



BYLAW 2016-11
Office Consolidation Current as of January 9, 2024

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
REGULATE DISPOSAL OF RECYCLABLES AND WASTE**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

1: TITLE

1.1. This bylaw shall be known as the “Recyclables and Waste Disposal Bylaw.”

2: PURPOSE

2.1. The purposes of this bylaw are

- a) To provide for safe disposal and collection of recyclables and waste, and to provide mechanisms to address damage and/or misuse of recyclables and waste infrastructure;
- b) To reduce animal attractants within the townsite;
- c) To support recycling; and
- d) To regulate residential and commercial recyclables and waste collection.

2.2. Revenue collected in accordance with this bylaw shall be dedicated to operating, maintaining, and enhancing the recyclables and waste disposal and collection system.

3: INTERPRETATION

3.1. Words which have been defined in the *Municipal Government Act*, and/or the *Interpretation Act* as amended shall have the same meaning when used in this bylaw unless otherwise defined in section 3.2.

3.2. In this bylaw,

“animal-proof container” means a receptacle designed in accordance with the Town of Canmore’s Engineering Design Standards for the storage of waste between collection times;

“animal-proof enclosure” means a structure designed in accordance with the Town of Canmore’s Engineering Design Standards for the storage of waste between collection times;

“animal-resistant cart” means a receptacle certified as a Bear-Resistant Product by the Interagency Grizzly Bear Committee (IGBC);

“commercial premises” includes any building, structure or premises which is not exclusively used for residential purposes. This includes all buildings, structures, or premises, where any partial use of said building, structure, or premise, is not for residential purposes. For greater certainty, this includes, but is not necessarily limited to (and not to be restricted to the generality of the foregoing):

any building, structure, premises, or unit therein, which is used:

- i. by any business, non-profit-organization, not for profit organization or private club; or

ii. for any professional, institution, industrial, commercial, retail, restaurant, industrial, merchandising or worship purpose, activity, or undertaking; or

iii. for an activity providing goods or services; or

any building, structure, premises, or unit therein, which is designated as a Tourist Home under the Town of Canmore's Land-Use Bylaw or has been assigned the Tourist Home Tax Code in the Town of Canmore's Tax Assessment Roll;

any building, structure, or premises, which provides a combination of commercial and residential activities or uses,

any building, structure, premises, or unit therein, which has any licence or permit issued to it under the Town of Canmore Business Registry License, as amended from time to time;

any building, structure, or premises, that is residential in nature including a dwelling unit, which has a business being operated therein;

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“dangerous goods” are those goods defined in the Province of Alberta *Dangerous Goods Transportation and Handling Regulation*, as amended;

“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;

“food establishment” means any place, vehicle, business or institutional facility that serves, sells, dispenses, vends, prepares, creates, makes, holds, stores, manufactures, packages or otherwise deals with food, food items, drinks, or meals, regardless of whether consumption is on or off the premises of the place and regardless of whether there is a fee for the food, food items, drinks or meals. For the purposes of this bylaw, this includes but is not limited to

any place where food is provided or served to the public,

eating and drinking establishments, which includes but is not limited to restaurants, drive-ins, cafes, coffee shops, bakeries, catering kitchens, food concessions, food trucks, any other mobile food restaurant, theatres, cafeterias, and rental halls,

commercial accommodations with food services, which includes but is not necessarily limited to hotels, motels, bed and breakfasts, camps or other places of nightly accommodations,

retail businesses that sell goods directly to a consumer, including but not limited to grocery stores, butchers, bakeries, gas stations, pharmacies, convenience stores, liquor stores, and cannabis stores,

educational, recreational and health-care operations, which deal with food, which may include schools, day care centers, summer camps, senior housing facilities, substance abuse treatment facilities, and hospitals,

places of food and beverage manufacturing,

any other facilities providing commercial food services;

“food waste” means any material identified as acceptable by the Town in accordance with Schedule D;

“household waste” means solid waste generated by or discarded as refuse from a dwelling and does not include waste generated on a commercial premises or through activities related to construction, demolition, and renovation;

“large item cleanup program” means the municipal service where residents of Canmore can schedule the pickup of large items for disposal. These large items can include, but are not limited to furniture and large appliances;

“occupier” means the person residing in or in apparent possession or control of the premises, which may but not necessarily include the owner, a renter, a tenant or a lessee of the premises;

“owner” means

in the case of land registered under the *Land Titles Act*, the owner of a fee simple estate or registered leasehold interest in a parcel of land or a condominium corporation owning or operating on a parcel of land, or

a person residing in or in possession or control of the premises, or in the case of personal property, the registered owner, or

in the case of unregistered personal property, any person with lawful possession and control over the property;

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“pedestrian waste” means any waste or refuse generated or discarded by 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 waste originating from any animal;

“person” means any individual, firm, partnership, association, corporation, or other legal entity;

“premises” includes any real property that may be owned, occupied, managed, or controlled by an owner or occupier, including parcels of land, any subdivisions of land or units of real property, and any structures that may be owned, occupied managed or controlled by an owner or occupier;

“recyclables” means any material accepted by the Town of Canmore in accordance with Schedule B;

“recycling container” means a container used for the storage of recyclables material between collection times;

“recycling depot” means a facility operated by the Town for the purpose of collecting recyclables;

“structure” means any building, extension from a building, garage, shed, shelter, fence, or other thing erected or placed in, on, over, or under land, whether or not it is movable or affixed to the land;

“toxic round-up” means a Town sponsored event for the collection of dangerous goods from residential areas and commercial premises;

“used cooking oil” means spent cooking oil from a commercial kitchen deep fryer;

“used cooking oil container enclosure” means a structure designed in accordance with the Town of Canmore’s Engineering Design Standards for the storage of used cooking oil between collection times;

“violation tag” means a municipal tag or similar document issued by a peace officer in relations to an offence under this bylaw;

“violation ticket” means a ticket issued pursuant to the Provincial Offences Procedures Act, as amended, and the regulations thereunder;

“waste” means any material that would normally be discarded as garbage and does not include recyclables or food waste.

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4: GENERAL DISPOSAL

4.1. Unless otherwise permitted by this bylaw, no person shall dispose of waste or food waste anywhere in the town other than in

- a) an animal-proof container, or
- b) an animal-proof enclosure.

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4.2. Unless otherwise permitted by this bylaw, no person shall store waste outside.

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4.2.1 An owner or occupier shall store waste on the premises from which it was generated.

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4.2.2 A person shall not deposit waste in a container or bin without the consent of

- a) the owner of the container or bin,
- b) the owner of the property where the container or bin is located, or
- c) the occupier of the property where the bin is located.

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4.3. No person shall provide a container or enclosure meant for the collection of waste or food waste that does not meet the Town of Canmore’s Engineering Design and Construction Guidelines, as amended.

4.4. No person shall dispose of waste or food waste in such a manner as to prevent an animal-proof container or animal-proof enclosure from securely closing.

- 4.5. No person shall place ashes in an animal-proof container unless the ashes are quenched and have been contained within a securely fastened bag.
- 4.6. No person shall place damaged fluorescent lighting or gas filled electric discharge tubes in an animal-proof container unless the item has been crushed and is contained within a securely fastened, puncture-proof container.
- 4.7. No person shall place any of the following in an animal-proof container signed as being provided for household waste or pedestrian waste
- a) waste generated by demolition, renovation, or construction,
 - b) waste generated on a commercial property,
 - c) any object longer than 1 metre,
 - d) hypodermic needles,
 - e) liquids, and
 - f) recyclables.
- 4.8. Unless otherwise permitted by this bylaw, no person shall dispose of recyclables anywhere in the town other than in
- a) a recycling depot, or
 - b) a recycling container signed for collection of the recyclables being disposed of.
- 4.9. Notwithstanding section 4.8, no person shall dispose of materials at a recycling depot or in a recycling container unless
- a) the materials are listed in Schedule B, and
 - b) the materials have been prepared for disposal in accordance with Schedule B.
- 4.10. No person shall permit a recycling container to remain uncovered or otherwise open in a fashion that allows the contents of the container to escape.
- 4.11. No person shall convey recyclables, food waste, or waste in a vehicle unless the load is secured in such a way as to prevent the recyclables or waste from escaping from the vehicle.
- 4.12. No person shall dispose of food waste into any outdoor container or structure for the purpose of composting.

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4.13. No person, other than a person authorized by the Town, shall remove or interfere with recyclables, food waste, or waste after it has been deposited in an animal-proof container, animal-proof enclosure, animal-resistant cart, or recyclables container.

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4.14. No person shall affix, mark, damage, or alter an animal-proof container, animal-proof enclosure, animal-resistant cart, or recyclables container.

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4.15. No person shall place or keep an animal-proof container, animal-resistant cart, or recyclables container on or encroaching on public property unless authorized in writing to do so by the chief administrative officer.

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4.16. No person shall impede, obstruct, or hinder any Town of Canmore employee or agent, or any peace officer, while that employee, agent, or peace officer is performing or executing duties pursuant to this bylaw.

5: DISPOSAL IN RESIDENTIAL AREAS

5.1. Sections 5.2 through 5.6 apply only to the disposal and collection of waste in residential areas, whether on public or private property.

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5.2. Notwithstanding section 4.1, no person shall dispose of household waste in any bin other than an animal-proof container or animal-proof enclosure signed as being for the collection of household waste.

5.3. No person shall dispose of household waste in an animal-proof container unless the waste is contained within a securely fastened bag.

5.4. No person shall place any object or material that interferes with the use or servicing of the containers within 7 metres of any animal-proof container or recyclables container.

5.5. Where an animal-proof container, animal-proof enclosure, or community recycling container is located on private residential property, the owner or occupier of the property or their agent shall

- a) remove or cause to be removed any recyclables or waste placed on top of or beside, or which has overflowed from, any animal-proof container, animal-proof enclosure, or community recycling container located on that premises,
- b) remove or cause to be removed any vehicle parked within 7 metres of the container or enclosure,
- c) remove or cause to be removed any object or material that interferes with the use or servicing of the containers placed within 7 metres the container or enclosure,

- d) remove or cause to be removed any ice or snow from the area in front of or within 7 metres of the side of the container or enclosure within 48 hours after the ice or snow was formed or deposited.

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- 5.6. No person shall operate a service for the collection, removal, or disposal of recyclables or waste from residential areas unless authorized in writing to do so by the chief administrative officer.

6: DISPOSAL ON COMMERCIAL PREMISES

- 6.1. Notwithstanding section 4.1, no person shall dispose of waste generated on a commercial premises in any location other than the animal-proof bin or animal-proof enclosure associated with that premises.

- 6.1.1 No person shall dispose of food waste from a food establishment in a container provided for the collection of waste or recyclables.

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- 6.2. Every owner of a commercial premises where any of the following are produced shall provide for the separate storage and removal of

- a) waste, and
- b) food waste generated by a food establishment.

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- 6.2.1 Every owner or occupier of a commercial premises shall dispose of food waste generated by a food establishment and recyclables in the containers provided for those materials in accordance with section 6.2.

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- 6.2.2 If an owner of a commercial premises provides for the separate collection of used cooking oil, the owner must locate the container inside an animal-proof enclosure or used cooking oil container enclosure.

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- 6.3. Every owner and occupier of a commercial premises shall maintain any animal-proof container or animal-proof enclosure located on that premises in such a manner that it remains animal-proof, serviceable and sanitary.

- 6.3.1 Every owner of a commercial premises where one or more commercial food service establishments are located shall maintain any animal-resistant cart located on that premises in such a manner that it remains animal-resistant, serviceable, and sanitary.

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- 6.4. Every owner and occupier of a commercial premises shall remove, or cause to be removed, any recyclables, food waste, or waste placed on top of or beside, or which has overflowed from, any animal-proof container, animal-proof enclosure, animal-resistant cart, or commercial recycling container located on that premises.

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6.4.1 The chief administrative officer may grant an exemption pursuant to section 6.2 upon written request of the owner if the chief administrative officer is satisfied that the premises does not routinely generate food waste.

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7: DISPOSAL OF DANGEROUS GOODS

7.1. No person shall dispose of a dangerous good anywhere in the town unless it is disposed of in accordance with a collection program and/or at a specific location authorized by the chief administrative officer.

8: EXEMPTIONS

8.1. Persons shall be exempt from the provisions of sections 4.1 and 4.2 when

- a) storing waste outdoors that is scheduled for pick-up by the Town of Canmore's large item cleanup program and is stored no longer than 24 hours prior to the scheduled pick-up time;
- b) storing an appliance outdoors provided:
 - i) all doors with a latching mechanism have been removed or secured so as to prevent the opening of a door, and
 - ii) the item has been scheduled for pick-up by the Town of Canmore's large item clean-up program and is stored no longer than 24 hours prior to the scheduled pick-up time.
- c) providing a container for the collection of waste at a special event approved by the Town, and disposing waste generated at the special event in that container;
- d) providing a container for the collection of construction, renovation, and demolition waste, and disposing of waste produced by the construction, renovation or demolition in that container.
- e) storing waste leaves, grass, shrubs, and brush outside, provided the waste is
 - i) stored on private property,
 - ii) stored in a manner which prevents it from escaping the private property, and
 - iii) not stored for longer than 30 days.

9: FEES

9.1. All owners of residential and commercial property shall pay the fees set out in Schedule A of this bylaw from the date an occupancy certificate is issued, unless otherwise authorized by the chief administrative officer.

10: DELEGATION OF AUTHORITY

10.1. Without restricting any other power, duty or function granted by this bylaw the Town of Canmore's chief administrative officer shall

- a) oversee the collection, removal, and disposal of recyclables and waste;
- b) approve the location and construction of animal-proof containers, animal-proof enclosures, animal-resistant carts and recyclables containers;
- c) authorize collection and disposal of hazardous goods;
- d) carry out any inspection to determine compliance with this bylaw;
- e) take any steps or carry out any actions required to enforce this bylaw;
- f) take any steps or carry out any actions required to remedy a contravention of this bylaw;
- g) establish forms for the purpose of this bylaw;
- h) issue approvals with such terms and conditions as are deemed appropriate; and
- i) delegate any powers, duties or functions under this bylaw to an employee of the Town of Canmore.

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11: ENFORCEMENT AND PENALTIES

11.1. Any person who contravenes any provision of this bylaw is guilty of an offence and shall be liable for a minimum penalty in accordance with Schedule C of this bylaw, and not exceeding \$10,000.

11.2. Any person who contravenes any provision of this bylaw for which a penalty is not set out in Schedule C of this bylaw is liable to a minimum penalty of \$250.

11.3. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.

11.4. If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership that 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

11.5. A peace officer is hereby authorized and empowered to issue a violation tag to any person, who a peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

11.6. A violation tag may be issued to such person:

- a) either personally; or
- b) by mailing a copy to such person at their last known address.

11.7. The violation tag shall be in a form approved by the peace officer and shall state:

- a) the name of the defendant;
- b) the nature of the offence;
- c) the appropriate penalty for the offence as specified in the bylaw;
- d) that the penalty shall be paid within 14 days of the issuance of the violation tag; and
- e) Any other information as may be required by the peace officer.

11.8. Where a contravention of this bylaw is of a continuing nature, further violation tags may be issued by the peace officer, provided however, that no more than one violation tag shall be issued for each day that the contravention continues.

11.9. The person to whom a violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Town of Canmore the penalty specified on the violation tag.

11.10. If the penalty specified on a violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized and empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended.

11.11. Notwithstanding section 11.5 of this bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a peace officer has reasonable grounds to believe has contravened any provision of this bylaw.

12: ENACTMENT/TRANSITION

12.1. 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.

12.2. Schedules A - Fees, B – Acceptable Recyclables Materials, and C – Penalties form part of this bylaw.

12.3. Bylaw 09-2001 and its amendments are repealed.

12.4. This bylaw comes into force on the date it is passed.

FIRST READING: August 16, 2016

SECOND READING: August 16, 2016

THIRD READING: August 16, 2016

DATE IN FORCE: August 18, 2016

OFFICE CONSOLIDATION

This document is a consolidation of a bylaw with one or more amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

2016-11	Recyclables and Waste Disposal Bylaw
2016-31	Amending Bylaw 2017-2018 Rates REPEALED
2018-30	Amending Bylaw 2019-2021 Rates REPEALED
2021-26	Amending Bylaw 2022 Rates REPEALED
2022-30	Amending Bylaw 2023-2024 Rates REPEALED
2023-15	Amending Bylaw Food Waste
2023-35	Amending Bylaw 2024 Rates
2024-02	Amending bylaw Definitions

SCHEDULE A

Amended by Bylaw 2023-35

2024 Rates for Recyclables and Waste Collection

Residential Collection	2024
Recyclables	\$18.21 / Residential Unit / Month
Waste	\$22.74 / Residential Unit / Month

Commercial Collection	2024
Recyclables	\$26.58 / Commercial Unit / Month

SCHEDULE B**Acceptable Recyclables Materials**

The following materials are acceptable for recycling in Canmore provided that they are prepared for recycling in the manner described below and placed in the container that is designated for the particular recyclables:

Material	Acceptable	Required Preparation
Batteries	<ul style="list-style-type: none"> Automotive batteries Household batteries 	<ul style="list-style-type: none"> Undamaged In a plastic bag if damaged
Bicycle Tires	<ul style="list-style-type: none"> Bicycle tires 	<ul style="list-style-type: none"> No automotive tires
Bulbs	<ul style="list-style-type: none"> Fluorescent tubes Compact fluorescent bulbs High pressure sodium & metal halide bulbs 	<ul style="list-style-type: none"> No damaged bulbs
Electronics	<ul style="list-style-type: none"> Monitors, keyboards and CPU towers Televisions, media players Microwaves Small appliances(toaster, hair dryer, lamps) Cellular phones and accessories 	
Glass	<ul style="list-style-type: none"> Clear, amber & green bottles and jars Window, automotive & broken glass 	<ul style="list-style-type: none"> No light bulbs, mirrors, Pyrex, china & porcelain Remove labels and lids from bottles & jars Thoroughly rinse bottles & jars clean No refundable containers
Glycol	<ul style="list-style-type: none"> Glycol (antifreeze) 	
Leaves & Grass	<ul style="list-style-type: none"> Leaves Grass Garden waste 	<ul style="list-style-type: none"> No construction waste or pressure treated wood Loose without bags
Metal	<ul style="list-style-type: none"> Tin and aluminum food and beverage cans 	<ul style="list-style-type: none"> No appliances Rinse cans thoroughly and remove labels
Mixed Paper	<ul style="list-style-type: none"> Newspaper and inserts Magazines Newsprint & glossy flyers All corrugated cardboard (boxes having a wavy or corrugated section between 2 flat layers) Paper egg cartons Boxboard (cereal & cracker type boxes) Office, computer & fax paper 	<ul style="list-style-type: none"> Break down and flatten all boxes Remove all plastic wrappings and Styrofoam inserts Shredded paper in a paper bag Clean product only(no food scraps, oil stains)

Material	Acceptable	Required Preparation
Oil products	<ul style="list-style-type: none"> • Paper bags • Used motor oil • Used oil filters • Used oil 1-20 litre plastic containers 	<ul style="list-style-type: none"> • No non-oil related products • Remove lids from 20 litre containers
Paint & Household Hazardous Waste	<ul style="list-style-type: none"> • Aerosols • Paint, varnish, lacquer, etc. • Pesticides and Herbicides • Poison • Propane/butane cylinders • Solvents and Cleaners 	<ul style="list-style-type: none"> • Large commercial loads may be saved for the Toxic Roundup
Plastics	<ul style="list-style-type: none"> • All rigid plastic containers with a Mobius loop symbol 	<ul style="list-style-type: none"> • No plastic bags/film or styrofoam • Thoroughly rinse containers
Scrub & Brush	<ul style="list-style-type: none"> • Branches • Twigs 	<ul style="list-style-type: none"> • No construction waste or pressure treated wood • Loose without bags
Textiles	<ul style="list-style-type: none"> • Clean and reusable clothing 	<ul style="list-style-type: none"> • Secured in a plastic bag
Refundable Beverage Containers	<ul style="list-style-type: none"> • Polycoat containers (juice boxes, milk, cream, rice and soya cartons, etc.) • Plastic drink bottles (water, juice, soft drink, etc.) • Plastic jugs and bottles (clear, coloured and opaque plastic drink containers) • Aluminum cans (soft drink, juice, “energy” drink, beer, etc.) • Bag-in-a-box (wine) • Juice pouches and poly cups • Glass bottles (wine, juice, soft drink, beer, etc.) • Bi-metal cans (tomato juice, apple juice, coconut milk, etc.) 	<ul style="list-style-type: none"> • Deposit in plastic/metal containers • Glass bottles can only be deposited in specific refundable beverage collection containers. Do not deposit in the Glass container.

SCHEDULE C

Amended April 6, 2023 by Bylaw 2023-15

Penalties

Minimum Penalty: \$250 unless otherwise specified below.

Section	Description	Minimum Specified Penalty
4.7a)	Disposal of demolition, renovation, or construction waste	\$400
6.2.1	Failure to dispose of food waste generated by a food establishment and recyclables in the containers provided for those materials in accordance with section 6.2	First offence \$1,000 Second offence \$5,000 Third offence \$10,000
6.2.2	Failure to locate used cooking oil container in animal-proof enclosure or used oil container enclosure	First offence \$1,000 Second offence \$5,000 Third offence \$10,000
6.3	Failure to maintain animal-proof container or enclosure in such a manner that it remains animal-proof, serviceable and sanitary	First offence \$1,000 Second offence \$5,000 Third offence \$10,000
6.3.1	Failure to maintain animal-resistant carts located on premises in manner that it remains animal-resistant, serviceable, and sanitary	First offence \$1,000 Second offence \$5,000 Third offence \$10,000
6.4	Failure to remove overflowed waste or recyclables from animal-proof container, enclosure, or cart	First offence \$1,000 Second offence \$5,000 Third offence \$10,000
7.1	Disposal of dangerous goods	\$1,000

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SCHEDULE D

Amended April 6, 2023 by Bylaw 2023-15

Food Waste

Acceptable	Not Acceptable
<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 • Certified compostable foodware 	<ul style="list-style-type: none"> • Plastic • Elastics • Twist ties • Stickers • Plastic labels • Fabrics • Pet waste