

**RESIDENTIAL WASTE REGULATIONS  
PUBLISHED BY AUTHORITY**

Pursuant to the powers conferred by Section 414 (pp) of the *Municipalities Act, 1999*, Chapter M-24, SN 1999, the Town of Conception Bay South has made the following Regulations.



TERRY FRENCH, MAYOR

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**REGULATIONS**

**1. TITLE**

These Regulations shall be cited as the "Town of Conception Bay South Residential Waste Regulations".

**2. DEFINITIONS**

In these Regulations:

- (a) "**Regulations**" shall mean the Town of Conception Bay South Residential Waste Regulations.
- (b) "**Act**" shall mean the *Municipalities Act, 1999*.
- (c) "**Automated Waste Collection**" shall mean collection of waste using specifically designed equipment without manual labour to collect and empty waste from private property to the collection vehicle.
- (d) "**Bulk Items**" shall mean heavy or bulky items such as stoves, refrigerators, dishwashers, clothes washers and dryers, furnaces, boilers, bed springs, furniture, fencing, boxes, barrels and similar items.
- (e) "**Construction Waste**" shall mean any used building materials discarded during or after alterations or renovations.
- (f) "**Council**" shall mean the Town Council of the Town of Conception Bay South.
- (g) "**Garbage Bags**" shall mean bags in the form of polyethylene specifically manufactured for the purpose of collecting household garbage including regular, large and extra-large garbage bags provided that the filled garbage bag does not exceed 18 kilograms, 40 pounds, in weight and fastened at the top. For the purpose of recycling, a bag shall mean transparent, blue polyethylene plastic bag fastened at the top. For the purpose of yard waste, a

bag shall mean transparent, clear polyethylene plastic bag fastened at the top and can be easily identified as yard waste.

- (h) **"Garbage Containers"** shall mean storage facilities for the purpose of storing bags of garbage during periods between collections.
- (i) **"Garden Waste"** shall mean the waste materials from garden consisting of grass clippings, dead branches, bushes, weeds, plants, stones and other small materials.
- (i) **"Hazardous Material"** shall mean anything that includes harmful liquids, chemical waste, ammonia, acids, pharmaceutical products, paints, oils, and pesticides.
- (k) **"Nuisance"** shall mean anything or any conditions of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things that in the opinion of Council has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property.
- (l) **"Household"** shall be defined as any single family residence with or without an apartment(s)/unit(s). The following shall not receive town waste collection:
- i. Condominium (may receive recycling collection)
  - ii. Apartment building
  - iii. Senior Complex
  - iv. Properties considered Commercial, except four unit dwellings and Community Care Homes, as defined by the Provincial Government.
- (m) **"Recycling Materials"** shall mean all fibre, metal and plastic products accepted by the Eastern Waste Management Facility. Some examples are but not limited to:
- i. Most cardboard;
  - ii. All papers except with wax composition
  - iii. Most plastic containers
  - iv. Tin cans
  - v. Other materials that the Town may specify.
- (n) **"Refuse"** shall mean all other miscellaneous waste materials not specifically defined as residential garbage.
- (o) **"Residential Garbage"** shall mean all household garbage suitable for acceptance by the Robin Hood Bay Waste Management Facility unless otherwise identified in these Regulations and does not include recycling, building or hazardous waste material.
- (p) **"Waste"** shall mean all residential garbage, recycling materials and garden waste.

- (q) **"Waste Cart"** shall mean wheeled container supplied by the Town for waste collection.
- (r) **"Covering"** shall mean container, bag or net.
- (s) **"Town"** shall mean the Town of Conception Bay South.

### 3. APPLICATION

These Regulations shall apply within the boundaries of the Town.

### 4. COLLECTION OF RESIDENTIAL WASTE

- (a) No household shall dispose of any waste in the Town except in accordance with these Regulations.
- (b) Residential waste may be collected manually or automated. As such different sections within this Regulation may apply where referenced.
- (c) All acceptable waste shall be placed at the curb or approximately 6.0 meters from the road center line in cases of absent curb, except households with automated waste services (see Section 7). Residential garbage must be completely covered. Bulk garbage, yard waste and recycling does not require covering. Net coverings are to be weighted, nylon or polyester material with mesh size no larger than 25mm x 25mm.
- (d) Residential garbage may include garden waste and animal feces provided it is double bagged in smaller bags and then placed in a larger garbage bag.
- (e) Residential garbage and recycling shall not be placed at the curb for collection except on the day designated for collection as determined by the Town, no earlier than 6:00 a.m and no later than 7:30 a.m.
- (f) All waste placed for collection in a manner not provided by these Regulations shall not be collected. Uncollected waste shall be removed by the household from the front of the premises no later than 7:00 p.m. of the day that the waste was placed for collection. Containers and nets shall be removed by this time.

### 5. RESTRICTIONS

- (a) No household shall put out for collection more than ten (10) garbage bags on any one (1) collection day. Households with automated waste collection service shall fit all garbage bags in the cart, with lids closed completely, provided by Town as per Section 7.

- (b) Hazardous material shall not be deposited or placed in a garbage container or bags for collection.
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- (c) No caustic substance such as bleach shall be poured or used on garbage containers or bags.
- (d) No household shall dispose of a hypodermic needle, syringes or other sharp objects except in a sealed and puncture proof container.
- (e) Soot and ashes shall be placed in a garbage bag and shall be securely tied and marked as "soot and ashes".
- (f) No liquids shall be deposited or placed in a garbage bag for collection.
- (g) If for any reason, the contents of a garbage bag has not been adequately drained of all liquids, or becomes wet, or is of a fluid consistency, it shall not be collected by the Town.
- (h) No household shall place the following materials out for collection:
- i. Any metal objects which the Town does not consider to be residential garbage;
  - ii. Car wrecks, parts, frames, engines;
  - iii. Construction waste;
  - iv. Asphalt shingles;
  - v. Highly combustible materials such as sawdust, oil or gasoline soaked rags, gas containers, ammunition or other explosive matter, chemicals, acids or their residues, derivatives or by-products;
  - vi. Tree limbs;
  - vii. Earthen material, rocks, bricks, soil, and similar material;
  - viii. Discarded vehicle oil;
  - ix. Partially filled paint cans;
  - x. Hazardous material;
  - xi. Furniture and appliances;
  - xii. Items weighing more than 18 kilograms or 40 pounds;
  - xiii. Used propane containers;
  - xiv. Broken glass;
  - xv. Any item, refuse or material which the Town considers to be a hazard to the Waste Collection Equipment Operators or the environment; or
  - xvi. Any item that the Town does not consider to be a normal component of residential garbage.
  - xvii. Loose animal feces or litter.
- (i) No person or persons shall permit any animal owned by him or under his control to pick over, interfere, disturb, remove or scatter any residential garbage, refuse or material placed out for collection.
- (j) Covers cannot include tarps, blankets, etc.

## **6. STORAGE AND DISPOSAL**

- (a) Each owner or operator of a building containing five (5) or more dwelling units, shall be responsible for removal of residential garbage and refuse from their premises on a weekly basis to a provincially recognized waste management facility.
- (b) Each owner or operator of a business, or property assessed as Commercial, within the Town shall be responsible for the removal of refuse or other materials from their premises on a weekly basis to a provincially recognized waste management facility, with the exception of Community Care Homes, as defined by the Provincial Government.
- (c) The household, builder or contractor shall be responsible for the removal of construction waste, refuse or other materials from any construction site to a provincially recognized waste disposal facility in a timely fashion.
- (d) Every household shall be responsible for the removal of the disposal of material other than residential garbage.
- (e) No household shall store garbage in a container other than as specified in these Regulations unless the container is located at the rear of the residential building.

## **7. AUTOMATED WASTE COLLECTION**

### **7.1 FEES**

The annual fees, as approved by Council, for automated waste collection services are due and payable by owner, applicable under these Regulations, whether or not;

- (a) The household is occupied or unoccupied for any length of time.
- (b) The owner or occupier of the household makes use of the service.
- (c) The service is interrupted or altered in any manner.

### **7.2 ALLOCATION**

- (a) Each household shall be allocated one cart unless otherwise approved by Council. Each cart contains a serial identification number within the cart for Town record purposes.
- (b) All carts remain with the household, even in the event of owner and/or occupier change, and are the property of the Town.

- (c) If an additional cart is required by the owner of the household, the owner shall submit the applicable form for review and approval by Council, or designate. Council may consider approving an additional cart(s) where a household has more than one unit/apartment. Additional fees will apply as approved by Council. There is a maximum of **two** carts per household for dwellings with two or three units/apartments and a maximum of **three** carts for dwelling with 4 units/apartments.

A Community Care Home, as defined by the Provincial Government may receive one cart upon application by property owner.

An apartment, paying applicable municipal fees, located within a business or property identified as commercial, may received one cart upon application by property owner.

- (d) All carts are the responsibility of the household owner. Replacement and maintenance fees will apply, as approved by Council, for vandalized, stolen or lost carts.
- (e) The Town will deliver carts and may replace or repair at its cost carts that are defective or damaged as a result of waste collection efforts.

### 7.3 CARTS

The Town will not collect household waste from a cart other than supplied by the Town. The owner shall ensure carts are kept in good and clean condition and are not used for any other purpose other than waste collection as identified within these Regulations.

One month after automated waste collection begins at the household, all other containers must be removed from front of property, including but not limited to; wooden garbage boxes, steel containers, permanent plastic containers and all other permanent garbage containers.

- (a) Carts shall be stored:
- i. With lids closed at all times;
  - ii. On private property of the household in a reasonable manner that does not interfere with Town services or public.
- (b) Carts shall be placed for collection:
- i. On the household scheduled collection day;
  - ii. Immediately adjacent to the street fronting property but not on sidewalks. Where curb exists and no interference to street usage, carts can be placed on street with wheels adjacent to curb;
  - iii. So cart orientation is as indicated on cart;

- iv. So at least one meter of clearance is on each side of the cart and three meters above the cart;
  - v. So cart is accessible and from snow banks, ice, parked cars or other obstructions;
  - vi. So cart will not likely overturn and is clearly visible and safely accessible;
  - vii. So that it does not interfere with pedestrian or vehicle traffic;
  - viii. In a location that does not meet 7(b) (ii) by submission of the applicable form and approved by Council, or designate.
- (c) Carts shall not be filled or collected if:
- i. The lid does not close completely and easily;
  - ii. The weight exceeds 300 pounds or 136 kilograms;
  - iii. Loose waste or small bags are contained within cart;
  - iv. The collection cannot easily empty contents;
  - v. Prohibited materials are contained as per section 5(h) of these Regulations;
  - vi. Modified by owner or occupier.

#### **7.4 RESTRICTED PARKING**

On street parking is prohibited during the regular scheduled waste collection day between hours 7:00 a.m. and 5:00 p.m.

#### **8. BULK ITEMS**

- (a) Collection of bulk garbage shall be by special collection only. The household shall book and pay for a bulk garbage appointment.
- (b) Bulk items to be collected as bulk garbage shall not be placed at the curb earlier than 48 hours prior to the scheduled collection.
- (c) No occupant shall place the following items out for bulk garbage collection:
  - i. Car wrecks, parts, frames and engines;
  - ii. Construction debris;
  - iii. Asphalt shingles;
  - iv. Electronics
  - v. Tree limbs unless cut and bound into bundles weighing no more than 22 kilograms or 50 pounds with a maximum length of 4 feet;
  - vi. Earthen material, rocks, brick, concrete, soil or similar materials;
  - vii. Discarded vehicle oil;
  - viii. Partially filled paint cans;
  - viii. Automotive batteries;
  - ix. Tires;
  - x. Propane tanks;
  - xi. Hazardous materials;

- xii. Items weighing greater than 136 kilograms or 300 pounds;
  - xiii. Animal feces or kitty litter; or
  - xiv. Animal carcasses or parts.
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## 9. VEHICLES CARRYING WASTE

- (a) No person, firm or corporation shall transport waste of any kind on any street within the Town, unless such waste is transported in an enclosed truck or container or is otherwise secured so that it shall not fall from the vehicle or other means of transportation unto the street.
- (b) All vehicles and containers used for the transportation of waste, shall be kept in a sanitary condition at all times.

## 10. ENFORCEMENT

- (a) The Town has a right to refuse to collect waste from occupants:
  - i. who use inappropriate containers to hold waste;
  - ii. who do not keep garbage containers in a neat and tidy condition;
  - iii. who place containers not in accordance with these Regulations;
  - iv. whose garbage container is in a state of disrepair; and/or
  - v. whose garbage container is infested with rodents or insects.
  - vi. who acts outside of these regulations in part or in whole.
- (b) The household shall immediately clean up any residential waste or refuse picked over, interfered with, disturbed by, removed or scattered by animals.
- (c) Notwithstanding anything contained in these Regulations, the Town may, at any time, order the household to clean up and remove any accumulation of waste or refuse outside any building or buildings, on any other private property within the Town, or on Town streets.
- (d) If the household neglects or refuses when ordered by the Town to clean up and remove any accumulation of waste or refuse from the premises or which has extended onto adjacent private properties or Town streets, the Town may cause the clean-up and removal of such accumulation at the expense of the owner and charged to the household as a civil debt.
- (e) These Regulations may be enforced by the Director of Engineering and Public Works, Public Works Superintendent, Public Works Supervisors, Municipal Enforcement Manager or Officer, Royal Newfoundland Constabulary, Peace Officer or any person appointed by Council.



## 11. PENALTIES

Every person who is guilty of an offense under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:

- (a) Shall be liable to penalties as stipulated in accordance with section 420 of the *Municipalities Act*, 1999; or
- (b) Shall be subject to an Order under section 404 (1) (l) of the *Municipalities Act*, 1999; or
- (c) Shall be subject to a violation notice issued under section 421.1(1) of the *Municipalities Act*, 1999; or
- (d) Shall be issued a ticket under the *Provincial Offences Act* in accordance with section 421.2 of the *Municipalities Act*, 1999.


## 12. COMPLIANCE WITH OTHER ACTS

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other Regulation of the Town or any Statute or Regulation of the Province of Newfoundland and Labrador, and in such cases where more than one Regulation or Statute applied the more restrictive Regulation or Statute shall apply.

## 13. EFFECTIVE DATE

These regulations shall come into force on the 18th day of September 2019.

In witness whereof, the Seal of the Town of Conception Bay South has been affixed hereto and these Regulations have been signed by the Mayor and the Chief Administrative Officer on behalf of the Council on this 27<sup>th</sup> day of September, 2019.

  
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Terry French  
Mayor  
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Brian Crawley  
Chief Administrative Officer