

**Town of Antigonish  
Solid Waste Management Bylaw**

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### Solid Waste-Resource Management Regulation

- Sections 30, 31, 36 and 37
- Schedule B (Provincial Designated Materials Ban List)

## 1.0 DEFINITIONS

In this Bylaw:

- 1.1. **“backyard composter”** means an enclosed container with sides and a lid approved by the Town designed for backyard composting;
- 1.2. **“backyard composting”** means composting organic materials excluding meat, fish, bones, dairy and other proteins and fat at a property where the compostable organic material was generated by residents of the property;
- 1.3. **“boxboard”** means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items, with plastics removed;
- 1.4. **“bulky items”** or **“bulky waste”** means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, oil tanks, and lawn furniture;
- 1.5. **“collection containers”** means a bag, green cart or other container approved by the Town pursuant to this Bylaw;
- 1.6. **“collector”** means the individual or company who has agreed to provide any waste-resource collection service;
- 1.7. **“commercial waste-resource storage container”** or **“commercial storage container”** means any container purchased, rented, loaned, donated, sponsored or constructed for the purpose of storing any waste-resource on any premises in the Town to provide space necessary to contain waste-resources including Construction and Demolition Debris for a temporary period at the end of which it is intended to be processed, used, transported, treated or disposed of;
- 1.8. **“commercial zones”** means any part of the Town in which the primary land use is **commercial** activities;
- 1.9. **“commercial property”** means the same as in the Nova Scotia Assessment Act, which is all ‘assessable’ property or part thereof except residential property and resource property;
- 1.10. **“compostable organics”** or **“organics”** means food waste, leaf and yard waste, soiled and non-recyclable paper and boxboard, branches and bushes, and other material of plant or animal origin as designated by the Town from time to time, but does not include a whole companion animal or livestock carcasses or parts thereof that may create hazards or nuisance except as approved by compost facility operation guidelines;
- 1.11. **“construction and demolition debris”** or **“C&D”** means materials normally used in the construction, repair and excavation of buildings, structures, roadways, walls and other landscaping activities, but is not limited to, soil, asphalt, brick, mortar, concrete, drywall, plaster, cellulose, fiberglass fibers, lumber, wood, asphalt shingles, and metals;
- 1.12. **“council”** means the Council of the Town of Antigonish;
- 1.13. **“curbside”** means the edge of a public sidewalk, street or roadway between the traveled portion of the right-of-way and the property line which parallels the street line;

- 1.14. **“designated disposal site”** means the Guysborough Waste Management Facility, for which there is a valid contract between the Town of Antigonish and the Municipality of the District of Guysborough for the placement of all residual waste generated within the Town and other locations approved by the Town;
- 1.15. **“dispose”** means the actions of dumping, abandoning, placing, or leaving or the causing or permitting of any of these actions with respect to any Solid Waste on any property within the jurisdiction of this Bylaw;
- 1.16. **“dwelling”** means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units, and shall not include a hotel, a motel, apartment hotel, a travel trailer or a motor home;
- 1.17. **“dumpster”** means a commercial waste-resource storage container designed to hold residual or source separated waste-resources to be mechanically tipped or hoisted onto a specially equipped truck for emptying or hauling away;
- 1.18. **“eligible premises”** means those properties within the jurisdiction of the Town, which are eligible for Town Collection as prescribed by this Bylaw;
- 1.19. **“non-residential building”** means all buildings where waste-resources are generated other than a dwelling, including but not limited to warehouse and industrial buildings, commercial buildings, buildings for public entertainment, hotels, restaurants, education buildings, health buildings;
- 1.20. **“food waste”** means without limitation, fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, eggshells, coffee grounds and filters, tea leaves and bags or other similar items;
- 1.21. **“green cart” or “organics collection cart”** means a container approved by the Town to use for the temporary storage of compostable organics between collections;
- 1.22. **“hazardous waste”** means solid or liquid waste that may be harmful to humans, animals, plant life or natural resources including, but not restricted to, industrial chemicals, toxic, flammable, corrosive, radioactive, reactive, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid, pesticides and insecticides;
- 1.23. **“household hazardous waste” or “HHW”** means waste-resource materials of a potentially hazardous nature generated in 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. For the purposes of this Bylaw, household hazardous waste does not include PCBs, radioactive materials, explosives, fireworks, pathological wastes, and ammunition;
- 1.24. **“Illegal dumping”** means the act of abandoning solid waste resources, source separated or not at any public or private location other than an approved designated disposal facility, or another place intended or approved for receiving such material;
- 1.25. **“industrial/commercial/institutional waste” or “IC&I waste”** means solid waste generated by the IC&I sector from all activities excluding construction and demolition waste, also solid waste generated from a residential property with more than four (4)

**residential tenancies.**

- 1.26. "**IC&I premises**" means a commercial property or lot of land occupied by one or more industrial, commercial or institutional establishments and "**IC&I sector**" has an equivalent meaning with reference to that economic sector;
- 1.27. "**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, saw dust, wood shavings, trees and stumps, grass clippings and leaves, but excludes construction and demolition waste and contaminated organic matter;
- 1.28. "**leaf and yard waste bag**" means a paper container approved by the Town for the storage of leaf and yard waste;
- 1.29. "**litter**" means any material left or abandoned in a place other than a receptacle or place intended or approved for receiving such material and "littering" has a corresponding meaning;
- 1.30. "**litter can**" means a receptacle owned by the Town, placed on Town property along public streets or parks for the disposal of waste generated at the same location;
- 1.31. "**lodging home**" or "**rooming house**" or "**boarding house**" means a dwelling unit with a set of living quarters containing 5 or more **lodging units**, which is not open to the travelling public, and which does not include a home for special care or General Accommodations;
- 1.32. "**lodging unit**" means one or more rooms, in a **lodging home** or rooming house or boarding house, provided in return for remuneration, used or designated to be used for sleeping accommodation. Lodging units may contain cooking or sanitary facilities, but not both;
- 1.33. "**medical waste**" means solid waste that is generated in the diagnosis or treatment of humans or animals that contains fluids, sharps or another substance or object that is not permitted for curbside collection and requires special disposal by the generator or user;
- 1.34. "**mini-bin**" means a small container that can be used for the collection of compostable organics prior to deposit in a **green cart**;
- 1.35. "**mobile vendor**" means any person who owns, leases, or borrows, a motor vehicle or trailer, as defined and licensed under the Motor Vehicle Act; and from that vehicle or trailer sells, or offers for sale goods, merchandise, or a service, or who advertises or takes orders for goods or services;
- 1.36. "**municipal solid waste**" has the same meaning as in the *Solid Waste-Resource Management Regulations* made pursuant to the *Environment Act* as follows, "municipal 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 a municipal solid waste management facility, but excludes wastes from industrial activities regulated by an approval issued pursuant to the Environment Act and "**solid waste**" and "**solid waste-resources**" shall have an equivalent meaning;
- 1.37. "**notice of violation or summary offence ticket**" means an administrative monetary

penalty issued by the Town for violating this Bylaw which, if paid as required, will result in no prosecution for the offence being commenced by the Town;

- 1.39 “nuisance odor”** means a smell which is so offensive and prolonged that it significantly interferes with the enjoyment and use of the surrounding property;
- 1.39. “occupant”** means any person who occupies property, including lands or buildings, and includes a tenant, lessee, roomer, subtenant, under-tenant, or co-tenant, or who otherwise occupies or has occupied land or buildings and his or their assigns and legal representatives;
- 1.40. “oil tanks”** means residential oil tanks, cleaned and empty of all liquids to a maximum size of 900 litres;
- 1.41. “order”** means a written direction requiring any person to comply with a provision of this Bylaw;
- 1.42. “pathological waste”** means any part of the human body except hair and nail clippings and the like, any part of a dead animal infected with a communicable disease, and non-anatomical waste infected with communicable disease;
- 1.43. “person”** includes individuals, corporate bodies and all other types of organizations or entities;
- 1.44. “premises”** includes any building, place, dwelling, room or rooms, apartment, hotel, motel, restaurant, shop, store, office, parking lot and any tract of lands connected therewith and the lands under separate occupation or control;
- 1.45. “privacy bag”** means an opaque-coloured bag used to contain small personal items not banned from disposal such as sanitary products;
- 1.46. “property owner” or “owner”** has the same meaning as “owner” as defined in the *Municipal Government Act* and, for greater certainty, includes a landlord, a leaser, an owner, the person giving or permitting the occupation of premises, his and their heirs and assigns and legal representatives and, in the case of a corporation, the officers and directors of that corporation;
- 1.47. “public waste”** means Solid Waste generated on or in premises where the public is or would normally be responsible for disposing of waste including, without limitation, enclosed or exterior shopping centres, malls, food courts, quick-service or counter-service restaurants, sports arenas, office or other commercial premises, retail premises, private or public parks or campgrounds, and inside or outside public event venues;
- 1.48. “receptacles”** means temporary or permanent waste-resources containers used to deposit and temporarily store source separated waste-resources;
- 1.49. “recyclable materials” or “recyclables”** means **“recyclable paper”** such as clean newsprint, corrugated cardboard, boxboard and other clean paper products and **“other recyclables”** such as redeemable beverage containers, milk cartons, glass bottles and jars, metal food containers and cans, aluminum cans, aluminum foil plates and trays, high density polyethylene plastic containers (HDPE #2), low density polyethylene plastic containers (LDPE #4), and polyethylene terephthalate plastic bottles (PET #1), plastic bags (#2 and #4) and pallet wrap. Other items may be designated by the Town for inclusion in the recycling program, which may be amended from time to time;

- 1.50. **“redeemable beverage container”** means a container of less than five (5) liters which contains or has contained a beverage that was sealed by the manufacturer after the beverage was placed in it, other than a container for milk, milk products, soya milk or concentrates;
- 1.51. **“residential tenancies”** means any house, dwelling, condominium, apartment, flat, tenement, mini-home, mobile home, mobile home park, mobile home space or any property that is occupied or may be occupied by an individual as a residence or part of any such place, and includes any such property or premises occupied by an Owner and family; and to which the *Residential Tenancies Act* applies, but does not include IC&I premises;
- 1.52. **“residual waste”** or **“residuals”** means any solid waste remaining after source separating all recyclable materials, compostable organics, hazardous waste and other materials banned from disposal according to this Bylaw;
- 1.53. **“soiled and non-recyclable paper”** means dinner napkins, paper towels and fast-food wrappers and boxes, wax paper, parchment paper, soiled pizza boxes, paper plates, damp and soiled newspaper, flyers, sugar, flour & potato paper bags or other similar items or such other items that may be added according to this Bylaw;
- 1.54. **“solid waste”** and **“waste”** have the same meaning as **“municipal solid waste”**;
- 1.55. **“source separated solid waste”** or **“source separated waste-resource materials”** means solid waste or waste-resources which have been sorted and separated at the point of origin, to facilitate their reuse, recycling, composting or disposal; for greater clarity, references to ‘source separation’ and ‘source separation of solid waste’ or source separation of waste-resources’ have the same meaning;
- 1.56. **“special collection”** means a collection arranged by the Town for bulky items, leaf and yard waste and any such other materials as may be determined from time to time by the Town;
- 1.57. **“special constable”** means an employee of the Town of Antigonish, Eastern Region Solid Waste-Resource Management Committee or another agency who has been appointed by Council to enforce this Bylaw;
- 1.58. **“special event”** means a planned temporary private or public function on public or private property;
- 1.59. **“storage compound”** or **“storage facility”** means any building, structure, enclosure or other facility constructed, purchased or rented, or otherwise utilized for space necessary to contain one or more storage containers for source separated waste-resources, for a temporary period at the end of which it is intended that the source separated waste-resources will be processed, used, transported, treated, or disposed of;
- 1.60. **“storage container”** is a purchased or rented structure, or bin, used to store a single category of waste resources, otherwise utilized, or intended to be used for, the temporary holding or storage of source separated solid waste. For the purpose of this Bylaw, green carts and dumpsters are also considered a storage container;
- 1.61. **“street”** means any public road or public area including the sidewalk vested in the Town;
- 1.62. **“Town”** means the Town of Antigonish, or any person, firm or corporation acting on its behalf;

- 1.63. **“unsorted solid waste”** means solid waste that contains materials banned from landfill according to this Bylaw;
- 1.64. **“waste-resources”** means all those materials managed by or on behalf of the Town as recyclable materials, compostable organics, household hazardous waste, C&D debris or residual waste. **“Public waste-resources”** means waste resources generated by public premises activities. **“Residential”**; **“IC&I”** and **“C&D Debris” waste-resources** have similar meaning specific to waste-resources generated by activities at that location; and
- 1.65. **“Waste-Resource Management Centre”** or **“Centre”** means a facility designated by the Town for receiving, storing, sorting and shipping specific waste-resources.

## 2.0 GENERAL PROHIBITIONS

### 2.1 Illegal Dumping of Solid Waste

- 2.1.1 No person shall Dispose of or permit the Disposal of, dump, place, leave, abandon, or deposit Solid Waste, source separated or not, at any public or private premises in the Town unless that premises is duly licensed or approved by the Town to receive and manage that particular category of Solid Waste.
- 2.1.2 No person other than the Owner or Occupant of a residential tenancy eligible for curbside collection may place solid waste at its curbside for residential collection. Further, the solid waste placed curbside for collection must have been generated from the eligible premises, except litter collected by the owner or occupant. For further clarification, the Owner or Occupant of an eligible residential tenancy is prohibited from placing solid waste generated from the ICI sector at their curbside for residential collection.
- 2.1.3 No person shall abandon or dispose of Waste Resources generated from a vehicle, residential or commercial premises including mobile vendors, into a litter receptacle owned by the Town.
- 2.1.4 No person shall place Solid Waste, source separated or not, in any Storage Container or Dumpster without permission of the Property Owner or Person responsible for the storage container.

### 2.2 Illegal Dumping of Solid Waste at Waste-Resource Management Centre

No person shall Dispose of Solid Waste, source separated or not, on the lands of a Waste-Resource Management Facility or any other facility licensed to receive any category of waste except during operational hours and in the location directed by the Centre or facility.

### 2.3 Illegal Burning of Solid Waste

No person shall burn Solid Waste, source separated or not, in the Town.

### 2.4 Disposal of Banned Materials

No person shall Dispose or cause the disposal of any of the following materials mixed with residual waste, or Dispose of any such materials in a Storage area or Storage Facility, or collection container or dumpster intended for Residual Waste disposal in an incinerator or

landfill, namely:

**a) Material Banned from Disposal by Provincial Regulation**

Materials banned from disposal by provincial regulation are those designated materials listed in Schedule B of the Nova Scotia Solid Waste-Resource Management Regulations appended to this Bylaw as amended from time to time.

**b) Material Banned from Disposal by the Town**

Recyclable material or compostable material (whether similar or dissimilar to any of the foregoing) that has been banned from disposal in a landfill or incinerator by order of the Town, including but not limited to milk cartons and jugs, Boxboard and other paper products. Publication of a list of such banned material in a newsletter or newspapers of general circulation in the Town shall constitute due and sufficient notice of the Town's Order for all purposes.

**2.5 Uncollectable Waste**

Except where authorized by the Town, no person shall place for collection by the Town, or Dispose of in a Storage Compound, Storage Container, Collection Container or dumpster intended for collection by the Town, the following materials,

- a) Hazardous Waste;
- b) Household Hazardous Waste;
- c) Trade waste;
- d) Construction and Demolitions Debris ("C & D Debris");
- e) Carcasses or parts of any animal except food waste;
- f) Sharps, hospital or pharmaceutical waste;
- g) Sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
- h) Septic tank pumpings, raw sewage or industrial sludge;
- i) Radioactive materials;
- j) Soil, rock and stumps;
- k) Tires;
- l) Industrial waste material from factories or other manufacturing processes;
- m) Manure, kennel waste, excreta, fish processing waste;
- n) Lead-acid automotive batteries and propane tanks; and
- o) Any materials banned for collection by the Town by Order.

**2.6 Household Hazardous Waste**

The owners and/or occupants of all residential premises within the Town must store all Household Hazardous Waste in a safe and secure manner and dispose of it in accordance with section 8.4 of this Bylaw.

**2.7 Export of Solid Waste**

No person shall export or remove Solid Waste generated within the Town outside the boundaries of the Town without approval from the Town and, without limiting the foregoing, transport is permitted only to Waste-Resource Management Centers authorized by the Town or according to provincial waste-resource management programs.

**2.8 Exemption for Approved Exports**

Notwithstanding section 2.7, the Town or a collector with an approved contract acting on behalf of the Town may export residual waste and other source separated waste-

resources to designated facilities outside the boundaries of the Town that have been approved by the Town.

## **2.9 Solid Waste Accumulation**

No Occupant or Owner of premises in the Town shall allow, permit or authorize the accumulation of Solid Waste (including source-separated waste-resources) on or around the premises owned or occupied by them, or allow, permit or authorize any uncollected Solid Waste to remain on or around the premises owned or occupied by them in a Storage Compound or Storage Container for a period longer than fourteen (14) days without placing the same for collection in the manner provided for in this Bylaw.

### **2.9.1 Removal of Accumulated Waste**

If the Special Constable determines that waste that has accumulated on a property is unsightly, causing an unsafe condition, or causing a nuisance odor, the Special Constable may remove or cause the removal of the waste, and may recover the costs of such work from the Owner or Occupier of the Property.

### **2.9.2 Exception for Backyard Composting**

Notwithstanding section 2.9, residents may operate a backyard compost, provided the following conditions are met:

- a) Only compostable organic materials are added to the compost, which shall exclude, without limitation, meat, fish, bones, and dairy products;
- b) Only materials generated by the residents of the property are added to the compost;
- c) The backyard compost is kept entirely within an enclosed container with a lid, which has been approved by the Town;
- d) The backyard compost is located at the rear of the property, at least eight (8) feet from any property line, and out of view of the street;
- e) The backyard compost does not cause or emit a nuisance odor; and
- f) The backyard compost does not become unsafe or create a dangerous condition.

Notwithstanding the foregoing, the Town may, at any time, Order the resident to cease operating a backyard compost and disassemble it within a reasonable time.

**2.9** No person shall leave the lid or door of the Storage Compound or Storage Container open except during loading or unloading.

## **2.10 Scavenging**

No person shall:

- a) Pick over, remove, disturb or otherwise interfere with any waste-resources set-out for Town collection.
- b) Collect waste-resources placed for collection by the Town; or
- a) Remove a waste-resource collection container placed at curbside.

These prohibitions do not apply to the person who placed the waste-resource material for collection, or to the Town, or its collectors, or when otherwise approved by the Town.

## **2.11 Storage Compound or Container Complaints**

No Owner or Occupant shall allow a Storage Compound, Storage Container or Collection Container on the premises to:

- a) Cause a Nuisance Odor;
- b) Become unsightly; or
- c) Become dangerous or unsafe.

**2.12** If the Special Constable determines that a Storage Compound or Storage Container is unsightly, causing an unsafe condition, or causing a Nuisance Odor, the Special Constable may remove, or cause the removal of, the storage container and/or compound and may recover the costs of such work from the Owner or Occupier of the Property. If the Storage Container is an Organics Green Cart, the property owner will be responsible to replace the same according to section 4.3.3.

### **2.11 Litter**

No person shall deposit Litter or abandon Solid Waste within the Town.

## **3.0 SOURCE SEPARATION AND STORAGE REQUIREMENTS**

### **3.0.1 Application**

This section excludes 'litter can(s)' installed and maintained by the Town.

### **3.1 Residential Waste-Resources**

All Solid Waste generated from Eligible Premises must be properly sorted in accordance with this Bylaw to comply with Section 2.4 and section 4.0 of this Bylaw. This includes apartment buildings with up to four (4) residential tenancies and lodging houses eligible for curbside collection.

### **3.2 Industrial, Commercial, and Institutional (IC&I) Waste-Resources**

All solid waste generated by IC&I premises must be properly sorted in accordance with this Bylaw at the point of origin to ensure source separated waste-resources comply with Section 2.4 of this Bylaw. This includes but is not limited to apartments buildings assessed as a commercial property, residential properties with more than four (4) residential tenancies, and other residential tenancies in commercial properties such as trailer parks or campgrounds, and mobile vendors.

### **3.3 Public Waste-Resources**

The Owner and Occupier of premises accessible to the public including, without limitation, retail establishments, private parks and campgrounds, at public events, or other areas used by the public, shall ensure:

- a) That the Waste Receptacles on the premises are of an adequate number and size to accommodate the Waste-Resources generated by the activities on the premises;
- b) That the available Waste Receptacles allow the public using the premises to properly source separate Waste-Resources; and
- c) That the available Waste Receptacles have appropriate signage directing members of the public to source separate waste resources in accordance with this bylaw and provincial regulation.

### **3.4 Special Events**

The organizer of each public and private event held within the jurisdiction of the Town must ensure compliance with this Bylaw. The Organizer must ensure:

- a) That any solid waste generated from an event held on public property is properly sorted into receptacles with Town Waste-Resources approved signage to avoid litter and ensure compliance with section 3.3 – Public Waste Resources;
- b) That no stand-alone collection containers or litter cans are used;
- c) That all staff, volunteers, and vendors are aware of the source-separation requirements under this bylaw and agree to follow them;
- d) That all attendees, participants and guests are notified of the requirements of this Bylaw and are encouraged to properly sort Solid Waste;
- e) That the storage and removal of all Solid Waste generated remains source separated for transport to the designated disposal site and Centre; and
- f) That any Special Event Permits required by the Town's Special Event Planning Guide, as updated from time to time, have been obtained.

### **3.6 Waste-Resource Storage Compound and Containers**

#### **3.6.1 Waste-Resource Storage Compound**

The Owner and/or Occupant of any premises with a Storage Compound shall each ensure that the Storage Compound:

- a) Provides sufficient and adequate storage space to contain the quantity of Waste-Resources normally generated at the location between collections.
- b) Allows users to keep Source-Separated Waste-Resources segregated for proper disposal. For greater certainty, separate commercial waste-resource storage containers or dumpsters may be used for each waste-resources stream provided they comply with this Bylaw;
- c) Contains organics collection carts or other commercially manufactured receptacles or containers manufactured specifically for the storage of organics for the storage of Compostable Organics;
- d) Is weather-tight and animal-proof with the lid or door maintained in a closed position except during loading and unloading;
- e) Is emptied and cleaned regularly; and
- f) Is maintained in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings.

#### **3.6.2 Waste-Resource Storage Container**

The Owner and/ or Occupant of any premises in the Town shall ensure that any Waste-Resource Storage Container used on their premises,

- a) Is weather-tight and animal-proof;
- b) Is designed and constructed such that waste-resources remain in a source-separated condition;
- c) Includes signage that identifies the appropriate storage location for residual waste, recyclable materials, cardboard and compostable organics;
- d) Is large enough to contain the quantities of source separated waste-resources generated between collections at the premises;
- e) Is easily accessible to the occupants and easily serviced by the Collector, if applicable;
- f) Is kept clean and safe for its intended users;
- g) Is kept beside, to the rear or adjacent to the side of the dwelling or non-residential building, and at least four (4) feet from each property line unless otherwise approved by the Town.

### **3.6.3 Inspection and Enforcement**

Waste-resources on any public or private property are subject to inspection from by the collector, Special Constable, or another appointed staff member to determine compliance with this Bylaw.

## **4.0 TOWN COLLECTION FROM ELIGIBLE PREMISES**

### **4.1 Eligible Premises**

- 4.1.1. Eligible premises includes single unit dwellings and apartment buildings with a maximum of four units that fronts on public streets in the Town but excludes residential tenancies within commercial property.
- 4.1.2. Collection of residential Source Separated Waste-Resources including Residual Waste, Recyclable Materials, Compostable Organics, and other special collections as identified by the Town will be provided by the Town to eligible premises.

### **4.2 Collection Containers**

- 4.2.1. Source Separated Waste-Resources must be set out in collection containers in accordance with this Bylaw at the appropriate location and time.
- 4.2.2. No person shall set curbside any individual collection container of residual waste or recyclable materials with contents that exceed twenty-three (23) kilograms or fifty (50) pounds in weight.
- 4.2.3. Residual waste (garbage), will only be collected curbside from eligible premises if:
  - a) Residual waste is placed in non-colored transparent clear bags of standard size (opaque bags will not be collected), approximately twenty-five (25) inches or sixty-four (64) centimeters by thirty-five (35) inches or eighty-nine (89) centimeters. Notwithstanding the foregoing, each standard sized clear bag may contain one opaque Privacy Bag that is no larger than twenty (20) inches or fifty-one (51) centimeters by twenty-two (22) inches or fifty-six (56) centimeters with residual waste, except when a medical exception is approved by the Town to allow the use of more than one opaque bag per standard sized clear bag following the submission of a medical exception form; and
  - b) The contents of each Collection Container for Residual Waste, including the contents of the opaque bag, is void of recyclable materials, compostable organics, and all other materials identified as banned for disposal or collection under sections 2.4 and 2.5 of this Bylaw or the Rules of the designated disposal facility.

**4.2.4** Recyclable materials will only be collected curbside from eligible premises if the following conditions are met:

- a) The recyclable materials for collection are placed in transparent blue bags of standard size, approximately sixty-four (64) centimeters or twenty-five (25) inches by eighty-nine (89) centimeters or thirty-five (35) inches;
- b) The contents and quality of the materials are easily identifiable;
- c) Recyclable 'paper' is placed within a transparent blue bag and items identified as recyclable 'other' are placed within a separate transparent blue bag; and
- d) Recyclable materials are clean and dry.

**4.2.4.A** Notwithstanding section 4.2.4, corrugated cardboard may be flattened and secured in bundles no larger than ninety-one (91) centimeters or thirty-six (36) inches by ninety-one (91) centimeters or thirty-six (36) inches by sixty-one (61) centimeters or twenty-four (24) inches.

**4.2.5** Compostable organics will only be collected curbside from eligible premises if the following conditions are met:

- a) Compostable organics are placed for curbside collection in an Organic Collection Cart that complies with section 4.3 of this Bylaw.
- b) The contents of the green cart are approved for collection by the Town, free from all forms of plastic, including without limitation bags and packaging, and free from all other non-compostable materials including without limitation metal, glass and rocks; and
- c) All contents are enclosed within the cart, with the lid fully closed for collection.

**4.2.6.** Leaf and yard waste will only be collected curbside from eligible premises if the following conditions are met:

- a) The leaf and yard waste materials fit within the green cart with the lid closed; and
- b) No branch diameter is more than two and a half (2.5) centimeters or one (1) inch diameter.

### **4.3 Organic Collection Cart**

**4.3.1** The organics collection cart required for use by an Eligible Premises shall at all times be kept and maintained in a good and sanitary condition by the occupant or property owner thereof.

**4.3.2** Each organics collection cart is assigned to an Eligible Premises and must remain on the eligible premises to which it is assigned.

**4.3.3** The organics collection cart is the responsibility of the occupant and or property owner of the eligible premises.

**4.3.3** When deemed necessary by the property owner or Town, the Owner of the Eligible Premises is responsible for the replacement of the organic collection container. The replacement organic collection contain must be purchased through the Town.

### **4.4 Residential Collection Times**

- 4.4.1 Waste-resources scheduled for collection, including items scheduled for special collection, shall be placed curbside for collection no earlier than 9:00PM the evening before the scheduled collection. Bulky items will not be collected curbside, other than on special collection dates as identified by the Town.
- 4.4.2 Waste-resources, including items scheduled for special collection, must be placed for collection no later than 7:00AM on the scheduled collection day.
- 4.4.3 Waste-resources set curbside for collection remain the responsibility of the property owner until collected.
- 4.4.4 If a collection route cannot be completed, the occupant or owner of the eligible premises shall remove all collection containers from curbside as required by Section 4.6 of this Bylaw, to be placed curbside on the alternative collection day or the next scheduled collection day, as applicable.

#### **4.5 Residential Collection Container Curbside Placement**

- 4.5.1 The Occupant and/or Owner of an eligible premises shall place collection containers at curbside for collection as close as practical to the curbside of the premises to facilitate efficient, unobstructed access over clear ground, also taking into consideration factors such as winter snow clearing operations, ditches, and other obstacles.
- 4.5.2 All Collection Containers placed curbside for collection shall be placed in front of and on the same side of the street, sidewalk or roadway as the Eligible Premises from which they come or in such other places as designated by the Town.
- 4.5.3 The Occupant and/or Owner of Eligible Premises shall put out for collection only those materials designated by the Town for collection at curbside on a given day.
- 4.5.4 The Green Cart shall be placed at curbside in an upright position with the lid closed.
- 4.5.5 Collection will take place curbside on public streets and roads with Eligible Premises.
- 4.5.6 For all other Eligible Premises not on public streets and roads, the source separated waste-resources must be brought to the nearest intersection with a public street or road as authorized by the Town.
- 4.5.7 In the case of eligible multi-unit apartment buildings, the property owner or occupant shall place Source Separated Waste-Resources curbside for collection unless the Town, in consultation with the Collector, approves collection from a Storage Compound or Storage Container

#### **4.6 Removal from Curbside**

##### **4.6.1 Removal of Collection Containers and Uncollected Solid Waste**

- 4.6.1.1 Collection containers, organic collection carts, and/or uncollected solid waste shall be removed or caused to be removed by the occupant and or owner of the eligible premises from curbside as promptly as possible on collection day but no later than 9:00PM.

4.6.1.2 Uncollected Solid Waste shall be properly sorted, contained, stored and disposed of in accordance with this Bylaw on the next scheduled collection day.

4.6.1.3 If uncollected solid waste, collection containers, and/or organic collection carts are not removed from curbside, the Town may arrange for their removal, disposal, and/ or cleaning, and the Town may recover the costs of such work from the Owner or Occupier of the Property.

#### **4.6.3 Removal of a Storage Compound or Container Due to Placement**

After issuing one warning to the Owner and/ or Occupier, The Town may remove, or cause the removal of, any Storage Compound or Collection Container left curbside or visible to the front of the dwelling after 9:00 PM on collection day, and the Town may recover the costs of such work from the Owner or Occupier of the Property.

#### **4.7 Waste-Resource Storage**

**4.7.1** In cases of eligible multi-unit residential tenancies, where an external storage container(s) or dumpster is used to contain waste-resource collection containers between collections, the storage container or dumpster must comply with sections 2.11 and 3.6 of this Bylaw.

**4.7.4** In cases where the Town has approved collection from the Storage Location, collection containers must be placed to provide the Collector with unobstructed access over clear ground, free of snow, ditches, and or other obstacles.

#### **4.8 Owner and Occupant Responsibilities for Waste-Resource Management**

Except in cases where the owner and occupant are the same, the responsibility for the management of Solid Waste-Resources for Residential Premises eligible for Town Collection is shared by the Property Owner jointly and severally, and each Occupant, jointly and severally.

##### **4.8.1 Property Owner Responsibilities**

Without limiting the generality of the foregoing, the Property Owner shall:

- a) Provide Town Waste-Resource sorting information to occupants;
- b) Provide external Waste-Resource storage as set out in sections 3.6 and 4.7 of this Bylaw;
- c) Ensure that properly sorted waste-resources are set curbside for collection no earlier than 9:00PM on the day preceding the Town's scheduled collection day and no later than 7:00AM on the scheduled collection day;
- d) Maintain Waste-Resource storage in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings;
- e) Ensure that Collection Containers and uncollected Solid Waste, including litter produced or dispersed from Waste-Resources by pests, weather conditions, or otherwise, are removed from roadside by 9:00 PM. on collection day; and
- f) Abide by all directives of the Town's Special Constable with regard to the handling of waste-resources.

#### **4.8.2 Occupant Responsibilities**

Without limiting the generality of the foregoing, the Occupant Shall:

- a) Source separate all solid waste generated from the premises according to sections 3.1, 4.2 and 4.3 of this Bylaw;
- b) Set Collection Containers for curbside collection in accordance with section 4.4 of this Bylaw;
- c) Between collections, place Source Separated Waste-Resources including Residual Waste, Recyclable Materials, Cardboard, and Compostable Organics, into the proper Storage Container, so that they remain properly sorted for collection;
- d) Properly dispose of all other Waste-Resources banned from disposal or collection by Sections 2.4, 2.5, and 2.6 of this Bylaw and/or the rules of the designated disposal site.; and
- e) Abide by all directives of the Town's Special Constable with regard to the handling of waste-resources.

#### **4.9 Inspection and Rejection Guidelines**

**4.9.1** Waste-resources set out for collection shall be subject to inspection by the Collector or by the Special Constable or another Council appointed staff. Unsorted waste-resources that are placed in a storage container or collection container set for curbside collection, not in compliance with the Town's Bylaw, may be rejected and not collected.

**4.9.2** Rejected waste-resources must be promptly removed from curbside and source separated by the Occupant and/or the Property Owner in accordance with Section 4.6 of this Bylaw.

#### **4.10 Suspension of Collection**

**4.10.1** The Special Constable may suspend collection, upon written notice, to any eligible premises where one of the following deficiencies develops, until the deficiency is corrected to the Special Constable's satisfaction, namely:

- a) Unsafe or unhealthy condition related to storage or collection of Waste-Resources;
- b) An unsafe condition that poses a risk to the health or safety of the Collector, the staff of the Collector or Town staff including, without limitation, the presence of dogs or other animals, hazardous materials, ice, or snow; or
- c) The persistent violation of any provision in this Bylaw.

**4.10.2** The Collector may suspend and reschedule Collection due to weather or mechanical issues. All waste curbside, source separated or not must be removed promptly according to Section 4.6 of this Bylaw.

## **5.0 SOLID WASTE DISPOSAL FROM NON-ELIGIBLE PREMISES**

The provisions of this section apply to all residential and IC&I premises generating waste not eligible for Town Collection.

### **5.1 Solid Waste Removal from Curbside**

If for any reason, waste-resources are placed curbside for collection at a property not eligible for Town curbside collection, they must be removed from curbside by the generator of the solid waste, the Property Owner and/or the Occupant of the premises promptly by 9PM on the same day.

### **5.2 Section 2.4 Applies**

The Owner and/or Occupant of all residential premises not eligible for collection and IC&I premises must comply with Section 2.4 of this Bylaw.

### **5.2 Solid Waste-Resource Collection Containers**

#### **5.2.1 Residual Waste (garbage) must be:**

- a)** Placed in non-colored transparent clear bags of standard size (black or opaque bags will not be collected), approximately twenty-five (25) inches or sixty-four (64) centimeters by thirty-five (35) inches or eighty-nine (89) centimeters. Notwithstanding the foregoing, each clear bag of standard size may contain one solid colored Privacy Bag no larger than fifty-one (51) centimeters or twenty (20) inches by fifty-six (56) centimeters by twenty-two (22) inches; and
- b)** Void of recyclable materials, compostable organics, and other materials banned for disposal or collection by sections 2.4 and 2.6 of this Bylaw and/or the rules of the designated disposal site.

#### **5.2.2 Recyclable materials must be:**

- a)** Placed in transparent blue bags of standard size, approximately sixty-four (64) centimeters or twenty-five (25) inches by eighty-nine (89) centimeters or thirty-five (35) inches;
- b)** Clean, dry, and unsoiled; and
- c)** Separated between paper recyclables and “other” recyclables, which must be placed in separate transparent blue bags.

Notwithstanding section 5.2.2.1, corrugated cardboard may be flattened and secured in bundles, provided the bundles are no larger than ninety-one (91) centimeters or thirty-six (36) inches by ninety-one (91) centimeters or thirty-six (36) inches by sixty-one (61) centimeters or twenty-four (24) inches.

#### **5.2.3 Compostable organics must be:**

- a)** Placed in an organics collection cart or another commercial green cart that meets storage requirements outlined by Section 3.6.2;
- b)** Free from all forms of plastic including, without limitation, plastic bags and packaging;
- c)** Free from and all non-compostable materials including, without limitation, metal, glass and rocks; and
- d)** Approved for organics collection by the Town.

### **5.3 Solid Waste Storage**

**5.3.1** The Owner and/or Occupant of a Non-Eligible Property shall ensure that any Storage Compounds on the Property:

- a) Comply with sections 2.11 and 3.6 of this Bylaw; and
- b) Are approved by the Town so that all source separated waste-resources are stored in accordance with this Bylaw between collections.

**5.3.3** No person shall place Solid Waste in any Storage Compound or Storage Container without the permission of the Owner of the premises or the Owner or renter of the Storage Compound or Storage Container.

**5.3.4** All Storage Compounds and Storage Containers are subject to inspection and suspended collection pursuant to this Bylaw.

**5.3.5** The owner of the premises or renter or user of any Storage Compound or Storage Container shall each ensure that any Solid Waste stored within it is properly source separated and contained in accordance with this Bylaw.

**5.3.6** Any person collecting, transporting, or hauling Solid Waste from a Storage Compound or Storage Container shall ensure that source separated waste-resources are delivered to the Waste Management Center or Designated Disposal Site in a Source-Separated condition and deposited in the appropriate location.

**5.3.7** No person shall haul Unsorted Solid Waste to the Waste-Resource Management Centre for disposal or to fail to deposit Source-Separated Solid Waste in the appropriate location at the Waste-Resource Management Centre.

### **5.4 Owner and Occupant Responsibilities for Solid Waste Management**

The responsibility for Solid Waste Resources generated but not collected by Town Collections from IC&I premises and residential tenancies in commercial properties is shared by the Property Owner and the Occupant jointly and severally, and each Occupant, jointly and severally.

#### **5.4.1 Property Owner's Responsibilities**

Without limiting the generality of the foregoing, the property owner shall:

- a) Provide solid Waste-Resource Storage facilities that comply with the requirements of sections 2.11 and 3.6 of this Bylaw;
- b) Maintain Waste-Resource storage in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings;
- c) Respond to Solid Waste accumulation directives;
- d) Arrange for the collection of Source Separated Waste-Resource materials, so that the same solid waste does not remain on the property for more than fourteen (14) days;
- e) Advise the occupants of their responsibilities under this Bylaw, including distributing program information made available by the Town and directives from the Town; and
- f) Require that Occupants abide by all directives of the Town's Special Constable.

## **5.4.2 Occupant's Responsibilities**

Without limiting the generality of the foregoing, the Occupant shall:

- a) Source separate Waste-Resources generated by all activities from the premises as required by Section 3.0 of this Bylaw;
- b) Between collections, place source separated Waste-Resources; including residual waste, recyclable materials, cardboard, compostable organics and other identified items according to Schedule B or as approved by the Town into the Storage Compound or Container(s) provided by the Property Owner, so that they remain properly sorted;
- c) Properly dispose of, or ensure the proper disposal of, all Waste-Resources banned from disposal or collection by section 2.4 and 2.6 of this Bylaw;
- d) Abide by all directives of the Town's Special Constable with regard to the handling of waste-resources according to this Bylaw.

## **5.5 Solid Waste-Resource Requirements**

The Property Owner and Occupant of any premises, facility, or operation, which generate Solid Waste shall promptly remove and dispose of, or cause the removal or disposal of such Solid Waste in accordance with the provisions of this Bylaw.

## **6.0 COMMERCIAL STORAGE CONTAINERS**

### **6.1 Commercial Storage Container or Dumpster Supplier**

6.1.1 Any person who supplies a commercial waste-resource storage container or dumpster for the temporary storage of waste-resources shall ensure that such commercial container is:

- a) Sturdily constructed and capable of containing the material deposited within;
- b) Equipped with a cover, as necessary, capable of restricting the entry of animals and preventing litter or damage to the contents produced by wind, rain, snow, etc.;
- c) Cleaned regularly; and
- d) Emptied at a frequency of not more than fourteen (14) days, or before as required by the property owner or person who has care and control of the container or dumpster through agreement whether verbal or in writing with the supplier.

6.1.2 Any person who supplies a commercial waste-resource container or dumpster must provide notice of waste-resource sorting requirements to the property owner or person in care and control of the commercial container.

### **6.2 Commercial Container User**

6.2.1 The Owner of any premises or person in care and control of a commercial waste-resource storage container or dumpster placed on a property, shall ensure that:

- a) The Commercial Container is placed adjacent or to the rear of the dwelling or non-residential building, not visible from the street, at least 4 feet from a property line, unless the Town has approved another location to allow for the disposal of Construction or Demolition Waste-Resources;
- b) The Commercial Container does not become unsightly or cause a nuisance or unhealthy condition;

- c) The Commercial Container is covered and not overfilled so that all contents are contained within the container such that no item can blow out, fall out or spill out;
- d) The Commercial Container contains only materials that meet the source separation requirements of this Bylaw;
- e) The area around the storage container or structure is maintained free of litter; and
- f) The Commercial Container is emptied at a frequency of not more than fourteen (14) days, or more frequently when necessary to prevent a nuisance odor and to be compliant with all responsibilities of the user.

## **7.0 WASTE-RESOURCE COLLECTION**

### **7.1 Vehicle Owner and Operator (Collector) Responsibilities**

- 7.1.1. All Collectors must comply with relevant Federal/Provincial/Municipal statutes and regulations.
- 7.1.2 In the event of any spillage from the collection vehicle, the vehicle operator shall be responsible for the clean-up and shall undertake clean-up immediately.
- 7.1.3 A Collector operating within the Town must at no time mix properly sorted source separated Solid Waste.
- 7.1.4 The Collector must reject Solid Waste that is not properly source separated in accordance with this Bylaw. The Collector shall leave a notice describing the reason for rejection for the Owner and/or Occupant.
- 7.1.5 A Collector operating in the Town shall not mix waste-resources collected from other municipalities in the same vehicle as waste-resources collected within the Town, unless an onboard weigh system is in place and being used to report accurate weights at the designated disposal site or waste-resource management centre.
- 7.1.5 The Collector shall collect waste-resources directly from the premises where they were generated.

### **7.2 The Collection Vehicle**

All Collector waste-resource business-based collection vehicles shall:

- a) Be maintained in good condition and be properly manned and equipped to ensure the safe collection of waste-resources;
- b) Comply with the Motor Vehicle Act and other regulations or legislation in effect from time to time;
- c) Be designed so as to prevent any contents, including liquids, from falling out, being spilled, or scattering from the vehicle while standing or in motion;
- d) Include a tailgate or other restraining device;
- e) Be closed or equipped with a tarpaulin, which shall be used to cover waste-resources while being transported; and
- f) Be equipped with a valid sticker issued by the Town to indicate the vehicle is approved to operate the Town. The issued sticker shall be displayed on the lower left portion of the window of such vehicle.

### **7.3 Commercial Waste-Resource Collection Registration Requirements**

- 7.3.1.** No person shall engage in the business of collection of waste-resources, such as residual waste, recyclable materials or compostable organics, including construction and demolition debris, in the Town unless registered with the Town as a Collector.
- 7.3.2** No Registrant under this Bylaw shall deposit waste-resources at a site other than that specified on the registration unless permission is otherwise granted by the Town.
- 7.3.3** Every application for a registration to collect waste-resources shall be made in writing on a form provided by the Town and signed by the Collector applying or person so authorized.
- 7.3.4** Every application for a registration whether new or a renewal, shall contain the following information:
- a) The full name of the individual, address, and business phone number; and
  - b) The provincial registration number for all vehicles to be used by the Collector.
- 7.3.5** Every application shall be accompanied by:
- a) a registration fee, if approved by the Town; and
  - b) Proof of public liability and property damage insurance in an amount of not less than \$2,000,000.00, including copies of the policy and receipts for renewal premiums, if applicable. and the collector shall provide copies of the policy and receipts for renewal premiums to the Town.
- 7.3.6** The registration to collect specific waste-resources within the Town shall be valid from April first of the year issued until March 31 of the following year, unless sooner revoked or suspended.
- 7.3.7** The Special Constable may suspend or revoke a registration for non-compliance with any provision of this Bylaw.

**7.3.8** The Applicant for Registration as a Commercial Waste Resource Collector shall allow the Town (14) fourteen days for the review and processing of the application.

## **8.0 WASTE-RESOURCE DISPOSAL**

### **8.1 Residual Waste**

Council shall, by resolution, identify the use of approved landfills for deposit of residual waste.

### **8.2 Recyclable Materials**

Council shall, by resolution, identify the use of an approved recyclable materials recovery facility.

### **8.3 Compostable Organic Materials**

Council shall, by resolution, identify the use of an approved composting facility.

### **8.4 Household Hazardous Waste**

Council shall, by resolution, identify an approved facility for the collection and/or disposal of Household Hazardous Waste.

The Special Constable may designate the place and time, including the days and hours of operation for the collection of household hazardous waste in the Municipality and the materials eligible for collection. This may include the operation of a permanent household hazardous waste depot and/or the operation of mobile depot(s) in the Town. Household hazardous waste depots may only be used by residents of the Town for the proper disposal of household hazardous waste originating within the Town. All persons are prohibited from disposing of industrial, commercial and institutional waste at any permanent depot or mobile depot(s).

## **9.0 WASTE-RESOURCE MANAGEMENT CENTRES**

### **9.1 Inspection and Enforcement**

All solid waste generated from within the Town entering a Waste-Resource Management Centre or any designated disposal site is subject to inspection.

Council may, from time to time, establish by policy additional user fees for depositing Solid Waste that has not been source separated in accordance with this bylaw and/ or depositing Solid Waste that contains materials banned from collection or disposal by this Bylaw.

The Special Constable may issue warnings or revoke privileges of Centre users for non-compliance with this Bylaw.

### **9.2 Documentation**

The Collector or operator of every commercial waste-resource collection vehicle entering a Waste-Resource Management Centre or designated disposal facility with waste-resources generated from within the Town shall produce, upon request of the Site Supervisor or the Special Constable, a manifest consisting of a list of the customers whose waste-resources are on board the vehicle to act in accordance with this Bylaw.

## 9.2 Inspection and Enforcement

All solid waste generated from within the Town entering a Waste-Resource Management Centre or any designated disposal site is subject to inspection.

9.2.1 The Town Special Constable may issue warnings or revoke privileges of Centre users for non-compliance with this Bylaw.

## 10.0 RESIDENTIAL WASTE COLLECTION CHARGE

10.1 Every owner of land on which a residential dwelling is situated, and which is included within the service parameters noted in Section 4.1 shall pay to the Town an annual "Waste Collection Charge" for the collection, transport and deposit of residual waste, recyclable materials and compostable organic materials.

10.2 Residential property owners shall be billed on the basis of equivalent user units which are identified in Schedule 1 "A". The Town shall calculate the Waste Collection Charge annually by dividing the total cost of the collection services by the total number of equivalent user units within the system. Each owner will be billed for the costs of these services on a pro rata basis in accordance with Schedule 1 "A" as follows:

### Schedule 1 "A" SCHEDULE OF CHARGES

Single Family Dwelling	1.00 Equivalent Units
Mobile Home	1.00 Equivalent Units
2 Unit Dwelling	1.50 Equivalent Units
Tourist Home (Bed & Breakfast)	1.50 Equivalent Units
3 Unit Dwelling	1.75 Equivalent Units
4 Unit Dwelling	2.00 Equivalent Units
Lodging House/Rooming House/Boarding House	2.00 Equivalent Units

10.3 The waste collection charge shall be billed annually. It shall be billed on and with the regular property tax billing and it shall be due and payable when the property taxes are due and payable.

10.4 It is intended that this waste collection charge will be assessed on the basis of twelve (12) months service.

10.5 The waste collection charge and penalty thereon may be sued for, if necessary.

## 11.0 OFFENSE ENFORCEMENT AND PENALTIES

11.1 No person shall contravene or fail to comply with any provisions of this Bylaw

11.2 A person who,

- (a) violates a provision of this bylaw;
- (b) fails to do anything required by this byLaw;
- (c) permits anything to be done in violation of this bylaw or of an Order issued in accordance with this bylaw; or
- (d) obstructs or hinders any person in the performance of their duties under this bylaw or under any Order issued in accordance with this bylaw.

Is guilty of an offence and is liable on summary conviction to a penalty of not more than \$10,000.

**11.5** In addition to any fine imposed pursuant to subsection 11.2, the Court or judge may Order the person convicted to pay all expenses incurred in correcting the contravention of the bylaw or any damages associated with such contravention.

**11.4** This bylaw may be enforced, at the discretion of the Town bylaw Enforcement Officer or Special Constable, by means of a Summary Offense Ticket under the *Municipal Government Act* or *Summary Proceedings Act*. In such cases the out of court settlement may be paid to the Town which is equal to the fine amount on the summary offence ticket.

**11.9** Every day during which an offence under this bylaw continues is a separate offence.

**11.10** Proof of the Solid Waste that is Disposed of anywhere in contravention to this Bylaw originating from a particular person, from a residence of a particular person, from a particular premise or from a particular vehicle shall be evidence that the person, the Owner, or the current Occupant of said premises or the Owner of the vehicle so Disposed of it in the absence of evidence to the contrary.

When a person is identified as the owner of Solid Waste deposited or dumped on a premises in violation of this Bylaw, the owner, on request if the Bylaw Enforcement Officer or Special Constable shall, within 48 hours of the request, supply the name of the address of the person(s) responsible for the dumping. An owner of Solid Waste deposited or dumped on the premises in violation of the Bylaw who fails, to supply the requested information shall be guilty of an offence under this Bylaw.

**11.11** If the Special Constable, a delegate of the Special Constable, or a Town Municipal Enforcement Officer causes work to be done pursuant to this Bylaw, the Owner shall be fully responsible for the cost of the work, with interest at a rate to be determined by the Council, by policy, from the date of completion to the date of payment.

**11.12** In addition to any other remedies available at law, if the Special Constable, a delegate of the Special Constable, or a Town Municipal Enforcement Officer causes work to be done pursuant to this Bylaw, the cost of the work, with interest at the rate determined by Council, is a First Lien on the property upon which the, or for the benefit of, the work was done and may recovered in the same manner as taxes.

**11.13** The Special Constable shall by appointed by resolution of Council.

**11.14** The Town may appoint another person to assist with the enforcement of this Bylaw.

All Bylaws dealing with the collection and disposal of waste-resources heretofore passed by the Council, and all amendments thereto are hereby repealed.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021.

**Schedule "2"**  
**Town of Antigonish Solid Waste Bylaw**  
**Schedule of Fines**

Out of Court

Offence

Section Settlement  
(Doesn't include court Expense)

1.	Illegal dumping	2.1	\$1,000
2.	Waste-resource burning	2.3	\$1,000
3.	Disposing Materials Banned from Disposal	2.4	\$500
4.	Removal or unauthorized export of solid waste	2.5	\$5,000
5.	Allowing the accumulation of solid waste	2.7	\$1,000
6.	Improper backyard composting	2.9	\$1,000
7.	Interfering with collection or illegal acquisition	2.10	\$500
8.	Nuisance odour, or unsightly or unsafe storage	2.11	
9.	Failure to source-separate	3.1	\$1,000
0.	Failure to source-separate, ICI users	3.2	\$1,000
1.	Failure to meet public waste-resource separation requirements	3.3	\$1,000
2.	Failure to meet special event requirements	3.4	\$1,000
3.	Failure to meet C&D separation requirements	3.5	
4.	Failure to meet storage compound requirements	3.6.1	
5.	Failure to meet storage container requirements	3.6.2	
6.	Improper collection container or exceeds weight restriction	4.2	\$200
7.	Failure to meet residual waste collection requirements	4.2.3	\$1,000
8.	Failure to meet recyclable materials collection requirements	4.2.4	\$1,000
9.	Failure to meet organic materials collection requirements	4.2.5	\$1,000
10.	Failure to meet leaf and yard material collection requirements	4.2.6	
11.	Failing to maintain conditions of organic collection containers	4.3	\$200
12.	Improper set out time	4.4	\$500
13.	Improper container placement	4.5	\$500
14.	Failure to remove collection containers and uncollected waste-resources	4.6; 5.1	\$500
15.	Failure to remedy	4.6.2; 4.9.2	\$1,500
16.	Improper waste-resource storage	4.7	\$500
17.	Failure to fulfill property owner's responsibilities	4.8.1; 5.4.1	\$1,000
18.	Failure to fulfill occupant's responsibilities	4.8.2; 5.4.2	\$1,000
19.	Suspended collection due to violation	4.10	\$
20.	Improper ICI collection containers	5.2	\$1,000
21.	Improper commercial waste-resource storage	5.3	\$1,500
22.	Failure to remove ICI waste-resources including C&D	5.5	\$2,000
23.	Failure of the supplier to abide by storage container requirements	6.1	
24.	Failure of the user to abide by storage container requirements	6.2	
25.	Failure to abide by vehicle owner or collector responsibilities	7.1	\$5,000
26.	Failure to maintain the collection vehicle	7.2	\$5,000
27.	Collecting without a license	7.3	\$200
28.	Disposal activity contrary to the approval of the Town	8.0	\$1,000
29.	Failure to provide a manifest	9.2	\$500
31.	Illegal acquisition moved to #7		

**Solid Waste-Resource Management Regulations  
made under Section 102 of the *Environment Act*  
S.N.S. 1994-95, c. 1  
O.I.C. 96-79 (February 6, 1996), N.S. Reg. 25/96**

**as amended up to O.I.C. 2007-102 (February 22, 2007), N.S. Reg. 61/2007**  
**Division II - Disposal of Municipal Solid Waste**

**Bans**

- 30 (1)** A person must not destroy or dispose of a designated material listed in Column 1 of Schedule “B” in a landfill or incinerator on or after the implementation date prescribed in Column 2 of Schedule “B”.
- (2) A person must not accept for destruction or disposal a designated material listed in Column 1 of Schedule “B” in a landfill or incinerator on or after the implementation date prescribed in Column 2 of Schedule “B”.
- (0) Each municipality shall provide a plan to the Administrator to ensure that the bans described in Schedule “B” are implemented.

**Regulated activities**

- 31 (1)** No person shall own, construct, manage, operate, alter or modify a landfill without obtaining approval from the Minister.
- (2)(a) No person shall own, construct, manage, operate, alter or modify a disposal site for construction and demolition debris without obtaining approval from the Minister.
- (b) Clause (a) does not apply to rock (excluding rock containing a sulphide bearing material), aggregate, soil, bricks mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, and milled wood that is free of adhesives, coatings or preservatives.
- (3) No person shall own, construct, manage, operate, alter or modify an incinerator for the disposal of municipal solid waste without obtaining approval from the Minister.
- (4) No person shall own, construct, manage, operate, alter or modify the operation of an ash disposal site without obtaining approval from the Minister.

**Open burning ban**

- 36** On, from and after April 1, 1996, no person shall permit, carry out or be responsible for open burning of municipal solid waste which shall include open burning in an uncontrolled teepee, pit and silo burner.

**Incineration**

- 37** Subject to Section 38, no person shall own, operate or manage the operation of an incinerator for municipal solid waste which does not adhere to
- (a) national standards described in a publication prepared by the Canadian Council of Ministers of the Environment entitled “Operating and Emission Guidelines for Municipal Solid Waste Incinerators”, Report CCME-TS-WM-TRE003, June 1989; or
- (b) standards prescribed by the Minister.

**Schedule “B” - Materials Banned from Landfills and Incinerators**

<b>Column 1: Designated Material</b>	<b>Column 2: Implementation Date</b>
Beverage containers	April 1, 1996
Corrugated cardboard	April 1, 1996
Newsprint	April 1, 1996
Used tires	April 1, 1996
Lead-acid (automotive) batteries	April 1, 1996
Leaf and yard waste	June 1, 1996
Post-consumer paint products, formerly known as waste paint	April 1, 1997
Ethylene glycol (automotive antifreeze)	April 1, 1997–May 31, 2019
Compostable organic material	June 1, 1997
Steel or tin food containers	April 1, 1998
Glass food containers	April 1, 1998
Low-density polyethylene bags and packaging	April 1, 1998
High-density polyethylene bags and packaging	April 1, 1998
Televisions	February 1, 2008
Desktop, laptop and notebook computers, including CPUs, keyboards, mice, cables and other computer components	February 1, 2008
Computer monitors	February 1, 2008
Computer printers, including printers that have scanning or fax capabilities or both	February 1, 2008
Computer scanners	February 1, 2009
Audio and video playback and recording systems	February 1, 2009
Telephones and fax machines	February 1, 2009
Cell phones and other wireless devices	February 1, 2009
Used oil	March 1, 2020
Used glycol	March 1, 2020
Used oil filters	March 1, 2020
Glycol containers	March 1, 2020
Oil containers	March 1, 2020

Home or non-commercial video gaming equipment and controllers	March 1, 2020
Global Positioning System devices, whether stand-alone/portable or in-dash (aftermarket only)	March 1, 2020
Microwave ovens	March 1, 2020
E-book readers	March 1, 2020
Peripherals, including external hard drives, optical drives, modems	March 1, 2020
Handheld video game systems	March 1, 2020

**Schedule "B" amended: O.I.C. 2002-94, N.S. Reg. 24/2002; O.I.C. 2007-102, N.S. Reg. 61/2007, amended to O.I.C. 2019-29 (effective February 6, 2019), N.S. Reg. 26/2019**

