



TOWN OF TORBAY

GARBAGE AND REFUSE REGULATIONS

2007

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town Council of the Town of Torbay under the provisions of Section 414 of the Municipalities Act, 1999 as amended and in accordance with the Environmental Protection Act 2002cE-14.2 and regulations made there under.

Amended and adopted by the Town Council of the Town of Torbay on the day .

MAYOR, Robert Codner

CAO/TOWN CLERK,

**GARBAGE AND REFUSE REGULATIONS
2007**

1. These regulations may be cited as the Town of Torbay Garbage and Refuse Regulations, 2007.
2. In these regulations unless the context otherwise requires:
 - a. “Act” means the Municipalities Act, 1999 as amended.
 - b. “Approved” means approved by the Supervisor of Operations and Public Works or representative.
 - c. “Ashes” means the residue of any substance used as fuel for household purposes after such substance has been consumed by fire, but not including soot.
 - d. “Council” means the Town Council of the Town of Torbay.
 - e. “Garbage” means all kitchen and table waste of animal or vegetable origin resulting from the preparation of food.
 - f. “Garden Waste” means the waste material from gardens, consisting of grass clippings, dead branches, bushes, weeds, plants, stones and other similar materials.
 - g. “Householder” means the owner, occupant, lessee, tenant or the person in charge of a dwelling, mobile home, hotel, restaurant, apartment block, office building, public

institution or other building.

h. “Nuisance” means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians or vehicular traffic or anything or any condition of things, that in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding property.

i. “Receptacle” for the purpose of these Regulations means:

- (1) an opaque polyethylene plastic bag of 1.5 gauge (1.5 mil) thickness, fastened at the top and minimum size 26”x 36” (66cm x 91cm) and not weighing more than 50 lbs.
- (2) metal or plastic containers not exceeding 50 lbs. (including garbage)
- (3) garbage bins are permitted provided garbage is in proper containers

j. “Refuse” means all other miscellaneous waste material not specifically defined as garbage.

k. “Sanitary Inspector” means any person appointed as such by Council.

l. “Swill” means wet table scrappings, garbage or other waste materials, or animal or vegetable matter, which has attained a liquid or partly liquid state.

m. “Town” means the Town of Torbay as defined in the order-in-council dated the 24th day of October, 1972, A.D and as continued in the Municipalities Act 1999 as amended.

n. “Construction Waste” means any used building materials discarded during or after alterations or renovations.

ADMINISTRATION

3. The “Supervisor of Operations and Public Works” or his “designate shall administer and enforce the provisions of these Regulations and for the purpose may:
 - a. Divide the Town into sections.
 - b. Designate a particular day of the week for collection of garbage and refuse in each section; and
 - c. From time to time alter the boundaries of each of the sections and shall notify the public of such changes in boundaries.

DAYS AND TIMES OF COLLECTION

4.
 - a. Collection of garbage and refuse shall be at least once in every seven (7) days, commencing at the hour of eight o'clock in the morning (8:00 a.m.), provided however, that when a public or statutory holiday occurs on a collections day, such collection shall be made on the next following working day, unless otherwise specified by the Supervisor of Operations and Public Works or his designate.
 - b. Collection of bulk items shall be by special collection only at such times and upon such terms and conditions as the Supervisor of Operations and Public Works or his designate may determine. This collection shall be termed "Spring Clean-up" and shall take place in May of each year.
 - c. All garbage and refuse being placed for collection shall not be so placed earlier than 6:30 a.m. on the day designated for collection in the area.
 - d. All garbage and refuse being placed for collection shall not be so placed later than 8:00 a.m. on the day designated for collection in the area.
 - e. Empty receptacles as well as material refused for collection shall be removed from the streets by the householder before 7:30 p.m. on the same day as the garbage was placed for collection.

RESTRICTIONS

5.
 - a. No householder shall dispose of garbage or refuse in the Town except in the manner as provided in these Regulations;
 - b. Receptacles shall not be put out for collection except on the day designated for collection in the area.
 - c. No person or persons shall permit any animal owned by him or under his control to pick over, interfere, disturb, remove or scatter any material placed out for collection.
 - d. The householder is responsible for the protection of all garbage from the time it is placed at roadside until it is picked up. If a resident does not protect the garbage and it becomes torn open, then the householder will be responsible for any and all clean-up.
 - e. No householder shall put out for collection more than **10** (ten) garbage bags or their equivalent for collection by the Town on any one collection day.

- f. No household hazardous waste shall be deposited or placed in a receptacle for collection.
- g. No person, other than the employees of the Council authorized for that purpose, shall pick over, remove, disturb or otherwise interfere with any garbage or refuse placed for removal by the Council whether or not it is enclosed in receptacles.
- h. No caustic substance such as bleach, etc., is to be used on garbage receptacles.
- i. No householder shall dispose of a hypodermic needle except in a sealed container which is designed for the disposal of sharps.

STORAGE AND DISPOSAL

- 6. Every householder and every operator of a business establishment, shall at their own expense make adequate arrangements for:
 - a. The storage of garbage in receptacles that are impervious to animals.
 - b. The disposal of any material not collected by the Town as referred to in **Section “10”** herein, whenever sufficient quantity to warrant such disposal.
 - c. Every owner or operator of a business shall be responsible for the removal of refuse from their premises.

- 7.
 - a. Every householder shall provide suitable receptacles for garbage and refuse. Receptacles which are non-disposable shall be maintained in a good state of repair and in a sanitary condition.
 - b. No person, firm or corporation shall deposit, throw, sweep or place any garbage upon any street, lane, drain, public place or private property outside of buildings within the Town unless the same is enclosed in approved receptacles.
 - c. Every person, firm or corporation being the owner of a building or buildings and premises within the Town shall provide approved receptacles as mentioned in the preceding regulation for the use of such building or buildings and premises for the reception of garbage, and all garbage from such building or buildings and premises shall be placed in such receptacles.

- 8.
- a. A suitable receptacle shall mean a standard metal garbage receptacle, or a receptacle of other substantial material and approved by the inspector and each receptacle shall have a content capacity of not less than twenty-five (25) litres (5.5 gallons) and not more than ninety (90) litres (20 gallons).
 - b. A suitable receptacle shall also mean a polyethylene garbage bag as defined in Section w2 I (1).
 - c. A polyethylene garbage bag placed for collection shall be securely tied or closed at the top.
 - d. Garbage receptacles shall be kept covered and in a sanitary condition at all times.
 - e. Subject to Regulation 7, no person, firm or corporation shall deposit, throw, sweep, or place any refuse upon any street, lane, drain, public place or private property outside buildings within the Town unless the same is enclosed in boxes, barrels or other proper receptacles in such a manner as to in no way constitute a nuisance or annoyance to others.

PLACE FOR CONTAINERS

9. Garbage receptacles shall be placed for collection in front of the premises at the curb or street line where possible.

MATERIALS NOT COLLECTED

10. The Town shall not collect:
- a. Swill, liquid waste or other organic matter which has not been properly drained or wrapped.
 - b. Highly combustible or hazardous material, such as oil, or gasoline soaked rags, gas containers, propane cylinders, paint, pesticides, ammunition, dynamite, or other explosive matter, chemicals, acids or their residues, derivatives or by-products. These items and other hazardous materials should be dropped off at the Town Depot during the Household Hazardous Waste Day held each year. Dates for this event will be advertised locally.

- c. Dressings, bandages or other infected material from hospitals, or offices of physicians, surgeons, dentists and veterinarians.
- d. Construction Waste.
- e. Garden Waste.
- f. Garbage or refuse which has not been placed for collection in the matter provided by these Regulations.
- g. Rubber tires of all sizes, tires must be dropped off at a Tire Recycling Compound such as a garage.
- h. Tree branches or roots.
- i. Sheet iron, scrap metal, car bodies.
- j. Carcass of any animal or animal waste.
- k. Garbage or refuse left by a contractor, upon any street, lane, drain, public or private property.
- l. Ashes.

SPRING CLEAN-UP

- 11.** The Town will conduct a spring clean-up each year.

During these weeks, collection will be for all household items, with the exception of rocks, gravel or concrete and rubber tires of all kinds.

- a. Refuse must not be transported to selected site before or after the designated dates for the clean-up.
- b. Please do not mix household refuse with clean-up.

VEHICLES CARRYING GARBAGE AND REFUSE

12.

a. No person, firm or corporation shall transport garbage or refuse of any kind on any street within the Town unless such garbage or refuse is transported in an enclosed truck, or receptacle, or is otherwise secured so that it shall not fall from the vehicle or other means of transportation unto the street.

b. All vehicles and receptacles used for the transportation of garbage, refuse or swill shall be kept in a sanitary condition at all times.

d. The Sanitary Inspector may inspect vehicles used for garbage collection at all reasonable times to ensure compliance with these regulations.

g. The Town's Municipal Enforcement Officer is designated to enforce these regulations.

13.

a. Notwithstanding anything contained in these regulations, the Supervisor of Operations and Public Works may at any time order the owner to clean up and remove any accumulation of garbage or refuse outside any building or buildings or on any other private property within the Town; and

b. If the owner neglects or refuses, when ordered by the Supervisor of Operations and Public Works to clean up and remove any accumulation of garbage or refuse from his premises, the Sanitary Inspector may cause the clean up and removal of such accumulation at the expense of the owner.

14. Every person who fails to comply with or otherwise contravenes any of the provisions of these regulations is guilty of an offence and is liable on summary conviction to the penalty set out in the said Act.

15. These regulations shall come into effect on January 1st, 2007, A.D.

16. The Garbage and Refuse Regulations for the Town adopted on November 13th, 1973 and amended on:

(i) December 18th, 2006