



# Municipality of the District of Lunenburg

## MEMORANDUM

Date: January 10, 2008

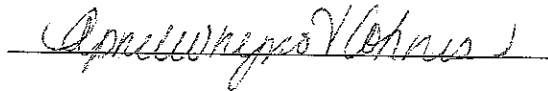
To: Pierre Breau, Director, Engineer and Public Works  
Jim Annand, Operations Manager, LRCRC  
Ed Curran, Director, Planning and Development Services  
Gordon Pettipas, Director, Financial Services and Municipal Treasurer  
Janice Rand, Acting Recreation Coordinator

From: April Whynot-Lohnes, Municipal Clerk

Re: Updated Solid Waste Collection and Disposal By-law

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Municipal Council, in session on January 8, 2008, approved amendments to the By-law Respecting the Solid Waste Collection and Disposal. Attached is the updated copy of this By-law. If there are staff in your department that require a copy of this updated By-law, please provide it to them.



Attachment

c.c. Tammy Wilson, CAO

**PLEASE NOTE** - The effective date of the amended Bylaw is January 15, 2008, being the first publication date of the ad in the local newspapers informing the public that the amended Bylaw has been approved by Council.

MUNICIPALITY OF LUNENBURG  
SOLID WASTE COLLECTION AND DISPOSAL BYLAW

Approved by Council - December 21, 1999

Amended by Council - January 11, 2000; October 11, 2005; January 8, 2008

Effective Date of By-law - April 1, 2000

**DEFINITIONS**

1.0 In this Bylaw:

- .1 "BLUE BAG RECYCLABLES" means glass jars and bottles, tins, aluminium cans, plastic bottles, rigid plastic containers, plastic grocery bags and milk cartons. Other materials may be identified, from time to time, by the MUNICIPALITY.
- .2 "BRANCHES and LIMBS" means branches, limbs and brush less than 0.9 metres (36 inches) in length, with individual pieces having a diameter of not more than 50 mm (2 inches).
- .3 "CHRISTMAS TREE WASTE" means discarded non-artificial Christmas trees.
- .4 "COLLECTION" means the action by the MUNICIPALITY or its CONTRACTOR of picking up SOLID WASTE, loading it into trucks, and hauling it to the WHYNOTTS SETTLEMENT DISPOSAL SITE.
- .5 "COMPOSTABLE MATERIALS" means vegetable peelings, meat, fish, bones, waste food products, grass trimmings, leaves, garden waste, soiled and wet paper, table napkins, boxboard, paper towels, cereal boxes, pizza boxes, and BRANCHES and LIMBS. Other materials may be identified, from time to time, by the MUNICIPALITY.
- .6 "CONTRACTOR" means the person collecting SOLID WASTE within the MUNICIPALITY by agreement with the MUNICIPALITY.
- .7 "CURB" means that portion of the public road right-of-way between the travelled portion or parking area and the property line which parallels the street centre line.
- .8 "DWELLING UNIT" means a room or series of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- .9 "HOUSEHOLDER" means an owner or a person assessed for real property and the building thereon.
- .10 "HOUSEHOLD WASTE" means SOLID WASTE not covered by BLUE BAG RECYCLABLES, PAPER, COMPOSTABLE MATERIALS or CLEAN-UP WASTE as defined in clause 1.16 "Definitions" .
- .11 "MUNICIPALITY" means the Municipality of the District of Lunenburg.

- .12 "MUNICIPAL ENGINEER" means the Director of Engineering and Public Works or his accredited representatives.
- .13 "ONE-SIDED COLLECTION" means COLLECTION of SOLID WASTE from only one side of a Public Highway.
- .14 "PAPER" means newspapers, flyers, magazines, flattened corrugated cardboard, bond paper, computer paper, and Third Class Mail. Other materials may be identified, from time to time, by the MUNICIPALITY.
- Amended. 15 "RESIDUAL SOLID WASTE" means any solid waste, including HOUSEHOLD  
Jan. 8, 08 WASTE, remaining after diversion of recyclable, compostable and hazardous/unacceptable waste or banned waste.
- .16 "SOLID WASTE" means COMPOSTABLE MATERIALS, BLUE BAG RECYCLABLES, PAPER, HOUSEHOLD WASTE and CLEAN-UP WASTE. Each component of SOLID WASTE will be free of liquids, with the exception of COMPOSTABLE MATERIALS which may contain up to a maximum of 35% moisture content.
- .17 "CLEAN-UP WASTE" means any SOLID WASTE excluding COMPOSTABLE MATERIALS, PAPER, HOUSEHOLD WASTE and BLUE BAG RECYCLABLES, but including discarded appliances, car parts and furniture collected by the CONTRACTOR under the Spring and Fall Clean-up Collection Service terms as specified in his collection contract with the MUNICIPALITY.
- Amended. 18 "WASTE MANAGEMENT COMMITTEE" is the committee created by the Waste  
Jan. 8, 08 Management Agreement, an inter-municipal agreement between the Municipality of the District of Lunenburg, the Town of Bridgewater, the Town of Lunenburg, and the Town of Mahone Bay.
- .19 "WHEELED AERATED CART" shall be of either 140 litre capacity or 240 litre capacity, and manufactured by SSI Schaefer or MUNICIPALITY approved equivalent.

## COLLECTION

2.0 COLLECTION of SOLID WASTE shall be as follows:

- .1 A COLLECTION for HOUSEHOLD WASTE, COMPOSTABLE MATERIALS, BLUE BAG RECYCLABLES and PAPER shall be made at least once in every fourteen (14) days, commencing at the hour of seven o'clock in the forenoon (7:00 a.m.), provided, however, that when a holiday occurs, as indicated on the Collection Calendar, on a COLLECTION day, such collections shall be made on the following working day, unless otherwise specified by the MUNICIPAL ENGINEER. COLLECTION shall include all properties in the MUNICIPALITY which abut a public listed and maintained road, which generate for disposal, quantities of solid waste not

exceeding the limits specified in Section 6.0. Where a property does not abut a public listed and maintained road, the HOUSEHOLDER may transport eligible SOLID WASTE to the nearest public listed and maintained road for COLLECTION.

- .2 Notwithstanding Section 2.1 of this Bylaw, the MUNICIPAL ENGINEER may stipulate the method and schedule of COLLECTION of SOLID WASTE in areas of private roads, where the HOUSEHOLDER has a long driveway, on islands or in other circumstances where conventional COLLECTION may be impractical.
- .3 COLLECTION of CLEAN-UP WASTE shall be at least once in the spring and once in the fall of each year, the exact date of which shall be specified by the MUNICIPAL ENGINEER.
- .4 For the purpose of Section 2, the schedule of, and exact dates for, COLLECTION shall be published in a calendar distributed to householders.

### **REQUIREMENTS TO STORE AND DISPOSE OF SOLID WASTE**

#### **3.0**

- .1 Every HOUSEHOLDER shall:
  - a) Provide containers for SOLID WASTE storage.
  - b) Maintain all containers that are not disposable in good repair and in sanitary condition.
  - c) Place SOLID WASTE for COLLECTION only in containers of the type and meeting the standards set forth in Section 4.
  - d) Be responsible for the disposal of SOLID WASTE generated from his property, including SOLID WASTE generated by occupants and lessees, resident on or having use of the property.

Amended .2  
Jan. 8, 08

No person shall transport RESIDUAL SOLID WASTE or unsorted solid waste generated within any of the municipal members of the WASTE MANAGEMENT COMMITTEE outside the municipal boundaries of the MUNICIPALITY which forms the boundary of the agglomeration of the municipal members of the WASTE MANAGEMENT COMMITTEE unless agreed to by the WASTE MANAGEMENT COMMITTEE.

Amended .3  
Jan. 8, 08

RESIDUAL SOLID WASTE generated within the Municipality shall be disposed of at a transfer station(s) or in landfill facilities as approved by the WASTE MANAGEMENT COMMITTEE. Such transfer station(s) or landfill facilities must possess a valid operating permit from the Province of Nova Scotia.

## STORAGE FOR SOLID WASTE COLLECTION

- 4.0 .1 For the purpose of this Section, containers for SOLID WASTE "Storage" shall mean the following:
- a) For BLUE BAG RECYCLABLES:
    - i) Securely tied, blue-tinted transparent plastic waterproof bags of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches), nor greater than 76 centimetres by 122 centimetres (30 by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs).
  - b) For PAPER:
    - i) Placed in plastic, waterproof bags, securely tied, of a dimension no smaller than 25 centimetres by 40 centimetres (10 by 16 inches); or
    - ii) be flattened out and securely tied with strong twine or rope in convenient bundles; and
    - iii) weigh not more than 25 kilograms (55 lbs) per bundle.
  - c) For COMPOSTABLE MATERIALS
    - i) WHEELED AERATED CART;
    - ii) for leaves only, plastic, clear and transparent, waterproof bags, securely tied, of a dimension no smaller than 66 centimetres by 91 centimetres (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30 by 48 inches) and shall not exceed a weight of 25 kilograms (55 lbs.) per bag.
  - d) For CHRISTMAS TREE WASTE
    - i) Cut into pieces and placed into the WHEELED AERATED CART; or
    - ii) shall be bundled and tied, and shall not exceed 0.9 metres (36 inches) in length; and
    - iii) shall not have decoration, ornaments, wire or nails attached; and
    - iv) weigh not more than 25 kilograms (55 lbs) per bundle.
  - e) For BRANCHES AND LIMBS
    - i) Cut into pieces and placed into the WHEELED AERATED CART; or

- ii) shall be bundled and tied; and
  - iii) shall not have any wire or nails attached; and
  - iv) weigh not more than 25 kilograms (55 lbs) per bundle.
- f) For HOUSEHOLD WASTE (ALL OTHER WASTE):
- i) water tight metal or plastic cans:
    - 1) equipped with a tight fitting cover of metal, plastic or other impermeable material; and
    - 2) equipped with handles; and
    - 3) filled to a height not exceeding 5 centimetres (2 inches) below the top of the container; and
    - 4) shall not exceed a weight of 25 kilograms (55 lbs); and
    - 5) shall not exceed a volume of 100 litres, and shall not include cardboard drums, oil drums, paint containers or lard containers; or
  - ii) securely tied, plastic, single-use, waterproof bags of a dimension no smaller than 66 centimetres by 91 centimetres, (26 by 36 inches) nor greater than 76 centimetres by 122 centimetres (30 by 48 inches), and shall not exceed a weight of 25 kilograms (55 lbs).

Amended  
Jan. 11/00

.2 Items placed for CLEAN-UP WASTE COLLECTION shall:

- a) be packaged/bundled/boxed in such a manner so as to allow for pick-up and COLLECTION, and not include any COMPOSTABLE MATERIALS, BLUE BAG RECYCLABLES, PAPER or HOUSEHOLD WASTE.

### **WHEELED AERATED CARTS**

5.0

.1 Every HOUSEHOLDER shall:

- a) use only a WHEELED AERATED CART for the storage of COMPOSTABLE MATERIALS for COLLECTION, except as otherwise permitted in clauses 4.1(c),(d) and (e);

- b) maintain the WHEELED AERATED CART in good repair and sanitary condition.
- .2 The number of carts required by each HOUSEHOLDER shall conform to the following minimum criteria:
- |    |                                     |  |
|----|-------------------------------------|--|
| a) | single-unit building                | 1 - 140 litre capacity cart<br>per DWELLING UNIT                           |
|    | <u>or</u>                           |  |
| b) | duplex building                     | 1 - 140 litre capacity cart<br>per DWELLING UNIT                           |
|    | <u>or</u>                           |  |
| c) | semi-detached building              | 1 - 140 litre capacity cart per unit<br>per DWELLING UNIT                  |
|    | <u>or</u>                           |  |
| d) | buildings of 3 to 6 units           | 1 - 140 litre capacity cart<br>per DWELLING UNIT                           |
|    | <u>or</u>                           |  |
| e) | buildings having 6 units or greater | Minimum carts and capacities<br>to be determined by MUNICIPAL<br>ENGINEER. |

### VOLUME AND WEIGHT PERMITTED

#### 6.0

- .1 SOLID WASTE placed for COLLECTION:
- a. Shall not exceed 140 kilograms (308 lbs) in total per DWELLING UNIT per COLLECTION day and no single item may weigh more than 25 kilograms (55 lbs); and
  - b. Shall not exceed 4 cubic metres (5.2 cubic yards) in total volume per HOUSEHOLDER per COLLECTION day.
- .2 CLEAN-UP WASTE individual pieces shall not exceed 140 kilograms (308 lbs) in weight or over 1.8 metres (72 inches) in any dimension up to a maximum of 4 cubic metres (5.2 cubic yards) per HOUSEHOLDER per COLLECTION.

## PLACEMENT OF CONTAINERS FOR COLLECTION

7.0

- .1 All SOLID WASTE to be collected by the MUNICIPALITY shall be accessible to the CONTRACTOR on the edge of the road or other such location as may be required from time to time, including ONE-SIDED COLLECTION, and placed in such a manner as to interfere as little as possible with pedestrian or vehicular traffic and snow removal.
- .2
  - a) Permanent containers or boxes for the storage of SOLID WASTE between collections shall:
    - i) be a solid container with a tight fitting cover. It shall be filled to a height not exceeding 5 centimetres (2 inches) below the top of the container. There shall be no loose garbage stored in any container. The immediate vicinity of the container shall be kept neat and free of any SOLID WASTE.
    - ii) be maintained in good repair; and
    - iii) not present a hazard to individuals or traffic; and
    - iv) be located in such a manner as to not interfere with traffic or snow removal; and
    - v) be appropriately located with respect to ONE-SIDED COLLECTION.
  - b) Lids shall be securely hinged, not have a self locking latch and shall have a support to hold the lid open while the contents are being emptied; and
  - c) No WHEELED AERATED CART shall 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 HOUSEHOLDER for COLLECTION.

## TIME FOR REMOVAL OF CONTAINERS

8.0

- .1 No HOUSEHOLDER shall permit SOLID WASTE to remain in front of the said building and adjacent to or at the CURB except between 5:00 p.m. on the day previous to COLLECTION and 12:01 a.m. on the day after COLLECTION.
- .2 SOLID WASTE placed for COLLECTION in a manner contrary to the provisions of this Bylaw shall not be collected and such SOLID WASTE shall be removed no later than 12:01 a.m. on the day after COLLECTION.

Amended .3 Notwithstanding subsections 8.1 and 8.2, SOLID WASTE set out during  
Oct. 11/05 scheduled COLLECTION as fall and spring CLEAN-UP WASTE may be placed for  
COLLECTION no more than 4 calendar days prior to the HOUSEHOLDER'S regular date  
of COLLECTION.

### DELIVERY OF WASTE TO DISPOSAL SITE

9.0 Notwithstanding anything in this Bylaw pertaining to COLLECTION of SOLID WASTE, any person generating waste in the MUNICIPALITY may deliver SOLID WASTE to the Whynotts Settlement Waste Disposal Site in accordance with the "Regulations for the Admission and Disposal of Waste at Whynotts Settlement Waste Disposal Site".

### PENALTY

10.0

.1 Every person who violates or fails to comply with any of the provisions of this Bylaw shall be liable, upon conviction, to a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00).

Amended .2  
Jan. 8, 08

Notwithstanding Subsection 10.1, any person who violates the provisions of Subsections 3.2 or 3.3 of this By-law is subject upon summary conviction to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00), and in default of payment thereof, to imprisonment for a term of not more than two months.

11.0

.1 The Solid Waste Collection By-law approved on March 22, 1995, is hereby repealed.

.2 This Bylaw has effect on and after April 1, 2000.