

S1 Waste Management Bylaw

1.0 DEFINITIONS

In this Bylaw words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:

- 1.1 **“collection”** means gathering of waste by or on behalf of the Municipality of the County of Annapolis pursuant to this Bylaw.
- 1.2 **"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.
- 1.3 **"bulky items"** means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, oil tanks (cleaned and empty of all liquids to a maximum size of 900 litres), and pieces of fencing.
- 1.4 **“collection cart”** or **"cart"** means a cart for the storage of source-separated waste such as an aerated cart for the collection of organic materials.
- 1.5 **“collection containers”** means bags, garbage cans or other containers.
- 1.6 **"compostable organics"** or **"organics"** means food waste, leaf and yard waste, soiled and non-recyclable paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin except for dog feces, whole companion animal carcasses or livestock carcasses.
- 1.7 **"construction and demolition waste"** means materials which are normally used in the construction of buildings, structures, roadways, walls and other landscaping material as defined by the *Environment Act (Nova Scotia)* and *Regulations*..
- 1.8 **“dispose”** includes the actions of dumping, abandoning, placing or leaving or the causing or permitting of any of these actions with respect to any waste on any property anywhere within the Municipality.
- 1.9 **"eligible premises"** means residential dwellings, churches, publicly-owned buildings, public wharves, and cemeteries which are located on a public road or private road maintained by the Municipality.
- 1.10 **"food waste"** means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.
- 1.11 **“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 and pesticides.
- 1.12 **"industrial/commercial/institutional waste"** or means waste generated by, from or within any **industrial/commercial/institutional** premises.
- 1.13 **"leaf and yard waste"** means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings and other similar items.
- 1.14 **"Municipality"** means the Municipality of the County of Annapolis;
- 1.15 **“occupant”** means anyone who occupies property, including lands or buildings, and includes anyone who is a tenant, lessee, roomer, subtenant, under-tenant or co-tenant, or who otherwise occupies or has occupied land or buildings and his, her or their heirs and assigns and legal representatives.

- 1.16 "recyclable materials"** means newsprint, corrugated cardboard, boxboard and other paper products, redeemable beverage containers, milk cartons, glass bottles and jars, steel/tin food cans, aluminum cans, aluminum foil plates, trays and wrap, 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 stretch wrap (pallet wrap).
- 1.17 "residential premises"** means dwelling unit (as per *Municipal Government Act*).
- 1.18 "residual waste" or "residuals"** means any waste remaining after diversion of recyclables, organics and hazardous waste.
- 1.19 "soiled and non-recyclable paper"** means dinner napkins, paper towels & fast food wrappers, wax paper, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.
- 1.20 "waste"** has the same meaning as "municipal solid waste" in the *Solid Waste-Resource Management Regulations* made pursuant to the *Environment Act*.
- 1.21 "source separated solid waste"** means waste which has been sorted and separated at the point of origin, to facilitate its reuse, recycling, composting or disposal and "source separation", "source separation of solid waste" has the same meaning.
- 1.22 "special collection"** means collection for bulky items, leaves, yard waste and such other materials as may be scheduled by the Municipality from time to time.
- 1.23 "storage facility"** includes any container, receptacle, building, structure, enclosure or other facility capable of or intended to be or used for the temporary or long term holding or storage of waste and "storage" has the same meaning.
- 1.24 "Waste Management Centre"** means a facility operated by the Municipality for receiving, storing, sorting and shipping of solid waste.

2.0 AUTHORITY

- 2.1** For the purpose of the administration of this bylaw, the Chief Administrative Officer or the Bylaw Enforcement Officer, or any agent or employee of the Municipality so designated, 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 bylaw.
- 2.2** The Bylaw Enforcement Officer may by an Order in writing direct any person to do any act or thing to comply with the provisions of this bylaw within the time specified.
- 2.3** It shall be an offence for any person to fail or refuse to comply with a written Order pursuant to this bylaw.

3.0 ILLEGAL DUMPING OF WASTE

- 3.1** No person shall dispose of waste at any public or private place unless that place is duly licensed to receive and dispose of that particular category of waste. Construction and demolition waste may only be deposited at facilities licensed to receive it. Residents shall dispose of hazardous waste only through the Hazardous Waste Depot at the County's Waste Management Centre.
- 3.2** No person shall place any waste for collection on a property other than a property owned or occupied by that person without the permission of the owner or occupier of the premises.

4.0 COLLECTION

Waste to be collected by or on behalf of the Municipality must comply with the provisions of this section.

4.1 Collection Container Placement

- 4.1.1** Except where otherwise permitted by this bylaw collection containers shall be placed at roadside for collection as close as practical to the edge of the street or roadway, and in any event no further than five (5) meters from the travelled portion of the street or roadway to facilitate efficient unobstructed collection taking into consideration factors such as urban versus rural setting, winter snow clearing operations, ditches, brush, etc.
- 4.1.2** All waste placed for collection shall be placed in front of and on the same side of the street or roadway as the eligible premises from which it has been generated.
- 4.1.3** Collection carts shall be placed at roadside in an upright position with the lid closed.
- 4.1.4** In the case of multi-unit apartment buildings, the owner shall provide a storage facility for source-separated solid waste in an easily accessible location on the building property meeting the requirements of this bylaw.
- 4.1.5** Collection will take place on public streets and roads only except for private roads maintained by the Government of Nova Scotia or the Municipality.
- 4.1.6** For all other roads not included above, the source-separated waste must be brought to the nearest intersection with a public street or road and placed in accordance with this Bylaw, or to a drop-off depot or storage facility provided by the Municipality for that purpose where it shall be collected.

4.2 Collection Times

- 4.2.1** Waste shall be set out at roadside for collection between 6:00 am and 8:00 am of collection day. In the event of storm conditions preventing collection routes from being completed, the property owner shall remove from the roadside all waste not collected and set it out again on the scheduled alternative collection day or the next regularly scheduled collection day.
- 4.2.2** Notwithstanding clause 4.2.1, during special collections solid waste for roadside collection shall be set out no earlier than seven (7) days prior to the special collection.

4.3 Removal of Collection Containers and Uncollected Material from Roadside

- 4.3.1** Waste collection containers shall be removed or caused to be removed by the property owner from roadside by the end of collection day except in the case of permanent waste storage facilities. Permanent storage facilities shall comply with this Bylaw.
- 4.3.2** Any waste set out for regular or special collection and not collected or picked up for any reason shall be removed or caused to be removed by the property owner by the end of collection day and properly sorted, contained, stored and disposed of in accordance with this bylaw. In cases where uncollected waste has not been removed from the roadside within 24 hours following the end of collection day, the Municipality may arrange for the removal and disposal of such waste and invoice the property owner for the removal and disposal costs.

4.4 Waste Storage

Waste storage facilities shall be:

- 4.4.1** Weather-tight and animal-proof; and
- 4.4.2** Capable of accommodating the quantities of source-separated waste generated between collections at that location; and
- 4.4.3** Designed and constructed such that waste remains in a source-separated condition; and
- 4.4.4** Easily accessible to all users and easily serviced by the collector; and
- 4.4.5** Safe for their intended users; and
- 4.4.6** In cases where collection is provided at the storage location, placed so as to provide unobstructed access by the truck within five (5) meters of the loading hopper.

4.5 Owner and Occupant Responsibilities for Waste Management

The responsibility for the management of waste in residential premises and IC&I premises is shared by each property owner or owners, jointly and severally, and each and every occupant or occupants, jointly and severally, as follows:

4.5.1 Property Owner’s Responsibilities

The property owner shall:

- 4.5.1.1** Provide waste storage facilities as set out in section 4.4; and
- 4.5.1.2** In cases where any storage facility is inaccessible to the collection truck on regular or special collection days, ensure that waste is set at roadside in accordance with section 4.2; and
- 4.5.1.3** Maintain any waste storage facilities in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings; and
- 4.5.1.4** Ensure that collection containers, storage facilities and uncollected waste, including litter produced or resulting from set-out solid waste by pests, weather conditions, or otherwise, are removed by the end of collection day; and
- 4.5.1.5** Ensure the storage facility is cleaned out regularly.

4.5.2 Occupant’s Responsibilities

The occupant shall:

- 4.5.2.1** Sort and package all waste generated in the occupant’s premises in accordance with this Bylaw; and
- 4.5.2.2** Between collections, place sorted and packaged waste in the storage facility provided.

4.6 Inspection and Rejection Guidelines

Waste set out for collection shall be subject to inspection by the collection contractor or by Municipal staff. Waste found not to be in compliance with this Bylaw may be collected.

4.7 Collection Prohibitions

No person shall:

- 4.7.1** Pick over, remove, disturb or otherwise interfere with any waste that has been set out for collection except waste which is set out for special collections may be removed for salvage or reuse providing that the set-out location must be left in a clean and tidy condition;

4.8 Suspension of Collection

The County may suspend collection, upon written notice, at any premises where one of the following deficiencies occurs until it is corrected:

- 4.8.1** An unsafe condition;
- 4.8.2** Persistent violation of any provision of this Bylaw.

5.0 COLLECTION CONTAINERS

5.1 Acceptable Containers for Collection

Acceptable Containers for Recyclable Materials shall be:

- 5.1.1** Transparent blue plastic bags weighing no more than 15 kg (33 lb) when full; and no longer than 1 m (39 inches); and
- 5.1.2** Bundles of corrugated cardboard: flattened and securely tied or otherwise bound together, weighing no more than 15 kg (33 lb) and measuring no more than 30 cm by 60 cm by 90 cm (1 foot by 2 feet by 3 feet).

Acceptable Containers for Compostable Organics shall be:

- 5.1.3** Organics Collection Carts as assigned to properties weighing no more 100 kg (220 lb) when full;
- 5.1.4** Bundles of brush, no more than 60 cm (2 feet) in diameter, securely tied, and weighing no more than 15 kg (33 lb) with no individual piece of material being more than 5 cm (2 inches) in diameter or longer than 1.2 m (4 feet), and
- 5.1.5** For leaves only, clear transparent plastic bags during special leaf collections.

Acceptable Containers for Residual Waste shall be:

- 5.1.6** Clear Transparent Plastic Bags:
 - 5.1.6.1** Securely tied and watertight;
 - 5.1.6.2** No longer than 1 m (39 inches) when empty; and
 - 5.1.6.3** Weighing no more than 15 kg (33 lb) when full.
- 5.1.7** Each serviced unit may set out one (1) solid-coloured regular plastic garbage bag (e.g. black, green, brown, white, etc.) as a “privacy bag” each collection cycle, to contain private items such as medical waste and other residual waste. Privacy bags shall be no more than 1 meter (39 inches) long when empty; and weigh no more than 15 kg (33 lb) when full. A clear bag filled with smaller opaque bags is considered one solid-coloured “privacy bag”. The privacy bag counts as one residual waste container and is subject to inspection for proper source-separation like any other residual waste container.
- 5.1.8** To prevent litter created by pests, snow plows, etc., acceptable residual waste bags may be set out for collection inside water tight metal or plastic garbage cans which are:

5.1.8.1 Constructed of durable metal, plastic or other impermeable material designed for containment of waste;

5.1.8.2 Equipped with a tight fitting impermeable cover,

5.1.8.3 Equipped with handles in good repair;

5.1.8.4 As large or larger in diameter at the top than at the bottom.

5.1.9 The basic collection container unit remains the plastic bag (clear or solid-coloured) regardless whether the bag is set out on its own, in a garbage can, or in a storage bin at roadside.

5.2 Allowable Number of Containers

The number of containers allowed per serviced unit per collection is as follows:

5.2.1 A total of eight bags of recyclables and residual waste combined;

5.2.2 Up to eight bags may be recyclable materials (in blue bags);

5.2.3 No more than four bags may be residual waste (in clear bags);

5.2.4 One clear bag may be replaced with a solid-coloured privacy bag;

5.2.5 One green cart except in the case of a multi-unit apartment building where the number of green carts allowed shall be assigned to the property;

5.2.6 Two bundles of brush;

5.2.7 Two bundles of corrugated cardboard.

6.0 PENALTIES

6.1 Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$200.00 and not more than \$1,000.00 and to imprisonment of not more than three months in default of payment thereof.

6.2 Every day during which an offence pursuant to this Bylaw continues is a separate offence.

6.3 Any previous Waste Bylaws and amendments thereto are repealed upon coming into force of this bylaw.

Clerk’s Annotation for Official Bylaw Book

Date of first reading: August 16, 2018

Date of advertisement of Notice of Intent to Consider: August 30, 2018

Date of final reading: September 18, 2018

Date of advertisement of Passage of Bylaw*: September 27, 2018

I certify that this bylaw was adopted / amended by Municipal Council and published as indicated above.

Carolyn Young
Municipal Clerk

September 27, 2018
Date

** Effective Date of the Bylaw unless otherwise specified*