1. TITLE

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

2. DEFINITIONS

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

(a) “backyard composter” means a unit designed for home composting of fruit and vegetable, bread, grain, rice, pasta, eggshells, coffee grounds, and tea bags.

(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 by Council from time to time.

(c) “box board” 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 an agent of the Municipality. These materials include mixed waste and recyclable materials.

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

(f) “collection day” means any day which is scheduled by the Municipality for municipal collection of collectible waste.

(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 materials by a hauler.

(h) “companion pet “ means any animal which resides in an eligible premise as a household pet.
“commercial enterprise” means an enterprise which is assessed a business occupancy tax by the Municipality.

“commercial premises” means any lot of land which contains one or more commercial enterprises.

“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 fiberglass insulation, pieces of gyproc, metal, brick, mortar, flooring, and scrap wood.

“Council” or “council” means the Council of the Cape Breton Regional Municipality.

“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.

“eligible premises” means those properties within the Municipality which are eligible for municipal collection as defined in Section 6 of this By-law.

“fibre recyclables” means mixed paper, corrugated cardboard, box board, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items designated by Council from time to time.

“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 CBRM. This does not include infrequent users of these facilities such as residents of eligible premises hauling materials from their premises.

“household special waste” means products used in the home which may not be appropriate for disposal within the standard waste collection system. The municipality maintains a data base of these materials which include such items as waste paints, aerosol cans, adhesives, batteries, oven cleaner, drain cleaners, pesticides and insecticides.

“household special waste data base” means a data base maintained by the municipality which documents household special waste products and the appropriate disposal method for the products.

“industrial/commercial/institutional waste” or “ICI” waste” means material of similar composition as mixed waste collected within the municipality other than waste generated in an eligible premise.
“international waste” means waste imported into Canada from any country other than the United States which contains or is suspected of containing an animal product or animal by-product and which was intended to be served or was served for consumption by the passengers or crew of an aircraft or ship.

“leaf and yard waste” means grass clippings, leaves, brush and twigs less than 1 inch in diameter, house and garden plants, sawdust and wood shavings or other similar items.

“litter” means any intentionally or accidentally discarded waste not placed in a proper receptacle, or container for recycling or for disposal.

“manager” or Manager” means the Manager of Solid Waste for the Cape Breton Regional Municipality, the successor to such position, or a person designated by the Manager to act in place of the Manager.

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

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

(i) broken bottles, crockery, glassware, floor sweepings, discarded clothing, cloth, leather, jute, 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) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked “ashes” or “soot”;

(iv) manure, excretes or litter from companion pets residing in an eligible premises where the material is double bagged and securely tied in watertight bags and then placed in an eligible container;

(v) food waste not suitable for backyard composting;

(vi) other items not specifically designated as mixed waste except as excluded by this by-law;
“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.

“Municipality” or “municipality” means the Cape Breton Regional Municipality.

“non-collectible waste” means all material not eligible for curbside collection and without limitation includes:

i. residential bulk waste;

ii. white goods;

iii. oil tanks;

iv. liquid waste or material that has attained a fluid consistency and has not been drained.

v. 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 dust, ammunition, dynamite, or other similar material;

vi. material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other potentially infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;

vii. carcasses or parts of any animal except food waste;

viii. waste listed or characterized as hazardous by any federal or provincial law;

ix. sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;

x. Septic tank pumping, raw sewage or industrial sludge;

xi. Radioactive materials;

xii. Soil, rock, stumps, and trees greater than 1 inch in diameter;

xiii. Industrial waste material from factories or other manufacturing processes;

xiv. Manure, kennel waste, excreta, fish processing waste;
xv. Lead-acid automotive batteries and propane tanks;

xvi. Waste material which has not been placed for collection in accordance with the provisions of this By-Law; and

xvii. Materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials from eligible premises.

(cc) “Oil tanks” means residential oil tanks to a maximum size of 200 gallons.

(dd) “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.

(ee) “private road” is a road as defined by the CBRM draft municipal street or road standards bylaw.

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

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

(hh) “residential food waste” means fruit and vegetable peelings, table scraps, bread, grain, rice and pasta, egg shells, coffee grounds and filters, tea leaves and tea bags or other similar items suitable for composting in a backyard composter.

(ii) “residual disposal facility” means a facility for the disposal and containment of mixed waste.

(jj) “soiled and non-recyclable paper” means napkins, paper towels & fast food wrappers, wax paper, wrapping paper, paper plates and cups, soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.

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

(ll) “special incineratable waste” means waste which a business or agency requests to have incinerated because of a special characteristic of the waste. This includes but is not limited to such things as documents, police exhibits, and other wastes similar to mixed waste.
“transfer station” means a facility operated by or on behalf of the Municipality for unloading and consolidating waste or recyclables from vehicles for transport to another waste management facility in larger loads.

“treasurer” means the Director of Finance for the Municipality, the successor to this position or a person designated by the Director to act in his/her place.

“unbanned used tire” means a used tire which is not banned from disposal because of size requirements set by NSDEL.

“unlisted bungalow road” is an unlisted bungalow road as defined by the CBRM draft municipal street or road standards by-law.

“unlisted road” is an unlisted road as defined by the CBRM draft municipal street or road standards by-law.

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

“waste disposal fees” means per tonne fees, or per load fees, charged by the Municipality for the acceptance of waste, mixed waste, recyclable materials, and organic materials within the municipal waste disposal system.

“waste management facilities” means facilities for the management of mixed waste, recyclable materials, and organic materials operated within the Municipality, its contractors or its agents and includes, without limitation, the regional incinerator and landfill, materials recovery facility, source-separated composting facility(s), transfer stations(s) and construction and demolition recycling disposal facilities.

“white goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers, provided that any such item may be no more than 200 kilograms in weight.
3. **THE COUNCIL**

3.1. The council may by policy:

   (a) designate the hours of operation for waste management facilities owned and operated by the CBRM;

   (b) set rules for placement of mixed waste and of recyclable waste for municipal collection;

   (c) set collection frequency and times for municipal collection of mixed waste and of recyclable waste;

   (d) set minimum amounts of construction and demolition material to be recycled and/or set minimum amounts of construction and demolition material for which an alternative use is to be found;

   (e) set fees and charges for the depositing of materials by haulers and persons who transport waste materials for disposal at any waste management facility operated by the Municipality, its contractors or its agents.

4. **THE MANAGER**

4.1. The manager or his designate shall administer 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 collection 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) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities owned and operated by the CBRM in compliance with applicable provincial regulation and this by-law;

   (f) administer a system for collection of “bulk waste” and “white goods”, from eligible premises;

   (g) administer the household special waste system;

   (h) enter into agreements with businesses or agencies for the incineration of special incineratable wastes.
5. **THE PUBLIC**

5.1 The owner or occupier of an eligible premises shall:

(a) provide sufficient and adequate containers to contain waste generated at the eligible premises;

(b) Provide separate containers for mixed waste and for recyclable waste;

(c) ensure that each container is covered and secured at all times except when being emptied or filled.

(d) Store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pests or animals;

(e) ensure the proper preparation of all collectible waste in accordance with this By-Law;

(f) ensure that collectible waste is placed for collection in accordance with this By-Law; and

(g) ensure that collectible waste remains within adequate containers.

5.2 No owner or occupier of any eligible premises shall permit any waste to accumulate upon any premises so owned or occupied, and shall provide for the removal of all waste from the premises at times designated by Municipality.

6. **ELIGIBLE PREMISES**

6.1 Eligible premises include the following:

(a) single family dwellings including mobile homes;

(b) multi unit residential dwellings that constitute a unit in a duplex, row house or townhouse where every unit has street or road frontage;

(c) Multi unit apartment or condominium buildings. (limited to 5 bags per unit to a total 30 bags)

(d) fire halls;
7. **COLLECTIBLE MATERIAL – PREPARATION AND RESTRICTIONS**

7.1 No material 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 single family dwellings containing a small home based business or institution a maximum of five (5) mixed waste regulation containers.

(b) For eligible premises which are multi-unit apartment and condominium buildings a maximum of five (5) mixed waste regulation containers per unit per waste collection day to a maximum of 30 bags.

(c) Ashes or soot generated by eligible premises is not eligible for municipal collection, except ashes and soot that is completely cold, and double bagged in plastic disposable watertight bags, meeting the requirements section 8.2 (a). The bag must be securely tied and marked “ashes” or “soot”. This container is considered an eligible container as per section 7.1 (a), (b) or, (c);

(d) There shall be no limit to the amount of blue bags recyclables and fiber recyclables eligible for municipal collection from eligible premises.

(e) No person shall place for municipal collection any non-collectible waste.

8 **REGULATION CONTAINERS FOR MUNICIPAL COLLECTION**

8.1. The owner or occupant of each eligible premise 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 premise is responsible to gather waste material placed for collection that has escaped from its container.

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

(a) **Plastic bag specifications mixed waste. (Garbage Bags)**

   (i) bags must be watertight and securely tied with an overall length of between 0.5 meters and 1 meter when empty; ( Except Grocery Bags)

   (ii) bag weight not to exceed 12 kilograms including contents;
(iii) bags must have a thickness sufficient to prevent breakage, tearing or splitting upon collection.

(iv) bags are to be green, black, or beige in colour.

Note: The municipality will accept grocery bags for disposal of mixed waste only. The municipality encourages residents not to use these containers as they create inefficiencies in the waste collection system.

(b) Container specifications mixed waste: (Garbage Cans)

(i) 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.

(ii) the weight of the container including contents shall not exceed 24 kilograms, the height shall be not less than 46 and not more than 76 centimeters, and the diameter shall be between 38 and 51 centimeters;

(iii) containers shall be made of metal, plastic or other impermeable material of sufficient thickness to prevent breakage or splitting upon collection.

(iv) containers must be maintained in a neat and sanitary and waterproof condition and kept in good repair;

(c) Storage Containers

Outdoor, roadside boxes or bins are acceptable for storing containers or bags for mixed waste provided they meet the following specifications:

(i) a box or bin constructed of wood or other material suitable for storing containers or bags or mixed waste as long as the box or bin is rodent and animal proof;

(ii) boxes or bins must be affixed with a lid weighing not more than 5 kilograms;

(iii) boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair.

(iv) Where approved by the manager residents of eligible premises with mobility problems may place blue bag materials within their roadside box provided the manager approves this in writing.

(v) waste collectors will remove waste from storage containers located consistent with section 9.2, however, the municipality or collector is indemnified against damage to bins or containers resulting from collection activity
(d) **Recyclable materials regulation containers:**

(i) Blue bag recyclable containers must be placed in watertight transparent blue bag or clear transparent bag with a thickness sufficient to prevent breakage, tearing or splitting upon collection. These bags shall have an overall length of between 0.5 meters and 1 meter when empty. These bags shall be securely tied.

(ii) Blue bag recyclable fibre must be placed in watertight transparent blue bag or clear transparent bag with a thickness sufficient to prevent breakage, tearing or splitting upon collection. These bags shall have an overall length of between 0.5 meters and 1 meter when empty. These bags shall be securely tied.

(iii) Corrugated cardboard may be tied in bundles not greater than 0.65 meters $\times$ 1 meter $\times$ 0.20 meters (2 ft $\times$ 3ft $\times$ 8 in), or may be placed in the blue bag for fiber.

(iv) The weight of each bag, including contents, placed for recyclable materials collection must not exceed 12 kilograms;

**9. PLACEMENT OF MATERIALS**

9.1. Collectible waste shall be placed for municipal collection in accordance with this By-Law

9.2. Collection is at curbside only. All regulations containers must be placed at end of a driveway and/or at the edge of a property abutting the street, road or highway without obstructing the street, road or highway.

9.3. Recyclable materials must be placed for collection with approximately 1 meter spacing between these materials and mixed waste.

9.4. Owners or occupants of eligible premises on private roads, unlisted roads, unlisted bungalow roads and in trailer parks are eligible for curbside collection on these roads if the road is safely passable by a collection vehicle. If these roads are 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. Collection will commence at the following times on the collection days designated in the following areas of the municipality:

(i) 8:00 a.m. in all areas of the Municipality having daytime collection;

(ii) 12 midnight in all areas of the Municipality having overnight collection:

10.2. 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.
10.3. 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 recyclable material collection week applicable in that section of the Municipality.

10.4. Mixed waste collection containers must be removed from curbside by 9:00 p.m. the day of collection.

10.5. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.

10.6. Collectible waste must be placed for collection by the designated commencement time for collection in the area.

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

11. **HOUSEHOLD SPECIAL WASTE**

11.1. The Manager may designate the place and time, including the days and hours of operation and the materials eligible for the collection of household special waste in the Municipality. This includes the operation of a permanent household special waste database and a permanent household special waste depot.

11.2. Household special waste depots may only be used by residents of the Municipality for the proper disposal of household special waste originating within the Municipality.

11.3. All persons are prohibited from disposing of industrial, commercial and institutional waste at the permanent household special waste depot.

12. **LITTER**

12.1. No owner or occupier of any eligible premises shall permit the accumulation of litter in or around a premise.

12.2. The property owner or agent of an owner of an Industrial, Commercial, or Institutional Business shall maintain a written litter management plan which complies with the provisions of the Provincial Solid Waste Resource Regulations Section III – Litter Abatement.

12.3. The person or agent of a person who organizes or is responsible for a public event held in open spaces or in temporary shelters shall maintain a written litter management plan which complies with the provisions of the Provincial Solid Waste Resource Regulations Section III – Litter Abatement.
12.4. Any person; owner, or agent of an owner of an Industrial, Commercial, or Institutional Business; who maintains a litter management plan as per section 12.2, or 12.3 shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, take such actions as are necessary to comply with the litter management plan required as per section 12.2 and 12.3

12.5. Any person; owner, or agent of an owner of an Industrial, Commercial, or Institutional Business; who maintains a litter management plan as per section 12.2, or 12.3 shall, provide such plan to the manager within 1 business day of a written request.

13. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL WASTE

13.1. The property owner or agent of an owner of an Industrial, Commercial, or Institutional Business shall provide sufficient and adequate, containers for any waste that may accumulate from time to time in or from the business.

13.2. The property owner or agent of an owner of an Industrial, Commercial, or Institutional Business shall maintain a Waste Management plan. This plan must identify the solid waste generated and the method of recycling or disposal of the solid waste generated by the business. This plan must comply with the provisions of the Provincial Solid Waste Resource Regulations and this by-law. This plan must be provided to the manager within 1 business day following a written request.

13.3. The property owner or agent of an owner of an Industrial, Commercial, or Institutional Business which generate waste shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, remove and dispose or recycle such waste in accordance with the waste management plan of section 13.2

13.4. No owner or agent of an owner of a Industrial, Commercial, or Institutional Business shall permit the accumulation of waste in or around a premises to the extent that it is likely to become a nuisance or is likely to endanger the public health.

14. CONSTRUCTION AND DEMOLITION WASTE

14.1. The property owner or agent of an owner of a Industrial, Commercial, or Institutional Business or of an eligible premises undergoing construction and/or demolition activity shall provide sufficient and adequate, containers for any waste that may accumulate from time to time in or from the construction or demolition activity.

14.2. The property owner or agent of an owner of a Industrial, Commercial, or Institutional Business or of an eligible premise undergoing construction and/or demolition activity requiring a construction or demolition permit as per CBRM requirements shall develop a Waste Management plan for the project. This plan must identify the solid waste generated and the location of disposal or recycling of the solid waste generated by the project. This plan must comply with the provisions of the Provincial solid waste regulations and this by-law.
14.3. All wastes generated by a construction and/or demolition project must be recycled or must be disposed of in accordance with the waste management plan filed for the project.

15. CONSTRUCTION AND DEMOLITION WASTE DISPOSAL SITES

15.1. Construction and Demolition disposal sites must maximize the amount of material which is recycled and must maximize the amount of material for which an alternative use is found.

16. COMMERCIAL CONTAINERS

16.1. Any person who makes use of a commercial container for the storage of waste shall ensure that such commercial container:

(a) is sturdily constructed of weather-proof and animal proof material and is capable of containing the material deposited within;

(b) 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 or the container shall be kept in a locked compound.

(c) meets the performance requirements set out in the American National Standards Institute Z245.30-1999, Waste Containers --- Safety Requirements as updated and amended from time to time.

(d) is placed on a hard level surface and is loaded uniformly and has displayed the following message or similar: “CAUTION: DO NOT PLAY ON OR AROUND”;

(e) has displayed thereon the name and telephone number of the owner of the container.

(f) has displayed thereon one of the signs in schedule 2 or a sign of similar wording, as approved by the Manager, detailing the materials for which the container is intended;

(g) has only those materials for which the container is intended deposited therein;

(h) 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.);

(i) 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.

(j) 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.

(k) where possible, any such container is kept behind or beside the building which it serves;
(l) any such container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem.

(m) keep the area surrounding any such container free from litter and waste

16.2. 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.

16.3. A commercial container placed on a premise for a temporary period of time does not require a permanent lid except where the container is for materials for incineration and requiring sign 1 as per schedule 2. All containers of waste for incineration must be provided with a tightly fitting lid. The owner of the premises must ensure that no waste or litter escapes from the container.

16.4. The owner of any commercial container shall keep such container clean and in good condition.

16.5. No person shall place a commercial container on any public street within the Municipality without the written permission of the municipality.

16.6. The owner of any industrial, commercial or institutional premises may make use of aerated organics containers specifically designed and approved for the storage collection of source-separatored organics from industrial, commercial or institutional premises provided the owner complies with the other applicable requirements of this Section 16.1.

16.7. No person shall place waste in any commercial container without permission of the owner of the container.

16.8. The one month time limit in 16.2 above can be extended with permission of the Manager.

17. VEHICLES CARRYING WASTE

17.1. 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.

17.2. Persons who collect, transport and dispose of waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall be responsible to ensure all wastes are delivered to approved waste management facilities and in compliance with the policies and procedures set out by the operators of the waste management facility, this bylaw and with provincial regulations.
17.3. Every vehicle used for the collection and transportation of waste, organic materials, ICI waste, mixed waste, organic materials, and recyclable materials shall have a tailgate or other restraining device and shall be completely 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.

17.4. 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.

17.5. All vehicles or containers used for the transportation of waste materials, ICI waste, mixed waste, recyclable, and organic materials shall be kept in a sanitary condition.

17.6. The manager may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this By-Law.

18. PROHIBITIONS

18.1. No person shall pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection.

18.2. The prohibitions in Section 19.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

19. WASTE DISPOSAL FEE STRUCTURE

19.1. 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 to time by Council by policy.

19.2. 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.

19.3. Waste disposal fees are effective April 1st, 2004.

20. Haulers

20.1. Haulers shall have all vehicles registered with the municipality.

20.2. The following provisions apply to haulers using the Municipality’s waste management facilities:
(a) Haulers using the Municipality’s waste management facilities shall pre-register identifying information 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 centimeters 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.

21. FEE PAYMENT:

21.1. The following applies to the payment of fees:

(a) At Cape Breton Regional Municipality waste management facilities haulers 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) to (iii) below:

(i) Where only one scale is in operation and the tare 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 in schedule 1.

(ii) 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 in schedule 1.

(iii) Where both scales are not functioning the hauler will be charged according to the fee prescribed in schedule 1.

22.2. The following provisions apply to haulers who have been granted credit privileges at any waste management facility operated by the Municipality, its contractors or it agents:

(a) 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.
(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 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.

22.3. Haulers who have not been granted credit privileges at any waste management facility operated by the Municipality, its contractors or its agents shall pay by credit card or by debit card.

22.4. Infrequent users of these facilities hauling materials shall pay by credit card or by debit card.

23. PENALTIES

23.1. 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 more than $10,000.00 or imprisonment of not more than 1 year. Each day that a person commits an offence under this By-Law constitutes a separate offence.

23.2. 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 $150.00 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.

24. REPEAL

24.1. The following are hereby repealed:

Cape Breton Regional Municipality Garbage Collection By-Law.


Publication Date: July 12, 2003
Amendments:
November 15, 2005 (published Nov. 19, 2005)
June 20, 2006 (published June 27, 2006)
<table>
<thead>
<tr>
<th>PRODUCT</th>
<th>TIPPING FEE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Residual Mixed Waste - RMW)</td>
<td>ICI sector = $80.00/tonne over 80 Kg</td>
<td>Residual mixed waste - RMW (Garbage) tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. Quantities of RMW 80 Kg or less per daily visit will not be charged.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>C&amp;D Unsorted (Construction &amp; Demolition)</td>
<td>ICI sector = $80.00/tonne over 80 Kg</td>
<td>Construction and Demolition (C&amp;D) waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. Quantities of C&amp;D waste 80 Kg or less per daily visit will not be charged.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>C&amp;D Sorted (Construction &amp; Demolition)</td>
<td>ICI sector = $40.00/tonne over 80 Kg</td>
<td>Construction and Demolition (C&amp;D) waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. Quantities of C&amp;D waste 80 Kg or less per daily visit will not be charged.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Contaminated Soil</td>
<td>ICI sector = $30.00/tonne</td>
<td>Contaminated soil waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Scrap Metal</td>
<td>ICI sector = $30.00/tonne</td>
<td>Scrap Metal waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. Quantities of Scrap Metal waste 80 Kg or less per daily visit will not be charged.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Organics</td>
<td>ICI sector = $50.00/tonne</td>
<td>Organics waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. * effective date to be determined</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Organics - Unsorted/Contaminated</td>
<td>ICI sector = $75.00/tonne</td>
<td>Unsorted or Contaminated Organics waste tip fee will be charged to the ICI (Institutional/Commercial/Industrial) sectors only. * effective date to be determined</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Freon Items</td>
<td>ICI sector = $10.00/item</td>
<td>Freon Item waste (fridges/freezers/Dehumidifiers etc) tip fee will be charged by the per item disposed.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>PRODUCT</td>
<td>TIPPING FEE</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Asbestos</td>
<td>ICI sector = Friable $30.00/regulation bag - minimum charge = $500.00</td>
<td>Prior notice and approval is required before material arrival. Phone Waste Management Facility site 563-5590.</td>
</tr>
<tr>
<td></td>
<td>Non-Friable $80.00/tonne</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Biomedical Waste</td>
<td>ICI sector = minimum charge = $15.00, $3.00/Kg up to 100 Kg, $1.50 per Kg over 100 Kg, NSDept of Health as per contract</td>
<td>Prior notice is required before material arrival. Phone Waste Management Facility site 563-5590.</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
<tr>
<td>Leaf &amp; Yard Waste</td>
<td>ICI sector = no charge</td>
<td>No charge for Leaf &amp; Yard Waste</td>
</tr>
<tr>
<td></td>
<td>Residential - no charge</td>
<td></td>
</tr>
</tbody>
</table>

**Weights:** Normally the net weight to be charged will be the weight on the inbound scale less the weight on the outbound scale. Should the outbound scale not be working, the weight to be charged will be the weight upon entering the facility less the recorded tare weight of the vehicle. Should both scales be inoperative the tip fee charges will be on a per load basis for which fees apply as follows: (1/2 ton truck or small trailer = $25.00; Single Axle = $50.00; Tandem truck = $75.00; Tractor trailer = $100.00) This per load fee does not apply to biomedical waste or asbestos waste where the charge will as per the waste manifest weight.
**Schedule 2.**

**Signage requirements for commercial waste containers.**

All commercial containers must have one of the following signs affixed or a sign of similar wording as approved by the Manager and which details the materials which can be placed in the container.

**Sign 1.**

<table>
<thead>
<tr>
<th>Materials for Incineration Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Mixed Waste</em> <em>Plastic Appliances</em> <em>Small Electronic Devices</em> <em>VCR’s</em> <em>TV’s</em> <em>Small Wooden Furniture</em> <em>Pressed Wood Furniture</em> <em>Clothing</em> <em>Toys</em> <em>Pallets</em></td>
</tr>
</tbody>
</table>

**Sign 2.**

<table>
<thead>
<tr>
<th>Metals Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Barbecues</em> <em>Bicycles</em> * Appliances* <em>Oil Tanks</em></td>
</tr>
<tr>
<td><em>Refrigerators with freon removed and CFC free sticker in place</em></td>
</tr>
</tbody>
</table>

**Sign 3.**

<table>
<thead>
<tr>
<th>Landfill Material Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Gyproc</em> <em>Asphalt Shingles</em> <em>Tarpaper</em> <em>Insulation</em> <em>Carpet &amp; Underlay</em> <em>Construction &amp; Demolition Materials</em> <em>Wooden furniture</em> <em>Wood steps</em> <em>Plywood</em> <em>Lumber</em> <em>Lattice</em> <em>Wood fencing</em></td>
</tr>
<tr>
<td><em>Tree Limbs larger than 2 inches</em></td>
</tr>
</tbody>
</table>

**Sign 4.**

<table>
<thead>
<tr>
<th>Wood waste Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Wooden furniture</em> <em>Wood steps</em></td>
</tr>
<tr>
<td><em>Plywood</em> <em>Lumber</em> <em>Lattice</em> <em>Wood fencing</em></td>
</tr>
<tr>
<td><em>Tree Limbs larger than 2 inches</em></td>
</tr>
</tbody>
</table>

**Sign 5.**

<table>
<thead>
<tr>
<th>Recyclable Blue Bag Materials Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>* glass bottles and jars* <em>aluminum, steel and tin cans</em> <em>high density polyethylene</em> <em>low density polyethylene</em> <em>polyethylene terephthalate plastic bottles</em> <em>containers and bags</em> <em>milk and juice cartons</em></td>
</tr>
<tr>
<td><em>beer and liquor containers</em> <em>tetra packs and mini-sip containers</em></td>
</tr>
</tbody>
</table>

**Sign 6.**

<table>
<thead>
<tr>
<th>Recyclable Fibers Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>mixed paper</em> <em>corrugated cardboard</em> <em>box board</em> <em>newsprint</em> <em>magazines</em> <em>catalogues</em> <em>flyers</em> <em>telephone and other soft cover books</em></td>
</tr>
<tr>
<td><em>egg cartons</em> <em>other similar items</em></td>
</tr>
</tbody>
</table>

**Sign 7.**

| International Waste Only |