

TOWN OF BISHOP'S FALLS

Waste Collection and Disposal Regulations

Pursuant to the powers conferred under section 414 (2) (pp) (i) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on July 20, 2010, hereby passes and enacts the following Waste Collection and Disposal Regulations governing the disposal and collection of waste in the Municipality of Bishop's Falls.

Regulations

1. These regulations may be known as the *Bishop's Falls Waste Collection and Disposal Regulations*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In these regulations unless the context otherwise requires:
 - (a) "Act" means the Municipalities Act, S.N. 1999 Chapter
 - (b) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999* and amendments thereto and includes the Council as defined by the Act.
 - (c) "Sanitary Inspector" means the Public Works Supervisor, Town Manager, or Town Clerk.
 - (d) "Garbage" includes all kitchen/table waste resulting from the preparation of food.
 - (e) "Garden Waste" includes waste material from a garden that includes grass clippings, dead branches, bushes, weeds, plants, stones, and other small materials.
 - (f) "Bulk Items" includes heavy or bulky items such as but not limited to stoves, refrigerators, dishwashers, washers, dryers, furnaces, boilers, bed springs, furniture, fencing, boxes, and barrels.
 - (g) "Nuisance" means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians, Town employees, 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 properties.
 - (h) "Garbage Bag(s)" means a polyethylene plastic bag of 1.5 gauge (1 ½) thickness that is fastened at the top and is at least 26" x 26" in size and is no more than 40 lbs in weight.
 - (i) "Refuse" means all other waste materials not specifically defined as garbage, garden waste, construction waste or bulk items but does not include cardboard or stove ashes.
 - (j) "Construction Waste" means any materials discarded during or after construction.

(k) "Garbage Can(s)" means a garbage can that is made of metal or plastic but excludes deep freezers, refrigerators or other similar appliance units.

Waste Collection and Disposal

4. Garbage and refuse shall be collected at least once per week on Tuesdays, Wednesdays and Thursdays as per the following regular collection schedule:

Day	Collection Start Time	Collection Route
Tuesday	8:30 am	Main Street (302 to 130 north side only), McMahon's Lane, Eltero Park, Greenridge Road, First Avenue, Second Avenue, R.E.W.A Avenue, Adams Avenue, and Lingard Place.
Tuesday	1:00 pm	Main Street (128 to 8 main street north side), Main Street (9 to 293 south side), Beaumont Heights, Morgan Street, West Trailer Court, Exploits Avenue, Pine Place, Cobb's Lane, McMahon's Lane Extension, Bruce Street and Hynes' Road.
Wednesday	8:30 am	Main Street (426 to 304 both sides), Centre Access Road, Maple Street, Birch Street, Aspen Street, Andrew's Lane, Vokey's Lane, Faulkner's Lane, Station Road, Helen Tulk Drive, Epstein Place, Farrell Place, Dove's Lane, Canning's Lane, and Riverside Drive (west of trestle).
Wednesday	1:00 pm	Main Street (428 to 490 both sides), Kinsmen Drive, Centennial Drive, Stanley Avenue, K of C Road, Hampton's Hill, Riverside Drive (east of trestle), Sydney Street, Mayor Avenue, Forest Road, and Reid Place.
Thursday	8:30 am	Main Street (529 to 622 both sides), 13 Mile Crossing, Botwood Highway, Kennedy Place, Lower Avenue, and Marshall's Drive.
Thursday	1:00 pm	Main Street (492 to 522 both sides), Newtown Road, Junction Road, Turner's Road, Country Road, King's Road, McDonald Crescent, Butler Street, Rose Street, Valleyview Road, East Trailer Court, Mill Road, Powerhouse Road, and Fallsview Municipal Park.

5. When a public or statutory holiday falls on a Tuesday, Wednesday or Thursday, the collection schedule as defined in section 4 shall cease on the public or statutory holiday and shall resume on the next day that is not a public or statutory holiday.

6. Bulk items, construction waste, and garden waste shall not be disposed of or collected during the regular collection schedule as defined in section 4.

7. No person shall set out garbage and refuse for collection before 6:00 am on the day of collection during the months of April to October or before 7:00 am on the day of collection during the months of November to March.
8. Where waste material is not collected because it fails to comply with these regulations, the owner of the waste material shall remove the waste material from the street before 6:00 pm on the same day that the waste material was set out for collection.
9. No person shall set out garbage and refuse for collection except on the day designated for collection as per section 4.
10. No person or persons shall permit any animal owned by him/her or under his/her control to pick over, interfere, disturb, remove or scatter any material placed out for collection.
11. No household shall put out for collection more than (7) garbage bags on collection day.
12. The Town shall not collect garbage and refuse resulting from commercial activity.
13. Every household and every operator of a business establishment shall, at their own expense, make adequate arrangements for:
 - (a) the storage of garbage and refuse in receptacles that are impervious to animals; and
 - (b) the removal of refuse from their premises on a weekly basis.
14. No person shall leave construction waste and refuse on a street, road, lane, drain, public or private property outside of a building or buildings within the Town following the construction, alteration or repair of such building or buildings.
15. A person may store garbage bags in a garbage can during the regular collection schedule and such garbage bags shall be removed from the garbage can by Town employees and collected in accordance with these Regulations.
16. A person shall at all times maintain a waste receptacle and garbage can in a state of good repair and in a sanitary condition.
17. Garbage and refuse must be disposed of in a garbage bag as defined in section 3 (h).
18. No liquids shall be deposited or placed in a garbage bag.
19. No person shall deposit, throw, sweep or place garbage and/or refuse upon any street, road, lane, drain, and public or private property unless it is enclosed in a garbage bag and set out for collection in accordance with these regulations so not to cause a nuisance or annoyance to others.
20. Garbage bags shall be set out for collection at the end of the real property that meets the curb or street line.

21. Notwithstanding any other section in these regulations, the Town shall not collect:
- (a) liquid waste or other organic matter which has not been properly drained or wrapped;
 - (b) materials or substances that are regarded as biohazards;
 - (c) highly combustible materials such as, but not limited to, oil, gasoline, soaked rags, gas containers, ammunition, chemicals, acids or their residues, and derivatives or by-products;
 - (d) garden waste ;
 - (e) garbage or refuse, which has not been placed for collection in the manner provided by these regulations;
 - (f) sheet iron, scrap, metal, and car bodies;
 - (g) animal carcasses or innards;
 - (h) garbage or refuse left by any builder or contractor, or owner upon any street, lane, drain, public or private property;
 - (i) ashes; and
 - (j) nuisance materials.

Vehicles Carrying Garbage and Refuse

22. No person, firm or corporation shall transport garbage and/or refuse on any street within the Town unless such garbage or refuse is transported in an enclosed truck or garbage bag or is otherwise secured so that it shall not fall from the vehicle or other means of transportation upon the street.

Enforcement

23. Where a person fails or refuses to comply with these regulations, the Sanitary Inspector shall, on authority of section 404 (1) (j) of the *Municipalities Act, 1999*, issue an order to comply with these regulations on that person. An order issued under this section shall prescribe;
- (a) the section of these regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
24. Where a person fails or refuses to comply with these regulations, the Sanitary Inspector may impose a service charge on that person that shall not exceed the costs of remediating the infraction plus an administrative fee of \$100.
25. A person who fails or refuses to comply with an Order issued under these Regulations is liable on summary conviction;
- (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Repeal and Commencement

26. The *Town of Bishop's Falls Garbage/Refuse Regulations* and any amendments thereto are repealed.

27. These regulations shall come into force on July 20, 2010.

Adopted by Council during Public Meeting _____ on July 20, 2010.

Randy Drover, Town Clerk

Town Seal is Affixed Hereunto

DRAFT