

## **BY-LAW # 48**

# **A BY-LAW TO REGULATE COLLECTION, STORAGE AND DISPOSAL OF SOLID WASTE AND OTHER MATERIALS**

The Council of the Municipality of the Village of Hillsborough, under authority vested in it by Section 7(1) of the Municipalities Act of New Brunswick, RSNB, c. M-22, enacts as follows:

### **1.0 TITLE**

- 1.1 This by-law may be cited as the Solid Waste By-Law
- 1.2 The provisions of this by-law apply to the entire area within the Village limits of the Village of Hillsborough.

### **2.0 DEFINITIONS**

In this By-Law:

“Municipality” means the Village of Hillsborough

“Council” means the Council of the Village of Hillsborough

“Clerk” means the Clerk of the Village of Hillsborough

“Administrator” means the Administrator of the Village of Hillsborough

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“Owner” means the person or persons identified as acquiring the fee simple title to a property in the document which purports to convey such interest and was most recently recorded in the Albert County Registry Office.

“Dwelling Unit” means a place of dwelling being either a room or building of two or more rooms, intended for use by an individual or individuals or a family, including a business of a commercial accommodation.

“Private Collector” means any person(s) and/or company either full-time or part-time in the job of collection and disposal of solid waste for remuneration.

“Household Solid Waste” includes:

- (i) garbage – any putrescible animal, fruit or vegetable waste, liquid or otherwise, resulting from the storage, handling, preparation, cooking and/or consumption of food; and
- (ii) refuse – all non-putrescible wastes, including garbage, rubbish, paper, cardboard, tin cans, bottles, garden and yard waste and clippings, wood, glass and similar materials, packaging, dry empty open paint containers and any worthless, discarded remains included under other definitions or not, but excluding wood, metal scraps and sawdust from commercial premises or hazardous waste.

“Ashes” means the residue from fires used for cooking or heating or any combustible material.

“Hazardous Waste” means any waste having potential of harm to health or the environment or harm to safety.

“Putrescible” means in the process of rotting.

“Garbage Bags” means plastic bags not greater than 77 centimeters (30 inches) wide by 97 centimeters (38 inches) long, and not less than 51 centimeters (20 inches) wide by 55 centimeters (21 inches) long. It must be capable of carrying waste contained therein without tearing or splitting. It must be secured so as to prevent spillage.

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“Blue Transparent Garbage Bags” means a see-through plastic bag, blue in colour, used to contain **dry** household solid waste.

“Green Transparent Garbage Bag” means a see-through plastic bag, green in colour, used to contain **wet** household solid waste.

“Dry household Waste” means household solid waste that is not “wet” waste, and includes recyclables and non-recyclables.

“Wet Household Waste” means household solid waste made up of compostable materials, but also includes soiled and sanitary items.

### **3.0 PREPARATION OF HOUSEHOLD SOLID WASTE FOR COLLECTION**

- 3.1** The Municipality requires the separation of household solid waste materials into Wet Waste, Dry Waste and Special Collection Waste and such separated waste are to be set out for collection for the purpose of recycling, processing and special disposal.
- 3.2** The Municipality's residents shall be required to place dry household waste in blue transparent garbage bags and wet household waste be drained of all water and placed in green transparent garbage bags in order to receive service of the municipality's solid waste collection.
- 3.3** During the curb side service solid waste collection for residential units, The Municipality's solid waste private collector will only pick up:
- (i) Blue transparent garbage bags and green transparent garbage bags
  - (i) Cardboard or paper flattened, bundled and securely tied.
  - (ii) Broken glass contained within a cardboard box
  - (iv) Ashes set out for collection are required to be cold, having been removed from a fire for five (5) days, kept separate and placed in a green transparent bag.
- 3.4** Every person shall ensure that every plastic bag is capable of carrying all waste contained without tearing or splitting and is secured so as to prevent spillage.

### **4.0 LOCATION AND COLLECTION**

- 4.1** Every person shall ensure that all waste set out for collection is located immediately in front of his or her building, structure or place or at the Entrance to the driveway, and:
- (i) where the road has a curb, such waste shall be located directly behind the curb so as not to impede pedestrian traffic;
  - (ii) where the road has a gravel shoulder, such waste shall be located at the edge of the shoulder.

- 4.2 In addition to Subsection 4.1, every person shall ensure that all waste set out for collection is located so as not to impede or obstruct pedestrian or vehicular traffic, or road maintenance operations including winter snow removal , or so as to endanger the safety of any waste collector or any other person.
- 4.3 Wet and dry household waste shall be collected once every 7 days and the administrator may fix a day or days on which household solid waste shall be collected.
- 4.4 When the normal collection day, as determined by the administrator or clerk, falls on a holiday, the collection may be carried out on an alternate date as designated by the administrator or clerk, and the municipality will publish notice of such collection day in a local newspaper or by special newsletter to every household within the municipality.
- 4.5 Every person shall ensure that waste is not set out for collection before 7:00p.m. on the day preceding collection, but is set out for collection before 7:00a.m. on the day of collection
- 4.6 The Private Collector shall determine the collection routes at the approval of the administrator or clerk.

## **5.0 SPECIAL COLLECTION WASTE PROGRAMS**

- 5.1 The Municipality may collect waste other than wet or dry under programs designed for a specific purpose which shall be referred to as Special Collection Waste. Such programs may be provided by the Municipality at times and under conditions as determined by the administrator or clerk and may include but not limited to:
  - (i) A special spring and fall bulky item and yard waste program
  - (ii) A Christmas Tree Disposal Program which shall consist of a designated special disposal/mulching site. Citizens will be able to drop off their Christmas Trees at the designated site.

(iii) A Hazardous Waste Collection Program which shall consist of a designated special site where citizens will be able to drop off Hazardous Waste at least once a year to a Westmorland Albert Solid Waste Mobile facility. Or, hazardous waste may be dropped Off at the Westmorland-Albert Solid Waste facility, 2024 Route 128, Berry Mills on Fridays or Saturdays at no cost.

5.2 The Municipality will publish notice of any Special Collection Waste Program in a newspaper or municipal newsletter having circulation in the Municipality.

5.3 The Municipality may set conditions for the provision of any Special Collection Waste Programs.

## **6.0 TRANSPORTING OF WASTE**

6.1 No person engaged in the business of collecting, hauling or transporting waste shall transport such waste within the Village of Hillsborough unless such person does so with a vehicle specifically designed, constructed or intended for such purpose, and unless such vehicle has an enclosed body or a covering securely fastened to the body of the vehicle or, in the case of a packer-type vehicle, has hopper doors securely and tightly closed so as to prevent the escape of the contents of the vehicle to the outside.

6.2 All Household Waste and other materials collected under this by-law shall be transported and disposed of at the Westmorland Albert Solid Waste Facility

## **7.0 DISPOSAL OF ALL OTHER WASTE**

7.1 Waste material and rubbish left on premises following the construction, Alteration, demolition or repair of a building or structure shall be removed and disposed of by the owner of such property, as promptly as possible at the owner's expense.

- 7.2 Hazardous Waste may be disposed of at the Westmorland Albert Solid Waste facility or at a Special Collection Waste Program site designated By the municipality for this specific purpose
- 7.3 Dangerous Goods must be disposed of in accordance with the New Brunswick Transportation of Dangerous Goods Act. Dangerous Goods must not be placed in with the municipality's Household Solid Waste collection.

**8.0 GENERAL**

- 8.1 Any household waste set out for regular household waste collection that is not contained in a proper blue or green transparent bag or does not meet the requirements of this by-law, may not be picked up by the private collector and shall be removed from the roadside by the resident who placed the waste, at the conclusion of the day.
- 8.2 The Administrator or Clerk may give direction to the owner of a premise to remove within a specified period of time all waste materials, household waste and rubbish from the premises of which he/she is the owner. Upon failure to do so, the administrator or clerk may cause such waste material, household waste or rubbish, to be removed at the expense of the owner of the land.
- 8.3 No person shall place any solid waste in a street or public place or upon private property owned by that person or not, except for collection as prescribed under this by-law.
- 8.4 No person may dispose or cause to be disposed of any hazardous waste on any private or public lands or in any body of water with the Village of Hillsborough.

First Reading: April 6, 2006

Second Reading: September 11, 2006

Third Reading: September 11, 2006

Mayer: 

Clerk: 