


PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414 of the Municipalities Act, Chapter M-24, S.N. 1999. The Town of Carbonear Council has made the following regulations.



MAYOR



TOWN CLERK

TOWN OF CARBONEAR SOLID WASTE DISPOSAL REGULATIONS

1. These regulations may be cited as the "Town of Carbonear Solid Waste Regulations".
2. In these regulations unless the context otherwise requires:
 - (a) "Act" means the Municipalities Act, 1999.
 - (b) "Bulk Garbage" shall mean items not considered household waste.
 - (c) "Collector" means any person appointed as such by Council.
 - (d) "Council" means the Town Council of Carbonear.
 - (e) "Dumpster" means a type of movable garbage bin designed to be brought and taken away by a special truck, or to a bin that a specially designed garbage truck may lift, empty into its hopper, and lower, on the spot.
 - (f) "Garbage" means solid waste including rubbish and refuse, but does not include recyclable material, yard waste or bulk garbage.
 - (g) "Household waste" means every solid waste accumulation of animal, fruit, or vegetable matter that attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit or vegetables, and including bottles and similar food containers and household item but excludes recyclable material, bulk items and yard waste except grass clippings
 - (h) "Loose Garbage" means garbage that is not bagged.
 - (i) "Municipality" means the Town of Carbonear.
 - (j) "Nuisance" means anything or any condition of things which is or may become injurious or dangerous to health or which may hinder in any manner the supervision of disease.
 - (k) "Owner" includes agent, tenant or occupant.
 - (l) "Place of Business" means any business, premises, etc. from which the collector does not collect, including service organizations.
 - (m) "Recyclable" means solid waste, that can be processed into new products to prevent waste, which is accepted by the Robin Hood Bay Regional Waste Management Facility.

- (n) "Refuse" means all other miscellaneous solid waste materials not specifically defined as garbage
 - (o) "Solid Waste" includes garbage, recyclable material, yard waste and bulk garbage.
 - (p) "Yard Waste" means vegetative trimmings or cuttings from yards or other landscaped areas, including leaves, grass clippings, trees, plants, tree and plant limbs, brush, hedge clippings and Christmas trees.
 - (q) "Refuse" means all other miscellaneous solid waste materials not specifically defined as garbage.
3. No person shall create, permit or maintain a nuisance.
4. No person shall place garbage and or refuse for collection otherwise than as follows:
- (a) unless enclosed in a regular garbage container with handles and a cover, or in a properly secured plastic bag, or properly secured for easy handling.
 - (b) in an approved polyethylene garbage bag or standard 20 gallon/90L garbage the combined weight of which container and its contents shall not exceed 22.5 kilograms (50 lbs). Small plastic shopping bags, kitchen catchers and cardboard cartons shall not constitute a suitable container.
 - (c) Recyclable waste is to be placed in standard sized clear blue recycling bags the combined weight of which container and its contents shall not exceed 22.5 kilograms (50 lbs).
 - (d) All paper, newspaper, magazines, cardboard or cartons not placed in plastic bags must be flattened out and securely tied with twine or rope in convenient bundles and the total weight shall not exceed more Cardboard 22.5 kilograms or 50 lbs. per bundle.
 - (e) in a dumpster where otherwise permitted in these regulations
5. Every person, being the owner of a building or buildings and premises within the Municipality shall provide approved containers as set forth in the s.4 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, or in properly secured bags, or properly secured for easy handling.
6. (a) Every box, bin or other container, containing garbage or refuse intended for removal by the Council, shall be packaged or tied in such a manner as to in no way hinder or impede such removal and shall be secured in such manner as shall

prevent birds, animals or rodents from removing garbage therein contained

- (b) No person shall in any outdoor plastic container, box, or other form of receptacle store garbage or refuse that would normally be collected by Council, without compliance with s.4 herein.
- 7.
- (a)(i) Council may in its discretion from time to time approve and or withdraw approval of particular storage units for storage of garbage and refuse as defined in 4 (a) and (b);
 - (ii) no person shall utilize refrigerators, freezers and or other appliances and or oil tanks for storage of garbage;
 - (b) Under no circumstances will loose garbage be collected from plastic containers, boxes or bins or storage units;
 - (c) The Town of Carbonear will not accept responsibility for damage to garbage storage units that are placed within the street reservation and Council may at any time order the removal of units situated within the street reservation that Council deems to be impeding snow clearing, road maintenance or vehicular traffic.
8. All garbage and refuse, other than recyclables, yard waste(excluding grass clippings) or bulk garbage, shall be placed by the owner for collection at intervals not exceeding one week by placement at the side of the street, road or lane or where such placement is impossible, on the property of the owner at a distance of not more than ten (10) feet from the side of such street, road or lane, at a time no earlier than 6:00 A.M. or no later than 7:00 A.M. on the day designated by Council for garbage collection
9. All recyclables shall be placed by the owner for collection at intervals of two weeks per the schedule set by Council by placement at the side of the street, road or lane or where that is impossible, on the property of the owner at a distance of not more than ten (10) feet from the side of such street, road or lane, before 7:00 a.m. on the day scheduled for collection and not before 8:00 p.m. on the evening before collection.
10. No person shall permit, allow or cause a dumpster to be located or stand on any property other than in accordance with these regulations as follows:
- (a) No person shall permit, allow or cause a dumpster to be located or stand on residential property unless such dumpster is being actively utilized or engaged for a purpose of repair or renovation work to such property for which repair or renovation work a permit has been issued by the Council.

- (b) No person shall permit, allow or cause a dumpster to be located or stand on commercial property, other than a commercial property from which a commercial operation or business is being conducted in accordance with a permit issued by the Council
 - (c) Notwithstanding paragraph 10(b) herein not more than two dumpsters may be permitted, allowed or caused to be located or stand on such commercial property, unless a permit from Council has been issued to locate or stand more than two dumpsters and only in accordance with any conditions as may be prescribed pursuant to such permit by the Council.
11. All vehicles hauling or otherwise transporting garbage, refuse, or rubbish within the municipality shall employ a tailgate and other restraining device to cover such garbage, refuse or rubbish while same is being transported sufficient to prevent the escape of garbage refuse or rubbish from the vehicle during transport
 12. No harmful chemicals or toxic substances, including bleach, ammonia cleaners, or other similar products, shall be sprayed or poured on the outside of garbage bags which may be capable of causing harm to persons and/or animals which may come into contact with same.
 13. No person, firm or corporation shall dispose of syringes or any sharp object unless wrapped and or otherwise secured so as to prevent injury to any person
 14. Highly combustible or hazardous waste material is not considered garbage or refuse under these regulations, therefore shall not be placed for collection as otherwise provided for herein.
 15. All garbage containers, bins or boxes, other than acceptable storage units, shall be removed by the owner of every building as soon as possible after garbage collection.
 16. No person shall place, and no owner or occupier shall permit the placement of a garbage container, bin, box or other acceptable storage unit; on a street, lane or public place in such a manner that interferes with the ordinary travel or parking of vehicles and or passage of pedestrians; and shall not be placed in a manner that encroaches upon any street, lane or public place.
 17. Garbage or refuse left by any builder or contractor, or owner upon any street, road, lane, drain, public or private property outside of a building or buildings within the Municipality following the construction, alteration or repair of such building or buildings, shall be removed by the builder, contractor, or owner, as promptly as possible.

18. No person, other than a council employee or the employees of a garbage collector authorized for that purpose, shall pick over, remove or disturb or otherwise interfere with any garbage or refuse, placed for removal by the garbage collector, whether or not such garbage is enclosed in a container.
19. The Town may provide bulk garbage collection at specified intervals as approved by Council, and in accordance with separate guidelines.
20. No person shall place for bulk garbage collection appliances such as refrigerators, freezers, ovens or other similar appliances without first removing therefrom any door or other hinged cover attached to same.
20. No person or place of business shall deposit, throw, sweep or place any loose garbage upon any street, road, lane, drain, public place or private property within the Municipality
21. At any reasonable time, Council may take a thorough inspection of all public and private property within the Municipality for the purpose of enforcing these regulations.
22.
 - (a) The Council may at any time order the owner to clean up and remove any accumulation of garbage or refuse outside any building or on any other private property within the Town.
 - (b) If the owner neglects or refuses when ordered by Council to clean up and remove any accumulation of garbage or refuse from his premises, the town may cause the clean-up and removal of such accumulation at the expense of the owner.
23. The Town shall not be liable for any damages suffered or costs incurred by any person by reason of the failure of the Town to supply the garbage service as described in these Regulations or by reason of the manner in which the Town carried out the provision of the garbage service.
23.
 - (a) Every person who is guilty of an offence under these regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so, shall be subject to the following fine under section 414 (2) (q):
 - i) a fine of \$25.00 for a 1st offence;
 - ii) a fine of \$50.00 for a 2nd offence; and
 - iii) a fine of \$100.00 for each subsequent offence.
 - (b) Or shall be liable under summary conviction in accordance with section 420 of

the Act.

24. If any section, subsection, clause or phrase of these Regulations is for any reason held to be invalid or illegal by a decision of any court competent jurisdiction, it shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of these Regulations.
25. These regulations were adopted by a resolution of Council at a meeting held on the 14th day of May, 2019 and will come into effect on the 15th day of May, 2019.
26. All previously adopted Solid Waste regulations for the Municipality are hereby repealed.