

# WASTE DISPOSAL AND PROPERTY REGULATIONS

## PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414(1) (pp) of the Municipalities Act, Chapter M-24, S.N. 1999, the Town of Conception Bay South hereby enacts the following Regulations which were adopted at the Public Council Meeting held on the 4<sup>th</sup> day of May, A.D. 2010



**WOODROW FRENCH**  
**MAYOR**

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### 1. TITLE

These regulations may be cited as "The Town Conception Bay South Waste Disposal and Property Regulations".

### 2. DEFINITIONS

In these Regulations:

- (a) "Regulations" means the Town of Conception Bay South Waste Disposal and Property Regulations.
- (b) "Council" means the Town of Conception Bay South Municipal Council.
- (c) "Commercial Property" means any property or building that is used or designed for use for business, commercial, industrial or institutional purposes or vacant land within a commercial zone.
- (d) "Highway" means a place or way, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic and includes all the space between the boundary lines of the place or way.
- (e) "Inspector" means any official of the Town or any employee of the Town designed by the Council to enforce the provisions of the regulations and shall include a Municipal Enforcement Officer or

member of any police force presently stationed within the province of Newfoundland and Labrador.

- (f) "Land" includes land covered by water and buildings and structures on, over, under the soil and fixtures that form part of those buildings and structures.
- (g) "Person" means a natural person, a firm, partnership, corporation or company and includes the heirs, executors, administrators or other legal representatives of a person.
- (h) "Occupant" of any property means a person who:
  - (i) owns the property;
  - (ii) resides at the property;
  - (iii) conducts business at the property;
  - (iv) is in physical possession of the property; or
  - (v) has responsibility for, and control over, the condition of the property, the activities conducted on the property and the persons allowed to enter the property; for purposes of these Regulations there may be more than one occupant of the same property;
- (g) "Property" means a dwelling and the land around it and all other buildings or structures, fences, barriers or other erections therein and thereon or vacant land within a residential zone.
- (h) "Waste Material" means:
  - (i) refuse, garbage, dead animals, rubbish, scrap and discarded material, including tailings, offal, machinery, products, vehicles and other articles which are dumped, discarded, abandoned or otherwise disposed of;
  - (ii) A material or thing or substance that may be a danger to the health and safety of human beings, animals, wildlife or fish or is of unsightly appearance;
  - (iii) A substance designated as waste material by Council.

### **3. GENERAL DUTIES AND OBLIGATIONS**

- 3.1 The owner and the occupant of a residential property or commercial property shall be jointly and severally liable to maintain the property in a clean and sanitary condition and free from fire, health and accident hazards.
- 3.2 All parts of a property shall be kept clean and free from:
- (a) waste material, garbage and other debris;
  - (b) growth of weeds and grass that is detrimental to the health, safety or welfare of the occupants or the public or that by reason of not being cut regularly is excessive when compared with the neighbouring properties;
  - (c) objects and conditions that are or might create health, fire or accident hazards.
- 3.3 No person shall repair, dismantle or scrap a vehicle on residential property except for repairs of a minor nature, such as repairing flat tires, boosting batteries, changing filters or replacing spark plugs to a vehicle, which is owned by an occupant of the residential property on which the repairs are being affected.
- 3.4 No person shall deposit, discard or keep a wrecked, discarded, dismantled, inoperative, unused, or abandoned vehicle, trailer or other machinery or any parts thereof on any property within the Town except where the vehicle or parts thereof are enclosed within a building. Such a building shall be subject to Council's approval and must comply with the provisions for accessory buildings in the Town's Development Regulations.

### **4. AUTHORITY SECTION**

The Inspector shall have the power to enter upon any property or any land or premises within the Town where he or she knows or suspects any matter or thing or waste material is placed or kept in violation of these regulations.

## **5. OBSTRUCTION**

- 5.1 No person shall, wilfully obstruct, interfere with or impede, in any way, an Inspector, Municipal Enforcement Officer, Police Officer or any other person so authorized by Council in the performance of his/her duties or in any way tamper with Council vehicles and equipment while involved with the enforcement of these regulations or any other regulations of the municipality.
- 5.2 Where an Inspector has placed or caused the placing of a sign, placard, order, or Notice of Violation upon any property or premises under the authority of these regulations or any other applicable regulation or laws, no person shall remove such sign, placard, order or notice of violation except with the consent of the Inspector.

## **6. PENALTIES**

- 6.1 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:
- (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 to a ticket under the *Provincial Offences Act* in accordance with section 421.2 of the *Municipalities Act, 1999*.

## **7. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS**

All previous Town of Conception Bay South Waste Disposal Regulations and amendments are repealed.


**8. COMPLIANCE WITH OTHER ACTS AND REGULATIONS**

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 applies the more restrictive regulation or statute shall apply.

**9. EFFECTIVE DATE**

These Regulations shall come into force on 5<sup>th</sup> day of May, 2010.

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 Council on this 5<sup>th</sup> day of May, 2010.

  
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Woodrow French  
Mayor  
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Keith Arns  
Chief Administrative Officer