

**TOWN OF INUVIK
BY-LAW #2734/H&S/24**

**A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE
NORTHWEST TERRITORIES TO PROVIDE FOR SALVAGING AT THE SOLID WASTE
DISPOSAL FACILITY**

PURSUANT TO the Cities, Towns and Villages Act of the Northwest Territories, S.N.W.T. 2003, c. 22 as amended;

WHEREAS the Town of Inuvik wishes to regulate salvaging at the Solid Waste Disposal Facility;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Inuvik, in Council duly assembled, enacts as follows:

1.0 SHORT TITLE

1.1 This by-law may be cited as the “**Salvage By-law**”.

2.0 DEFINITIONS

2.1 In this by-law, the following terms have the following meanings, unless context requires otherwise:

- 1) “**Domestic Waste Dump**” means an area within the Solid Waste Disposal Facility designated for the disposal of household waste such as paper, diapers, food containers, clothing, tins and any other general household waste.
- 2) “**Person**” has the meaning given to it in the Northwest Territories Interpretation Act.
- 3) “**Peace Officer**” means any By-law Enforcement Officer of the Town of Inuvik, or any RCMP officer.
- 4) “**Salvage**” means removing anything from an area designated as a Solid Waste Disposal Facility.
- 5) “**Salvage Permit**” means a permit issued by the Senior Administrative Officer or their designate for salvaging and recycling from the Domestic Waste Dump.
- 6) “**Senior Administrative Officer**” means the Senior Administrative Officer of the Municipal Corporation of the Town of Inuvik or their designate.
- 7) “**Solid Waste Disposal Facility**” means any area set aside by the Town for the dumping of garbage, domestic waste, refuse and any other non-hazardous waste.

3.0 GENERAL

- 3.1 The Senior Administrative Officer is authorized to issue a salvage permit to any person wishing to salvage from the domestic waste dump.
- 3.2 No person shall salvage from the domestic waste dump without a salvage permit.
- 3.3 No person shall enter the solid waste disposal facility to scavenge when the facility is closed to the public or otherwise closed to salvage activities.
- 3.4 No person shall obstruct a Peace Officer in the enforcement of this by-law.
- 3.5 No person shall break open bags of garbage while salvaging

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3.6 The Senior Administrative Officer or their designate may revoke the scavenging permit of anyone found to be contravening this by-law.

4.0 NOTICE OF APPEAL AND DECISION

4.1 The revocation of a salvage permit may be appealed to Council.

4.2 Appellants must submit notice of their appeal in writing to the Senior Administrative Officer within seven (7) days of the revocation date.

4.3 Each notice of appeal shall:

- i) state with reasonable exactness the grounds of appeal;
- ii) state the name and address of the appellant and the interest of the appellant as stated on the permit; and,
- iii) be dated and signed by the appellant or on their behalf by their agent; if signed by an agent, it shall state the name and address of the agent.

4.4 Upon receiving a notice of appeal, the Senior Administrative Officer shall set a date for the appeal hearing which shall be held within fifteen (15) days of the receipt of the notice of appeal.

4.5 Where a decision to revoke a salvage permit is appealed pursuant to section 4.1, the decision is stayed pending a decision by Council on the appeal.

4.6 Council shall consider each appeal having regard to the circumstances and merits of the case and applicable provisions of this by-law. When hearing an appeal, Council shall:

- i) not be bound by the technical rules of evidence; and,
 - ii) afford to every person concerned the opportunity to be heard, to submit evidence and to hear the evidence of others.
- 4.7 Council's decision shall be final. Council may:
- i) confirm the revocation, vary the revocation, or reinstate the salvage permit; and,
 - iii) add any conditions that Council may see fit.

5.0 OFFENCES

5.1 Every person who contravenes any provision of this by-law is guilty of an offence and is liable upon Summary Conviction (if a fine is not otherwise specified in Schedule A attached to and forming part of this by-law) to:

- i) for a person, to a fine not exceeding two thousand dollars (\$2,000.00), or to imprisonment for a term not exceeding six (6) months, or to both;
- ii) for a corporation, to a fine not exceeding ten thousand dollars (\$10,000.00), or to imprisonment for a term not exceeding six (6) months, or to both.

5.2 In addition to any fine that may be levied, the court may order a person convicted of an offence under this by-law:

- i) to pay any fee or charge that may otherwise be payable by the person to the Town in respect of any license or permit that should have been obtained by the person; and,
- ii) to do or refrain from doing any activity that the court may specify.

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5.3 A Peace Officer may issue a Summary Offence Ticket in the form prescribed by the Summary Convictions Procedures Act to any person who contravenes any provision of this by-law, and such person may, in lieu of prosecution, pay the Town of Inuvik the specified penalty for the offence as listed in Schedule A attached to and forming part of this by-law, prior to the court date specified on the ticket.

6.0 SEVERABILITY

6.1 If any provision or part of this by-law is declared by court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

7.0 REPEALS

7.1 By-law #1864/H&S/00 as amended and any other scavenging or salvaging by-laws in effect are hereby repealed.

8.0 EFFECT

8.1 This by-law shall come into effect upon the day of its final passage.

READ A FIRST TIME THIS 22nd DAY OF May, 2024 A.D.


READ A SECOND TIME THIS 22nd DAY OF May 2024 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 26th DAY OF June 2024 A.D.



MAYOR

I hereby certify that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Town of Inuvik.



SENIOR ADMINISTRATIVE OFFICER

SCHEDULE A

SPECIFIED PENALTIES

SECTION	OFFENCE	SPECIFIED PENALTY
3.2	Salvage without a permit	\$100.00
3.3	Enter the solid waste disposal facility to salvage after hours or when salvaging is otherwise prohibited	\$200.00
3.4	Obstruct Peace Officer	\$500.00
3.5	Open bags of garbage while salvaging	\$100.00

SCHEDULE B

Salvage Permit and Release of Liability

PERMIT TO SALVAGE

TOWN OF INUVIK

PERMIT NUMBER _____

Pursuant to Town of Inuvik Salvage Bylaw # 2647/H&S/20 this permit to salvage is intended to provide further waste diversion domestic waste dump at the discretion of the Director of Infrastructure. A Waiver of Claims, Release of Liability and Indemnity Agreement is attached and must be signed and accompany this permit in order for it to be valid.

TERMS AND CONDITIONS

1. No person under the age of 19 shall be issued a Permit to Salvage. Youth 16 and over may take part under the supervision of an adult and utilizing the required personal safety equipment.
2. By signing this permit, the permit holder authorizes the the Town of Inuvik or its authorized representative to, without prior notice and without incurring liability for so doing, inspect salvaging activities for the purpose of determining if the terms and conditions of this permit have been met.
3. Issuance of this permit shall not relieve the permit holder from liability arising from civil or criminal activities.
4. No salvaging shall be permitted within the active domestic waste cell or from the transfer station bins or from any other area specified as "off limits" by a representative of the Town of Inuvik.
5. The permit holder accepts all responsibility and liability for injury or loss to the permit holder while on the Landfill site, even if it is the fault of The Town of Inuvik and contractors acting on behalf of The Town of Inuvik, in accordance with the Waiver of Claims, Release of Liability and Indemnity Agreement.
6. The permit holder while on the Landfill site shall wear safety boots with toe and shank protection; approved hardhat; safety vest and gloves. A long sleeved shirt; long pants; safety glasses and earplugs are highly recommended.
7. The permit holder shall not use torches; grinders or any other device that may cause sparks or flames.
8. The permit holders shall leave any site at the Landfill that is being maintained by heavy equipment.
9. The permit holder shall follow the instructions, as per the terms and conditions set in this permit or as set out by representatives of the Town of Inuvik.
10. Notwithstanding any terms or conditions of this permit, all provisions of Salvage and Recycling Bylaw #???, as amended from time to time, must be complied with by the permit holder at all times.
11. The permit holder shall salvage solid waste in accordance with Solid Waste Bylaw as amended in perpetuity
12. A representative of The Town of Inuvik may revoke this permit at any time due to the failure of the permit holder to comply with any of the terms and conditions of this permit or for any other reason deemed to be in the best interest of the Landfill.

Print Name: _____

Signature: _____



Town of Inuvik,

2 Firth Street, Box 1160,

Inuvik, NT X0E 0T0

(867)777 8600 FAX (867) 777 8601

SOLID WASTE SALVAGE PERMIT NO: _____

Date of Application: _____

This Permit to Salvage shall become effective on _____

This permit entitles the holder to salvage material from the Solid Waste Disposal Facility during normal hours of operation.

The holder acknowledges that salvage operations are conducted at his/her own risk.

Print Name: _____ **Signature:** _____

Director of Infrastructure: _____

This Permit to Salvage shall expire on _____