



Hamlet of Kugluktuk By-Laws

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| By-Law Name: | Solid Waste Management |
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| By-Law Number: | 351 |
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Description

A BY-LAW OF THE Municipal Corporation of the Hamlet of Kugluktuk in the Nunavut Territory to manage the collection and disposal of garbage and waste pursuant to the provisions of the Hamlets Act, R.S.N.W.T., 1988, c. H-1, ss., 85, 86, 87 and 88.

By-Law

Whereas, the Hamlet of Kugluktuk deems it necessary to manage and control the collection and disposal of garbage and waste in the interests of the health, safety and welfare of the residents of this Hamlet;

And Whereas, the Municipality wishes to:

- (a) Set the terms and conditions applicable to users,
- (b) Set reasonable rates or amounts of deposits, fees and other charges,
- (c) Provide for charging and collecting deposits, fees and other charges,
- (d) Provide criteria for when service will be discontinued or refused, and
- (e) Provide for a right of entry onto private property to determine compliance with terms and conditions of use;

Now, therefore, the Council of the Hamlet of Kugluktuk, at a duly assembled meeting, enacts as follows:

1. **Short Title**

This by-law may be cited as the "Solid Waste Management Bylaw".

2. **In this Bylaw**

- a) "Animal Waste" means all forms of waste from animals or the treatment of animals and includes animal or human excrement, but does not include animal carcasses or parts, or disposable diapers or undergarments.
- b) "Biomedical Waste" means medical waste that requires special handling and disposal because of environmental, aesthetic, and health and safety concerns as well as risks to human health and includes:
 - i) Human anatomical waste,
 - ii) Infectious human waste,
 - iii) Infectious animal waste,
 - iv) Microbiological waste,
 - v) Blood and body fluid waste, and



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- vi) Medical sharps such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.

- c) “Business Waste” means garbage, rubbish, and trade waste generated from industrial, commercial, and institutional properties but shall exclude resource materials and non-collectable waste.

- d) “Collection” means the act of collecting packaged garbage from containers approved by the Hamlet.

- e) “Commercial Waste” means all solid waste generated by a commercial premise except for special waste.

- f) “Commercial” for the purposes of Tipping & Other Waste Disposal Fees on “Schedule A” means company, organization, institution or government.

- g) “Commercial Users” for monthly billing purposes, means all levels of government users and commercial businesses.

- h) “Contractor” means any individual, business, and/or entity that is renovating or constructing any building or providing maintenance services for Government, Housing, Association, Municipality of Kugluktuk and/or any business or individual.

- i) “Construction Site” means the location where building erection, renovation, demolition or work is being performed, and/or a location where surface or subsurface pipe work or mechanical work is being performed on any landscape or building where changes are being undertaken by anyone, or a location where excavations are being performed.

- j) “Construction Waste” means any form of solid waste material including wood product, concrete, steel, iron, miscellaneous metals, gypsum product, clay product, non-contaminated soil or other granular fill, plastics and insulation that is generated at a construction site but does not include hazardous waste.

- k) “Container” means a dumpster, bin or compactor intended or used for the storage of household waste at multi-family unit premises, commercial waste at commercial premises, and construction



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- waste at construction sites.
- l) **“Dangerous Material”** means any material which is flammable or toxic or contains contaminants likely to be detrimental to the environment or to people, including propane cylinders, paint, solvents, oil, gas, batteries, acids, etc.
 - m) **“Economic”** for the purposes of Tipping & Other Waste Disposal Fees on “Schedule A”, includes Industrial Users.
 - n) **“Economic User”** for monthly billing purposes, includes all Industrial Users.
 - o) **“Fee”** means a monthly charge against each location occupied by each residential or commercial customer, or a specific fee applied against a specific collection or disposal.
 - p) **“Garbage”** means refuse from kitchens and other parts of a dwelling unit, commercial store or office, or industrial or other office distribution site.
 - q) **“Hamlet”** means the Hamlet of Kugluktuk.
 - r) **“Hazardous Waste”** means waste that poses substantial or potential threats to public health or the environment.
 - s) **“Household”** means a livable dwelling whether categorized as residential or commercial for billing purposes.
 - t) **“Industrial Users”** means a legal entity, incorporated or unincorporated, engaged in the business of processing renewable or non-renewable resources or of manufacturing products, that is included in the Economic Users category.
 - u) **“Landfill/Landfill Site”** same as Municipal Waste Site, means any site for the disposal of any materials, which is operated or controlled by the Hamlet.
 - v) **“Metal Material, Furniture And Appliances”** means any metal, machinery, passenger vehicle, furniture or appliances from residential, commercial, industrial or other areas which no longer have value to an owner.
 - w) **“Paper”** means any paper or paper by-product such as newsprint, fine paper, cardboard, etc.
 - x) **“Passenger Vehicles”** means cars, trucks, snowmobiles, ALL terrain vehicles, and utility vehicles.
 - y) **“Resident”** means a person, company or other organization who occupies a



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- dwelling unit or building or construction site or other location where garbage and waste is produced and from it is to be collected.
- z) “Residential” for the purposes of Other Waste Disposal Fees on Schedule A includes private citizens of Kugluktuk. It does not include companies, organizations, institutions, or governments.
- aa) “Residential User” for monthly billing purposes, means private homes and company staff housing units. It does not include public housing, government staff housing, business, commercial, industrial or government users.
- bb) “Residential Waste” means household garbage and rubbish generated from residential curbside premises and multi-family premises.
- cc) “Special Collection” means a collection of specific garbage or waste for which a specific fee has been paid.
- dd) “Tipping” means the depositing of garbage and waste at a landfill or other designated site.

3. Collection of Garbage & Waste

- 3.1 Residents shall place wrapped garbage in approved containers provided by the Hamlet on a one-time basis. In the event of loss or damage, these approved containers shall be replaced by the residents at their expense. These containers shall be containers as the Hamlet may deem suitable from time to time.
- 3.2 Residents must package garbage in regular plastic garbage bags no larger than 76cm x 97cm (30” x 38”) and place the garbage bags in the approved garbage container for regular waste. Bags must be in a colour other than blue.
- 3.3 Garbage collectors may refuse to accept any piece or bag of garbage that weighs in excess of 25 kilograms or measures more than one metre on any side.
- 3.4 Garbage collectors may refuse to accept any garbage, which is not placed within the approved container.
- 3.5 It is the responsibility of the resident to maintain the garbage container and to keep the surrounding area clean and free from litter and other matter.
- 3.6 Where garbage collectors refuse to accept garbage under the terms of sections 3.3 or 3.4, the resident may remove the garbage to the landfill site and place it in the area prescribed by this by-law, as per fees prescribed in Schedule A.



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- 3.7 Notwithstanding sections 3.3 and 3.4, a resident may arrange for collection of large amounts of garbage or waste or large pieces of material by paying a fee listed in Schedule A attached.
 - 3.8 Garbage within the urban area of the Hamlet will be collected a minimum of 2 times per week.
 - 3.9 Garbage and waste in the hinterland will be the responsibility of the residents to remove to the landfill area prescribed by this by-law.
 - 3.10 Residents are responsible for garbage or waste on the property they occupy.
 - 3.11 Dead animals shall not be left in or near garbage container and will not be collected by the garbage collector.
 - 3.12 Residents may pay a fee, as per Schedule A, to arrange for a collection of small or large amounts of garbage or waste.
- 4. Metal Materials, Furniture Appliances, Etc.**
- 4.1 Furniture, appliances and metal materials will not be collected during regular collection of garbage.
 - 4.2 Residents and companies who want to dispose of furniture, appliances and metal materials may deliver this material to the metal landfill site and deposit it in a designated area for a fee, as prescribed in Schedule A.
 - 4.3 Residents and companies may arrange for furniture, appliances, and metal materials to be collected and disposed of at the metal landfill site for a fee, as per Schedule A.
 - 4.4 Materials disposed of at the metal landfill site must be placed in the appropriate location according to signage at the landfill. Appliances must have doors removed before they are accepted.
 - 4.5 Passenger vehicles may be disposed of at the designated area of the landfill site for a fee, as per Schedule A. Heavy equipment vehicles, including but not limited to, dozers, loader, backhoes, dump trucks, etc., will not be accepted. Owners must arrange for alternate proper disposal of heavy equipment vehicles. Violators will be subject to fines, as per Schedule B, plus the cost of removal and/or proper disposal.
 - 4.6 Residents and companies depositing materials outside the gate or on the road approaching the landfill or at any other place in the community will be subject to a fine plus the cost of proper disposal of the materials, as per Schedule B.



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- 4.7 Propane Bottles of all sizes will be deposited in the secure area designated by the Hamlet. Valves must be removed before propane bottles are accepted.
- 5. Wood**
- 5.1 Wood and wood products, with the exception of paper and cardboard, will not normally be collected during the regular garbage collection.
- 5.2 Residents or companies with large amounts of wood refuse may dispose of the wood at the designated area of the landfill for a fee, as per Schedule A, or may arrange with the Hamlet to have it collected for a fee, as per Schedule A.
- 5.3 Wood shall not be deposited in any area except the designated area within the landfill.
- 6. Paper, Cardboard**
- 6.1 Large amounts of paper and cardboard must be separated from other garbage and waste.
- 6.2 Small amounts of paper and cardboard will be collected with regular garbage collection. The paper and cardboard must be placed in bags, as per section 3.2, or packaged in bundles no larger than 60cm x 60cm x 30cm (2' x 2' x 1'). Bags and bundles must fit inside the approved container.
- 6.3 Residents and companies may pay a fee, as per Schedule A, to arrange collection of large amounts of paper or cardboard, or may dispose of such material at the designated area in the landfill for a fee, as per Schedule A.
- 7. Incineration/Recycling**
- 7.1 No person, other than an employee of the Hamlet on official Hamlet business, may incinerate material or otherwise start a fire at the landfill or at any other location within the community without the written consent of the Fire Chief.
- 7.2 The Hamlet may begin a program of incinerating garbage and other waste in a suitable combustion chamber and may require residents to separate garbage into that which can be incinerated and that which cannot be incinerated.
- 7.3 No person, other than a Hamlet employee on official Hamlet business or a person contracted by the Hamlet on official Hamlet business, may use, recover, recycle, or otherwise use any material from the landfill site, except as specifically allowed within this by-law, without written permission from the Hamlet.
- 7.4 The Hamlet may recover materials disposed of in a landfill and offer such materials for sale.



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- 7.5 The Hamlet may enter into an agreement with an individual or corporation to allow for the recovery and sale of materials deposited in a landfill site.
- 7.6 The Hamlet may, by resolution, require all residents to sort garbage into the following categories for the purpose of developing recycling, incinerating, or other programs for treatment of garbage and waste:
- Kitchen waste
 - Paper; paper products, ceramics, etc.
 - Metals, plastics, ceramics, etc.
 - Wood and wood products
 - Animal remains and by-products
 - Pop and beer cans
 - Other categories
- 8. Dead Animals, Animal Waste & By-products**
- 8.1 No dead animal, animal waste or animal by-product will be collected as part of the regular garbage collection.
- 8.2 Residents may dispose of dead domestic animals by placing the remains in a designated area at the landfill for a fee, as per Schedule A, or by paying a fee to arrange for the collection and disposal of the animal, as per Schedule A.
- 8.3 Residents with animal waste such as bones, antlers, horns, skins, etc., shall wrap the material with ropes or similar enclosure before it can be collected.
- 8.4 Where significant quantities of big game meat are left as waste, the Collector shall report the incident to an appropriate Wildlife Officer and shall not accept the meat as garbage or waste.
- 8.5 Small amounts of animal feces will be collected during regular collection provided they are wrapped in a tight bag or similar enclosure.
- 9. Dangerous Materials**
- 9.1 Dangerous materials shall not be included in regular garbage collection.
- 9.2 Individuals with dangerous materials for disposal shall clearly mark the material and request a special collection or shall deposit the material in the designated area of the landfill site.
- 9.3 Corporations with dangerous materials shall deposit them in the designated area of the landfill site.



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- 9.4 No person, other than a Hamlet employee on official Hamlet business, shall disturb materials in the designated dangerous materials area, or recycle or otherwise use or dispose of, without written permission from the Hamlet.
- 9.5 Contaminated soil shall be placed in a designated area in the landfill site.
- 9.6 The Hamlet reserves the right to refuse collection or acceptance of dangerous materials. In such cases, the owner of the dangerous materials will be fully responsible for proper disposal.
- 10. Demolished or Derelict Buildings and Heavy Equipment Vehicles**
- 10.1 Demolished or derelict buildings will not be accepted at the landfill site. Owners must arrange for alternate proper disposal of demolished and derelict buildings.
- 10.2 Heavy Equipment Vehicles will not be accepted at the landfill site. Owners must arrange for alternate proper disposal.
- 10.3 For extraordinary circumstances, Council may allow, by motion, disposal of demolished or derelict buildings or other structures and heavy equipment.
- 10.4 Violators will be subject to fines, as per "Schedule B", plus the cost of removal and/or proper disposal.
- 11. Waste and Garbage Not Originating in Kugluktuk**
- 11.1 Regular and garbage waste not originating in Kugluktuk may be collected or disposed of under certain circumstances.
- 11.2 Cruise ships, Coast Guard ships, military ships, freighters, barges, and sailboats may arrange for special collection and pay a fee, as per Schedule A.
- 11.3 Under no circumstances will garbage and waste be accepted from outside the municipality that originated from another community, mine, environmental clean-up etc.
- 12. Hours of Operation**
- 12.1 Hours of operation for the landfill site will be set by the Municipality. Hours of operation are subject to change without notice.
- 12.2 Access to the landfill site is restricted to operation hours only. Any person found within the landfill site outside of posted operation hours will be subject to fines, as per Schedule B.



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13. Tipping Charges

- 13.1 Residents or companies with large amounts of garbage or other waste shall pay a tipping fee for depositing the material at either of the landfill sites, according to the fees shown in Schedule A.
- 13.2 Residents or companies must fill out a Tipping Permit "Schedule C", prior to depositing materials at either landfill sites.
- 13.2 Residents or companies tipping or otherwise depositing materials at either landfill sites or at any other location within the Hamlet in contravention of the terms of this By-law may be subject to a fine, as per Schedule B, and the loss of tipping privileges.

14. Regular & Special Fees

- 14.1 A resident of each household or occupied location shall pay a monthly garbage collection and disposal fee for each property or location in their use or under their control according to the rates shown on Schedule A.
- 14.2 No resident shall deposit any material at any landfill site or any other location unless that person has paid the appropriate collection or tipping fee(s).

15. Fines & Penalties

- 15.1 Any person guilty of an offence under this Bylaw is subject to a fine of not more than \$1000 for an individual or \$5000 for a corporation, or imprisonment for a term not exceeding six months in default of payment of a fine according to Schedule B.
- 15.2 A person charged with contravening any term of this Bylaw may elect, by trial, to be required by a Judge to perform community service, which may involve satisfactory performance of a function relating to the collection and disposal of garbage or other waste.
- 15.3 The Hamlet shall take such measures as permitted by law, to collect unpaid fees and fines, and may withhold business licenses, issue stop work orders or revoke development permits, until all costs have been paid.
- 15.4 The Hamlet may require the posting of a performance bond of up to \$5000 for each construction or development project before a development permit is issued in order to insure compliance with the terms of this Bylaw.





16. Repeal

- 16.1 Bylaw #54 and #59 and #185 are hereby repealed.

This By-Law shall come into effect upon receiving Third and Final reading.



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| Date of First Reading | 18 th | January | 2022 |
| Date of Second Reading | 18 th | January | 2022 |
|  | | | |
| Simon Kuliktana – Mayor | |  Kimberley Young – Senior Administrative Officer | |
| Date of Third Reading and Passed | 1 st | February | 2022 |
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| Simon Kuliktana – Mayor | |  Kimberley Young – Senior Administrative Officer | |



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“SCHEDULE A”

SOLID WASTE MANAGEMENT

MONTHLY FEES:

Regular garbage collection in the urban area

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| Residential Users | Min. Twice Weekly pick up | \$50.00 per month |
| Housing Units | Min. Twice Weekly pick up | \$100.00 per month |
| Commercial Users | Mon-Fri pick up | \$300.00 per month |
| Economic Users | | \$500.00 per month |

Replacement garbage cans \$500.00

OTHER WASTE DISPOSAL FEES:

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|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Dead domestic animals – requested collection | \$25.00 per animal |
| Dead domestic animals – disposal in designated area | No charge |
| Wildlife carcasses and waste – requested collection | \$25.00 per animal |
| Wildlife carcasses and waste – disposal in designated area | Residential – No Charge |
| portion of waste | Commercial - \$25.00 per carcass or |
| Tires (without rims) – requested collection | Residential - \$10.00 per tire (minimum four (4) tires Commercial - \$25.00 per tire (minimum Four (4) tires |
| Tires (without rims) – Disposal in designated area | Residential – No charge Commercial - \$10.00 per tire |
| Requested collection of garbage other than regular scheduled service | \$50.00 bagged or bundled. \$100 for loose material |
| Requested collection of large amounts of business Or industrial garbage or waste, not including Hazardous Materials. | \$250.000 per garbage truck load of separated waste; \$500.00 per garbage Truck load for loose material – One load Minimum charge. |
| Tipping at a landfill site for regular household waste | \$5.00 per bag or \$50.00 per regular |



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| | Truckload of separated material – One bag or one truck load minimum charge. |
| Passenger vehicles – requested collection All fuel and fluids, including battery must be removed | Residential - \$250.00 Commercial - \$500.00 |
| Passenger Vehicles – disposal in designated area All fuel and fluids, including battery must be removed | Residential - \$100.00 Commercial - \$250.00 |
| Large appliances – requested collection | Residential - \$50.00 per appliance Commercial - \$100.00 per appliance |
| Large appliances – disposal in designated area | Residential – No charge Commercial - \$50.00 per appliance |
| Small appliances – disposal in designated area | Residential – No charge Commercial - \$5.00 per appliance |
| Large, bulky, or heavy items such as metal materials, Furniture, and appliances, etc. not specified in this Schedule – requested collection | Residential - \$50.00 per large item for furniture and appliances or \$100.00 per pick up truck load for metal Materials – One item or truck load Minimum charge Commercial - \$100 per large item for Furniture and appliances or \$200.00 Per pick up truck load for metal Materials – One item or truck load Minimum charge |
| Large, bulky, or heavy items such as metal materials, Furniture, and appliances, etc. not specified in this Schedule – disposal in designated area | Residential – No Charge Commercial - \$50.00 per large item for furniture and appliances or \$100 per Pick up truck load for metal materials One item or truck load minimum charge |
| Cruise ships, Coast Guard ships, military ships, freighters Barges and sailboats, etc. – required collection | \$500 per truck load |
| Contaminated soil (from light fuel oil i.e., Gas, P50, diesel) Originating in Kugluktuk to be placed in land farm | \$125.00 per half (1/2) pick-up truck load, \$250.00 per pick-up truck load. \$400.00 per single axle dump truck load; \$500.00 per tandem load. |
| Wet Filled lead Acid Batteries | \$15.00 per battery |
| Oil Tanks (up to 250 gallon) Larger tanks will be accepted once the resident Has steamed and cut up the tank as per environmental Guidelines. | \$150.00 each |



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CONSTRUCTION TIPPING FEES

| Type of Waste | Charge/Fee |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A payment receipt will be obtained and paid for prior to disposal at landfill | |
| Contractors | |
| Contractors doing new construction or renovation project will pay a tipping fee based on the cost of new construction (or cost of renovation contract) as stated in Development Permit X the "Tipping Fee" rate shown below. | Tipping fee per project paid upon issuance of Development Permit. |
| Tipping Fees for new Construction | |
| On the first \$1,000,000 | X 0.75% |
| Plus 0.65% on the next \$4,000,000 | |
| Plus 0.55% on the next \$5,000,000 | |
| Plus 0.45% on the balance | |

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| Example | \$12,000,000 building construction | 0.75% X \$1,000,000 Plus 0.65% X \$4,000,000 Plus 0.55% X \$5,000,000 Plus 0.45% X \$2,000,000 | \$7,500 \$26,000 \$27,500 <u>\$9,000</u> \$70,000 Total Fees |
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| Tipping fees for renovations | | |
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| On the first \$100,000 | | X 0.75% |
| Plus 1.50% X \$100,000 | | |
| Plus 2.25% X \$100,000 | | |
| Plus 3.00% X \$20,000 | | |

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| Example | \$320,000 renovation cost | 0.75% X \$100,000 Plus 1.50% X \$100,000 Plus 2.25% X \$100,000 Plus 3.00% X \$20,000 | \$750 \$1,500 \$2,250 <u>\$600</u> \$5,100 Total Fees |
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SUPPLEMENTARY TIPPING FEES

| Vehicle | Rate per load |
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| 15-yard construction bin | \$50.00 |
| 30-yard construction bin | \$100.00 |
| Single Axle Towing Trailer | \$20.00 |
| Tandem Axle Towing Trailer | \$30.00 |
| Cube Van | \$30.00 |
| 1 Ton Truck | \$40.00 |
| 2 Ton Truck | \$80.00 |
| 3 Ton Truck | \$120.00 |
| 5 Ton Truck | \$200.00 |
| Dump Truck | \$175.00 |



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"SCHEDULE B'

SOLID WASTE MANAGEMENT

Fines under this Bylaw shall be:

Individual:

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| First Offence | \$500.00 plus appropriate fee from Schedule A |
| Second Offence | \$750.00 plus appropriate fee plus actual cost to the Hamlet of remedial action |
| Subsequent Offences | \$1,000.00 plus appropriate fee plus actual cost to the Hamlet Of remedial action |

Corporation:

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| First Offence | \$2,500.00 plus appropriate fee from Schedule A |
| Second Offence | \$3,750.00 plus appropriate fee plus actual cost to the Hamlet of Remedial action |
| Subsequent Offences | \$5,000.00 plus appropriate fee plus actual cost to the Hamlet of Remedial action |



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"SCHEDULE C"

TIPPING PERMIT

Date: _____

Tipping Permit No. _____

I, _____ of _____
do hereby apply for a Tipping Permit in accordance with the provisions of the Solid Waste Management
By-law No. 351.

Origin of Material: Lot _____ Block _____ Plan _____

Street address: _____

Type of Material to be Tipped: _____

Contractor's Name (if applicable): _____

Phone Number: _____

Demolition Permit No. (if applicable): _____

Number of loads: _____

Permit Issue Date: _____

Permit Expiry Date: _____

Permit Fee: Number of loads _____ x \$50.00 = _____

Signature of Applicant

Date

Senior Administrative Officer

Date