

**TOWN OF WADENA
BYLAW NO. 05-05
LITTER CONTROL BYLAW**

Certified a true copy of
Bylaw No. 05-05 adopted by
resolution of Council the
5th day of December, 2005.

Barb Baier
Administrator



**A BYLAW OF THE TOWN OF WADENA TO SET
MINIMUM STANDARDS FOR THE CONTROL OF LITTER**

The Council of the Town of Wadena, in the Province of Saskatchewan, enacts as follows:

PART 1 INTRODUCTION

1. **Title**

This Bylaw shall be known and may be cited as the Litter Control Bylaw.

2. **Purpose**

The purpose of this Bylaw, made pursuant to the provisions of Section 8(1)(d) of *The Municipality Act*, is to regulate and control the spread of litter on the streets, sidewalks and other public places in the Town of Wadena.

PART 2 DEFINITIONS

3. Whenever in this Bylaw, the following words or terms are used, they shall, unless the text otherwise provides, be held to have the following meanings:

- (a) **ACT** - shall mean *The Municipality Act*, and amendments thereto;
- (b) **APPROVED RECEPTACLE** - shall mean a container or receptacle that is made or produced for the purpose of disposal of waste;
- (c) **BEVERAGE** - shall mean any liquid intended for human consumption by drinking and includes any liquid defined by The Litter Control Act of the Province of Saskatchewan or designated by the regulations made pursuant to the provisions of The Litter Control Act of the Province of Saskatchewan and amendments thereto;
- (d) **FOOD** - shall mean any substance which is intended for human consumption;
- (e) **GUARDIAN** - means:
 - (i) any person who is under a legal duty to provide for the care or supervision of a child, or
 - (ii) any person who has, in law or in fact, the custody or control of a child;
- (f) **OWNER** - shall mean the person, persons or corporate entity designated as the registered owner of a property on the tax rolls of the Town of Wadena and shall also include any other person, persons or bodies corporate who are not the owners of the land or building upon or within which they occupy premises but who make application to the Town of Wadena for water, sewer or other services;

- (g) PARENT - means:
- (i) the natural mother of a child;
 - (ii) the natural father of a child;
 - (iii) a person to whom custody of a child has been granted by a court of competent jurisdiction or by a deed or agreement of custody;
 - (iv) a person with whom a child resides and who stands in loco parentis to the child;
- (h) TOWN - shall mean the Town of Wadena;
- (i) VENDOR - means a person who sells or offers for sale by retail, wholesale or other means any food, beverage and/or tobacco product, which may be consumed off the premises in which they are offered for sale and includes the owner or lessee of the premises in or on which they are offered for sale and shall also include the owner or lessees of any premises in or on which is located any vending machines which are used for the purpose of selling or offering for sale a beverage, which may be consumed off those premises;
- (j) WASTE - means any rubbish, slime, garbage, refuse, scraps, beverage or food containers, vessels or receptacles or wrappers which are made or produced for the purposes of holding or containing food, beverages or tobacco products and shall also include any waste or waste products as defined by The Litter Control Act, or designated pursuant to the provisions of the Regulations made pursuant to The Litter Control Act and amendments thereto.

PART 3 REGULATIONS

4. No person shall deposit, place, abandon or cause to be abandoned any food, beverage, tobacco product or waste within the Town of Wadena other than by depositing, placing or abandoning the same in an approved receptacle.
5. No parent or guardian of any person under the age of 16 years shall permit such person to deposit, place, abandon or cause to be abandoned any food, beverage, tobacco product or waste within the Town of Wadena other than by depositing, placing or abandoning the same in an approved receptacle.
6. Vendors of any food, beverage and/or tobacco products which are sold or offered for sale by retail, wholesale or any other means and the owners of any premises in or on which any food, beverage and/or tobacco products are offered for sale, including the owners or lessees of any premises in or on which is located any vending machines which are used for the purpose of selling or offering for sale a beverage, which may be consumed off those premises, shall provide upon the premises not less than one approved receptacle for the purposes of the disposal of waste by the purchasers of any food, beverage and/or tobacco products.

7. Vendors and the owners of any premises in or on which any food, beverage and/or tobacco products are offered for sale, including the owners or lessees of any premises in or on which is located any vending machines which are used for the purpose of selling or offering for sale a beverage, which may be consumed off those premises, shall be required to pick up and properly dispose of any waste relating to the food, beverages and/or tobacco products which they have sold or offer for sale within an area which shall be not less than one hundred and fifty metres from the boundaries of the premises upon which such food, beverages and/or tobacco products are sold or offered for sale.

PART 4 ENFORCEMENT

8. Proceedings to enforce this Bylaw shall be in accordance with the provisions of The Summary Offences Procedure Act, 1990 and amendments thereto.
9. Any Vendor or Owner found guilty of a breach of any of the provisions of this Bylaw shall be liable on summary conviction to the penalties provided in the General Penalties Bylaw of the Town of Wadena .
10. In addition to the foregoing, if the Town of Wadena is required to clear, collect or otherwise deal with any waste, such as clearing, collecting or other dealings, it shall be done at the cost of the Owner. If any such costs owed by an owner is in arrears after December 31, of the year in which it becomes payable, the amount of the costs may, at the discretion of Council, be added to, and thereby form part of the taxes on the land and buildings of the owner.
11. Any person other than a vendor or an owner who is found guilty of an offence under this Bylaw shall be subject to a fine of \$50.00.
12. This bylaw shall come into force on the date of passage.

Introduced and read a first time this 5th day of December, 2005.

Read a second time this 5th day of December, 2005.

Read a third time this 5th day of December, 2005.

Barb Bartosh
Administrator

