



Mathias Colomb Cree Nation

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GARBAGE & WASTE DISPOSAL LAW

2025

Enacted **May 15, 2025.**

PREAMBLE

- A. Mathias Colomb Cree Nation wishes to exercise, through this law, its inherent rights of self-governance as well as its by-law powers under s. 81 of the *Indian Act*, RSC 1985, c I-5; and
- B. The Council of Mathias Colomb Cree Nation wishes to pass this law, and repeal its predecessors, in the best interests of Mathias Colomb Cree Nation.

NOW THEREFORE the Council of Mathias Colomb Cree Nation enacts as follows:

Citation

- 1. This law may be cited as the *Mathias Colomb Cree Nation Garbage Disposal Law, 2025.*

Definitions

- 2. In this law,
 - a. **“Council”** means the duly elected Council of the Mathias Colomb Cree Nation, and includes the Chief and Councillors.
 - b. **“Dump”** means the location(s) on a Mathias Colomb Reserve specified by the Council specifically for Garbage disposal, within the confines of the fences and other containers specifically provided for that purpose.
 - c. **“Garbage”** means anything a person intends to dispose of.
 - d. **“Garbage & Waste Disposal Law”** means this law, the *Mathias Colomb Cree Nation Garbage & Waste Disposal Law, 2025.*

- e. **“Hazardous Waste”** means Garbage that is:
 - i. anything listed as Hazardous Waste at the Dump;
 - ii. any of the following, including but not limited to: batteries, electronics (phones, televisions, computers, etc.), gasoline, propane, other fuel and fuel containers, motor oil, solvents, paint, tires, contaminated soil, contaminated construction waste, fluorescent light bulbs, pressure treated wood, explosives, flammable chemicals, corrosive chemicals, other toxic chemicals, other poisonous chemicals, pesticides, insecticides, fungicides or herbicides;
 - iii. anything considered Hazardous Waste under the laws of Manitoba or the laws of Canada applicable in Manitoba; or
 - iv. has the definition given to it in the *Hazardous Waste Regulation*, ManReg 195/2015, a regulation to *The Dangerous Goods Handling and Transportation Act* CCSM c D12.
- f. **“Human Waste”** means waste generated in the ordinary course of household operations, including but not limited to food waste, packaging, clothing, cleaning supplies, and human biological waste.
- g. **“Mathias Colomb Lands”** means any lands within Mathias Colomb Cree Nation’s traditional territory.
- h. **“Mathias Colomb Reserves”** means the Pukawatagan Indian Reserve and all other reserves set aside for the benefit of Mathias Colomb Cree Nation, and **“Mathias Colomb Reserve”** means any of them.
- i. **“Medical Waste”** means Garbage that is:
 - i. needles, related items, and sharps containers;
 - ii. unused medicines;
 - iii. any other item containing a medical substance or produced in the course of medical procedures; or
 - iv. any other item listed as medical waste at the Dump.
- j. **“Officer”** means a police officer, peace officer, First Nation Safety Officer authorized by Mathias Colomb Cree Nation, or other enforcement officer appointed by Mathias Colomb Cree Nation.

- k. **“Organic Waste”**; means any Waste which will decompose naturally within an average human lifetime, including but not limited to; food scraps, coffee grounds, and paper towels.
- l. **“Recycling”** means to do anything, including reuse or recover, that results in providing a use for a thing that otherwise would be disposed of or dealt with as Waste, including collecting, transporting, handling, storing, sorting, separating, and processing the thing, but does not include the disposal of Waste in land, or burning the Waste.
- m. **“Waste”** means any Hazardous Waste, Human Waste, Medical Waste, or Organic Waste.

Clean Living

- 3. Every resident of Mathias Colomb Reserves will ensure their yard and other outdoor spaces under their care and control are kept clean and free of Garbage and Waste.
- 4. Every person using Mathias Colomb Lands will ensure that their camp and other locations they use are kept clean and free of Garbage and Waste.
- 5. Every person in Mathias Colomb Lands or Mathias Colomb Reserves must dispose of all Garbage and Waste that is in their possession or control in a responsible manner in accordance with this *Garbage & Waste Disposal Law*

Garbage Disposal

- 6. All Medical Waste must be disposed of at the health centre in accordance with health centre policies, and it is prohibited to dispose of Medical Waste at the Dump or in any other manner.
 - a. Mathias Colomb health centre staff are permitted to dispose of certain Medical Waste in a manner specifically posted at the Dump or in a manner that is specifically agreed to in writing with Mathias Colomb Cree Nation.
 - b. Improper disposal of over 10 litres or over 10 kilograms of Medical Waste will result in a fee as outlined in the Ticket Fees attached under Schedule “A”.
- 7. All Hazardous Waste other than Medical Waste must be disposed of strictly in accordance with the rules posted at the Dump, and it is prohibited to dispose of Hazardous Waste in any other manner.
 - a. The rules posted at the Dump may be specific to any particular type of Hazardous Waste, and all such rules must be followed, whether as to location, manner, bagging or other containers, special steps or precautions that must be taken, or otherwise.

- b. The rules posted at the Dump may prohibit a type of Hazardous Waste from being disposed of at the Dump and may require disposal at an authorized facility outside Mathias Colomb Reserves, or otherwise.
 - c. Improper disposal of over 10 litres or over 10 kilograms of Hazardous Waste will result in a Ticket Fee.
8. All other Garbage must be disposed of at the Dump strictly in accordance with the rules posted at the Dump, and it is prohibited to dispose of other Garbage in any other manner.
- a. The rules posted at the Dump may be specific to any particular type of Garbage, and all such rules must be followed, whether as to location, manner, bagging, special steps or precautions that must be taken, or otherwise.
 - b. Improper disposal of over 50 litres or over 50 kilograms of Garbage will result in a Ticket Fee.

General

9. Council reserves the right to create new programs and new rules for the disposal of recycling, compost or any other type of Garbage.
10. Council reserves the right to update the rules posted at the Dump at any time. Updated rules will apply to all Garbage disposed of after the posted change.
11. Council reserves the right to charge user fees for disposal at the Dump, provided that:
- a. Any user fees will be posted at the Dump, and will apply from the time of being posted;
 - b. Everyone disposing of Garbage will pay the fees as posted for that disposal; and
 - c. Disposal without payment of the required user fee is improper disposal and a violation of this *Garbage & Waste Disposal Law* pertaining to disposal of that type of Garbage.

Inspections

12. If an Officer has reasonable grounds to suspect a violation of this *Garbage & Waste Disposal Law*, he or she may inspect any premises on Mathias Colomb Lands without a warrant, other than the interior of a home, and may inspect the interior of a home if a warrant has been obtained under section 103(4) of the *Indian Act*, RSC 1985, c I-5, or if a warrant has been obtained otherwise.

Enforcement level 1: Tickets

13. If a person has been found by an Officer to be in violation of this *Garbage & Waste Disposal Law*, an Officer may issue a ticket to the person specifying a fee in the amount set out in Schedule "A".
 - a. A person who receives a ticket must pay the fee to the Mathias Colomb Cree Nation within 30 days.
 - b. The Mathias Colomb Cree Nation will issue a receipt upon payment.
 - c. A person who receives a ticket must ensure that the violation ceases by cleaning up and disposing of the Garbage or Waste in the appropriate manner in accordance with this *Garbage & Waste Disposal Law* within 48 hours of receiving the ticket.
 - d. After the expiry of the time identified in subsection 13(c), if the violation has not ceased, it will be considered an additional violation and an Officer may issue an additional ticket.

Enforcement level 2: Offences

14. Violation of this *Garbage & Waste Disposal Law* is an offence punishable upon summary conviction by a fine of up to \$1,000 or imprisonment of up to 30 days, or both, as determined by a duly convened meeting of the Council.
15. A person who has been issued a ticket for a violation under this *Garbage & Waste Disposal Law*, and has paid the Ticket Fee within 30 days of receiving the ticket, has not committed an offence and will be charged under Section 14.

Schedule A

16. The Schedule, being the Ticket Fees attached under Schedule "A" form part of this *Garbage & Waste Disposal Law* and may be amended by resolution of Council.

Repeal

17. All prior laws and resolutions of Mathias Colomb Cree Nation including by-laws on the disposal of Garbage and Waste are hereby repealed and replaced with this *Garbage & Waste Disposal Law*, including without limitation:
 - a. By-Law no. 3, a by-law to provide for the disposal of Garbage and Waste on the Pukatawagan Indian Reserve in the Province of Manitoba, passed on March 30, 1961, and which was declared in force on April 20, 1961.

Other

18. If any part of this *Garbage & Waste Disposal Law* is found to be invalid or unenforceable, the section affected will be read down to eliminate the impugned portion and the remainder of this *Garbage & Waste Disposal Law* will remain in force.

Coming into Force

19. This *Garbage & Waste Disposal Law* comes into force after it is enacted by the Council of Mathias Colomb Cree Nation, on the date it is first published on the Mathias Colomb Cree Nation website, in the *First Nations Gazette*, or in a newspaper that has general circulation on the Mathias Colomb Reserves, whichever the Council considers appropriate in the circumstances.

SCHEDULE A

TICKET FEES


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|---------------------------------------------------------------------------|----------|
| Fee for violation of Section 3 (yard not kept clean): | \$50.00 |
| Fee for violation of Section 4 (camp not kept clean): | \$50.00 |
| Fee for violation of Section 6 (improper disposal of medical waste): | \$70.00 |
| Fee for violation of Section 6 (improper disposal over 10L or over 10kg): | \$140.00 |
| Fee for violation of Section 7 (improper disposal of Hazardous Waste): | \$125.00 |
| Fee for violation of Section 7 (improper disposal over 10L or over 10kg): | \$250.00 |
| Fee for violation of Section 8 (improper disposal of other Garbage): | \$60.00 |
| Fee for violation of Section 8 (improper disposal over 50L or over 50kg): | \$120.00 |

THIS GARBAGE & WASTE DISPOSAL LAW IS HEREBY ENACTED by Council at a duly convened meeting held on the 15th day of May, 2025.

A quorum of Council consists of 5 members of Council.


Chief Gordie Bear


Councillor Wanda Bighetty


Councillor Arlene T. Caribou


Councillor Moses Castel Sr.


Councillor Selena Castel

Councillor Steven C. Castel


Councillor Connie Constant


Councillor Brenda Dumas

Councillor Travis Dumas

Councillor Alma Hart


Councillor Kelly Linklater