

**Municipality of the County of Victoria  
Solid Waste Collection and Disposal By-law**

**1. TITLE**

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

**2. DEFINITIONS**

- (a) “**backyard composting**” means composting at a residential dwelling unit of organic waste, comprised of leaf and yard waste, food scraps and spoiled or waste good or foodstuff, excluding meat, fish, eggs, or dairy products, where:
- i. The waste is generated by the residents of the property or neighbouring properties or both; and
  - ii. The annual production of compost on any property does not exceed sixty (60) cubic meters.
  - iii. The “composter” or compost pile is not located within ten (10) meters of any windrow or door of a structure or an adjacent property.
- (b) “**blue bag recyclables**” means glass bottles and jars; aluminum, steel, and tin cans; high density polyethylene, low density polyethylene, and polyethylene terephthalate plastic bottles, containers, and bags; milk and juice cartons; beer and liquor containers; tetra packs and mini-sip containers; or other items as designated from time to time.
- (c) “**box board**” means cereal boxes, shoe boxes, tissue boxes, cracker boxes, cookie boxes, baking product boxes, frozen food boxes, toilet paper rolls and power towel rolls, or other similar items with plastics removed.
- (d) “**collectible waste**” means solid waste 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, residual waste, recyclable materials and compostables.
- (e) “**collection day**” means any day which is scheduled by the Municipality for municipal collection of collectible waste.
- (f) “**collector**” means the Municipality, agent or contractor of the Municipality to collect, transport and deliver collectible waste to Municipal Waste Management Facilities.
- (g) “**commercial container**” means any container used for the storage of waste materials on properties located in the Municipality for collection of waste, or recyclable material by a hauler.
- (h) “**commercial customer**” is defined as those using vehicles registered to commercial enterprises as well as those vehicles that frequent the facility more than 4 times per month, exceed one tonne of weight in a single visit or are hauling waste originating from other than their personal household.

- (i) **“commercial enterprise”** means an enterprise which is assessed a commercial property tax by the Municipality or operates under a business, either sole proprietor, partnership, or limited corporation.
- (j) **“commercial premises”** means any lot of land which contains one or more commercial enterprise.
- (k) **“compostables”** means food scraps and spoiled or waste food or foodstuff including vegetable peelings, meat, fish, eggs, bones, waste food products, grass clippings and other such organic materials as may, from time to time, be identified in public education materials and approved for collection by the Municipality.
- (l) **“composting”** means the nuisance-free biological decomposition of organic materials, substances, or objects under controlled circumstances to a condition sufficiently stable for nuisance-free and safe storage and use in land applications.
- (m) **“contaminated compostables”** means otherwise compostable materials contaminated by unsegregated, foreign, non-compostable components such as plastics or Styrofoam.
- (n) **“contaminated recyclables”** means otherwise recyclable materials contaminated by unsegregated, foreign, non-recyclable components such as residual waste, household hazardous waste, compostables or other items considered not recyclable as covered by this by-law, provincial or federal regulations.
- (o) **“construction & demolition waste”** means the materials which are normally used or produced by the construction or demolition of buildings, structures, roadways, walls and other landscaping material and includes, but is not limited to, soil, asphalt, brick, mortar, drywall, plaster, cellulose, fiberglass fibers, Gyproc, lumber, wood, asphalt shingles and metals.
- (p) **“council”** means the council for the Municipality of the County of Victoria.
- (q) **“eligible premises”** means those properties within the Municipality which are eligible for municipal collection.
- (r) **“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 approved for operation with the Municipality. This does not include infrequent users of these facilities such as residents of eligible premises hauling materials from their premises.
- (s) **“household hazardous waste”** means products used in the home which may not be appropriate for disposal within the standard municipal waste management collection system and may include glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene, pesticides, lawn and garden chemicals, poisons, roofing tar, pool chemicals, lubricating oils and automotive fluids and the containers in which they were stored.

- (t) ***“industrial, commercial and institutional waste”*** means waste generated by hospitals, hotels, motels, office buildings, multi-residential buildings, restaurants, retail shopping establishments, educational institutions, or any other generator of waste that provides a good or service.
- (u) ***“leaf and yard waste”*** means vegetative matter resulting from gardening, horticulture, landscaping, or land clearing operations, including materials such as tree and shrub trimmings, not to exceed 2.54 cm (1 inch) in diameter, plant remains, grass clippings and leaves, but excludes tree stumps, rocks, soil, construction and demolition debris, contaminated soil or any other organic materials that has been contaminated.
- (v) ***“litter”*** means any material left or abandoned in a place other than a container or place intended or approved for receiving such material.
- (w) ***“Municipality”*** means the Municipality of the County of Victoria.
- (x) ***“municipal collection”*** means the scheduled collection of collectible waste from eligible premises made by or on behalf of the Municipality, at the expense of the Municipality.
- (y) ***“municipal waste management facility”*** means sites for the management of residual waste, recyclable materials, and organic materials, operated within the Municipality, its contractors or agents and includes, without limitation, transfer station(s), recycling depot(s), construction and demolition disposal site(s) and contaminated soil site(s).
- (z) ***“pathological waste”*** means any part of the human body excepting hair, nail clippings and the like, any part of a dead animal infected with a communicable disease and non-anatomical waste infected with a communicable disease.
- (aa) ***“privacy bag”*** a non-clear plastic bag, no larger than 50 cm x 55 cm (20 x 22 inches), placed inside a tied, clear transparent, plastic, waterproof bag for waste of a private or personal nature.
- (bb) ***“prohibited waste”*** means any materials, prohibited from deposit in a Municipal Waste Management facility under this by-law or provincial or federal law or provincial, including but not limited to explosives, radioactive materials, toxic chemicals, waste paints, anti-freeze, asbestos, septic tank wastes, hot ashes, manure, animal carcasses, tires, household hazardous wastes, yard wastes from roadway, powerline or new development projects and other material as deemed by the Municipality as not accepted at our facilities.
- (cc) ***“public education materials”*** includes newspaper, radio and local television advertisements, information posted to the Municipality’s website and or on official Municipal social media sites, newsletters, pamphlets, flyers or other material circulated electronically or by ordinary mail or delivery by or for the Municipality or the province.
- (dd) ***“recyclable container materials”*** means redeemable beverage containers, steel, tin or aluminum food containers or cans, glass food containers, jars and bottles, low density polyethylene bags and packaging, high density bags, containers and packaging, polycoat containers for milk, milk products, soya milk, concentrates or other liquids or powders, tetra packs together with such other plastic recyclable materials as may be identified from time to time in public education materials

distributed by the Municipality as recyclable material suitable for municipal recyclables collection;

(ee) **“recyclable paper materials”** means corrugated cardboard, egg cartons, box board, newsprint, bond paper, computer paper, glossy flyers and magazines, together with such other paper recyclable materials as may be identified from time to time in public education materials distributed by the Municipality as recyclable material suitable for municipal recyclables collection;

(ff) **“redeemable beverage container”** means a beverage container for which a consumer was required to pay a deposit as defined by Divert NS.

(gg) **“residual waste”** means and includes all collectible waste other than that which is collected as recyclable materials or organic materials or that which is part of a municipal or provincial waste management or waste diversion recycling program:

(hh) **“sharps waste”** means hypodermic needles, syringes with needles attached, IV tubing with needles attached, dental scalers, scalpel blades, pen needles and lancets that have been removed from the original sterile package.

(ii) **“solid waste”** means residual waste, recyclables and compostables, as well as any other type of waste defined in the By-law and specifically referred to in the By-law as permitted or prohibited for deposit at a municipal waste management facility.

(jj) **“tonne”** means 1,000 kg.

(kk) **“waste disposal fees”** means per tonne fees, or per load fees, charged by the Municipality for the acceptance of waste, mixed waste, recyclable materials, organic materials, contaminated soils and construction and demolition materials within the municipal waste disposal system.

### 3. MUNICIPAL WASTE MANAGEMENT FACILITIES

3.1 The Municipality will operate or arrange to operate under contract Municipal Waste Management facilities where residents, institutions, business, or visitors to the county may deposit solid waste.

3.2 These sites consist of two solid waste transfer stations and two recycling depots located in the northern region and the southern region of the Municipality.

3.3 No Municipal Waste Management facility site shall be open to the public on Sundays.

3.4 The Municipality will designate the days and hours of operation for these waste management sites and shall post the schedules of same at each of the sites.

3.5 The following sites are designated as waste management facilities for all waste and recyclable materials having origin in the Municipality.

i. The **Baddeck Waste Management Facility** located at 445 Old Margaree Rd., Baddeck, NS.

ii. The **Dingwall Transfer Station** located at 99 Dump Rd., Cape North, NS.

**iii. The New Haven Recycling Depot** located at 690 White Point Rd., New Haven, NS

- 3.6** The delivery and depositing of all materials defined as solid waste at the Municipal Waste Management Facilities, Transfer Stations and Recycling Depots is governed by this by-law and may be amended from time to time by Council for the Municipality.
- 3.7** The Municipal Waste Management Facilities, Transfer Stations and Recycling Depots accepts only materials for which the facility is equipped, which have originated within the Municipality, except where the Municipality has given approval to do so, and which are identified as acceptable as deemed by the Municipality under this by-law.
- 3.7** The Municipality reserves the right to refuse any waste if, in the opinion of the Waste Management, Transfer Station or Recycling Depot staff or the Director of Public Works, the quantity or type of material being delivered to the facility exceeds the facility's capacity or is otherwise unacceptable.
- 3.8** Any person delivering or placing waste at a Municipal Waste Management Facility must do so in accordance with this by-law, instructions from waste management facilities staff or the Director of Public Works.
- 3.9** Waste facility staff, at their direction, may refuse to accept or permit deposit of materials at the Municipal Waste Management facilities in accordance with this by-law.
- 3.10** No person shall deposit wastes at, in, or adjacent to the Municipal Waste Management facilities when it is closed or when Waste Facility staff have refused to accept or permit deposit of the subject wastes.
- 3.11** No person shall deposit or cause to be deposited at the Municipal Waste Management Facility any solid waste which has not been separated in accordance with this by-law or any solid waste which is misleadingly packaged or presented which is concealed or intermingled with waste of another type or of place of origin.
- 3.12** Any person delivering waste at a Municipal Waste Management Facility does so at their own risk.
- 3.13** No person shall deposit, cause to be deposited or permit to be deposited solid waste at any place in the Municipality other than at a Municipal Waste Facility designated for the applicable type of solid waste, or at any other site authorized by the Municipality and approved for the purpose by the province.

**Recycling Depots:**

- 3.14** The Municipality will provide by operation, contract, or arrangement, including by arrangement with Divert NS, two centres within the Municipality for accepting recyclable waste as defined in this by-law and other such materials designated recyclable by municipal policy or provincial or federal regulation.

3.15 No Recycling Depots shall be opened on Sundays.

3.16 The days and hours of operation of each Recycling Depot shall be posted at each site.

#### 4. MUNICIPAL COLLECTION

Except as authorized by the Municipality from time to time, including but not restricted to public education materials published in connection with special collection days, persons placing materials for municipal collection shall comply with the following:

- 4.1 All residual waste, recyclables and compostable organics must be properly bagged as required by this by-law.
- 4.2 Recyclables shall be placed for collection in securely tied, blue-tinted plastic, water-proof bags of a dimension not greater than 77 cm x 84 cm (30 inches x 33 inches) and a volume not greater than 77 litres and shall not exceed a weight of 23 kilograms per bag. Paper recyclables and container recyclables are to be placed in separate blue bags.
- 4.3 Corrugated cardboard must be flattened out and securely tied with twine or rope in bundles which shall not exceed a weight of 23 kg per bundle and shall not be more than 30 cm x 60 cm x 90 cm (1 foot x 2 feet x 3 feet) or may be placed in the blue bag for fibre.
- 4.4 Compostable organics shall be placed in a securely tied, translucent plastic bag and shall not exceed a weight of 23 kilograms per bag.
- 4.5 Residual waste shall be placed for collection in securely tied, clear transparent plastic disposable water-proof bags of a dimension no smaller than 50 cm X 50 cm (19 x 19 inches) nor greater than 75 cm x 120 cm (29 in x 49 in), with filled bag not to exceed a weight of 23 kilograms in weight. The filled bag shall not enclose other filled bags, except for one optional privacy bag, no larger than 50 cm x 55 cm (20 in x 22 in). The clear bag contents shall be reasonably visible without the bag being opened.
- 4.6 No more than **four (4)** bags of residual waste may be placed for collection on any one collection day for each dwelling unit.
- 4.7 **No more than four (4) bags recyclables may be placed for collection on any one collection day for each dwelling unit, inclusive of fibre and containers.**
- 4.8 **No more than four (4) bags of compostable organics may be placed for collection on any one collection day.**
- 4.9 **No more than two (2) bundles of corrugated cardboard may be placed for collection on any one collection day.**
- 4.10 **Should a collection day be cancelled by the municipality and a resident's regular collection day is rescheduled no more than four (4) days later, the bag totals may be increased by no more than two (2) bags.**

- 4.11 Materials for collection shall be placed before 7:00 am on the collection day.
- 4.12 Residual waste, recyclables and compostables may be placed for collection in waste collection boxes or in securely tied bags by the side of the road in front of the premises where it was accumulated and as close as practicable to the driving surface of the designated route unless specified elsewhere by the Municipality. Residual waste, recyclables & compostable organics will not be collected from roadside ditches.
- 4.13 Materials for collection shall be placed in such a manner to interfere as little as possible with pedestrian traffic and snow removal.
- 4.14 Materials for collection shall not be placed before 9:00 pm on the day preceding the collection date for that property.
- 4.15 Any uncollected materials and any solid waste scattered by animals, pests or weather shall be removed by the owner or occupant of the property from which the solid waste was placed for collection not later than 9:00 pm, on the collection date for that property.
- 4.16 Waste Collection boxes or containers must be:
- i. Impervious to domestic and wild animals, rodents, insects and which are designed to avoid the entrapment of children.
  - ii. Have a securely hinged lid or lids.
  - iii. Able to support the open lids while the contents are being emptied, and
  - iv. Accessible, clear of snow and ice and a cleared pathway from box to roadway so it can be collected in a safe manner.

#### **REJECTION OF WASTE:**

- 4.15 All residual waste, recyclables or compostable organics placed for collection in a manner not provided for by this by-law shall not be collected. All such waste, recyclables or compostable organics not collected **MUST** be removed from the front of the premises no later than 9:00 pm of the day on which it was placed for collection.
- 4.16 Any residual waste placed for collection in dark, non-transparent bags shall be left at roadside. An appropriate sticker will be placed on the bag indicating the reason it was not collected and the homeowner will be responsible for separating and placing it for collection in the manner required under this by-law.
- 4.17 Any residual waste placed for collection in clear bags that contains materials which are deemed recyclable, compostable organics, banned by the Nova Scotia Department of Environment or the Municipality of the County of Victoria, shall be left at roadside. An appropriate sticker will be placed on the container or bags indicating the reason it was not collected and the homeowner will be responsible for separating and placing it for collection in the manner required under this by-law.

- 4.18 Any recyclables placed for collection in blue bags that contains residual waste or compostables shall be left at roadside. An appropriate sticker will be placed on the container or bags indicating the reason it was not collected and the homeowner will be responsible for separating and placing it for collection in the manner required under this by-law.
- 4.19 Owners and occupiers of properties located on private roads shall ensure that any shared collection container for the use of solid waste collection is of sufficient size to handle the quantity of collectible waste generated from the properties.
- 4.20 Owners and occupiers shall ensure that any waste container is located at or near the intersection of said private roads and the nearest public highway.
- 4.21 Owners and occupiers ensure any shared container is always maintained in a neat and sanitary condition and kept in good repair.

## 5. SEPARATION AND STORAGE

Owners and occupants of every property in the Municipality shall separate solid waste at the time and place of generation into the following streams:

- i. compostable organics
- ii. recyclable container materials
- iii. recyclable paper materials
- iv. residual waste, and
- v. construction and demolition debris.

- 5.1 Owners and occupants of every property in the Municipality shall take positive steps to ensure that all solid waste separated in accordance with subsection (1) remains separated and uncontaminated by any other types of solid waste.
- 5.2 Owners or occupants of premises serviced by a bulk commercial container shall:
- i. keep the area surrounding the container free from any type of waste; and
  - ii. provide instruction to any tenants, visitors, or employees to ensure proper disposal and separation and disposal.

## 6. INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL WASTE

- 6.1 The property owner or agent of an owner of an Industrial, Commercial, or Institutional establishment shall comply with the provisions of the Provincial Solid Waste Resource Regulations and this by-law.

## 7. SPECIAL COLLECTIONS

Council may, at its discretion, provide for special municipal solid waste collections on an occasional basis or provide for municipal collection from a drop-off site.

## 8. SOLID WASTE MATERIALS NOT PERMITTED FOR MUNICIPAL COLLECTIONS

Except where authorized by the Municipality, no person shall place for collection:



- i. hazardous waste
- ii. sharps waste
- iii. pathological waste
- iv. hospital and pharmaceutical waste
- v. asbestos
- vi. septic waste
- vii. hot ashes
- viii. dead animal carcasses, and
- ix. industrial waste, including non-residential, farm, forestry, or fishing waste.
- x. materials that are prohibited from disposal by municipal collection by the laws of the Province of Nova Scotia
- xi. solid waste generated outside the Municipality
- xii. construction and demolition debris that exceeds the dimensions or weight allowable for bulky item collection by the provisions of the by-law and
- xiii. other materials or solid waste as may be identified as unacceptable for municipal collection by the Municipality, including but not restricted to identification in public education materials distributed by the Municipality from time to time.

## 9. PROPRIETARY RIGHTS

- 9.1 Any collectible waste delivered to a Municipal Waste Management site becomes the property of the Municipality.
- 9.2 **No person is to remove any material from Municipal facilities, except at designated municipal ReUse Buildings, as no salvaging is permitted.**
- 9.3 Any recyclables delivered by the generator or by the Municipality or contractor of the Municipality to a recycling centre, including centres operated under license to Divert NS in Victoria County shall become the property of the operator of such facility on being unloaded at that facility.

## 10. PROHIBITED DISPOSAL

- 10.1 No person shall dispose of any recyclable material or compostable organics that has been banned from disposal, including:
- i. redeemed beverage containers.
  - ii. newsprint
  - iii. used tires.
  - iv. corrugated Cardboard
  - v. waste paint
  - vi. steel/tin food containers
  - vii. high density polyethylene (HDPE #2) plastic beverage containers, food containers, detergent containers, shampoo containers, crates, boxes, pails and lids, windshield washer containers, non-hazardous household cleaner containers (not including pesticide and petroleum containers)
  - viii. low density polyethylene (LDPE #4) industrial/commercial/institutional stretch wrap (pallet wrap)

- ix. compostable organics
- x. used oil, oil filters, glycol (antifreeze)
- xi. empty oil, glycol (antifreeze), and DEF containers and pails
- xii. aerosol containers from automotive lubricants and parts cleaner, and
- xiii. any other materials which may be added to this list from time to time by provincial or federal regulation.

## 11. TIPPING FEES STRUCTURE

- 11.1 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 prescribed from time to time by Council by policy.
- 11.2 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.
- 11.3 The said tipping fee shall be fixed by policy, and such policy may provide for different fees for different types of solid waste.
- 11.4 A copy of the policy and of any amended or substituted policy shall be affixed to this by-law, clearly indicating the date on which it comes into effect.
- 11.5 Commercial customers are defined as those using vehicles registered to commercial enterprises as well as those vehicles that frequent the facility more than 4 times per month, exceed one tonne of weight in a single visit or are hauling waste originating from other than their personal household.
- 11.6 Users from the ICI sector using the Municipality's waste management facilities shall pre-register contact information and identifying information via an account application as required by the Municipality to set up a billing account.

## 12. FEE PAYMENT

- 12.1 The following applies to the payment of fees:
  - 12.1.1 At the Municipality's waste management facilities, users from the ICI sector will be required to obtain credit privileges. 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) and (ii) below:
    - (i) 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 in the attached *Tip Fee Policy*.

(ii) Where the scale is not operational or a scale is not present, the hauler will be charged according to the fee prescribed in the attached *Tip Fee Policy*.

12.2 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:

(a) Site users from the ICI sector granted credit privileges will receive a monthly State of Accounts and payment is due within thirty (30) days of the end of the statement month.

(b) 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 time of sending out such notice, the customer may be refused admittance to all facilities and/or credit privileges withdrawn until such time as the outstanding amounts, interest and service charges are paid.

### 13. OFFENSE AND PENALTY

13.1 Any person who contravenes or fails to comply with any of the provisions of this by-law shall be liable upon conviction to a penalty of not less than Fifty Dollars (\$50) and not more than One Thousand Dollars (\$1,000) for each offense and, in default of payment, to a period of imprisonment for not less than five (5) days and not more than ninety (90) days.

13.2 Nothing contained herein is to be interpreted or construed so as to authorize the collection, transportation, storage or disposal of any waste, substance, or thing the collection, transportation, storage or disposal of which is prohibited or regulated by any federal or provincial statute.

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AMENDED DRAFT