

**Saugeen First Nation No. 28 & 29**  
**By-Law No. 1. 2000**

**Bag Tag garbage Collection System-Leased Lands**

A by-law to establish, maintain and regulate a system for the collection of waste on Leased Lands within the boundaries of the Saugeen First Nation No. 28 & 29 in accordance with the following section of the Indian Act of Canada:

WHEREAS, the Indian Act of Canada, Chapter 1-5, Section 81, that the Council of a band may make by-laws not inconsistent with this Act or with any regulation made by the Governor in Council or the Minister;

THEREFORE, the Council of the Saugeen First Nation # 28 & 29 enacts as follows;

**1. TITLE, SCOPE AND DEFINITIONS**

**1.1 SHORT TITLE**

This by-law may be cited as the "Bag Tag Garbage Collection By-Law for Leased Lands".

**1.2 SCOPE**

1.2.1 The provisions of this by-law shall apply to persons leasing lands within the boundaries of the Saugeen First Nation No. 28 & 29.

1.2.2 No person shall dispose of, or cause to be disposed of, any waste, recyclable, refuse or garbage except in conformity with the provisions of this by-law and Guidelines attached hereto.

1.2.3 This by-law shall not be effective to relieve, reduce or mitigate any person from compliance with any provisions of the Public Health Act or Environmental Protection Act or any regulations or order prescribed by the Medical Officer of Health or the Minister of the Environment and Energy.

**1.3 DEFINITIONS**

For the purpose of this by-law:

1.3.1 "Ashes" shall mean the solid residue of any fuel for heating or cooking purposes, and soot or other cleanings from chimneys, fireplaces or heating appliances;

1.3.2 "Bag Tag" shall mean a clearly identifiable tag used to indicate that a tipping fee has been paid and approved for sale by resolution of the Council of the Saugeen First Nation No. 28 & 29;

1.3.3 "Commercial" shall mean anything pertaining to premises occupied and used as a retail or wholesale outlet for services or materials that are/or intended to be offered for sale to the general public;

1.3.4 "Contractor" shall mean the person or persons, retained by the Council of the Saugeen First Nation No. 28 & 29, to collect, remove, transport and deliver to an approved site, bagged garbage, and where the context permits, the workmen and employees of the contractor;

1.3.5 "Council" shall mean the Band Council of the Saugeen First Nation No. 28 & 29;



- 1.3.6 "Garbage" shall mean and include all vegetable and animal matter subject to decay, whether it be household or commercial waste and shall include the wrappings (garbage bags) in which the same is placed;
- 1.3.7 "Garbage Bags" shall mean garbage bags manufactured for the use of garbage disposal having a maximum size of 77 cm by 97 cm (30 in. by 38 in.);
- 1.3.8 "Garbage Collection Days" shall mean a schedule as approved by the Council of the Saugeen First Nation No. 28 & 29, to give the Lessees/occupiers of the premises notice as the day upon which vehicles will call to pick up disposable waste;
- 1.3.9 "Household Hazardous Waste" shall include, paints, stains, varnish, urethanes, oils, herbicides, pesticides, car batteries, pharmaceutical, pool chemicals, gas cylinders and any items considered a risk;
- 1.3.10 "Landfill site or Site" shall mean a waste disposal site designated and operated by the Saugeen First Nation No. 28 & 29 for the disposal or transfer of waste in accordance with the provisions of this by-law and the terms and conditions of a certificate of approval issued by the Ministry of Environment and Energy;
- 1.3.11 "Lessee or Occupier" shall mean a person who is named on a Lease as being in physical possession of premises or who has responsibility for and control over the condition of premises of the activities there carried on, or control over persons allowed to enter the premises;
- 1.3.12 "Premises" shall mean and include, one self-contained dwelling unit on leased land, residential or commercial; and in cases where there are two or more persons named on the Lease (co-tenants), each occupier shall be deemed to be an occupier of premises within the meaning of this by-law;
- 1.3.13 "Prohibited Waste Material" shall mean any waste other than garbage and as set out in Section 9 of the attached Guidelines;
- 1.3.14 "Tipping Fee" shall be a bag tag fee or tire fee, as established by the Council of the Saugeen First Nation No. 28 & 29, and as set out in Section 11 of the attached guidelines of this by-law;
- 1.3.15 "Special Clean-up" shall mean the days established by the Council of the Saugeen First Nation No. 28 & 29, for the free disposal of larger items ie. Brush, wood products, biodegradable objects into the Landfill site by the Contractor, not including items listed as prohibited;

2. **LANDFILL SITE**

- 2.1 No person shall use any lands within the boundaries of the Saugeen First Nation # 28 & 29, for the purpose of a waste disposal site except lands designated by the Council of the Saugeen First nation # 28 & 29;
- 2.2 The landfill site shall be operated and maintained by the Saugeen First Nation Works Dept., under the direction of the Council in accordance with the terms and conditions of the provisions of this by-law, and the requirements of the Ministry of Environment and Energy;

2.3 **HOURS OF OPERATION**



- 2.3.1 No person shall deposit garbage/waste in the Site other than on those days and during these times as established by the Council of the Saugeen First Nation No. 28 & 29. Notice of dates and times open shall be posted at the entrance of the site.
- 2.3.2 Notwithstanding the provisions of Section 2.3.1 above, public access to the Landfill Site shall be restricted to those times when a Landfill Site Monitor is on duty and in attendance at the site as set out in the attached Guidelines;
- 2.3.4 No person shall trespass on the Landfill Site except as is required to transfer material to the Site in accordance with this by-law, or as is necessary to conduct lawful business during the designated hours of operation in the presence of the Landfill Site Monitor;

3. **GENERAL PROVISIONS**

- 3.1 No person shall dispose of, or cause to be disposed, waste at the Landfill Site that originates or is generated from a location outside the boundaries of the Saugeen First Nation No. 28 & 29;
- 3.2 Persons shall dispose of permitted waste at the Landfill site in accordance with the directions of the Landfill Site Monitor, and the provisions of this by-law and the Ministry of Environment and Energy;

3.3 **CONTAINERS AND GARBAGE BAGS**

- 3.3.1 Every Lessee of property shall place garbage bags and/or containers for collection on the road allowance directly adjacent to their own property.
- 3.3.2 Each garbage bag shall have affixed to it an approved Saugeen First Nation # 28 & 29 Bag Tag,
- 3.3.3 No person shall place garbage for collection by the Contractor unless the same has been packaged or prepared in accordance with this by-law;
- 3.3.4 Garbage may be placed in containers, with all waste securely placed inside plastic bags and tied, and the top bag shall have affixed to it a bag tag that is clearly visible. All bags contained must have a bag tag in accordance with this by-law;
- 3.3.5 **GARBAGE BAGS AND CONTAINERS**
  - a) Shall be kept on the premises that is the source of the waste being disposed of; and
  - b) Shall be placed for in the manner and location prescribed in this by-law between 9:00 p.m. of the evening prior to the day of collection and 7:00 a.m. on the day of collection and
  - c) No person shall allow garbage containers, and/or bags not collected by the Contractor to remain in the location specified in this by-law after 5:00 p.m. of the day specified for collection.
- 3.3.6 Garbage collection shall be carried out by the Contractor for the Saugeen First Nation No. 28 & 29 on a weekly basis and is subject to change by resolution of Council with notice being given by advertisement whenever possible.



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LYNN LOUISE ASHKEWE, a Commissioner, etc.,  
Province of Ontario, for Government of Canada,  
Expires October 24, 2001.

- 3.3.7 Garbage collection shall be carried out beginning the first Monday in May to the last Monday in October of each year as per leasing agreement (six months). There will be no collection from the first of November to the 30th of April.
- 3.3.8 Every garbage bag shall be securely tied to prevent spillage and be of sufficient thickness to eliminate tearing and the weight of the contents shall not cause breakage of the bag and shall not weigh more than 11 kilograms (twenty-five pounds).
- 3.3.9 Lessees of property, where it is deemed more convenient in the opinion of the Council of the Saugeen First Nation No. 28 & 29, to make collection from another location such as connecting lane or alley; or an area designated as a collection drop-off point which is shared by two or more Lessees.
- 3.3.10 In all commercial premises, where it is necessary to accumulate garbage in large amounts, the same shall be contained in a room or bin that prevents the entrance of flies, rats or other vermin, and said room or bin shall be maintained in a sanitary condition, until garbage is placed for collection.
- 3.3.11 No person shall remove a bag tag from a bag of refuse belonging to another.
- 3.3.12 No person shall copy, counterfeit or in any other way attempt to replicate the Saugeen First Nation # 28 & 29's bag tag.
- 3.3.13 No person shall knowingly spill, scatter, deposit, throw, cast, lay or cause to be thrown any waste on any street, lane, alley, laneway, public or private way, or in any public area, place or lot.
- 3.3.14 Lessees/Occupiers of premises shall utilize the recycling facilities/bins located on the Saugeen First Nation No. 28 & 29, which have been provided and are maintained by the Bruce Area Solid Waste Recycling Association Inc.
- 3.3.15 In the case where the Lessee of any premises is physically incapacitated to such an extent that the Lessee is unable to comply with the regulations, special arrangements may be made with the Contractor of the Saugeen First Nation No. 28 & 29.
- 3.3.16 For the purpose of this by-law, the definitions and interpretations give in this by-law shall govern. In this by-law, "shall" is mandatory; words in the singular include the plural; words used in the masculine gender include the feminine and vice versa.

#### **4. MANAGEMENT OF THE LANDFILL SITE**

- 4.1 The Works Supervisor of the Saugeen First Nation No. 28 & 29 may provide and designate such areas within the Landfill Site as it deems necessary and appropriate for the deposition, temporary storage and handling and processing of all wastes regulated under this by-law.
- 4.2 All waste collected by the Contractor or by any Lessee or private contractors within the limits of the Saugeen First Nation No. 28 & 29 shall be deposited at the site.
- 4.3 The Landfill Site shall be under the supervision of the Works Supervisor or Chief Administrative Officer. An adequate staff shall be maintained by the Works Supervisor to



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supervise the dumping of disposable solid waste and to cover the same with earth following the sanitary fill method of disposal.

- 4.4 Recyclable materials will be accepted only at the facilities/bins provided for the collection of these materials. Recyclable materials will not be accepted at the Landfill Site.
- 4.5 No person shall place prohibited waste at the Landfill Site as outlined in Section 9 of the Guidelines.
- 4.6 All waste delivered to the Landfill Site as authorized by the operating authority shall be placed under the direction of the Landfill Site Monitor or Works Supervisor.
- 4.7 No person shall enter into the Landfill Site for any purpose other than depositing disposable waste. Scavenging will not be permitted at the Landfill Site.
- 4.8 Fees for the disposal of waste at the Site shall be as established by the Council of the Saugeen First Nation No. 28 & 29, and as set out in Section 6 and Section 11 (a.b.c) of the Guidelines. Notice of such fees and any changes thereto, shall be published by the Council of the Saugeen First Nation No. 28 & 29 in an appropriate manner, and shall be applicable to all Lessees authorized to use the Landfill Site.

5. **PENALTIES AND ENFORCEMENT**

- 5.1 Any person guilty of an infraction of any provisions of this by-law shall on conviction pay a fine or penalty not exceeding Five Thousand Dollars (\$5,000.00), exclusive of costs, for each and every offence and such penalty shall be recoverable under the Provincial Offences Act. Upon conviction for a breach of the provisions of this by-law, the court of jurisdiction may make an order prohibiting the continuation of repetition of the offence by the offender, and denied entrance in the Landfill Site.
- 5.2 Where a person fails or defaults to carry out any direction or action required by the Council as authorized by this by-law, upon reasonable and written notice, the Council may proceed to do such things to carry out such actions as directed at the expense of the person and such expense may be recovered by the Council in a like manner as additional fees attached to their Service Fee Account or additional fees attached to their lease or by method of Collection Agency.


6. **ADMINISTRATION**

- 6.1 The Landfill Site Monitor under the direction of the Works Supervisor, shall supervise all operations at the Landfill Site and shall enforce compliance with the provisions of this by-law.
- 6.2 Council may by resolution grant minor variances of the by-law for special groups, activities and other circumstances where Council in its unfettered sole discretion deems that such actions are within the public interest and not contrary to the intent of this by-law.
- 6.3 Council may authorize studies and programs and prepare policies for the maximization of the life expectancy, efficiency and effectiveness of the Landfill Site and the reduction, reuse and recycling of waste.

7. **ATTACHMENTS**

- 7.1 Guidelines - Fact Sheet

CERTIFIED  
TRUE COPY



LYNN LOUISE ASHKEWE, a Commissioner, etc.,  
Province of Ontario, for Government of Canada,  
Expires October 24, 2001.

8. **IMPLEMENTATION**

8.1 That this by-law shall come into force and take effect on the 1st day of May, 2000



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**Saugeen First Nation No. 28 & 29  
Bag Tag garbage Collection - Leased Lands**

**GUIDELINES - Fact Sheet**

1. A user pay(bag tag) system for collection of garbage on Leased Lands, will commence on the first Monday in May and end on the last Monday in October of each year.
2. All bags for collection must be placed at the curbside/roadside by 7:00 a.m. on your regular collection day:  
  
Mondays for residential leases, and Tuesdays and Thursdays for Commercial leases.
3. Each bag (with the exception of allowable free bags) must have a BAG TAG STICKER placed on the top of the bag with the sticker to face towards the road.
4. Garbage will be limited in weight to 25 pounds per bag and size of bag cannot be greater than 30"X38". (most bags for household garbage will meet the size regulations)
5. Only garbage in bags, will be collected by the Contractor during regular collection. Other items that meet Landfill Site regulations can be taken, by the Lessee, to the Landfill Site during normal hours of operation. All bags of garbage brought into the Landfill Site must have a bag tag sticker. Lessee must show a Landfill Site Pass and receipt (proof of payment) of Service Fees.
6. Bag tag stickers can be purchased for \$1.00 each at:
  - (a) The Service Fee Office, 9 Denny's Dam Road during normal office hours
  - (b) Saugeen Village Variety, 64 Cameron Drive-open 7 days a week
7. Each property leased will be allowed 2 free bags. All other garbage bags must have a \$1.00 bag tag.

**LANDFILL SITE**

8. Hours of operation for the Saugeen First Nation Landfill Site is:
  - (a) Monday to Friday: 8:00 a.m. - 4:30 p.m.
  - (b) Saturdays: 10:00 a.m. - 2:00 p.m.
9. The Saugeen Band Council prohibits the disposal of the following items in the Landfill Site:
  - (a) HAZARDOUS WASTE: toxic chemicals, empty paint cans, paint thinners, used oil, vehicle batteries etc.
  - (b) HOT ASHES
  - (c) CAR BODIES/PARTS
  - (d) SCRAP METAL/MACHINERY
  - (e) PROPANE TANKS
  - (f) LARGE APPLIANCES: refridgerators, stoves, freezers, washers, dryers, microwaves, dishwashers, TV's
  - (g) SHINGLES
  - (h) BUILDING MATERIALS (other than wood products)
  - (i) RECYCLABLES
  - (j) METAL FURNITURE (wood furniture will be accepted)



10. Landfill Site passes are provided by the Service Fee Office.

11. TIRES can be disposed at the Landfill site in accordance with the following fees established:

		OFF RIM	ON RIM
a)	Tires	\$ 4.00	\$ 8.00
b)	Truck Tires`	\$ 5.00	\$10.00
c)	Tires(greater than 7.50x16	\$12.00	\$24.00

### SPECIAL CLEAN-UP DAYS

Special clean-up Days for the free disposal of larger items such as wood furniture, wood and/or brush, etc, will be held on:

Tuesday and Wednesday following Victoria Day in May

Tuesday and Wednesday following Labour Day in September

Excluded from pick-up are vehicle batteries, paints, toxic chemicals, or waste, tires, car parts, scrap metal, and appliances: refridgerators, freezers, stoves, washers, dryers, microwaves, dishwashers, TV's, etc. Garbage bags picked up on these days must have a bag tag.

These Guidelines were adopted by the Saugeen Band Council No. 28 & 29, Motion No. \_\_\_ dated March \_\_, 2000.



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LYNN LOUISE ASHKEWE, a Commissioner, etc.,  
Province of Ontario, for Government of Canada,  
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Approved and passed at a duly convened meeting of the Council this 07 day of March 2000.

[Signature]  
Councillor

[Signature]  
Councillor

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Councillor

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Councillor

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Councillor

The Quorum is set at Five.

I, BANDAL ROOTE Chief/Acting Chief of the Saugeen Indian Reserve # 29, do hereby certify that a true and exact copy of the forgoing By-Law No. 01.2000 was mailed to the Minister of Indian Affairs pursuant to section 82, ss (i) of the Indian Act this 06 day of MARCH, 2000.

[Signature]  
Witness

[Signature]  
Acting Chief

**CERTIFIED  
TRUE COPY**

[Signature]

LYNN LOUISE ASHKEWE, a Commissioner, etc.,  
Province of Ontario, for Government of Canada,  
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