



By-Law No. 07-2015

A By-Law to Regulate the Collection and Disposal of Solid Waste

Under the authority vested in it by Section 10(1) of the *Local Governance Act*, amendments thereto and regulations adopted thereunder, the Council of the rural community of Hanwell hereby enacts as follows:

1. TITLE

This By-Law may be cited as the “Solid Waste Collection and Disposal By-Law”.

2. Definitions

“Ashes” means the residue from fires used for cooking, heating, or outdoor fireplaces and fire pits;

“Building Material” means material used in the construction or renovation of a dwelling or other structure, including but not limited to lumber, sheet metal, and wallboard;

“Combustible Material” includes paper and paper products, plastic bottles, and emptied aerosol cans, which cannot be recycled;

“Commercial Establishment” includes any shop, restaurant, office, industry, institution, business establishment, apartment building with five or more apartment units, rooming house with ten or more roomers;

AMENDED (February 23, 2021) “Garbage” means any refuse, accumulation of animal, fruit, or vegetable matter, liquid or otherwise, which attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit or vegetables;

AMENDED (February 23, 2021) “Garbage Bag” means a vinyl, plastic, biodegradable, and/or compostable bag (not paper) that may be used for the placement of garbage, and which may be securely tied so as not to allow loose garbage to escape;

“Garden Refuse and Waste” means waste matter from gardens, consisting of dead branches, bushes, weeds, plants and similar materials;

“Grass Clippings” means any lawn material bagged, raked, or otherwise collected for disposal;

“Hazardous Material” means any waste that is potentially damaging to the environment or human health because of the toxicity, ignitability, corrosiveness, chemical reactivity or other reasons and includes, but is not limited to, propane or propane containers, petroleum products, solvents, paints, acids, chemicals and coolants;

“Housing Unit” means a place of dwelling;

“Incombustible Material” means metals, dirt and similar rubbish which cannot be burned;

“Recyclable Material” means material approved by the Fredericton Region Solid Waste Division of Regional Service Commission 11 (RSC 11) as acceptable material to be placed in recycle boxes for collection;

“Recycle Box” means receptacles used for a recycling program and “Recycle Boxes” means more than one Recycle Box;

“Residential property” means all single and double housing units, individual townhouse units, condominiums, apartment buildings with no more than four apartment units and rooming houses with not more than 9 roomers and “Residential Properties” means more than one Residential Property;

“Restaurants” generally refers to a business that provides goods and services in the dining service industry;

“Shared Accommodation” means any room or rooms forming part of the residence of a Landlord, or its agent, and of which the entrance and any facilities are used in common by the Landlord, or its agent, and the occupant or occupants of the room or rooms;

“Solid Waste” means household refuse including Garbage and Recyclable Material;

“Street Rubbish” means sweepings, dirt, leaves, catch-pit dirt and similar rubbish;

“Tires” means the outer pneumatic rubber covering of the wheels of motorized vehicles, with an inner diameter greater than 15 centimetres (6 inches).

3. Receptacles for Garbage, Combustible Material, and Garden Refuse and Waste

- (a) Resident-supplied garbage receptacles shall be watertight, shall have a capacity of not more than 125 litres (28 gal) and shall have a weight of not more than 20 kilograms (44 lbs.) when loaded.
- (b) Oversized wheeled garbage dollies shall not exceed 45 kilograms (100 lbs.) when loaded.
- (c) Garbage bags shall not exceed a capacity of 178 litres (40 gal.) and a weight of 20 kilograms (44 lbs.) when fully loaded.

4. AMENDED (February 23, 2021) Collection of Garbage, Combustible Material, and Garden Refuse and waste

- (a) Only Residential Properties are eligible for collection of Garbage, Combustible Material, and Garden Refuse and Waste
- (b) Every person placing Garbage for collection shall:
 - i. if using a receptacle have the cover securely in place;
 - ii. ensure garbage is not loose within the receptacle and that all garbage is placed and secured inside Garbage Bags;
 - iii. ensure garbage bags are securely tied so as not to allow garbage to become loose;
 - iv. ensure paper and cardboard material has been flattened out and securely tied in packages and is at the roadside of the street or road on which their property fronts, not earlier than 8 p.m. of the day preceding the day established for collection;

- v. ensure broken or discarded household furniture or furnishings are securely tied in packages that do not exceed 20 kilograms (44 lbs.) in weight or 90 centimetres (36 in.) in dimension;
 - vi. ensure Garden Refuse and Waste is bagged or securely tied in bundles that do not exceed 20 kilograms (44 lbs.) in weight or 90 centimetres (36 in.) in dimension.
 - vii. Adequately protect garbage bags and receptacles from rodents, birds, and all other animals, and shall be responsible for cleanup of any garbage due to inadequate protection
- (c) Subject to section 4(e) no person shall place Garbage, Combustible Material, or Garden Refuse and Waste for collection in any manner or in any container other than those as set out in section 3 and section 4(b).
 - (d) Residents are expected to place Garbage for collection at the roadside before 7:00 a.m. on the day of collection but not earlier than 8:00 p.m. on the day before the day of collection.
 - (e) No person shall permit any of the items enumerated in section 4(b)(i) to 4(b)(v), placed by them for collection, to remain at the roadside beyond the conclusion of the day established for collection.
 - (f) All residents are responsible to clean up any loose Garbage, broken glass, debris, or recycling materials not picked up by the contractor.
 - (g) No person other than employees of the rural community, agents, or contractors hired by the rural community, shall remove any waste material or Garbage placed at the roadside for collection.

5. Schedule for Collection of Garbage, Combustible Material, and Garden Refuse and Waste

- (a) The rural community of Hanwell shall establish a schedule of days and routes for collection of Garbage, Combustible Material, and Garden Refuse and Waste and may amend the said schedule from time to time.
- (b) The rural community of Hanwell may establish a schedule of days and routes for special "Cleanup Days" for the collection of oversized items and may amend the said schedule from time to time.
- (c) The Clerk of the rural community or the agents or contractors hired by the rural community shall notify residents of the said schedule or amendment within the 5 day period immediately preceding the day upon which a schedule or any amendment thereto referred to in section 5(a) or 5(b) becomes effective, either by causing to be published, in a daily newspaper having general circulation in the rural community, a notice setting forth the said schedule or amendment, or by using such other means as may be effective in providing notice.
- (d) In unusual circumstances or emergencies residents may be required to hold their Solid Waste material until another collection day that can be arranged between the rural community and its agents or contractors.

6. Garbage Collection

- (a) The rural community of Hanwell may enter into an agreement with any person or firm (hereinafter referred to as the "Contractor") for the collection of Garbage and Combustible Material under the provisions of this By-Law and may from time to time define their duties.

- (b) The Contractor shall make one (1) collection each week from the occupants of residential properties and the landlords of Shared Accommodation in the rural community in accordance with the schedule established pursuant to section 5(a) and 5(b) and amendments.
- (c) AMENDED (February 23, 2021) The Contractor shall perform the collection of Garbage, Combustible Material, and Garden Refuse and Waste between the hours of 7:00 a.m. and 7:00 p.m., such hours to be extended in the event of extenuating circumstances such as weather events or breakdowns.

7. Disposal of Rubbish

- (a) Ashes, Grass Clippings, Incombustible Material, and Street Rubbish shall not be placed for collection but shall be disposed of by the owner at his/her own expense.
- (b) Broken or discarded household furniture or furnishings exceeding 20 kilograms (44 lbs.) and larger than 90 centimetres (36 in.) in length shall not be placed for collection but may be disposed of by the owner at his/her own expense, or by contacting the Contractor to make arrangements for collection up to nine (9) times per calendar year per household.
- (c) Building Material and Hazardous Material shall not be placed for collection but shall be disposed of by the owner at his/her own expense at the appropriate facility.

8. Recycling Program

- (a) The rural community of Hanwell may enter into an agreement with any person or firm for the collection of Recyclable Material under the provisions of this By-Law, and may from time to time define the duties of the collector.
- (b) While the rural community operates a recycling program, sections 8(c) to 8(e) inclusive of this By-Law shall be in force and effect.
- (c) AMENDED (January 13, 2016 and February 21, 2021) Recycle Boxes
 - i. Residents are responsible for obtaining their own Recycle Boxes, by
 - A. Contacting the recycling contractor to inquire if they will supply the Recycle Boxes, and/or
 - B. By purchasing from a retailer.
 - ii. Residents using Recycle Boxes shall maintain them in good condition at all times.
 - iii. Recycle Boxes shall have a maximum capacity of 100 Litres (22 gal) with a depth not to exceed 60 cm (24 inches) and shall have a weight of not more than 20 kilograms (44 lbs.) when loaded.
 - iv. Recycle Boxes for paper should have a watertight lid to prevent spoilage.

(d) Recycling Schedule

- i. The rural community of Hanwell may establish a schedule of days and routes for collection of Recyclable Material which shall not necessarily coincide with the day of collection of Garbage.

- ii. No person in possession of a Recycle Box shall place a Recycle Box for collection at the roadside of the street or road on which their property fronts earlier than 8 p.m. of the day preceding the day of collection.
- iii. No person in possession of a Recycle Box shall suffer or permit their Recycle Box to remain at the roadside beyond the conclusion of the day of collection.

(e) Only Recyclable Material shall be placed in Recycle Boxes for collection.

9. Penalties

Any person who violates any provision of this By-Law is guilty of an offence and is liable on summary conviction to a fine of not less than fifty dollars (\$50.00) and not more than two hundred dollars (\$200.00) per occurrence.

FIRST READING: (By title)	<u>February 11, 2015</u>
SECOND READING: (In its entirety)	<u>March 11, 2015</u>
THIRD READING AND ENACTMENT: (By title)	<u>April 8, 2015</u>
AMENDED:	<u>January 13, 2016</u>
AMENDED:	<u>February 23, 2021</u>

Susan Cassidy, Mayor

Terri L. Parker, Clerk/Treasurer