

Bylaw No. 15

Town Of Mulgrave

Collection of Solid Waste and Recyclable Materials By-Law

Title

- 1.0 This Bylaw is entitled the “Collection of Solid Waste and Recyclable Materials Bylaw

Definitions

- 2.0 In this Bylaw, unless the context otherwise requires, the expression:
Bylaw”
- 2.1 “**bulk items**” means, but is not limited to, large items of a household nature such as furniture, stoves, furnaces, fridges, dishwashers, washers, dryers, mattresses, bed springs, barrels, water tanks, pieces of fencing, fuel tanks less than 200 gallons and Christmas trees. Bulk items do not include automobile parts and accessories or tires.
- 2.2 “**compost materials**” means, but is not limited to, organic matter such as vegetables, fruit, garden and yard waste, coffee grounds and filters, tea bags and leaves, hay or straw, sawdust, crushed nutshells and food scraps and spoiled or waste food or food stuff, excluding meat, fish, eggs or dairy products.
- 2.3 “**composting**” means the storage and controlled biological aerobic decomposition of organic matter such as vegetables, fruit, garden and yard waste and any other compost materials.
- 2.4 “**construction debris**” means, but is not limited to, materials that are normally used in the construction, repair, alterations, maintenance and demolition of buildings, structures, roadways, walls, and other landscaping material such as plastic, wood, glass, metals, mortar, concrete, brick, asphalt, asphalt shingles, soil, cellulose, fiberglass fibers, gyproc or vinyl and such other materials as may be permitted from time to time by regulations of the Province of Nova Scotia for disposal at a disposal site for construction and demolition debris.
- 2.5 “**contract**” means the agreement entered into by the Town of Mulgrave and a person, persons or company to collect solid waste and recyclable materials in the Town of Mulgrave.
- 2.6 “**contractor**” means the person, persons or company under contract with the Town of Mulgrave to collect solid waste and recyclable materials within the Town of Mulgrave.

- 2.7 **“household hazardous waste”** means waste-resource materials of a potentially hazardous nature generated in households and includes for example, products such as solvents, glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene, pesticides, lawn and garden chemicals, poisons, roofing tar, pool chemicals, household batteries, and automotive fluids.
- 2.8 **“Industrial/Commercial/Institutional Waste”** or **“ICI”** means residual waste and/or recyclable materials generated by the ICI sector.
- 2.9 **“occupant”** includes tenant, householder, proprietor, person in possession and/or owner.
- 2.10 **“recyclable materials”** means, but is not limited to, redeemable beverage containers, corrugated cardboard, newsprint, milk containers, or any items banned for disposal at the landfill site by the Nova Scotia Department of Environment or the Town of Mulgrave.
- 2.11 **“self-contained dwelling unit”** means apartments, duplexes, triplexes, flats or other self contained residential living environments located within residential units, apartment buildings, attached or semi-attached buildings within the Town of Mulgrave.
- 2.12 **“solid waste”** means garbage, refuse, sludge, rubbish, tailings, debris, litter and other discarded materials resulting from residential, commercial, institutional and industrial activities which are commonly accepted at municipal solid waste management facilities, but excludes wastes from industrial activities regulated by an approval issued under the Environment Act.
- 2.13 **“solid waste and recyclable materials collection charge”** means an annual charge levied upon the property owner of a residential dwelling unit and/or the property owner of self-contained dwelling units and/or the property owner of an Industrial/Commercial/Institutional unit.
- 2.14 **“town”** means the Town of Mulgrave.
- 2.15 **“waste-resource”** means all those materials managed by or on behalf of the town and/or the town’s designated Landfill Operator as recyclable, compostable, household hazardous waste, or residual waste.

3.0 **Storage**

- 3.1 No occupant shall permit the accumulation of solid waste, recyclable materials, organic material, banned materials or hazardous waste in or around a premises to the extent that it is or is likely to become unsightly a nuisance or endangerment to public health.

- 3.2 The occupant of any premises shall, at their own expense and to the satisfaction of and as directed by the town, clean-up and remove solid waste from their premises.
- 3.3 Every occupant and every operator of a business establishment or institution shall, at their own expense, make adequate arrangements for the storage of solid waste and recyclable materials in such a manner that is impervious to animals.
- 3.4 Homeowners must compost their organic materials in a backyard composter and business establishments and institutions must either compost their organic material or deliver their compost material to an appropriate facility.
- 3.5 Homeowners should provide a storage box at roadside for solid waste and recyclable materials; however, fridges and freezers shall not be used for this purpose.
- 3.6 Residual waste and recyclable materials shall be put out for collection in plastic bags of standard size (approximately 25" x 35") and of a thickness that allows for unbroken removal by the contractor in accordance with the following instructions: Only unmarked, transparent blue or clear bags may be used for recyclable materials; only clear bags of standard size (approximately 25" x 35") may be used for residual waste, which may include one solid color bag, up to the size of approximately 20" x 22" (kitchen catcher size) which may be placed in the clear bag.

4.0 Collection

- 4.1 Residual waste and recyclable material collection will be provided for residential dwelling units and self-contained dwelling units and the ICI sector, subject to provisions 3.2 and 3.4 of this By-Law.
- 4.2 With the exception of provision 3.4 of this By-Law, the town's collection contract does not include the collection of waste-resources from the ICI sectors. The property owner or occupant of ICI premises which generate waste resources 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 said waste and shall be responsible to pay the related tipping fees issued by the designated landfill site operator.
- 4.3 Residual waste and recyclable containers and bundles shall be placed for collection by the side of the road in front of the premises where it was accumulated, and as close as practical to the driving surface of the designed route unless specified elsewhere by the town. Solid waste or recyclable materials will not be collected from roadside ditches.
- 4.4 A maximum of ten (10) bags, containers or bundles and a total weight not exceeding seventy kilograms (70 kg) or one hundred fifty pounds (150 lb) of residual waste and/or recyclable materials shall be collected in accordance with the town's collection

- contract for each residential dwelling unit, self-contained dwelling unit, and ICI premises.
- 4.5 Cardboard, newspaper, magazines and wastepaper for recycling **MUST** be tightly compressed and flattened and securely tied with strong twine or rope in convenient bundles not to exceed twenty-three kilograms (23 kg) or fifty pounds (50 lb) in weight and shall not be more than two feet (2') in diameter and four feet (4') in length.
- 4.6 Boards, lumber, building materials and brush shall be placed in containers or secured in bundles with strong twine or rope. Each container or bundle shall not exceed twenty-three kilograms (23 kg) or fifty pounds (50 lb) in weight and shall not be more than two feet (2') in diameter and four feet (4') in length. Residents are encouraged where possible to use, compost or handle this type of material on their own property.
- 4.7 Construction debris will not be collected under the town's collection contract. Occupants of residential dwelling units and self-contained dwelling units shall be responsible for the storage and delivery costs associated with construction debris. Construction debris must be disposed of at the town's designated landfill site. The occupant shall further be responsible for the sorting and disposing requirements of the designated landfill site operator and also for related tipping fees issued by the designated landfill site operator related to residential construction debris.
- 4.8 Solid waste or recyclable containers or bundles shall not be placed for collection before 5:00 a.m. of the day on which such collection is to be made.
- 4.9 Homeowners, business establishments and institutions shall ensure that any material placed at roadside for pickup by the town's contractor is placed in a container weighing not more than twenty-three kilograms (23 kg) or fifty pounds (50 lbs) with a bag size not greater than seventy nine (79 cm) x one hundred and twenty two (122 cm) or thirty one (31 in) x forty eight (48 in). Containers and/or plastic bags shall be of adequate strength to allow the container or bag to be removed from the roadside or storage box and placed in the truck.
- 4.10 All residual waste and recyclable materials shall be adequately drained of liquid and securely wrapped before being placed for collection.
- 4.11 Bulk items, as defined by this By-Law, may be placed at curbside on the day of collection.
- 4.12 All containers or bundles of residual waste placed at roadside for collection by the town's contractor of solid waste materials which contains banned items will be left at roadside with the appropriate sticker placed on the container or bundle indicating why it was not collected, and the occupant will be responsible for sorting the material and placing it for collection in the manner required under this By-Law.

- 4.13 All solid waste or recyclable materials placed for collection in a manner not provided for by this By-Law will not be collected. All such solid waste or recyclable materials not collected **MUST** be removed from the front of the premises not later than 8:30 p.m. of the day on which it was placed for collection.
- 4.14 Wrecked or derelict motor vehicles, motor vehicle bodies or parts shall **NOT** be included with residual waste or recyclable materials for collection and are not considered to be "Bulk Items" which can be picked up by the town's contractor.
- 4.15 No solid waste of a hazardous or household hazardous nature shall be placed for collection or deposited at the town's designated Landfill Site except antifreeze, waste paint, household cleaners, or lead/acid batteries which may be delivered to the site by the generator (occupant) and placed in the appropriate designated zones. Hazardous waste includes, but is not limited to, explosives or combustible materials, radio active corrosive or toxic materials and biological waste.

5.0 Composting

- 5.1 No compost materials shall be placed at roadside for collection. Compost materials shall be placed in a compost receptacle located in the rear yard no closer than three (3) meters from the adjoining property boundaries.
- 5.2 All homeowners are responsible for obtaining a backyard compost receptacle(s).

6.0 Disposal

- 6.1 Any and all residual waste originating within the Town of Mulgrave shall be disposed of at the town's designated landfill site.
- 6.2 Any and all recyclable materials originating within the Town of Mulgrave and placed at roadside for collection shall be deposited at an Enviro Depot or Material Recovery Facility as designated by the town.
- 6.3 Occupants of residential dwelling units and self-contained dwelling units within the Town of Mulgrave wishing to dispose of additional quantities of residual waste and/or solid waste or other items not covered under the town's collection contract, may do so at the town's designated landfill site provided that the occupant obeys the sorting and disposing requirements of the designated landfill site operator. The occupant shall be responsible for the shipping and related costs of materials to the designated landfill site and will also be responsible for related tipping fees issued by the designated landfill site operator.

7.0 Prohibitions

- 7.1 **Illegal Dumping**

No person shall dispose of waste-resources in the Town of Mulgrave except at facilities designated by Sections 19 and 31 of the provincial Solid Waste-Resource Management Regulations or, where such permission is not required, as may be permitted by this By-Law.

7.2 Waste-Resource Burning

No person shall burn waste-resources in the Town of Mulgrave in a barrel, stove or other device or in the open as a method of waste disposal, except for brush, tree limbs and milled wood that is free from adhesives, coatings and preservatives, but only when and where such exceptional burning is permitted by law.

7.3 Materials Banned from Disposal by Provincial Legislation

No person shall dispose of the following BANNED materials in any landfill or incinerator:

- Electronic waste;
- Redeemable beverage containers;
- Newsprint;
- Used tires;
- Corrugated cardboard;
- Waste paint;
- Steel/tin food containers;
- Compostable organics;
- Household hazardous waste;

The above list is subject to change as Provincial Legislation determines and/or the town determines.

7.4 Interference

No person(s), other than employees or a contractor of the Town of Mulgrave authorized to do so, shall pick over, remove, disturb, or otherwise interfere with any materials, whether residual waste, recyclable materials, or bulk items, placed for removal by the town, whether or not it is contained in containers or bundles.

7.5 Improper Storage

It shall be an offense against this bylaw for any person to place any residual waste or recyclable materials for collection in any type of container or in any manner not provided for by this bylaw.

8.0 Solid Waste And Recyclable Materials Collection Charge

- 8.1 (a) Every owner of a residential dwelling unit and/or self-contained dwelling unit(s) within the Town of Mulgrave shall pay to the town an annual solid waste and recyclable materials collection charge for the collection of solid waste and recyclable materials.
- (b) Every owner of an ICI unit within the Town of Mulgrave shall pay to the town an annual recyclable materials collection charge for the collection of recyclable materials.
- 8.2 The solid waste and recyclable materials collection charge shall recover, in whole or in part, the current fiscal year expenses associated with residential solid waste and residential and ICI recycling material collection, handling and disposal. The amount to be recovered shall be determined by the Council of the Town of Mulgrave as part of its annual budgeting process.
- 8.3 The solid waste and recyclable materials collection charge shall be calculated by dividing the total number of residential dwelling units and self-contained dwelling units and ICI units located within the Town of Mulgrave by the recoverable amount determined in provision 7.2 of this By-Law.
- 8.4 (a) The solid waste and recyclable materials collection charge shall be applied to the town's annual residential property tax bills in an amount proportionate to the number of self-contained dwelling units contained on individual property tax accounts. For example, the occupant/owner of a single residential dwelling unit will have one solid waste and recyclable materials collection charge as determined under this By-Law applied to their annual property tax bill(s), while the owner/occupant of a duplex would have two solid waste and recyclable materials collection charges applied to their annual property tax bill(s).
- (b) The recyclable materials collection charge shall be applied to the town's commercial property tax bills in an amount proportionate to the number of ICI units contained in an individual commercial property tax account.
- 8.5 The solid waste and recyclable materials collection charge shall be subject to the same terms and interest rates as taxation bills levied on real residential taxes issued by the town.
- 8.6 The solid waste and recyclable materials collection charge is a lien on the whole of the property subject to the solid waste and recyclable materials collection charge in the same manner and with the same effect as rates and taxes under the *Assessment Act*.
- 8.7 The solid waste and recyclable materials collection charge and interest thereon may be sued for and collected in the same manner as other rates and taxes within the town.

- 8.8 It is intended that this solid waste and recyclable materials collection charge will be based on twelve (12) months of service. Owners of residential dwelling units and/or self-contained dwelling units and/or ICI units may apply to the Town of Mulgrave for a refund or credit for each full month a residential dwelling unit and/or self-contained dwelling unit and/or ICI unit is vacant during the twelve (12) month period.
- 8.9 Property is liable to be sold for unpaid solid waste and recyclable materials collection charges in the same manner and with the same effect as for unpaid rates and taxes pursuant to the *Assessment Act*.
- 8.10 Any person who contravenes any provision of this By-Law is guilty of a summary offence and liable to a fine of two hundred-fifty dollars (\$250.00) and, in default of payment thereof, to imprisonment for a period not exceeding ninety (90) days.
- 8.11 All other By-Laws respecting the collection and handling of solid waste (garbage) and recyclable materials heretofore passed by the Municipal Council of the Town of Mulgrave are hereby **REPEALED** as of the effective date of this By-Law.

Date of first reading:	May 3, 2010
Date of advertisement of notice of intent to consider:	August 18, 2010
Date of second reading:	September 7, 2010
Date of advertisement of passage of bylaw:	October 2, 2010
Date of mailing to minister a certified copy of bylaw:	October 3, 2010

I, Hugh Landry, Chief Administrative Officer of the Town of Mulgrave do hereby certify that the foregoing is a true copy of a bylaw pertaining to the Collection of Solid Waste and Recycling Materials Bylaw duly passed by the full Council of the Town of Mulgrave at a meeting duly held and convened on the ____ day of ____, ____.

Chief Administrative Officer

DATED at Mulgrave, in the County
of Guysborough, Nova Scotia, this
____ day of ____, A.D., ____