



BYLAW NO. 08-572
of the Municipal District of Greenview No. 16

A Bylaw of the Municipal District of Greenview No. 16, in the Province of Alberta, for the purpose of prohibiting the dumping or depositing of litter on lands or highways.

PURSUANT TO Section 7(c) of the Municipal Government Act, R.S.A. 2000, Chapter M-26.1 and amendments thereto, a Council may pass a bylaw respecting nuisances including for prohibition of Littering and:

WHEREAS the Council for the Municipal District of Greenview No. 16 deems it desirable and in the best interest of the public to provide for the regulation of litter within the boundaries of the Municipal District;

THEREFORE, the Council for the Municipal District of Greenview No. 16, duly assembled, hereby enacts as follows:

1) This Bylaw may be cited as the "Litter Bylaw".

2) **DEFINITIONS**

In this by-law,

- a) "**Litter**" shall mean debris, rubbish, filth, refuse, garbage or waste matter of any kind.
 - b) "**Highway**" means and includes any road, bridge, street, land or similar thoroughfare and includes such parts thereof commonly known as roadways, curbs, ditches, sidewalks, median strips, boulevards, islands and associated sewer, catch basin, water courses and retaining walls.
 - c) "**Deposit**" includes drop, throw, dump or randomly place or store or otherwise dispose of.
 - d) "**Land**" includes any ground, yard, lot or other real property whether or not occupied by a building or structure.
 - e) "**Municipality**" shall mean the Municipal District of Greenview No. 16
 - f) "**Person**" includes an individual, an association, a firm, a partnership or a corporation.
 - g) "**Municipal Law Enforcement Officer**" shall mean a person contracted by Council for the purpose of enforcing the by-laws of the Municipality or person with designated Peace Officer status within the Province of Alberta, authorized to enforce this Bylaw.
 - h) "**Council**" means the elected members of the Municipal District of Greenview No. 16 Council.
- 3) No person shall deposit or cause to be deposited or permit to be deposited any litter on privately owned land within the municipality.
- 4) No person shall deposit or cause to be deposited any litter on any highway within the municipality.

- 5) No person shall allow litter to blow from a property or vehicle onto any public or private land.
- 6) No person shall deposit or cause to be deposited any litter on lands owned by the municipality or any local authority except at a waste disposal site operated by the Municipal District of Greenview, or in receptacles approved by the municipality for that purpose.

7) **APPEAL PROCEDURE**

a) A person who

- i. has an interest in land as an owner or occupant, and
- ii. considers himself or herself aggrieved by an Order that relates to the land and that is given by a Designated Officer under section 5 of this By-law,

may appeal to the Chief Administrative Officer of the municipality in which that land is located by filing a notice of appeal under this section.

b) A notice of appeal shall be in writing and shall set out

- i. the name and address of the appellant,
- ii. a copy of the order in respect of which the appeal is being taken,
- iii. the legal description of the land affected, and
- iv. the grounds for appeal.

c) A notice of appeal shall be delivered personally or sent by registered or certified mail to the Chief Administrative Officer, within the time specified, in the order for doing the thing required by the notice or 7 days, whichever is less.

d) Within 15 days from the day of receipt of an appeal, Chief Administrative Officer shall hear and determine the appeal and may confirm, rescind or vary the order that was issued.

e) The Chief Administrative Officer shall, on determination of the appeal, send a copy of the decision, together with the written reasons, to the appellant by registered mail or certified mail.

f) An appellant who is dissatisfied with the decision of the Chief Administrative Officer may, within 3 days after the appellant receives a copy of the decision, request a review of the decision or any part of it by Council.

g) A request to review a decision of the Chief Administrative Officer shall be in writing and shall be delivered personally to the Chief Administrative Officer.

h) Within 15 days of delivery of the request to review, Council shall consider the request to review the decision of the Chief Administrative Officer and Council may confirm, rescind or vary the decision of the Chief Administrative Officer.

i) The decision of Council on the review of the decision of the Chief Administrative Officer shall be sent to the Appellant by registered or certified mail.

8) None of the provisions of this by-law apply to the following:

a) Where, in the course of using land for activities carried on in the field of general agriculture and in areas zoned under the Land Use Bylaw of the Municipal District of

Greenview No. 16 for that purpose, a person deposits sewer waste, manure, straw, grass clippings or any other plant debris commonly used as compost material as fertilizer.

- b) Where, in the course of engaging in home composting, a person deposits grass, tree trimmings and prunings, garden waste and other vegetable matter in a home composter.
- 9) Any person who fails to comply with an Order issued under this Bylaw is guilty of an offence.
- 10) Any person who is guilty of an offence under law is liable to a fine in an amount not less than as set out in Schedule "A". Each day such violation continues, shall constitute a separate offence and shall be punishable as such.
- 11) In lieu of prosecution, a person who has contravened any provision of this Bylaw may, within thirty (30) days of the issuance of a Violation Ticket, elect to voluntarily pay a penalty as set out in Schedule "A" of this Bylaw.
- 12) Where a conflict arises between the requirements of this by-law and any other by-law of the Municipal District of Greenview, the more stringent regulations shall apply.

SEVERABILITY PROVISION

- 13) Should any provision of this bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

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

Read a first time this 10th day of September, 2008

Read a second time this 8th day of October, 2008

Read a third time and finally passed this 4th day of November, 2008


REEVE


C.A.O.

Littering Bylaw 08 -572

SCHEDULE "A"

First offence - Two hundred and Fifty Dollars (\$ 250.00)

Second and subsequent offences - One Thousand Dollars (\$1000.00)