

**Draft 2**  
**Solid Waste Resource Collection and Disposal By-law**

**Title and Purpose**

This By-law shall be known as the Waste By-law. The intent of this by-law is to provide for and regulate a solid waste management program for the Municipality of the District of Barrington.

**Part 1 Definitions**

In this by-law:

1. **“administrator”** means the person appointed by the Chief Administrative Officer of the Municipality to administer this by-law or their designate;
2. **“adverse effect”** means an effect that impairs or damages the environment, the health of humans or the reasonable enjoyment of life or property;
3. **“asbestos”** means asbestos waste as defined in the Asbestos Waste Management Regulations made under the Nova Scotia Environment Act, S.N.S. 1994-95, c. 1, as amended;
4. **“backyard composting”** means the composting at a residential property of organic solid waste, comprised of leaf and yard waste and food, but excluding meat, fish, eggs or dairy products, where:
  - 4.1 the waste is generated by the residents of the property or neighbouring properties or both; and
  - 4.2 the annual production of compost on any property lot does not exceed 10 cubic meters.
5. **“beverage”** means any liquid that is a ready to serve drink, but does not include milk, milk products, soya milk or concentrates as defined by the Nova Scotia Beverage Program;
6. **“beverage container”** means a container of 5 liters or less which contains or has contained a non-liquor beverage and was sealed by the manufacturer after the beverage was placed in it;
7. **“box board”** means cereal boxes, shoe boxes, tissue boxes, detergent boxes, cracker boxes, cookie boxes, baking product boxes and frozen food boxes or other similar items, toilet paper rolls and paper towel rolls or other similar items;

8. **“bulky item”** means large items of a household nature including but not limited to furniture, stoves, refrigerators, dishwashers, mattresses, bed springs, hot water tanks, toys, bicycles and lawn furniture;
9. **“CAO”** means the Chief Administrative Officer of the Municipality of the District of Barrington;
10. **“cart, green cart or kitchen bin”** means a small plastic bucket or green bin used to collect organic waste;
11. **“chlorofluorocarbons”** and **“hydrochlorofluorocarbons”** means an ozone depleting substance that is required under the Ozone Layer Depletion Regulations of the Province of Nova Scotia to be removed in a controlled fashion to prevent its release into the environment and is a substance found in refrigeration and cooling units;
12. **“collector”** means a licensed individual or company that collects and disposes of residual waste, recyclables or compostable material or combination thereof to designated solid waste management facilities;
13. **“commercial container”** means any container used for the storage of waste materials on commercial properties for collection of solid waste by a collector;
14. **“compostable material”** or **“compostable organics”** or **“organics”** means food scraps and spoiled or waste food or foodstuff including vegetable peelings, meat, fish, eggs, bones, waste food products, wet and soiled paper products, leaves and grass clippings, branches and bushes that are 1.2 meters or less in length and 2 centimeters or less in diameter, together with such other compostable materials as may be identified in public education documents distributed by the Municipality from time to time;
15. **“compostable products”** means any non-food product made or described as being biodegradable or compostable or other similar description;
16. **“composting”** means the biological decomposition of organic materials, substances or objects under controlled circumstances to a condition sufficiently stable for nuisance-free storage and for safe use in land applications as identified by the Nova Scotia Environment’s Solid Waste Management Resource Regulations;
17. **“construction and demolition debris”** (C&D) means materials which are normally used in the construction of buildings, structures, roadways, walls and other landscaping material and includes, but is not limited to solid, asphalt, brick, mortar, drywall, plaster, cellulose, fiberglass fibers, Gyproc, lumber, wood, asphalt shingles and metals and such other materials as may be permitted by applicable laws;
18. **“contaminant”** means a substance that causes or may cause an adverse effect;

19. **“contaminated soil”** means any soil which has been exposed to an organic or inorganic contaminant in excess of standards prescribed or adopted by the Minister and that has caused, is causing or may cause an adverse effect;
20. **“Council”** means the Council for the Municipality of the District of Barrington;
21. **“dwelling or dwelling unit”** means a self-contained portion of a building occupied as a residence;
22. **“Enforcement Officer”** for the purpose of this by-law, the Enforcement Officer shall be the By-law Enforcement Officer of the Municipality of the District of Barrington, assigned or appointed by the CAO;
23. **“hazardous waste”** means waste that may be harmful to humans, animals, plant life or natural resources, including but not restricted to, industrial chemicals, explosive, toxic, flammable, corrosive, radioactive, reactive, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid, pesticides and insecticides or any substance or material declared or defined to be a hazardous or toxic substance in or pursuant to any applicable law;
24. **“hospital and pharmaceutical waste”** means waste generated at hospitals, clinics, pharmacies, veterinary clinics, dentist offices and includes, but is not limited to used needles, drugs, dressings, excluding pathological waste;
25. **“household hazardous waste”** means waste of a potentially hazardous nature typically generated in residential households including but not restricted to solvents, glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene, pesticides, lawn and garden chemicals, poisons, propane tanks, roofing tar, pool chemicals, lubricating oil, batteries and automotive fluids, but does not include PCB waste, radioactive materials, explosives, fireworks, pathological wastes or ammunition.
26. **“industrial waste”** means residual waste typically generated in the industrial, commercial and institutional sector.
27. **“industrial/commercial/institutional waste or IC&I waste”** means waste generated in the IC&I sector;
28. **“industrial/commercial/institutional premises (IC&I)”** means a lot of land occupied by one or more industrial, commercial, or institutional establishments, which includes campgrounds and multi-unit dwellings or buildings;
29. **“land”** means surface land, land covered by water, subsoil, matter beneath the subsoil or any combination or part thereof;

30. **“leaf and yard waste”** means vegetative matter resulting from gardening, horticulture, landscaping or land clearing operations, including materials such as tree and shrub trimmings, plant remains, grass clippings, leaves, trees and stumps, but excludes construction and demolition debris or contaminated soil or any other organic material that has been contaminated;
31. **“litter”** means any material left or abandoned in a place other than a container or place intended or approved for receiving such material, including material that may, intentionally or unintentionally, exit from a moving or stationary vehicle;
32. **“Minister”** means the Minister of Environment for the Province of Nova Scotia;
33. **“multi-unit dwelling”** or **“multi-unit apartment building”** means a residence that contains more than one dwelling unit; (duplexes, residential home with an apt,)
34. **“municipal solid waste management facility”** or **“municipal resource management facility”** means a site identified by the Municipality for receiving, storing, sorting, processing, transferring or disposing of designated solid waste;
35. **“municipal collector”** means a collector that is under contract with the Municipality to provide roadside waste collection services;
36. **“Municipality”** means the Municipality of the District of Barrington;
37. **“opaque”** means not transparent.
38. **“organics cart”** or **“green cart”** means a wheeled cart designed to be emptied by hydraulic lifting device and approved by the Municipality for the storage and municipal collection of compostable materials;
39. **“pathological waste”** means any part of the human body excepting hair, nail clippings and the like, any part of a dead animal infected with a communicable disease and non-anatomical waste infected with a communicable disease;
40. **“permanent waste storage container”** means any container used for the storage of waste at roadside. It must be accessible to the municipal waste collector and must be weather-tight, animal proof and constructed such that waste remains in a source separated condition;
41. **“person”** includes an individual or an incorporated body;
42. **“public education documents”** includes newspaper, radio and local television advertisements, information posted to the Municipality’s website and social media and

newsletters, pamphlets, flyers or other material circulated electronically or by ordinary mail or delivery by or for the Municipality;

43. **“recyclable container materials”** means redeemable beverage containers, steel, tin or aluminum food containers or cans, glass food containers, jars and bottles, low density polyethylene bags and packaging, high density bags, containers and packaging, polycoat containers for milk, milk products, soya milk, concentrates or other liquids or powders, tetrapacks together with such other plastic recyclable materials as may be identified in public education documents distributed by the Municipality from time to time;

44. **“recyclable material”** means recyclable paper materials or recyclable container materials as defined in this by-law;

45. **“recyclable paper materials”** means corrugated cardboard, egg cartons, box board, newsprint, bond paper, computer paper, glossy flyers and magazines, together with such other paper recyclable materials as may be identified in public education documents distributed by the Municipality from time to time;

46. **“redeemable beverage container”** means a beverage container for which a consumer was required to pay a deposit;

47. **“residual waste”** means waste other than;

47.1 recyclable material;

47.2 compostable materials;

47.3 leaf and yard waste; and

47.4 any other waste that is prohibited from disposal by way of municipal collection or at a municipal solid waste management facility designated for residual waste by this By-law or by the Minister;

48. **“roadside”** means that portion of the public or municipal road right-of-way between the travel portion or parking area and the property line which parallels the center line of the road;

49. **“sharps”** means needles, syringes, lancets, auto injectors and infusion sets;

50. **“soiled paper products”** means dinner napkins, paper towels, fast food wrappers, wax paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items;

51. **“solid waste”** means residual waste, recyclable material and compostable material, as well as any other type of waste defined in this by-law;

52. **“source separated waste”** means waste which has been separated “at source”, i.e. at the point of generation into the three waste separation streams to facilitate their reuse, recycling, composting or disposal;

52.1 recyclable materials;

52.2 compostable materials;

52.3 residual waste;

53. **“tires”** means tires that are not designated under the Province of Nova Scotia’s tire recycling program;

54. **“waste”** means any substance that would cause or tend to cause an adverse effect if added to the environment and includes residual waste, recyclables, compostable material, household hazardous waste, refuse, sludge, rubbish, tailings, debris, litter and other discarded materials resulting from residential, commercial, institutional and industrial activities which are commonly accepted at solid waste management facilities, but excludes wastes from industrial activities which are regulated by an approval issued by the Minister;

55. **“waste diversion”** means waste reduction, reuse, recycling or composting with the intent of extending the useful life of materials and preventing their disposal in landfills;

## **Part 2 Evidentiary Burden**

1. In the absence of evidence to the contrary, if any waste which is deposited or placed in contravention of this by-law bears thereon identifying information connecting that waste to a person then that person shall be deemed to have deposited or placed the offending solid waste or caused or permitted it to be so deposited or placed.

## **Part 3 Administration and Enforcement**

1. The Chief Administrative Officer shall appoint an Administrator to administer this by-law;

2. The By-law Enforcement Officer(s) appointed by the Municipality shall enforce this by-law;

3. For the purpose of the administration of this by-law the administrator, By-law Enforcement Officer(s), or an agent or employee of the Municipality may at any reasonable time enter and inspect any land or premises, other than a dwelling or a room being used as a

dwelling to determine compliance with this by-law and policies made under this by-law, including the right to inspect waste, residual waste and any waste storage;

4. The Administrator, by a directive in writing, may direct any person to do any act in order to comply with the provisions of this by-law or any policy made pursuant to this by-law in the manner and within the time specified in the written directive.

5. Any written directive signed by the Administrator is effective if delivered personally to the person named in such directive or if sent by prepaid post or facsimile or email transmission to the most recent known address of the person named and shall be deemed to have been received by such person, in the case of facsimile or email transmission on the date after it was sent and in the case of prepaid post, on the third day after it was sent unless receipt of same is acknowledged.

6. It shall be an offence for any person to fail to refuse to comply with a written directive signed by either the Administrator or By-law Enforcement Officer pursuant to this by-law;

#### **PART 4 Disposal of Solid Waste**

Every person shall dispose of solid waste in accordance with this by-law:

##### **Material banned from disposal by Provincial Legislation**

1. No person shall dispose of or cause the disposal of the following materials at any approved solid waste disposal facility or deposit any such materials in a storage area, storage container or collection container, intended for residual waste disposal;

- redeemable beverage containers;
- newsprint;
- used tires (except as excluded from Provincial tire program);
- corrugated cardboard;
- waste paint;
- steel/tin food containers
- high density polyethylene (HDPE #2) – plastic beverage containers, food containers, detergent containers, shampoo containers, crates, boxes, pails and lids, windshield washer containers, non-hazardous household cleaners containers (not including pesticide and petroleum containers);
- low density polyethylene (LDPE#4) – industrial/commercial/institutional stretch wrap (pallet wrap);
- compostable organics
- any other materials which may be added to this list from time to time by the Province of Nova Scotia;

- household hazardous waste as described in this by-law.

### **No Illegal Dumping**

2. Except for the placement of solid waste for collection in accordance with this by-law, no person shall deposit, cause to be deposited or permit to be deposited solid waste at any place in the Municipality other than at an approved solid waste management facility designated for the applicable type of solid waste.

3. No person shall place solid waste for collection on a property other than a property owned or occupied by that person or in respect of which the person has obtained the consent of the owner or occupier for that purpose.

4. Notwithstanding the above the following depositing activities are permissible:

4.1 backyard composting, provided that:

- the composting container or pile is not located within 10 meters of any window or door of a structure on an adjacent property; and
- the activity is carried out in such a manner as not to constitute a nuisance.

4.2 the concentrated disposal of trees, brush or portions thereof or other farm or forestry waste by decay on forest or farm land, provided this activity is carried out in compliance with all applicable laws of the Province of Nova Scotia; and

4.3 the nuisance-free disposal of aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic, materials as clean fill, provided this activity is carried out in compliance with all applicable laws of the Province of Nova Scotia.

### **Ownership of Solid Waste**

5. Solid Waste lawfully placed at roadside is owned by the Municipality.

### **No Solid Waste Burning**

6. The burning of solid waste is regulated by the Nova Scotia Department of the Environment.

### **Litter Abatement**

7. As per provincial regulations, no person shall release or cause litter to be released into the environment, except in accordance with this by-law;

### **Disposal at Municipal Solid Waste Management Facilities**

8. No person shall place, cause to be placed or permit to be placed at, in or on a municipal solid waste management facility any material or quantity of material in contravention of:

8.1 this by-law or any policy of the Municipality concerning the use of a municipal solid waste management facility, including but not restricted to waste diversion policies requiring the diversion of particular types or quantities of solid waste from particular types of municipal solid waste management facility;

8.2 the direction of the operator or staff of a municipal solid waste management facility with respect to the type, method, volume, weighing, measuring, time, location or any other conditions for the placement of solid waste; and

8.3 any federal or provincial law, including any law requiring the diversion of particular types or quantities of solid waste from particular types of solid waste management facilities.

9. No person shall place, cause to be placed or permit to be placed any solid waste at or adjacent to a municipal solid waste management facility when the facility is not open or when the operator or staff of the municipal solid waste management facility refuses to accept any loads or items of solid waste;

10. No person shall place, cause to be placed or permit to be placed in a municipal solid waste management facility any solid waste:

10.1 that is not separated as required by this by-law;

10.2 that is falsely or misleadingly presented or packaged as solid waste of a particular origin; or

10.3 that is concealed within or inter-mingled with solid waste of another kind, type, stream or place of origin;

10.4 for greater certainty, solid waste that is:

a) not permitted to be placed for collection or to be delivered to a municipal solid waste management facility pursuant to this by-law; or

- b) generated outside the Municipality may not be disposed of at a municipal solid waste management facility except where the Municipality or the operator of a municipal solid waste management facility has given a person written approval to do so in advance.

### **No Accumulation of Solid Waste**

- 11. No owner or occupant of a property in the Municipality shall permit the accumulation of solid waste in or around the property to the extent that it is or is likely to become a nuisance or cause an adverse effect;
- 12. Where an owner or occupant permits the accumulation of solid waste contrary to the by-law, the Administrator may enter the property to collect and dispose of the accumulated solid waste, the expense of which will be charged to the owner or occupant.
- 13. For greater clarity, the Administrator may enter the property to collect and dispose of any uncollected solid waste scattered by animals, pests or weather that an owner or occupant fails to remove and the expense of which will be charged to the owner or occupant.

### **Municipal Collection**

- 14. Owners and occupants of every property in the Municipality that is subject to municipal collection shall ensure that all solid waste is properly stored and placed for collection and disposal;
- 15. Council may provide for general municipal collection of solid waste by its own employees or by a contractor in some or all areas of the Municipality;
- 16. Owners and occupants of every property in the Municipality that is not made subject to municipal collection are responsible for providing for the lawful collection and disposal of all solid waste in accordance with this by-law and for paying any associated collection, disposal or tipping fees;
- 17. For greater certainty, owners and occupiers of every property in the Municipality that is not made subject to municipal collection are responsible for separating solid waste in accordance with this by-law.

### **Special Collections**

- 18. Council may, at its discretion,
  - 18.1 provide for special municipal solid waste collections on an occasional basis; or

18.2 provide for municipal collection from a drop-off site of particular types of solid waste, such as discarded Christmas trees, bulky items not eligible for regular municipal collection, leaf and yard waste, household hazardous waste or other specified solid waste.

19. When providing for special collections pursuant to this by-law, Council may limit such special collection to:

19.1 particular areas of the Municipality;

19.2 properties containing not more than a specified number of residential households; or

19.3 properties generating industrial waste of a particular type or size or generating not more than a specified volume of solid waste.

#### **Private Collection**

20. No person, other than the Municipal Waste Collector, shall engage in the business of removing or collecting solid waste within the Municipality, unless he holds a valid license from the Municipality to do so.

21. A license issued under this By-law shall be valid until the first day of May following the date of its issue, unless sooner revoked or suspended as a result of violating requirements of this By-law.

#### **Separation and storage**

22. Owners and occupants of every property in the Municipality shall separate solid waste at the time and place of generation into the following waste streams;

22.1 compostable material;

22.2 recyclable materials;

22.3 residual waste;

22.4 solid waste of any type which is only accepted on the occasion of special collections shall be separated in its own waste stream.

23. Owners and occupants of every property in the Municipality shall take positive steps to ensure that all solid waste is separated in accordance with this by-law and remains separated and uncontaminated by any other type of solid waste;

24. For greater certainty, the obligations to separate and maintain separation of solid waste extends to owners, management and staff of restaurants, stores, parks, campgrounds, and other establishments serving the public, which must also provide containers to facilitate separation and non-contamination of solid waste streams by owners, management, staff and clientele as appropriate for the type of establishment;

25. Owners and occupants of every property in the Municipality shall provide sufficient and adequate space and containers for the storage, collection and disposal of any solid waste which may accumulate from time to time on the property;

26. Without limiting the generality of sections above, owners and occupants of every property in the Municipality shall provide space and containers in accordance with the following provisions:

26.1 compostable material shall be stored in organics carts or in other containers that are waterproof, impervious to domestic and wild animals and rodents and designed to avoid the entrapment of any person and such organics cart or container shall be placed or kept as far as possible from any window or door situated on an abutting or adjacent property, but preferably at a distance of at least 10 meters; and

26.2 recyclable materials and residual waste shall be stored inside buildings or in containers that are:

- a) waterproof and impervious to domestic and wild animals and rodents and designed to avoid the entrapment of persons;
- b) capable of accommodating the quantities of source-separated waste generated between collections at that location;
- c) designed and constructed such that waste remains in a source-separated condition;
- d) easily accessible to the occupants;
- e) safe for its intended uses;
- f) in the case where collection is provided at the storage location, container must be accessible to the collection truck.

27. No person shall permit the spillage, blowing or scattering of wastes within the Municipality;

28. Owners and occupants of every property in the Municipality which is eligible for municipal collection of solid waste are responsible for keeping all containers in a clean and useable state and to ensure that they are maintained so as to not become a nuisance.

29. ICI and multi-unit residential bulk commercial containers used for the collection or storage of solid waste;

29.1 shall be sturdily constructed, waterproof and impervious to domestic and wild animals and rodents;

29.2 shall be designed to avoid the entrapment of all persons;

29.3 shall be accessible to the occupants and safe for its intended users;

29.4 shall be equipped with a tightfitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;

29.5 shall be kept clean and in good state of repair;

29.6 shall not be loaded in a manner which permits waste to extend beyond the internal volume of the container when the lid is closed;

29.7 shall be labeled for the purpose of identifying what materials the container contains;

29.8 shall have sufficient space or sectioning to store solid waste separated in accordance with the provisions of this by-law in such a manner that can ensure that separated solid waste remains separated and uncontaminated by other types of solid waste;

29.9 in the case where collection is provided at the storage location, container must be accessible to the collection truck.

30. Owners and occupants of premises serviced by a bulk commercial container shall:

30.1 keep the area surrounding the container free from any type of waste;  
and

30.2 provide instruction to any tenants, visitors or employees to ensure proper separation and disposal;

31. Any solid waste that is a bulky item that has a door, lid or other apparatus that enables the bulky item to be closed, including but not limited to refrigerators and freezers, shall either be stored inside an enclosed, locked or childproof building or shall have their door, lid or other closing apparatus removed from the bulky item;

32. Where a person wishes to dispose of solid waste containing chlorofluorocarbons or hydrochlorofluorocarbons, that person must:

32.1 safely deliver the solid waste to the Municipality's facility designated to deal with chlorofluorocarbons or hydrochlorofluorocarbons to have them removed by a certified technician, or

32.2 arrange to have the chlorofluorocarbons or hydrochlorofluorocarbons removed by a certified technician and accordingly labelled by the certified technician in accordance with the Ozone Layer Protection Regulations of the Nova Scotia Environment Act and safely deliver that solid waste to the Municipality's facility designated to deal with chlorofluorocarbons and hydrochlorofluorocarbons.

### **Rules for Municipal Collection**

33. Except as authorized by the Municipality from time to time, including but not restricted to public education documents published in connection with special collection days, persons placing solid waste for municipal collection shall comply with the following:

33.1 solid waste shall be placed for collection at roadside edge directly in front to the property that is the source of the solid waste and shall be placed in such a manner as to interfere as little as possible with pedestrian traffic and snow removal, the distance shall not exceed 3 meters from the edge of the travelled portion of the roadway, unless otherwise directed by the Municipality;

33.2 solid waste shall be placed for collection by 7:00 a.m. on the day of collection;

33.3 solid waste shall not be placed for collection more than 1 day before the collection date for that property and for the appropriate type or stream of solid waste;

33.4 during special collections, materials for roadside collection shall be set out no earlier than 7 days prior to a special collection;

33.5 uncollected solid waste and any solid waste scattered by animals, pests or weather shall be removed by the owner or occupant of the property from which that solid waste was placed for collection not later than 9:00 p.m. on the collection date of that property;

33.6 residual waste collection containers and organic collection carts shall be removed from the roadside by the end of collection day, except in the case of permanent waste storage containers. Permanent waste storage containers shall comply with this by-law. Organics collection carts shall be removed from roadside and stored on premises. The cart shall be secured to prevent it from being blown into the roadway.

33.7 Residual waste shall be placed for collection in securely tied, plastic, waterproof bags, two of which may be opaque bags (black, green, white, etc.), all remaining residual waste must be in clear bags and shall not exceed a weight of 15 kilograms per bag. Not more than a combined total of 5 bags, consisting of bags of residual waste and bags of recyclables, shall be placed for collection on any one collection day;

33.8 recyclable materials shall be placed for collection in securely tied, blue tinted, plastic, waterproof bags and shall not exceed a weight of 15 kilograms per bag. Not more than a combined total of 5 bags, consisting of bags of residual waste and bags of recyclables, shall be placed for collection on any one collection day;

33.9 residual waste and recyclable material may be placed for collection in waste collection boxes located on the roadside, provided that:

- a) all residual waste and recyclable material are properly bagged as required by this by-law;
- b) the box is impervious to domestic and wild animals, rodents, insects and is designed to avoid the entrapment of persons;
- c) the box has a securely hinged lid or lids;
- d) the box has a support to hold the lid open while the contents are being emptied;
- e) the box is not buried by snow and ice to the extent that it cannot be collected in a safe manner by the municipal collector;
- f) the solid waste is placed within the box in accordance with all other requirements of this by-law, including separation of solid waste streams and placement in specified bags;

33.10 All compostable materials as defined by Council from time to time shall be placed in a green cart, kitchen bin, compostable brown bag or biodegradable plastic bag bearing the BPI tree and leaf symbol and placed at roadside for collection on the designated collection day. One green cart is permitted per household.

33.10.1 Compostable material and organics shall be placed for collection in organics carts containing a load weight of no more than 100 kg, bundles of brush securely tied and weighing no more than 15 kg with no individual pieces of material greater than 5 cm in diameter or longer than 1.2m;

33.11 Bulky items may be placed at roadside for collection, provided that:

33.11.1 maximum of 1 bulky item shall be collected from all dwellings and commercial, industrial and institutional establishments within the Municipality on a daily basis at the same time as the municipal waste collection. Bulky items shall include refrigerators, stoves, washing machines, furniture, mattresses, rugs, etc.

33.12 In the case of multi-unit apartment buildings, the owner shall provide a storage enclosure for source separated waste in an easily accessible location on the building's property for tenants. Waste shall be placed at roadside for collection in-keeping with maximum IC&I collection limits. The building owner is responsible to provide waste collection for all waste exceeding municipal limits;

33.13 Collection will only take place on public or municipal streets and roads which are maintained by Nova Scotia Transportation and Active Transit (NSTAT) or the Municipality. For all other roads the source separated waste must be brought to the nearest intersection with a public street or road and placed in accordance with this by-law for collection or to a drop off depot provided by the Municipality.

#### **Solid Waste not permitted for Municipal Collection**

34. Except where authorized by the Municipality, no person shall place for collection:

- hazardous waste;
- sharps;
- pathological waste;
- hospital and pharmaceutical waste;
- asbestos;
- septic waste;
- hot ashes;
- dead animals carcasses larger than 10 kg
- industrial waste, including non-residential, farm, forestry or fishing waste;
- materials that are prohibited from disposal by municipal collection by the laws of the Province of Nova Scotia;
- solid waste generated outside the Municipality;
- construction and demolition debris; and
- other materials or solid waste as may be identified as unacceptable for municipal collection by the Municipality, including but not restricted to identification in public education documents distributed by the Municipality from time to time.

## **Inspection and Rejection Guidelines**

35. Waste set out for collection shall be subject to inspection by the municipal collector or by the Administrator, By-law Enforcement Officer or an agent, or employee of the Municipality. Waste found not to be source separated according to this by-law may be rejected and not collected;

## **Part 5 Owner and Occupant Responsibilities**

1. The responsibility for the management of waste in industrial, commercial & institutional (IC&I) premises, multi-unit dwellings, and campgrounds is shared by the property owner and the occupant as follows:

2. Property owner's responsibilities

2.1 The property owner shall:

2.1.1 provide waste storage as set out in this by-law;

2.1.2 ensure that waste is placed at roadside by 7:00 a.m. for municipal collection on collection day;

2.1.3 maintain waste storage in a clean and tidy condition at all times, both inside and outside, including immediate surroundings;

2.1.4 ensure that collection containers and uncollected waste, including litter produced from set out waste by pests, weather conditions or otherwise are removed from roadside by the end of collection day; and

2.1.5 abide by all directives of the By-law Enforcement Officer with regards to the handling of waste.

### **Occupant's responsibilities**

3. The occupant shall:

3.1 sort all waste generated in the occupant's unit as provided for in this by-law;

3.2 between collections, place sorted materials in the storage provided by the property owner; and

3.3 abide by all directives of the By-law Enforcement Officer with regards to the handling and sorting of waste.

## **Part 6 Industrial, Commercial & Institutional (IC&I)**

### **In Industrial, Commercial & Institutional (IC&I) Waste**

1. The property owner or occupant of premises which generate IC&I waste shall either personally or by employees, contractors or agents and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste exceeding limits collected by the Municipality.

1.1 Residual waste shall be placed for collection in securely tied, plastic waterproof bags, five of which may be opaque bags (black, green, white, etc.), all remaining residual waste must be in clear bags and shall not exceed a weight of 20 kilograms per bag. Not more than a combined total of 12 bags, consisting of bags of residual waste and bags of recyclables, shall be placed for collection on any one collection day;

1.2 recyclable materials shall be placed for collection in securely tied, blue tinted, plastic, waterproof bags and shall not exceed a weight of 20 kilograms per bag. Not more than a combined total of 12 bags, consisting of bags of residual waste and bags of recyclables, shall be placed for collection on any one collection day;

1.3 organic waste shall be placed for collection in green carts. No more than 2 green carts shall be permitted per premise.

### **Commercial containers**

2. Any person who supplies and/or uses a commercial container for temporary storage of waste shall ensure that such commercial container;

2.1 is sturdily constructed of weatherproof and animal proof material and is capable of containing the material deposited within;

2.2 is equipped with a tightfitting lid with a positive closing device which shall be kept closed except when container is being loaded or unloaded; and

2.3 is cleaned out regularly, as necessary, to avoid the build-up of odours.

3. The owner of any premises on which a commercial container is placed shall ensure that:

3.1 any such container is kept in a manner that is not unsightly and does not cause a nuisance or health related problem; and

3.2 that the area around the container is maintained free from litter and waste.

4. No person shall place waste in any commercial container without permission of the owner of the container;
5. Commercial organic containers or carts must be emptied on a weekly basis. Organics may be collected in biodegradable plastic bags bearing the BPI tree and leaf symbol.
6. IC&I waste is subject to inspection by the Administrator or delegate or By-law Enforcement Officer for compliance with this by-law;
7. The property owner or the renter of a commercial storage container or structure shall ensure that materials are placed in the storage container in a source separated condition;
8. The hauler collecting a commercial storage container shall ensure that source separated waste is maintained in a source separated condition and deposited separately at the appropriate facility;
9. Containers for IC&I recyclables shall be blue tinted plastic bags. Corrugated cardboard can be bundled separately from the other recyclable materials;
10. Containers for IC&I residual waste shall be opaque or clear plastic bags.

### **Construction and Demolition Waste**

11. All waste resulting from construction and demolition of any kind, including renovation or repair, except the waste which may be eligible for municipal collection pursuant to this by-law, shall be promptly removed and disposed of in an approved disposal site licensed for the disposal of construction and demolition waste;

11.1 The property owner or occupant of the premises shall both personally or by employees, contractors or agents promptly remove and dispose of any construction and demolition material generated on the premises in compliance with all applicable Federal, Provincial, Municipal Laws and Regulations.

### **Part 7 Offense and Penalty**

1. Every person who violates or fails to comply with any of the provision of this by law shall be liable, upon conviction, to the following:

- 1.1 For the first offence, a fine of One Thousand Dollars (\$1,000.00)
- 1.2 For the second offence, a fine of Two Thousand Dollars (\$2,000.00)
- 1.3 For the third offence, a fine of Five Thousand Dollars (\$5,000.00)

#### **Part 8 Repeal**

1. All former By-laws of the Municipality heretofore enacted relating to collection, Storage and disposal of refuse are hereby repealed.

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