

PROPOSED

CD2023-0596
ATTACHMENT 1

BYLAW NUMBER 40M2023

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 4M2020, THE WASTE BYLAW

WHEREAS Council has considered CD2023-0596 and deems it necessary to amend the Waste Bylaw 4M2020;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Waste Bylaw 4M2020, as amended, is hereby further amended.
2. Section 2(1) is amended by adding the following after subsection 2(1)(nn) as subsection 2(1)(oo):
 - “(oo) “*wildlife*” includes but is not limited to:
 - (i) any animal that is “wildlife” as that term is used in the Wildlife Act, R.S.A. 2000, c. W-10; and
 - (ii) any animal that is an “endangered animal” as that term is used in the Wildlife Act, R.S.A. 2000, c. W-10;”.
3. The following is added after Part 7 as Part 7.1:

“ **PART 7.1 – WILDLIFE AFFECTED AREAS**

SECURE ENCLOSURES

21.1 In this Part, the term “secure enclosure” means, for an *owner* of a *residential dwelling*, a fully enclosed structure consisting of walls, roof and door(s) of sufficient design and strength so as to prevent access by *wildlife*, and for clarity, includes a garage, shed, or other structure that is inaccessible to *wildlife*.

AUTHORITY OF DIRECTOR

- 21.2 (1) The *Director, Waste & Recycling Services* is authorized to designate geographic areas in the *City* as Wildlife Affected Areas based on one or more of the following criteria:
 - (a) reports of problem *wildlife* in the area;
 - (b) signs of *wildlife* interacting with *waste* in the area; or
 - (c) the advice of provincial Wildlife Officers.

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- (2) The *Director, Waste & Recycling Services* must publish a map of any area of the *City* designated as a Wildlife Affected Area on the *City's* website.
- (3) A designation made under subsection (1) must be done annually and is in effect in the year it is made during the time period that:
 - (a) starts on April 15th, or the date the designation was made if done after April 15th; and
 - (b) ends on November 15th of that year.

RESIDENTIAL COLLECTION & STORAGE

- 21.3 (1) The *owner of a residential dwelling* within a Wildlife Affected Area must:
- (a) despite subsection 11(7)(a), set out an *automated collection container* for *collection* no earlier than 5:00 a.m. on *collection day*;
 - (b) set out any extra waste under section 12 for *collection* no earlier than 5:00 a.m. on *collection day*; and
 - (c) remove the *automated collection container* from the *collection* location before 7:00 p.m. on *collection day*.
- (2) The *owner of a residential dwelling* within a Wildlife Affected Area must keep all *automated collection containers* and all *waste* in:
- (a) the garage of a *residential dwelling*; or
 - (b) another secure enclosure.
- (3) Subsection (2) above applies at all times except for the day determined by the *Director* under this Bylaw to be the *collection day* for that *residential dwelling*, and on such date subsection (1) applies.”
4. In Schedule “A”, under the headings indicated, after:

| Section | Offence | Specified Penalty |
|----------------|---|--------------------------|
| “21(2) | Deposit <i>hazardous waste</i> generated from a commercial business at <i>household hazardous waste depot</i> | \$1000.00” |

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the following is added:

| <u>Section</u> | <u>Offence</u> | <u>Specified Penalty</u> |
|----------------|--|--------------------------|
| 21.3(1)(a) | Set <i>automated collection container</i> out before 5:00 a.m. on <i>collection</i> day in a Wildlife Affected Area | \$250.00 |
| 21.3(1)(b) | Set extra <i>waste</i> out for <i>collection</i> before 5:00 a.m. in a Wildlife Affected Area | \$250.00 |
| 21.3(1)(c) | Leave out <i>automated collection container</i> after 7:00 p.m. on <i>collection</i> day in a Wildlife Affected Area | \$250.00 |
| 21.3(2) | Fail to secure <i>automated collection container</i> or <i>waste</i> in a Wildlife Affected Area | \$250.00” |

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____