



**MUNICIPALITY OF EAST HANTS  
BYLAW NUMBER IO-400-2, AN AMENDMENT TO BYLAW NUMBER IO-400,  
SOLID WASTE RESOURCE COLLECTION AND DISPOSAL BYLAW**

**WHEREAS** Section 325 of the Municipal Government Act provides that a Municipality may pass Bylaws respecting solid waste, within the Municipality of East Hants.

**BE IT ENACTED** by the Council of the Municipality of East Hants, as follows:

**1. SHORT TITLE**

1.1. This bylaw shall be known as the Solid Waste Resource and Disposal Bylaw.

**2. DEFINITIONS**

- (a) Acceptable Waste means items that will be accepted at the East Hants Waste Management Centre, and includes, but is not limited to organics, recyclables, source-separated waste, construction and demolition waste (C&D), tires, paint and propane tanks. In order to be acceptable, these items must be placed in the designated area at the waste management centre.
- (b) Administrator means a person appointed by the Chief Administrative Officer to administer this bylaw, or a person appointed by the Administrator as his/her designate;
- (c) Eligible Premises means those properties within the Municipality which are eligible for municipal collection as defined in Section 5.1 of this Bylaw
- (d) Collectible Waste means material 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, source-separated solid waste, recyclable materials, and organic materials
- (e) Non-Collectible Waste means all material other than collectible waste and without limitation includes:





- i. transient waste;
- ii. liquid waste or material that has attained a fluid consistency and has not been drained;
- iii. 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 sawdust, ammunition, dynamite, or other similar material;
- iv. material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
- v. trade waste;
- vi. carcasses or parts of any animal except food waste;
- vii. waste listed or characterized as hazardous by any federal or provincial law;
- viii. items that are too large for collection such as auto bodies, machine parts, etc. as determined by the Administrator;
- ix. septic tank pumpings, raw sewage or industrial sludge;
- x. radioactive materials;
- xi. soil, rock and stumps;
- xii. waste material resulting from construction, demolition or





renovation activities including planking, siding, bricks, masonry, wood, beams and gyprock left by any contractor or property owner except as permitted herein for special collections or as designated from time to time by the Administrator;

- xiii. industrial waste material from factories or other manufacturing processes;
- xiv. manure, kennel waste, excreta, fish processing waste;
- xv. waste material from commercial containers;
- xvi. lead-acid automotive batteries and propane tanks;
- xvii. waste material which has not been placed for collection in accordance with the provisions the *Solid Waste Management Policy* (Administrative Policy); and
- xviii. materials banned from landfill disposal by provincial regulation unless such materials are recyclable materials or organic materials from eligible premises.
- xix. mixed waste

(f) Organic Materials means food waste, leaf and yard waste, 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 Solid Waste Management Policy (Administrative Policy)

(g) Recyclables Materials fibre recyclables, container recyclables and other materials of a recyclable nature

(h) Source-Separate Solid Waste means and includes all collectible waste other than that





which is collected as recyclable materials or organic materials including:

- (i) broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, 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) bulky items;
  - (iv) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked "ashes" or "soot";
  - (v) other items not specifically designated as source separated waste except as excluded by this bylaw
- (i) Industrial, Commercial and Institutional or "ICI waste" means material of produced by a business, institution or industry source
- (j) Commercial Containers means any container used for the storage of waste materials on properties located in the Municipality to be collected by a commercial hauler
- (k) Waste Management Centre or "WMC" means the waste management facility or waste management site located at 1306 Georgefield Road in Hants County
- (l) Regulation Containers means a waste regulation container; an organic materials regulation container or a recyclable materials regulation container
- (m) Provincial Disposal Bans or "Bans" means materials banned from disposal in landfills and





incinerators under the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia as updated and amended from time to time

- (n) Waste Services & Compliance Officer means an officer of the Municipality responsible for the compliance, promotion and enforcement of the Solid Waste Resource Collection and Disposal Bylaw;
- (o) Waste means, unless specified, all streams of end waste, including garbage, recyclables, organics, construction, and other materials as designated by the Administrator from time to time.
- (p) Solid Waste Management Policy (Administrative Policy) means the municipal policy that outlines operational requirements for all municipal solid waste management services;
- (q) Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia or “Regulations” means the provincial regulations that stipulate all components of solid waste management in Nova Scotia including but not limited to landfill bans, approved facility activities.

### 3. ADMINISTRATION

- 3.1 The Administrator shall ensure enforcement of the provisions of this bylaw and, for this purpose, may provide any further direction required from time to time in order to implement this bylaw.
- 3.2 The Administrator shall ensure alignment of this bylaw and any related solid waste policies (Council or Administrative).
- 3.3 The Administrator shall ensure alignment of this bylaw and any related solid waste policies (Council or Administrative) with the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia.





### 4. ELIGIBLE PREMISES

4.1 Municipal collection services shall be provided only to Eligible Premises as defined by this Bylaw. Eligible premises include the following occupied dwellings, buildings and types of premises, when they have been granted an occupancy permit by the Municipality:

- (a) single family dwellings, including mobile homes;
- (b) multi-unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;
- (c) multi-unit apartment or condominium buildings;
- (d) any premises generating ICI waste;
- (e) any school, where the premises are not subject to the per dwelling taxation charge, but are considered residential waste in nature. In these situations, the facility may opt for curbside collection services from the Municipality, where a separate schedule of fees will be applicable.
- (f) any municipally owned and occupied buildings such as municipal offices, municipal recreation facilities, municipal operational facilities, etc.
- (g) any community group facility, where physical premises are occupied for the purpose of supporting community activities. These premises will receive the same level of services as ICI premises for the purpose of this bylaw and the Solid Waste Management Policy (Administrative Policy).

4.2 Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties for municipal collection.

4.3 Notwithstanding the provisions of section 4.1 of this bylaw, where a property of the type listed in clauses (a) to (g) of subsection 4.1 does not qualify as eligible premises





solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at curbside for municipal collection as specified in accordance with this bylaw as approved by the Administrator.

- 4.4 No person shall place waste for municipal collection from a premises that is not an Eligible Premises.

### 5. RESIDENTIAL GENERAL OBLIGATIONS OF OWNERS AND OCCUPANTS

- 5.1 Every owner or occupant of an Eligible Premises shall:
- (a) source-separate all waste generated at the premises in accordance with both the Regulations and Solid Waste Management Policy (Administrative Policy);
  - (b) place only Collectible Waste for municipal collection;
  - (c) use only Regulation Containers approved by the Municipality under the Solid Waste Management Policy (Administrative Policy);
  - (d) ensure containers are maintained in sanitary condition and secured;
  - (e) comply with placement and timing requirements established under the Solid Waste Management Policy (Administrative Policy);
  - (f) remove uncollected materials from curbside as established under the Solid Waste Management Policy (Administrative Policy).
- 5.2 In the case of multi-residential properties, in addition to section 5.1, the owner or their designated property manager shall:
- (a) provide a minimum level of service for tenants that includes garbage (including furniture), recycling and organics;





(b) ensure they have a waste management plan specific to the property which will include:

(i) confirmation of collection system services for the building, including but not limited to, service provider, materials provided for collection, alternative directions provided to tenants for materials otherwise not provided;

(ii) outline of all regulation containers, based on specific material generation per property, to maintain compliance of the Regulations and this bylaw;

(ii) schedule of waste collection at a minimum bi-weekly for any non-collectible waste, including name and contact information of provider;

(iii) a contingency plan should bi-weekly collection be insufficient;

(iv) outline and setup to provide adequate space for source-separated waste containers;

(a) placement is to be behind or to the side of the property.

(b) where necessary or directed by the Municipality the property owner will construct a privacy fence, gate or other agreed upon option to reduce visibility of the collection containers.

(c) ensure all containers are clearly signed or labeled and accessible to all tenants.

(d) where necessary or directed by the Municipality have a pest control management system in place.

(e) ensure any accumulation of waste, litter or non-collectible materials are removed through a bi-weekly inspection and collection system.





(vii) schedule to provide educational material to tenants to ensure proper sorting;

(viii) ensure any accumulation of waste, litter, or other such matters around the property, including but not limited to collection areas, entrances, are mitigated through bi-weekly property inspections and clean-up as needed.

5.3 In the case of private roads/driveways, in addition to section 5.1, the owner of the road or registered road association or their designate, shall

(a) be responsible to remove uncollected materials from curbside as established under the Solid Waste Management Policy (Administrative Policy), should no identification be found for an individual property owner.

(b) ensure any accumulation of waste, litter, or other such matters are mitigated at shared collection points on the road/end of road through bi-weekly property inspections and clean-up as needed.

## 6. COLLECTION LIMITS

6.1 No eligible premise shall exceed the collection limits set out in the Solid Waste Management Policy (Administrative Policy)

## 7. REGULATION CONTAINERS

7.1 All Collectible Waste shall be placed in Regulation Containers set out in the Solid Waste Management Policy (Administrative Policy);

7.2 Regulation Containers shall:

(a) be watertight;

(b) be capable of being securely closed;

(c) not exceed maximum weight limits prescribed in the Solid Waste Management Policy (Administrative Policy);

(d) prevent the escape of waste into the environment.

7.3 No property shall:

(a) use a damaged or unsafe container;





- (b) restrict the opening an organics cart or other collection container on collection day;
- (c) place loose waste for collection;
- (d) place waste in an unsafe location that could cause harm or injury to pedestrians or motorists, directly or indirectly.

7.4 Outdoor, roadside boxes or bins are acceptable for storing containers or bags for solid waste provided they meet specifications outlined in the Solid Waste Management Policy (Administrative Policy).

### 8. PLACEMENT AND TIMING

Waste shall be placed at curbside in accordance with the Solid Waste Management Policy (Administrative Policy), and the following requirements:

- 8.1 No material is permitted to be placed out for collection earlier than 7:00 p.m. on the day preceding collection;
- 8.3 All materials shall be placed within 3 metres of the curb directly in front of the premises from which they originated;
- 8.4 All containers shall be removed from curbside by 6:00 p.m. on the day of collection, unless otherwise instructed by the Municipality;
- 8.5 No property is to obstruct a roadway or sidewalk with waste materials.

### 9. NON-COLLECTIBLE WASTE

- 9.1 No property shall place Non-Collectible Waste for municipal collection.
- 9.2 Construction, demolition, and renovation waste is not eligible for municipal collection except with written approval of the Administrator.

### 10. INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL WASTE

- 10.1 Every Industrial, Commercial and Institutional Premises shall





- (a) source-separate all waste generated at the premises in accordance with both the Regulations and Solid Waste Management Policy (Administrative Policy);
- (b) in the case of municipal collection services, refer to requirements under the Solid Waste Management Policy (Administrative Policy);
- (c) remove uncollected materials from property required.
- (d) Provide for a minimum level of service per premise that includes garbage, recycling and organics;

10.2 Every Industrial, Commercial and Institutional Premises shall ensure they have a waste management plan specific to their operation, to include:

- (a) confirmation of collection system services for the building, including but not limited to, service provider, materials provided for collection, alternative directions provided to the premise users for materials otherwise not provided;
- (b) outline of all regulation containers, based on specific material generation per property, to maintain compliance of the Regulations and this bylaw;
- (c) schedule of waste collection at a minimum bi-weekly for any non-collectible waste, including name and contact information of provider;
- (d) a contingency plan should bi-weekly collection be insufficient;
- (e) outline and setup to provide adequate space for source-separated waste containers;
  - a. placement is to be behind or to the side of the property.
  - b. where necessary or directed by the Municipality the property owner will construct a privacy fence, gate or other agreed upon option to reduce visibility of the collection containers.
  - c. ensure all containers are clearly signed or labeled and accessible to all tenants.





- d. where necessary or directed by the Municipality have a pest control management system in place.
- e. ensure any accumulation of waste, litter or non-collectible materials are removed through a bi-weekly inspection and collection system.
- (f) schedule to provide educational material to those working on the premises to ensure proper sorting;
- (g) ensure any accumulation of waste, litter, or other such matters around the property, including but not limited to collection areas, entrances, are mitigated through bi-weekly property inspections and clean-up as needed.

### 11. COMMERCIAL CONTAINERS

- 11.1 Every Commercial Container shall:
  - (a) be weatherproof and animal-proof;
  - (b) be equipped with a tight-fitting lid;
  - (c) be maintained in sanitary condition;
  - (d) display appropriate waste stream signage;
  - (e) prevent litter escape;
  - (f) include the commercial waste hauling company name.
- 11.2 No person shall place waste in a Commercial Container without permission of its owner.
- 11.3 No person shall place a Commercial Container on a public street without written municipal approval.

### 12. WASTE MANAGEMENT CENTRE

- 12.1 Only Acceptable Waste may be deposited at the Waste Management Centre, as per Regulations and the Solid Waste Management Policy (Administrative Policy)
- 12.2 Only waste generated within the boundaries of the Municipality of East Hants are approved for disposal at the facility, unless authorized by Council.





- 12.3 All waste must be sorted and deposited in designated areas.
- 12.4 The Municipality reserves the right to refuse, charge additional fees, or require on-site sorting of non-compliant waste, as per the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia, and its approval to operate.

### 13. TRANSPORTATION OF WASTE

13.1 The following provisions apply to vehicles carrying waste materials:

- (a) The following provisions apply to vehicle registration for haulers using the East Hants Waste
  - (i) Haulers (other than those users of cars, station wagons, mini-vans, sport utility vehicles and one quarter ton trucks, or other such vehicles not being used in a commercial enterprise activity) using the Municipality's waste management facilities shall pre-register identifying information and the tare weight 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);
  - (ii) Haulers who wish to be granted credit privileges with the Municipality must apply for an account with the Municipality.
- (b) Vehicles used to collect, transport and dispose of waste materials shall;
  - (i) be transported in a manner that prevents spillage;
  - (ii) do so in a sanitary manner;
  - (iii) transport any fluid matter in watertight containers having tight-fitting covers;
  - (iv) transport and dispose of all such waste on the same day as collected except in circumstances such as poor weather conditions, unforeseen equipment breakdowns, facility closures, etc., where delays shall be





minimized and disposal shall occur as soon as reasonably possible;

(iv) hose down vehicles as required and keep in a sanitary condition;

(v) shall included a tailgate or other restraining device and shall be closed or equipped with a tarpaulin to ensure no waste materials escape during transportation.

13.2 The Administrator, or their designate, may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this bylaw.

#### 14. PROHIBITIONS

14.1 No person shall:

- (a) pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection, this includes scavenging;
- (b) collect waste set out for municipal collection unless authorized;
- (c) remove municipal containers;
- (d) deposit waste anywhere other than an approved facility;
- (e) place waste from outside the Municipality for municipal collection;
- (f) export waste generated within the Municipality except in accordance with written municipal authorization.

14.2 The prohibitions in Section 14.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

14.3 No person shall export or remove waste material generated within the Municipality outside the boundaries of the Municipality and all such waste shall be disposed of within the boundaries of the Municipality in accordance with this bylaw. The exception to this is waste that is not acceptable at the East Hants Waste Management Centre.

14.4 Notwithstanding subsection 14.3, source-separated organics and recyclables may be exported provided there is prior written consent by the Administrator and all weights of these materials are provided upon request to the Administrator within 60 days.





- 14.5 Notwithstanding subsection 14.3, the Municipality may export waste materials to licensed disposal facilities outside the boundaries of the Municipality.
- 14.6 No person shall deposit, or cause to be deposited waste in any place in the Municipality other than at the East Hants Waste Management Centre except as herein provided.
- 14.7 Notwithstanding subsection 14.6, ENVIRO-DEPOTS™ and provincially approved stewardship programs, are eligible to receive their specific waste diversion program materials.

### 15. ILLEGAL DUMPING

- 15.1 No one shall dispose of waste except in accordance with this bylaw Proof that waste that was deposited or placed somewhere in contravention of this bylaw originated from a particular person shall be proof that the person so deposited or placed it, or caused or permitted it to be so deposited or placed, in the absence of evidence to the contrary.
- 15.2 Inert material, as defined in section 2 is not a material included under illegal dumping.
- 15.3 Litter, as defined in section 2 is not considered illegal dumping.
- 15.4 Where waste is found and identifiable to a person, that evidence may be relied upon in enforcement proceedings.

### 16. SUSPENSION OF SERVICES

- 16.1 The Administrator may suspend collection services where persistent non-compliance or unsafe conditions exist.
- 16.2 The Administrator may suspend access to services at the Waste Management Centre where persistent non-compliance or unsafe conditions exist.
- 16.3 The Administrator may suspend access to charge accounts for commercial users at the Waste Management Centre in the case of non-payment.

### 17. FEES





- 17.1 The Municipality may charge tipping fees for waste disposal at facilities. Fees shall be established by Council resolution or policy.
- 17.2 The Municipality may charge dwelling unit fees for curbside waste collection. Fees shall be established by Council resolution or policy.

### 18. OFFENCES AND PENALTIES

- 18.1 Any person who contravenes any section of this Bylaw commits an offence.
- 18.2 Every day that a contravention continues constitutes a separate offence.
- 18.3 Summary Offence Tickets may be issued, as per provincial fee schedule.
- 18.4 The Court may order recovery of remediation costs.
- 18.5 The Administrator may issue written compliance orders requiring remedy within a specified time.
- 18.6 Obstructing or hindering any person in performance of duties under this Bylaw.
- 18.7 Placing or causing to be placed for municipal collection collectible waste before 7:00 p.m. the day before scheduled collection.
- 18.8 Permitting empty or rejected materials to remain at collection spot after 6:00 p.m. of day the day of scheduled collection.
- 18.9 Placing or causing to be placed for municipal collection non-collectible materials.
- 18.10 Placing or causing to be placed for municipal collection materials that are not packaged, bundled or boxed allowing for the escape of materials.
- 18.11 Disposing, causing, or permitting disposal of solid waste at location or manner that is nuisance or in contravention of this bylaw.
- 18.12 Owner or occupant of a premises failing to store collectible waste in containers inaccessible to pests, rodents, vermin, seagulls and animals.





### 19. REPEAL AND REPLACE

The previous version, and all other versions of the Solid Waste Resource and Disposal Bylaw, are repealed and replaced by this bylaw

#### Certification

I, Kim Ramsay, Municipal Clerk of the Municipality of East Hants, hereby certify that the above noted bylaw was passed at a meeting of the East Hants Municipal Council on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Kim Ramsay  
Municipal Clerk

| Bylaw Adoption                          |                  |
|---|------------------|
| First Reading:                          | <Month/Day/Year> |
| Website and Social Media Notifications: | <Month/Day/Year> |
| Formal Notice of Publication:           | <Month/Day/Year> |
| Second Reading:                         | <Month/Day/Year> |
| Website and Social Media Notifications: | <Month/Day/Year> |
| Formal Final Publication and Enactment: | <Month/Day/Year> |





### Bylaw Adoption

Enacted Bylaw posted to website:

<Month/Day/Year>

Notice to the Province of Nova Scotia:

<Month/Day/Year>

| Version Number | Amendment Description                      | Council Approval Date |
|----------------|--|-----------------------|
| <XX.XX>        | <Summary of the amendment(s) to the Bylaw> | <Month/Day/Year>      |
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