

**BY-LAW NO. S-10**

**A BY-LAW TO REGULATE THE COLLECTION AND DISPOSAL OF  
GARBAGE AND OTHER MATERIAL IN THE TOWN OF NACKAWIC**

BE IT ENACTED by the Council of the Town of Nackawic as follows:

1. In this bylaw, unless the context otherwise requires:

"Ashes" means the residue from fires used for cooking or heating.

"Collection day" means the day of the week on which garbage and refuse is collected.

"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.

"Garden refuse and waste" means waste matter from gardens, consisting of dead branches, bushes, weeds, plants and similar materials.

"Housing unit" means a place of dwelling, but does not include business or commercial accommodation or a hotel room or a motel room.

"Incombustible material" means glass, metals, dirt and similar rubbish, which cannot be burned.

"Shared accommodation" means any room or rooms forming part of a residential building which is not a motel or a hotel.

"Street rubbish" means sweepings, dirt, leaves, catch-pit dirt and similar rubbish.

2. The Council shall cause all residential garbage accumulated within the Town to be collected, conveyed and disposed of in accordance with this by-law.

3. No person other than a person authorized by the Council shall collect, or convey over any street and dispose of any residential garbage within the Town.

**4. Receptacles for Garbage, Incombustible Material, Garden Refuse and Waste**

4.01 The occupant of every housing unit and the landlord of shared accommodation in the Town shall provide on the premises sufficient and adequate receptacles, which may be used for garbage, combustible material and garden refuse and waste, hereinafter called garbage receptacles.

4.02 Garbage receptacles shall be water-tight, shall have a capacity not exceeding 360 liters, and shall be made of metal or plastic equipped with handles and metal or plastic covers which fit tightly.

4.03 Garbage receptacles shall be maintained in good condition at all times.

4.04 No person shall place garbage for collection in any receptacle other than a garbage receptacle as herein prescribed.

4.05 Every person using a garbage receptacle is required to place garbage in plastic bags within the receptacle.

4.06 Every person required to provide a garbage receptacle shall cause all garbage to be placed for collection therein. Paper and cardboard material may be placed for collection but must be flattened and securely tied in the package, and stored separately for pick-up.

4.07 No person shall fill any garbage receptacle to a greater height than within five centimetres below the top.

**5. Collection of Garbage, Incombustible Material and Garden Refuse and Waste**

5.01 Every person required to provide a garbage receptacle shall place or cause to be placed for collection,

(a) such receptacle for collection, and

(b) garbage, incombustible material, garden refuse and waste is to be placed at the curb or roadside of the street or road on which his or her property fronts, not earlier than 8:00 p.m. of the day preceding the day established for collection.

5.02 No person required to provide a garbage receptacle shall suffer or permit a receptacle containing garbage to remain upon premises under his or her control for a period exceeding seven days without placing the contents for collection as herein before prescribed.

5.03 The owner of every apartment building who provides a dumpster in conjunction therewith shall provide safe and convenient access to such dumpster for the equipment of the garbage collector.

5.04 No person other than employees of the Town, or agents or contractors hired by the Town, shall pick over or remove any waste material or garbage placed at the curb for collection.

## **6. Schedules for Collection**

6.01 The Council shall by resolution establish a schedule of days and routes for collection of garbage, combustible material and garden refuse and waste and may by resolution amend the said schedule from time to time.

6.02 The Town Clerk shall cause to be published a notice advising residents of the schedule of days and routes approved by Council, or any amendment thereto, before said schedule or amendment becomes effective.

## **7. Garbage Collection**

7.01 The Council may enter into an agreement with any person, herein referred to as the "garbage collector" for the collection of garbage and incombustible material under the provisions of this by-law and may from time to time define the duties of the garbage collector.

7.02 The garbage collector shall make one collection each week from the occupants of housing units in the Town in accordance with the schedule established pursuant to section 6, and amendments thereto.

7.03 The landlord of shared accommodation with more than four units shall be responsible for the collection of garbage and incombustible material from such units.

## **8. Recycling and Composting**

8.01 The Council may enter into an agreement with any person, herein referred to as the "garbage collector" for the collection of recyclables and compost material under the provisions of this by-law and may from time to time define the duties of the garbage collector.

## **9. Disposal of Rubbish**

9.01 Ashes, incombustible material, street rubbish, garden refuse, waste and broken or discarded household furniture or furnishings shall not be placed for collection with

garbage or incombustible material, but shall be disposed of by the owner at his or her own expense.

9.02 Waste material and rubbish left on premises following the construction, alteration, demolition or repair or erection of a building shall be removed and disposed of by the owner of such premises as promptly as possible and at his or her own expense.

9.03 The Building Inspector, or his or her designate, may give direction in writing to the owner of premises to remove within a specified time all waste material and rubbish from the premises of which he or she is owner and upon failure of such owner to comply with such direction, the Building Inspector, or his or her designate, may cause such waste material and rubbish to be removed at the expense of the Town and the owner shall upon demand of the Building Inspector, or his or her designate, reimburse the Town for such expense.

9.04 An owner who refuses or neglects to carry out any direction or demand given pursuant to this section is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00).

## **10. Garbage Chutes**

No person shall construct, maintain or use any garbage chute in a housing unit for the purpose of transferring garbage from one point in a building to any other point at a lower elevation in such building, unless special permission has been received to do so from the appropriate authority having jurisdiction in matters of health and sanitation in the Town.

## **11. Penalty Provision**

Every person who violates any provision of this bylaw is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00).

## **12. Repeal Provision**

12.01 By-Law No. 3(83), A By-Law To Regulate The Collection And Disposal Of Garbage And Other Material, passed by Town Council on March 22, 1983, is hereby repealed.

12.02 The repeal of By-Law No. 3(83), A By-Law To Regulate The Collection And Disposal Of Garbage And Other Material, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE  
TOWN OF NACKAWIC ON DECEMBER 6, 2004.

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Robert G. Connors, Mayor

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Nancy Cronkhite, Chief Administrative Officer

First Reading: November 1, 2004  
Second Reading: December 6, 2004  
Third Reading: December 6, 2004