

THE TOWN OF ALTONA

BY-LAW NO. 1614/2004

Being a By-law of the Town of Altona regarding the regulating and control of the use of the Altona/Rhineland/Gretna Landfill Site.

WHEREAS Section 232 (1) and (2) of the Municipal Act, being Chapter M225 of the Statutes of Manitoba 1996, provides as follows:

232(1) A Council may pass by-laws for municipal purposes respecting the following matters:

(a) the safety, health, protection and well-being of people, and the safety and protection of property.

232(2) Without limiting the generality of subsection (1), a Council may in a by-law passed under this Division

(a) regulate or prohibit;

(d) establish fees or other charges for services, activities or things provided or done by the municipality or for the of property under the ownership, direction, management or control of the municipality.

AND WHEREAS Council deems it advisable and in the best interest of the municipality to pass a by-law to regulate and control the use of the Altona/Rhineland/Gretna Landfill Site;

NOW THEREFORE be it enacted and it is hereby enacted as a by-law of The Town of Altona in Council duly assembled as follows:

1. **DEFINITIONS**

Active Area – means a trench or confined area of the Landfill Site in which garbage wastes are currently being disposed.

Caretaker – means the person hired by Council to carry out the regulations set out in the By-law with respect to operation of the Landfill Site.

Deposit, Maintain, Deliver – includes respectively depositing, placing, maintaining or delivering either personally or by means of a servant or agent.

Livestock – means cattle, swine, horses, poultry, sheep and rabbits.

Municipality – means The Rural Municipality of Rhineland.

Landfill Site – means an area of land designated by the Rural Municipality of Rhineland, The Town of Altona and the Town of Gretna for the disposal of waste.

Pesticide Container – means containers which were last used to contain agricultural pesticide products registered under the Pest Control Products Act of Canada.

2. Separate areas shall be designated at the Landfill Site for: active area; metal; appliances; trees and wood products; tires and concrete. Signs shall be posted in each area to clearly define the waste designated for that area.
3. A Pesticide Container Collection Depot shall be established and operated within the Landfill Site under guidelines set out in the Provincial Registration Number MB3001051. This facility shall only be used for storage of pesticide containers.
4. Any person permitted to deliver or to deposit at the Landfill Site shall do so in accordance with this by-law, and in accordance with any regulations established by resolution of Council from time to time as required. Said resolution shall form part of this by-law and be attached as appendixes.
5. No person shall frequent the Landfill Site for the purpose of salvaging, picking over, scattering or searching any material.
6. Every vehicle shall register with the Caretaker before dumping at the Landfill Site and shall dump waste materials or refuse as directed and upon the area instructed to dump and no other place.
7. All loads shall be secured to ensure that no garbage is dropped on the way to the Landfill Site. If the Caretaker determines that a load is not properly secured, he will accept the load and assess a warning ticket to the driver of the vehicle. A record of warnings shall be kept on file. A second violation shall result in the caretaker calling the Altona Police to issue a summons under the Highway Traffic Act.
8. The Landfill Site will be open for public dumping as set by resolution of Council from time to time.

The Landfill Site will be closed on Sundays and public holidays.

9. Entry is prohibited when gate is closed.

10. Dead animals or livestock shall not be deposited within the Landfill Site.
11. Trees and wood products deposited at the Landfill Site shall be cut to a maximum length of eight (8) feet.
12. That By-law No. 1360 enacted by the Town of Altona on the 12th day of February, 1991 is hereby repealed.

GENERAL PENALTY

Any person guilty of breach of any of the provisions of this By-law, unless a penalty or fine is specifically provided therefore, shall be liable upon conviction therefore, to a \$50.00 fine for the first offence, \$100.00 fine for the second offence, \$150.00 fine for the third offence, and an additional \$50.00 for every additional offence up to a maximum fine of \$500.00 per incident, in addition to costs, and in default of payment of the said penalty and costs forthwith, the convicting magistrate or justice of the peace may commit the offender to imprisonment for a period not exceeding thirty days, unless such penalty and costs, if any, be sooner paid.

DONE & PASSED by the Council of The Town of Altona assembled this 17th day of August A.D. 2004.



Mayor



Secretary-Treasurer

Read a first time this 20th day of July, 2004.

Read a second time this 20th day of July, 2004.

Read a third time this 17th day of August, 2004.