



Committee of the Whole Excerpts
September 10, 2024

SOLID WASTE BYLAW EXCERPT

Prior to consolidation, The Town of Windsor and The Municipality of the District of West Hants each had their own Bylaws. Both sets of Bylaws were outdated and needed many updates.

Shortly after consolidation, a request was made to review the Town of Windsor and the Municipality of the District of West Hants Bylaws to prepare a consolidated Bylaw that pertains to West Hants Regional Municipality (WHRM) as a whole. As the Solid Waste Collection Contract comes up for renewal, with a start date of April 1, 2025, now is the ideal time to merge the two Bylaws into one.

This proposed Solid Waste Bylaw has several amendments to better reflect West Hants Regional Municipality as one unit, as opposed to differentiating between communities.

The recommended motion was that Committee of the Whole recommend that ...

COUNCIL APPROVES THE NEW WEST HANTS REGIONAL MUNICIPALITY SOLID WASTE BYLAW WITH THE ADDITION OF THE IMPROVED LANGAGE TO ENSURE THE BY-LAW REFLECTS THE MUNICIPALITY'S ABILITY TO COLLECT SOLID WASTE ON PRIVATE ROADS.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole

Submitted by: *T. Richard*
 Todd Richard, Director of Public Works

Date: September 24, 2024

Subject: West Hants Regional Municipality Solid Waste Bylaw

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 23 authorizes Council to make policies for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that:

Committee of the Whole recommends to Council to approve the new West Hants Regional Municipality Solid Waste Bylaw, as amended and presented.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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On September 10, 2024, staff presented a Draft Solid Waste Bylaw to the Committee of the Whole. Based on discussion from that meeting, the following changes were recommended and considered:

- Update the Private Road Collection definition to better reflect a Private Road Curbside Collection Policy
- Five (5) clear garbage bags are not enough

- Three (3) leaf and yard waste bags are not enough and would like to keep the special collections for leaf and yard waste in Windsor
- The bulky item weight of 75kg is too heavy for haulers, would like to see this reduced
- The number of Green Bins per unit and maximum number of units
- The definition of single-family unit does not specify secondary suites
- Eligible premises for green carts does not specify secondary suites

DISCUSSION

After the COTW meeting, the Draft Solid Waste Bylaw was reviewed again. The following changes were made to the Solid Waste Bylaw.

Updates to the WHRM Draft Solid Waste Bylaw	
Before	After
<p>Section 3 (41) Definitions: “private roads” means roads, including privately owned roads or roads not maintained by the government owner, where the Municipality's collection contractor does not travel down the road and provide curbside collection services, unless otherwise approved by the Municipality. For private roads not approved, they will receive all eligible collection limits at the nearest public road, as outlined in Section 12 of this Bylaw.</p>	<p>Section 3 (41) Definitions: “private roads” means roads, including privately owned roads or roads not maintained by the government owner, where the Municipality's collection contractor does not travel down the road and provide curbside collection services. The Municipality may consider curbside collection on a private road if the private road meets the requirements as outlined in the WHRM Private Road Waste Collection Policy. For private roads not approved, they will receive all eligible collection limits at the nearest public road, as outlined in Section 12 of this Bylaw.</p>
<p>Section 3 (45) Definitions: “single-family dwelling” means a dwelling as defined herein occupied by a single-family unit and includes a mobile home and a dwelling within a multi-unit residential dwelling, such as a duplex, rowhouse or townhouse.</p>	<p>Section 3 (45) Definitions: “single-family dwelling” means a dwelling as defined herein occupied by a single-family unit and includes a mobile home and a dwelling within a multi-unit residential dwelling, such as a duplex, rowhouse or townhouse. This includes a second suite within a single-family dwelling.</p>
<p>Section 8 (1)(a) & (c) Eligible Premises (a) single-family dwellings, including mobile homes or grouped single-family dwellings on a lot. (c) multi-unit apartment buildings.</p>	<p>Section 8 (1)(a) & (c) Eligible Premises (a) single-family dwellings, including mobile homes or grouped single-family detached dwellings on a lot. (c) multi-unit apartment buildings which have a maximum of six (6) units.</p>

Updates to the WHRM Draft Solid Waste Bylaw	
Before	After
<p>Section 9 (1)(a)(i) Collectible Material – Preparation and Restrictions a maximum of five (5) residual waste regulation bags</p>	<p>Section 9 (1)(a)(i) Collectible Material – Preparation and Restrictions a maximum of five (5) residual waste regulation bags per unit;</p> <p>*If residents are sorting properly, this should be enough bags for every two weeks.</p>
<p>Section 9 (1)(a)(ii) Collectible Material – Preparation and Restrictions a maximum of one (1) bulky item other than white goods not exceeding more than 75kg (165lbs) in weight per item;</p>	<p>Section 9 (1)(a)(ii) & (iii) Collectible Material – Preparation and Restrictions (ii) a maximum of one (1) bulky item other than white goods not exceeding more than 34kg (75lbs) in weight per item; (iii) certain large items, such as furniture, may weigh up to 75kg (165lbs). Items weighing more than 75kg will not be collected.</p> <p>*FYI East Hants = 100kg/item HRM = 200kg/item Valley Waste = 91kg/item (only collect bulky items twice a year as special collection)</p>
<p>Section 9 (1)(a)(ix) Collectible Material – Preparation and Restrictions a maximum of three (3) paper bags of leaf and yard waste in addition to the organics cart.</p>	<p>Section 9 (1)(a)(ix) Collectible Material – Preparation and Restrictions a maximum of six (6) paper bags of leaf and yard waste in addition to the organics cart.</p>
<p>a) single-unit building – (1) green cart per dwelling unit b) duplex building - (1) green cart per each unit c) semi-detached-building - (1) green cart per each unit d) manufactured home - (1) green cart per unit e) buildings of 3 to 6 units - (2) green cart per building f) buildings of 6 to 10 units - (2) green carts per building g) buildings of 11 to 20 units - (4) green carts per building</p>	<p>a) single-unit building - 1 green cart per unit b) duplex building - 1 green cart per unit c) semi-detached-building - 1 green cart per unit d) manufactured home - 1 green cart per unit e) buildings of 3 to 6 units - 2 green cart per building</p>

Updates to the WHRM Draft Solid Waste Bylaw	
Before	After
<p>h) buildings of over 20 units - (4) green carts per building</p> <p>i) senior's apts. Of more than 20 units - (4) green carts per building</p>	
<p>Section 22 (1) Administrative Ticketing In lieu of prosecution under this Bylaw, the Municipality may, in its sole and absolute discretion, issue to any person it believes upon reasonable grounds has committed an offence under Section 21(1) of this Bylaw, a Notice of Violation, which Notice shall require the person to whom it is directed to pay to the Municipality within 14 days of the issuance of the Notice the sum of two hundred and fifty dollars (\$250.00) for contravention of Section 21(1) of this Bylaw, provided that such person has removed the illegally dumped solid waste and cleaned up and restored the site to the satisfaction of the Director of Public works or his/her Designate, and further provided that no person, animal or property was injured or damaged by such illegal dumping, and if the person pays within the said time, they shall thereby avoid prosecution for that contravention.</p>	<p>Section 22 (1) Administrative Ticketing In lieu of prosecution under this Bylaw, the Municipality may, in its sole and absolute discretion, issue to any person it believes upon reasonable grounds has committed an offence under Section 19(1) of this Bylaw, a Notice of Violation, which Notice shall require the person to whom it is directed to pay to the Municipality within 14 days of the issuance of the Notice the sum of two hundred and fifty dollars (\$250.00) for contravention of Section 19(1) of this Bylaw, provided that such person has removed the illegally dumped solid waste and cleaned up and restored the site to the satisfaction of the Director of Public works or his/her Designate, and further provided that no person, animal or property was injured or damaged by such illegal dumping, and if the person pays within the said time, they shall thereby avoid prosecution for that contravention.</p>
<p>Nothing noted to reflect replacing the previous solid waste Bylaws for Windsor and West Hants</p>	<p>Section 23 Repeal and Replace The previous version, and all other versions of the Municipal Solid Waste Bylaw, are repealed and replaced by this Bylaw.</p>

NEXT STEPS

Following an approval, updates will be made to the website as well as the 2025 Solid Waste Calendar reflecting the changes noted above.

FINANCIAL IMPLICATIONS

- Following adoption of the Bylaw, staff could experience more frequent phone calls; a major change in collection can result in an increase in residents calling with questions.
- Updating Collection calendars – if not approved before creating the new calendars, which are typically sent to the printer in November and mailed to residents in early December.
- Ads for Newspaper.

Cost associated with updating the Bylaw are within the 2024-25 operating budget and, depending on the timing of approval, any additional costs will be included in the 2025-26 operating budget.

ALTERNATIVES

There are no alternative recommendations.

ATTACHMENTS


A copy of the Proposed Bylaw is attached.

CHIEF ADMINISTRATIVE OFFICER REVIEW

I encourage Council to thoroughly review the amendments to ensure the bylaw reflects Council’s intent and direction for solid waste and its impact on the service levels for all WHRM residents. Specifically the private roads section.

I support the recommendation pending Council’s review.

Report Prepared by: _____
Jenny LaPierre, Waste Services Coordinator

Report Reviewed by: 
(Name and Title)

Report Approved by: 
Mark Phillips, Chief Administrative Officer



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole

Submitted by: _____
Todd Richard, Director of Public Works

Date: September 10, 2024

Subject: West Hants Regional Municipality Solid Waste Bylaw

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 23 authorizes Council to make policies for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that:

Committee of the Whole recommends to Council to approve the new West Hants Regional Municipality Solid Waste Bylaw, as presented.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Prior to consolidation, The Town of Windsor and The Municipality of the District of West Hants each had their own Bylaws. Both sets of Bylaws were outdated and needed many updates.

Shortly after consolidation, the Waste Services Coordinator was requested to review the Town of Windsor and the Municipality of the District of West Hants Bylaws to prepare a consolidated Bylaw that pertains to West Hants Regional Municipality (WHRM) as a whole. As the Solid

Waste Collection Contract comes up for renewal, with a start date of April 1, 2025, now is the ideal time to merge the two Bylaws into one.

Research began by filtering through each Bylaw to determine what information is still relevant today and what should be removed or updated. Additional information was gathered from other Municipal Bylaws and advice and input was received from Region 6, WHRM Bylaw Officers as well as GFL. This proposed Solid Waste Bylaw has several amendments to better reflect West Hants Regional Municipality as one unit, as opposed to differentiating between communities.

DISCUSSION

As a Municipality, we create a Solid Waste Bylaw based on provincial rules and the services we provide for curbside waste collection. The proposed Solid Waste Bylaw has been updated to provide a consistent and equal level of service throughout the Municipality and to better reflect its growing population and infrastructure. Additional information has been added to allow our Bylaw Officers and Administration to do their job more efficiently, effectively and with more clarity.

Enforcement is achieved through a combination of compliance monitoring and traditional investigations along with an equal balance of community outreach and education. An effort was made with this Bylaw to provide clarity to both residents (to know what behaviors and actions are permitted) and to the municipality, allowing Administrators to know what capacity they have to enforce order in WHRM.

To achieve clarity and to better reflect the municipality’s growing population and infrastructure, as well as committing to the province’s goal of growing the circular economy, changes were made to the consolidated Solid Waste Bylaw and are outlined in the tables below.

West Hants Services Updated in the Consolidated WHRM Bylaw	
Before	After
Director of Public Works or Designate had the ability to administer and enforce Bylaw	Administrator – A WHRM staff Member appointed by the CAO, or a person appointed by the Administrator as his/her designate, to administer and enforce the provisions of the Bylaw
A dwelling does not include a hotel, motel, guesthouse, inn	Now clarifies that a dwelling does not include a hotel, motel, guesthouse, inn, RV and, depending on their structure, sea-can containers
Garbage bag limits – 6	Garbage bag limits - 5
22. General Municipal Collection The Municipality, its servants, agents or independent contractors, shall provide	7.1 General Municipal Collection The Municipality, its servants, agents, or independent contractors, shall provide

West Hants Services Updated in the Consolidated WHRM Bylaw	
Before	After
<p>collection services to all households within the Municipality located on highways plowed by the Department of Transportation or the Municipality in accordance with a schedule approved by the Municipality from time to time.</p> <p>*Indicating that there will be no private road collection</p>	<p>collection services to eligible premises within the Municipality located on highways plowed by the Department of Transportation or the Municipality, in accordance with a schedule approved by the Municipality from time to time, and to such other premises on any private roads as may be expressly designated for inclusion in general municipal collection by the Municipality.</p> <p>*Indicating that private road collection may be available to private roads that meet a certain criteria</p>
<p>Eligible Premises was not defined</p>	<p>Eligible Premises includes:</p> <ul style="list-style-type: none"> (a) single-family dwellings; (b) multi-unit residential dwellings; (c) multi-unit apartment buildings; (d) commercial and institutional premises generating ICI waste; (e) municipally owned and occupied buildings; and (f) community group facility
<p>Designated Christmas Tree Drop off Location</p>	<p>Curbside collection of Christmas trees</p>
<p>Solid waste shall be placed for collection by 7:00 am on the collection day.</p>	<p>Solid waste shall not be placed for collection before 7:00pm on the day before or no later than 7:00am on the collection day</p>
<p>Bulky items placed for collection shall not exceed 70 kilograms in weight for any one item and no such item shall measure greater than 1.22 metres in width and 1.83 metres in length.</p>	<p>a maximum of 1 bulky item other than white goods not exceeding more than 75kg (165lbs) in weight per item</p>

Windsor Services Updated in the Consolidated WHRM Bylaw	
Before	After
<p>Maximum of 4 clear bags of garbage and 1 Privacy Black Bag</p>	<p>Maximum of 5 clear bags and 1 small solid-coloured privacy bag no larger than 22 x 24 inches and may be placed in the clear bag as above</p>
<p>Maximum of 4 clear bags of recyclables</p>	<p>a maximum of 10 clear regulation bags of recyclables</p>
<p>Special Leaf & Yard Collection</p>	<p>No Special Leaf & Yard Waste Collection</p>

Windsor Services Updated in the Consolidated WHRM Bylaw	
Before	After
On the last Monday of every month from April – November, Windsor Resident can place an unlimited number of bags containing leaves and grass clippings as well as 2 bundles of brush (plastic or paper bags are accepted)	a maximum of three (3) paper bags of leaf and yard waste in addition to the organics cart every organic collection day. One paper bag can be swapped for 1 bundle of brush
The number of green bins for each of the following: a) Single unit building – 1 b) Two dwelling unit building – 1 c) Buildings with 3-5 dwelling units – 2 d) Buildings with 6–10 dwelling units – 3 e) Buildings with 10 or more dwelling units – 4 f) Mobile homes, each unit – 1 g) Commercial, institutional or industrial properties per tenant/occupant – 1	The number of green bins for each of the following: a) single-unit building - 1 b) duplex building – 1 per unit c) semi-detached-building – 1 per unit d) manufactured home – 1 per unit e) buildings of 3 to 6 units – 2 per building f) buildings of 6 to 10 units – 2 per building g) buildings of 11 to 20 units – 4 per building h) buildings of over 20 units – 4 per building i) senior’s apts. Of more than 20 units – 4 per building
Solid waste shall not be placed for collection before 9:00pm on the day before or no later than 7:30am on the collection day	Solid waste shall not be placed for collection before 7:00pm on the day before or no later than 7:00am on the collection day
Bulky items placed for collection shall not exceed 70 kilograms in weight for any one item and no such item shall measure greater than 1.22 metres in width and 1.83 metres in length.	a maximum of 1 bulky item other than white goods not exceeding more than 75kg (165lbs) in weight per item

The Province of Nova Scotia is committed to growing the circular economy (an economy with no wasted energy or materials) by reducing the provincial solid waste disposal rate to 300 kg per person per year by 2030. Right now, the solid waste disposal rate is about 400 kg per person per year, so that will reduce waste by 25%. In 2022-23, WHRM was 471 kg and in 2021-22 was 430 kg; a collaborative effort of enforcement and education will be needed to achieve the disposal rate of 300 kg per person.

Information regarding Nova Scotia’s Landfill Waste Audit 2023, showing that over half of what’s in Nova Scotia’s landfills could have been recycled or composted can be found here - <https://divertns.ca/landfillaudit>. Tables, specific to the GFL West Hants Landfill can be found on page 61 & 68 of the document.

NEXT STEPS

Following an approval, updates will be made to the website as well as the 2025 Solid Waste Calendar reflecting the changes noted above.

FINANCIAL IMPLICATIONS

- Following adoption of the Bylaw, staff could experience more frequent phone calls; a major change in collection can result in an increase in residents calling with questions.
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- Ads for Newspaper.

Cost associated with updating the Bylaw are within the 2024-25 operating budget and, depending on the timing of approval, any additional costs will be included in the 2025-26 operating budget.

ALTERNATIVES

There are no alternative recommendations.

ATTACHMENTS

A copy of the Proposed Bylaw is attached.

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____
Jenny LaPierre, Waste Services Coordinator

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

DRAFT SOLID WASTE MANAGEMENT BYLAW
WEST HANTS REGIONAL MUNICIPALITY

1. *The Waste Collection and Disposal Bylaw passed by the Council of West Hants Regional Municipality on _____ and published in Saltwire, a newspaper circulating in the Municipality, on _____, together with the Resolutions of Council passed under the said Bylaw dated _____ be and are hereby repealed and the following is substituted therefor.*
2. This bylaw shall be known and may be cited as the "Solid Waste Management Bylaw" of West Hants Regional Municipality ("the Municipality").

3. DEFINITIONS

In this Bylaw the following words and phrases shall have the following meanings:

- 1) "Administrator" means a person appointed by the Chief Administrative Officer to administer this bylaw, or a person appointed by the Administrator as his/her designate.
- 2) "apartment buildings" includes multi-unit buildings in which the tenure is not by lease, such as condominiums or co-operatives.
- 3) "backyard composting" means composting at a residential dwelling unit of organic solid waste comprised of yard waste and food scraps and spoiled or waste food or foodstuff excluding meat, fish, eggs or dairy products where the waste is generated by the residents of the dwelling unit or neighbouring dwelling units or both.
- 4) "boxboard" means cereal, shoe, tissue, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls, or other similar items.
- 5) "branches and limbs" include all branches, limbs, and brush less than (3ft) in length, with individual pieces having a diameter of not more than 3 cm.
- 6) "bulky item" means an item or bundle other than white goods too large to fit in a garbage bag.
- 7) "collectable waste" means material originating from eligible premises and placed for collection by the owner or occupant and includes, but is not limited to, residual waste, recyclable materials, and organic materials that are subject to sorting requirements, volumes and restrictions located elsewhere in this Bylaw, on regularly scheduled collection days.

- 8) "collection contractor" means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectable waste from eligible premises.
- 9) "collection day" means any day which is scheduled by the Municipality for municipal collection of collectable waste.
- 10) "commercial container" means any container used for the storage of waste materials placed by individuals in multi-unit buildings or commercial or institutional premises which are eligible for municipal collection.
- 11) "commercial enterprise" means an enterprise which is commercially assessed for a commercial tax rate by the Municipality, or an apartment building having one civic address and more than six (6) units but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office.
- 12) "commercial premises" means any lot of land which contains one or more commercial enterprises.
- 13) "common area containers" means separate containers for the source separation of organic materials, general recyclables, paper recyclables and residual waste and/or ICI waste located in a common area at industrial, commercial, and institutional premises.
- 14) "construction and demolition waste" or "construction and demolition debris" means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fiberglass insulation, pieces of gyprock, scrap wood and such other materials as may be permitted from time to time by regulation of the Province of Nova Scotia for disposal at a disposal site for construction and demolition materials.
- 15) "contaminated soil" means soil which:
 - (a) has been contaminated with and contains in excess of 2,000 parts per million of total petroleum hydrocarbons; or
 - (b) has been removed from a site because of actual or suspected contamination pursuant to a requirement or order of the Nova Scotia Department of Environment.
- 16) "corrugated cardboard" means a paper-based material generally consisting of a fluted corrugated sheet and one or two flat linerboards. It is widely used in the manufacture of corrugated boxes, corrugated shipping containers and other similar products.

- 17) "Council" or "council" means the Council of West Hants Regional Municipality.
- 18) "curb" means the portion of the public road right-of-way between the travelled portion or parking area and the property line, which parallels the street center line.
- 19) "dispose" includes any form of disposal and includes temporary or permanent out of doors deposit, storage, placement, or burial regardless of whether the material in question is in a container.
- 20) "dwelling" means a building, or a unit in a building, occupied or intended to be occupied as a home, by one or more persons, and usually containing cooking, eating, living, sleeping and sanitary facilities. This does not include a hotel, motel, guesthouse, RV, inn and, depending on their structure, sea-can containers.
- 21) "electronics" means any electronic device that is acceptable under the Recycle My Electronics program. The list of items under this category may change from time to time;
- 22) "eligible premises" means those properties within the Municipality which are eligible for municipal collection as defined in Section 8 of this Bylaw.
- 23) "general recyclables" means materials designated by Council from time to time, which at the time of adoption of this bylaw includes the following types of materials - glass bottles and jars, aluminum, steel and tin cans, high-density polyethylene, low-density polyethylene, and polyethylene terephthalate plastic bottles, containers and bags, milk and juice cartons, tetra packs and mini-sip containers.
- 24) "hauler" means any company, person or persons who transports waste materials including, without limitation, institutional, commercial, industrial waste (ICI), solid waste, recyclable materials, construction and demolition waste or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.
- 25) "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, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid, pesticides, and insecticides.
- 26) "household hazardous waste" or "HHW" means waste-resource materials of 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, pool chemicals, batteries, and automotive fluids. For the purpose of this bylaw, household hazardous waste does not include Polychlorinated biphenyls (PCBs), radioactive materials, explosives, fireworks, pathological wastes, and ammunition.

- 27) "illegally dumped material" means the disposal or depositing of waste in any manner or at any site other than those permitted under this Bylaw.
- 28) "Industrial/commercial/institutional waste" or "ICI waste" means material of similar composition as residual waste produced by a business, institution, or industry.
- 29) "institutional premises" means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.
- 30) "leaf and yard waste" means leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items.
- 31) "litter" means any material left or abandoned outdoors in a place other than a receptacle place intended or approved for receiving such material.
- 32) "municipal collection" means the scheduled collection of collectable waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.
- 33) "Municipality" or "municipality" means the West Hants Regional Municipality.
- 34) "non- collectable waste" means all material other than collectable waste and without limitation includes:
 - (a) transient waste, meaning waste material produced outside the Municipality or produced at a location other than the dwelling in front of which it is placed for collection or at locations, if any, approved by the Administrator for inclusion in private road collection;
 - (b) liquid waste or material that has attained a fluid consistency and has not been drained;
 - (c) highly combustible or explosive materials, including without limitation, celluloid cuttings, motion picture film, oil or gasoline-soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - (d) pathogenic or biomedical material including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists, or veterinarians;

- (e) trade waste means waste material such as pressure treated wood resulting from construction, demolition or renovation activities other than construction and demolition debris acceptable for disposal at construction and demolition debris disposal sites under Provincial regulations from time to time;
- (f) pathological waste means any part of the human body excepting hair and nail clippings, any part of a dead animal infected with a communicable disease and non-anatomical waste infected with a communicable disease;
- (g) waste listed or characterized as hazardous by this bylaw or by any federal or provincial law;
- (h) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
- (i) septic tank pumpings, raw sewage or industrial sludge;
- (j) radioactive materials;
- (k) soil, rock, and stumps from land clearing, or contaminated soils from environmental remediation activities;
- (l) industrial waste material from factories or other manufacturing processes;
- (m) manure, kennel waste, excreta, fish processing waste;
- (n) waste material from commercial containers;
- (o) lead-acid automotive batteries and propane tanks;
- (p) waste material which has not been placed for collection in accordance with the provisions of this Bylaw; and
- (q) materials banned from landfill disposal by provincial statute and regulations as amended from time to time unless such materials are recyclable materials or organic materials lawfully placed for collection from eligible premises.

35) “occupant” includes any person who occupies a building or a property, the owner or personal representative of the owner, within the Municipality.

36) “organics collection cart”, “cart” or “green cart” means a cart supplied to eligible premises by the Municipality for curbside collection of organic materials.

37) “organic materials” or “organic waste” means food waste, leaf and yard waste, soiled boxboard, soiled non-recyclable paper (wet or contaminated), bags designed for sugar, flour, and potatoes, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as designated by Council from time to time and not excluded as non-collectable waste by this Bylaw.

38) “owner” includes:

- (a) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;

- (b) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care and control of the land or building;
 - (c) a person who occupies shores, beaches, or shoals; and
 - (d) in absence of proof to the contrary, the person assessed for the property.
- 39) “paper recyclables” or “paper” means materials designated by Council from time to time, which at the time of adoption of this Bylaw includes boxboard, mixed paper, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons.
- 40) “privacy bag” means a small solid-coloured plastic garbage bag or a single container pursuant to Section 10.2.a.4.
- 41) “private roads” means roads, including privately owned roads or roads not maintained by the government owner, where the Municipality's collection contractor does not travel down the road and provide curbside collection services, unless otherwise approved by the Municipality. For private roads not approved, they will receive all eligible collection limits at the nearest public road, as outlined in Section 12 of this Bylaw.
- 42) “recyclable material” or “recyclables” means general recyclables and paper recyclables as defined in this Bylaw.
- 43) “regulation bag or container” means a bag, container or bundle which meets the specifications and other requirements for the same in relation to specific waste types as outlined in Section 10 or otherwise approved by the Municipality.
- 44) “residual solid waste” or “residual waste” means household waste except:
- (a) recyclables;
 - (b) organic solid waste and food;
 - (c) non-collectable waste or waste subject to special collection;
 - (d) waste placed for collection that does not meet the requirements of this Bylaw, including limitations on the size, weight, volume, bagging, packaging or bundling or which is otherwise placed for collection contrary to this Bylaw; and
 - (e) hazardous waste.
- 45) “single-family dwelling” means a dwelling as defined herein occupied by a single-family unit and includes a mobile home and a dwelling within a multi-unit residential dwelling, such as a duplex, rowhouse or townhouse.

- 46) "solid waste" or "waste" includes recyclables, compostables, residual waste, construction and demolition waste, leaf and yard waste, contaminated soil and any other waste or discarded tangible personal property.
- 47) "special collection" means a Municipal collection scheduled by the Administrator for a specific waste which can include but is not limited to Christmas Tree Collection, Leaf & Yard Waste Collection, large item and/or white goods Collection.
- 48) "storage box" or "storage container" means an outdoor storage box or container acceptable for storing regulation bags or containers for solid waste provided they meet the specifications set out in Section 10.
- 49) "unit" means a self-contained portion of a building occupied as a separate residence or business.
- 50) "waste management facility" or "waste disposal facility" means any of the facilities for the management of aggregated ICI waste, residual waste, recyclable materials, and organic materials operated by the Municipality, its contractors, or its agents.
- 51) "white goods" includes any large household appliance, including but not limited to refrigerators, freezers, air conditioners, dehumidifiers, stoves, washers, and dryers.
- 52) "yard waste" means vegetative matter resulting from gardening, horticulture, landscaping, or land clearing operations, including material such as a tree, shrub trimmings, plant remains, grass clippings, and leaves, but not including construction and demolition waste or contaminated organic matter.

4. THE ADMINISTRATOR

- 1) The Administrator shall administer and enforce the provisions of this Bylaw and, for this purpose, may:
 - (a) divide the Municipality into areas for the purposes of collection of collectable waste from eligible premises on various days of the week;
 - (b) designate a particular day of the week for collection of collectable waste, or a type or types of collectable waste, in each designated collection area;
 - (c) alter the boundaries of areas as deemed necessary on reasonable notice to the public;
 - (d) administer and liaise with any collection contractor who may be hired by the Municipality to carry out the collection of collectable waste within the Municipality;
 - (e) assign organics collection carts to eligible premises;
 - (f) determine the frequency of collection of collectable waste in each designated collection area of the Municipality;
 - (g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities;
 - (h) determine the number, frequency, and type of special collections;
 - (i) provide any further directions required from time to time in order to implement this Bylaw and the waste collection policies or resolutions of Council from time to time; and
 - (j) enter on, inspect or pass over any property to which this Bylaw applies, without being liable for trespassing and without the owner of the property having the right to object, to determine:
 - a. the extent, if any, to which an offense has been committed; and
 - b. the cause, if any, to the offense which has been committed.

5. MUNICIPAL SOLID WASTE MANAGEMENT FACILITY

- 1) The solid waste management facility for the Municipality shall be the facility or facilities designated by resolution of Council of the Municipality from time to time.
- 2) The Municipality may, in its sole discretion, refuse any waste if, in the opinion of the Waste Facility Operator or the Administrator, the quantity or type of material being delivered to the Municipal Solid Waste Management Facility exceeds the Facility's capacity or is otherwise unacceptable.
- 3) No person shall deposit or cause to be deposited at the Municipal Solid Waste Management Facility material other than acceptable waste pursuant to this Bylaw and acceptable by the Waste Facility Operator.

- 4) Any person delivering or placing waste at a Municipal Solid Waste Management Facility must do so in accordance with this Bylaw and instructions from the Waste Facility Operator.
- 5) No person shall deposit waste at, in or adjacent to the Municipal Solid Waste Management Facility when it is closed or when the Waste Facility Operator or Staff have refused to accept or permit the deposit of such waste.
- 6) No person shall deposit or cause to be deposited at the Municipal Solid Waste Management Facility any solid waste which has not been separated in accordance with this Bylaw or any solid waste which is misleadingly packaged or presented, or which is concealed or intermingled with waste of another type or place of origin.
- 7) Any person delivering or placing solid waste at a Municipal Solid Waste Management Facility does so at their own risk.
- 8) No person shall remove solid waste from a Municipal Solid Waste Management Facility unless authorized by the Waste Facility Operator.
- 9) Any person having any questions or complaints about the operation of the Municipal Solid Waste Management Facility shall direct their questions and complaints to the Waste Facility Operator.

6. RESPONSIBILITIES OF PROPERTY OWNERS AND OCCUPANTS

- 1) Every owner or occupant shall:
 - (a) ensure solid waste does not accumulate on or around the property including uncollected solid waste other than in a storage container or in a collection box which meets requirements outlined elsewhere in this Bylaw and where an owner or occupant permits the accumulation of solid waste contrary to the Bylaw, the Administrator may order the owner or occupant to dispose of it lawfully, failing to do so may result in the Municipality's employees or agents to enter the property to collect and dispose of the accumulated solid waste, the expense of which will be charged to the owner or occupant, as a first lien collectable as a tax . Chargeable costs associated with cleanup may include contractor expenses, staff labour, fuel and tipping fees;
 - (b) Ensure the proper preparation and disposal of all solid waste in accordance with this Bylaw;
 - (c) use only regulation bags and containers for the storing and placement for collection of collectable waste:
 - i. maintain such regulation bags and containers in good repair and in sanitary condition; and

- ii. ensure that each regulation bag and container is covered and secured at all times except when being emptied or filled.
- (d) shall provide sufficient and adequate storage for solid waste which may accumulate from time to time on the property, including:
- i. ensuring recyclables and residual waste regulation bags are stored inside buildings or in storage containers that are waterproof and impervious to domestic and wild animals and rodents, and which are designed and constructed to prevent the entrapment of children; and
 - ii. ensuring all storage containers can be opened from the inside at all times by children.
- (e) clean up any type of solid waste which has escaped from its regulation bag or container;
- (f) separate solid waste at the time of placement for collection and disposal into uncontaminated separate solid waste categories as follows:
- i. compostables;
 - ii. general recyclables;
 - iii. paper recyclables;
 - iv. residual waste;
 - v. residential home renovation waste materials if and to the extent these may from time to time be permitted to be collected by the Municipality; and
 - vi. separation of solid waste acceptable only on special collections or by express approval by the Administrator for things such as bulky items, white goods, or HHW.
- (g) where reasonably possible, ensure that collectable waste remains indoors, or behind or beside the main building on the eligible premises except on collection day and is kept in a manner that discourages interference by vermin and wild or domestic animals;
- (h) place dangerous material such as broken glass, broken crockery, and sharp metal in a sealed box or bucket, and shall be clearly and adequately identified;
- (i) contract with a hauler, at their own expense, to provide, or may themselves provide, for the removal of all solid waste larger in volume, weight, size or quantity and/or for more frequent collection than is provided by the Municipality. It is further mandated that any excess residual solid waste that accumulates on the property shall be collected or disposed of at a minimum frequency of once every 14 days; and
- (j) shall be responsible for separation and lawful disposal of non- collectable materials at a lawful disposal site.

7. GENERAL MUNICIPAL COLLECTION

- 1) The Municipality, its servants, agents, or independent contractors, shall provide collection services to eligible premises within the Municipality located on highways plowed by the Department of Transportation or the Municipality, in accordance with a schedule approved by the Municipality from time to time, and to such other premises on any private roads as may be expressly designated for inclusion in general municipal collection by the Municipality.
- 2) The Administrator or their Designate may refuse to collect containers which have not been adequately drained of liquid or which are wet or the contents of which are of fluid consistency.

8. ELIGIBLE PREMISES

- 1) Eligible premises which have been granted an occupancy permit by the Municipality shall include:
 - (a) single-family dwellings, including mobile homes or grouped single-family dwellings on a lot;
 - (b) multi-unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;
 - (c) multi-unit apartment buildings;
 - (d) commercial and institutional premises generating ICI waste;
 - (e) municipally owned and occupied buildings such as municipal offices, municipal pool, municipal water treatment facilities, etc.; and
 - (f) community group facility, where physical premises are occupied for the purpose of supporting community activities.
- 2) Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties, or elsewhere except as expressly permitted by this bylaw or by the Municipality, for municipal collection.
- 3) Notwithstanding the provisions of section 8 of this bylaw, where a property of the type listed in clauses (a) to (f) of subsection 8 (1) does not qualify as eligible premises solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at the curbside for municipal collection if authorized by the Administrator.

9. COLLECTABLE MATERIAL – PREPARATION AND RESTRICTIONS

- 1) No person shall place or caused to be placed out for municipal collection any solid waste except in accordance with the following:

- a) For any one eligible premise under section 8(1)(a) or (b) waste shall be placed for any one collection day only in accordance with the following limits or conditions:
 - i) a maximum of five (5) residual waste regulation bags;
 - ii) a maximum of one (1) bulky item other than white goods not exceeding more than 75kg (165lbs) in weight per item;
 - iii) a maximum of ten (10) regulation bags of recyclables;
 - iv) one (1) organics cart of organic waste;
 - v) a bundle of brush not exceeding 25kg (55lbs) in weight per bundle, no longer than 4ft (1.2m) and no bigger than 3 cm in diameter;
 - vi) a bundle of cardboard not exceeding 22kg (48lbs) in weight and no bigger than 1ft x 2ft x 3ft;
 - vii) paper recyclables must be placed in separate watertight transparent blue bags or clear transparent bags, except corrugated cardboard, which may be placed in securely tied bundles not greater than 2 ft x 3 ft x 8 in; and
 - viii) a maximum of three (3) paper bags of leaf and yard waste in addition to the organics cart.

- b) In the case of placement for municipal collection of white goods containing refrigerant gas (or CFCs), the following items must have such gas (or CFCs) removed and display a sticker issued by the appropriate authority indicating that the refrigerant gas (or CFCs) have been removed before they are eligible for special collection:
 - i) refrigerators
 - ii) freezers
 - iii) air conditioning units
 - iv) dehumidifiers

- c) Where the Municipality establishes a separate collection of white goods, special collections will have limits and specifications as may be determined and publicized by the Municipality's Administrator.

- d) Where the Municipality establishes a separate collection of organic materials such as Christmas trees or leaf and yard waste, special collections will have limits and specifications as may be determined and publicized by the Municipality's Administrator.

- e) No person shall place or cause to be placed for municipal collection any non- collectable waste or material banned from disposal by provincial regulations.

10. REGULATION BAGS AND CONTAINERS FOR MUNICIPAL COLLECTION

- 1) The owner or occupant of each eligible premise shall be responsible for containing designated collectable waste to prevent the escape of waste materials into the

environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped from its container onto public or private property.

- 2) Only plastic bags and containers which meet the following specifications and requirements shall be utilized for the purposes of general municipal collection:

a) Residual waste regulation bags:

Only the following residual waste regulation bags shall be used:

- i. Residual waste must be placed in watertight clear transparent bags with an overall length of not more than 3.28 ft (1 m) when empty and requires sufficient thickness to prevent breakage, tearing or splitting upon collection.
- ii. the filled bags are not to exceed 22 kg (48 lbs.) in weight.
- iii. all material must be securely contained to prevent material from escaping into the environment.
- iv. the filled bags shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened except:
 - (a) one small solid-coloured privacy bag no larger than 22 x 24 inches and may be placed in the clear bag as above;
 - (b) medical containers provided by the Municipality; and
 - (c) boxed and labelled broken glass or sharp metal pieces.

b) Recyclable materials regulation bags

Only the following recyclable materials regulation bags shall be used:

- i. general recyclables must be placed in watertight transparent blue bags or clear transparent bags with an overall length of not more than 3.28 ft (1 m) when empty and requires sufficient thickness to prevent breakage, tearing or splitting upon collection;
- ii. paper recyclables must be placed in separate watertight transparent blue bags or clear transparent bags, except corrugated cardboard, which may be placed in securely tied bundles not greater than 2 ft x 3 ft x 8 in;
- iii. the weight of each bag, including contents, placed for recyclable materials collection must not exceed 22 kg (48 lbs.);
- iv. all material must be securely contained to prevent material from escaping into the environment;
- v. the filled bags shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened; and

- vi. general recyclables and paper recyclables must be separated into separate bags for collection.

c) Compostable materials regulation containers

Only the following compostable materials regulation containers shall be used:

- i. organics collection carts as assigned to eligible premises by the Municipality as per Section 11 of this bylaw; and
- ii. subject to the limits in this bylaw, excess leaf and yard waste material may be placed out for collection in paper bags, except branches or limbs that may be placed in securely tied bundles not exceeding 25kg (55lbs) in weight per bundle, no longer than 4ft (1.2m) and no bigger than 3 cm in diameter.

11. ORGANIC COLLECTION CARTS

1. Every owner or occupant of eligible premises shall be provided with one or more organic carts from the Municipality for the storage and disposal of organic waste generated from their premises in accordance with subsection 3 of this section.
2. To comply with the preceding section, an organic cart shall:
 - a) be assigned by the Municipality;
 - b) remain on the property for which it was assigned and shall remain on the property when a householder sells a property;
 - c) maintain the organic cart in good repair and sanitary condition;
 - d) be replaced or repaired at the owner or occupant's expense, to which the cart was assigned due to misuse, alterations or abuse;
 - e) make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number;
 - f) owners of eligible premises are responsible for the cart(s) assigned to the premises and used by tenants who are renting or leasing the premises;
 - g) except as authorized by the Administrator, no person shall restrict the lid of an organics collection cart on collection day including using bungee cords, chains, rope, or another locking device; and
 - h) any restraints that are used on a lid of an organics collection cart must be removed the morning of collection by the owner.
3. Every owner or occupant of the following types of eligible premises shall be provided by the Municipality, a maximum number of organic carts as outlined below. In all cases the building owners are to ensure adequate number of organic carts are provided. In the case of multi-unit buildings, if the number of bins provided is not sufficient for the waste accumulated by

residents, the property owner will be required to provide additional commercial containers at their own expense.

a) single-unit building	(1) green cart per dwelling unit
b) duplex building	(1) green cart per each unit
c) semi-detached-building	(1) green cart per each unit
d) manufactured home	(1) green cart per unit
e) buildings of 3 to 6 units	(2) green cart per building
f) buildings of 6 to 10 units	(2) green carts per building
g) buildings of 11 to 20 units	(4) green carts per building
h) buildings of over 20 units	(4) green carts per building
i) senior's apts. Of more than 20 units	(4) green carts per building

12. PLACEMENT OF MATERIALS

- 1) All solid waste to be collected by the Municipality shall be accessible to the contractor within three (3) meters (9.8 ft) of the curb or other such location, which may be required from time to time. Solid waste is to be placed directly in front of, where possible, and on the same side of the street from which the waste was generated and is not to interfere with pedestrian or vehicular traffic and snow removal.
- 2) Organics collection carts must be placed at the curb in an upright position with the lid closed and shall not be stored inside a container or box, unless the cart can be wheeled out without lifting, or is removed from the container or box by the owner for collection.
- 3) A property that does not abut a public listed and maintained road and are located on private roads that are not approved for curbside collection, the owner shall transport eligible solid waste to the nearest public listed and maintained road for collection, unless the Municipality directs otherwise.
- 4) No person shall place, or caused to be placed outdoor, roadside storage boxes or containers other than one which meets the following specifications:
 - a) constructed of wood, metal, plastic or other impermeable material which is inaccessible to pests, rodent, vermin, birds or animals;
 - b) are affixed with a lid weighing not more than 5 kg/11lbs. and, except as authorized by the Administrator, shall not have their opening restricted by bungee cords, chains, rope, or another locking device;
 - c) shall be maintained in a neat and sanitary condition and kept in good repair;

- d) white goods, such as a discarded refrigerator or freezer shall not be permitted to be used as an outdoor roadside storage box or container for storing solid waste and nor shall white goods be placed within roadside storage boxes or containers;
 - e) where multiple dwellings use the storage container, all civic numbers must be posted on it to ensure that solid waste curbside limits are met;
 - f) shall be located and positioned no more than 9.8ft (3 m) from the travelled portion of the road or as directed by the Municipality and in a manner as to not interfere with traffic, pedestrians or snow removal;
 - g) the immediate vicinity of the container shall be kept neat and free of any solid waste;
 - h) the bin shall be accessible all year round by keeping vegetation trimmed, snow removed from the lid and path to the bin cleared; and
 - i) There shall be no loose solid waste stored in any container.
- 5) Owners shall maintain the area between the curb or edge of the travelled way and their property line free from garbage, waste, or debris.

13. COLLECTION TIMES & FREQUENCIES

- 1) The following provisions apply to municipal collection times and frequencies:
- a) Collection will commence at 7:00 am in all areas of the Municipality, except where circumstances warrant from time to time;
 - b) No owner shall permit solid waste to remain in front of the building or adjacent to or curbside except between 7:00 p.m. the day prior to collection and 9:00 pm the day of collection;
 - c) Collection shall occur bi-weekly and may alternate or have material collected the same day. The current collection schedule shall determine what materials are collected on which day;
 - d) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator;
 - e) No person shall permit any materials or rejected waste to remain at the collection spot after 9:00 p.m. on the day of collection unless otherwise directed by the Administrator or its contractors; and
 - f) Free-standing collection containers used to store residual waste and recyclable waste bags, and organic collection carts must be removed from curbside by 7:00 a.m. of the following day.

14. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE

- 1) The owner or occupant of any premise which generates the following waste shall, either personally, by employees, contractors, or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste at their own expense:
 - a) all waste generated by any industrial, commercial, or institutional premises, facility, or operation which is not expressly made eligible for municipal collection and properly placed for collection pursuant to this Bylaw; and
 - b) all construction and demolition waste of any kind, including from renovation or repair.

- 2) The property owner of an industrial, commercial, or institutional premises shall ensure that:
 - a) adequate space is provided on the premises to accommodate commercial containers for the collection of source-separated ICI waste, organic materials and recyclable materials generated at the premises. For recyclable materials, adequate space shall be provided to maintain general recyclables, paper recyclables and corrugated cardboard all separate from each other; and
 - b) signage of sufficient size is to be posted to provide occupants with specific recycling and organics instructions for proper sorting of general recyclables, paper recyclables (i.e., paper separate from general recyclables), corrugated cardboard and organic materials. Signage for the sorting of this waste is to be located within 3 metres of the container(s).
 - i) the location of the commercial container(s) for general recyclables, paper recyclables and organic materials shall be within 3 metres of the container(s) for ICI waste;
or
 - ii) signage is posted adjacent to the commercial container(s) for ICI waste directing persons to the location of the commercial containers on the premises for general recyclables, paper recyclables, corrugated cardboard, and organic materials.

- 3) The occupant of an industrial, commercial, or institutional premises shall:
 - a) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials, general recyclables, paper recyclables and corrugated cardboard; to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and
 - b) place for collection source-separated material in commercial containers in accordance with Section 15 (1) at the storage areas on the property as designated by the property owner.

- 4) At industrial, commercial, and institutional premises where the public is responsible for depositing waste materials such as an enclosed or exterior shopping centre, mall, food court, quick service restaurant, sports arena, office complex or other commercial premises,

the property owner will provide common area containers for source-separation of waste.

15. COMMERCIAL CONTAINERS

- 1) The following provisions apply to commercial containers:
 - a) Every owner or occupant of property or premises serviced by commercial containers for storage and collection of solid waste shall ensure such containers meet the following requirements:
 - i) containers shall be sturdily constructed, waterproof and impervious to domestic and wild animals and rodents;
 - ii) containers shall be equipped with tight-fitting lids with a positive closing device and kept closed except during loading or unloading;
 - iii) containers shall be designed and constructed to prevent entrapment of children;
 - iv) containers shall be kept clean and in a good state of repair;
 - v) containers shall be kept inside, behind or beside the building they service so as to reduce their visibility from the street, unless otherwise arranged with the Administrator;
 - vi) containers shall be kept no less than 1.5 metres from the building they service and not less than 1.5 metres from any property line of an abutting property containing a residential dwelling unit;
 - vii) containers shall be placed only on hard, level, weather-resistant surfaces;
 - viii) containers shall not be loaded in a manner which permits waste to extend beyond the internal volume of the container when the lid is closed;
 - ix) the area surrounding the container shall be kept free from litter and waste;
 - x) the container shall be emptied when full or at least every 30 days;
 - xi) has displayed thereon the following message "GARBAGE" or "WASTE" or "REFUSE", where ICI waste or residual waste is to be deposited in the commercial container;
 - xii) has displayed thereon the following message "RECYCLABLES" or "GENERAL RECYCLABLES" or "BLUE BAG RECYCLABLES", where general recyclables are to be deposited in the commercial container;
 - xiii) has displayed thereon the following message "PAPER" or "PAPER RECYCLING" where paper is to be deposited in the commercial container, and has displayed thereon the following message "CARDBOARD ONLY" or "CARDBOARD" where corrugated cardboard is to be deposited in the commercial container;
 - xiv) has displayed thereon the following message "ORGANICS" or "COMPOST", where organic materials are to be deposited in the commercial container.
- 2) A commercial container used during construction or repair work need not comply with Paragraphs (v) to (vii) of this Section for temporary periods of not more than 6 months or

until the completion of the construction or repair work, whichever is sooner.

- 3) No person shall place waste in any commercial container without permission of the owner of the container.
- 4) The owner of any industrial, commercial, or institutional premises shall ensure that commercial containers on the premises:
 - a) accommodate source-separated waste generated at that location;
 - b) are designed and constructed such that the waste (i.e., ICI waste, organic materials, general recyclables, paper recyclables and corrugated cardboard) remains in a source-separated condition; and
 - c) are easily accessible to the occupants.

16. TRANSPORTATION OF WASTE

- 1) All vehicles carrying waste materials shall:
 - a) do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.
 - b) have a tailgate or other restraining device and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover the solid waste while it's being transported.
 - c) be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same. In the event of any spillage, the vehicle operator shall be responsible for the clean-up, which shall be undertaken immediately.
 - d) Comply with the *Motor Vehicle Act* and any other regulations or legislation in effect from time to time.
 - e) If used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams.
 - f) Be maintained in good condition and be properly manned and equipped to ensure safe collection of solid waste.
- 2) All solid waste collected through private collections, and which is to be delivered to the Municipal Solid Waste Management Facility, shall be in compliance with the Regulations publicized by the operator of the facility regarding acceptance and receipt of solid waste.
- 3) The Administrator may inspect contracted waste vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this Bylaw.
- 4) All private collection of any solid waste shall be made directly to the collection vehicle from the premises where the same was generated.

17. HAZARDOUS WASTE

- 1) Every owner or occupant, including the owners and occupants of IC&I properties, shall store hazardous waste generated by the same in a safe and secure manner and shall deliver same, as soon as is reasonably possible, to an approved hazardous waste depot.
- 2) No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location within the Municipality, other than a Hazardous Waste Depot.

18. PROHIBITIONS

- 1) No person except collection contractors or authorized haulers in doing so within the scope of their authority shall:
 - a) pick over, remove, disturb, or otherwise interfere with any waste material that has been set out by other persons for municipal collection;
 - b) collect waste material placed by other persons for municipal collection; or
 - c) remove a container or organics collection cart placed by other persons at curbside.
- 2) No person shall dispose of any type of solid waste by the burning of the same.
- 3) Where an owner or occupier properly places any authorized form of solid waste out for collection by the Region's contractor the said solid waste becomes the property of the Municipality.
- 4) No person shall pick over, remove, collect, disturb, or otherwise interfere with any type of solid waste or regulation container which has been placed in an approved storage container.

19. ILLEGALLY DUMPED MATERIAL

- 1) No person shall dispose, cause or permit the disposal of solid waste at any place in the Municipality other than at an approved Solid Waste Management Facility designated for the applicable type of solid waste or any other site authorized by the Municipality or the Province of Nova Scotia for that purpose.
- 2) With the exception of the placement of solid waste for collection in accordance with this bylaw, the delivery of designated electronic products, household hazardous waste to depots, or other disposals allowed for in this bylaw, no person shall dispose, cause, or permit the disposal of solid waste, bulky waste or non-collectable waste at any location or manner in the municipality except as follows:

- (a) the backyard composting of organic solid waste;
- (b) the unconcentrated deposit and distribution of waste trees and brush or portions thereof or of other organic farm or forestry waste for disposal by decay, on one's own forest or farmland property;
- (c) the spreading of fertilizer or composted organic waste on farmlands; or
- (d) the nuisance-free deposit and disposal of aggregate, soil, bricks, mortar, concrete, asphalt, pavement, porcelain, or ceramic materials as fill provided. However, nothing in this paragraph creates an exception to the dangerous or unsightly premises provisions of the *Municipal Government Act*.

- 3) No person shall dispose of, cause or permit the disposal of, or place for collection, solid waste on a property except as both authorized by this bylaw and by the owner or occupier of that property.
- 4) No person shall dispose of, cause or permit the disposal of, any non-collectable waste or rejected waste in, at or near a container or box for storage of solid waste or the collection placement spot for another owner or occupant.
- 5) Proof that any type of solid waste, which was disposed of in contravention of this Bylaw, originated from a particular person, from the residence of a particular person, or from a particular premises shall, in the absence of proof to the contrary, be evidence sufficient for a court to infer that the said person – or the owner or occupant of said residence or premises – was the person who disposed of that solid waste, or portion of same, or caused or permitted it to be disposed of.

20. TIPPING FEES

- 1) Waste delivered to the Solid Waste Management Facility shall be subject to tipping fees as set by the Operator of the Facility, as agreed by the Administrator, from time to time.

21. ENFORCEMENT AND PENALTIES

- 1) A person who:
 - a) violates a provision of this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw;
 - b) fails to do anything required by this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw;
 - c) permits anything to be done in violation of this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw; or

- d) obstructs or hinders any person in the performance of their duties under this Bylaw or a directive, authorization or order issued in accordance with this Bylaw, is guilty of an offence.
- 2) Every person convicted of an offence is punishable on summary conviction and are liable for fines of not more than \$2,000, to imprisonment for up to six (6) months, or both a fine and imprisonment.
- 3) Each day that a person commits an offence under this Bylaw constitutes a separate offence.
- 4) In addition to any fine or imprisonment imposed pursuant to subsection (2) or subsection (3), the Court may order the person convicted to pay all expenses incurred in correcting the contravention of the bylaw or any damages associated with such contravention.

22. ADMINISTRATIVE TICKETING

- 1) In lieu of prosecution under this Bylaw, the Municipality may, in its sole and absolute discretion, issue to any person it believes upon reasonable grounds has committed an offence under Section 21(1) of this Bylaw, a Notice of Violation, which Notice shall require the person to whom it is directed to pay to the Municipality within 14 days of the issuance of the Notice the sum of two hundred and fifty dollars (\$250.00) for contravention of Section 21(1) of this Bylaw, provided that such person has removed the illegally dumped solid waste and cleaned up and restored the site to the satisfaction of the Director of Public works or his/her Designate, and further provided that no person, animal or property was injured or damaged by such illegal dumping, and if the person pays within the said time, they shall thereby avoid prosecution for that contravention.
- 2) Nothing in this Bylaw requires the Municipality to issue a Notice of Violation in lieu of initiating a prosecution in relation to an alleged violation.