

Hartland

By-Law No. B-30

RESPECTING WASTE COLLECTION AND DISPOSAL



PURPOSE: A By-law of Hartland, in the Province of New Brunswick, for the purpose of establishing regulations respecting waste collection and disposal in Hartland on public or private property pursuant to the Local Governance Act.

WHEREAS the *Local Governance Act*, SNB 2017, c 18, authorizes local governments may make by-laws respecting the disposal and collection of waste and other material,

BE IT ENACTED by the Council of Hartland as follows:

1. **TITLE.** This By-Law shall be cited as the "Waste Collection and Disposal."
2. **DEFINITIONS.**
 - a) "Act" refers to the Clean Environment Act, RSNB 1973, c. C-6, as amended, and includes the Designated Materials Regulation – Clean Environment Act, NB Reg. 2008-54.
 - b) "Ashes" means the residue from fires used for cooking, heating, or entertainment.
 - c) "Combustible material" includes paper and paper products, bottles, and cans.
 - d) "Dumpster" refers to a large trash receptacle that has been designed to be hoisted and emptied into a truck.
 - e) "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.
 - f) "Garbage bin" or "garbage can" refers to a small- to medium-sized container that temporarily stores garbage, rubbish, refuse, recyclable or compostable materials in plastic bags or loose form. A common garbage bin may be purchased from a store and can be lifted and directly emptied by the garbage contractor.
 - g) "Garbage contractor" refers to the private, third-party contractor that is responsible to collect and dispose of non-recyclable waste.

- h) "Garbage receptacle" refers to a medium- to large-sized container that temporarily stores garbage, rubbish, or refuse in plastic bags. A garbage receptacle can be of commercial or homemade construction and is not meant to be lifted or directly emptied by the garbage contractor.
- i) "Housing unit" means a place of dwelling.
- j) "Incombustible material" means metals, dirt, and similar rubbish that cannot be burned.
- k) "Producer Responsibility Organization (PRO)" refers to the not-for-profit organization called Circular Materials that is responsible for operating the curbside collection and recycling of material pursuant to the Designated Materials Regulation, NB Reg. 2008-54.
- l) "Recyclable material" means material approved by the PRO as material to be placed in recycle bins for curbside collection.
- m) "Recycle bin" means receptacles deemed acceptable by the PRO.
- n) "Shared accommodation" means any room or rooms forming part of the residence of a landlord or their agent, and of which the entrance and any facilities are used in common by the landlord, or their agent, and the occupant or occupants of the room or rooms.
- o) "Street rubbish" refers to street sweepings, dirt, leaves, catch-pit or catch basin material, and similar types of rubbish.
- p) "Type A residential property" refers to (i) any residential property in which four (4) or fewer dwelling units access a public road or street through one private road, driveway, or vehicle entrance, or (ii) a single rooming house with nine (9) or fewer roomers.
- q) "Type B residential property" refers to (i) any residential property in which five (5) or more dwelling units access a public road or street through one private road, driveway, or vehicle entrance, or (ii) a single rooming house with ten (10) or more roomers.
- r) "Yard waste" means waste matter from gardens, consisting of dead branches, brush, weeds, leaves, plants and similar materials.

3. GARBAGE RECEPTACLES, COLLECTION, AND DISPOSAL.

- a) All garbage placed outside a building shall be kept inside a garbage bin, a garbage receptacle, or a dumpster.
- b) Garbage bins shall be made of metal or plastic and equipped with handles and covers that fit tightly.
- c) Garbage bins shall not remain curbside or roadside beyond the day of collection.
- d) Garbage bins shall be placed for collection with their covers securely in place curbside or roadside not earlier than twenty-four (24) hours prior to the scheduled time of collection.

- e) Garbage receptacles shall be watertight, maintained in good condition at all times, and have a capacity of not less than 50 litres and not more than 240 litres.
- f) No person shall place a single garbage bag that weighs more than 23 kilograms or 50 pounds in a garbage bin or a garbage receptacle.
- g) A garbage bin or receptacle that contains garbage must be emptied within twenty-one (21) days.
- h) No person other than employees of Hartland, or agents or contractors hired by Hartland, shall pick over or remove any waste material or garbage placed curbside or roadside for collection.
- i) Garbage receptacles shall not be placed on top of any snowbank or in an area that is not cleared of snow and ice or on top of any unstable or unsecured structure.
- j) After the Garbage Collector collects the garbage on a given road or street, if any garbage has escaped, scattered, spilled out, or spread out from bags or containers onto the originating property or a neighboring property, the person responsible for the uncollected and uncontained garbage shall place it in an approved receptacle within twenty-four (24) hours and take all reasonable measures to restore the state and appearance of their own property as well as all affected neighboring properties.
- k) After the PRO collects recycling material on a given road or street, if any material has escaped, scattered, spilled out, or spread out from bags or containers onto the originating property or a neighboring property, the person responsible for the uncollected and uncontained material shall place it in an approved receptacle within twenty-four (24) hours and take all reasonable measures to restore the state and appearance of their own property as well as all affected neighboring properties.

4. GARBAGE RECEPTACLES – TYPE A RESIDENTIAL PROPERTIES.

- a) Every Type A residential property in Hartland shall provide on the premises one or more garbage receptacles that are, in number and size, sufficient to contain the total garbage produced each week by all residents of the property.
- b) Garbage receptacles, including those used for recycling, shall be placed on properties in such a way as to allow safe and convenient access for Garbage Collector personnel and equipment and shall comply with Garbage Collector policies and requirements.

5. GARBAGE RECEPTACLES – TYPE B RESIDENTIAL PROPERTIES.

- a) Every Type B residential property in Hartland shall provide on the premises one or more dumpsters that are, in number and size, sufficient to contain the total garbage produced each week by all residents.
- b) Dumpsters shall be placed on properties in such a way as to allow safe and convenient access for Garbage Collector personnel and equipment and shall comply with Garbage Collector policies and requirements.

- c) The owner of every Type B residential property in Hartland shall be responsible to pay to purchase or rent dumpsters from the Garbage Collector.
- d) The owner of every Type B residential property in Hartland shall be responsible to pay all recurring collection and disposal fees charged by the Garbage Collector.

6. YARD WASTE COLLECTION AND DISPOSAL.

- a) Yard waste shall be collected through the Garbage Collector's regular collection process.
- b) Leaves shall be placed in compostable paper bags.
- c) Brush and branches shall be tied with twine in small bunches.
- d) A branch shall not exceed 5 cm in diameter and 1.5 m in length.
- e) Yard waste shall be piled separate and apart from garbage or recycling.

7. SPECIAL GARBAGE COLLECTION AND DISPOSAL.

- a) Ashes, incombustible material, and street rubbish shall not be placed for collection with garbage, combustible material and yard waste, but shall be disposed of by the owner at their own expense.
- b) Waste material and rubbish left on premises following the construction, alteration, demolition, or repair of a building or erection shall be removed and disposed of by the owner of such premises within seven (7) days and at their own expense.
- c) Household furniture or furnishings shall not be placed for collection with garbage but may be placed for collection on large item pick-days as designated each year by the municipality.
- d) 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 he has received special permission to do so from the Department of Health of the Province of New Brunswick.

8. RECYCLING.

- a) The PRO shall be responsible for the curbside collection of recyclable material according to and under the provisions of the Act.
- b) Acceptable recycle bins shall be defined and determined by the PRO.
- c) Persons using recycle bins shall maintain them in good condition at all times.
- d) The curbside collection day for recyclable material shall be determined by the Garbage Collector.

- e) No person in possession of a recycle bin shall place a recycle bin for collection curbside or roadside earlier than eighteen (18) hours prior to the scheduled time of collection.
- f) No person in possession of a recycle bin shall permit their recycle bin to remain curbside or roadside beyond the conclusion of the day of collection.

9. PENALTIES AND ENFORCEMENT.

- a) Every person who violates any provision of the by-law is guilty of an offence and is liable on summary conviction to a fine of not less than one-hundred dollars (\$100.00) and not more than five-hundred dollars (\$500.00).
- b) Hartland's Chief Administrative Officer (CAO) or a designate of the CAO shall decide the amount of each fine based on evidence gathered by Hartland's duly appointed by-law enforcement officer.
- c) Hartland's duly appointed by-law enforcement officer shall be authorized to issue tickets and warning letters and to administer fines to enforce any provision of this by-law.

10. EFFECTIVE DATE.

FIRST READING	July 16, 2024
SECOND READING	September 10, 2024
THIRD READING & ENACTMENT	September 10, 2024
EFFECTIVE DATE	January 1, 2025

11. SIGNATURES.

MAYOR Tracey DeMerchant

Tracey DeMerchant

CLERK Rob Webber

RJ Webber

