

Harvey Rural Community

By-Law No. 2023-09 A By-Law to Regulate the Collection and Disposal of Solid Waste

Pursuant to subsection 10(2) of the *Local Governance Act*, SNB 2017, c. 18, amendments thereto and regulations adopted thereunder, the Council of the Harvey Rural Community hereby enacts as follows:

1. TITLE

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

2. DEFINITIONS

“Commercial Establishment” includes any shop, restaurant, office, industry, institution, business establishment.

“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;

“Solid Waste Bag” means a vinyl, plastic, biodegradable, and/or compostable bag (not paper) that may be used for the placement of solid waste, and which may be securely tied so as not to allow loose material to escape;

“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;

“Residential property” means all single and double housing units, individual townhouse units, condominiums, and apartment buildings;

“Solid Waste” means household refuse including garbage.

3. Resident Responsibilities

- a) Only Residential Properties are eligible for collection of Solid Waste
- b) Hazardous Material shall not be placed for collection but shall be disposed of by the owner at the appropriate facility.
- c) Every person placing Solid Waste for collection shall:
 - i. if using a receptacle have the cover securely in place;
 - ii. ensure Solid Waste is not loose within the receptacle and that all Solid Waste is placed and secured inside garbage bags;
 - iii. Ensure garbage bags do not exceed a capacity of 178 litres (40 gal.) and a weight of 23 kilograms (50 lbs.) when fully loaded;
 - iv. ensure garbage bags are securely tied so as not to allow material to become loose;
 - v. is at the roadside of the street or road on which their property fronts or at the designated collection point by 7:00 am on the day established for collection;
 - vi. Adequately protect garbage bags and receptacles from rodents, birds, and all other animals, and shall be responsible for cleanup of any solid waste due to inadequate protection;

- vii. Be responsible to clean up any loose garbage, broken glass, debris, or recycling materials not picked up by the contractor.

4. Schedule for Collection of Solid Waste

- a) Harvey Rural Community shall establish a schedule of days and routes for collection of Solid Waste and may amend the said schedule from time to time.
- b) The Clerk of the Harvey Rural Community or the agents or contractors hired by Harvey 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 4(a) becomes effective by publishing the change on the Harvey Rural Community website and Facebook page.
- c) In unusual circumstances or emergencies residents may be required to hold their Solid Waste material until another collection day that can be arranged between Harvey Rural Community and its agents or contractors.

5. Contractor Responsibilities

- a) Harvey Rural Community may enter into an agreement with any person or firm (hereinafter referred to as the "Contractor") for the collection of Solid Waste 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 in accordance with the schedule established pursuant to section 4(a) and 4(b) and amendments.
- c) The Contractor shall perform the collection of Solid Waste between the hours of 7:00 am and 7:00 pm, such hours to be extended in the event of extenuating circumstances such as weather events or breakdowns.
- d) Despite any other provision of this By-law, between the dates of November 1 and April 30, inclusive, the solid waste collection and disposal service provided by Harvey Rural Community shall be restricted to the roads maintained by the Province during that period.
- e) A solid waste collection and disposal service can be provided only if the properties are safely and easily accessible to the vehicle that is used for collecting the solid waste.
- f) If solid waste is collected from a multiple unit family dwelling or inaccessible private lane, the solid waste may be placed for collection and disposal in an area or shed that is located on the property, if the area or shed is safely and easily accessible to the vehicle that is used for collecting the solid waste.

6. Disposal of Oversized Items

- a) An individual item exceeding 23 kilograms (50 lbs.) or 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 the item collection up to nine (9) times per calendar year per household.

7. 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.

This By-Law shall come into effect on the date of enactment there from:

FIRST READING: August 16, 2023

SECOND READING: September 13, 2023

THIRD READING: October 11, 2023

ENACTED: October 11, 2023

Clerk: _____

Katherine Henry

Mayor: _____

Richard Corey

Seal