- h) “Food Waste” means any material as described in Schedule “A” of this bylaw.
- i) “Garbage” means all abandoned, rejected or discarded matter generated in and/or coming from a Dwelling but does not include:
 - a) Food Waste
 - b) Paper
 - c) Recyclable Materials
 - d) Construction Waste
 - e) Bulky Waste
 - f) Unacceptable Waste
- j) “Hazardous Waste” means any solid, liquid or gaseous substance defined or described by legislation or regulations 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, bio-hazardous, pathological, explosive, highly flammable, radioactive or toxic nature, which, without limiting the forgoing, shall include asbestos and blood samples, but shall not include domestic animal feces.
- k) “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 non-profit organization~~, or for any professional institution, industrial, commercial, retail, restaurant or worship purpose.
- l) “Non-Residential Waste” means solid waste generated by or discarded as refuse from a Non-Residential Premises.
- m) “Occupant” means any Person occupying a Dwelling whether they are in fact the Owner, renter, tenant, or lessee of the Dwelling.
- n) “Out-of-Town Waste” means any Residential Waste or Non-Residential Waste not emanating from within the corporate limits of the Town of Banff.
- o) “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 to 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 who has the exclusive use of a vehicle for a period of more than thirty (30) days whether pursuant to a lease or otherwise.
- p) “Paper” means any material as described in Schedule ‘B’ of this bylaw.

- q) “Peace Officer” means the following persons while that person is in the exercise or discharge of their 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.

- r) “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

- s) “Person” means any individual, Occupant, Owner, firm, partnership, association, corporation, company or organization of any kind.

- t) “Recyclable Materials” means any material as described in Schedule ‘C’ of this bylaw.

- u) “Residential Waste” ” means the solid waste generated by or discarded as refuse from a Dwelling.

- v) “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;

- w) “Town Manager” means the Chief Administrative Officer of the Town of Banff or a Person appointed as the Town Manager by Town Council, or the Person designated by the Town Manager to carry out a particular duty.

- x) “Transfer Site” means the Town of Banff Waste Transfer Site located at 160 Hawk Avenue.

- y) “Unacceptable Waste” means any material as described in Schedule “D” of this bylaw.

- z) “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 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 ESTABLISHMENT OF MUNICIPAL SERVICE

- 4.1 A municipal service is hereby established to collect, remove and dispose of Residential Waste generated within the Town.
 - 4.2 The municipal service provided to Owners and Occupants of a Dwelling shall include provision of communal Approved Bins designed for the separate collections, removal and disposal of:
 - a) Garbage;
 - b) Paper in accordance with Schedule 'A' of this bylaw;
 - c) Food Waste in accordance with Schedule 'B', and
 - d) Recyclable Materials in accordance with Schedule 'C';
- as provided for herein.
- 4.3 The Town shall operate a Waste Transfer Site to receive and dispose of residential Recyclable Material as listed in Schedule 'C' hereto.
 - 4.4 The Town shall reserve the right to determine the locations of Approved Bins.
 - 4.5 No Person residing outside the Town limits shall dispose of their Residential Waste in an Approved Bin within the Town corporate limits, unless specifically provided for in this bylaw.
 - 4.6 Owners residing outside the Town limits may dispose of those items listed in the Fees and Charges Bylaw as permissible for Out of Town Waste at the Transfer Site, upon paying those fees listed in the Fees and Charges Bylaw.
 - 4.7 Notwithstanding the provisions of this bylaw, the Town may make special arrangements and enter into contracts related to the collection of Residential Waste or Out-of-Town Waste.
 - 4.8 The Town may freely dispose of, recycle or reuse in any manner, all Residential Waste delivered to or collected by the Town.
 - 4.9 The Town shall not be liable in any manner whatsoever for any damage, loss, or associated costs related to the Residential Waste or its collection, removal or disposal, unless directly due to the gross negligence of the Town.

5 DISPOSAL OF WASTE FROM A DWELLING

- 5.1 All Persons shall be responsible to comply with any Town requirements for the separation of any materials for separate collection or disposal.
- 5.2 Owners or Occupants of a Dwelling shall dispose of Garbage generated by the Occupants of the Dwelling by first placing it in an appropriate disposable container, securely tied or sealed, with a maximum weight of 23kg and depositing the same entirely within the appropriate Approved Bin provided by the Town for that purpose.

5.3 Owners or Occupants of a Dwelling may choose to dispose of Paper, Food Waste or Recyclable Materials as Garbage, in which case the provisions of this bylaw related to Garbage will apply or, may choose to dispose of Paper, Food Waste or Recyclable Materials as recycling, in which case Owners or Occupants will first prepare the materials in accordance with this bylaw, including Schedules “A”, “B” and “C”, hereof and will deposit the same entirely within the Approved Bins provided by the Town for those purposes.

5.4 All Persons shall follow the directions posted on Approved Bins and/or at the Transfer Site.

5.5 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.

5.6 Owners or Occupants of a Dwelling shall deliver Construction Waste from a Dwelling 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; and,

a) ensure that construction waste is separated by material stream for recycling as outlined in Schedule D.

~~5.65.7~~ Any Person-Owners or occupants of a Dwelling who ~~supplies supply~~ and/or ~~uses use~~ a Construction Waste Storage Container for the temporary storage of Construction Waste shall ensure that ~~such container~~:

a) That such 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 as and if 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;

~~b)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,

~~e)g)~~ any litter placed in the container is contained by a separate means of containment that prevents it from becoming wind born when the container is emptied.

5.75.8 Owners or Occupants of a Dwelling 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;

- ~~a)b)~~ all construction waste is separated by material stream for recycling as outlined in Schedule D prior to being placed in the container; and;
- ~~b) the Construction Waste is not accessible to animals; and;~~
- c) the area around the storage container is maintained free from litter.

~~5.85.9~~ Owners or Occupants of a Dwelling shall deliver Yard Waste to the Transfer Site or to an acceptable facility outside of the Town.

~~5.95.10~~ Owners or Occupants of a Dwelling shall deliver Bulky Waste to the Transfer Site or to an acceptable facility outside of the Town.

6 PROHIBITIONS

6.1 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:

- 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.

6.2 No Person~~s~~ shall dispose of Residential Waste in any manner which contravenes any provision of this bylaw.

~~6.3~~ No Person shall dispose of Non-Residential Waste in an Approved Bin provided for Residential Waste, with the exception of:

- ~~a)~~ Recyclable Materials as defined in Schedule 'C' and
- ~~b)~~ Mixed Paper as defined in Schedule 'B' and
- ~~a)c)~~ Food Waste generated by an establishment that is not or does not include an Eating and Drinking Establishment, Hotel, Hostel, or any establishment selling groceries, as those terms are defined in the Town of Banff Land Use Bylaw.

~~6.36.4~~ No Person shall dispose of Residential Waste in an Approved Bin owned or provided to the Owner of a Non-Residential Premises, unless authorized by the Owner.

~~6.46.5~~ No Person shall place Residential Waste on top of, or beside an Approved Bin.

~~6.56.6~~ No Person shall deposit any items in an Approved Bin designed for the collection of Paper other than Paper in accordance with Schedule 'B'.

~~6.66.7~~ No Person shall deposit any items in an Approved Bin designed for the collection of Food Waste other than Food Waste in accordance with Schedule 'A'.

~~6.7~~6.8 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'.

~~6.8~~6.9 No Person shall deposit Residential Waste in an Approved Bin designed for the collection of Pedestrian Waste.

~~6.9~~6.10 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.

~~6.10~~6.11 No Person shall dispose of Bulky Waste in an Approved Bin.

~~6.11~~6.12 No Person shall deposit Ashes in an Approved Bin unless they are quenched.

~~6.12~~6.13 No Person shall leave Residential Waste of any kind on public or private property where it may attract animals.

~~6.13~~6.14 No Person shall park or allow to be parked a vehicle, whether on public or private property, that contains Residential Waste that may attract animals.

~~6.14~~6.15 No Person shall alter the location, access, operation, or otherwise interfere with the use and servicing of an Approved Bin.

~~6.15~~6.16 No Person other than an employee, contractor or agent of the Town providing municipal services, shall pick over, interfere with, scavenge, disturb, remove or scatter any Residential Waste that has been placed in an Approved Bin.

~~6.16~~6.17 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 Residential Waste as authorized or required in this bylaw.

~~6.17~~6.18 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.

~~6.18~~6.19 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, or at any Town facility, including the Transfer Site or landfill.

7 FEES

7.1 The fees, rates and charges outlined in the Fees and Charges Bylaw of this bylaw are hereby adopted and will be due and owing to the Town for the services outlined

- in the Fees and Charges Bylaw.
- 7.2 All accounts for Residential Waste services provided under this bylaw shall be due and payable when rendered.
 - 7.3 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 the Person.
 - 7.4 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.
 - 7.5 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 or Residential Premises and the personal property of the Owner and may be levied and collected in a like manner as municipal taxes, in accordance with the Municipal Government Act.
 - 7.6 An Owner or Occupant of a 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 Residential Waste rates were imposed.
 - 7.7 The Town reserves the right to withhold services, or take legal action, when fees are unpaid.
 - 7.8 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 Residential Waste or Out-of-Town Waste.

8 VIOLATIONS AND ENFORCEMENT

- 8.1 Any Person who contravenes any provision of this bylaw is guilty of an offence and is liable for the penalties provided for herein.
- 8.2 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.
- 8.3 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.
- 8.4 If a vehicle is involved in any contravention of this bylaw, the Owner of that vehicle is guilty of an offence.
- 8.5 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.

- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 A Peace Officer may issue a ticket, or lay any 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.
- 8.10 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 "E" attached hereto.
- 8.11 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.
- 8.12 Any Person violating any of the provisions of this bylaw shall become liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.
- 8.13 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 "E" 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.

- 8.14 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.
- 8.15 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 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.
- 8.16 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.
- 8.17 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.
- 8.18 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.
- 8.19 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.

9 SEVERABILITY

- 9.1 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.

10 SCHEDULES

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

11 REPEAL

11.1 Bylaw 18-4, Banff Waste Bylaw, as amended, is repealed.

12 ENACTMENT

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

READ A FIRST TIME this 9th day of January, 2017.

READ A SECOND TIME this 27th day of February, 2017.

READ A THIRD TIME this 27th 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 21st day of March, 2017.

On original 2017.03.21

Minister of the Environment/Delegate

SCHEDULE A – FOOD WASTE

The following materials listed as acceptable shall be deemed to be Food Waste for the purposes of this bylaw:

Materials	Acceptable	Not Acceptable	Preparation
Food	<ul style="list-style-type: none"> • Fruits & vegetables • Pits, peelings, rinds, tops, cores and husks • Rice, breads, cereal, noodles, toast, tortillas, baked goods, pastries, pies, etc. • Pumpkins • Coffee grounds and filters • Tea bags and leaves • Dairy products • Paper soiled with food • Egg & eggshells • Popsicle and stir sticks (wooden only) • Meat, fish & bones 	<ul style="list-style-type: none"> • Plastic • Elastics • Twist ties • Stickers • Plastic labels • Fabrics • Pet waste 	<ul style="list-style-type: none"> • <u>Loose</u> • <u>In certified compostable bags</u>

SCHEDULE B – PAPER

The following materials listed as acceptable shall be deemed to be Paper for the purposes of this bylaw:

Material	Acceptable	Not Acceptable	Preparation
Cardboard	<ul style="list-style-type: none"> • All corrugated cardboard • Paper egg cartons and drink trays • Food item boxes • Boxboard (shoe and product type boxes) 	<ul style="list-style-type: none"> • Padded envelopes • Carbon paper • Elastic bands • Paper clips • Metal fasteners • Plastic liners 	<ul style="list-style-type: none"> • Remove food debris, elastic bands, paperclips, and metal fasteners (staples are okay) • Break down and flatten all boxes • Remove all plastic wrappings and polystyrene inserts
Mixed Paper	<p>Newsprint and Magazines</p> <ul style="list-style-type: none"> • Newspaper and inserts • Magazines • Glossy flyers, catalogues and brochures • Soft cover and paperback books • Gift wrap <p>Office Paper</p> <ul style="list-style-type: none"> • Office and computer paper • Junk mail and envelopes 	<ul style="list-style-type: none"> • Padded envelopes • Carbon paper • Elastic bands • Paper clips • Metal fasteners • Plastic liners 	<ul style="list-style-type: none"> • Remove elastic bands, paperclips, and metal fasteners (staples are okay) • Break down and flatten all boxes • Remove all plastic wrappings and Styrofoam inserts

SCHEDULE C – RECYCLABLE MATERIALS

The following materials listed as acceptable shall be deemed to be Recyclable Material for the purposes of this bylaw:

Material	Acceptable	Not Acceptable	Preparation
Mixed Containers	<p>Plastics</p> <ul style="list-style-type: none"> All plastic containers with a Mobius loop and number 1, 2, 3, 4, 5, 6, and 7 <p>Metal food cans</p> <ul style="list-style-type: none"> Tin and aluminum food and beverage containers and lids 	<ul style="list-style-type: none"> Plastic bags Plastic containers without a Mobius Loop Toxic product containers Polystyrene foam type Plastic film, wrap, or cellophane packaging Appliances 	<ul style="list-style-type: none"> Remove lids and rinse all containers Thoroughly rinse
Glass	<ul style="list-style-type: none"> Glass jars Glass bottles 	<ul style="list-style-type: none"> Windows Windshields Ceramics Tableware Light bulbs 	<ul style="list-style-type: none"> Remove lids Rinse bottles and clean jars
Refundable Beverage Containers	<ul style="list-style-type: none"> Refundable glass bottles and cans Milk containers Soy and rice milk containers Juice boxes 	<ul style="list-style-type: none"> Non-beverage Tetra Paks 	<ul style="list-style-type: none"> Empty, remove all straws, and rinse

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.

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

SCHEDULE ~~D~~E – 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.

Schedule E – Voluntary Payments

First offense (all sections)	\$100
Second offense	\$200
Third and all subsequent offenses	\$300

TOWN OF BANFF BYLAW 434

Non-Residential Waste Bylaw Amendment No. 2 (Disposal of Waste from a Non-Residential Premises)

A BYLAW TO AMEND THE TOWN OF BANFF NON-RESIDENTIAL WASTE BYLAW WITH RESPECT TO DISPOSAL OF WASTE FROM A NON- RESIDENTIAL PREMISES

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

1.0 PROVISIONS

- 1.1 Non-Residential Waste Bylaw 377, as amended, is further amended by:
- 1.1.1 Amending Section 2.1 by inserting the following words in underline:
- “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.
- 1.1.2 Amending Section 2.1.8 by deleting the following words in strikethrough and inserting the following words in underline:
- “Construction Waste” means all waste produced in the process of constructing, altering, renovating, repairing, or demolishing a building, ~~structure, infrastructure or development~~, including vegetation, topsoil, and excavated material displaced during this process.
- 1.1.3 Amending section 2.1.16 by deleting the following words in strikethrough:
- “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 non-profit organization~~ or for any professional institution, industrial, commercial, retail, restaurant or worship purpose.
- 1.1.4 Amending Section 5.6 by deleting the following word in strikethrough and inserting the following word in underline:
- Ensure that Approved Enclosures and ~~Approval~~ Approved Bins:

PROPOSED

Item #: 8.4
Attachment 3

- 1.1.5 Amending Section 6.5 by inserting the following words in underline as Section 6.5 and 6.5.1 and renumbering the section as necessary:

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.

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

- 1.1.6 Amending Section 6.12 by deleting the following words in strikethrough and inserting the following words in underline:

Owners or Occupants of a Non-Residential Premises shall deliver Bulky Waste to the Transfer Site or to ~~an acceptable~~ a facility approved for the disposal of Bulky Waste outside of the Town.

- 1.1.7 Amending Section 6.15 by inserting the following words in underline:

Owners or Occupants of a Dwelling shall deliver Construction Waste from a Dwelling 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; and,

a) ensure that construction waste is separated by material stream for recycling as outlined in Schedule D.

- 1.1.8 Amending Section 6.16 by deleting the following words in strikethrough, inserting the following words in underline and renumbering the section as necessary:

~~Any Person~~ Owners or Occupants of a Dwelling who ~~supplies~~ supply and/or ~~uses~~ use a Construction Waste Storage Container for the temporary storage of Construction Waste shall ensure that ~~such container~~:

- a) ~~That such~~ the container is sturdily constructed and is capable of containing the material deposited within; and,
- b) 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 ~~as~~ and ~~if~~ when directed by the Town Manager; and,
- c) the container cover must be an opaque tarp, canvas, or steel lid, or alternative material specifically approved by the Town of Banff; and,

PROPOSED

Item #: 8.4
Attachment 3

- d) the container cover is affixed to the container using a method that will ensure the cover remains in place; and,
- e) any tarp or canvas cover overhangs the container and is affixed a minimum of 30cm below the edge of the bin opening; and,
- f) the container is cleaned out regularly; and,
- g) any litter placed in the container is contained by a separate means of containment that prevents it from becoming wind born when the container is emptied.

1.1.9 Amending Section 6.17 by deleting the following words in strikethrough, inserting the following words in underline and renumbering the section as necessary:

Owners or Occupants of a Dwelling 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) the Construction Waste is not accessible to animals; 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

1.1.10 Amending Section 8.12 by adding the following words in underline:

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.

1.1.11 Amending Section 8.20 by adding the following words in underline:

The Town or its contractors, servants, agents or workers may inspect any waste being or Construction Waste Storage Container collected by the Town, or any waste being deposited at any Town facility, including the Transfer Site or landfill.

1.1.12 Amending Schedule A by inserting the following words in underline:

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:

PROPOSED

Item #: 8.4
Attachment 3

Preparation:

- Loose
- In certified compostable bags

1.1.13 Adding Schedule D to define construction waste materials that must be separated for recycling and renumbering the rest of the section as necessary.

4.0 SEVERABILITY

4.1 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.

5.0 ENACTMENT

5.1 This bylaw comes into force when it receives third and final reading and execution by the Superintendent of Banff National Park, for the Minister of the Environment.

5.1.1 Despite subsection 5.1, section 1.1.3 comes into force on July 1, 2021.

5.2 The Town Manager is authorized to consolidate Bylaw 377.

READ A FIRST TIME this xx day of month, 20xx.

READ A SECOND TIME this xx day of month, 20xx.

READ A THIRD TIME this xx day of month, 20xx.

SIGNED AND PASSED this xx day of month, 2020.

Karen Sorensen
Mayor

Kelly Gibson
Town Manager

APPROVED by the Minister of the Environment, by his delegate t this xx day of month,

Minister of the Environment/Delegate

**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**

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.
- 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.
- 2.1.8 “Construction Waste” means all waste produced in the process of constructing, altering, renovating, repairing or demolishing a building, ~~or structure~~ infrastructure, or development, including vegetation, topsoil, and excavated material displaced during this process.
- 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 forgoing, 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 non-profit organization~~ or for any professional, institution, industrial, commercial, retail, restaurant or worship purpose.
- 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.
- 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 “D” of this bylaw.
- 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.
- 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.
- 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 ~~Approval~~ 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.

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 separate Cardboard from Garbage.
- 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.
- 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.

6.5 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 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.

~~6.56.6~~ Owners or Occupants of a Non-Residential Premises may choose to dispose of Food Waste 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 prepare 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.

~~6.66.7~~ Owners or Occupants of a Non-Residential Premises may choose to dispose of Recyclable Materials 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 prepare 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.

~~6.76.8~~ 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.

~~6.86.9~~ Owners or Occupants of a Non-Residential Premises shall not dispose of FOG collected from a grease trap in Approved Bins.

~~6.96.10~~ All Persons shall follow the directions on posted signs on Approved Bins.

~~6.106.11~~ 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.

~~6.116.12~~ Owners or Occupants of a Non-Residential Premises shall deliver Bulky Waste to the Transfer Site or to ~~an acceptable a~~ facility [approved for the disposal of Bulky Waste](#) outside of the Town.

~~6.126.13~~ 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.

~~6.136.14~~ 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.

~~6.15~~ 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 or to other approved sites in accordance with [rules for materials accepted at each facility and](#) 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.~~

~~6.146.16~~ ~~Any Person~~ Owners or occupants of a Dwelling who ~~supplies supply~~ and/or ~~uses use~~ a Construction Waste Storage Container for the temporary storage of Construction Waste shall ensure that ~~such container~~:

- 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
- b)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.

6.156.17 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,
- a)b) all construction waste is separated by material stream for recycling as outlined in Schedule D; and,
- b) the Construction Waste is not accessible to animals; and,
- c) the area around the storage container is maintained free from litter.

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:

- 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.
- 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.
- 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 being or Construction Waste Storage Container collected by the Town, or any waste being deposited at any Town facility, including the Transfer Site or landfill.

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.
- 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.
- 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.
- 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 “E” 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 “E” 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.
- 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', and 'E' referred to herein as attached form part of this bylaw.

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 9th day of January, 2017.

READ A SECOND TIME this 27th day of February, 2017.

READ A THIRD TIME this 27th day of February, 2017.

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

Item #: 8.4
Attachment 4

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 21st day of
March, 2017.

On original 2017.03.21

Minister of the Environment/Delegate

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"> • All corrugated cardboard • Paper egg cartons and drink trays • Food item boxes • Boxboard (shoe and product type boxes) 	<ul style="list-style-type: none"> • Padded envelopes • Carbon paper • Elastic bands • Paper clips • Metal fasteners • Plastic liners 	<ul style="list-style-type: none"> • Remove food debris, elastic bands, paperclips, and metal fasteners (staples are okay) • Break down and flatten all boxes • Remove all plastic wrappings and polystyrene inserts 	<ul style="list-style-type: none"> • Dispose of cardboard in any Approved Bin provided to the Owner of the Non-Residential Premises by the Town for those purposes

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"> • Fruits & vegetables • Pits, peelings, rinds, tops, cores and husks • Rice, breads, cereal, noodles, toast, tortillas, baked goods, pastries, pies, etc. • Pumpkins • Coffee grounds and filters • Tea bags and leaves • Dairy products • Paper soiled with food • Egg & eggshells • Popsicle and stir sticks (wooden only) • <u>Meat, fish & bones</u> 	<ul style="list-style-type: none"> • Plastic • Elastics • Twist ties • Stickers • Plastic labels • Fabrics • Pet waste 	<ul style="list-style-type: none"> • <u>Loose</u> • <u>In certified compostable bags</u> 	<ul style="list-style-type: none"> • Dispose of food waste in any Approved Bin provided to the Owner of the Non-Residential Premises by the Town for those purposes

SCHEDULE C – RECYCLABLE MATERIALS

Recyclable Materials are accepted for disposal in any Approved Bin 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
Mixed Containers	<p>Plastics</p> <ul style="list-style-type: none"> All plastic containers with a Mobius loop and number 1, 2, 3, 4, 5, 6, and 7 <p>Metal food cans</p> <ul style="list-style-type: none"> Tin and aluminum food and beverage containers and lids 	<ul style="list-style-type: none"> Plastic bags Plastic containers without a Mobius Loop Toxic product containers Polystyrene foam type Plastic film, wrap, or cellophane packaging Appliances 	<ul style="list-style-type: none"> Remove lids and rinse all containers Thoroughly rinse 	<ul style="list-style-type: none"> Dispose of mixed containers in any Approved Bin or at the Transfer Site
Glass	<ul style="list-style-type: none"> Glass jars Glass bottles 	<ul style="list-style-type: none"> Windows Windshields Ceramics Tableware Light bulbs 	<ul style="list-style-type: none"> Remove lids Rinse bottles and clean jars 	<ul style="list-style-type: none"> Dispose of glass in any Approved Bin or at the Transfer Site
Refundable Beverage Containers	<ul style="list-style-type: none"> Refundable glass bottles and cans Milk containers Soy and rice milk containers Juice boxes 	<ul style="list-style-type: none"> Non-beverage Tetra Paks 	<ul style="list-style-type: none"> Empty, remove all straws, and rinse 	<ul style="list-style-type: none"> Dispose of refundable beverage containers in any Approved Bin, at the Transfer Site, or at the bottle depot
Mixed Paper	<p>Newsprint and Magazines</p> <ul style="list-style-type: none"> Newspaper and inserts Magazines Glossy flyers, catalogues and brochures Soft cover and paperback books Gift wrap <p>Office Paper</p> <ul style="list-style-type: none"> Office and computer paper Junk mail and envelopes 	<ul style="list-style-type: none"> Padded envelopes Carbon paper Elastic bands Paper clips Metal fasteners Plastic liners 	<ul style="list-style-type: none"> Remove elastic bands, paperclips, and metal fasteners (Staples are okay) Break down and flatten all boxes Remove all plastic wrappings and Styrofoam inserts 	<ul style="list-style-type: none"> Dispose of mixed paper in any Approved Bin or at the Transfer Site

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.

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

SCHEDULE D E – 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.

Schedule E– Voluntary Payments

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

Summary of Public Input Received via Email: Food Scraps

The following feedback was received via email in response to the proposed bylaw amendments with respect to requiring infrastructure for diversion of Food Scraps. Administration conducted follow up calls with respondents where appropriate; additional feedback and comments from those calls has been considered in the ‘what we heard’ component of the RFD.

A summary of additional feedback received through a Town of Banff Viewpoints Survey is attached to this report.

Q1 – Do you think this will cause challenges with respect to your operations, costs, or otherwise?

Respondent 1: I think it would definitely increase plastic waste (the additional garbage bags needed), increase the cost of the operation and put further strain on our already stretched labour force. Due to Covid we have been looking at converting half of our rooms into kitchenette units which would mean an additional 10-15 plastic garbage bags a day.

In addition, I would want to know where such a food waste container would be stored on our property and how often it would be emptied.

We just have a common kitchen with a walk-in freezer for our guests and hence our food waste is rather minimal, because people that make food at a hostel are there to save money and hence will eat up everything and store left overs, while the other guest order take out food like pizza.

Respondent 2: Operations: Maintenance staff will need to sort out more of the garbage from the organics. Costs: Management will need to provide bins (cheap garbage bins) to the tenants and educate them on recycling organics to make it easier to be on board. Will also need to purchase new common area bins (expensive), with an organic slot, so our tenants can see that the mall management are showing by example.

Respondent 3: Yes, it will add costs to our operation as it takes labour dollars to separate. This can be minimized by having the proper separation containers/bins supplied.

Respondent 4: This will cause challenges which should be fairly easy to overcome. The necessary adjustments in our operation will be substantial yet manageable. Obviously there will be additional costs but with such limited information from the Town it is impossible to know.

Respondent 5: No, we have largely implemented this required infrastructure across our restaurants

Q2 – What do you think would need to occur for these requirement changes to be implemented successfully?

Respondent 1: I think a well thought out, very detailed process would be needed, not like the last one that encouraged us to buy biodegradable bags, that were 3 times as expensive to start with and

even in a domestic setting were totally ill designed to carry the weight of the garbage. I frequently had to carry the whole garbage can at home because those bags disintegrated upon trying to pull them out of the garbage can. At work, I had my staff double bag them (which then made them 6 times as expensive) yet were still prone to breakage.

Respondent 2: Educating our tenants. Reinforcing the idea of recycling organics with our newsletter and regular sites visits. Signing of a organics recycling "social contract" with our tenants. Implementation of an organic recycling fee by the mall management to the tenants who are not interested or complying.

Respondent 3: Proper separation containers/bins, allocated space for bins to be stored.

Respondent 4: I think this should be an incentive-based structure rather than a punitive model. This should begin with access to very low cost infrastructure (bins, signage, S.O.P.'s etc) for operators. Also pick ups should be every day, particularly in warm weather, to discourage wildlife conflict and odours. The municipality should consider a bin maintenance and cleaning programme. Please remember that we all want to do the right thing.

Also it needs to have a long term implementation and follow up structure. So many TOB initiatives begin with great enthusiasm and resources and gradually wither away to nothing. I am happy to provide many examples if necessary.

Respondent 5: Inspections & resulting fines when there is not compliance.

Q3 – Do you think that there are unintended consequences that could occur as a result of these requirements?

Respondent 1: You may save a rather small amount of extra food waste but add a lot more plastic waste. In addition, I would see compliance on the guest's part low as a lot of the non Canadian guest have even problems with the regular recycling, which causes us to have to go through all the garbage bag to pull out the bottles and cans and then pull out the glass food containers from the recycling as those can be also returned for refund in other countries.

I could see it to be a viable option for a larger property with a food outlet but don't see it work with a smaller hostel

Respondent 2: Tenants not complying

Respondent 3: Not if storage and containment is planned properly.

Respondent 4: Yes. I think it is necessary that the town is sure that the infrastructure is adequate post-collection. It would be a shame if for reasons of manpower, planning, etcetera (in the TOB Operations) that the food waste was not always diverted and periodically ends up in landfill despite protocols being in place at pick up locations

Respondent 5: Spend on infrastructure in these very challenging times.

Q4 – What special considerations should we give to stakeholders like yourself?

Respondent 1: I don't think we need special consideration, we just need a well thought out concept. I have not been contacted yet for someone in charge of this project to come and check our garbage, our procedures etc. to be able to accurately assess the viability of this program.

Should a viable concept not be found for smaller properties without food outlets, I think we should be exempt.

Respondent 2: Our commercial garbage is mixed with residential making it difficult to control.

Respondent 3: Again, where to store containers and bins.

Respondent 4: I believe I have covered this above.

Respondent 5: A clear understanding of business obstacles, patience in dealing with them, and flexibility on implementation timelines.

Q5 – Do you think these changes are in the best interest of Banff's community?

Respondent 1: Like I said a well thought out program with high compliance rates would help the community but I haven't seen anything like that yet.

Respondent 2: Yes, it's beneficial for the whole community.

Respondent 3: Yes.

Respondent 4: Yes, but is that the intention? Is this being done for the community? In the documents it states that the changes are driven by a "a goal to protect this special place"

Respondent 5: Absolutely

Q6 – Do you support the proposed requirement changes?

Respondent 1: That will depend on the viability of the program

Respondent 2: Yes, we support.

Respondent 3: Yes, as long as waste collections "costs" do rise.

Respondent 4: In principle and if done with a reasonable amount of consultation I do support the changes. We are way behind many municipalities in this regard and this type of change is inevitable. A further consideration would be to look upstream in the food supply chain to have less future waste enter the park.

Respondent 5: 100%

Food Scraps Survey

SURVEY RESPONSE REPORT

21 December 2020 - 19 January 2021

PROJECT NAME:

Proposed Changes to how Business Manage Food Waste



SURVEY QUESTIONS

Q1 | Do you think this will cause challenges with respect to your operations, costs, or otherwise?

Anonymous 1/05/2021 02:36 PM	no
Anonymous 1/05/2021 02:38 PM	No
Anonymous 1/05/2021 03:19 PM	Some but not insurmountable
Anonymous 1/08/2021 09:41 AM	Of course it will
Anonymous 1/14/2021 12:02 PM	Absolutely!
Anonymous 1/14/2021 01:50 PM	We hope our landlord is willing to install compostable bins in the garbage and recycling area for all food use tenants as that is how we dispose of everything now.
Anonymous 1/16/2021 11:17 PM	Not at all, food waste is already accounted for in costs.
Anonymous 1/18/2021 05:07 PM	Obviously

Optional question (8 response(s), 3 skipped)

Question type: Essay Question

Q2 | What do you think would need to occur for these requirement changes to be implemented successfully?

- | | |
|---------------------------------|---|
| Anonymous
1/05/2021 02:36 PM | multiple drop off locations |
| Anonymous
1/05/2021 02:38 PM | Proper animal safe receptors. Biodegradable napkins. Allowance of meat into receptacles |
| Anonymous
1/05/2021 02:39 PM | Compost bins beside all current household waste and recycling bins. |
| Anonymous
1/05/2021 03:19 PM | For small businesses provide one or two small - medium compost bins, at no charge to the business, for initial implementation to provide for guests in a central location |
| Anonymous
1/08/2021 09:41 AM | Delay introduction at least one year. let us get past this pandemic crisis before foisting another cost on us. |
| Anonymous
1/14/2021 12:02 PM | Support and guidance from Town and Parks Canada |
| Anonymous
1/14/2021 01:50 PM | Designated bins and regular pick up and bins that are wildlife secure. We think this would be great as we already have all our packaging compostable!
Go team go! Lets support the environment |
| Anonymous
1/16/2021 11:17 PM | A possible established business food drop off zone, like the food bank in sun dance. |
| Anonymous
1/18/2021 05:07 PM | Clear communication and assistance sourcing necessary equipment and supplies. |

Optional question (9 response(s), 2 skipped)

Question type: Essay Question

Q3 | Do you think that there are unintended consequences that could occur as a result of these requirements?

- Anonymous
1/05/2021 02:38 PM

No
- Anonymous
1/05/2021 03:19 PM

Additional work for staff More food waste in the garbage for hose not willing to participate
- Anonymous
1/08/2021 09:41 AM

Yes.
- Anonymous
1/14/2021 12:02 PM

Yes
- Anonymous
1/14/2021 01:50 PM

Wildlife will be attracted to the smells and if businesses don't handle properly (similar to garbage) it could cause problems.
- Anonymous
1/16/2021 11:17 PM

No, food could be dropped off daily with controlled temperatures daily from multiple businesses.
- Anonymous
1/18/2021 05:07 PM

Entirely possible.

Optional question (7 response(s), 4 skipped)
Question type: Essay Question

Q4 | What special considerations should we give to stakeholders like yourself?

Anonymous
1/05/2021 03:19 PM
Recognize that there will be additional cost and effort and offset with free compost bins - at least initially. Large businesses should be eligible for a discount cost D they may require larger or substantially more bins

Anonymous
1/08/2021 09:41 AM
See #2

Anonymous
1/14/2021 12:02 PM
Grace period for implementation. Post-pandemic.

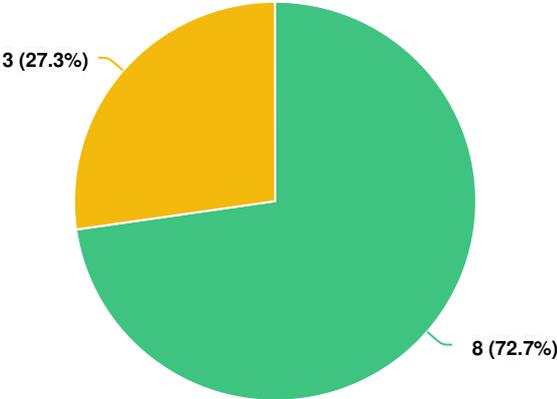
Anonymous
1/14/2021 01:50 PM
Enforcement of composting with landlords to provide bin(s) similar to garbage and recycling

Anonymous
1/16/2021 11:17 PM
My workplace throws out trays of fresh food daily, workers signing up to take these trays to a safe drop-off would be a welcomed sight to workers like myself.

Anonymous
1/18/2021 05:07 PM
Unk

Optional question (6 response(s), 5 skipped)
Question type: Essay Question

Q6 | Do you support the proposed requirement changes?

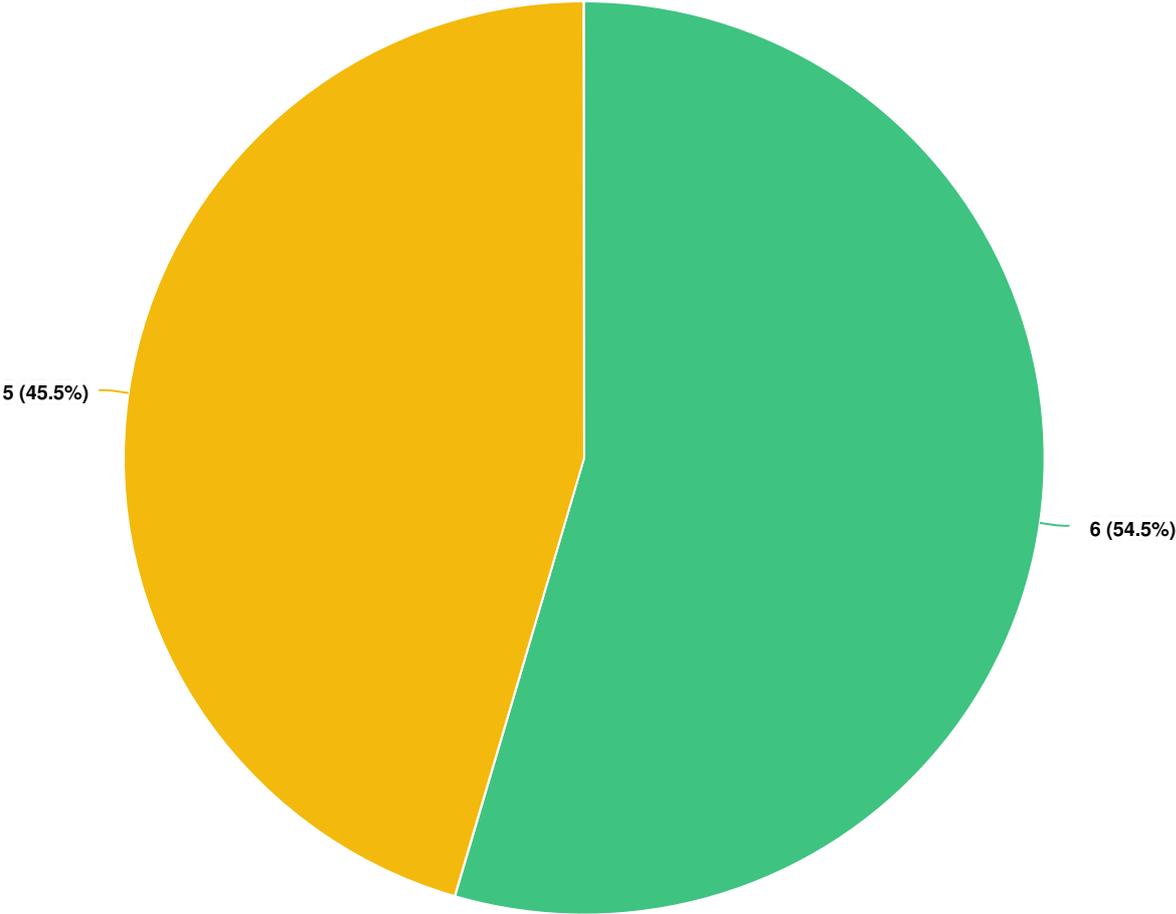


Question options

- Yes
- No

*Mandatory Question (11 response(s))
Question type: Radio Button Question*

Q7 | Do you own or operate a business in Banff?

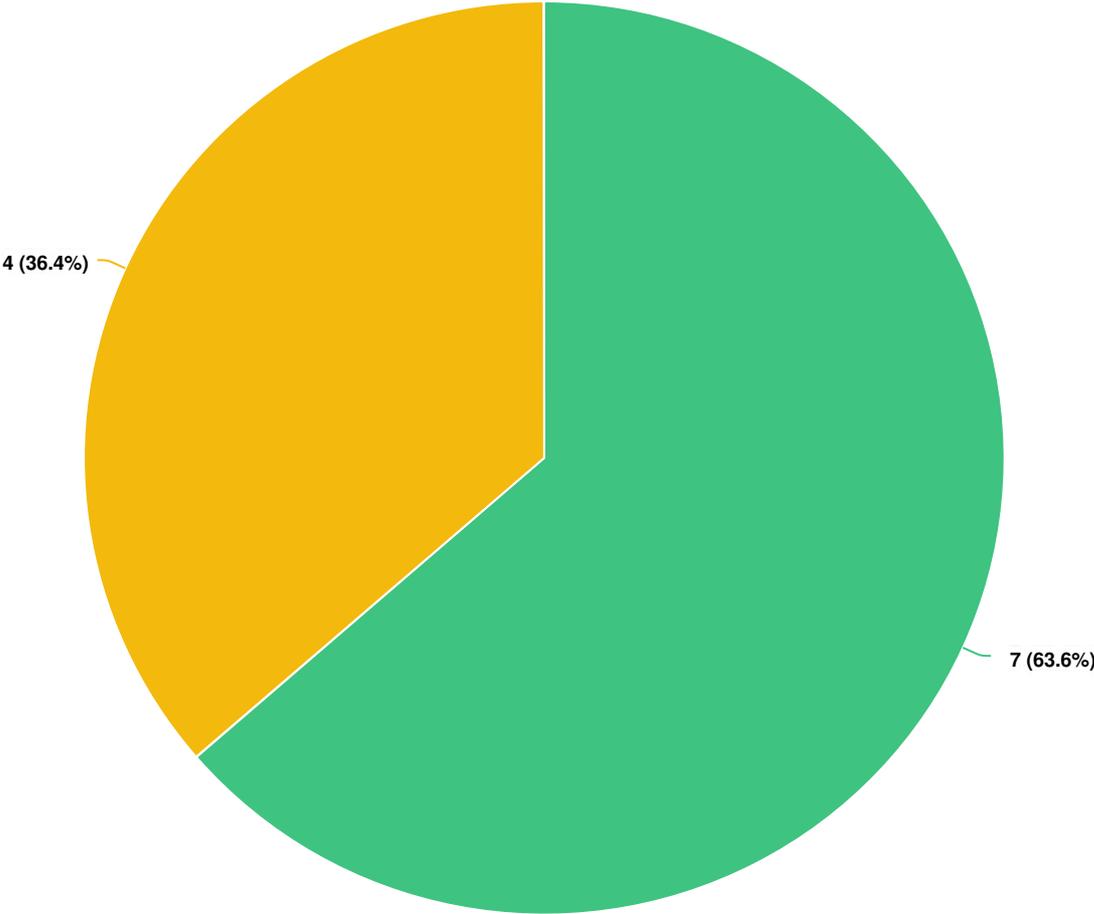


Question options

- Yes
- No

Mandatory Question (11 response(s))
Question type: Radio Button Question

Q9 | Do you own or lease your building space?

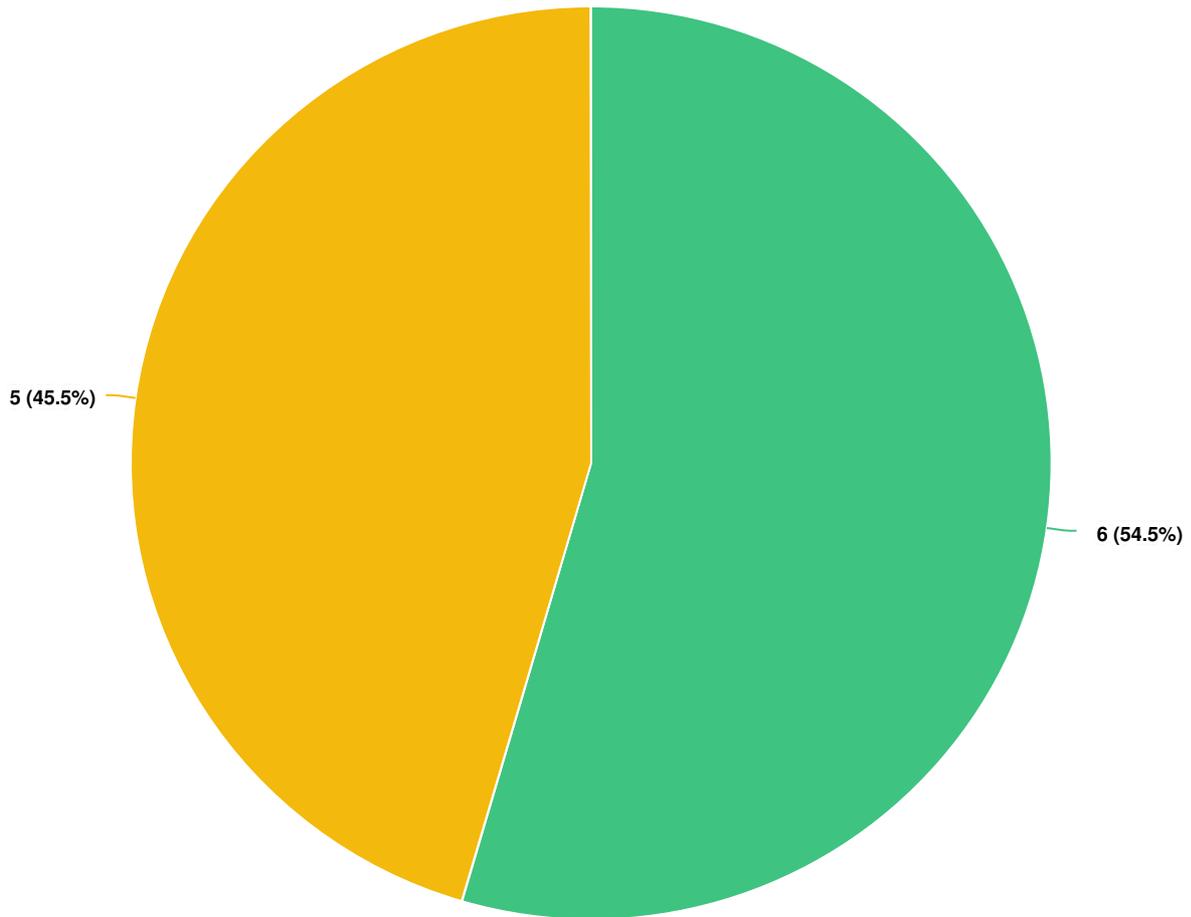


Question options

- Own
- Lease

Mandatory Question (11 response(s))
Question type: Radio Button Question

Q10 | Do you live in Banff?

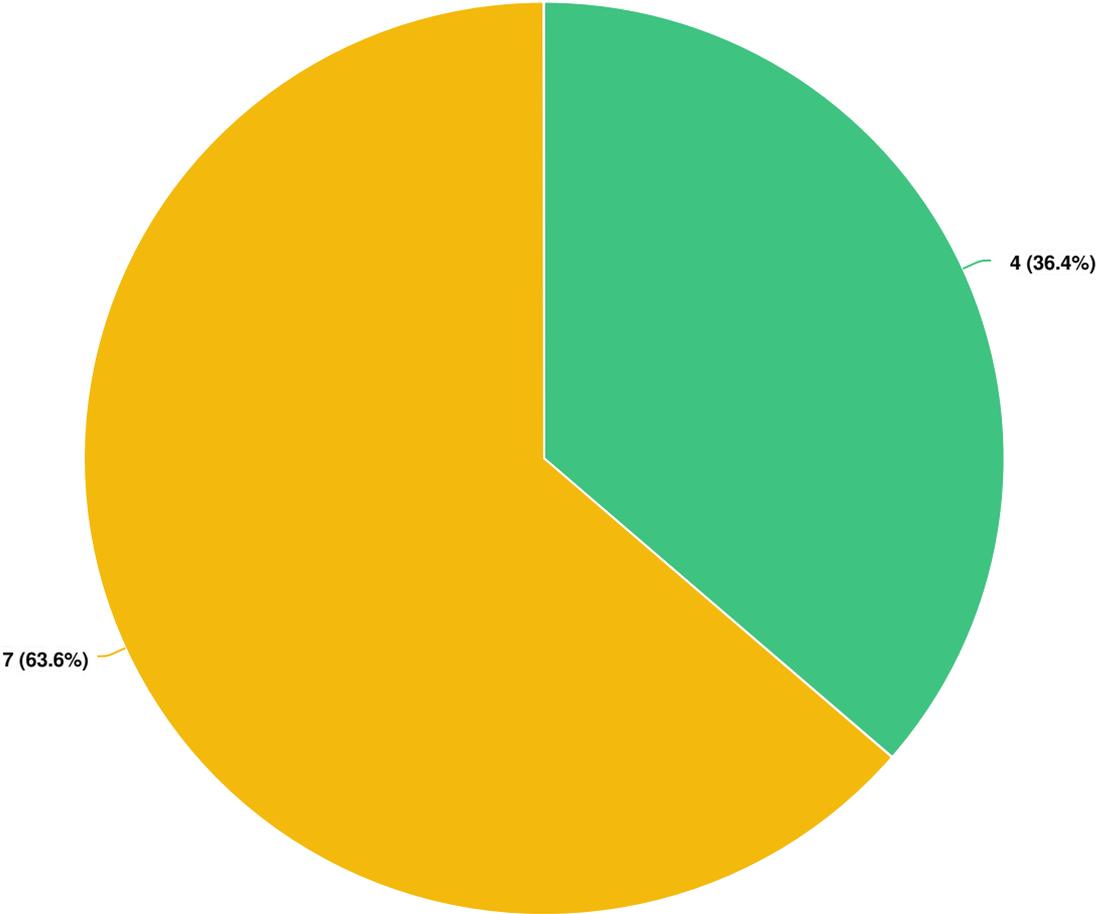


Question options

- Yes
- No

*Mandatory Question (11 response(s))
Question type: Radio Button Question*

Q11 | Do you want to receive future information about this proposed Bylaw and Council decisions?



Question options

- Yes
- No

Mandatory Question (11 response(s))
Question type: Radio Button Question

Summary of Public Input Received via Email: CRD

The following feedback was received via email in response to the proposed bylaw amendments with respect to requiring infrastructure for diversion of CRD. Administration had additional phone conversations with a construction waste storage container provider, BOWDA, and Francis Cooke Facility staff. Feedback from these conversations is taken into consideration in the 'what we heard' section of the RFD.

Q1 – Do you think this will cause challenges with respect to your operations, costs, or otherwise?

Respondent 1: Yes this will increase costs to the end user as we will have to have additional bins rented to sort the waste. This is also problematic in Banff especially as there is typically no laydown space or allocated space for bins when working on downtown Banff commercial properties. Street use and parking spot use is very expensive to get permits for in Banff as well. With the current pressures from the pandemic and clients expecting prices to fall when they are only going up, this may be a factor that adds to the cost of development which may detour clients from building.

Respondent 2: We have not used construction waste bins for eight years, partly due to cost and partly so that we can recycle as much construction waste as possible. We utilize a cube van for separated waste and deliver it to Francis Cook Landfill. We also use a tipping trailer for disposing of drywall, concrete etc. Because of this the proposed covers to commercial bins would not impact us in our operations.

Respondent 3: Yes we will need more tarps to be left on site with the bins. The tarps we currently use are ideal, they are a very fine mesh, very strong and capable of containing waste and keeping wildlife out. Separating waste is a challenge mainly because of the lack of space for more than one bin at the construction sites.

Q2 – What do you think would need to occur for these requirement changes to be implemented successfully?

Respondent 1: Get BOWDA to get their members on board and get the stakeholders (bin rental companies such as cleansweep, and the builders and the landfill) to agree to some rates and protocol to make this as seamless as possible. BOWDA could help to liaison this process.

Respondent 2: n/a

Respondent 3: To make the waste separation work the street use permits should be easier to acquire and be more reasonably priced. There is an opportunity here for the Town to create a sorting facility at the Town yard where mixed material bins could be dumped and sorted into the appropriate piles. This would be a way to get the maximum amount of recyclables from a mixed load.

Q3 – Do you think that there are unintended consequences that could occur as a result of these requirements?

Respondent 1: Not sure

Respondent 2: n/a

Respondent 3: Did not answer

Q4 – What special considerations should we give to stakeholders like yourself?

Respondent 1: Just the consideration to compile and properly assess the feedback that you receive in a fair and democratic way

Respondent 2: n/a

Respondent 3: Did not answer

Q5 – Do you think these changes are in the best interest of Banff's community?

Respondent 1: Yes but the impact needs to be understood and disclosed to the community and the Town of Banff needs to be more lenient on granting street use and road use permits for the placement of bins and recycle centers when projects are being considered.

Respondent 2: n/a

Respondent 3: Did not answer

Q6 – Do you support the proposed requirement changes?

Respondent 1: Yes

Respondent 2: n/a

Respondent 3: Did not answer

PROPOSED

Item #: 8.4
Attachment 8

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

PROPOSED

Item #: 8.4
Attachment 9

SCHEDULE D – RECOVERABLE CONSTRUCTION, RENOVATION, AND DEMOLITION MATERIALS

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White Wood	<ul style="list-style-type: none"> Kiln dried lumber Plywood Strand Board 	<ul style="list-style-type: none"> Drywall Pressure Treated Wood MDF No plastic wrapping No creosote 	
Yard and Garden Materials	<ul style="list-style-type: none"> Grass Leaves Flowers 	<ul style="list-style-type: none"> Branches Soil Compostable bags 	
Branches, scrub and brush	<ul style="list-style-type: none"> Stumps & roots must be smaller than 1M x 1M 	<ul style="list-style-type: none"> Compostable bags 	
Assorted metals	<ul style="list-style-type: none"> Scrap metal Furnaces Hot water tanks 	<ul style="list-style-type: none"> Fuel Cylinders Flammable items 	
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