

**HALIFAX REGIONAL MUNICIPALITY**  
**“SOLID WASTE RESOURCE COLLECTION AND DISPOSAL BY-LAW”**  
**BY-LAW No. S - 600**

**1. TITLE**

1.1 This By-law shall be known and may be cited as the “Solid Waste Resource Collection and Disposal By-Law”.

**2. DEFINITIONS**

2.1 In this By-Law the following words and phrases shall have the following meanings:

(a) “bulky items” means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, pieces of fencing and oil tanks.

(b) “blue bag recyclables” means glass bottles and jars, aluminium, steel and tin cans, high density polyethylene, low density polyethylene, and polyethylene terephthalate plastic bottles, containers and bags, milk and juice cartons, tetra packs and mini-sip containers or other items as designated by Council from time to time.

(c) “boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.

(d) “collectible waste” means material originating from eligible premises and placed by the owner or occupant for collection by a collection contractor or by an agent of the Municipality and includes, without limitation, mixed waste, recyclable materials, and organic materials.

(e) “collection contractor” means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectible waste from eligible premises.

- (f) “commercial container” means any container used for the storage of waste materials on properties located in the Municipality for collection of the waste materials by a hauler.
- (g) “collection day” means any day which is scheduled by the Municipality for municipal collection of collectible waste.
- (h) “commercial enterprise” means an enterprise which is assessed a business occupancy tax by the Municipality, but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office.
- (i) “commercial premises” means any lot of land which contains one or more commercial enterprises.
- (j) “construction and demolition waste” means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fibreglass insulation, pieces of gyprock and scrap wood.
- (k) “Council” or “council” means the Council of the Halifax Regional Municipality.
- (l) “dwelling” means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn.
- (m) “eligible premises” means those properties within the Municipality which are eligible for municipal collection as defined in Section 5.1 of this By-law.
- (n) “fibre recyclables” means mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items designated by Council from time to time.
- (o) “food waste” means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.

(p) “front-end processing facility” means a facility designed to receive and sort ICI waste and mixed waste and to recover selected items.

(q) “hauler” means any company, person or persons who transports waste materials including, without limitation, ICI waste, mixed waste, recyclable materials, or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.

(r) “industrial/commercial/institutional waste” or “ICI waste” means material of similar composition as mixed waste collected within the Municipality other than by municipal collection.

(s) “institutional premises” means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.

(t) “leaf and yard waste” means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items.

(u) “Administrator” means a person appointed in writing by the Chief Administrative Officer to administer this by law, or a person appointed by the Administrator as his designate;

(v) “materials recovery facility” means a facility designed to receive, sort, process, store and ship to market recyclable materials.

(w) “mini-bin” means a small container supplied to eligible premises by the Municipality for the collection of organic materials prior to deposit in an organic materials regulation container.

(x) “mixed waste” means and includes all collectible waste other than that which is collected as recyclable materials or organic materials including:

(i) broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable household goods and other household waste;

(ii) glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to collection personnel;

- (iii) bulky items and white goods;
- (iv) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked “ashes” or “soot”;
- (v) residential home renovation waste materials;
- (vi) other items not specifically designated as mixed waste except as excluded by this By-law.

(y) “mixed waste regulation container” means a container as specified in Section 7.2 for the collection of mixed waste.

(z) “municipal collection” means the scheduled collection of collectible waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.

(aa) “Municipality” or “municipality” means the Halifax Regional Municipality.

(bb) “non-collectible waste” means all material other than collectible waste and without limitation includes:

- (i) transient waste;
- (ii) liquid waste or material that has attained a fluid consistency and has not been drained;
- (iii) highly combustible or explosive materials, including without limitation, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
- (iv) material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;

- (v) trade waste;
- (vi) carcasses or parts of any animal except food waste;
- (vii) waste listed or characterized as hazardous by any federal or provincial law;
- (viii) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
- (ix) septic tank pumpings, raw sewage or industrial sludge;
- (x) radioactive materials;
- (xi) soil, rock and stumps;
- (xii) waste material resulting from construction, demolition or renovation activities including planking, siding, bricks, masonry, wood, beams and gyprock left by any contractor or property owner except as permitted herein;
- (xiii) industrial waste material from factories or other manufacturing processes;
- (xiv) manure, kennel waste, excreta, fish processing waste;
- (xv) waste material from commercial containers;
- (xvi) lead-acid automotive batteries and propane tanks;
- (xvii) waste material which has not been placed for collection in accordance with the provisions of this By-Law; and
- (xviii) materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials or organic materials from eligible premises.

(cc) “oil tanks” means residential oil tanks, cleaned and cut in half, to a maximum size of 200 gallons.

(dd) “organics collection cart” or “cart” means an aerated cart supplied to eligible premises by the Municipality for the collection of organic materials.

(ee) “organic materials” means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as designated by Council from time to time.

(ff) “organic materials regulation container” means a cart or other container as specified in Section 7.2 for the collection of organic materials.

(ffa) “provincial disposal bans” means materials banned from disposal in landfills and incinerators under the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia as updated and amended from time to time.

(gg) “recyclable materials” means fibre recyclables, blue bag recyclables and other materials of a recyclable nature.

(hh) “recyclable materials regulation container” means a container as specified in Section 7.2 for the collection of recyclable materials.

(ii) “regulation container” means a mixed waste regulation container; an organic materials regulation container or a recyclable materials regulation container.

(ia) “residential home renovation waste materials” means construction and demolition waste generated as a result of residential home construction, demolition, or renovation activities and includes pieces of gyprock, pieces of scrap wood, rolled carpet and rigid polystyrene foam or fibreglass insulation;

(jj) “residuals disposal facility” means a facility for the disposal and containment of ICI waste and mixed waste.

(kk) “scale clerk” means the person(s) responsible for the operation of the scale system(s) located at the waste management facilities operated by the Municipality, its contractors or its agents.

(ll) “single family dwelling” means a dwelling as defined herein occupied by a single family unit.

(mm) “soiled and non-recyclable paper” means napkins, paper towels & fast food wrappers, wax paper, file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.

(nn) “source separated composting facility” means a facility designed to receive, process and compost organic materials.

(oo) “trade waste” means materials accumulated as a result of commercial activities such as packing materials, display boards, rags, paper, and other waste materials resulting from such activities.

(pp) “transfer station” means a facility operated by or on behalf of the Municipality for unloading and consolidating ICI waste and mixed waste from collection vehicles for transport to another waste management facility in larger loads.

(qq) “transient waste” means waste material produced outside the Municipality or produced at a location other than at the building in front of which it was placed for pick up.

(rr) “treasurer” means the Administrator of Treasury for the Municipality, the successor to this position or a person designated by the Administrator of Treasury to act in his/her place.

(ss) “unit” means a self-contained portion of a building occupied as a separate residence.

(tt) “waste disposal fees” means user fees, per tonne fees or per cubic metre fees charged by the Municipality for the acceptance of ICI waste, mixed waste, recyclable materials, and organic materials at designated waste management facilities operated by the Municipality, its contractors or its agents.

(uu) “waste management facilities” means any of the facilities for the management of ICI waste, mixed waste, recyclable materials, and organic materials operated by the Municipality, its contractors or its agents and includes, without limitation, the front end processing facility, materials recovery facility, residuals disposal facility, source-separated composting facility(s), transfer station(s) and waste stabilization facility.

(vv) “waste stabilization facility” means a facility for the stabilization of ICI waste and mixed waste containing residual organic material.

(ww) “white goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers with the CFC refrigerants removed as required by applicable law, provided that any such item may be no more than 200 kilograms in weight.

### **3. THE ADMINISTRATOR**

3.1 The Administrator shall administer and enforce the provisions of this By-Law and, for this purpose, may:

- (a) divide the Municipality into areas for the purposes of collection of collectible waste from eligible premises on various days of the week;
- (b) designate a particular day of the week for collection of collectible waste in each designated collection area;
- (c) alter the boundaries of areas as deemed necessary on reasonable notice to the public;
- (d) administer and liaise with any collection contractor who may be hired by the Municipality to carry out collection of collectible waste within the Municipality;
- (e) assign organics collection carts and mini-bins to eligible premises;
- (f) determine the frequency of collection of collectible waste in each designated collection area of the Municipality; and
- (g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities.

### **4. THE PUBLIC**

4.1 The owner or occupier of an eligible premises shall:

- (a) utilize regulation containers for the storing and collection of mixed waste, recyclable materials, and organic materials;
- (b) provide sufficient and adequate regulation containers to contain collectible waste generated at the eligible premises;
- (c) maintain such regulation containers in good repair and in a sanitary condition;
- (d) ensure that each regulation container is covered and secured at all times except when being emptied or filled;
- (e) store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pests or animals;
- (f) ensure the proper preparation of all collectible waste in accordance with this By-Law;
- (g) ensure that collectible waste is placed for collection in accordance with this By-Law;
- (h) where reasonably possible, ensure that collectible waste remains behind or beside the main building on the eligible premises except on collection day; and
- (i) source-separate all collectible waste generated from eligible premises at the point of generation so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system.

## **5. ELIGIBLE PREMISES**

5.1 Eligible premises include the following occupied dwellings, buildings and types of premises, when they have been granted an occupancy permit by the Municipality:

- (a) single family dwellings including mobile homes;
- (b) multi unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;

- (c) multi-unit apartment or condominium buildings to a maximum of six (6) units;
- (d) small commercial and institutional premises in areas of the Municipality where such premises are designated and serviced with municipal collection according to resolution of Council; and
- (e) condominium buildings with seven (7) or more units where such premises are in areas of the Municipality designated and serviced with municipal collection according to resolution of Council.

5.2 Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties for municipal collection.

5.3 Where a property of the type listed in clauses (a) to (e) of subsection 5.1 does not qualify as eligible premises solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at the curbside for municipal collection as specified in accordance with this by law.

## **6. COLLECTIBLE MATERIAL - PREPARATION AND RESTRICTIONS**

6.1 No materials shall be placed out or caused to be placed out for municipal collection by any person except in accordance with the following:

- (a) For eligible premises which are single family dwellings or multi unit residential dwellings, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:
  - (i) where the Municipality does not provide a separate collection of organic materials, a maximum of six (6) regulation containers per mixed waste collection day per unit;

(ii) where the Municipality does provide a separate collection of organic materials, a maximum of ten (10) regulation containers per mixed waste collection day per unit.

(b) For eligible premises which are single family dwellings or multi unit residential dwellings, residential home renovation waste materials may be placed for municipal collection to a maximum of five (5) mixed waste regulation containers or bundled materials per unit per mixed waste collection day. The number of bundles shall be included in the ten (10) mixed waste regulation container limit as provided for in Section 6.1 (a) (ii). Such bundled materials may be no more than 1.2 metres in length and 34 kilograms in weight.

(c) For eligible premises which are single family dwellings or multi unit residential dwellings, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one white good per mixed waste collection day per unit.

(d) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of five (5) mixed waste regulation containers per unit to a maximum of thirty (30) per mixed waste collection day.

(e) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of two (2) bulky items (each not exceeding more than 200 kilograms in weight) or two (2) white goods per mixed waste collection day per eligible apartment or condominium building.

(f) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) where the Municipality does not provide a separate collection of organic material, a maximum of six (6) regulation containers per mixed waste collection day per eligible commercial or institutional premises;

(ii) where the Municipality does provide a separate collection of organic material, a maximum of ten (10) regulation containers per mixed waste collection day per eligible commercial or institutional premises.

(g) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one (1) white good per mixed waste collection day per premises.

(h) Construction and demolition waste generated from commercial or institutional premises is not eligible for municipal collection.

(i) Construction and demolition waste generated by eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), is not eligible for municipal collection.

(j) Where the Municipality establishes separate municipal collection of organic materials, the following conditions and restrictions shall apply to all such collection:

(i) the weight of an organics collection cart and its contents shall be no more than 100 kilograms;

(ii) a maximum of twenty (20) clear, orange plastic or heavy paper bags of leaf and yard waste may be placed for collection on each organic materials collection day for each eligible premises; with each bag and its contents weighing no more than 25 kilograms;

(iii) a maximum of five (5) bundles of branches or bushes may be placed for collection for each organic materials collection day for each eligible premises, with each bundle no more than 1.2 metres in length and 34 kilograms in weight and with no individual piece of material greater than 20 centimetres in diameter.

(k) There shall be no limit to the amount of blue bag recyclables and fibre recyclables eligible for municipal collection from eligible premises.

(l) In the case of municipal collection of materials containing refrigerant gas, the following items must display a sticker issued by the appropriate authority indicating that the refrigerant gas (CFCs) have been removed before they are eligible for collection:

- (A) refrigerators
  - (B) freezers
  - (C) air conditioning units
  - (D) dehumidifiers
- (m) No person shall place for municipal collection any non-collectible waste.

## 7. REGULATION CONTAINERS FOR MUNICIPAL COLLECTION

7.1 The owner or occupant of each eligible premises shall be responsible to contain designated collectible waste so as to prevent the escape of waste materials into the environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped from its container onto public or private property.

7.2 Only containers which meet the following specifications and requirements shall be utilized for the purposes of municipal collection:

- (a) mixed waste regulation containers as follows:
  - (i) plastic bag specifications:
    - (A) bags must be watertight and securely tied with an overall length of between 0.5 metres and 1 metre when empty;
    - (B) bag weight not to exceed 25 kilograms including contents;
    - (C) bags must have a thickness of at least 0.375 millimetres so as to prevent breakage, tearing or splitting upon collection.
  - (ii) container specifications:

- (A) containers must be watertight, secured with a cover, equipped with handles in good repair and tapered to be as large or larger at the top as at the bottom;
  - (B) the weight of the container including contents shall not exceed 34 kilograms, the height shall be not less than 46 and not more than 76 centimetres, and the diameter shall be between 38 and 51 centimetres;
  - (C) containers shall be made of metal, plastic or other impermeable material not less than 0.375 millimetres thick;
  - (D) containers must be maintained in a neat and sanitary condition and kept in good repair;
  - (E) cardboard cartons, oil drums, paint cans, or other such containers are not eligible containers for mixed waste.
- (iii) outdoor, roadside boxes or bins are acceptable for storing containers or bags for mixed waste provided they meet the following specifications:
- (A) a box or bin constructed of wood or other material suitable for storing containers or bags of mixed waste as long as the box or bin is rodent and animal proof;
  - (B) boxes or bins must be affixed with a lid weighing not more than 5 kilograms;
  - (C) boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair.
- (b) organic materials regulation containers:

(i) where the Municipality establishes separate collection of organic materials, the following organic materials regulation containers shall be used:

(A) organics collection carts as assigned to eligible premises by the Municipality;

(B) subject to the limits in this By-Law, where there is excess leaf and yard waste material that does not fit into the organics collection cart, this material may be placed out for collection in clear, orange plastic or heavy paper bags suitable to contain the waste without spillage or bag breakage;

(C) subject to the limits in this By-Law, where there is excess branches or bushes that do not fit in the organics collection cart, this material may be placed out in bundles.

(c) recyclable materials regulation containers:

(i) the following recyclable materials regulation containers shall be used:

(A) blue bag recyclables must be placed in watertight transparent blue bags or clear transparent bags of a thickness of at least 0.375mm, and an overall length of not more than 1 metre when empty;

(B) all material must be securely contained so as to prevent material from escaping into the environment;

(C) low density polyethylene opaque bags (grocery bags), transparent bags or separate transparent blue bags must be used to contain fibre recyclables except corrugated cardboard may be placed in securely tied bundles weighing no more than 34 kilograms;

(D) the weight of each bag, including contents, placed for recyclable materials collection must not exceed 25 kilograms;

(E) corrugated cardboard may be tied in bundles not greater than 0.65 metres x 1 metre x 0.20 metres (2 ft x 3 ft x 8 in).

## **8. ORGANIC COLLECTION CARTS AND MINI-BINS**

8.1 Eligible premises must comply with the following provisions with respect to organics collection carts and mini-bins:

- (a) Eligible premises that receive curbside collection will be delivered and assigned organics collection carts and mini-bins by the Municipality. The Municipality will establish the number of cart(s) and mini-bin(s) assigned to types of eligible premises.
- (b) The organics collection cart(s) and mini-bin(s) assigned to eligible premises are to remain with that eligible premises.
- (c) Owners or occupants of eligible premises are responsible for the care and cleaning of each organics collection cart and mini-bin which have been assigned to their eligible premises.
- (d) The repair of damage or replacement of cart(s) or mini-bin(s) assigned to eligible premises due to misuse, alterations or abuse involving the owner or occupant of the eligible premises shall be the responsibility of the owner or occupant of the eligible premises to which the cart or mini-bin is assigned.
- (e) The owner or occupant of eligible premises shall make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number or the radio frequency identification tag number.
- (f) Owners of eligible premises are responsible for the cart(s) and mini-bin(s) assigned to the premises and used by tenants who are renting or leasing the premises.

## **9. PLACEMENT OF MATERIALS**

9.1 Collectible waste shall be placed for municipal collection in accordance with this By-Law, including the following:

- (a) Collection is at curbside only. All regulation containers must be placed at end of driveway and/or at the edge of the property abutting the street, road or highway without obstructing the street, road or highway.
- (b) All materials placed for collection must be placed in front of the eligible premises from which they have accumulated.
- (c) Organics collection carts must be placed at the curb in an upright position with the lid closed and the front of the cart facing the street, road or highway.
- (d) Recyclable materials must be placed for collection with approximately 1 metre spacing between these materials and mixed waste or organics materials.
- (e) Owners or occupants of eligible premises on private streets or roads are eligible for curbside collection on the private street or road if the street or road is safely passable by a collection vehicle. If the private street or road is not safely passable by a collection vehicle, the collectible waste must be brought to the nearest intersection with a public street or road and placed in accordance with this By-Law, where it shall be collected.

## **10. COLLECTION TIMES & FREQUENCIES**

10.1 The following provisions apply to municipal collection times and frequencies:

- (a) Collection will commence at the following times on the collection days designated in the following areas of the municipality:
  - (i) 7:30 a.m. in all areas of the former City of Halifax and the former City of Dartmouth;

- (ii) 7:00 a.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (b) Collection will be completed by the following times on the collection day designated in the following areas of the municipality:
  - (i) 5:00 p.m. in all areas of the former City of Halifax and the former City of Dartmouth;
  - (ii) 4:30 p.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (c) No person shall place collectible waste out for collection before 7:00 p.m. the evening of the day prior to the collection day applicable in that area of the Municipality.
- (d) Collection of mixed waste and organic materials shall be biweekly (once every two weeks) on alternating weeks for areas where organic collection carts have been assigned by the Municipality.
- (e) No person shall place mixed waste out for collection on the organic materials collection day applicable in that section of the Municipality.
- (f) No person shall place organic materials out for collection on the mixed waste collection day applicable in that section of the Municipality.
- (g) Where an area is designated to receive bi-weekly collection of recyclable materials, no person shall place recyclable materials out for collection on the week not designated as the recyclables material collection week applicable in that section of the Municipality.
- (h) Mixed waste collection containers and organic collection carts must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.
- (i) Collectible waste must be placed for collection by the designated commencement time for collection in the area.

(j) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator.

(k) Collectible waste shall not be stored on eligible premises for a period of more than fourteen (14) days unless a Federal, Provincial or Civic holiday has occurred on the fourteenth day and the alternate designated collection day is after the fourteenth day.

## **11. HOUSEHOLD HAZARDOUS WASTE SERVICES**

11.1 The Administrator may designate the place and time, including the days and hours of operation and the materials eligible for the collection of household hazardous waste in the Municipality. This includes the operation of a permanent household hazardous waste depot and the operation of mobile depot(s) in the Municipality. Household hazardous waste depots may only be used by residents of the Municipality for the proper disposal of household hazardous waste originating within the Municipality. All persons are prohibited from disposing of industrial, commercial and institutional waste at the permanent depot or the mobile depot(s).

## **12. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE**

12.1 The property owner or occupant of premises which generate the following waste shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste:

(a) all waste generated by any industrial, commercial or institutional premises, facility or operation not eligible for municipal collection pursuant to this By-Law;

(b) all waste resulting from construction of any kind, including renovation or repair, except that waste eligible for municipal collection pursuant to this By-Law;

(c) all waste resulting from the demolition of a building or structure.

12.2 The property owner of an industrial, commercial or institutional premises shall ensure that adequate space is provided on the premises to accommodate containers for the collection of source-separated ICI waste, organic materials and recyclable materials

generated at the premises so as to comply with the provincial disposal bans and to facilitate their disposal, composting or recycling in accordance with the Municipality's waste resource management system.

12.3 The occupant of an industrial, commercial or institutional premises shall:

- (a) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials and recyclable materials so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and
- (b) place for collection source-separated material in containers in accordance with Section 13.1 at the storage areas on the property as designated by the property owner.

### **13. COMMERCIAL CONTAINERS**

13.1 The following provisions apply to commercial containers:

- (a) Any person who makes use of a commercial container for the temporary storage of waste shall ensure that such commercial container:
  - (i) is sturdily constructed of weather-proof and animal proof material and is capable of containing the material deposited within;
  - (ii) is equipped with a tight-fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;
  - (iii) meets the performance requirements set out in clause 3 of the American National Standards Institute Z245.3-1977, Safety Requirements for the Stability of Refuse Bins as updated and amended from time to time;

- (iv) is placed on a hard level surface and is loaded uniformly and has displayed thereon the following message or similar: “CAUTION: DO NOT PLAY ON OR AROUND”;
  - (v) has displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;
  - (vi) is cleaned out regularly and periodically, as necessary, to avoid the build-up of odours;
  - (vii) where tenants are required to place materials in the container, the container shall be designed and situated so as to be reasonably accessible for this purpose.
- (b) The owner of any premises on which a commercial container is placed shall ensure that:
- (i) where possible, any such container is kept behind or beside the building which it serves;
  - (ii) if kept in front of the building due to lot size and/or property configuration, such container is located at least 6 metres from the front property line;
  - (iii) any such container is reasonably screened so as not to be visible from any street; and
  - (iv) any such container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem.
- (c) Where it is physically impossible for the owner to comply with the requirements of 13.1 (b) or in the case where the premises does not contain a building, the owner may keep the commercial container at a location on the premises which is not unsightly and does not cause a nuisance or health-related problem.
- (d) A commercial container may be placed on a premises for a temporary period of time not longer than one month when the placement is in relation to the construction or repair of a building or structure, provided the commercial container is

removed as soon as the construction or repair ceases or if it is to remain on the premises, the commercial container is made to comply with the provisions of this By-Law.

- (e) The owner of any commercial container shall keep such container clean and in good condition and the cover shall be kept in good working order.
- (f) No person shall place a commercial container on any surface unless the surface is hard, level and weather-resistant.
- (g) No person shall place a commercial container on any public street within the Municipality without the written permission of the Municipality.
- (h) The owner of any premises on which a commercial container is located shall be responsible to ensure that any such container is loaded uniformly and is loaded such that waste material is completely contained within the container when closed.
- (i) The owner of any premises upon which a commercial container is located shall be responsible to:
  - (i) keep the area surrounding any such container free from litter and waste;
  - (ii) cause any such container to be emptied at least once in every seven (7) days or more frequently if the container becomes filled before the seven-day period elapses unless the material is of a nature such that longer storage will not cause a nuisance or health related problem (e.g. dry or inert type materials, recyclables, scrap metals, etc.);
  - (iii) cause such container to be normally covered while containing waste.
- (j) The owner of any industrial, commercial or institutional premises may make use of aerated or other organic or recyclable materials containers specifically designed and approved for the storage and collection of source-separated organic or recyclable materials from industrial, commercial or institutional premises provided that the owner complies with the other applicable requirements of this Section 13.1.

- (k) No person shall place waste in any commercial container without permission of the owner of the container.
- (l) The one month time limit in 13.1 (d) above can be extended with permission of the Administrator.
- (m) The owner of any industrial, commercial or institutional premises shall ensure that commercial containers on the premises:
  - (i) accommodate source-separated waste generated at that location;
  - (ii) are designed and constructed such that the waste (ICI waste, organic materials and recyclable materials) remains in a source-separated condition; and
  - (iii) are easily accessible to the occupants.

#### **14. PLACING WASTE FROM NON-ELIGIBLE PREMISES CURBSIDE**

- 14.1 No person shall place waste from premises other than eligible premises or other waste that is not collectible waste on municipal property for collection or other reason without written permission from the Administrator.

#### **15. VEHICLES CARRYING WASTE**

- 15.1 The following provisions apply to vehicles carrying waste materials:
  - (a) Persons who collect, transport and dispose of waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.
  - (b) Every vehicle used for the collection and transportation of waste materials, ICI waste, mixed waste, organic materials, and recyclable materials shall have a tailgate or other restraining device and shall be closed or equipped with a tarpaulin, and such

tarpaulin shall be used to cover such waste materials, ICI waste, mixed waste, organic materials and/or recyclable materials while the same is being transported.

- (c) All waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same.
- (d) Waste materials, ICI waste, mixed waste and organic materials shall generally not remain in a vehicle overnight but shall be transported and disposed of on the same day as collected except in circumstances such as poor weather conditions, occasional equipment breakdowns, facility closures, etc. where delays shall be minimized and disposal shall occur as soon as reasonably possible.
- (e) All vehicles or containers used for the transportation of waste materials, ICI waste, mixed waste and organic materials shall be hosed down as required and kept in a sanitary condition.
- (f) All vehicles or containers used for the transportation of recyclable materials shall be kept in a sanitary condition.
- (g) The Administrator may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this By-Law.

## **16. PROHIBITIONS**

16.1 No person shall:

- (a) pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection;
- (b) collect waste material placed for municipal collection; or
- (c) remove a container or organics collection cart placed at curbside.

16.2 The prohibitions in Section 16.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

16.3 No person shall export or remove solid waste material generated within the Municipality outside the boundaries of the Municipality and all such solid waste shall be disposed of within the boundaries of the Municipality and in accordance with this By-law.

16.4 Notwithstanding subsection 16.3, the Municipality may export solid waste materials to licensed disposal facilities outside the boundaries of the Municipality only when the volumes of solid waste delivered to municipal facilities exceed the capacity of the facilities to handle the materials.

16.5 For the purpose of 16.3 and 16.4, solid waste means solid waste materials including but not limited to collectible waste, industrial/commercial/institutional waste, construction and demolition waste, mixed waste, and organic materials but does not include recyclable materials from industrial, commercial and institutional premises, international waste, pathogenic or biomedical waste, waste dangerous goods, hazardous waste materials, septic tank pumpings, raw sewage, industrial sludge and contaminated soils and solids as defined by appropriate regulatory bodies having jurisdiction from time to time and as determined by the Administrator or person designated to act in place of the Administrator.

## **17. WASTE DISPOSAL FEE STRUCTURE**

17.1 The fees and charges for the depositing of materials by haulers and persons who transport waste materials acceptable for disposal at any waste management facility operated by the Municipality, its contractors or its agents as part of the Municipality's waste management system shall be as prescribed from time by Council by policy in Administrative Order Number 16 of the Municipality.

17.2 Notwithstanding Section 17.1, haulers delivering materials to the Municipality's waste management facilities which require special handling or disposal techniques shall pay the actual costs of such deposit and disposal determined as follows:

- (a) The hauler shall give the Municipality and its contractors or its agents 10 days notice that it requests permission to deposit such wastes for disposal at the waste management facility, stating the properties, characteristics, origins and amounts of such waste materials;

- (b) On receipt of such notice, the Municipality and its contractors or its agents shall advise the hauler whether or not it will accept delivery of such wastes at the waste management facility; and
- (c) If the waste material is acceptable, the Municipality and its contractors or its agents shall advise the hauler of the time when and under what conditions it will accept deposit of such wastes at the waste management facility, provided the hauler pays the Municipality the actual cost of such deposit and disposal plus twenty percent, and further provided that the hauler agrees to save harmless the Municipality and assume full liability for the deposit and disposal of such wastes.

17.3 No waste disposal fee shall apply to collectible waste from eligible premises collected through municipal collection and deposited by collection contractors engaged by the Municipality at waste management facilities operated by the Municipality, its contractors or its agents.

## **18. VEHICLE REGISTRATION**

18.1 Haulers using the Municipality's waste management facilities shall comply with the registration requirements of the Municipality including vehicle registration for such haulers.

18.2 The following provisions apply to vehicle registration for haulers using the Municipality's waste management facilities:

- (a) Haulers (other than those users of cars, station wagons, mini-vans, sport utility vehicles and one quarter ton trucks) using the Municipality's waste management facilities shall pre-register identifying information and the tare weight for each vehicle as required by the Municipality from time to time, and separately identify those vehicles to be used in scheduled waste collection services operated on behalf of the Municipality (if the hauler is also a collection contractor).
- (b) Haulers who wish to be granted credit privileges with the Municipality must register adequate identifying information with the Municipality. Each hauler and/or each hauler's vehicle will be assigned a unique identification code and/or issued appropriate physical identifying property. The physical identifying property issued shall remain the sole property of the Municipality and shall be returned promptly at the expiration of its use as determined by the Municipality at its sole discretion. Unique identification codes assigned to a hauler's vehicle shall be displayed on the left front of the vehicle in characters at least 10 centimetres high.

- (c) Each hauler and hauler's vehicle using the Municipality's waste management facilities which has been granted credit privileges must present the assigned and/or issued identification to the scale operator upon entering the facility. The hauler to whom the assigned and/or issued identification is registered to will be invoiced for all materials delivered under his/her identification.

## **19. FEE PAYMENT**

19.1 The following applies to the payment of fees:

- (a) At Halifax Regional Municipality waste management facilities where cash payment is accepted, unless credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay cash at the site in accordance with sections (I) to (iv) below:
  - (i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, a cash payment is required upon being weighed in accordance with the fee structure prescribed by Administrative Order 16.
  - (ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, a cash deposit prescribed by Administrative Order 16 is required upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.
  - (iii) Where both inbound and outbound scales are in operation, vehicles entering are required to pay a cash deposit prescribed in Administrative Order 16, upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

- (iv) For vehicles such as cars, station wagons, mini-vans, sport utility vehicles and quarter ton trucks with load weights less than 100 kg, a flat cash fee prescribed by Administrative Order 16 will be paid upon entering the noted facility(s). The vehicle will not be weighed upon leaving the facility(s).
  
- (b) At Halifax Regional Municipality waste management facilities where credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay upon invoice in accordance with sections (I) to (iii) below:
  - (i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, the vehicle will be weighed when entering the facility and a payment upon invoice is required in accordance with the fee structure prescribed by Administrative Order 16.
  - (ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.
  - (iii) Where both inbound and outbound scales are in operation, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.
  
- (c) The following provisions apply to haulers who have been granted credit privileges at any waste management facility operated by the Municipality, its contractors or its agents:
  - (I) Haulers granted credit privileges will receive a monthly Statement of Accounts and payment is due within thirty (30) days of the end of the statement month.
  - (ii) Where an account for material disposal fees remains unpaid for more than thirty (30) days, a notice of non-payment will be sent by the Municipality. The Municipality may advise that if payment is not received within a specified period of time after mailing of such notice, the hauler shall be refused admittance to all facilities and/or credit privileges withdrawn until such time as the outstanding amounts, interest and service charges are paid. Scale operators will

be notified of all haulers on refused admittance status or credit privileges withdrawn status and will be instructed to deny access to the facilities as applicable. The Municipality may require the posting of a performance bond or any other security acceptable to the Municipality in the event that accounts continue from time to time to be unpaid.

- (iii) The interest rate to be charged on all outstanding disposal fee accounts will be four percentage points above the prime bank rate.

## **20. PENALTIES**

- 20.1 Any person who violates any provision of this By-Law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$100.00 and not more than \$5,000.00 and in default of payment thereof to a term of imprisonment for not more than 60 days. Each day that a person commits an offence under this By-Law constitutes a separate offence.
- 20.2 A person who is alleged to have violated this By-Law and where the notice so provides, may pay a penalty in the amount of \$50.00 to the Chief of Police at the Halifax Regional Police Department provided that said payment is made within a period of fourteen (14) days following the day on which the alleged violation was committed and where the said notice so provides for a voluntary payment, said payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.
- 20.3 In addition to any fine or imprisonment imposed pursuant to subsection 20.1, the Court or judge may order the person convicted to pay all expenses incurred in correcting the contravention of the by-law or any damages associated with such contravention.
- 20.4 Where any person is in contravention of any provision of this by-law, the Administrator may direct in writing that the contravention be remedied by that person in the manner and within the time specified in the written direction.

## **21. REPEAL**

- 21.1 The following are hereby repealed:
- (a) By-Law 24330, “Regional Solid Waste Disposal System By-Law” of the Town of Bedford.
- (b) By-Law No. 24331, the “Solid Waste By-Law” enacted by the Town of Bedford on January 28, 1992.

- (c) By-Law S-1200, “A By-Law of the City of Dartmouth Respecting Collection and Disposal of Solid Waste” enacted August 29, 1989.
- (d) By-Law H-400, “A By-Law Respecting A Regional Solid Waste Management System” of the City of Dartmouth.
- (e) By-Law H-500, the “Regional Solid Waste Disposal System By-Law” of the City of Dartmouth.
- (f) “Regulations Relating to the Collection and Disposal of Garbage and Refuse”, Board of Health of the City of Halifax.
- (g) City of Halifax Ordinance Number 162, “Respecting the Design, Construction and Operation of a Regional Solid Waste Management System”.
- (h) Halifax County Municipality By-Law 36, “A By-Law Respecting the Design, Construction and Operation of a Regional Solid Waste Management System”.
- (i) Metropolitan Authority Waste Disposal Fee By-Law No. 7.

Done and passed by Council this 19<sup>th</sup> day of January, A.D. 1999.

Walter Fitzgerald  
MAYOR

Vi Carmichael  
MUNICIPAL CLERK

BY-LAW S-600

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Notice of Motion:	November 24, 1998
First Reading:	December 8, 1998
“Notice of Intent” Publication:	December 26, 1998
Second Reading:	January 19, 1999
Third Reading:	January 19, 1999
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	January 30, 1999

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Amendment No. 1 (S-601)

(S. 17.1; 17.2; 17.3; Sub-section 19.1 Clause (a) sub-clauses i, ii, iii, iv;  
Sub-section 19.1 Clause b; Schedules 1 & 2 repealed)

Notice of Motion:	April 6, 1999
First Reading:	April 13, 1999
“Notice of Intent” Publication:	April 17, 1999
Second Reading:	May 4, 1999
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	May 8, 1999

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Amendment No. 2 (S-602)

(S. 16 adding to subsection 16.3, 16.4 and 16.5)

Notice of Motion:	May 21, 2002
First Reading:	May 28, 2002
“Notice of Intent” Publication:	June 8, 2002
Second Reading:	June 25, 2002
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	June 29, 2002

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Amendment No. 3 (V-100)

Addition to Section 20 - Penalties

Notice of Motion:	May 27, 2003
First Reading:	June 10, 2003
“Notice of Public Hearing” Publication	June 14, 2003
Second Reading:	July 8, 2003
Effective Date:	July 12, 2003

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Amendment No. 4 (S-603)

Amendments to Sections 2.1, 4.1, 5.1, 6.1, 12.1, 13.1, 16.5

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Amendment No. 5 (V-101)

Amending Section 20.1

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