

**The Saugeen First Nation No. 29. By Law No.10-2023  
BEING A BY-LAW TO AMEND AND REPLACE BY-LAW No. 10-2-2020  
LOCAL WORKS DISPOSAL OF GARBAGE  
AND WASTE ENACTED ON THE 2023/03/08 EFFECTIVE DATE 2023/04/16**

**WHEREAS** the Council of the Saugeen First Nation No. 29 desires to repeal and replace a by-law for the collection and disposal of garbage on the Saugeen Indian Reserve No. 29. and Chief's Point Indian Reserve No. 28. with respect to any matter arising out of or ancillary to the exercise of powers under Section 81, and the imposition of a penalty for the violation thereof;

**AND WHEREAS** the Council of the Saugeen First Nation No. 29. is empowered to make such by-law pursuant to paragraph 81(1)(a), (d), (q), and (r) of the Indian Act;

**AND WHEREAS** the Council of the Saugeen First Nation did enact by-law No. 10-2020 on the 10<sup>th</sup> of February 2020 titled Local Works – Disposal of Garbage and Waste, and wishes to repeal the said By-law number 10-2 2020 and replace it with this by-law 10-2 2023

**AND WHEREAS** the Council of the Saugeen First Nation did enact by-law No. 10-2017 on the 5th of May 2017 titled Local Works – Disposal of Garbage and Waste, and wishes to repeal the said By-law number 10-2 2017 and replace it with this by-law 10-2 2020

**AND WHEREAS** the Council of the Saugeen First Nation did enact by-law No. 10-2012 on the 3<sup>rd</sup> of November 1975 titled Local Works – Disposal of Garbage and Waste, and wishes to repeal the said By-law number 10-2012 and replace it with this by-law 10-2 2017

**AND WHEREAS** the Council of the Saugeen First Nation did enact by-law No. 10-2010 on the 14th of April 2010 titled Local Works – Disposal of Garbage and Waste, and wishes to repeal the said By-law number 10-2010 and replace it with this by-law 10-2012

**AND WHEREAS** the Council of the Saugeen First Nation did enact by-law No. 10 on the 3<sup>rd</sup> of November 1975 titled Local Works – Disposal of Garbage and Waste, and wishes to repeal the said By-law number 10 and replace it with this by-law 10-2010

**AND WHEREAS** the said Council is of the opinion that such By-Law is not required at this time;  
This By-law will supersede any previous related By-law pertaining to Disposal of Garbage and Waste.

**NOW THEREFORE** the Council of the Saugeen First Nation hereby makes the following amendment to by-law;

- (1) Section 7 (a) Maintain in a serviceable and sanitary condition the 95 Gal (360L) container to hold all garbage accumulated on his premises at any time;

**(2) Schedule I**

**Paragraph (1) (2) & (3) is repealed and the following substituted thereof:**

<b>Type of Garbage Container</b>	<b>Specifications</b>
(1) Garbage – (Grey Container)	95 Gal (360L) container provided by the Saugeen First Nation 29 and delivered to property.
(2) Recycling - (Blue Container)	95 Gal (360L) container provided by the Saugeen First Nation 29 and delivered to property.
(3) Disposal Plastics Bags	No longer permitted at curbside. All bags must fit within the containers provided.

**(2) Schedule II**

**Paragraph (3) & (4) is repealed and the following substituted thereof:**

**Recreational:**

\$1,200.00 per year commencing April 1<sup>st</sup> 2023.

**Commercial:**

\$1,632.00 for one primary building and \$1,165.00 for each additional building per year commencing April 1<sup>st</sup> 2023.

1. This By-Law may be cited as the "*Saugeen First Nation Garbage Collection Services and Disposal By-Law*"

**Interpretation**



2. In this By-Law,

“*Approval enclosure*” means a type of enclosure designed for the storage of containers between collection times that prevents access to the garbage by domestic animals and wildlife and the design and construction of which has been approved by the Sanitation Administrator;

“*Collection*” means the removal from a premises to a disposal location whether such removal is effected by the Sanitation Administrator or a Contractor under public or private contract, or an owner;

“*Service Fees*” means a payment for collection and other services provided by the Saugeen Band under the authority of this by-law.

“*Container*” means a type of garbage container listed in Schedule I that has been designed by the Sanitation Administrator of the reserve as being acceptable for use in the reserve or at specific locations on the reserve.

“*Council*” means the council of the Saugeen First Nation No. 29.

“*Garbage*” means any kind of waste including

- (a) bulky waste, being large items of refuse including appliances, furniture, vehicle parts under 35 kg. large containers and tree cuttings not exceeding 1 m in length or 10cm in diameter, in bundles not exceeding 35 kg.
- (b) construction and demolition wastes, being waste building materials and rubble resulting from construction, repair, remodeling or demolition activities,
- (c) liquid waste, being waste materials or substances that have sufficient moisture or other liquid contents to be free flowing but that are not suitable for disposal through a sewer system,
- (d) rubbish being
  - (i) combustibles, consisting of burnable materials such as paper, rags, cartons, boxes, wood excelsior, bedding, rubber, leather and plastics, and
  - (ii) non-combustibles, consisting of materials that are not burnable such as metal objects and containers, ceramics, metal foils and glass,
- (e) solid wastes, being the useless, unwanted or discard solid waste materials resulting from normal human activities including semi-liquid or wet wastes with insufficient liquid content to be free flowing,
- (f) special waste, being
  - (i) hazardous wastes, consisting of any waste that may present a hazard to persons, flora fauna or public lands, including waste of a pathological, an explosive, a highly flammable, a radioactive or a toxic nature,
  - (ii) sanitary wastes, consisting of any putrescible waste that is capable of producing conditions that may present a hazard to health,
  - (iii) natural waste, consisting of tree stumps, soil, sand and stone, and

- (iv) other special waste, consisting of materials so classified by the sanitation Administrator,
- (g) trade waste, being petroleum products, scrap metal, machinery and vehicles and parts thereof, and
- (h) yard rubbish, being pruning's, grass clippings, weeds, leaves, and general garden wastes, other than solid wastes;

"*Owner*" means any person who has possession of land or a building on the Saugeen First Nation including leased land;

"*Reserve*" means the reserve of the Saugeen First Nation no. 29. including Chief's Point No. 28.;

"*Street*" means that portion of any thoroughfare, road, lane, avenue, parkway, viaduct, alley, square bridge, causeway, trestle way, or any other place, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage of parking of motor vehicles but does not include sidewalks, ditches, or right-of-way adjacent to a roadway;

"*Sanitation Administrator*" means the Sanitation Administrator of the Reserve duly appointed by the Council under this by-law to enforce and carry out the provisions of this by-law;

### **Schedule**

3. The following Schedules form part of this by-law;

#### **Schedule I – Types of Garbage Containers**

#### **Schedule II – Collection Service Fees**

### **Sanitation Administrator**

4. (1) The Council may, by resolution appoint one or more Sanitation Administrators, who shall be responsible for the administration of this by-law;
- (2) The Council may, in the resolution, provide for reasonable remuneration to be paid to a Sanitation Administrator.

### **Powers and Duties of the Sanitation Administrator**

5. (1) A Sanitation Administrator shall



- a. Answer such questions as relate to the administration of this by-law; and
- b. Perform such other duties as may be assigned by the Council from time to time

(2) A Sanitation Administrator may order

- (a) a person who contravenes this by-law or any other applicable by-law to comply the by-law within a specified time period;
  - (b) the termination of any activity or part thereof, if the activity is proceeding in contravention of this by-law or any other applicable by-law;
  - (c) the termination of any activity of part thereof, where there are unsafe or unsanitary conditions present;
  - (d) the correction of any unsafe or unsanitary conditions;
  - (e) the removal of any garbage or part thereof disposed of in contravention of this by-law or other applicable by-law; and
  - (f) the termination of any disposal if any unsafe or unsanitary conditions exist.
- (3) The Sanitation Administrator may direct that sufficient evidence or proof be submitted at the expense of the owner to determine whether any method of disposal or container meets the requirements of this by-law.
- (4) When due notice to correct unsafe conditions or activities has not been complied with, the Sanitation Administrator may make correct such conditions at the expense of the owner.

### **Collection of Garbage**

6. (1) The Council may provide for the collection of garbage by a garbage collector in the areas of the subdivisions and at such times as it deems advisable.

(2) Every owner for whose premises a collection is provided shall pay for such disposal in accordance with the provisions of Schedule II and at such times as the Council or the Sanitation Administrator may designate.

### **Duties of an Owner**

7. Every owner shall

- a) Maintain in a serviceable and sanitary condition the 95 Gal (360L) container to hold all garbage accumulated on his premises at any time;
- b) subject to paragraph (h), (i) and (k), ensure that all garbage is placed, and remains, in container that are of a type set out in column I of an item of Schedule I and that meet the specifications set out in column II of that item;
- c) drain and wrap all wet garbage before placing it in a container;
- d) ensure that containers are set for collection at such places and such times and in such a manner as the Sanitation Administrator may designate;
- e) remove all containers from their designated location on any street within such period as may be specified by the Sanitation Administrator;

- f) ensure that all rigid metal containers and disposal plastic bag type containers are securely closed when set out for collection;
- g) store garbage between collection times in approved enclosures except when the Sanitation Administrator allows the use of steel refuse containers without enclosure;
- h) securely tie in bundles any combustible rubbish set out for collection in accordance with any instructions of the administrator;
- i) prepare yard rubbish for collection in accordance with any instructions of the sanitation Administrator;
- j) extinguish all ashes or coals before setting them out for collection;
- k) ensure that bulky waste is not set out for collection except at such times as may be determined by the sanitation Administrator;
- l) Ensure that liquid waste, trade waste, special waste, and construction and demolition waste are not set out for collection except at such times as may be determined by the Sanitation Administrator; and
- m) Keep the street, sidewalk and boulevard abutting in front of, flanking and at the rear of the owner's premises, free of garbage.

### **Escape of Garbage from Vehicles**

- 7. (1) No person shall convey or cause to be conveyed any garbage in vehicle that is not properly constructed and covered so as to prevent the contents thereof from escaping.
- (2) In the event of an escape of garbage from any vehicle the owner of the vehicle shall be responsible for the immediate clean-up.

### **Yard Rubbish**

- 9. (1) Subject to subsection (2), no person shall deposit any yard rubbish on a sidewalk or a street.
- (2) Where the Sanitation Administrator has made an arrangement for the collection of yard rubbish on a sidewalk or a street on a day specified by the Sanitation Administrator, a person may deposit yard rubbish on that sidewalk or street on that day if the yard rubbish does not impede pedestrian or vehicular traffic.

### **Disposal of Garbage**

- 10. No person shall discard or dispose of or deposit garbage anywhere on the reserve except in such places as cited in the **Indian Reserve Waste Disposal Regulations C.R.C., c. 960.**

**Garbage on Premises**

11. No owner shall accumulate or allow to accumulate any garbage on his premises.
12. No person shall undertake disposal of any garbage or authorize or allow disposal of any garbage on the reserve.

**Offence****13. (1) A person who**

- (a) fails or refuses to comply with any provision of this by-law;
- (b) submits false or misleading information to a Sanitation Administrator, or
- (c) interfere with or obstructs a Sanitation Administrator acting in the administration or enforcement of this by-law;

commits an offence.

- (2) Where an act or omission in contravention of this by-law continues for more than one Day during which it continues, and may be punished as such.


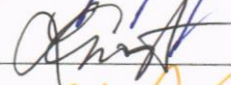



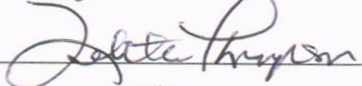

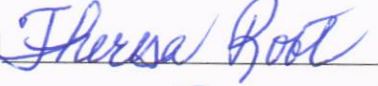

**Penalty**

14. Every person who commits an offence under this by-law is liable on summary conviction to a fine not exceeding \$1000.00 or to imprisonment for a term not exceeding 30 days or both.



**THIS BY-LAW IS HEREBY MADE** at a duly convened meeting of the Council of Saugeen First Nation Band the 6TH day of March 6, 2023.

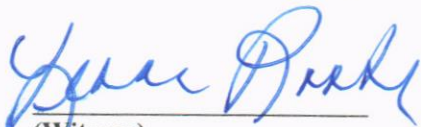
Voting in favour of the by-law are the following members of the Council:

- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 
- Member of the Council 

Being the majority of those members of the Council of the Saugeen First Nation Band present at the aforesaid meeting of the Council.

The quorum of the Council is 5 members.  
Numbers of members of the Council present at the meeting (9).

I, **Kirk Roote / Land Manager**, Chief/Councillor of the Saugeen Band, do hereby certify that a true copy of the foregoing by-law is publicly posted in the Saugeen News Letter and on the Saugeen First Nations Website this 8<sup>th</sup> Day of March 2023.

  
(Witness)

  
(Chief Councillor)



**SCHEDULE I****Column I****Column II****Type of Garbage Container****Specifications**

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(1) Garbage – (Grey Container)

95 Gal (360L) container provided by the Saugeen First Nation 29 and delivered to property.

(2) Recycling - (Blue Container)

95 Gal (360L) container provided by the Saugeen First Nation 29 and delivered to property.

(3) Disposal Plastics Bags

No longer permitted at curbside. All bags must fit within the containers provided.

## SCHEDULE II

(1) An owner shall pay the following for a collection Service and other Services provided by the Saugeen Band under the authority of this by-law:

(2) Other services include, fire protection, road maintenance, landfill site maintenance, recycling, policing, emergency services, and street lighting.

(2) **Recreational:**

\$1,200.00 per year commencing April 1<sup>st</sup> 2023.

(3) **Commercial:**

\$1,632.00 for one primary building and \$1,165.00 for each additional building per year commencing April 1<sup>st</sup> 2023.

(5) Further, a late payment charge of a \$100.00 will be applied May 1<sup>st</sup> should the Service Fee charge remain unpaid for 30 days, and 1.5% interest per month will be applicable thereafter.



**SAUGEEN FIRST NATION # 29  
BAND COUNCIL RESOLUTION  
OGIMAKANUK ENENBAM NOWAD**

**Saugeen Band  
Ph: (519) 797-2781  
Fax: (519) 797-2978**

The Council of the Saugeen First Nation # 29  
Ogimahkanuk Sauking

6 Cameron Drive Southampton

Ontario, NOH 2L0

06      March      AD 2023  
Day - Kejick      Month - Geesis

MOTION No. 17

Moved by: Randall Kahgee  
Seconded by: Lester Anoquot


**BE IT RESOLVED**


That we the Saugeen Band Council do hereby Amend existing bylaw 10-2-2020 LOCAL DISPOAL OF GARBAGE AND WASTE, Schedule 1 Paragraph 1, 2, & 3, and Schedule II Paragraph 3 & 4.

- (1) Section (7) (a) Maintain in a serviceable and sanitary condition the 95 Gal (360L) container to hold all garbage accumulated on his premises at any time.
- (2) Schedule I  
Paragraph (1) & (3) is repealed and the following substituted thereof:
 


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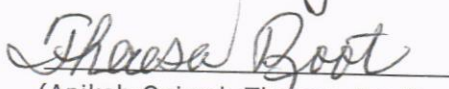
9 in favor  
Carried

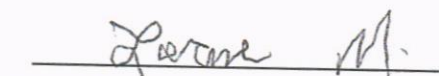
  
(Ogimah- Conrad Ritchie)

  
(Anikeh-Ogimah-Rory Henry)

  
(Anikeh-Ogimah-Richelle Ritchie)

  
(Anikeh-Ogimah-Audra Root)

  
(Anikeh-Ogimah-Theresa Root)

  
(Anikeh-Ogimah-Lorne Mandawoub)

  
(Anikeh-Ogimah-Letitia Thompson)

  
(Anikeh-Ogimah-Lester Anoquot)

  
(Anikeh-Ogimah -Randall Kahgee )

  
(Anikeh-Ogimah - Melissa Snowdon)