

GARBAGE AND REFUSE REGULATIONS

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414 of The Municipalities Act, Chapter M-24, RSN 1999, the Town Council of Channel –Port aux Basques hereby enacts the following Regulations which were adopted at a Public Council Meeting held on the 14th day of June A.D. 2011.

MAYOR

GARBAGE AND REFUSE REGULATIONS 2011

1. These regulations may be cited as the Town of Channel – Port aux Basques Garbage and Refuse Regulations, 2011.
2. In these regulations unless the context otherwise requires:
 - a. “Act” means the Municipalities Act, 1999 as amended;
 - b. “Approved” means approved by the Director;
 - c. “Ashes” means the residue of any substance used as fuel for household purposes after such substance has been consumed by fire, but not including soot;
 - d. “Bulk Items” means heavy or bulky items such as stoves, refrigerators, dishwashers, clothes washers, clothes dryers, furnaces, boilers, bed springs, furniture, fencing, boxes and barrels and similar items.
 - e. “Business Establishment” means real property which is assessed business occupancy tax under the provisions of the assessment act;
 - f. “Council” means the Town Council of the Town of Channel – Port aux Basques;
 - g. “Garbage” means all kitchen and table waste of animal or vegetable origin resulting from the preparation of food;
 - h. “Garden Waste” means the waste material from gardens, consisting of grass clippings, dead branches, bushes, weeds, plants, stones and other similar materials;
 - i. “Householder” means the owner, occupant, lessee, tenant or the person in charge of a dwelling, mobile home, hotel, restaurant, apartment block, office building, public institution or other building;

j. “Nuisance” means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things, that in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property;

k. “Receptacle” for the purpose of these Regulations means a storage facility for the purpose of storing garbage containers during periods between collections;

l. “Refuse” means all other miscellaneous waste material not specifically defined as garbage including but not restricting the generality of the foregoing, all vehicles tracked or wheeled and/or any object deemed to be in such a condition of disrepair that it adversely affects the amenities of the surrounding property;

m. “Director” means the Director of Public Works or his designate;

n. “Soot” means the black powdering substances, formed by the burning of coal, wood and other carbon compounds;

o. “Swill” means wet table scrappings, garbage or other waste materials, or animal or vegetable matter, which has attained a liquid or partly liquid state;

p. “Town” means the Town of Channel – Port aux Basques;

q. “Trade Waste” means garbage and refuse from department stores, offices, business establishments and buildings and including all kinds of paper, magazines, pasteboards, rags, packing materials, excelsior and other like materials, accumulated in or incidental to the carrying on of any business;

r. “Grubbing” means trees, roots, stumps, topsoil from the clearing of land;

s. “Demolition material” means all material from the destruction of buildings and foundations or structures.

ADMINISTRATION

3. The “Director of Public Works” or his designate shall administer and enforce the provisions of these Regulations and for the purpose may:

a. Divide the Town into sections;

b. Designate a particular day of the week for collection of garbage and refuse in each section; and

c. From time to time alter the boundaries of each of the sections and shall notify the public of such changes in boundaries.

DAYS AND TIMES OF COLLECTION

4.

a. Collection of garbage and refuse shall be at least once in every seven (7) days, commencing at the hour of eight o'clock in the forenoon (8:00 a.m.), or seven thirty (7:30 am) during summer months, provided however, that when a public or statutory holiday occurs on a collection day, such collection may be made on the next following working day, unless otherwise specified by the Director of Public Works or his designate.

b. Collection of bulk items shall be by special collection only at such times and upon such terms and conditions as the Director of Public Works or his designate may determine having due regard to the availability of manpower and equipment and to the requirements of regularly scheduled collections.

c. All garbage and refuse being placed for collection shall not be so placed earlier than 6:00 a.m. on the day designated for collection in the area.

d. All garbage and refuse being placed for collection shall not be so placed later than 8:00 a.m. on the day designated for collection in the area.

e. Empty receptacles and/or containers as well as material refused for collection shall be removed from the streets by the householder before 8:30 p.m. on the same day as the garbage was placed for collection.

RESTRICTIONS

5.

a. Containers shall not be put out for collection except on the day designated for collection in the area;

b. No person or persons shall permit any animal owned by him/her or under his/her control to pick over, interfere, disturb, remove or scatter any material placed out for collection;

c. No householder shall put out for collection more than six (6) containers or their equivalent for collection by the Town on any one collection day. Each container or bundles shall not weigh more than 22.5 kilograms (50 pounds).

d. Every owner or operator of a business establishment producing 20 or more bags of garbage per week shall be responsible for the removal of refuse from their respective premises to the Town Dump.

e. No person, firm or corporation shall place or cause to be placed any garbage or refuse at any barrier or along any roadside leading to or from the Town Dump.

f. No person, firm or corporation shall enter upon any area designated as a Town Dump except during the hours as prescribed or posted by Council, or their designate, unless the consent of Council has been given in writing.

g. No person, other than the employees of the Council, or their designate, authorized for that purpose, shall pick over, remove, disturb or otherwise interfere with any garbage or refuse placed for removal by the Council whether or not it is enclosed in receptacles or containers.

h. No person, firm or corporation shall enter upon or remove any garbage or refuse from the Town Dump unless authorized to do so by Council.

i. No person, firm or corporation shall place or cause to be placed any garbage or refuse upon any area of the Town Dump in contravention of any sign that may be posted, or in any area contrary to the instructions given by the Landfill Attendant.

STORAGE AND DISPOSAL

6. Every householder and every operator of a business establishment, shall at their own expense make adequate arrangements for:

a. The storage of garbage in receptacles that are impervious to animals;

b. The disposal of any material not collected by the Town as referred to in Section "11" herein, whenever sufficient quantity to warrant such disposal is cumulated;

SUITABLE CONTAINERS

7.

a. Every householder shall provide suitable containers for garbage and refuse. Containers which are non-disposable shall be maintained in a good state of repair and in a sanitary condition.

b. No person, firm or corporation shall deposit, throw, sweep or place any garbage upon any street, lane, drain, public place or private property outside of buildings within the Town unless the same is enclosed in approved water tight containers provided with handles and a cover and being of a capacity not exceeding ninety litres; or in large polyethylene or similar water proof bags securely tied.

c. Every person, firm or corporation being the owner of a building or buildings and premises within the Town shall provide approved containers as mentioned in the preceding regulations for the use of such building or buildings and premises for the reception of garbage, and all garbage from such building or buildings and premises shall be placed in such containers.

TYPE OF CONTAINERS

8.

a. A suitable container shall mean a standard metal garbage container, or a container of other substantial material approved by Council. Each container, with the exception of polyethylene

bags, shall have a content capacity of not less than twenty-five (25) litres (5.5 gallons) and a minimum size of 66 cm x 91 cm (26 in. X 36 in.).

b. A suitable container shall also mean a polyethylene garbage bag but shall not include small plastic bags commonly referred to as supermarket or shopping bags; kitchen catchers or cardboard cartons.

c. A polyethylene garbage bag shall have a material thickness of at least one and one-half (1 ½) mil.

d. No liquids shall be deposited or placed in a polyethylene garbage bag for collection.

e. A polyethylene garbage bag placed for collection shall be securely tied or closed at the top.

f. Garbage containers shall be kept covered and in a sanitary condition at all times.

g. Subject to Regulation 7, no person, firm or corporation shall deposit, throw, sweep, or place any refuse upon any street, lane, drain, public place or private property outside buildings within the Town unless the same is enclosed in boxes, barrels or other proper receptacles in such a manner as to in no way constitute a nuisance or annoyance to others.

PLACE FOR CONTAINERS

9. a. Garbage containers shall be placed for collections in front of the premises at the curb or street line.

b. No container may be placed on Council property, road right of ways, or easements without the written permission of Council. Such containers may be removed by Council without notice. Council may charge the owner for removal and storage of the containers at a rate of \$70 per hour with a minimum of 1 hour charge for collection. All containers not retrieved by the owner within 14 calendar days from the date removed by the Town will be destroyed with the related costs of collection and storage billed to the owner if an owner can be identified.

COVERING OF GARBAGE PLACED FOR COLLECTION

10.

a. Garbage placed for collection shall be covered with a weighted, solid colored, nylon or polyester net with a maximum mesh size of 25 mm x 25 mm or other type of weighted covering acceptable to the Town.

b. Nets and other type covers used for the covering of garbage shall be designed and maintained in a manner acceptable to the Town so as to ensure they provide adequate coverage, cannot be blown off the garbage, are easily removable by the garbage collector and do not blow away once the garbage has been removed..

c. The metal or plastic containers used to contain garbage placed for collection and nets used to cover garbage placed for collection shall be removed from the curb or street line no later than 8:30 p.m. on the day which the garbage was placed for collection.

MATERIALS NOT COLLECTED

11. The Town shall not collect:

a. Swill, liquid waste or other organic matter which has not been properly drained or wrapped;

b. Highly combustible or hazardous material, such as oil, or gasoline soaked rags, gas containers, propane cylinders, paint, pesticides, ammunition, dynamite, or other explosive matter, chemicals, acids or their residues, derivatives or by-products;

c. Dressings, bandages or other infected material from hospitals, or offices of physicians, surgeons, dentists and veterinarians;

d. Trade Waste;

e. Garbage or refuse which has not been placed for collection in the manner provided by these Regulations;

f. Tree branches or roots exceeding twenty (20) centimetres (8 inches) in diameter and one and one-half (1.5) metres (5 feet) in length and any other trees, branches or roots not securely tied;

g. Sheet iron, scrap metal, car bodies, tires of all types and sizes;

h. Carcass of any animal;

i. Garbage or refuse left by a contractor, upon any street, lane, drain, public or private property;

j. Sharps/needles/broken glass that have not been adequately packaged. Sharps/needles must be placed in a puncture proof container before being put in the garbage. Broken glass must be packaged in such a manner that the glass does not protrude through the container. The container must be marked "BROKEN GLASS".

COMMERCIAL GARBAGE CONTAINERS (DUMPSTERS)

12.

1. Commercial garbage containers:

a.) shall be located on any non-residential lot such that the container does not extend beyond the building line of the property;

b) Container covers shall be closed at all times to ensure garbage is not spilling over or blowing out of the container;

c) shall not be placed on any vacant lot;

d) shall not be located on any residential lot;

2. Notwithstanding subsections 1, 2, and 3, commercial garbage containers may, upon approval from the Town, be placed at any location, on any lot, for a period specified by the Town, for the purpose of carrying out repairs, construction or demolition of a building located on that lot.

DOG EXCREMENT

13. Every owner of a dog present with the dog at the time when the dog fouls with excrement any property (including parks, public open space, streets, sidewalks, and private land other than the land of the dog owner shall forthwith remove the excrement.

SPRING CLEAN-UP

14. The Town will conduct a two week spring cleanup each year. Dates are to be set and advertised in the local paper and available at the Town Hall. During these weeks, collection will be for all household items, with the exception of tires, rocks, gravel, trees/branches that are not securely bundles, concrete, or hazardous materials.

a. Refuse must not be put out before or after the designated dates for the clean-up.

b. Household refuse normally collected during the year is not to be included with clean-up materials.

c. To have vehicle wrecks removed, call the Town Office.

e. Branches must be tied in bundles not greater than six foot lengths for easy pick up.

VEHICLES CARRYING GARBAGE AND REFUSE

15.

a. No person, firm or corporation shall transport garbage or refuse of any kind on any street within the Town unless such garbage or refuse is transported in an enclosed truck, or container or is otherwise secured so that it shall not fall from the vehicle or other means of transportation unto the street.

b. No person, firm or corporation shall deposit garbage or refuse at the Town Dump site without authorization or contrary to instructions from the Dump Attendant designated by the Director, or contrary to signage.

c. All vehicles and containers used for the transportation of garbage, refuse or swill shall be kept in a sanitary condition at all times.

d. Town Officials or their designate may inspect vehicles used for garbage collection at all reasonable times to ensure compliance with these regulations.

e. The disposal of grubbing, concrete or demolition material shall be done only as directed by the Landfill Attendant and with prior approval from the Director. Fees to incorporate the material into the landfill site in an appropriate manner shall be set by the Town as deemed necessary.

f. The Town may designate officials to enforce these regulations.

g. Disposal of commercial corrugated cardboard will not be permitted at the Landfill Site, if a recycling facility within the Town of Channel – Port aux Basques will accept this material.

FEES FOR GARBAGE COLLECTION AND DISPOSAL

16.

a. The following fees shall be applied for collection of garbage if work is performed by the Town:

Vehicle removal - \$70 per vehicle plus any storage, handling, administration, legal, appraisal, and selling fees, outside of the cleanup week schedule.

Clean up of debris from a property - \$70 per hour with a minimum of 1 hour charge

b. The following fees may, at the discretion of the Director, be applied for garbage disposal by commercial users and haulers:

Tandem trucks: \$50 per load

Single axle trucks: \$30 per load

Large utility trailers (approximately 20 feet in length): \$15 per load

Dumpsters: \$5 per dumpster load for three or more loads from any one location.

REMOVAL ORDERS

17.

a. Notwithstanding anything contained in these regulations, the Director may at any time order the owner to clean up and remove any accumulation of garbage or refuse outside any building or buildings or on any other private property within the Town; and

b. If the owner neglects or refuses, when ordered by the Director to clean up and remove any accumulation of garbage or refuse from his premises, the Director may cause the clean up and removal of such accumulation at the expense of the owner.

LITTERING PROHIBITION

18. No person shall obstruct, litter or befoul any street, sidewalk or public place in the Town with any refuse, debris, litter, garbage or any unsanitary, offensive or injurious substance or article of

any kind, or place, leave or keep on any street, sidewalk or public place in the Town any dilapidated or unsightly vehicle, machine, article or thing.

COMPOSTING

19. a. Composting means the storage and controlled biochemical decomposition of vegetables, fruit or garden waste.

b. All composting must be carried out in a suitably maintained container which may be commercially or owner constructed and which must be rodent proof and properly vented.

c. All composting must be carried out in such a manner as not to attract rodents, flies, or animals nor to cause an unpleasant odour and shall be maintained so as not to be a nuisance to neighbouring properties.

d. Composting containers shall be located in the rear yard no closer than 2 feet to a lot line.

e. Nothing in this regulation prohibits composting carried out in accordance with this section.

PENALTY

20. Every person who fails to comply with or otherwise contravenes any of the provisions of these regulations is guilty of an offence and is liable on summary conviction to the penalty set out in the Act.

ENACTMENT

All previous Town of Channel – Port aux Basques Garbage Regulations and amendments are repealed.

These regulations shall come into effect on June 14th A.D., 2011,

In witness whereof the Seal of the Town of Channel – Port aux Basques has been affixed hereto and these regulations have been signed by the Mayor and the Town Manager on behalf of Council on this 27th day of June A.D., 2011.

Mayor

Town Manager