



BY-LAW NO. 85
A BYLAW OF THE MUNICIPALITY OF ST. GEORGE
GARBAGE & RECYLABLES COLLECTION

BE IT ENACTED by the Council of the Town of St. George under the authority vested in it by the Local Governance Act, R.S.N.B. 2017, c. 18, as follows:

DEFINITIONS

1. In this By-Law, unless context otherwise requires,

"**bins**" is a waste container for temporarily storing waste, and is usually made out of metal or plastic.

"**bulk items**" means weighty or bulky articles such as furniture, bed springs, mattresses, and other discarded materials which would normally accumulate at a serviceable unit;

"**collection day**" means the day of schedule garbage or recyclables collection;

"**collection service**" means the curbside or roadside collection of garbage;

"**commercial properties**" includes retail operations, warehouses, commercial, industrial and institutional facilities, also includes certain apartment buildings;

"**compost bin**" means an outdoor container in which garden refuse and other organic waste is deposited in order to produce compost;

"**contractor**" means the company/person granted exclusive or non-exclusive rights to the collection, removal and disposal of garbage;

"**dumpster**" means a large, movable garbage bin designed to be brought and taken away by a special truck;

"**garbage**" means wasted or spoiled food, discarded crockery, cloth, wrappings, non-recyclable plastics and other items of household refuse, but does not include prohibited garbage;

"garbage bag" means plastic bags securely tied at the top with adequate space for a hand hold at the top of the bag and of sufficient strength to withstand handling without tearing when loaded to a maximum weight of 23 kilograms (50 lbs);

"occupant" means any owner, lessee or tenant or any other person in charge of any building;

"occupied property" means any commercial, institutional, or residential property upon which a building exists and is in use;

"owner" means the person in whose name a property is assessed under the Assessment Act Chapter A-14, R.S.N.B. 1973 and amendments thereto and includes the executors, administrators and assigns of such person and should there be more than one owner it shall mean each of such owners jointly and severally;

"prohibited garbage bin" means:

- a. bins constructed with particle/flake board, or of waferboard, such as Aspenite or OSB;
- b. oil barrels;
- c. industrial drums;
- d. old/repurposed white goods, such as refrigerators or freezers;
- e. insulated commercial containers, such as Xactics, RPC Promens or any transport bin associated with the fish processing industry;
- f. operational or discarded automobiles;
- g. any items as determined by Council.

"prohibited garbage" means:

- h. explosives, asbestos;
- i. pathological, radioactive or toxic materials;
- j. batteries;
- k. dead animals;
- l. mature tree limbs, bags of leaves, whole shrubs or bushes;
- m. construction and demolition wastes;
- n. manufacturer's waste;
- o. agricultural wastes;
- p. heavy machinery;
- q. automotive, mechanical parts and components including, but not limited to, tires, oil and fuel filters, discarded automobile bodies, larger parts of automobiles;
- r. any compound that may be considered dangerous or hazardous;
- s. any items as determined by Council.

"prohibited recyclables" means:

- a. solid items;
- b. glassware;
- c. styrofoam;
- d. aerosol cans;
- e. porcelain;
- f. #3 and #6 Plastics;
- g. plastic bags;
- h. items that are deemed as "garbage" or "prohibited garbage";

"receptacle" means a bin or can, of no more than 36 gallons in size, used to contain public garbage, may be referred to as a garbage can.

"recycle bin" means a larger container which is specifically intended to hold materials for recycling. Maybe referred to as blue-bin due to the color of bin/container;

"recycle materials" means materials which are determined by the Chief Administrative Officer, or the administration of the landfill or recycling program, to be recyclable and may include but are not necessarily limited to newspaper, mixed paper, box board, cardboard, plastics, and tin cans;

"white goods" means household appliances such as air conditioners, refrigerators and freezers, stoves, dishwashers, washers and dryers, water heaters, and assorted items capable of being recycled for their metal content. Air conditioners, refrigerators and freezers must have the Freon (CFC's) removed prior to being eligible for disposal.

PROHIBITIONS

2. No person shall burn garbage within Town limits.
3. No person shall pick over, interfere with disturb, remove or scatter any garbage placed for collection.
4. No person shall place prohibited garbage for collection.
5. No person shall place garbage in a garbage bin of any other person/business without the consent of the owner of the garbage bin.
6. No person shall, or permit any agent or employee, to sweep, throw, or deposit any garbage or prohibited garbage, animal carcasses, lawn rakings, or grass on any street or public place or on private property other than their own and only in the manner prescribed by this by-law and in accordance with any laws and/or regulations of the Province of New Brunswick and/or the Federal Government of Canada.

7. No person shall convey through any street any waste, except in proper receptacles or in vehicles which are so constructed and arranged to prevent the contents from falling on the streets and to protect, as much as is practicable, the escape of offensive odor.
8. No person shall use a garbage bin that is deemed as a prohibited garbage bin, which is further defined under definitions of this by-law.

PUBLIC GARBAGE RECEPTACLES

9. The Town of St. George shall place garbage receptacles for public use in specific public places and along some streets between the months of May to October, and shall remove resulting collected waste on a regular basis.
10. Public garbage receptacles are for the disposal of incidental personal waste and is limited to ten (10) items, weighing no more than 0.5 kilograms.
11. Under no circumstances are public garbage receptacles to be used for, or as a means of, the disposal of residential, commercial or industrial waste.

GARBAGE BINS

12. In addition to Section 8, garbage bins constructed of wood must be painted or treated/stained.
13. The Town of St. George, and/or the Collection of Collection Services, are not responsible for damage to garbage bins, or recycle bins.
14. Garbage bins, or recycle bins, are to be placed to provide unobstructed and convenient access for collection. Bins that are left in snow banks or not accessible will result in the possibility of these items being left behind.
15. Garbage, or garbage bins, and recyclables, or recycle bins, are not to be placed to impede pedestrian or vehicular traffic.
16. Garbage bins, or recycle bins, shall have a functional lid or cover, which is to remain closed at all times, unless recently cleaned.
17. Garbage bins, or recycle bins, are to be removed from curbside, or the pickup point, within twenty-four (24) hours after pick-up was completed.

GARBAGE/RECYCLING COLLECTION

18. Garbage, or garbage bins, and recyclables, or recycle bins, are to be placed for collection by 7:00 a.m. on collection day, and
 - a. not any earlier than 8:00 p.m. on the day previous the collection day.
19. Town garbage collection service, and/or Town recycle collection service, is only applicable to residents of the Town of St. George, within the municipal boundaries.
20. Each household is permitted to place no more than five (5) garbage bags of waste per garbage collection day.
21. Garbage, or garbage bins, and recyclables, or recycle bins, will not be collected if:
 - a. the bin is overfilled;
 - b. the bin is unable to be accessed due to an obstruction;
 - c. items have been left in the snow, and/or rain, and are, as a result, saturated and of extra weight;
 - d. any prohibited garbage is placed in the garbage bin;
 - e. any prohibited recyclables is placed in the recycling bin.
22. For the garbage collection week, following a recycling collection week shall be free of white goods and bulk items.
23. The collection of discarded white goods is not part of the regular Town garbage collection service nor the Town recycle collection service;
 - a. White good collection may be done by special request from the resident during a specific period of the year, or on set date(s), set out by either the Town, Collection Service or the owner/operator of the landfill;
 - b. White goods shall be discarded at an authorized collection point at the owner's expense.
24. During the period between collection days, occupants, and/or owners, must store garbage in such a manner and location that prevents access by animals.
25. Notwithstanding Section 4, no household, or occupied property serviced by the municipal collection of garbage and/or recycling, shall not place prohibited garbage items in a bin, or garbage bag, for the purpose of municipal garbage collection.

COMMERCIAL PROPERTIES

26. Commercial properties not part of the municipal garbage collection service, or the municipal recyclable collection service.

27. Commercial properties shall use commercial dumpster(s) to store waste and/or recycles for collection.
28. Dumpster(s) shall not be placed in front of a building but to the rear or to the side of a building, out of direct sight of any public entrance to the main building.
 - a. If a dumpster is not able to be locate at the rear, or to the side, of a building, or out of direct sight, then the dumpster shall be enclosed within a walled or fenced area whereas the dumpster(s) is not viewable to the public.
29. Dumpster(s) shall have a functional lid or cover, which is to remain closed at all times, unless recently cleaned.
30. Cost of garbage collection, or recycle collection, for commercial properties shall be the responsibility of those individual properties, not the municipality.
31. An apartment building with five (5) or more tenant apartments is considered a Commercial Property is not part of the municipal garbage collection service and, therefore, those properties are responsible for their own collection and removal as per this by-law.

COMPOST BINS

32. All composting of organic waste shall be done within a purpose-built compost bin.
33. Compost bins shall be operated in a manner that keeps related odor to a minimum, and does not attract animals.
34. The operation of compost bins are prohibited in commercial or industrial zones.

CONTRACTOR OF COLLECTION SERVICES

35. The Contractor shall conduct such collections and removals using vehicles approved by the Town, and provided with a satisfactory fixed or movable cover, and will deposit all material collected in St. George at an approved receiving area and/or landfill.
36. The Contractor shall have their name and telephone number clearly displayed on both sides of all vehicles so as to be visible at a distance of at least 15 meters.

37. The Contractor shall establish and maintain a telephone service during the hours of 9:00 am to 5:00 pm on each collection day, to receive questions or complaints of householders.
38. The Contractor agrees that (his, her, its) vehicles shall be equipped with lights, including flashing or revolving amber warning lights, in conformity the Motor Vehicle Act, R.S.N.B. 1973 c.M-17 as amended.

ENFORCEMENT

39. Under the authority of this By-Law, Officials representing the Town of St. George may, at times, open and inspect bins or garbage bag(s) for the purposes of determining prohibited garbage or prohibited recyclables.

OFFENSES AND PENALTIES

40. Any person(s) who violates Section 2 to Section 8, Section 10 to Section 12, Section 15 to Section 17, Section 19 to 22, Section 24 and 25, Section 27 to Section 29, and/or Section 32 to Section 34, of this By-Law is guilty of an offence and liable upon summary conviction to a fine of not less than twenty-five dollars (\$25.00) for a first offence and a penalty of not more than one hundred dollars (\$100.00) for each subsequent offence.
41. When an occupied property violates sections of this By-Law, and where the violator is a tenant/renter/lessee, the rightful property owner, or landlord, shall be guilty of the offence and liable for all fines and penalties outlined in Section 36.
42. Any person(s) with repeat offenses under Section 40 may forfeit their right to received municipal garbage collection and/or municipal recycling collection for determined time period, or indefinite.

ENACTMENT

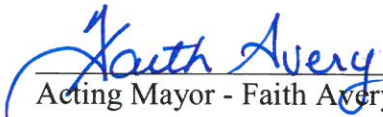
IN WITNESS WHERE OF the Town of St. George has caused its corporate seal to be affixed to this By-Law, the 08 day of June, 2020, and signed by,

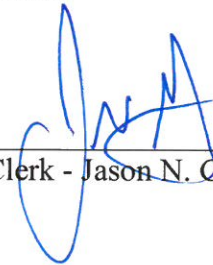
SEAL

First Reading: 09 September 2019

Second Reading: 15 October 2019

Third and Final Reading and Enacted: 08 June 2020


Acting Mayor - Faith Avery


Clerk - Jason N. Gaudet