

TOWN OF MAHONE BAY
SOLID WASTE COLLECTION BY-LAW

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 (e.e. shampoo, ice cream containers, juice jugs, etc.), plastic LDPE grocery bags and milk cartons.

Other materials may, from time to time, be identified by the Town as Blue Bag Recyclables;

- 2) "BRANCHES and LIMBS" includes all branches, limbs and brush less than ^{3'} 900 mm 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) "CLEAN-UP WASTE" means any solid waste that does not exceed 50 kilograms in weight or over 1.5 metres in any dimension, but does not include: blue bag recyclables, paper, compostable material or household hazardous waste;
- 6) "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;
- 7) "COMPOSTABLE MATERIALS" includes, but is not limited to, the following: kitchen scraps including vegetable peelings, meat, fish, and bones, waste food products, yard waste, including grass trimmings, leaves, and garden waste, soiled and wet paper, and paper products such as table napkins, boxboard, paper towels, cereal boxes and pizza boxes. Yard waste will include bundles of branches and limbs no longer than 900 mm (3') long;

Other compostable materials may, from time to time, be identified by the Town;

- 8) "CONTRACTOR" means the company or individual collecting 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, hotel, restaurant, apartment block, office building, business establishment, public institution or other building and includes the person assessed for the building pursuant to the Assessment Act;
- 11) "HOUSEHOLD HAZARDOUS WASTE" means any waste generated by a householder that is corrosive, flammable, reactive, toxic or poisonous, that may threaten the health of humans or animals or negatively impact the environment, and includes, but is not limited to the following: household and automobile batteries, paint, paint thinner, pesticides and herbicides, used motor oil, solvents, household cleaners, gasoline and fuel oils, brake fluid and antifreeze, pharmaceuticals (e.g. medications), acids and alkalis and pressurized gases (e.g., propane, aerosols).
- 12) "HOUSEHOLD WASTE" means solid waste not covered by blue bag recyclables, paper, compostable materials, household hazardous waste or clean-up waste;
- 13) "LEAF WASTE" means discarded leaves, bagged in clear plastic bags;
- 14) "MOBILE HOME PARK" means a trailer court development where the street or road system allows easy access to the collector;
- 15) "PAPER" includes, but is not limited to, the following: newspapers, flyers, magazines, flattened corrugated cardboard, bond paper, and computer paper.

Other paper products may, from time to time, be identified by the Town as paper waste;
- 16) "SOLID WASTE" includes leaf waste, compostable waste, blue bag recyclables, paper, domestic waste and clean-up waste, but does not include motor vehicle bodies, or household 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 Whynot's Settlement Waste Disposal Site as may be amended from time to time, a current true copy of which is attached hereto as Schedule "A" and forms a part of this by-law;
- 17) "TOWN" means the Town of Mahone Bay;
- 18) "TOWN ENGINEER" means the Town Engineer or his designated representatives.
- 19) "WHEELED AERATED CART" shall be either 120 litre capacity or 240 litre capacity, either aerated or ventilated and manufactured by SSI Schaefer or Town approved equivalent.

COLLECTION

2. Collection of solid waste shall be as follows:
- 1) A collection for waste shall be made at least once in every seven (7) days, commencing at the hour of eight o'clock in the forenoon (8:00 a.m.), provided, however, that when a public or statutory holiday occurs on a collection day, such collections shall be made on the next following working day, unless otherwise specified by the Town, and shall include all properties in the Town;
 - 2) Collection of blue bag RECYCLABLES and paper waste shall be at least once every fourteen (14) days to a schedule specified by the Town, and shall include all properties in the Town and shall alternate with the collection of household waste and compostable materials.
 - 3) Collection of household waste and compostable materials shall be at least once every fourteen (14) days to a schedule specified by the Town, and shall include all properties in the Town and shall alternate with the collection of blue bag recyclables and paper waste.
 - 4) 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 Town, and shall include all properties in the Town;
 - 5) Collection of leaf waste shall be at least once each year in the month of November, on a date to be specified by the Town and shall include all properties in the Town;
 - 6) 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, and shall include all properties in the Town;
 - 7) For the purposes of this section, the schedule of, and exact dates for collection may be distributed to each householder in a yearly calendar form and special announcements on schedule may periodically be published in a local newspaper or advertised on a local radio station by the Town.

STORAGE AND DISPOSAL

- 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 only do so in adequate containers and only if such containers are animal and water proof.
- 3) For the purpose of this section, "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 350 mm to 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) securely tied, plastic or biodegradable, disposable water proof bags of a dimension no smaller than 66 centimetres by 91 centimetres, nor greater than 75 centimetres by 120 centimetres, and shall not exceed a weight of 25 kilograms;
 - c) notwithstanding subsections 2(a) and (b), for the purpose of leaf waste collection, securely tied, clear plastic or biodegradable disposable water proof bags of a dimension no smaller than 66 centimetres by 91 centimetres, nor greater than 75 centimetres by 120 centimetres, and shall not exceed a weight of 25 kilograms;
 - d) notwithstanding subsection 2(a), (b) and (c), for the purposes of blue bag recyclables collection, securely tied, blue-tinted transparent plastic or biodegradable disposable water proof bags of a dimension no smaller than 66 centimetres by 91 centimetres, nor greater than 75 centimetres by 120 centimetres, and shall not exceed a weight of 25 kilograms;
 - e) notwithstanding subsections 2(a), (b), (c) and (d), for the purposes of paper collection:

- i) placed in plastic, or biodegradable disposable water proof bags, securely tied, of a dimension no smaller than 25 centimetres by 40 centimetres, i.e., retail shopping bags;
 - or
 - ii) clear plastic or biodegradable disposable waterproof bags securely tied, or a dimension no smaller than 66 centimetres by 91 centimetres, nor greater than 75 centimetres by 120 centimetres;
 - or
 - iii) be flattened out and securely tied with strong twine or rope in convenient bundles;
 - and
 - iv) weigh not more than 25 kilograms per bundle;
- f) Notwithstanding subsections 2(a), (b), (c), (d) and (e) for the purposes of compostable material collection:
- i) placed in wheeled aerated cart as specified by the Town, either 120 litre capacity or 240 litre capacity;
 - and/or
 - ii) bundled branches/limbs not exceeding ^{3'}900 mm in length or 25 kg in weight with individual limbs not exceeding ^{2"}50 mm in diameter.
- g) 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) ^{10'}Notwithstanding subsection 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.
- 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;
 - or
 - iii) 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 "Clean-up Waste Collection" shall conform to the following:
- a) Clean-up waste for collection shall:
 - i) be packaged/bundled/boxed in such a manner so as to allow for convenient pick up and collection;
and
 - ii) not include any blue bag recyclables, paper, compostable material, or household hazardous waste;
and
 - iii) 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,
 - c) Have metal material placed separately to accommodate a dedicated collection of salvageable metals.
- 6) Solid waste shall be placed for collection only in containers of the types meeting the standards set forth in subsection 2, subsection 3 and subsection 4.
- 7) When householders put out blue bags for collection on the street property, to be collected by the Town's contractor, that blue bags and the contents become the property of the Town of Mahone Bay, and only authorized personnel are permitted to remove the blue bags and th contents. This provision does not relieve the property owners from the responsibility of maintaining and picking up any residual garbage while and after it is placed on the Town's property.

When blue bag recyclables are placed in a public area waste receptacle, the blue bag recyclables become the property of the Town of Mahone Bay, and only authorized personnel are permitted to remove the blue bag recyclables from the public area waste receptacles.

WHEELED AERATED CARTS

- 4.
- 1) Every householder shall:

- a) provide sufficient and specified wheeled aerated carts for the storage and disposal of compostable waste;
 - b) maintain wheeled aerated carts in good repair and sanitary condition.
- 2) For the purpose of this section "wheeled aerated carts for the storage and disposal of compostable waste" shall mean:
- a) 120-litre or 240-litre capacity
 - i) to be either of the aerated or ventilated type;
 - ii) dark green in colour;
 - iii) manufactured by SSI Schaefer to Town approved equal;
 - iv) designed to be emptied by a hydraulic lifting device.
 - b) The number of carts required shall conform to the following criteria:

i)	single-unit building	1 cart per unit
	or	
ii)	duplex building	1 cart per two units
	or	
iii)	semi-detached building	1 cart per each unit
	or	
iv)	buildings of 3 to 5 units	1 cart per building
	or	
v)	buildings of 6 to 10 units	2 carts per building
	or	
vi)	buildings of 11 to 20 units	3 carts per building
	or	
vii)	buildings over 20 units	4 carts per building
	or	
viii)	mobile homes	1 cart per unit
 - c) Householder to be responsible for the supply, maintenance, replacement and repair of the required wheeled aerated cart(s).
- 3) Notwithstanding subsection 1 and subsection 2, institutional, commercial and industrial operations that have private arrangements for waste disposal are excluded from the requirements for carts upon approval of the Town. Upon application, the Town may also exempt individual householders from the use of wheeled aerated carts because of health or physical restrictions.

SIZE/WEIGHT PERMITTED

5. Solid waste placed for collection:
- 1) shall not exceed 90 kilograms in total per each dwelling unit, apartment unit, mobile home, commercial, industrial or institutional establishment per week;
 - 2) shall not exceed 2 cubic metres in total volume per each dwelling unit, apartment unit, mobile home, commercial, industrial or institutional establishment per week;
 - 3) no single, individual piece of solid waste to exceed a length of 900 mm with the exception of Clean-up Waste;
 - 4) Clean-up Waste" individual pieces shall not exceed 50 kilograms in weight or over 1.5 metres in any dimension up to a maximum of 2 cubic metres per collection.
 - 5) Total weight of "Clean-up Waste" shall not exceed 150 kilograms per each dwelling unit, apartment unit, mobile home, commercial, industrial or institutional establishment, per collection.

PLACEMENT OF CONTAINERS FOR COLLECTION

6. 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.

MOBILE HOME PARKS

7. The Town may designate places for collection of solid waste within mobile home parks.

TIME FOR REMOVAL OF CONTAINERS

- 8.
- 1) No householder of 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

9. All private collections shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations and shall conform to the following:
- 1) All private 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) of the vehicle 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 or equivalent cover device and such tarpaulin or device 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 Whynott's Settlement Waste Disposal Site, shall be in compliance with the "Regulations for Admission and Disposal of Waste at Whynott's Settlement Waste Disposal Site".

RESTRICTIONS

10. No householder shall store or dispose of solid waste except in the manner as provided in the By-law, and in particular, no householder shall:
- 1) deposit solid waste for collection in a container in any way other than as provided for in this By-law;
 - 2) deposit any solid waste on any street, road property or highway in the Town, except in compliance with this By-law;
 - 3) each of the four types of waste (compostables, blue bag recyclables, paper and household waste) shall be kept separate by the householder during storage with no cross contaminations occurring.

- 4) place out for collection any leaf waste except in compliance with section 3, Storage and Disposal, subsection 3(c) or 3(f) of this By-law;
- 5) place out for collection any blue bag waste except in compliance with section 3, Storage and Disposal, subsection 3(d) of this By-law;
- 6) place out for collection any paper waste except in compliance with section 3, Storage and Disposal, subsection 3(e) or 3(f) of this By-law;
- 7) place out for collection any compostable waste except in compliance with section 3, Storage and Disposal, subsection 3(f);
- 8) place out for collection any Christmas Tree waste except in compliance with section 3, Storage and Disposal, subsection 3(g);
- 9) place out for collection any household waste except in compliance with section 3, Storage and Disposal, subsection 3(a) or subsection 3(b);
- 10) place out for collection any Clean-up Waste except in compliance with section 3, Storage and Disposal, subsection 5(a) or 5(b);
- 11) place out for collection any manure or human excrement except disposable diapers;
- 12) 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;
- 13) place out for collection any waste except in compliance with section 3 and section 4 of this By-law.

SOLID WASTE NOT COLLECTED

11. 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: compostable materials, blue bag recyclables, paper, household waste, Christmas tree waste and Clean-up waste, in compliance with other sections of this By-law;
 - b) placed for collection in compliance with section 3, subsection (3) regarding "sufficient and adequate containers" for solid waste storage and disposal";
 - c) that exceeds the weight and volume restrictions described in this By-law;
 - 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 Regulations for the Admission and Disposal of Waste at Whynott's Settlement Waste Disposal Site, (subject to amendments from time to time) a true copy of which is attached hereto as Schedule "A" and forms a part of this By-law.
- 3) Household hazardous waste - Household hazardous waste shall be delivered directly by or on behalf of the householder to the Household Hazardous Waste Depot located at Whynott's Settlement Waste Disposal Site.

DESIGNATION OF A DISPOSAL SITE

12. The Town Council has designated, by resolution, the location of the solid waste disposal site as Whynott's Settlement Waste Disposal Site.

REVENUE

13. The occupant or tenant of each self-contained residence or apartment shall pay to the Town, bimonthly, a disposal charge of Eleven Dollars and Seventy Five Cents (\$11.75). The occupant or tenant of each commercial or industrial property shall pay to the Town, bimonthly, a charge of Eleven Dollars and Seventy Five Cents (\$11.75).

PENALTY

14. 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.

This is to certify that the By-law of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Mahone Bay held on the 11 day of July, A.D., 2000.

Given under the hand of the Town Clerk and under the corporate seal of the said Town this 31 day of August, A.D., 2000.


TOWN CLERK