

**MUNICIPALITY OF KILLARNEY – TURTLE MOUNTAIN  
BY-LAW NO. 4-2020**

Being a by-law of the Municipality of Killarney – Turtle Mountain regarding the use of the Nuisance Grounds.

**WHEREAS** Section 232 of The Municipal Act 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:

- (d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use 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 Killarney – Turtle Mountain Nuisance Grounds.

**NOW THEREFORE** be it enacted and it is hereby enacted as a by-law of the Municipality of Killarney – Turtle Mountain in Council duly assembled, as follows:

**1. DEFINITION:**

Active Area - means a trench or confined area of the Nuisance Grounds in which garbage wastes are currently being disposed.

Caretaker - means the person hired by Council to carry out the regulations set out in this By-Law with respect to operation of the Nuisance Grounds.

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

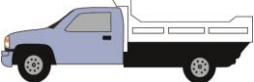
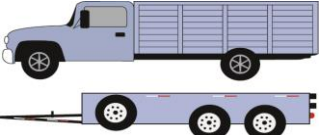
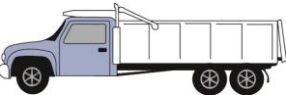
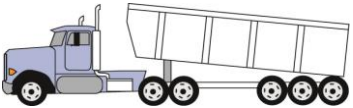

Livestock – means cattle, swine, horses, poultry, sheep and rabbits.

Municipality - means the Municipality of Killarney – Turtle Mountain.

Nuisance Grounds – means an area of land designated by the Municipality of Killarney – Turtle Mountain for the Disposal of Waste.

2. Separate Areas shall be designated for: Trees and Wood Products, metal and appliances and tires. Signs shall be posted designating location of waste site areas.
3. Any person permitted to deliver or to deposit at the Nuisance Grounds 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 resolutions shall form part of this By-Law and be attached as appendixes.
4. No person shall frequent the Nuisance Grounds for the purpose of salvaging, picking over, scattering or searching for any material.
5. Entry is prohibited when gate is closed.
6. Every vehicle shall register with the Caretaker before dumping at the Nuisance Grounds and shall be subject to the following Dumping Fees and Fines when applicable:

**A. Garbage Dumping Fees & Fines**

<i>Type of Vehicle</i>		
	Single Axle Truck One Ton Truck	\$25.00
	Three Ton Truck OR Equivalent Tandem Axle Trailer	\$25.00
	Tandem Axle Truck	50.00
	Semi Truck End Dump Trailer	100.00
<i>Other Charges</i>		
	Any Appliance with Freon	\$15.00
Unsecured Load & Noncompliance	1 <sup>st</sup> Offence	\$50.00
Unsecured Load & Noncompliance	2 <sup>nd</sup> and Subsequent Offences	\$135.00

All oversized loads in one category will be charged the next highest rate.  
The fee for tree stumps will be the same as other materials.

**Tire Dumping Fees**

No Charge

- Every vehicle shall dump waste materials or refuse as directed and upon the area instructed to dump and no other place. Non-compliance will result in a warning on the first offence, second and subsequent offences will result in a fine, as laid out in the table above.

Warnings and fine are to be issued at the discretion of the Caretaker on duty.

- Hauling Waste Material:**

All material hauled should be properly secured or covered with a tarp/netting to prevent littering on route to the Landfill site. Non-compliance will result in a warning on the first offence, second and subsequent offences will result in a fine, as laid out in the table above.

Warnings and fine are to be issued at the discretion of the Caretaker on duty.

9. Nuisance Grounds will be open for Public Dumping as follows:

**Summer Hours**

<b>MONDAY</b>	<b>8:00 A.M. – 8:00 P.M. (Closed Holiday Mondays)</b>
<b>TUESDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>WEDNESDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>THURSDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>FRIDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>SATURDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>SUNDAY</b>	<b>CLOSED</b>

**Winter Hours**

<b>MONDAY</b>	<b>CLOSED</b>
<b>TUESDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>WEDNESDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>THURSDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>FRIDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>SATURDAY</b>	<b>8:00 – 11:45 A.M. 1:00 – 4:45 P.M.</b>
<b>SUNDAY</b>	<b>CLOSED</b>

**\*\*Closed on holidays.**

10. Trees and wood products deposited at the Nuisance Grounds shall be cut to maximum length of eight (8) feet.
11. Fertilizer, agricultural grain products and liquid waste shall not be dumped within the Nuisance Grounds.
12. Dead animals or Livestock shall not be deposited within the Nuisance Grounds.
13. No garbage will be accepted which originates from outside the Municipality of Killarney – Turtle Mountain, unless approval is granted by way of a Resolution from Council.
14. Fees for garbage are to be paid by the person delivering the garbage at the time of drop off or can be invoiced, if prior arrangements have been made at the municipal office.
15. That this By-Law shall come into force and effect May 1<sup>st</sup>, 2020.
16. 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 penalty or fine of not less than \$50.00 and not more than \$500.00 in addition to costs, and in 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 AND PASSED** by the Council of the Municipality of Killarney – Turtle Mountain assembled this 22<sup>nd</sup> day of April, A.D. 2020

Original signed by Mayor Rick Pauls  
Mayor

Original signed by CAO Karen Patterson  
Chief Administrative Officer

Read a first time this 8<sup>th</sup> day of April, 2020 A.D.  
Read a second time this 22<sup>nd</sup> day of April, 2020 A.D.  
Read a third time this 22<sup>nd</sup> day of April, 2020 A.D.