

**BY-LAW#8**  
**COLLECTION, STORAGE AND DISPOSAL OF REFUSE**

1. (~) "*Refuse*" means all combustible and non-combustible solid waste, including garbage and ashes.

1. (2) "*Garbage*" means all waste, animal, fish, fowl, fruit and vegetable matter, other than the excretion of humans and animals.

1. (3) "*Recyclables*" means all items that are included on a list of recyclables as approved by resolution of Council.

1. (4) "*Banned items*" include all items specifically banned by Council for inclusion as garbage to be collected in terms of Article 14 and not included in the approved resolution in 1(3).

1. (5) "*Waste*" shall include all items disposed of either as garbage, refuse, recyclables or banned items.

1. (6) "*Public highways*" shall mean any road owned and maintained by the Province of Nova Scotia and shall not exclude roads defined as "J" Class roads.

1. (7) "*Municipality*" shall mean Municipality of the District of Argyle.

1. (8) "*IC. & I*" shall mean industrial, commercial and industrial.

2. No person shall permit the accumulation of refuse on or around a property to the extent that it is likely to become a nuisance or is likely to endanger the public health.

3. (1) No person shall deposit garbage in any place in the Municipality not approved by the Municipal Council as a refuse or garbage disposal area.

3. (2) No person shall throw any dirt, filth or garbage on any street, road, lane or highway in the Municipality, except as provided herein.

3. (3) No licensee shall deposit garbage in any place other than that place specified in his application or another place designated by the Municipality.

4. No person shall engage in the business of removing and collecting garbage, ashes or similar material within the Municipality unless he holds from the Municipality a license for that purpose which is in force.

5. Every application for a license under this By-Law shall be made in writing on a form provided therefor by the Clerk, and signed by the person applying therefor.

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6. A license issued under this By-Law shall be valid until the 1st day of May following the date of its issue, unless sooner revoked or suspended, and upon application it shall be renewed by the Council on payment of the required license fee, except where the provisions of this By-Law have been violated by the applicant.

7. (1) Every application for a license, whether new or renewal, shall contain the following information concerning the applicant:

7. (1) (a) His/her full name and address;

7. (1) (b) The provincial registration number of any vehicle(s) to be used by him in his business;

7. (1) (c) The location of any place of deposit intended to be used by him.

7. (2) Every application shall be accompanied by the license fee.

7. (3) If a person licensed uses any vehicle different from that mentioned in the license, he shall report this to the Municipal Clerk within ten (10) days thereafter.

8. Council shall, from time to time set the fee for such license.

9. Every vehicle used in the collection of garbage shall be so loaded as to prevent, and shall be provided with a cover sufficient to prevent, any of the contents of the vehicle from falling out of or otherwise being spilled or scattered from the truck while in motion or at a stop.

10. A license issued under this By-Law may be suspended or revoked by the Council if the licensee fails to carry on his business in accordance with the terms of this By-Law or carries on such business in a manner so as to be a nuisance to all or any part of the public.

11. Collection of garbage and refuse shall be carried out in a manner satisfactory to the Municipal Council.

12. All garbage and refuse shall be deposited in an area or areas approved by the Municipal Council by resolution.

13. The Municipality may, by resolution of Council, take measures to provide a weekly refuse and garbage collection service for all premises within the Municipality and shall, for that purpose, engage the services by contract or by agreement of an individual, of individuals, of a contractor or of contractors.

14. The Municipality may, by resolution of Council, take measures to provide or direct the

collection of recyclables, direct the disposal of recyclables or limit the type and sorts of items to be disposed of and in which fashion they are to be disposed of.

15. (1) If and when the Municipality provides for refuse and garbage, and or recyclables collection and disposal services, then the following regulations shall govern the collection service and shall be strictly adhered to by all persons making use of such service.

15 (1) (a) Collection shall be restricted to residential dwellings only but will include seniors apartment buildings operated by the Yarmouth Housing Authority.

15. (1) (b) Notwithstanding the aforementioned, collection of solid waste (garbage in one bag and recyclables in blue bag) shall include Commercial, Industrial, or Institutional properties producing five (5) bags or less of sorted waste per week.

15. (1) (c) Waste shall be sorted in such a fashion as to exclude all "banned items" from collection.

15. (1) (d) Recyclables as listed in resolution of Council referred to in 1(3).

15. (1) (e) Large cardboard boxes will be flattened and strapped together.

15. (1) (f) Garbage, refuse and waste (with the exception of banned items) shall be placed in a secure plastic garbage bag.

15. (1) (g) Refuse and recyclables, as outlined in (d), (e) and (f) above shall be placed on public highways (not on travelled portion) at such time, on such day of the week and on specific side of the road as directed by resolution of Council.

15. (1) (h) No container, bundle or bag as outlined in (d), (e), and (f) above shall weigh more than 22.7 kgs. (50 lbs.)

15. (1) (i) If for any reason refuse, garbage or recyclables are not removed on the day provided for collection, it shall be removed from the public highway by the person not later than midnight on the day it was to be collected.

15. (1) (j) No person shall permit any plastic bags containing refuse and garbage or any combustible materials to remain upon any household premises under his control for a period longer than seven (7) days without placing the same for collection by the Municipality in the manner herein provided

15. (1) (k) Wrecked or derelict motor vehicles, motor vehicle bodies or parts, dead animals, broken or discarded household furniture or furnishings shall not be included with refuse, garbage and/or recyclables for the weekly collections, but shall be deposited by the owner, at his own expense, in the place of disposal designated by the Municipality.

15. (1) (1) Waste material or rubbish resulting from construction or demolition shall be discarded at the owner's expense as promptly as possible and will not be collected by the Municipality.

15. (1) (m) The garbage collector may refuse to collect garbage, refuse, recyclables, or waste from any property that does not comply with the regulations provided in this By-Law.

15. (1) (n) Any person who violates or fails to comply with any of the provisions of this By-Law shall be liable on conviction to a penalty upon conviction not exceeding two hundred dollars (\$200.00) and in default of payment to imprisonment for a period not exceeding ten (10) days. Every day in which an infraction is to continue shall be a separate offense.

16. Industrial, Commercial, and Institutional (I. C. & I.) generators of refuse, garbage, waste and recyclables shall be responsible for disposing of same in accordance to the laws of Canada, Nova Scotia and the By-Laws of the Municipality.

17. Except for provisions of 15 (1) (b), I. C. & I. generators shall dispose of waste at their own expense.

18. The Municipality will endeavor to assist the I. C. & I. sector to identify sites for their waste at the lowest possible cost to them.

19. Council may levy a dwelling unit charge to pay for the collection, recycling and disposal of solid waste.

20. (a) Council may exempt a cottage from such levy if the owner has his primary residence in the Municipality.

(b) In order for 20(a) to apply, both the cottage property and primary residence must be assessed to the same person, that person being a resident of the Municipality.

21. (a) Council may exempt a property from a dwelling unit charge if that property is so incomplete as to be uninhabited. For the purposes of this By-Law, the lack of occupation permit from the Municipality does not classify a property as incomplete.

21 (b) Council may exempt partial fees from camps or cottage owners in the Municipality of Argyle. This shall apply to those who cannot avail themselves of 20 (a) or individuals who own a second or multiple camps or cottages in which case 20 (a), if applicable, only applies to one camp or cottage.

21 (c) Person must submit "Statutory Declaration Forms" to qualify for consideration under 21(a) and/or 21(b).

22. a) Buildings having three (3) apartments or less may be charged as a single dwelling unit, while buildings with four (4) or more apartments will be considered Commercial.

b) The above provision shall not apply to senior citizen complexes operated by the Yarmouth Housing Corporation. These facilities shall be charged per dwelling unit.

