

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

BY-LAW # 200-17

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

1. TITLE

- 1.1. This By-law may be cited as the Solid Waste By-law.
- 1.2. The provisions of this By-law apply to all residential users within the Town limits of the Town of Sussex.

2. DEFINITIONS

In this By-law:

"Municipality" means the Town Of Sussex.

"Council" means the Council of the Town Of Sussex.

"Clerk" means the Clerk of the Town Of Sussex.

"Treasurer" means the Treasurer of the Town of Sussex.

"Director of Public Works" means the Director of Public Works of the Town Of Sussex.

"Building Inspector" means the Building Inspector of the Town Of Sussex.

DEFINITIONS (cont'd)

"Owner(s)" means the person or persons identified as acquiring the fee simple title to a property in the document which purports to convey such interest and was most recently recorded in the Kings County Registry Office.

"Dwelling unit" means a room or suite of two or more rooms designed or intended for use by an individual or family, in which kitchen and sanitary conveniences provide for the exclusive use of such individual or family.

"Private collector" means any person(s) and/or company employed, either full-time or part-time, in the job of collection and disposal of solid waste for remuneration.

"Solid waste" includes:

- (i) garbage – any putrescible animal, fruit or vegetable wastes, liquid or otherwise, resulting from the storage, handling, preparation, cooking and/or consumption of food; and
- (ii) refuse – all non-putrescible, worthless, discarded remains whether included under other definitions or not.

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

"Combustible materials" means paper and/or paper products, wooden and cloth articles or materials.

"Dumpster" means a receptacle supplied by a contractor, used for the storage and handling of solid waste from multi-family dwellings.

"Incombustible materials" means metals, bottles, cans, dirt and similar rubbish which cannot be burned.

"Hazardous waste" means any waste having potential of harm to health or safety or to the environment, which may include, but is not limited to industrial and treatment plant waste.

"Putrescible" means in the process of rotting.

DEFINITIONS (cont'd)

"Garbage Bags" means transparent plastic bags not smaller than two (2) cubic feet or larger than six (6) cubic feet.

"Blue Transparent Garbage Bag" means a see-through plastic bag, blue in colour, used to contain recyclable household solid waste. A list of acceptable recyclables is hereto attached as Schedule "A".

"Green Transparent Garbage Bag" means a see-through plastic bag, green in colour, used to contain compostable household solid waste. A list of acceptable recyclables is hereto attached as Schedule "B".

"Clear Transparent Garbage Bag" means a see-through plastic bag, clear in colour, used to contain non-recyclables and non-compostable household solid waste. A list of acceptable recyclables is hereto attached as Schedule "C".

"Recyclable Household Waste" means household solid waste, but not limited to waste such as paper, cardboard, hard plastics and metal.

"Compostable Household Waste" means household solid waste, but not limited to waste such as food waste, yard waste, tissues, paper towel and toilet paper.

"Solid waste receptacle" means a receptacle used for the storage and handling of solid waste and shall be:

- (i) a metal or plastic container with cover, and not more than 90 litres in capacity and shall not weigh more than 20 kilograms with contents;

"Solid waste bin" means a fully enclosed receptacle made of wood, plastic or metal, including a dumpster, used for the storage of solid waste and can be equipped with hardware to permit the ability to lock the receptacle.

3. SERVICE

- 3.1. The Town will provide curb service for the collection of all household recyclable solid waste, household compostable solid waste and household garbage solid waste from residential dwellings.

- 3.2. The Town's residents shall be required to place recyclable household solid waste in blue transparent garbage bags, compostable household solid waste in green transparent garbage bags, and non-recyclable / non-compostable household solid waste in clear transparent garbage bags in order to receive the services of the Town's solid waste collection.
- 3.3. The Town's solid waste collector contractor shall only pick up blue transparent garbage bags, green transparent garbage bags, and clear transparent garbage bags during the curb side service solid waste collection for residential units.
- 3.4. The Director of Public Works may, where circumstances require, vary collection routes and schedules for solid waste collector contractor(s) for collecting blue, green and clear household solid waste from dwelling units in the Town.
- 3.5. Private solid waste collectors shall require their customers to conform to the requirements of curb side service solid collection for residential units.

4. SOLID WASTE RECEPTACLES

- 4.1. The landlord of multi-family residential buildings in the Town shall provide on the premises sufficient and adequate bins and/or receptacles which may contain plastic or vinyl liners for solid waste.
- 4.2. Solid Waste receptacles shall be water-tight, shall have a capacity of not more than 90 litres and shall be made of metal or plastic equipped with handles and metal or plastic covers which fit tightly and may be placed at curbside on the scheduled day of garbage collection.
- 4.3. Solid Waste bins and/or receptacles shall be maintained in good condition at all times and shall not be placed in the front yard of any property.

5. STORAGE OF SOLID WASTE

- 5.1. The owner or occupant of any property shall not permit solid waste to remain upon any premises within the Town for a period longer than seven days without being placed for collection.

- 5.2. Owners of all multi-family dwellings greater than three (3) dwelling units shall supply a metal dumpster or solid waste bin as described in Section 2.

6. PLACEMENT AND COLLECTION OF SOLID WASTE

- 6.1. Household blue, household green, and household clear solid waste shall be contained in garbage bags as defined in this By-law when placed at the curbside for collection.
- 6.2. No person is permitted to place or cause to be placed such receptacle and/or garbage bags for collection at curbside or roadside of a street or roadway prior to the day set for collection.
- 6.3. Every person who provides a solid waste receptacle and/or blue green, or clear transparent garbage bags shall place or cause to be placed such receptacle and/or garbage bags for collection at curbside or roadside of a street or roadway on which his property fronts by 0800 hours on the day set for collection.
- 6.4. No person shall permit containers and/or garbage bags placed for collection to remain at curbside or roadside beyond 2100 hours on the day established for collection.
- 6.5. No person shall place any solid waste in a street or public place or upon private property owned by that person or not except for collection as prescribed by this By-law.
- 6.6. The owner of every multiple dwelling unit shall provide a solid waste bin and shall provide safe and convenient access to such receptacle for the equipment of the garbage collector.
- 6.7. Solid waste stored on any premises within the Town, other than when placed at curbside for collection, shall be stored in such a manner so as not to be in any front or exterior side yard, without the approval of the Director of Public Works.
- 6.8. Every person who places garbage bags at curbside for collection shall adequately protect bags from rodents, birds and all other animals and

shall be responsible for cleanup of any garbage due to inadequate protection.

7. SOLID WASTE COLLECTOR

- 7.1. A private collector is permitted to collect and transport solid waste from any location within the Town, provided that the contractor abides by this By-law and abides by the Province Of New Brunswick environmental regulations and deposits the solid waste at a location that is approved by the Town and/or the Province of New Brunswick.
- 7.2. Notwithstanding subsection 7.1, the generator of solid waste or the owner, lessee or occupant of premises upon which solid waste has accumulated may collect and transport the solid waste and dispose of the solid waste at a location that is approved by the Town and/or the Province of New Brunswick provided that the generator of solid waste or the property owner, lessee, or occupant of the premises abides by this By-law and abides with the Province of New Brunswick environmental regulations.

8. GENERAL

- 8.1. All solid waste generated within the boundaries of the Town shall be collected, transported and disposed of in accordance with this By-law.
- 8.2. The Director of Public Works shall manage the collection, transportation and disposal of solid waste within the Town under the provisions of this By-law.
- 8.3. The Council may enter into an agreement(s) with any person(s) and/or contractor(s) for the collection, transportation and disposal of solid waste for any or all solid waste generators within the Town.
- 8.4. No person shall deposit any solid waste on any private or public lands or in any body of water within the Town of Sussex.
- 8.5. No person shall dispose or cause to be disposed of any hazardous waste on any private or public lands or in any body of water within the Town Of Sussex.

- 8.6. Persons may dispose of any hazardous waste only at a location approved by the Town and/or Province of New Brunswick.
- 8.7. The Council may specify the day(s) on which solid waste will be collected from dwelling units and for special clean-up days.
- 8.8. The owner of a property and/or contractor who generates incombustible materials, street cleanings, garden waste, yard clippings, broken or discarded household furniture or furnishings, waste material or leaves rubbish on premises following the construction, erection, alteration, demolition or repair of a building shall be responsible for the collection and disposal of aforesaid material in accordance with this By-law and in accordance with the Province Of New Brunswick environmental regulations, by the owner and/or contractor of the property at their own expense.
- 8.9. The Building Inspector and/or Director of Public Works may instruct the owner of a property, by hand delivered correspondence, to remove within a specified time, all solid waste from his property.
- 8.10. Ashes shall not be placed for collection with solid waste but shall be disposed of by the owner at his own expense.
- 8.11. The Town may conduct a Spring and Fall clean up day for the purpose of collecting leaves, garden waste, lawn clippings and incombustible materials from residential property owners. Hazardous wastes and construction waste is excluded in these scheduled clean up days.
- 8.12. All brush and branches of trees are to be cut and bundled no longer than 1.2 meters (4.0 feet) for pick-up during the Scheduled Clean-up Days.

9. PLURAL OR FEMININE TERMS

Plural or feminine terms may apply whenever the singular, masculine or feminine is used in this By-law. It shall be considered as if the plural, feminine or masculine has been used where the context of the party or parties hereto so requires.

10. VALIDITY

The invalidity of any Section, subsection, clause, sentence or provision of this By-law shall not affect the validity of any other section, subsection, clause, sentence or provision of this By-law, which can be given effect without such parts.

11. REPEAL

11.1. This By-law shall come into full force and effect and be binding on all households on September 18, 2017.

11.2. The repeal of "A By-law To Regulate Collection, Storage And Disposal Of Solid Waste And Other Material, By-law #200-14", enacted on the 22nd day of April 2014, and amendments thereto, shall not affect any penalty, forfeiture or liability incurred before such repeal or any proceeding for enforcing same completed or pending at the time of repeal; or shall it repeal, defeat, disturb, invalidate or prejudicially affect any manner or thing whatsoever completed, existing or pending at the time of repeal.

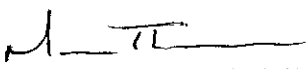
11.3. The By-law entitled "A By-law To Regulate Collection, Storage And Disposal Of Solid Waste And Other Material, By-law #200-14", enacted on the 22nd day of April 2014, and amendments thereto is hereby repealed.

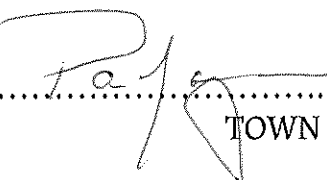
FIRST READING BY TITLE July 17, 2017

SECOND READING BY TITLE August 21, 2017

READ IN ENTIRETY September 18, 2017

THIRD READING BY TITLE AND ENACTED September 18, 2017


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MAYOR


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TOWN CLERK

SCHEDULE "A"

Recyclables - Blue Garbage Bag

Metals	Paper & Cardboard	Plastics	Other
Aerosol Cans (empty) Aluminum (pie plates, foil, etc.) Bottles and Cans (steel, tin and aluminum) Containers Pots and Pans Utensils	Books and Bristol Board Boxboard Boxes Cardboard Cards and Catalogues Cereal Boxes Coffee Cups Drink Trays Egg Cartons Envelopes Fast Food and Paper Bags Fast Food Boxes and Pizza Boxes File Folders Flyers Newspaper and Magazines Phone Books Plates and Cups Posters Sticky Notes Wrapping Paper	Bottles (caps off) Containers (covers off) Cups and Dishes Hard Plastic Packaging Jugs Medicine Bottles (empty) Milk and Juice Jugs Hard Plastics numbered 1, 2, 3, 4, 5, and 7 Plastic Bags (Clean and Dry) Grocery and other plastic shopping bags, bread bags, clean re-sealable food storage bags, etc. To prevent mechanical sorting equipment from getting entangled, put all plastic bags in a single bag and tie it.	Electronics (calculators, cell phones, small kitchen appliances, etc.) Frozen Juice Cans Lids, Covers Milk and Juice Cartons Styrofoam (meat trays, cups, plates, etc.)

SCHEDULE "B"

Organics - Green Garbage Bag

Food- Including but not limited to	Yard Waste	Other Items
Bones Coffee Filters and Grounds Cooking Grease Dairy Products Expired Food Fish and Shellfish Food Scraps and Left overs Fruits and Vegetables Meats Oil and Fat Rotten or Moldy Food Shells (Eggs, Shellfish) Tea Bags	Grass Clippings Leaves Plants, Flowers and Weeds Sawdust and Wood Chips Soil Twigs Branches – (1 inch diameter or less, bundled in 2'x2'x2' bundles)	Napkins Paper Towels Tissues Tobacco

SCHEDULE "C"

Garbage - Clear Garbage Bag

Household	Bathroom	Kitchen
Balloons Binders Board Games Candles Carbon Paper Cat Litter Chalk Cigarette Butts Clothes, Linens and Sheets Dirt and Dust Disinfecting Wipes Dryer Lint and Sheets Elastic Bands Fabric Footwear Furnace Filters Latex and Rubber Gloves Leather Light Bulbs (Not CFL's) Markers and Crayons Mirrors Nylons Pencils and Pens Pet Training Waste Pads Pet Waste Photos and Picture Frames Pillows and Pillow Cases Pottery and Pyrex Rubber Sandpaper Silica Gel Packs Sports Equipment Stickers String and Tape Toys Transparencies Vacuum Bags Vases Wallpaper	Baby Wipes Bandages and Gauze Brushes and Combs Colostomy and Tube-Feeding Bags Condoms Cosmetics and Cosmetic Wipes Cotton Balls Dental Floss Diapers Disposable Razors Feminine Hygiene Products Q-Tips Toothpaste Tubes Towels	Absorbent Pads (from meat tray) Ceramic Dishes Chip Bags Cork Dish Cloths Glass (bottles, jars, containers etc.) Granola and Candy Bar Wrappers Parchment Paper Plastic Cutlery Plastic Packaging Plastic Wrap and Bubble Wrap Rags Rubber Gloves Scouring Pads and Sponges Single Serve Coffee Pods and Single-Use Coffee Packets Soft Plastic Straws Toothpicks Twist Ties Water Filters and Softener Salt Waxed Paper Wrappers