

BY-LAW NO. 21

SOLID WASTE STORAGE, COLLECTION AND DISPOSAL

1. IN THIS BY-LAW:

- (1) “BLUE BAG RECYCLABLES” includes, but is not limited to, the following: glass jars and bottles, tins and aluminum cans, plastic PET bottles (i.e. pop bottles), HDPE rigid plastic containers (i.e. shampoo, ice cream containers, juice jugs, etc.), plastic LDPE grocery bags and milk cartons;
- (2) “BRANCHES AND LIMBS” includes all branches, limbs and brush less than 1 meter in length, with individual pieces having a diameter of not more than 50 mm;
- (3) “BULK COMMERCIAL CONTAINER” means those containers designed for the collection of solid waste in excess of the maximum size restrictions contained in Part 3, Section 3, Subsection 2 of this By-Law and/or are collected through private collections;
- (4) “CHRISTMAS TREE WASTE” means discarded Christmas trees;
- (5) “COLLECTION” means the action by the Town or its contractor of picking up solid waste, loading it into trucks, and hauling it to the disposal site;
- (6) “COMPOSTABLE MATERIALS” includes, but is not limited to, the following: kitchen scraps including fruit and vegetable waste, yard waste, including grass trimmings, and garden waste, soiled and wet paper, and paper products such as table napkins, boxboard, paper towels, cereal boxes and pizza boxes.

- (7) “CONSTRUCTION AND DEMOLITION WASTE” means material which is normally used in the construction of buildings, structures, roadways, walls and other landscaping material, or resulting from the demolition, and includes but is not limited to, soil, asphalt, brick, mortar, drywall, plaster, cellulose, fibreglass fibres, gyproc, lumber, wood, asphalt shingles and metals.
- (8) “CONTRACTOR” means the company or individual licensed to collect solid waste within the Town by agreement with the Town;
- (9) “CURB” means that portion of the street right-of-way between the travelled portion or parking area and the property line which parallels the street centre line;
- (10) “HOUSEHOLDER” means the owner, occupant, lessee, tenant or the person in charge of a dwelling, mobile home, and includes the person assessed for the building pursuant to the Assessment Act;
- (11) “HOUSEHOLD WASTE” means solid waste excluding blue bag waste recyclables, paper, compostables materials and special waste;
- (12) “LEAF WASTE” means discarded leaves;
- (13) “MOBILE HOME PARK” means a trailer court development where the street or road system allows easy access to the collector;
- (14) “PAPER” includes, but is not limited to, the following:
newspapers, flyers, magazines, flattened corrugated cardboard, box board, bond paper, and computer paper;

- (15) “SOLID WASTE” includes leaf waste, compostable materials, blue bag recyclables, paper, household waste and special waste, but does not include building materials, motor vehicle bodies, or hazardous waste, and further does not include any solid waste that is restricted pursuant to the Regulations for the Admission and Disposal of Waste at the Town’s Waste Disposal Site as may be amended from time to time.
- (16) “SPECIAL WASTE” means any solid waste that does not exceed 70 kilograms in weight or over 2 metres in any dimension and in addition includes white goods, water tanks, mattresses and discarded furniture;
- (17) “TOWN” means the Town of Yarmouth;
- (18) “TOWN ENGINEER” means the Town Engineer or his designated representatives;
- (19) “RESIDENTIAL PROPERTY” means a property containing less than four (4) residential dwelling units.

COLLECTION

2. COLLECTION OF SOLID WASTE SHALL BE AS FOLLOWS

- (1) A COLLECTION for HOUSEHOLD WASTE shall be made at least once in every seven (7) days between the hours of 7:00 a.m. and 4:00 p.m.; A COLLECTION for blue bag recyclables shall be made at least once in every fourteen (14) days between the hours of 7:00 a.m. and 4:00 p.m.; however, when a public or statutory holiday occurs on a COLLECTION day, such COLLECTIONS shall be made on the following working day, unless otherwise specified by the TOWN ENGINEER, and shall include all residential properties in the TOWN.

- (2) COLLECTION OF SPECIAL WASTE may be authorized at least once in the spring and once in the fall of each year, the exact date shall be specified by the TOWN ENGINEER, and shall include all residential properties in the TOWN.
- (3) COLLECTION OF CHRISTMAS TREE WASTE shall be at least once each year in the month of January, on a date to be specified by the TOWN ENGINEER, and shall include all residential properties in the TOWN.
- (4) For the purposes of this section, a schedule of dates for COLLECTION shall be published in a local newspaper or advertised on a local radio or distributed to residents in another manner.

STORAGE

- 3. (1) EVERY HOUSEHOLD SHALL:
 - (a) provide sufficient and adequate containers for SOLID WASTE storage and disposal; and
 - (b) maintain all containers that are not disposable in good repair and in sanitary condition.
- (2) Householders who store waste outside their premises shall do so in adequate containers situated in the side yard or back yard of the lot and only in containers that are animal and water proof.
- (3) For the purposes of Sub-Section 3 (1) and Sub-Section 3 (2), “sufficient and adequate containers for SOLID WASTE storage and disposal” shall mean the following:
 - a) water tight metal or plastic cans:

- i) equipped with a tight fitting cover of metal, plastic or other impermeable material; and
 - ii) equipped with handles; and
 - iii) filled to a height not exceeding 5 centimetres below the top of the container; and
 - iv) shall not exceed a weight of 25 kilograms including contents; and
 - v) shall be at least 380 mm in diameter and 460 mm to 800 mm in height to a maximum volume of 100 litres, but does not include cardboard drums, oil drums, paint containers or lard containers.
- b) for the purposes of HOUSEHOLD WASTE, securely tied, plastic, water proof bags of a dimension no smaller than 61 centimetres by 66 centimetres, nor greater than 75 centimetres by 120 centimetres, and shall not exceed a weight of 25 kilograms;
- c) notwithstanding Sub-section 2(1) and (2), for the purposes of BLUE BAG RECYCLABLES COLLECTION, securely tied, blue-tinted plastic water proof bags of a dimension no smaller than 61 centimetres by 66 centimetres, nor greater than 75 centimetres by 120 centimetres, and shall not exceed a weight of 25 kilograms;
- d) notwithstanding Sub-sections 2 (1), (2), and (3), for the purposes of PAPER COLLECTION:

- i) placed in plastic, water proof bags, securely tied, of a dimension no smaller than 30 centimetres by 45 centimetres; or
 - ii) be flattened out and securely tied with strong twine or rope in convenient bundles; and
 - iii) weigh not more than 25 kilograms per bundle; and
 - iv) all PAPER must be kept dry and free of contaminants.
 - e) for the purpose of CHRISTMAS TREE WASTE, said waste shall not be packaged in any manner, shall not have any wire or nails attached, and shall not exceed 300 centimetres in length.
4. Notwithstanding Sub-section 2, all BULK COMMERCIAL CONTAINERS shall conform to the following:
- a) BULK COMMERCIAL CONTAINERS shall:
 - i) be sturdily constructed of weather-proof and rodent-proof material and shall be water tight;
 - ii) be equipped with a tight fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;
 - iii) be kept in a clean manner;
 - iv) be kept in a state of good repair;

- b) The householder of any premises on which a BULK COMMERCIAL CONTAINER is placed shall keep each BULK COMMERCIAL CONTAINER behind or beside the building which it serves so as to reduce visibility from the street and adjacent properties.
- c) Where the BULK COMMERCIAL CONTAINER is placed on premises which are located in a residential zone pursuant to the TOWN'S Land Use By-Law or adjacent to a property which is zoned residential or contains a residential use, the BULK COMMERCIAL CONTAINER shall be kept not less than 1.5 metres from the building which it serves and not less than 1.5 metres from the adjacent property lines.
- d) Where the householder of any premises is unable to comply with the requirements of Subsection (b) and Subsection (c) because of the location of a building on the premises, which building was in existence at the time of the adoption of this By-Law, the householder shall keep the bulk commercial container at a location on the premises which is not unsightly and does not cause a health related problem as judged and approved in writing by the TOWN ENGINEER.
- e) BULK COMMERCIAL CONTAINERS used during construction or repair work need not comply with Subsections (b) or (c) subject to:
 - i) no waste extending beyond the internal volume of the container;
 - ii) their immediate removal upon completion of the construction or repair work;
 - iii) their being emptied as frequently as required to avoid overfilling of the containers.

- f) BULK COMMERCIAL CONTAINERS shall be placed only on surfaces which are hard, level and weather-resistant.
- g) A householder of any premises on which a BULK COMMERCIAL CONTAINER is located shall not permit the commercial bulk container to be loaded other than uniformly and so that no waste extends beyond the internal volume of the container.
- h) A householder of any premises on which a BULK COMMERCIAL CONTAINER is located:
 - i) shall keep the area surrounding the container free from litter and waste; and
 - ii) shall cause the container to be emptied more frequently than every seven (7) days elapses.
- i) The owner of a commercial container shall ensure that the container is emptied at least once every seven (7) days.

5. Notwithstanding Subsections 2 and 3, items placed for “SPECIAL WASTE COLLECTION” shall conform to the following:

- a) SPECIAL WASTE placed for COLLECTION shall:
 - i) be packaged/bundled/boxed in such a manner so as to allow for pick up and COLLECTION; and
 - ii) not exceed a total weight of 150 kg per household with no individual item/package to exceed 50 kg in weight or over 1.5 metres in any dimension.

- b) Refrigerators and freezers placed for COLLECTION shall:
 - i) have coolant removed with “coolant removal sticker” attached and visible on the appliance; and
 - ii) have doors removed from the appliance.

- 6. SOLID WASTE shall be place for COLLECTION only in containers of the types meeting the standards set forth in this By-Law.

SIZE/WEIGHT PERMITTED

- 7. SOLID WASTE placed for COLLECTION:
 - (1) shall not exceed 50 kilograms in total per each dwelling unit, apartment unit, mobile home;
 - (2) shall not exceed 2 cubic metres in total volume per each dwelling unit, apartment unit, mobile home per week;
 - (3) no single, individual piece of SOLID WASTE to exceed a length of 1 metre with the exception of SPECIAL WASTE;
 - (4) “SPECIAL WASTE” individual pieces shall not exceed 70 kilograms in weight or over 2 metres in any dimension up to a maximum of 2 cubic metres per COLLECTION;
 - (5) total weight of “SPECIAL WASTE” shall not exceed 150 kilograms per each dwelling unit, apartment unit, mobile home per COLLECTION.

PLACEMENT OF CONTAINERS FOR COLLECTION

- 8. All SOLID WASTE to be collected by the TOWN shall be accessible to the collector within 3 metres (approximately 10 feet) of the CURB, placed

in such a manner as to interfere as little as possible with pedestrian traffic and snow removal.

TIME FOR REMOVAL OF CONTAINERS

9. (1) No householder at a building shall permit SOLID WASTE containers, or SOLID WASTE not in containers, to remain in front of the said building and adjacent to or at the CURB except between 9:00 p.m. on the day previous to COLLECTION and 12:01 a.m. on the day after COLLECTION.
- (2) All SOLID WASTE placed for COLLECTION in a manner not provided by this By-Law shall not be collected and such SOLID WASTE shall be removed by the householder from the front of the premises where such SOLID WASTE was placed no later than 12:01 a.m. on the day after COLLECTION.

PRIVATE COLLECTION REQUIREMENTS

10. All private commercial COLLECTIONS shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations and shall conform to the following:
 - (1) All private commercial COLLECTION vehicles shall:
 - a) be maintained in good condition and be properly manned and equipped to ensure safe COLLECTION of SOLID WASTE; all vehicles used shall comply with the Motor Vehicle Act and any other regulations or legislation in effect from time to time;
 - b) be designed so as to prevent any contents, including liquids, falling out, being spilled, or scattering from the vehicle while standing or in motion. In the event of any spillage,

the vehicle operator shall be responsible for the clean-up which shall be undertaken immediately;

- c) if used in the COLLECTION of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams;
 - d) have a tailgate or other restraining device and shall be closed or equipped with a tarpaulin and such tarpaulin shall be used to cover SOLID WASTE while it is being transported.
- (2) All private COLLECTION of waste, bulk waste items and other SOLID WASTE shall be made directly from the premises where the same has accumulated to the vehicle.
 - (3) All SOLID WASTE collected through private COLLECTIONS, and which is to be delivered to the TOWN'S Waste Disposal Site, shall be in compliance with the "Regulations for Admission and Disposal of Waste."

CONSTRUCTION AND DEMOLITION WASTE

- 11 (1) The property owner or occupant of premises that generate CONSTRUCTION AND DEMOLITION WASTE shall promptly remove and dispose of such waste, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, to a disposal site approved by the Minister of Environment and Labour of the Province of Nova Scotia, pursuant to Subsection 31(2) of the Solid Waste-Resource Management Regulations made under Section 102 of the Environment Act, S.N.S. 1994-95, c.

- (2) It shall be an offence for any person to place or deposit CONSTRUCTION AND DEMOLITION WASTE at any place other than a disposal site described in 11(1) of this By-law.

RESTRICTIONS

- 12. (1) No householder shall store SOLID WASTE except in the manner as provided in the By-Law.
- (2) No householder shall;
 - a) deposit SOLID WASTE for COLLECTION in a container in any way other than as provided for in this By-Law;
 - b) deposit any SOLID WASTE on any street, road property or highway in the TOWN, except in compliance with this By-Law;
 - c) place out for COLLECTION any blue bag waste except in compliance with Section 3, Storage, Subsection 3(d) of this By-Law;
 - d) place out for COLLECTION any PAPER waste except in compliance with Section 3, Storage, Subsection 3(e) or 3(f) of this By-Law;
 - e) place out for COLLECTION any CHRISTMAS TREE WASTE except in compliance with Section 3, Storage, Subsection 3(f);
 - f) place out for COLLECTION any HOUSEHOLD WASTE except in compliance with Section 3, Storage, Subsection 3(a) or Subsection 3(b);
 - g) place out for COLLECTION any SPECIAL WASTE except in compliance with Section 3, Storage, Subsection 5 and 6;

- h) place out for COLLECTION any manure or human excrement except disposable diapers;
 - i) in the event that more than one COLLECTION takes place during the same day, place out for COLLECTION the SOLID WASTE for each COLLECTION unless the waste for each COLLECTION is packaged and placed at the CURB in separate and clearly defined locations;
 - j) place out for COLLECTION any waste or recyclables except in compliance with Sections 3, 4 and 5.
- (3) A householder shall store separately BLUE BAG RECYCLABLES and HOUSEHOLD WASTE.

SOLID WASTE NOT COLLECTED

13. The TOWN shall not collect and the householder shall not place for COLLECTION:
- (1) SOLID WASTE which has not been:
 - a) separated into the following waste streams: LEAF and YARD WASTE, BLUE BAG RECYCLABLES, PAPER, HOUSEHOLD WASTE, CHRISTMAS TREE WASTE and SPECIAL WASTE, in compliance with other sections of this By-Law; and effective June 1, 1997, COMPOSTABLE MATERIALS.
 - b) placed for COLLECTION in compliance with Section 3, Subsection (2) regarding “sufficient and adequate containers” for SOLID WASTE “storage and disposal”;
 - c) that exceeds the weight and volume restrictions identified in Section 4;

- d) placed for COLLECTION in compliance with Section 6 regarding “placement of containers for COLLECTION.”
- (2) Any SOLID WASTE that is restricted pursuant to the Regulation for the Admission and Disposal of Waste at the TOWN’S Waste Disposal Site.

DESIGNATION OF A DISPOSAL SITE

14. The TOWN Council may designate, by resolution, the location of the SOLID WASTE disposal site.

PENALTY

15. Every person who violates or fails to comply with any of the provisions of this by-law shall be liable upon conviction of a penalty not exceeding \$1,000.00, and in default of payment, a penalty of imprisonment not exceeding ten (10) days.

LICENSING REQUIREMENTS

16. (a) No person shall engage in the business of collecting SOLID WASTE, BLUE BAG RECYCLABLES, or other wastes in the TOWN of Yarmouth unless he holds a licence which is in force for that purpose.
- (b) No licensee under this by-law shall deposit SOLID WASTE at a site other than that specified on the license or such other disposal site which may be designated by the TOWN.
- (c) Every application for a license to collect SOLID WASTE shall be made in writing, in duplicate, on a form provided by the Chief Administrative Officer and signed by the person applying therefore.

- (d) Every application for a license whether new or a renewal, shall contain the following information:
 - (i) the applicant's full name, address and business phone number;
 - (ii) the provincial registration number of all vehicles to be used by the applicant in his business.
 - (e) Every application shall be accompanied by:
 - (i) a license fee of \$50.00;
 - (ii) proof of public liability and property damage insurance in an amount of not less than \$2,000,000.00. The collector shall provide copies of the policy and receipts for renewal premiums to the Chief Administrative Officer for the TOWN;
 - (iii) proof that each vehicle to be used in connection with the business has satisfactorily passed a motor vehicle safety inspection.
 - (f) The license to collect SOLID WASTE within the TOWN shall be valid until the first day of April following the date of issuance, unless sooner revoked or suspended.
 - (g) The TOWN ENGINEER may suspend or revoke a license for non-compliance with any provision of the By-law. TOWN Council may, upon receipt of a recommendation from the TOWN ENGINEER, revoke a license for non-compliance.
- 17.
- (a) No SOLID WASTE or other waste originating from a place other than the TOWN or a Municipality having an agreement with the TOWN for the disposal of its solid waste, shall be deposited, directly or indirectly, in any SOLID WASTE disposal site owned or operated by the TOWN.
 - (b) No one carrying on a recycling business in the TOWN shall cause or permit garbage or SOLID WASTE, originating from a place other than the TOWN or a Municipality with whom the TOWN has an agreement to accept their SOLID WASTE, shall be deposited in a SOLID WASTE disposal site owned or operated by the TOWN,

and to further enforce this provision, it is a condition before any recycling business in the TOWN may deposit or cause to be deposited garbage or SOLID WASTE in a SOLID WASTE disposal site owned or operated by the TOWN, that the recycling business have a system in place, accessible to the TOWN, for the separation of its garbage or SOLID WASTE as to the Municipality of origin.

THIS IS TO CERTIFY THAT the foregoing is a true copy of the Solid Waste Storage, Collection and Disposal By-law of the Town of Yarmouth.

Municipal Clerk-Treasurer

Date