



**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input checked="" type="checkbox"/>	Recommendation	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input checked="" type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** Todd Richard, Director of Public Works

**Date:** November 12, 2024

**Subject:** Municipal Funded Solid Waste Collection and Transportation Services for Private Roads

**LEGISLATIVE AUTHORITY**

Municipal Government Act, Section 65 (q) collecting, removing, managing and disposing of solid waste; authorizes Council to expend funds for municipal purposes.

**RECOMMENDATION or DECISION REQUEST**

After consideration of the information presented in this report Council may consider the following motion:

It is recommended for Committee of the Whole recommend that:

***Council to approve; the new Private Roads Solid Waste Curbside Collection Policy and approves the additional annual operational expenses needed to fund the increase in current service level for applicable curbside collection of solid waste collection on private roads that qualify as per the attached policy.***

**BACKGROUND**

Property <input checked="" type="checkbox"/>	Public Opinion <input checked="" type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input checked="" type="checkbox"/>
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On March 15, 2017, Council approved the motion to award a contract to Royal Environmental Inc. (Regroup) and subcontracted by Green for Life (GFL) Environmental, for the Provision of

Services for Collection and Transportation of Waste for West Hants for the period of April 1, 2018, to March 31, 2023. The contract has since been extended to March 31, 2025.

Bi-weekly waste collection consists of garbage one week and recyclables and organics the following week. Collection occurs on highways plowed and maintained by the Department of Transportation or the Municipality. Waste from private roads is collected from a common collection point where the private road meets the public road/highway.

The larger private road developments of Chateau Village, Falls Lake West and Falls Lake Resort in Vaughan, receive weekly garbage collection from a front load bin (dumpster) currently located on private property with the collection location by mutual agreement between the contractor and the Property Owners' Association. Chalet Hamlet bins are located where their private road meets Highway 14.

The decision to move to a front load bin service for these larger developments was a decision between the contractor and the property owners' associations and occurred during the 2012 to 2017 waste collection contract. Challenges were experienced as each development used a shed(s) to store garbage at the common collection point.

Removing garbage from the shed(s) presented safety risks to the workers as sharp objects were mixed with bags, and bags often fell from the shed as the buildings were full to capacity. Much time was required to safely remove material. As a result, the contractor (GFL Environmental) suggested providing front-load collection bins (dumpsters) to eliminate handling the garbage and thereby reduce the risk to workers. The bins would be serviced weekly by their commercial collection vehicle at no additional cost to the municipality, apart from tipping fees associated with disposal. Recyclables collection would remain unchanged and occur bi-weekly from the designated shed.

GFL Environmental met with each of the Property Owners' Associations to discuss the change to front-load bins and agree upon a location for the bins. Convenience and safety factors were considered. Three of the parties agreed to placing the bins on private property, away from the intersection of their private road and the public road/highway and travelling on the private road to access the bins. Chalet Hamlet desired to switch to the front-load bins but were not able to find an alternate location. Bins were installed at the common collection point at Highway 14.

It is important to note that the municipality did not instruct GFL to install commercial containers, increase frequency, nor to travel on private roads. The arrangement was agreed upon between the parties.

In February of 2023, WHRM staff received a letter addressed to Council from property owners on Destination Way, Cozy Crescent and Moonshadow Run in Vaughan (See Appendix A). Nine property owners signed a petition to request curbside waste collection services; stating that a health and safety risk was posed by bags being in the open at the shared collection point at the intersection of Destination Way and New Ross Rd. They are also concerned a risk is posed with wildlife and vehicle interaction at the communal location.

March 28, 2023 Council Meeting: Moved by Councillor Francis and Deputy Mayor P. Morton that staff prepare a report on the waste collection request for Destination Way, Cozy Crescent and Moonshadow Run including information on private road collection and what that may look like going into the future. Motion carried.

Public Works was tasked with providing an information report on the request, including private road collection and what this could look like in the future (See Appendix B). Staff suggested that a private road collection policy be prepared for the entire WHRM region along with estimated increase in service delivery costs in the report to be brought back to council for direction on adding private road collection or remain with the current service delivery.

### **Municipal-funded Solid Waste Collection – Current Day**

On June 11, 2024, PW issued an RFP for Waste Collection and Transportation Services for the period of April 1, 2025 to March 31, 2030 (including the pricing for 3 additional optional years to March 31, 2033). Council approved the motion to award GFL, for the Provision of Services for Collection and Transportation of Waste for the period of April 1, 2025 to March 31, 2030.

Additionally, on September 26, 2024, Council completed the first reading of the revised West Hants Regional Municipality Solid Waste Bylaw, which was approved with the addition of the approved language to ensure the Bylaw reflects the Municipality's ability to collect solid waste on private roads (See Appendix C). As a result, a Private Road Curbside Waste Collection Policy was also created (See Appendix D).

Although the new contract does not include the collection of waste from private roads, they do include the pickup of waste located adjacent to private roads, along the public road or highway. This aligned with Section 23 of the preceding West Hants Solid Waste Bylaw, which states "*The Municipality, its servants, agents or independent contractors, shall provide collection services to*

*all households within the Municipality located on highways plowed by the Department of Transportation or the Municipality in accordance with a schedule approved by the Municipality from time to time”.*

The revised WHRM Bylaw now states, in Section 3, Definition 41, *“private roads” means roads, including privately owned roads or roads not maintained by the government owner, where the Municipality’s collection contractor does not travel down the road and provide curbside collection services. The Municipality may consider curbside collection on a private road if the private road meets the requirements as outlined in the WHRM Private Road Waste Collection Policy. For private roads not approved, they will receive all eligible collection limits at the nearest public road, as outlined in Section 12 of this Bylaw.”* Allowing the possibility for curbside collection on private roads that meet certain criteria.

## **DISCUSSION**

### **Private Road Considerations**

#### *Municipal Planning Strategy*

As previously stated in the Report to Council, dated May 4, 2023, the Municipality has a Municipal Planning Strategy (MPS) in place. This policy document of Council is enabled by the Municipal Government Act (MGA) which in Section 217(1) states: *“a municipality shall not act in a manner that is inconsistent with a municipal planning strategy”.*

The MPS contains policies regarding private roads, including MPS Policy 9.1.9, which reads *“It shall be the policy of Council that, except for emergency protective services, municipal services such as school busing, snow plowing, garbage collection and any other service normally included within the general or a special area assessment rate shall not be provided to developments which are located on a private road”.*

As per the MGA, the Council shall not be inconsistent with policies within the MPS. The Municipal Planning Strategy, which clearly states Council’s intention not to service private roads, would require an amendment before Council could consider providing collection services of solid waste on private roads within WHRM. Alterations to existing development agreements would also be required.

#### *Liability*

There is liability with the current system being used; unsupervised collection areas pose a risk of litter/unsightly premises, Household Hazardous Waste dropped off (used oil, propane cylinders), wildlife or potential injury with a resident using the front load bins.

If curbside collection were to commence on private roads, there is a possibility that damage to the road would occur. WHRM and the collection contractor would not assume responsibility for those damages. However, that could cause issues with residents living on those roads.

**Private Road Assessment**

During the summer of 2024, PW staff reassessed all private roads determining which private roads would potentially meet the criteria (i.e. road restrictions, turning limitations, road width/slope and variable road conditions) for curbside collection with using the Rear End Packer truck that GFL has now. It was determined, out of the 146 private roads in WHRM, 21 would be eligible for curbside collection. These 21 private roads contain roughly 338 units (See Appendix E). ***NOTE: Some of the private roads that were deemed “Suitable” for curbside collection, are off roads that were deemed “Not Suitable” for curbside collection. This would make it difficult to service all private roads that are considered “Suitable” for curbside collection.***

In September 2024, PW staff contacted GFL to obtain an estimate of the cost for providing curbside waste collection for all waste streams on private roads that were deemed “Suitable” for GFL trucks. Based on PW’s findings, GFL provided two estimates and possible options for collection. Based on the 338 units, GFL provided the following quotes to service waste, organics and recycling 26 days per-year:

Options	Price Per Year	Annual % Increase
<b>Option 1:</b> Purchase a Cottage Truck and service approximately 338 units on Private Roads and removing front end bins	\$210,816	5%
<b>Option 2:</b> Rear Pack Truck, servicing approximately 50% of the “cottage” units and keeping front end bins in place.	\$116,376	5%

*NOTE: If conditions change or the roads are not as passable as GFL/WHRM understands them to be a collaborative effort will take place to improve or change the service as required.*

*NOTE: A cottage truck will take approximately 8-12 months to receive from date of order. GFL is happy to work with WHRM to provide a temporary solution pending the arrival of the truck, if that option is selected.*

### Cost Per Unit

GFL was asked to provide an estimate price per unit for collection and tipping fees for dwellings on Private Roads. The total costs per month and year are included in the table below.

Costs Per Unit	
Price Per Year	\$147.54
Per Month	\$12.29
Number of Units	338
Total Per Month	\$4,154.02
Total Per Year	\$49,868.52

*\*NOTE – comparing to price per unit for Windsor it is \$11.70 per month or \$140.40 per year.*

### Green Bins

The number of residents that have green bins would increase. Most residents on Private Roads do not currently have green bins, as they typically just take their compost to a common collection area. Bins can take 3-6 months to receive and would need to be ordered ahead of time, which may affect this fiscal year.

Green Bins	
Number of Dwellings on all WHRM Private Roads	864
Green Bin Costs	\$80.00
Subtotal	\$69,120.00
Net Tax @ 4.29%	\$2,965.48
Estimated Freight	\$8,000.00
<b>TOTAL</b>	<b>\$80,085.48</b>

**Total Cost to Start Municipal Funded Curbside Collection to all Residents on Private Roads**

<b>Option 1</b>	<b>Cost Per Unit</b>	<b>Green Bins</b>	<b>TOTAL 1<sup>st</sup> Year</b>
\$210,816	\$49,868.52	\$80,085.48	\$340,770.00
<b>Option 2</b>	<b>Cost Per Unit</b>	<b>Green Bins</b>	<b>TOTAL 1<sup>st</sup> Year</b>
\$116,376	\$49,868.52	\$80,085.48	\$246,330.00

Depending on the uptake for private roads associations / residents to apply for curb side collection, the cost increase may be gradual rather than all at one-time.

**Benefits of the Current System:**

- For private roads with front load bins, those bins are accessible during the weekend
  - This works well for those who have Airbnb’s or cottage owners not present during collection day.
- Potentially curbs some illegal dumping in remote areas
- Provides an option for residents on unserviceable roads

**Current Issues that Would be Solved with Curbside Collection on Private Roads:**

- Less recycling and organics separation - bins are being rejected. It’s causing frustration amongst neighbors on private roads.
- Curbside collection will pinpoint residents who are not sorting their waste properly.
- Rejection stickers and education will be provided to those who do not adhere to the WHMR Solid Waste Bylaw, and the issues could be addressed when identified.  
Currently it’s hard to educate or enforce sorting regulations
- We would see a decrease in tipping fees as residents would have no option but to sort their waste at the source, to reduce the risk of their waste being reject.
- Continual placement of bulky items and/or items not suitable for regular collection
- Services provided to a few private roads exceeds standard level of service provided to nearby residents on public roads
- Illegal dumping is an issue as residents in the area, not living on the private road, see it as a convenience for them to place their waste in the open bins.
- Wildlife rummage through materials left outside of bins. Accessing this waste can cause potential harm to the wildlife itself (rats, raccoons, bears) or a safety risk to residents.
- Bears are of special concern at communal collection areas. Once bears become accustomed to these locations as a source of food, the only solution is for DNR to relocate or euthanize the animal(s).

- Release of litter into the environment. All front load bins are placed on private land and permission for WHRM or the Private Road Association to use the land may be withdrawn.

## **NEXT STEPS**

Council could:

1. Continue to provide waste collection service consistent with the MPS and inform all private road residents that waste collection services are to remain the same and not provide municipal-funded curbside collection for private roads. (Status-quo)
2. Advise the Planning and Development Department update the MPS to reflect possible curbside collection on private roads.
3. Approve increased funding for waste collection and transportation services, operational budget changes and increased funding for the green bin purchases.

## **FINANCIAL IMPLICATIONS**

Any changes to the collection of waste on private roads will have additional costs in staff time to investigate, implement and administer the changes. Additional green bins will need to be purchased for all residents on eligible private roads. With more green bins, comes more issues, complaints, concerns as well as replacements.

## **ALTERNATIVES**

PW staff would also suggest looking into seasonal collection for private roads with more seasonal residents. After discussing the issues with sorting on private roads with residents, the issues usually rise during summer months.

Below are options that Lunenburg and Truro do to provide waste collection to private roads:

- Seasonal collection is offered on approved, private roads from Victoria Day until the Friday following Thanksgiving. For the larger private roads (as mentioned above), a front load bin could be provided in the winter months.
- Scheduled collection is every two weeks. Waste cannot be placed curbside sooner than 5:00 pm the day before collection and no later than 7:00 am the day of collection.

If you often miss collection day or will be leaving before the next collection, you may:

- Ask a neighbor to put your waste out on the appropriate day.
- Put a garbage box by the road to keep animals away from your waste.

**ATTACHMENTS**

Appendix A – Petition from Destination Way, Cozy Crescent and Moonshadow Run in Vaughan


Appendix B - WHRM Information Report - Waste Collection on Private Roads May 4, 2023

Appendix C - WHRM Solid Waste Bylaw 2024

Appendix D – WHRM Private Road Curbside Waste Collection Policy

Appendix E – WHRM Private Roads

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

Report Prepared by:   
\_\_\_\_\_   
Jenny LaPierre, Waste Coordinator

Report Reviewed by: \_\_\_\_\_   
Todd Richard, Director of Public Works,

Report Approved by:   
\_\_\_\_\_   
(Name and Title)

Waste Services Coordinator  
 West Hants Regional Municipality  
 76 Morison Dr., P.O. Box 3000  
 Windsor, NS B0N 2T0

Petition for waste collection on Destination Way and Cozy Crescent

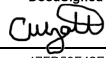
To the Council of the Municipality of the District of West Hants,  
 From the current owners of Destination Way, Cozy Crescent and Moonshadow Run.

The owners hereby request the Municipality to include Destination Way and Cozy Crescent in Area 1 collection routes.

Currently 22 lots have been sold, with at least 5 properties already issued occupancy permits. Once the development is complete, there will be approximately 50 single family homes. This development already generates significant additional tax revenue, while still not increasing expenses for the Municipality for road maintenance and snow removal. Not being afforded proper waste collection (to include recycling and green cart collection) risks posing a safety and health issue should all residents be required to deposit their bags/carts at the corner of New Ross Rd and Destination Way. Having such a concentration of bags in the open also risks attracting more wildlife, posing a risk to animals and motor vehicles traveling on New Ross Rd.

Therefore, representing current owners of Destination Way, Cozy Crescent and Moonshadow Run, the undersigned request curb-side waste collection as per the Municipality of the District of West Hants Solid Waste Management By-Law.

Name	Signature	Lot Number or Civic Address
Patricia Corbeil and Thomas Sheehan	DocuSigned by: <i>Patricia Corbeil</i> 8A80A6C4AEB04BF...	79 Destination Way
Ali Beaver and Greg Hutchings	DocuSigned by: <i>Ali Beaver</i> 05945A71DD9C47B...	Lot 17 Destination Way
Angela and Barry Spearns	DocuSigned by: <i>Barry Spearns</i> C6A51967440E...	67 Destination Way
Charles and Angelina Cooke	DocuSigned by: <i>Charles Cooke</i> B5E83120F0440...	116 Destination Way
Rob Blackwood	DocuSigned by: <i>Rob Blackwood</i> B0E83120F0440...	51 Destination Way
Thomas and Sarah Duggan	DocuSigned by: <i>Thomas and Sarah Duggan</i> B0E83120F0440...	115 Destination Way
Natalie Lane and Jeff Bell	DocuSigned by: <i>Natalie and Jeff Bell</i> B0E83120F0440...	132 Destination Way
Brad and Samantha Ross	DocuSigned by: <i>Brad and Sam Ross</i> 6A60BB4F137141D...	19 Destination Way

Christina Wyatt	DocuSigned by: 	30 Moonshadow Run
	17FD53F42EFC41E...	

On behalf of the undersigned

Patricia Corbeil  
196 Maple Grove Av  
Timberlea, NS  
B3T0C4  
corbeil.pmc@gmail.com



**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Council

**Submitted by:** Todd Richard, Director of Public Works

**Date:** May 4, 2023

**Subject:** Municipal Funded Solid Waste Collection – Private Roads

**LEGISLATIVE AUTHORITY**

Municipal Government Act, Section 65 (q) collecting, removing, managing and disposing of solid waste; authorizes Council to expend funds for municipal purposes.

**RECOMMENDATION or DECISION REQUEST**

March 28, 2023 Council Meeting: Moved by Councillor Francis and Deputy Mayor P. Morton that staff prepare a report on the waste collection request for Destination Way, Cozy Crescent and Moonshadow Run including information on private road collection and what that may look like going into the future. Motion carried.

**BACKGROUND**

Property <b>X</b>	Public Opinion <b>X</b>	Environment <b>X</b>	Social <input type="checkbox"/>	Economic <b>X</b>	Councillor Activity <input type="checkbox"/>
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**Waste Collection Request for Destination Way, Cozy Crescent, and Moonshadow Run**

In February of 2023, WHRM staff received a letter addressed to Council from property owners on Destination Way, Cozy Crescent and Moonshadow Run in Vaughan (See Appendix A). Nine property owners requested curbside waste collection service and suggest a health and safety risk is posed by bags in the open at the shared collection point at the intersection of Destination Way and New Ross Rd. They are also concerned a risk is posed with wildlife and vehicle interaction at the communal location.

Public Works was tasked with providing an information report on the request, including private road collection and what this could look like in the future.

### **Municipal-funded Solid Waste Collection – Current Day**

On March 15, 2017, Council approved the motion to award a contract to Royal Environmental Inc. (Regroup) and subcontracted by Green For Life (GFL) Inc., for the Provision of Services for Collection and Transportation of Waste for West Hants for the period of April 1, 2018, to March 31, 2023. The contract has since been extended to March 31, 2024.

Bi-weekly waste collection consists of garbage one week and recyclables and organics the following week. Collection occurs on highways plowed and maintained by the Department of Transportation or the Municipality. Waste from private roads is collected from a common collection point where the private road meets the public road/highway.

The larger private road developments of Chateau Village, Falls Lake West and Falls Lake Resort in Vaughan, receive weekly garbage collection from a front load bin (dumpster) currently located on private property with the collection location by mutual agreement between the contractor and the Property Owners' Association. Chalet Hamlet bins are located where their private road meets Highway 14.

The decision to move to a front load bin service for these larger developments was a decision between the contractor and the property owners' associations and occurred during the 2012 to 2017 waste collection contract. Challenges were experienced as each development used a shed(s) to store garbage at the common collection point.

Removing garbage from the shed(s) presented safety risks to the workers as sharp objects were mixed with bags, and bags often fell from the shed as the buildings were full to capacity. Much time was required to safely remove material. As a result, the contractor (GFL Environmental) suggested providing front-load collection bins (dumpsters) to eliminate handling the garbage and thereby reduce the risk to workers. The bins would be serviced weekly by their commercial collection vehicle at no additional cost to the municipality, apart from tipping fees associated with disposal. Recyclables collection would remain unchanged and occur bi-weekly from the designated shed.

GFL Environmental met with each of the Property Owners' Associations to discuss the change to front-load bins and agree upon a location for the bins. Convenience and safety factors were considered. Three of the parties agreed to placing the bins on private property, away from the intersection of their private road and the public road/highway and travelling on the private road to access the bins. Chalet Hamlet desired to switch to the front-load bins but were not

able to find an alternate location. Bins were installed at the common collection point at Highway 14.

It is important to note that the municipality did not instruct GFL to install commercial containers, increase frequency, nor to travel on private roads. The arrangement was agreed upon between the parties.

## **DISCUSSION**

Private road services have been an important aspect of waste management in many rural and suburban areas. As municipalities continue to grow and expand, there is a need to provide reliable and efficient waste collection services to all residents, including those living on private roads. As developments become more complex and the cost of services increases, municipalities are exploring new ways to deliver services to private roads while balancing the needs of all taxpayers. In this section, we will examine some of the possible changes that may shape the future of private road services in West Hants.

### **Municipal Planning Strategy**

The Municipality has a Municipal Planning Strategy (MPS) in place. This policy document of Council is enabled by the Municipal Government Act which in Section 217(1) states: *“a municipality shall not act in a manner that is inconsistent with a municipal planning strategy”*.

The West Hants Planning Strategy (page 81) speaks to private roads and Council’s wishes on the provision of services.

**“Council wishes to ensure that West Hants offers many lifestyle and housing choices, including the option of permanent residency on private roads; but providing services to scattered and often remote areas is both expensive and inefficient. It is important to Council that those who choose to live on private roads do not place a burden upon municipal servicing.”**

**Policy 9.1.9 It shall be the policy of Council that, except for emergency protective services, municipal services such as school busing, snow plowing, garbage collection and any other service normally included within the general or a special area assessment rate shall not be provided to developments which are located on a private road.”**

Section 23 of the West Hants Solid Waste Bylaw aligns with the MPS and states *“The Municipality, its servants, agents or independent contractors, shall provide collection services to all households within the Municipality located on highways plowed by the Department of*

*Transportation or the Municipality in accordance with a schedule approved by the Municipality from time to time”.*

The result of the requirement of the MGA that Council is not inconsistent with policies within the MPS, and the MPS policy which clearly states Council’s intention not to service private roads, is that an amendment to the Municipal Planning Strategy would be required before Council could consider providing collection services of solid waste on private roads within West Hants. Alterations to existing development agreements and the West Hants Solid Waste By-Law would also be required. As Council is aware, this is a comprehensive and time-consuming undertaking.

Furthermore, it should be noted that because private roads may not be constructed nor maintained to the same specifications as public roads/highways, liabilities are presented to both the contractor and the owner of the private road. In many cases, the collection of waste from private roads would not be possible using the same equipment to provide the services to the rest of the municipality.

With this in mind: In 2017, the Public Works Department conducted a financial impact study to determine the cost of extending waste collection services to private roads in Cottage Country and other areas in the Municipality of West Hants. Two options were proposed for waste collection, both with the standard required safety packages. However, some areas may require both options due to road restrictions and turning limitations.

These costs would be added to the existing collection and transportation contract costs and recovered through a per-unit rate or general rate.

Mini-Single Axle Rear Load Compactor Truck <ul style="list-style-type: none"><li>• 2-person safety package</li></ul>	\$197,380 per year
1-Ton Extended Box / Lift Gate and Tilt-Deck Truck <ul style="list-style-type: none"><li>• 1-person safety package</li></ul>	\$95,080 per year
<b>Requirement for both equipment options to accommodate all roads:</b>	<b>\$292,460 per year</b>

GFL recently provided a cost estimate for servicing all private roads in West Hants that included waste, recycling, and compost collection. This updated quote considers the addition of curbside composting since the 2017 quote provided by Regroup. Given the increase in costs of equipment and wages over the past seven years, the minimum annual cost to service private roads curbside is now estimated to be over \$400,000.

## **Comparing Waste Collection Policies in Other Nova Scotia Municipalities**

West Hants Regional Municipality is not unique in facing the challenge of providing waste collection services to residents on private roads. While the majority of municipalities in Nova Scotia do not provide waste collection services on private roads, we found that several have established specific criteria that private roads must meet in order to be eligible for waste collection services.

The Municipalities of Antigonish, Lunenburg, East Hants and HRM created policies that outline the criteria that private roads must meet in order to be eligible for waste collection services from the municipality. Some allow for a seasonal or year-round collection request. An application is required to illustrate that the standards will be met for minimum width and grade requirements, be free of any obstructions or obstacles that would prevent safe and efficient collection, have adequate turning areas, etc. The determination for collection is made by the collection contractor. Continuing responsibilities of the road owner are described.

### **NEXT STEPS**

Council could:

1. Continue to provide waste collection service consistent with the MPS and inform the Property owners on Destination Way, Cozy Crescent and Moonshadow Run that waste collection services are provided at the intersection of Destination Way and New Ross Rd. Should the property owners wish to store waste at this location, adequate and sufficient protection for waste would be required to prevent disturbance by animals and environmental factors. The contractor may be amenable to placing a front load bin for their waste at this location.
2. Have staff investigate if an application-based collection system on private roads is appropriate for some private roads in West Hants Regional Municipality.
3. Investigate the cost to provide curbside collection to private roads by contracting additional equipment to provide the service, including how costs would be recovered through a per-unit rate or general rate.

### **FINANCIAL IMPLICATIONS**

Any changes to the collection of waste on private roads will have additional cost in staff time to investigate, implement and administer the changes. Contracting new services would have the greatest impact and have budget implications.

**ALTERNATIVES**

Staff investigations have not revealed additional alternatives.

**ATTACHMENTS**

- Petition letter from Destination Way, Cozy Crescent and Moonshadow Run

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

Not Applicable

Report Prepared by: \_\_\_\_\_  
(Name and Title)

Report Reviewed by: \_\_\_\_\_  
(Name and Title)

Report Approved by: \_\_\_\_\_  
(Name and Title)



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### **Purpose**

To outline the requirements for curbside Waste Collection Services for Residential Dwelling Units on Private Roads.

### **Preamble**

There are approximately 146 private roads within West Hants Regional Municipality. These roads stretch almost 102km and are of various states of design and construction. Very often, these roads are not designed with the delivery of municipal services in mind. Homeowners residing on private roads commonly request the Municipality to provide municipal services and/or maintain these roads.

This policy shall establish the Municipality's position concerning the provision of municipal service and maintenance of private roads and establish minimum standards for access, and to outline conditions that must be satisfied to enable waste collection vehicles to travel on private roads throughout the Municipality.

### **POLICY:**

#### **1. Definitions**

- 1) "cleared road" means a private road that is free from obstructions that may prevent access of a waste collection vehicle. Such obstructions may include, but are not limited to, snow, ice, potholes, and tree limbs;
- 2) "homeowner" means the property owner, or collection of property owners, that share a private road and are responsible for its maintenance;
- 3) "Municipality" means the West Hants Regional Municipality;
- 4) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles that is not a municipal street or a provincial highway and includes references in this Policy to "roads";
- 5) "service provider" means the contractor and its agents and employees retained by the Municipality to provide Waste Collection Services;



- 6) “turning area” means an area on or with direct access to the private road that is configured to permit collection vehicles to turn around 180 degrees;
- 7) “waste collection vehicle” means any vehicle owned or contracted by the Municipality to collect waste.

## **2. Ownership of Private Roads:**

- 2.1 The West Hants Regional Municipality shall not assume ownership of a private road.
- 2.2 Municipal staff may consider curbside collection on a private road only if the road is designed and constructed at minimum to a private road standard, as outlined in the West Hants Municipal Services Specifications Manual. Refer to Appendix “B” for the Private Road Standard.
- 2.3 The Municipality shall not provide nor fund road maintenance or road repairs on private roads.

## **3. Provision of Waste Collection Services**

- 3.1 The Municipality may consider providing curbside waste collection services on private roads on either a year-round or seasonal basis if all the conditions herein are satisfied.

## **4. Minimum Access Standards**

- 4.1 In order for a waste collection vehicle to travel on a private road, the entire segment of roadway must be:
  - 4.1.1 Identified with a sign that meets the requirements of the Municipality’s Civic Addressing By-law, utilizing a name approved by the Civic Addressing Coordinator, that is visible from the municipal street or provincial highway;
  - 4.1.2 Meet the minimum standard specifications as detailed on Drawing Number WH-27. A minimum of 5.5 metres (18 feet) wide at its narrowest point, not including road shoulders;

- 
- 4.1.3 Finished with a surface treatment such as gravel, tar and chip, asphalt or concrete;
  - 4.1.4 A cleared road, free of obstructions, including overhead clearance of 4.4m, and maintained as necessary to permit safe passage of the waste collection vehicle at all times; and
  - 4.1.5 The road must be kept in good condition with proper grading to prevent and remove excessive potholes, ruts and washboarding. Snow and ice must be removed, and snow pushed back off the road shoulders.
- 4.2 Appropriate turning areas at long sections of roads and at the end of the road must be provided at the expense of the Homeowner in a location and of a design approved by the Director of Public Works or their designate.
- 4.3 Private roads with bridge or culvert structures, steep slopes, rail crossings, and overhanging structures will be evaluated for waste collection vehicle access on a case-by-case basis by the Director of Public Works or their designate.
- 4.4 The Director of Public Works or their designate reserve the right to refuse to permit waste collection vehicles to travel on a private road if in their discretion minimum access standards are not satisfied and may in their discretion authorize the service provider to decline collection services when encountering unsafe or unsatisfactory conditions such as overhangs, snow, ice, flooding, damaged bridges, solid waste containers that have not been maintained and made accessible in accordance with the Solid Waste Bylaw, solid waste that has been spilled from containers, or solid waste not properly placed for collection for any other reason.

## **5. Petition to Commence Services on Existing Private Roads**

- 5.1 Prior to commencing curbside waste collection on a private road, the Homeowner, or at least 75% of the property owners requiring curbside waste collection on the private road, must complete and submit to the Municipality the questionnaire found in Appendix "A".
- 5.2 On an annual basis, the Homeowner shall provide the Municipality with the name and contact information of a representative that can be contacted if issues arise with curbside waste collection on that private road.

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## 6. Application and Approval Process for New Developments

- 6.1 For new developments, it is desirable for applicants to submit requests during pre-consultation or during their residential development application (subdivision and site plans) to the Municipality. All applications are required to submit the form attached as Appendix “A”.
- 6.2 The application must include the following documentation to be considered complete and to proceed for review:
- i. Type(s) and total number of Residential Dwelling Units in the development;
  - ii. Engineering drawings, including a Turn Path Analysis, that demonstrates the roadway has been designed to accommodate waste collection vehicles; and
  - iii. Phasing plans in the event that the entire development is not being built at once.
- 6.3 The Homeowner must apply for all known units within the development on one application, even if the development shall occur in phases. Should amendments to subsequent phases be made after eligibility has been determined, the Municipality reserves the right to revisit the matter and remove their consent for curbside collection to occur.
- 6.4 Following review of the proposed development design, the Municipality will provide written comments indicating whether the Municipality will commence curbside collection.
- 6.5 On an annual basis, the Homeowner shall provide the Municipality with the name and contact information of a representative that can be contacted if issues arise with curbside waste collection on that private road.

## 7. Liability and Service Limitations

- 7.1 The Municipality and its service provider will not be responsible for any damage to private property that may occur as a result of a homeowner allowing waste collection vehicles on a private road. This includes, but is not restricted to, damage to the road itself, due to soft or wet road conditions.
- 7.2 The Municipality reserves the right to discontinue private road curbside waste collection services on a temporary or permanent basis at its discretion.



- 7.3 The Municipality has no obligation to provide curbside waste collection services to Private Roads. Notwithstanding the Municipality shall endeavour to provide a minimum of thirty (30) days written notice prior to revoking any existing considerations to allow them to make other arrangements, except in cases where safety or liability issues require a more immediate response.
  
- 7.4 The Homeowner is required to uphold all requirements of the WHRM Solid Waste Bylaw.

Approved by: \_\_\_\_\_  
 Chief Administrative Officer

Adoption	
Notice to Council:	Not Applicable
Approval:	Date
Description: Initial approval of the Private Road Curbside Waste Collection Policy,	



**APPENDIX "A"**  
**CURBSIDE SOLID WASTE COLLECTION QUESTIONNAIRE**  
**FOR RESIDENTS**



### CURBSIDE SOLID WASTE COLLECTION QUESTIONNAIRE FOR RESIDENTS\*

\*Refer to the WHRM Solid Waste Bylaw for Approved Units

Property Owner/Contact: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Civic Address Number: \_\_\_\_\_

Private Road Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Owner of Private Road :

Does this private road belong to a “cottage association”, “road association” or other similar arrangement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If “Yes”, please provide the name and contact information for the group representative:		
Name of Association: _____		
Name of Contact: _____		
Telephone Number: _____		
Please mark the appropriate box with an “x”	Yes	No
Do you wish to allow waste collection vehicles to travel on your road?		
Are you prepared to accept responsibility for damage to your private road/property that may unintentionally be caused by waste collection vehicles?		
Is the property utilized between October and May (fall and winter)?		
Is the private road identified by a sign that can be seen clearly from a public road?		
If there is no suitable “turning area” at the end of your private road, are you prepared to provide one?		
Do you agree to maintain the private road to a standard that will permit safe access, at the discretion of the waste collection vehicle operator, including snow and ice removal?		
Does your private road include any of the following?	Yes	No
Low-hanging branches and trees		
A bridge or culvert crossing		
A railway crossing		
Steep slopes		
Travel under a structure, such as a bridge or archway		

**Please submit this form to the Director of Public Works:  
 PO BOX 3000, 100 King St, Windsor, NS B0N 2T0**

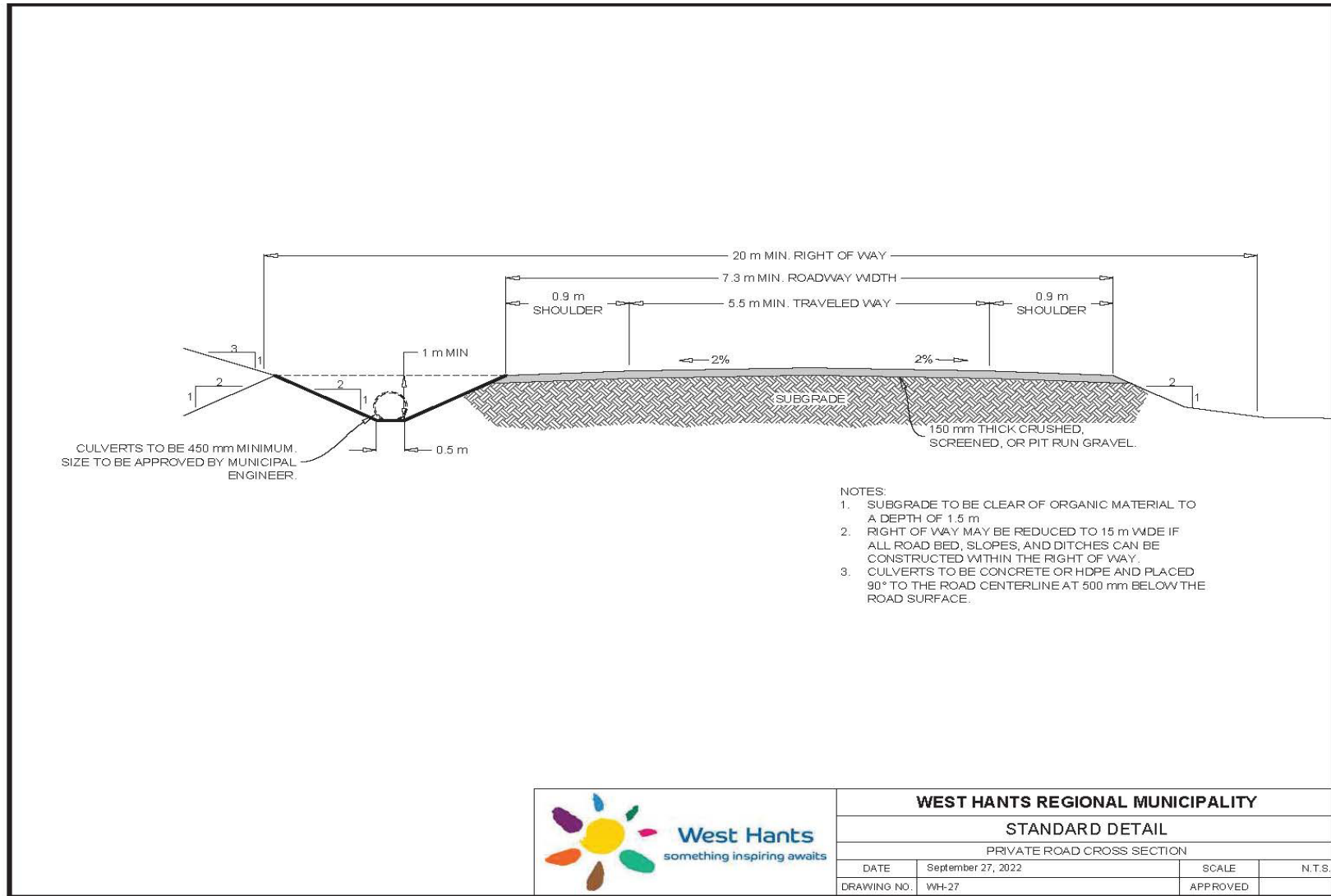




West Hants

**WEST HANTS REGIONAL MUNICIPALITY**  
**PRIVATE ROAD CURBSIDE WASTE COLLECTION POLICY**

**RCOPW-003.00**



**DRAFT SOLID WASTE MANAGEMENT BYLAW**  
**WEST HANTS REGIONAL MUNICIPALITY**

1. *The Waste Collection and Disposal Bylaw passed by the Council of West Hants Regional Municipality on \_\_\_\_\_ and published in Saltwire, a newspaper circulating in the Municipality, on \_\_\_\_\_, together with the Resolutions of Council passed under the said Bylaw dated \_\_\_\_\_ be and are hereby repealed and the following is substituted therefor.*
2. This bylaw shall be known and may be cited as the "Solid Waste Management Bylaw" of West Hants Regional Municipality ("the Municipality").

**3. DEFINITIONS**

In this Bylaw the following words and phrases shall have the following meanings:

- 1) "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.
- 2) "apartment buildings" includes multi-unit buildings in which the tenure is not by lease, such as condominiums or co-operatives.
- 3) "backyard composting" means composting at a residential dwelling unit of organic solid waste comprised of yard waste and food scraps and spoiled or waste food or foodstuff excluding meat, fish, eggs or dairy products where the waste is generated by the residents of the dwelling unit or neighbouring dwelling units or both.
- 4) "boxboard" means cereal, shoe, tissue, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls, or other similar items.
- 5) "branches and limbs" include all branches, limbs, and brush less than (3ft) in length, with individual pieces having a diameter of not more than 3 cm.
- 6) "bulky item" means an item or bundle other than white goods too large to fit in a garbage bag.
- 7) "collectable waste" means material originating from eligible premises and placed for collection by the owner or occupant and includes, but is not limited to, residual waste, recyclable materials, and organic materials that are subject to sorting requirements, volumes and restrictions located elsewhere in this Bylaw, on regularly scheduled collection days.

- 8) "collection contractor" means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectable waste from eligible premises.
- 9) "collection day" means any day which is scheduled by the Municipality for municipal collection of collectable waste.
- 10) "commercial container" means any container used for the storage of waste materials placed by individuals in multi-unit buildings or commercial or institutional premises which are eligible for municipal collection.
- 11) "commercial enterprise" means an enterprise which is commercially assessed for a commercial tax rate by the Municipality, or an apartment building having one civic address and more than six (6) units but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office.
- 12) "commercial premises" means any lot of land which contains one or more commercial enterprises.
- 13) "common area containers" means separate containers for the source separation of organic materials, general recyclables, paper recyclables and residual waste and/or ICI waste located in a common area at industrial, commercial, and institutional premises.
- 14) "construction and demolition waste" or "construction and demolition debris" 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 gyprock, scrap wood and such other materials as may be permitted from time to time by regulation of the Province of Nova Scotia for disposal at a disposal site for construction and demolition materials.
- 15) "contaminated soil" means soil which:
  - (a) has been contaminated with and contains in excess of 2,000 parts per million of total petroleum hydrocarbons; or
  - (b) has been removed from a site because of actual or suspected contamination pursuant to a requirement or order of the Nova Scotia Department of Environment.
- 16) "corrugated cardboard" means a paper-based material generally consisting of a fluted corrugated sheet and one or two flat linerboards. It is widely used in the manufacture of corrugated boxes, corrugated shipping containers and other similar products.

- 17) "Council" or "council" means the Council of West Hants Regional Municipality.
- 18) "curb" means the portion of the public road right-of-way between the travelled portion or parking area and the property line, which parallels the street center line.
- 19) "dispose" includes any form of disposal and includes temporary or permanent out of doors deposit, storage, placement, or burial regardless of whether the material in question is in a container.
- 20) "dwelling" means a building, or a unit in a building, occupied or intended to be occupied as a home, by one or more persons, and usually containing cooking, eating, living, sleeping and sanitary facilities. This does not include a hotel, motel, guesthouse, RV, inn and, depending on their structure, sea-can containers.
- 21) "electronics" means any electronic device that is acceptable under the Recycle My Electronics program. The list of items under this category may change from time to time;
- 22) "eligible premises" means those properties within the Municipality which are eligible for municipal collection as defined in Section 8 of this Bylaw.
- 23) "general recyclables" means materials designated by Council from time to time, which at the time of adoption of this bylaw includes the following types of materials - 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, tetra packs and mini-sip containers.
- 24) "hauler" means any company, person or persons who transports waste materials including, without limitation, institutional, commercial, industrial waste (ICI), solid waste, recyclable materials, construction and demolition waste or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.
- 25) "hazardous waste" means solid or liquid waste that may be harmful to humans, animals, plant life or natural resources including, but not restricted to, industrial chemicals, toxic, flammable, corrosive, radioactive, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid, pesticides, and insecticides.
- 26) "household hazardous waste" or "HHW" means waste-resource materials of potentially hazardous nature generated in households including, but not restricted to, solvents, glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene,

pesticides, lawn and garden chemicals, poisons, propane tanks, pool chemicals, batteries, and automotive fluids. For the purpose of this bylaw, household hazardous waste does not include Polychlorinated biphenyls (PCBs), radioactive materials, explosives, fireworks, pathological wastes, and ammunition.

- 27) "illegally dumped material" means the disposal or depositing of waste in any manner or at any site other than those permitted under this Bylaw.
- 28) "Industrial/commercial/institutional waste" or "ICI waste" means material of similar composition as residual waste produced by a business, institution, or industry.
- 29) "institutional premises" means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.
- 30) "leaf and yard waste" means leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items.
- 31) "litter" means any material left or abandoned outdoors in a place other than a receptacle place intended or approved for receiving such material.
- 32) "municipal collection" means the scheduled collection of collectable waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.
- 33) "Municipality" or "municipality" means the West Hants Regional Municipality.
- 34) "non- collectable waste" means all material other than collectable waste and without limitation includes:
  - (a) transient waste, meaning waste material produced outside the Municipality or produced at a location other than the dwelling in front of which it is placed for collection or at locations, if any, approved by the Administrator for inclusion in private road collection;
  - (b) liquid waste or material that has attained a fluid consistency and has not been drained;
  - (c) 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;
  - (d) pathogenic or biomedical material 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;

- (e) trade waste means waste material such as pressure treated wood resulting from construction, demolition or renovation activities other than construction and demolition debris acceptable for disposal at construction and demolition debris disposal sites under Provincial regulations from time to time;
- (f) pathological waste means any part of the human body excepting hair and nail clippings, any part of a dead animal infected with a communicable disease and non-anatomical waste infected with a communicable disease;
- (g) waste listed or characterized as hazardous by this bylaw or by any federal or provincial law;
- (h) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
- (i) septic tank pumpings, raw sewage or industrial sludge;
- (j) radioactive materials;
- (k) soil, rock, and stumps from land clearing, or contaminated soils from environmental remediation activities;
- (l) industrial waste material from factories or other manufacturing processes;
- (m) manure, kennel waste, excreta, fish processing waste;
- (n) waste material from commercial containers;
- (o) lead-acid automotive batteries and propane tanks;
- (p) waste material which has not been placed for collection in accordance with the provisions of this Bylaw; and
- (q) materials banned from landfill disposal by provincial statute and regulations as amended from time to time.

35) “occupant” includes any person who occupies a building or a property, the owner or personal representative of the owner, within the Municipality.

36) “organics collection cart”, “cart” or “green cart” means a cart supplied to eligible premises by the Municipality for curbside collection of organic materials.

37) “organic materials” or “organic waste” means food waste, leaf and yard waste, soiled boxboard, soiled non-recyclable paper (wet or contaminated), bags designed for sugar, flour, and potatoes, 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 and not excluded as non-collectable waste by this Bylaw.

38) “owner” includes:

- (a) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;

- (b) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care and control of the land or building;
  - (c) a person who occupies shores, beaches, or shoals; and
  - (d) in absence of proof to the contrary, the person assessed for the property.
- 39) “paper recyclables” or “paper” means materials designated by Council from time to time, which at the time of adoption of this Bylaw includes boxboard, mixed paper, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons.
- 40) “privacy bag” means a small solid-coloured plastic garbage bag or a single container pursuant to Section 10.2.a.4.
- 41) “private roads” means roads, including privately owned roads or roads not maintained by the government owner, where the Municipality's collection contractor does not travel down the road and provide curbside collection services. The Municipality may consider curbside collection on a private road if the private road meets the requirements as outlined in the WHRM Private Road Waste Collection Policy. For private roads not approved, they will receive all eligible collection limits at the nearest public road, as outlined in Section 12 of this Bylaw.
- 42) “recyclable material” or “recyclables” means general recyclables and paper recyclables as defined in this Bylaw.
- 43) “regulation bag or container” means a bag, container or bundle which meets the specifications and other requirements for the same in relation to specific waste types as outlined in Section 10 or otherwise approved by the Municipality.
- 44) “residual solid waste” or “residual waste” means household waste except:
- (a) recyclables;
  - (b) organic solid waste and food;
  - (c) non-collectable waste or waste subject to special collection;
  - (d) waste placed for collection that does not meet the requirements of this Bylaw, including limitations on the size, weight, volume, bagging, packaging or bundling or which is otherwise placed for collection contrary to this Bylaw; and
  - (e) hazardous waste.

- 45) "single-family dwelling" means a dwelling as defined herein occupied by a single-family unit and includes a mobile home and a dwelling within a multi-unit residential dwelling, such as a duplex, rowhouse or townhouse. This includes a secondary suite within a single-family dwelling.
- 46) "solid waste" or "waste" includes recyclables, compostables, residual waste, construction and demolition waste, leaf and yard waste, contaminated soil and any other waste or discarded tangible personal property.
- 47) "special collection" means a Municipal collection scheduled by the Administrator for a specific waste which can include but is not limited to Christmas Tree Collection, Leaf & Yard Waste Collection, large item and/or white goods Collection.
- 48) "storage box" or "storage container" means an outdoor storage box or container acceptable for storing regulation bags or containers for solid waste provided they meet the specifications set out in Section 10.
- 49) "unit" means a self-contained portion of a building occupied as a separate residence or business.
- 50) "waste management facility" or "waste disposal facility" means any of the facilities for the management of aggregated ICI waste, residual waste, recyclable materials, and organic materials operated by the Municipality, its contractors, or its agents.
- 51) "white goods" includes any large household appliance, including but not limited to refrigerators, freezers, air conditioners, dehumidifiers, stoves, washers, and dryers.
- 52) "yard waste" means vegetative matter resulting from gardening, horticulture, landscaping, or land clearing operations, including material such as a tree, shrub trimmings, plant remains, grass clippings, and leaves, but not including construction and demolition waste or contaminated organic matter.

#### **4. THE ADMINISTRATOR**

- 1) The Administrator shall administer and enforce the provisions of this Bylaw and, for this purpose, may:
  - (a) divide the Municipality into areas for the purposes of collection of collectable waste from eligible premises on various days of the week;
  - (b) designate a particular day of the week for collection of collectable waste, or a type or types of collectable waste, in each designated collection area;
  - (c) alter the boundaries of 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 the collection of collectable waste within the Municipality;
  - (e) assign organics collection carts to eligible premises;
  - (f) determine the frequency of collection of collectable waste in each designated collection area of the Municipality;
  - (g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities;
  - (h) determine the number, frequency, and type of special collections;
  - (i) provide any further directions required from time to time in order to implement this Bylaw and the waste collection policies or resolutions of Council from time to time; and
  - (j) enter on, inspect or pass over any property to which this Bylaw applies, without being liable for trespassing and without the owner of the property having the right to object, to determine:
    - a. the extent, if any, to which an offense has been committed; and
    - b. the cause, if any, to the offense which has been committed.

#### **5. MUNICIPAL SOLID WASTE MANAGEMENT FACILITY**

- 1) The solid waste management facility for the Municipality shall be the facility or facilities designated by resolution of Council of the Municipality from time to time.
- 2) The Municipality may, in its sole discretion, refuse any waste if, in the opinion of the Waste Facility Operator or the Administrator, the quantity or type of material being delivered to the Municipal Solid Waste Management Facility exceeds the Facility's capacity or is otherwise unacceptable.
- 3) No person shall deposit or cause to be deposited at the Municipal Solid Waste Management Facility material other than acceptable waste pursuant to this Bylaw and acceptable by the Waste Facility Operator.

- 4) Any person delivering or placing waste at a Municipal Solid Waste Management Facility must do so in accordance with this Bylaw and instructions from the Waste Facility Operator.
- 5) No person shall deposit waste at, in or adjacent to the Municipal Solid Waste Management Facility when it is closed or when the Waste Facility Operator or Staff have refused to accept or permit the deposit of such waste.
- 6) No person shall deposit or cause to be deposited at the Municipal Solid Waste Management Facility any solid waste which has not been separated in accordance with this Bylaw or any solid waste which is misleadingly packaged or presented, or which is concealed or intermingled with waste of another type or place of origin.
- 7) Any person delivering or placing solid waste at a Municipal Solid Waste Management Facility does so at their own risk.
- 8) No person shall remove solid waste from a Municipal Solid Waste Management Facility unless authorized by the Waste Facility Operator.
- 9) Any person having any questions or complaints about the operation of the Municipal Solid Waste Management Facility shall direct their questions and complaints to the Waste Facility Operator.

## **6. RESPONSIBILITIES OF PROPERTY OWNERS AND OCCUPANTS**

- 1) Every owner or occupant shall:
  - (a) ensure solid waste does not accumulate on or around the property including uncollected solid waste other than in a storage container or in a collection box which meets requirements outlined elsewhere in this Bylaw and where an owner or occupant permits the accumulation of solid waste contrary to the Bylaw, the Administrator may order the owner or occupant to dispose of it lawfully, failing to do so may result in the Municipality's employees or agents to enter the property to collect and dispose of the accumulated solid waste, the expense of which will be charged to the owner or occupant, as a first lien collectable as a tax . Chargeable costs associated with cleanup may include contractor expenses, staff labour, fuel and tipping fees;
  - (b) Ensure the proper preparation and disposal of all solid waste in accordance with this Bylaw;
  - (c) use only regulation bags and containers for the storing and placement for collection of collectable waste:
    - i. maintain such regulation bags and containers in good repair and in sanitary condition; and

- ii. ensure that each regulation bag and container is covered and secured at all times except when being emptied or filled.
- (d) shall provide sufficient and adequate storage for solid waste which may accumulate from time to time on the property, including:
- i. ensuring recyclables and residual waste regulation bags are stored inside buildings or in storage containers that are waterproof and impervious to domestic and wild animals and rodents, and which are designed and constructed to prevent the entrapment of children; and
  - ii. ensuring all storage containers can be opened from the inside at all times by children.
- (e) clean up any type of solid waste which has escaped from its regulation bag or container;
- (f) separate solid waste at the time of placement for collection and disposal into uncontaminated separate solid waste categories as follows:
- i. compostables;
  - ii. general recyclables;
  - iii. paper recyclables;
  - iv. residual waste;
  - v. residential home renovation waste materials if and to the extent these may from time to time be permitted to be collected by the Municipality; and
  - vi. separation of solid waste acceptable only on special collections or by express approval by the Administrator for things such as bulky items, white goods, or HHW.
- (g) where reasonably possible, ensure that collectable waste remains indoors, or behind or beside the main building on the eligible premises except on collection day and is kept in a manner that discourages interference by vermin and wild or domestic animals;
- (h) place dangerous material such as broken glass, broken crockery, and sharp metal in a sealed box or bucket, and shall be clearly and adequately identified;
- (i) contract with a hauler, at their own expense, to provide, or may themselves provide, for the removal of all solid waste larger in volume, weight, size or quantity and/or for more frequent collection than is provided by the Municipality. It is further mandated that any excess residual solid waste that accumulates on the property shall be collected or disposed of at a minimum frequency of once every 14 days; and
- (j) shall be responsible for separation and lawful disposal of non- collectable materials at a lawful disposal site.

## **7. GENERAL MUNICIPAL COLLECTION**

- 1) The Municipality, its servants, agents, or independent contractors, shall provide collection services to eligible premises within the Municipality located on highways plowed by the Department of Transportation or the Municipality, in accordance with a schedule approved by the Municipality from time to time, and to such other premises on any private roads as may be expressly designated for inclusion in general municipal collection by the Municipality.
- 2) The Administrator or their Designate may refuse to collect containers which have not been adequately drained of liquid or which are wet or the contents of which are of fluid consistency.

## **8. ELIGIBLE PREMISES**

- 1) Eligible premises which have been granted an occupancy permit by the Municipality shall include:
  - (a) single-family dwellings, including mobile homes or grouped single-family detached dwellings on a lot;
  - (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 buildings which have a maximum of six (6) units;
  - (d) commercial and institutional premises generating ICI waste;
  - (e) municipally owned and occupied buildings such as municipal offices, municipal pool, municipal water treatment facilities, etc.; and
  - (f) community group facility, where physical premises are occupied for the purpose of supporting community activities.
- 2) Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties, or elsewhere except as expressly permitted by this bylaw or by the Municipality, for municipal collection.
- 3) Notwithstanding the provisions of section 8 of this bylaw, where a property of the type listed in clauses (a) to (f) of subsection 8 (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 the curbside for municipal collection if authorized by the Administrator.

## 9. COLLECTIBLE MATERIAL – PREPARATION AND RESTRICTIONS

- 1) No person shall place or caused to be placed out for municipal collection any solid waste except in accordance with the following:
  - a) For any one eligible premise under section 8(1)(a) or (b) waste shall be placed for any one collection day only in accordance with the following limits or conditions:
    - i) a maximum of five (5) residual waste regulation bags **per unit**;
    - ii) a maximum of one (1) bulky item other than white goods not exceeding more than 75kg (165lbs) in weight per item;
    - iii) certain large items, such as furniture, may weigh up to 75kg (165lbs). Items weighing more than 75kg (165lbs) will not be collected;
    - iv) a maximum of ten (10) regulation bags of recyclables;
    - v) one (1) organics cart of organic waste;
    - vi) a bundle of brush not exceeding 25kg (55lbs) in weight per bundle, no longer than 4ft (1.2m) and no bigger than 3 cm in diameter;
    - vii) a bundle of cardboard not exceeding 22kg (48lbs) in weight and no bigger than 1ft x 2ft x 3ft;
    - viii) paper recyclables must be placed in separate watertight transparent blue bags or clear transparent bags, except corrugated cardboard, which may be placed in securely tied bundles not greater than 2 ft x 3 ft x 8 in; and
    - ix) a maximum of six (6) paper bags of leaf and yard waste in addition to the organics cart.
  - b) In the case of placement for municipal collection of white goods containing refrigerant gas (or CFCs), the following items must have such gas (or CFCs) removed and display a sticker issued by the appropriate authority indicating that the refrigerant gas (or CFCs) have been removed before they are eligible for special collection:
    - i) refrigerators
    - ii) freezers
    - iii) air conditioning units
    - iv) dehumidifiers
  - c) Where the Municipality establishes a separate collection of white goods, special collections will have limits and specifications as may be determined and publicized by the Municipality's Administrator.
  - d) Where the Municipality establishes a separate collection of organic materials such as Christmas trees or leaf and yard waste, special collections will have limits and specifications as may be determined and publicized by the Municipality's Administrator.

- e) No person shall place or cause to be placed for municipal collection any non- collectable waste or material banned from disposal by provincial regulations.

## **10. REGULATION BAGS AND CONTAINERS FOR MUNICIPAL COLLECTION**

- 1) The owner or occupant of each eligible premise shall be responsible for containing designated collectable waste to prevent the escape of waste materials into the environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped from its container onto public or private property.
- 2) Only plastic bags and containers which meet the following specifications and requirements shall be utilized for the purposes of general municipal collection:

### **a) Residual waste regulation bags:**

Only the following residual waste regulation bags shall be used:

- i. Residual waste must be placed in watertight clear transparent bags with an overall length of not more than 3.28 ft (1 m) when empty and requires sufficient thickness to prevent breakage, tearing or splitting upon collection.
- ii. the filled bags are not to exceed 22 kg (48 lbs.) in weight.
- iii. all material must be securely contained to prevent material from escaping into the environment.
- iv. the filled bags shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened except:
  - (a) one small solid-coloured privacy bag no larger than 22 x 24 inches and may be placed in the clear bag as above;
  - (b) medical containers provided by the Municipality; and
  - (c) boxed and labelled broken glass or sharp metal pieces.

### **b) Recyclable materials regulation bags**

Only the following recyclable materials regulation bags shall be used:

- i. general recyclables must be placed in watertight transparent blue bags or clear transparent bags with an overall length of not more than 3.28 ft (1 m) when empty and requires sufficient thickness to prevent breakage, tearing or splitting upon collection;
- ii. paper recyclables must be placed in separate watertight transparent blue bags or clear transparent bags, except corrugated cardboard, which may be placed in securely tied bundles not greater than 2 ft x 3 ft x 8 in;

- iii. the weight of each bag, including contents, placed for recyclable materials collection must not exceed 22 kg (48 lbs.);
- iv. all material must be securely contained to prevent material from escaping into the environment;
- v. the filled bags shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened; and
- vi. general recyclables and paper recyclables must be separated into separate bags for collection.

**c) Compostable materials regulation containers**

Only the following compostable materials regulation containers shall be used:

- i. organics collection carts as assigned to eligible premises by the Municipality as per Section 11 of this bylaw; and
- ii. subject to the limits in this bylaw, excess leaf and yard waste material may be placed out for collection in paper bags, except branches or limbs that may be placed in securely tied bundles not exceeding 25kg (55lbs) in weight per bundle, no longer than 4ft (1.2m) and no bigger than 3 cm in diameter.

**11. ORGANIC COLLECTION CARTS**

1. Every owner or occupant of eligible premises shall be provided with one or more organic carts from the Municipality for the storage and disposal of organic waste generated from their premises in accordance with subsection 3 of this section.
2. To comply with the preceding section, an organic cart shall:
  - a) be assigned by the Municipality;
  - b) remain on the property for which it was assigned and shall remain on the property when a householder sells a property;
  - c) maintain the organic cart in good repair and sanitary condition;
  - d) be replaced or repaired at the owner or occupant's expense, to which the cart was assigned due to misuse, alterations or abuse;
  - e) make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number;
  - f) owners of eligible premises are responsible for the cart(s) assigned to the premises and used by tenants who are renting or leasing the premises;
  - g) except as authorized by the Administrator, no person shall restrict the lid of an organics collection cart on collection day including using bungee cords, chains, rope, or another locking device; and

h) any restraints that are used on a lid of an organics collection cart must be removed the morning of collection by the owner.

3. Every owner or occupant of the following types of eligible premises shall be provided by the Municipality, a maximum number of organic carts as outlined below. In all cases the building owners are to ensure adequate number of organic carts are provided. In the case of multi-unit buildings, if the number of bins provided is not sufficient for the waste accumulated by residents, the property owner will be required to provide additional commercial containers at their own expense.

a) single-unit building	1 green cart per <del>dwelling</del> unit
b) duplex building	1 green cart per <del>each</del> unit
c) semi-detached-building	1 green cart per <del>each</del> unit
d) manufactured home	1 green cart per unit
e) buildings of 3 to 6 units	2 green cart per building

## 12. PLACEMENT OF MATERIALS

- 1) All solid waste to be collected by the Municipality shall be accessible to the contractor within three (3) meters (9.8 ft) of the curb or other such location, which may be required from time to time. Solid waste is to be placed directly in front of, where possible, and on the same side of the street from which the waste was generated and is not to interfere with pedestrian or vehicular traffic and snow removal.
- 2) Organics collection carts must be placed at the curb in an upright position with the lid closed and shall not be stored inside a container or box, unless the cart can be wheeled out without lifting, or is removed from the container or box by the owner for collection.
- 3) A property that does not abut a public listed and maintained road and are located on private roads that are not approved for curbside collection, the owner shall transport eligible solid waste to the nearest public listed and maintained road for collection, unless the Municipality directs otherwise.
- 4) No person shall place, or caused to be placed outdoor, roadside storage boxes or containers other than one which meets the following specifications:
  - a) constructed of wood, metal, plastic or other impermeable material which is inaccessible to pests, rodent, vermin, birds or animals;

- b) are affixed with a lid weighing not more than 5 kg/11lbs. and, except as authorized by the Administrator, shall not have their opening restricted by bungee cords, chains, rope, or another locking device;
  - c) shall be maintained in a neat and sanitary condition and kept in good repair;
  - d) white goods, such as a discarded refrigerator or freezer shall not be permitted to be used as an outdoor roadside storage box or container for storing solid waste and nor shall white goods be placed within roadside storage boxes or containers;
  - e) where multiple dwellings use the storage container, all civic numbers must be posted on it to ensure that solid waste curbside limits are met;
  - f) shall be located and positioned no more than 9.8ft (3 m) from the travelled portion of the road or as directed by the Municipality and in a manner as to not interfere with traffic, pedestrians or snow removal;
  - g) the immediate vicinity of the container shall be kept neat and free of any solid waste;
  - h) the bin shall be accessible all year round by keeping vegetation trimmed, snow removed from the lid and path to the bin cleared; and
  - i) There shall be no loose solid waste stored in any container.
- 5) Owners shall maintain the area between the curb or edge of the travelled way and their property line free from garbage, waste, or debris.

### **13. COLLECTION TIMES & FREQUENCIES**

- 1) The following provisions apply to municipal collection times and frequencies:
- a) Collection will commence at 7:00 am in all areas of the Municipality, except where circumstances warrant from time to time;
  - b) No owner shall permit solid waste to remain in front of the building or adjacent to or curbside except between 7:00 p.m. the day prior to collection and 9:00 pm the day of collection;
  - c) Collection shall occur bi-weekly and may alternate or have material collected the same day. The current collection schedule shall determine what materials are collected on which day;
  - d) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator;
  - e) No person shall permit any materials or rejected waste to remain at the collection spot after 9:00 p.m. on the day of collection unless otherwise directed by the Administrator or its contractors; and

- f) Free-standing collection containers used to store residual waste and recyclable waste bags, and organic collection carts must be removed from curbside by 7:00 a.m. of the following day.

#### **14. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE**

- 1) The owner or occupant of any premise which generates the following waste shall, either personally, by employees, contractors, or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste at their own expense:
  - a) all waste generated by any industrial, commercial, or institutional premises, facility, or operation which is not expressly made eligible for municipal collection and properly placed for collection pursuant to this Bylaw; and
  - b) all construction and demolition waste of any kind, including from renovation or repair.
  
- 2) The property owner of an industrial, commercial, or institutional premises shall ensure that:
  - a) adequate space is provided on the premises to accommodate commercial containers for the collection of source-separated ICI waste, organic materials and recyclable materials generated at the premises. For recyclable materials, adequate space shall be provided to maintain general recyclables, paper recyclables and corrugated cardboard all separate from each other; and
  - b) signage of sufficient size is to be posted to provide occupants with specific recycling and organics instructions for proper sorting of general recyclables, paper recyclables (i.e., paper separate from general recyclables), corrugated cardboard and organic materials. Signage for the sorting of this waste is to be located within 3 metres of the container(s).
    - i) the location of the commercial container(s) for general recyclables, paper recyclables and organic materials shall be within 3 metres of the container(s) for ICI waste;  
or
    - ii) signage is posted adjacent to the commercial container(s) for ICI waste directing persons to the location of the commercial containers on the premises for general recyclables, paper recyclables, corrugated cardboard, and organic materials.
  
- 3) The occupant of an industrial, commercial, or institutional premises shall:
  - a) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials, general recyclables, paper recyclables and corrugated cardboard; to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and
  - b) place for collection source-separated material in commercial containers in accordance with Section 15 (1) at the storage areas on the property as designated by the property owner.

- 4) At industrial, commercial, and institutional premises where the public is responsible for depositing waste materials such as an enclosed or exterior shopping centre, mall, food court, quick service restaurant, sports arena, office complex or other commercial premises, the property owner will provide common area containers for source-separation of waste.

## 15. COMMERCIAL CONTAINERS

- 1) The following provisions apply to commercial containers:
  - a) Every owner or occupant of property or premises serviced by commercial containers for storage and collection of solid waste shall ensure such containers meet the following requirements:
    - i) containers shall be sturdily constructed, waterproof and impervious to domestic and wild animals and rodents;
    - ii) containers shall be equipped with tight-fitting lids with a positive closing device and kept closed except during loading or unloading;
    - iii) containers shall be designed and constructed to prevent entrapment of children;
    - iv) containers shall be kept clean and in a good state of repair;
    - v) containers shall be kept inside, behind or beside the building they service so as to reduce their visibility from the street, unless otherwise arranged with the Administrator;
    - vi) containers shall be kept no less than 1.5 metres from the building they service and not less than 1.5 metres from any property line of an abutting property containing a residential dwelling unit;
    - vii) containers shall be placed only on hard, level, weather-resistant surfaces;
    - viii) containers shall not be loaded in a manner which permits waste to extend beyond the internal volume of the container when the lid is closed;
    - ix) the area surrounding the container shall be kept free from litter and waste;
    - x) the container shall be emptied when full or at least every 30 days;
    - xi) has displayed thereon the following message "GARBAGE" or "WASTE" or "REFUSE", where ICI waste or residual waste is to be deposited in the commercial container;
    - xii) has displayed thereon the following message "RECYCLABLES" or "GENERAL RECYCLABLES" or "BLUE BAG RECYCLABLES", where general recyclables are to be deposited in the commercial container;
    - xiii) has displayed thereon the following message "PAPER" or "PAPER RECYCLING" where paper is to be deposited in the commercial container, and has displayed thereon the following message "CARDBOARD ONLY" or "CARDBOARD" where corrugated cardboard is to be deposited in the commercial container;
    - xiv) has displayed thereon the following message "ORGANICS" or "COMPOST", where organic materials are to be deposited in the commercial container.

- 2) A commercial container used during construction or repair work need not comply with Paragraphs (v) to (vii) of this Section for temporary periods of not more than 6 months or until the completion of the construction or repair work, whichever is sooner.
- 3) No person shall place waste in any commercial container without permission of the owner of the container.
- 4) The owner of any industrial, commercial, or institutional premises shall ensure that commercial containers on the premises:
  - a) accommodate source-separated waste generated at that location;
  - b) are designed and constructed such that the waste (i.e., ICI waste, organic materials, general recyclables, paper recyclables and corrugated cardboard) remains in a source-separated condition; and
  - c) are easily accessible to the occupants.

## **16. TRANSPORTATION OF WASTE**

- 1) All vehicles carrying waste materials shall:
  - a) do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.
  - b) have a tailgate or other restraining device and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover the solid waste while it's being transported.
  - c) be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same. In the event of any spillage, the vehicle operator shall be responsible for the clean-up, which shall be undertaken immediately.
  - d) Comply with the *Motor Vehicle Act* and any other regulations or legislation in effect from time to time.
  - e) If used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams.
  - f) Be maintained in good condition and be properly manned and equipped to ensure safe collection of solid waste.
- 2) All solid waste collected through private collections, and which is to be delivered to the Municipal Solid Waste Management Facility, shall be in compliance with the Regulations publicized by the operator of the facility regarding acceptance and receipt of solid waste.
- 3) The Administrator may inspect contracted waste vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this Bylaw.

- 4) All private collection of any solid waste shall be made directly to the collection vehicle from the premises where the same was generated.

#### **17. HAZARDOUS WASTE**

- 1) Every owner or occupant, including the owners and occupants of IC&I properties, shall store hazardous waste generated by the same in a safe and secure manner and shall deliver same, as soon as is reasonably possible, to an approved hazardous waste depot.
- 2) No person shall dispose of, or cause or permit the disposal of, household hazardous waste at any location within the Municipality, other than a Hazardous Waste Depot.

#### **18. PROHIBITIONS**

- 1) No person except collection contractors or authorized haulers in doing so within the scope of their authority shall:
  - a) pick over, remove, disturb, or otherwise interfere with any waste material that has been set out by other persons for municipal collection;
  - b) collect waste material placed by other persons for municipal collection; or
  - c) remove a container or organics collection cart placed by other persons at curbside.
- 2) No person shall dispose of any type of solid waste by the burning of the same.
- 3) Where an owner or occupier properly places any authorized form of solid waste out for collection by the Region's contractor the said solid waste becomes the property of the Municipality.
- 4) No person shall pick over, remove, collect, disturb, or otherwise interfere with any type of solid waste or regulation container which has been placed in an approved storage container.

#### **19. ILLEGALLY DUMPED MATERIAL**

- 1) No person shall dispose, cause or permit the disposal of solid waste at any place in the Municipality other than at an approved Solid Waste Management Facility designated for the applicable type of solid waste or any other site authorized by the Municipality or the Province of Nova Scotia for that purpose.
- 2) With the exception of the placement of solid waste for collection in accordance with this bylaw, the delivery of designated electronic products, household hazardous waste to depots, or other disposals allowed for in this bylaw, no person shall dispose, cause, or permit the

disposal of solid waste, bulky waste or non-collectable waste at any location or manner in the municipality except as follows:

- (a) the backyard composting of organic solid waste;
- (b) the unconcentrated deposit and distribution of waste trees and brush or portions thereof or of other organic farm or forestry waste for disposal by decay, on one's own forest or farmland property;
- (c) the spreading of fertilizer or composted organic waste on farmlands; or
- (d) the nuisance-free deposit and disposal of aggregate, soil, bricks, mortar, concrete, asphalt, pavement, porcelain, or ceramic materials as fill provided. However, nothing in this paragraph creates an exception to the dangerous or unsightly premises provisions of the *Municipal Government Act*.

- 3) No person shall dispose of, cause or permit the disposal of, or place for collection, solid waste on a property except as both authorized by this bylaw and by the owner or occupier of that property.
- 4) No person shall dispose of, cause or permit the disposal of, any non-collectable waste or rejected waste in, at or near a container or box for storage of solid waste or the collection placement spot for another owner or occupant.
- 5) Proof that any type of solid waste, which was disposed of in contravention of this Bylaw, originated from a particular person, from the residence of a particular person, or from a particular premises shall, in the absence of proof to the contrary, be evidence sufficient for a court to infer that the said person – or the owner or occupant of said residence or premises – was the person who disposed of that solid waste, or portion of same, or caused or permitted it to be disposed of.

## **20. TIPPING FEES**

- 1) Waste delivered to the Solid Waste Management Facility shall be subject to tipping fees as set by the Operator of the Facility, as agreed by the Administrator, from time to time.

## **21. ENFORCEMENT AND PENALTIES**

- 1) A person who:
  - a) violates a provision of this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw;

- b) fails to do anything required by this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw;
  - c) permits anything to be done in violation of this Bylaw or of a directive, authorization or order issued in accordance with this Bylaw; or
  - d) obstructs or hinders any person in the performance of their duties under this Bylaw or a directive, authorization or order issued in accordance with this Bylaw, is guilty of an offence.
- 2) Every person convicted of an offence is punishable on summary conviction and are liable for fines of not more than \$2,000, to imprisonment for up to six (6) months, or both a fine and imprisonment.
- 3) Each day that a person commits an offence under this Bylaw constitutes a separate offence.
- 4) In addition to any fine or imprisonment imposed pursuant to subsection (2) or subsection (3), the Court may order the person convicted to pay all expenses incurred in correcting the contravention of the bylaw or any damages associated with such contravention.

## **22. ADMINISTRATIVE TICKETING**

- 1) In lieu of prosecution under this Bylaw, the Municipality may, in its sole and absolute discretion, issue to any person it believes upon reasonable grounds has committed an offence under Section 19(1) of this Bylaw, a Notice of Violation, which Notice shall require the person to whom it is directed to pay to the Municipality within 14 days of the issuance of the Notice the sum of two hundred and fifty dollars (\$250.00) for contravention of Section 19(1) of this Bylaw, provided that such person has removed the illegally dumped solid waste and cleaned up and restored the site to the satisfaction of the Director of Public works or his/her Designate, and further provided that no person, animal or property was injured or damaged by such illegal dumping, and if the person pays within the said time, they shall thereby avoid prosecution for that contravention.
- 2) Nothing in this Bylaw requires the Municipality to issue a Notice of Violation in lieu of initiating a prosecution in relation to an alleged violation.

## **23. REPEAL AND REPLACE**

The previous version, and all other versions of the Municipal Solid Waste Bylaw, are repealed and replaced by this Bylaw.