

BY-LAW NO. 191
A BY-LAW TO REGULATE THE COLLECTION AND DISPOSAL OF
RESIDENTIAL WASTE IN THE TOWN OF SACKVILLE

The Council of the Town of Sackville, under authority vested in it by the *Municipalities Act* of New Brunswick, Chapter M-22, R.S.N.B. (1973), hereby enacts as follows:

SECTION 1
DEFINITIONS

1.1 In this by-law, unless the context otherwise requires:

- a) “ashes” means the powdery residue left after the burning of any combustible material;
- b) “by-law enforcement officer” means any one of the following: the Town’s By-Law Enforcement Officer; the Director of Engineering & Public Works; the Superintendent of Public Works;
- c) “collection day” means the day of the week on which waste and refuse is collected;
- d) “collection provider” is any person, company or corporation who picks up residential waste in the town;
- e) “Council” means the Mayor and the Councillors of the Town of Sackville;
- f) “dry waste” means solid waste that is listed in Appendix “A” as dry;
- g) “household hazardous waste” means waste that may be harmful to humans or animals, plant life or natural resources as per Appendix “A”;
- h) “regular residential collection” means weekly/regular pick-up for residential wet or dry waste;
- i) “residential dwelling” means all single family houses, duplexes, mobile homes, multiple family dwellings and apartment buildings in Town but does not include schools, businesses, hotels, motels, Mount Allison University, other institutions, restaurants, stores, shops or hospitals;
- j) “special waste” is waste that is collected twice per year, Spring and Fall and is in addition to normal household waste such as furniture, appliances and tree limbs no longer than four feet neatly tied in bundles. This does not include cars and car parts, construction material/debris, trees, brush, paint cans and household hazardous waste;
- k) “town” means the municipal corporation of the Town of Sackville;
- l) “waterway” means any pond, lake, river, stream ditch or storm sewer system;
- m) “wet waste” means waste that is listed in Appendix “A” as wet;

SECTION 2 GENERAL PROVISIONS

- 2.1 The Town shall ensure the collection, transportation and disposal of waste generated at all residential dwellings and churches in the town.
- 2.2 The Town may enter into a contract with any person or company, referred to as the Garbage Collector, for the collection and disposal of waste.
- 2.3 All operators providing regular residential collection in the Town of Sackville must comply with the provisions of Sections 2.8, 3 and 4, and are subject to Section 6.
- 2.4 For purposes of this by-law, the By-Law Enforcement Officer may enter upon any premises within the limits of the municipality for the purposes of inspection or enforcement of this by-law.
- 2.5 The Town is not required to collect the following waste:
 - a) branches that are too large to be placed in the waste collection vehicle, which means no longer than 1.2 meters (4 feet) in length, not more than 27.2 kilograms (60 pounds) in weight and not more than 6.35 centimeters (2.5 inches) in diameter;
 - b) that is household hazardous waste;
 - c) that is not placed at the roadside;
 - d) residential waste not generated from the residence where it has been placed; and
 - e) any bag that weighs more than 22.68 kilograms (50 pounds).
- 2.6 Nothing in this by-law prohibits any owner or occupant of a residence from transporting and disposing the waste produced at the residence of such owner or occupant to either an approved location or Westmorland Albert Solid Waste.
- 2.7 Nothing in this by-law prohibits any owner or occupant of a residence from hiring a person or corporation to collect, transport and dispose of the waste produced at the residence of such owner or occupant provided that the cost is paid by the owner or occupant.
- 2.8 Every collection provider of residential garbage in the Town must register their collection schedule, and any change to this schedule, for approval to the By-Law Enforcement Officer.

**SECTION 3
PREPARATION OF WASTE FOR REGULAR RESIDENTIAL COLLECTION**

- 3.1 The owner, tenant or occupant of each residential dwelling is encouraged to separate waste into two categories, wet waste and dry waste as per schedule "A".
- 3.2 Residents are encouraged to use a container for wet waste to prevent scattering of waste by animals. The owner, tenant or occupant shall be responsible for any clean up resulting from the scattering of waste by animals.
- 3.3 Leaves to be picked up for regular and special collection must be secured in an orange or transparent bag.
- 3.4 Grass clippings and garden waste picked up for regular or special collection must be secured in a green transparent bag.
- 3.5 Dry items must be cleared of debris by shaking, rinsing and drying them before they are placed in blue bags.
- 3.6 Broken glass must be placed in a sealed container (i.e. plastic or cardboard etc.) and clearly marked "broken glass".
- 3.7 Waste set out for collection in blue/green bags shall be placed in the bag in such a manner as to avoid tearing or splitting of the bag. All bags must be secured so as to prevent spillage. The owner, tenant or occupant shall be responsible for any clean up resulting from spillage.
- 3.8 Ashes must be wet and placed in a green transparent bag.

**SECTION 4
DISPOSAL OF WASTE**

- 4.1 The owner, tenant or occupant of each housing unit shall place or cause to be placed, household waste at the roadside prior to 6:00 a.m. on the day scheduled for collection by the collection provider.
- 4.2 It is prohibited to set out waste at the roadside prior to 12:00 noon on the day before the day of the scheduled pick-up. Receptacles or containers must be removed from the side of the road by the end of the collection day.

- 4.3 No person shall leave a receptacle containing waste outside on the premises under his/her control for a period exceeding fourteen (14) days without placing the contents for collection as set out in this by-law.
- 4.4 No person shall place any waste as defined in Section 1.1 f), g), j) and m) on any property of which he/she is not the owner, tenant or occupant.
- 4.5 No person shall place any waste in a waterway within the municipality or other expanse of water within the municipality.
- 4.6 No person shall place residential waste in waste containers owned by the town.
- 4.7 The Town shall cause to be published in a newspaper having general circulation within the municipality, or via newsletter distributed to every housing unit, a notice setting forth the weekly collection in the event of a change in the pick-up schedule.
- 4.8 Any waste set out for collection by the occupants of a residence situated on a public street, as per the provisions of this by-law, shall be collected once a week.
- 4.9 Household waste placed at the curbside after 6:00 a.m. will not be picked up if the garbage truck has already passed the residential dwelling. It shall be the responsibility of the owner of the waste to return it to an acceptable location on the premises for collection the following week, or take it to an acceptable location approved by the Town or to Westmorland Albert Solid Waste.
- 4.10 The By-Law Enforcement Officer may, by written order to the property owner, require that all wet waste, dry waste, special waste, as well as household hazardous waste be removed from the premises within the time specified in the written order.
- 4.11 If the owner of the property does not comply with an order given in pursuance of Section 4.10, the Town Clerk may cause such waste material to be removed at the expense of the municipality and the owner shall upon demand reimburse the Town for such expense.

SECTION 5

PREPARATION OF WASTE FOR SPECIAL RESIDENTIAL COLLECTIONS

- 5.1 The Town may provide for the collection of special waste under conditions established by Council. The schedule for the collection of special waste shall be published in a newspaper, having general circulation within the municipality, or via newsletter distributed to every housing unit via Canada Post.

- 5.2 Christmas trees are to be put out for collection with regular garbage as per the annual dates advertised in the local newspaper.
- 5.3 No person shall put out special waste at any time other than the weeks of the special residential collection as established by Council.
- 5.4 Waste refrigerators and freezers shall either be stored inside an enclosed, locked or child-proof building prior to being placed at curbside, or shall have their doors removed from the appliance.

**SECTION 6
PENALTIES**

- 6.1 Any person who violates any provision of this by-law commits an offence and is liable on conviction to a fine of not less than \$100 and not more than \$1,000. All such fines shall be recoverable under the *Provincial Offences Procedure Act*, S.N.B. 1987, c.P-22.1.
- 6.2 A person who has committed a violation of this by-law may, at the discretion of the By-Law Enforcement Officer, pay to the Town a fine of \$100 and upon such payment is not liable to be prosecuted for the violation.

**SECTION 7
ENACTMENT**

7.1 This by-law comes into force on the date of final passing thereof.

Read a first time this 9th day of August, 2005.

Read a second time this 12th day of September, 2005.

Read a third time and passed Council this 13th day of October, 2005.

Mayor

Clerk