



THE MUNICIPALITY
OF THE COUNTY OF

LA MUNICIPALITÉ
DU COMTÉ DE

RICHMOND

BY-LAW #17

SOLID WASTE MANAGEMENT BY-LAW MUNICIPALITY OF THE COUNTY OF RICHMOND

Revised October 2013

1. This By-Law is entitled the “**Solid Waste Management By-law**” for the Municipality of the County of Richmond (“**the Municipality**”).
2. This By-Law incorporates and includes the **Richmond Solid Waste Management Facility Rules**, as amended and approved by Council from time to time.

Definitions

3. In this By-Law:
 - (1) “**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:
 - (a) the waste is generated by the residents of the dwelling unit or neighbouring dwelling units or both;
 - (b) the annual production of compost on any property lot does not exceed 10 cubic metres;
 - (c) the composter or compost pile is not located within 10 metres of any window or door of a structure on an adjacent property.
 - (2) “**commercial customer**” is defined as those vehicles that are registered to commercial enterprises as well as those vehicles that frequent the facility more than 4 times per month, exceed one Tonne of weight in a single visit, or are hauling waste originating from other than their personal household. Vehicles will be tracked by license plate and assigned either ‘commercial’ or ‘residential’ status based on vehicle registration and/or usage history.
 - (3) “**compostables**” includes:
 - (a) for the purposes of a Municipal compostable collection program as may be established

and for those authorized by contract or agreement with the Municipality to deposit compostables at the Municipal Solid Waste Management Facility: food scraps, spoiled or waste food or foodstuff (including vegetable peelings, meat, fish, eggs, bones), waste food products, pet litter, soiled and wet paper and soiled paper products (such as table napkins, paper towels, pizza boxes), leaves and grass clippings, and such other organic materials as may, from time to time, be identified in public education documents and approved for collection by the Municipality;

- (b) for the purposes of backyard composting: food scraps, spoiled or waste food or foodstuff but not including meat, fish, eggs, or dairy products.
- (4) **“composting”** means the nuisance-free biological decomposition of organic materials, substances or objects under controlled circumstances to a condition sufficiently stable for nuisance-free and safe storage and use in land applications;
- (5) **“contaminated compostables”** means otherwise compostable materials contaminated by unsegregated, foreign, non-compostable components such as plastics or styrofoam;
- (6) **“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;
- (7) **“construction and demolition debris”** means materials normally used in the construction of buildings, structures, roadways, walls and other landscaping material, including, but not limited to: soil, asphalt, brick, mortar, drywall, plaster, cellulose, fibreglass fibres, gyproc, lumber, wood, asphalt shingles and metals and such other materials as may be permitted from time to time by regulations of the Province of Nova Scotia for disposal at a disposal site for construction and demolition debris;
- (8) **“curb”** means that portion of the street right-of-way of a public street between the travelled portion of the right-of-way and the property line which parallels the street centre line;
- (9) **“hazardous waste”** means waste that may be harmful to humans, animals, plant life or natural resources, including, but not limited to: industrial chemicals, toxic, flammable, corrosive, radioactive, reactive, pathological and PCB waste, oil gasoline, paint, solvent, wood preservatives, ink, battery acid, pesticides and insecticides;
- (10) **“hospital and pharmaceutical waste”** means waste generated at hospitals, clinics, pharmacies, veterinary clinics, dental offices and includes used needles, drugs, dressings,

but not including pathological waste;

- (11) **“mixed / non-compliant residual waste”** means residual waste or recyclables greater than 10% mixed / non-compliant as deemed by waste facility staff;
- (12) **“pathological waste”** means any part of the human body excepting hair, nail clippings and the like, any part of a dead animal infected with a communicable disease, and non-anatomical waste infected with a communicable disease;
- (13) **“prohibited waste”** means any materials prohibited from deposit in a Municipal Solid Waste Management Facility under this By-law, the Richmond Solid Waste Management Facility Rules, or provincial or federal law, including hazardous waste;
- (14) **“public education documents”** includes newsletters, pamphlets, flyers or other material circulated by mail or delivery, and newspaper or radio advertisements, by or on behalf of the Municipality;
- (15) **“reactive waste”** means a waste that reacts violently with water or is readily capable of detonation or explosive reaction including calcium carbide;
- (16) **“recyclable material”** or **“recyclables”** means paper recyclable material or general recyclable material as defined hereunder:
 - (a) **“general recyclables / general recyclable material”** means:
 - (1) plastics #1 through #7 (excluding styrene plastic and metal parts);
 - (2) aluminum cans;
 - (3) aluminum pie plates;
 - (4) glass bottles and jars (excluding caps);
 - (5) liquor containers;
 - (6) tetra packs (excluding straws);
 - (7) milk and juice poly-coated paper cartons;
 - (8) tin cans;
 - (9) all deposit containers;
 - (b) **“paper recyclables / paper recyclable material”** means:
 - (1) newsprint, newspapers;
 - (2) advertising flyers;
 - (3) magazines; periodicals (e.g. Auto Trader);
 - (4) telephone books;
 - (5) paperback books;
 - (6) egg cartons and flats;
 - (7) paper towel / toilet paper rolls;

- (8) boxboard (e.g. cereal boxes, excluding liner);
- (9) letter, office and school paper (excluding carbon paper);
- (10) envelopes (excluding padded envelopes);
- (11) cigarette packages (excluding foil liners and exterior plastic wrap);
- (12) corrugated containers (excluding waxed containers);

and any such other items as may, from time to time, be identified in public education documents distributed by the Municipality as recyclable material suitable for municipal recyclables collection;

- (17) **“redeemable beverage container”** means a container of less than 5 litres which contains or has contained a beverage and was sealed by the manufacturer after the beverage was placed in it, but not including containers for milk, milk products, soya milk or concentrates;
- (18) **“residual garbage”** means household waste not including:
 - (a) recyclables;
 - (b) leaf and yard waste;
 - (c) organic solid waste and food stuffs suitable for backyard composting;
 - (d) prohibited waste or waste subject to special collection under this By-law;
 - (e) waste not placed for collection in accordance with the requirements in this By-law or public education documents as circulated from time to time;

but notwithstanding subparagraphs (a) and (c) hereof, residual garbage may include compostables unsuitable for backyard composting, and compostables or recyclables where and to the extent the waste generator could not reasonable separate these materials in the state the waste generator received them, or because of the reasonable cross-contamination of materials in the ordinary course of use by the waste generator if such contamination was unavoidable by the exercise of due diligence by the waste generator;

- (19) **“septic waste”** means the liquid and solid material removed from septic tanks, sewage treatment plants, and manholes, cesspools, privies and portable toilets;
- (20) **“solid waste”** includes recyclables, compostables, residual garbage, construction and demolition debris, leaf and yard waste, contaminated soil and any other waste or discarded tangible personal property;
- (21) **“tonne”** means 1000 kg;
- (22) **“yard waste”** or **“leaf and yard waste”** means vegetative matter resulting from gardening, horticulture, landscaping or land-clearing operations, including materials such as tree and shrub trimmings, plant remains, grass clippings, leaves, trees and stumps, but not

including construction and demolition debris or contaminated organic matter.

Municipal Solid Waste Management Facility

4. The solid waste management facility for the Municipality is the Richmond Solid Waste Management Facility located in West Arichat and / or such other facility as may be designated by Council for the Municipality.
5. The delivery and depositing of solid waste at the Municipal Solid Waste Management Facility is governed by this By-law and by the Richmond Solid Waste Management Facility Rules, prepared in accordance with the Provincial *Solid Waste-Resource Management Regulations*, and as amended and approved from time to time by Council for the Municipality;
6. The Richmond Solid Waste Management Facility Rules (the “Rules”), as amended and approved from time to time by Council, are hereby incorporated into this By-law except insofar as the Rules are inconsistent with the provisions of the By-law in which case the By-law provisions prevail;
7. The Municipal Solid Waste Management Facility accepts only materials for which the Facility is equipped, which have originated within the Municipality, and which are identified as acceptable under the Rules, except and unless otherwise expressly provided for by contract approved by Council and the Chief Administrative Officer;
8. The Municipality reserves the right to refuse any waste if, in the opinion of Waste Facility Staff or the Director of Public Works, the quantity or type of material being delivered to the Municipal Solid Waste Management Facility exceeds the Facility’s capacity or is otherwise unacceptable.
9. No person shall deposit or cause to be deposited at the Municipal Solid Waste Management Facility materials other than those acceptable pursuant under the Rules and this By-law and accepted by Waste Facility Staff.
10. Any person delivering or placing waste at a Municipal Solid Waste Management Facility must do so in accordance with this By-law, the Rules and instructions from Waste Facility Staff or the Director of Public Works.
11. Waste Facility Staff, at their direction, may refuse to accept or permit deposit of materials at the Municipal Solid Waste Management Facility in accordance with this By-law and the Rules.
12. No person shall deposit wastes at, in or adjacent to the Municipal Solid Waste Management Facility when it is closed or when Waste Facility Staff of the Municipal Solid Waste Management Facility have refused to accept or permit deposit of the subject wastes.

13. 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 By-law 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.
14. Any person delivering or placing waste at a Municipal Solid Waste Management Facility does so at his or her own risk.
15. No person shall remove solid waste from a Municipal Solid Waste Management Facility except as authorized by hereunder or otherwise by the Municipality.
16. The Municipal Solid Waste Management Facility is operated under the direction of the Director of Public Works for the Municipality and questions or complaints about the operations of the Municipal Solid Waste Management Facility should be directed to the Director of Public Works.

Prohibited Deposit

- 17(1) No person shall deposit solid waste at any place in the Municipality other than at the Municipal Solid Waste Management Facility or other site approved by the Province of Nova Scotia for that purpose, except for:
 - (a) placement of solid waste for curbside collection as provided in this By-law;
 - (b) backyard composting of waste, so long as this is carried out in a manner which does not create nuisance;
 - (c) unconcentrated deposit and distribution of waste trees, brush or portions thereof or of other organic farm or forestry waste for disposal by decay on forest or farm land;
 - (d) nuisance-free deposit and disposal of aggregate, soil, bricks, mortar, concrete, asphalt, pavement, porcelain or ceramic materials as fill;and subject to the other by-laws of the Municipality and laws and regulations of Canada or the Province of Nova Scotia.
- (2) No person shall cause solid waste to be deposited, or permit solid waste to be deposited contrary to this section, and depositing, causing to be deposited, and / or permitting to be deposited contrary to this section are equivalent offences for purposes of prosecution.
- (3) Each day that a prohibited deposit remains shall constitute a separate offence under this By-law.

Prohibited Dumping

- 18(1) Depositing solid waste contrary to Section 17 above, where the quantity, volume, weight, nature, kind or character of the solid waste, or the location of the deposit, in the opinion of the Director of Public Works, causes injury, damage, hazard or potential hazard to persons, property, or the environment , or requires removal by vehicle transport, or environmental clean-up and / or remediation to restore the site to reasonable condition, constitutes “**Prohibited Dumping**” under this By-law.
- (2) Causing and permitting prohibited dumping contrary to subsection (1) above are equivalent offences to prohibited dumping under (1) above.
- (3) Each day that a prohibited dumping remains shall constitute a separate offence under this By-law.

Responsibilities of Property Owners/Occupants

19. In this section, “owners/occupants” refers to owners and occupants of property in the Municipality of the County of Richmond:
 - (1) Owners / occupants are responsible to ensure proper handling and disposal of solid waste, including:
 - (a) not allowing solid waste to accumulate in or around the property such that it is or is likely to become a nuisance or hazard to the public health;
 - (b) ensuring removal and lawful disposal of food scraps, spoiled or waste food or foodstuff from the property, other than that being composted in backyard composting, weekly
 - (c) providing for lawful collection and disposal of all solid waste not subject to municipal collection and to pay any associated collection, disposal or tipping fees;
 - (d) separating solid waste at the time of generation, storage, placement for collection and disposal into uncontaminated separate solid waste streams as follows:
 - (a) compostables;
 - (b) general recyclables;
 - (c) paper recyclables;
 - (d) residual garbage;

- (e) construction and demolition debris;
 - (f) contaminated soil;
 - (g) types of solid waste not accepted at a Municipal Solid Waste Management Facility, each type separated into its own stream;
 - (h) types of solid waste type accepted only in Special Collections or by contract or express approval, each type separated in its own stream for collection in accordance with such special conditions of prior notice to the Municipal Facility as apply.
- (2) Owners / occupants are responsible to provide sufficient and adequate storage for solid waste which may accumulate from time to time on the property, including but not limited to:
- (a) storing food scraps and spoiled or waste food in containers approved by the Municipality which are water-proof, impervious to domestic and wild animals and rodents and which are designed to avoid the entrapment of children;
 - (b) ensuring containers used for storage of food scraps and spoiled or waste food are not placed or kept within 2 meters of a window or door situated on an abutting or adjacent property;
 - (c) ensuring recyclables and residual garbage is stored inside buildings or in receptacles or containers that are water-proof, impervious to domestic and wild animals and rodents, and which are designed to avoid the entrapment of children.
- (3) Owners / occupants of property or premises serviced by commercial containers for storage or collection of solid waste shall ensure such containers meet the following requirements:
- (a) containers must be sturdily constructed, water-proof and impervious to domestic and wild animals and rodents;
 - (b) containers shall be equipped with tight-fitting lid with positive closing device and kept closed except during loading or unloading;
 - (c) containers shall be designed to avoid entrapment of children;
 - (d) containers shall be kept clean and in a good state of repair;
 - (e) containers shall be kept behind or beside the building they service so as to reduce their visibility from the street;

(f) 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 or adjacent property containing a residential dwelling unit;

(g) containers shall be placed only on hard, level, weather-resistant surfaces;

(h) 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;

(i) the area surrounding the container shall be kept free from litter and waste;

(j) the container shall be emptied at least every 14 days

except that, bulk commercial containers used during construction or repair work need not comply with paragraphs (e) to (g) of subsection 19(3) of this By-Law for temporary periods of not more than 6 months or until the completion of the construction or repair work, whichever is sooner.

- (4) Owners/occupants must ensure safe storage of any waste refrigerator or freezer inside an enclosed, locked, child-proof building or area, or with doors fully removed from such refrigerator or freezer.
- (5) Owners / occupants of every property in the Municipality are responsible to use backyard composters ("BYCs"), provided that owners / occupants may by agreement share or have common BYCs, so long as the same are adequate to accommodate such shared use.

Commercial Properties

20. In addition to the responsibilities and obligations set out here above, owners and / or operators of commercial properties shall provide suitable waste receptacles for separated disposal of compostables and recyclables by tenants and / or members of the public using the commercial properties.
21. Where an owner / operator of a commercial property makes available such suitable receptacles as described here above and cooperates with the Municipality's waste education staff in promoting and encouraging separation and disposal of wastes consistent with this by-law, such owner and /or operator shall not be in breach of this by-law by reason only of inadequate compliance or cooperation by the property's tenants or public users.

Heavy Load Tipping Fees

22. Subject to this By-law, loads of waste are subject to tipping fees in accordance with the Richmond Solid Waste Management Facility Rules.

General Municipal Collection

23. Council may by resolution provide for general municipal collection of solid waste by its own employees or by a contractor in some or all areas of the Municipality.
24. Without limiting Council's discretion to use different collection classifications, Council may limit general municipal collection to particular types of solid waste, to areas containing not less than a specified number of residential households, to properties which are not seasonal, and/or to commercial solid waste generators of a particular type or size or generating not more than a specified volume of solid waste, and may provide different collection services for any different class of waste generator.

Ineligible Generators

25. The Municipality, by contract with solid waste generators ineligible for municipal collection of solid waste pursuant to the immediately preceding section of this By-Law, may provide collection of their solid waste and may, in such contract, vary any of the limitations or restrictions applicable to general municipal collection as set out herein, but except to the extent of express variation by contract, such limitations or restrictions shall apply to waste generators whose solid waste is collected pursuant to this section.

Special Collections

26. Council may by resolution provide for Special municipal solid waste collections on an occasional basis or may provide for municipal collection from a drop-off site, of particular types of solid waste, such as discarded Christmas trees, bulky items not eligible for regular municipal collection, leaf and yard waste, household hazardous waste or other specified solid waste :
 - (1) Council may limit such special collection to particular areas of the Municipality, to properties containing not less than a specified number of residential households and/or to commercial solid waste generators of a particular type or size or generating not more than a specified volume of solid waste;
 - (2) Items banned from disposal by Provincial regulation, automobile parts, building parts, trees other than Christmas trees, large branches, and construction and demolition debris shall not be accepted for special collection.

Curbside Collection Requirements

27. Except to the extent authorized by contract with the Municipality or by public education documents distributed by the Municipality from time to time, including, but not restricted to,

public education documents or notices published in connection with special collection days, persons placing solid waste for collection shall comply with the following:

- (1) Solid waste shall be placed for collection before 8:00 a.m. on the collection day;
- (2) Solid waste shall be placed for collection within three meters of the curb in such a manner as to interfere as little as possible with pedestrian traffic and snow removal;
- (3) Solid waste shall be placed for collection in accordance with the particular stream of solid waste to be collected as advertised in public education documents distributed by the Municipality from time to time;
- (4) Solid waste placed for collection more than 12 hours prior to collection day shall be placed in a waste collection box / receptacle as provided in 26(16) hereunder;
- (5) Any uncollected solid waste, including any waste scattered by animals, pests or weather, shall be removed by the waste generator, or owner / occupant from the place where such solid waste was placed for collection not later than midnight on the collection day;
- (6) Residual solid waste shall be placed for collection in securely tied, clear, transparent plastic disposable water-proof bags of a dimension no smaller than 50 cm x 50 cm nor greater than 75 cm x 120 cm, with filled bag not to exceed 25 kg in weigh, and the filled bag shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened;
- (7) No more than 3 bags of residual solid waste may be placed for collection on any one collection day for each dwelling unit;
- (8) General recyclables shall be placed for collection in securely tied, blue-tinted plastic disposable water-proof bags of a dimension no smaller than 50 cm x 50 cm nor greater than 75 cm x 120 cm, with filled bag not to exceed 25 kg in weight, and the filled bag shall not enclose other filled bags, and its contents shall be reasonably visible without the bag being opened;
- (9) No more than 3 bags of general recyclables shall be placed for collection on any one collection date for each dwelling unit;
- (10) Paper recyclables shall be placed for collection in securely tied, blue tinted plastic disposable water-proof bags of a dimension no smaller than 50 cm x 50 cm nor greater than 75 cm x 120 cm, with filled bag not to exceed 25 kg in weight, except that corrugated cardboard may be flattened out and securely tied with twine or rope in convenient bundles which shall not exceed a weight of 25 kg per bundle;

- (11) No more than 3 bags of paper recyclables or 3 bundles of corrugated cardboard, or a total of 3 bags and bundles, shall be placed for collection on any one collection date for each dwelling unit;
- (12) Bulky items placed for special collection shall not exceed 75 kg in weight for any one item or 150 kg for all items for any one dwelling unit on any one special collection date and no individual item shall measure greater than 1.5 metres in any dimension;
- (13) Refrigerators and freezers placed for special collection must have doors removed prior to placement for collection.
- (14) Leaf and yard waste placed for special collection shall be placed as follows:
 - (a) in the case of leaves, waste shall be placed in securely tied, orange plastic disposable water-proof bags of a dimension no smaller than 66 cm x 91 cm, nor greater than 75 cm x 120 cm, with no filled bag exceeding 25 kg in weight, and a maximum of 8 filled bags placed for collection on any one special collection date, for each dwelling unit;
 - (b) in the case of brush and tree branches, waste shall be bundled in bundles not exceeding 1.5m in length or 25 kg in weight, with individual limbs having a diameter not exceeding 5 cm;
- (15) Christmas tree waste placed for special collection shall be free of all decorations, ornaments, wires or nails and shall not exceed 3 metres in length.
- (16) Solid waste other than compostables may be placed for collection in waste collection boxes located within 3 meters of the curb of the public road or street provided that:
 - (a) separation of different solid waste streams is maintained;
 - (b) the box has a securely hinged lid or lids;
 - (c) the box has a support to hold the lid open while the contents are being emptied;
 - (d) the box is designed to avoid the entrapment of children; and
 - (e) the solid waste is placed within the box in accordance with all other requirements of this section, including placement in specified bags.
28. No person shall place solid waste for collection on a property other than a property owned or occupied by such person or in respect of which the person has obtained the consent of the owner or occupier for that purpose.

29. Except to the extent authorized by contract with the Municipality or by public education documents distributed by the Municipality from time to time, no person shall place for collection the following:
- (1) hazardous waste;
 - (2) hospital and pharmaceutical waste;
 - (3) asbestos;
 - (4) septic waste;
 - (5) hot ashes;
 - (6) dead animals;
 - (7) industrial waste, including non-residential farm, forestry or fishing waste;
 - (8) tires;
 - (9) compostables;
 - (10) waste generated outside the Municipality; or
 - (11) other materials or solid waste as may be identified as unacceptable for collection in public education documents distributed by the Municipality from time to time.
30. Except as authorized by the Municipality, no person shall remove recyclables or other solid waste placed or apparently placed for municipal collection by waste generators, owners or occupants and all recyclables are the property of the Municipality from the moment of placement for municipal collection.

Exporting and Importing Solid Waste

31. With the exception of recyclables, no person shall export or remove solid waste material generated within the Municipality outside the boundaries of the Municipality unless directed by the Municipality.
32. No person shall import or deposit into or in the Municipality, solid waste generated outside the boundaries of the Municipality unless directed by the Municipality.
33. With the exception of recyclables, all solid waste material generated within the Municipality shall be disposed of within the boundaries of the Municipality in accordance with this By-law and the Rules except that the Municipality may export or direct the export of solid waste generated within the Municipality to licensed disposal facilities outside the boundaries of the Municipality where the volumes of solid waste generated or delivered exceed the capacity of the Municipal Solid Waste Management Facility.
34. Except as directed by the Municipality, the Municipal Solid Waste Management Facility shall not accept for deposit any solid waste generated outside the boundaries of the Municipality.

Burning Solid Waste

35. No person shall burn solid waste within the Municipality in a barrel, stove, or other device or in the open as a method of waste disposal, except for brush, tree limbs, and milled wood that is free from adhesives, coatings and preservatives, but only where such exceptional burning is otherwise permitted by law.

Solid Waste Collectors

36. No person shall engage in the business of collecting solid waste placed at the curb for collection and or transporting such waste to a solid waste management facility in the Municipality unless the person holds a current Collector's license from the Municipality for that purpose, obtained or renewed before January 20 in each calendar year.

37. The application for a Collector's License shall be made in writing, in duplicate, on such form as may be specified by the Director of Public Works from time to time, and signed by the person applying therefor. Every application for a Collector's License, including each annual renewal, shall contain the following information:

- (1) the name, address and telephone number of the applicant;
- (2) the provincial motor vehicle registration number and description by make, model, and year of any vehicles to be used by the applicant in connection with the collection or transportation of solid waste in the Municipality;
- (3) a description of the types of solid waste for which a Collector's License is sought;
- (4) an annual license fee of One Hundred Dollars (\$100);

38. Licensed collectors shall use collection and transportation equipment which:

- (1) is insured for third party liability in such amount as may be required from time to time by the Director of Public Works;
- (2) is registered under the *Motor Vehicle Act* and which complies with all provisions of that *Act* or of any other applicable statute or regulation in effect from time to time;
- (3) is driven by operators with valid operators' permits of the requisite class for that type of vehicle;
- (4) is designed and utilized in a manner which prevents any solid waste or liquid waste from falling out, being spilled, blown or scattered from the vehicle during collection or transportation and, in particular:

- (a) must be equipped with a tailgate or other restraining device which shall be closed while the vehicle is in motion;
 - (b) must be equipped with a cover, tarpaulin or other adequate protective device to prevent littering during collection or transportation of solid waste;
- (5) if used in the collection of more than one type of solid waste, be designed, constructed and used in such a manner as to prevent cross-contamination between different solid waste streams;
- (6) displays the name of the Licensed collector in characters not less than 2.5 cm in height;

39. Licensed collectors shall:

- (1) refuse collection of solid waste which is not separated or otherwise placed for collection in accordance with the requirements of this By-Law;
- (2) haul in separate loads solid waste collected in different municipal units, except as may be expressly authorized by the Director of Public Works;
- (3) comply with the provisions of this By-Law, including, but not restricted to those concerning the placement or deposit of solid waste at Municipal Solid Waste Management Facilities;
- (4) collect solid waste from the right-hand side of the road only, except on one-way streets;
- (5) attend courses or training seminars, as stipulated from time to time by the Director of Public Works regarding the collection and transportation of solid waste, the use of solid waste management facilities and the public education of solid waste generators;
- (6) comply with any directives or restrictions on collection or transportation routes, or the timing, procedures or methods to be utilized in connection with the collection or disposal of solid waste at a Municipal Solid Waste Management Facility as may be specified by the Director of Public Works from time to time.

40. The Director of Public Works may refuse to issue or renew or may revoke or suspend a Collector's License for breach of this By-Law or of the terms or conditions of a License.

41. The Director of Public Works may suspend a Collector's License on reasonable and probable grounds without hearing or notice in the event of a wilful breach of this By-Law or a loss or apparent loss of licensing, registration or insurance, in which event an interim suspension shall remain in effect for a period of up to 30 days pending a hearing. In all other instances, a refusal to issue or renew or a revocation or suspension of the License shall

only be made by Council for the Municipality after convening a hearing upon advance notice to the applicant or Licensed Collector by registered mail or personal service.

Fees and Contracts

42. The Municipality may negotiate tipping fees with solid waste generators whose solid waste is partially or entirely ineligible for general municipal collection, with Licensed Collectors, with other municipalities or persons.
43. The Municipality may, by contract, agree to accept limited quantities or proportions of improperly separated or cross-contaminated waste, subject to the imposition of contract penalties for exceeding such levels.
44. The Chief Administrative Officer or his or her designate shall have the authority to make contracts on behalf of the Municipality in regards the disposal of solid waste at a Municipal Solid Waste Management Facility and in regards the collection of solid waste from individual generators, provided however, that all such contracts, except those expressly approved by Council, shall be for an indefinite term, and shall contain or be deemed to contain a provision entitling the Municipality to terminate the contract without notice for cause or on 30 days' notice without cause.
45. Each fiscal year the Council shall determine an amount to be paid into a capital reserve fund for the decommissioning and closure of Municipal Solid Waste Management Facilities.

Offences and Penalties

46. Every day that an offence under this By-law continues is a separate offence.
47. Proof that solid waste deposited or dumped somewhere contrary to this By-law originated with or was in possession or control of an identified person, including its being on property owned by or in the possession of an identified person, shall be evidence that the said person deposited or dumped it, caused its deposit or dumping, or permitted its deposit or dumping, in the absence of evidence to the contrary.
48. Any person who commits an offence under this By-law, other than Prohibited Dumping, is punishable on summary conviction by a fine of not less than One Hundred Dollars (\$100) and not more than One Thousand Dollars (\$1000), and to imprisonment of not more than 90 days in default of payment thereof.
49. Any person who commits Prohibited Dumping contrary to this By-law is punishable on summary conviction by a fine of not less than Five Thousand Dollars (\$5,000) and not more than Ten Thousand Dollars (\$10,000), and to imprisonment of not more than 90 days in default of payment thereof.

Payment in Lieu of Prosecution

- 50. Any person who commits an offence under this By-law, other than Prohibited Dumping, may, subject to written notice from the Municipality, avoid prosecution for the offence by paying the sum of Two Hundred Dollars (\$200) at the Municipal Administration Offices, within 14 days of the notice, and subject to carrying out such removal, repair, clean-up, restoration and remedial actions as may be stipulated in the notice, within the time stipulated in the notice, to the satisfaction of the Director of Public Works.

- 51. Any person who commits a Prohibited Dumping offence under this By-law, may, subject to written notice from the Municipality, avoid prosecution for the offence by paying the sum of One Thousand Dollars (\$1,000) at the Municipal Administration Offices, within 14 days of the notice, and subject to carrying out such removal, repair, clean-up, restoration and remedial actions as may be stipulated in the notice, within the time stipulated in the notice, to the satisfaction of the Director of Public Works.

General

- 52. Nothing contained herein is to be interpreted or construed so as to authorize the collection, transportation, storage or disposal of any waste, substance or thing the collection, transportation, storage or disposal of which is prohibited or regulated by any federal or provincial statute.

YVONNE BOUDREAU, Municipal Clerk of the Municipality of Richmond County, hereby certify that the above noted by-law was passed at a meeting of the Richmond County Municipal Council on November 25, 2013.

Yvonne Boudreau

YVONNE BOUDREAU
Municipal Clerk

By-Law Adoption	
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Version Number	Amendment Description	Council Approval Date
3	Amended to reflect operating hours and organizational structure at the Solid Waste Management Facility, revise the tipping fee structure, and remove redundancies between this by-law and the Richmond Solid Waste Facility Rules that form part of this by-law.	November 23, 2013
2	Amendments were made based on recommendations by the Adhoc Solid Waste By-Law Committee. Changes were made to provide clarity regarding penalties.	September 10, 2007
1		June 24, 2003



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1.0 Introduction

The Richmond Solid Waste Management Facility, herein after referred to as “the Facility,” is located west of Highway 206, approximately 4 km north of the community of West Arichat in the Municipality of the County of Richmond. The Facility has a total size of approximately 25 hectares and is owned and operated by the Municipality under the overall direction of the Director of Public Works. The Facility accepts for disposal and recycling waste materials generated in Richmond County. This document represents the Rules of the Richmond Solid Waste Management Facility as described in the Solid Waste Management By-Law for the Municipality of the County of Richmond. Where any directive of these Rules conflicts with that of the By-Law, the By-Law shall prevail.

2.0 Hours of Operation

The hours of operation of the Facility are **8:30 a.m. to 4:00 p.m. Monday to Saturday**. The Facility is normally closed on Sundays, Christmas Day, New Year’s Day, Good Friday, Remembrance Day and all municipal holidays as defined by the Municipality. The Facility may also be closed on days of inclement weather at the discretion of the Director of Public Works.

3.0 General Protocol for Using the Facility

The Facility is under the direct supervision of Waste Facility Staff. Users of the Facility shall at all times adhere to the directives of Waste Facility Staff. Waste Facility Staff report to the Director of Public Works.

Only those materials for which the Facility has been designed will be accepted. Only those materials which have originated from within the Municipality of the County of Richmond will be accepted unless otherwise directed by the Municipality.



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The Municipality reserves the right to refuse any waste if, in the opinion of Waste Facility Staff or Director of Public Works, the quantity or type of material being delivered by the hauler exceeds the capacity of the Facility to process it.

The Municipality reserves the right to refuse any waste if, in the opinion of Waste Facility Staff or Director of Public Works, inclement weather renders the site unsuitable for processing the material. For example, large quantities of light weight material, such as Styrofoam insulation, may be refused during periods of high winds.

Once materials have been accepted at the Facility, they become the property of the Municipality. No salvaging of materials by anyone is permitted unless such material has been identified as surplus by the Municipality and/or written permission of the Director has been granted.

The Municipality reserves the right to refuse re-entry of customers who drop off only a portion of their load in an effort to avoid tipping fees. Re-entry will be permitted the following business day at the discretion of Waste Facility Staff.

The Municipality shall not be held liable for any damage or loss to property owned by or injury to users of the Facility caused or arising in relation to the use of the Facility.

4.0 Acceptable Wastes

The following waste materials are accepted at the Facility provided they are placed in the designated area as directed by the Waste Facility Staff.

- 4.1 Metals and White Goods:** includes sheet iron, scrap metal, boilers, tanks and appliances;
- 4.2 Paint:** waste paint;
- 4.3 Propane Cylinders:** cylinders must be completely empty;



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- 4.4 Leaf and Yard Waste:** includes lawn and hedge cuttings, leaves, twigs, Christmas tree limbs, or other tree limbs not more than 1.2 metres in length;
- 4.5 Clean Wood:** wood material which is free of excessive paint or other foreign material and which is suitable for processing into wood chips by the Facility's equipment;
- 4.6 Cooking Oil:** must be in an approved container such as a 25 litre pail with lid covering;
- 4.7 Batteries:** includes car and household batteries (AA, AAA, D, C, etc.)
- 4.8 Construction and Demolition (C&D) Materials:** includes normal C&D materials used in construction of buildings, structures, roadways, walls, and in landscaping, such as soil, asphalt, brick, mortar, drywall, plaster, cellulose, fibreglass, gyproc, lumber, wood, asphalt, shingles and metals.

The determination of whether the C&D material is mixed or sorted is that of the Waste Facility Staff. The tonnage of material will be determined at the Facility Scale and the tipping fees shall be calculated on the entire weight of the load.

- 4.9 Derelict Vehicles:** all incidental materials including oils, greases, coolants, fuel, lead, acid, batteries, CFCs, HCFCs must have been removed from the vehicle.
- 4.10 Compostable Organics:** In general, the Facility will process the following compostable organic waste:
- domestic organic waste;
 - yard waste including vegetative matter from gardening or horticulture activities, tree and shrub trimmings, plant remains and grass clippings;
 - shredded newspaper, cardboard and box-board and other organic material.



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The following is a more detailed table of compostable organics accepted at the Facility.

Category	Specific List of Wastes
Food Waste:	Fruit and vegetable peelings Table scraps Egg shells Solid fats Coffee grounds, filters and tea bags Meat, bones and fish Seafood shells Dairy products
Non-Recyclable Paper:	Napkins and serviettes Paper towels and tissue paper Paper plates and cups Freezer paper and waxed paper Damp soiled newspaper and flyers Paper bags e.g. sugar and flour
Yard Waste:	House and garden plant waste Grass clippings and leaves Hay Twigs
Other:	Sawdust and wood shavings Paper vacuum bags and contents Animal or Human hair Hand soap slivers

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4.11 General and Paper Recyclables: as defined by the Municipality and on condition the recyclables are contained in transparent blue bags not exceeding 25 kg in weight per bag, except that corrugated cardboard may be flattened out and securely tied with twine or rope in convenient bundles not exceeding 25 kg per bundle. General and paper recyclables are to be separately bagged.

The following table gives a detailed description of acceptable general and paper recyclables:

General Recyclable Material	Plastics #1 - #7 (excluding styrene plastic and metal parts)
	aluminum cans
	aluminum pie plates
	glass bottles and jars (excluding caps)
	liquor containers
	tetra packs (excluding straws)
	milk and juice poly-coated paper cartons
	tin cans
	all deposit containers
	others as identified by the Municipality



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Paper Recyclable Material	newsprint, newspapers
	advertising flyers
	magazines
	periodicals
	telephone books
	paperback books
	egg cartons and flats
	paper towel and toilet paper roll
	boxboard (e.g. cereal boxes, excluding liner)
	letter, office and school paper (excluding carbon paper)
	envelopes (excluding padded envelopes)
	cigarette packages (excluding foil liners and exterior plastic)
	corrugated containers (excluding waxed containers)
others as identified by the Municipality	

4.12 Residual Garbage: any waste which does not fit into the aforementioned categories and which is not subject to Provincial disposal ban.

Bagged residual garbage must be delivered in securely tied transparent bags of dimensions not exceeding 75 cm x 75 cm.

Bagged residual garbage must be delivered to the area designated by Waste Facility Staff, typically the Facility Transfer Building



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4.13 Difficult Wastes: The following materials may be received at the site, although none of the items listed is considered suitable for routine acceptance. As a result, Waste Facility Staff will specify in each case an appropriate disposal method and location.

Waste Facility Staff reserve the right to limit the amount of these materials received at any one time or to define the material as non acceptable waste and to specify manageability and processing fee requirements.

1. **Asbestos waste**, if packaged and handled in accordance with the "Asbestos Waste Management Regulations" pursuant to the Nova Scotia Environment Act and that necessary NS Department of Environment and Labour (NSDEL) asbestos waste disposal site approval has been acquired by the Municipality.
2. **Waste building lumber** less than 4 metres in length and other construction material in reasonable quantities.
3. **Sawdust, shavings and any long thin wood shavings** used as packing or stuffing (known as excelsior) in reasonable quantities.
4. **Tree stumps and trees.**
5. **Non-hazardous incinerator ash, fly ash and wood ash**, if properly quenched and cooled. Large quantities of ash may require special pre-treatment before being accepted at the Facility and may require special disposal methods.
6. **Electrical transformer casings** on condition all oils have been removed consistent with applicable regulations and units have been rendered free of potentially hazardous materials.
7. **Biomedical waste** originating from human and animal health care facilities, providing it has been autoclaved or incinerated and is packaged according to the Guidelines for the



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Handling and Disposal of Biomedical Wastes from Nova Scotia Health Care Facilities and Laboratories (dated March 1988 or as amended).

8. Carcasses of animals weighing less than 25 kg.

All wastes not specifically fitting into the any of the above categories and not specified as unacceptable should be referred to the Director of Public Works and the NSDEL for recommendations as to acceptability and appropriate disposal methods.

5.0 Unacceptable Wastes

Wastes which present a danger at the disposal site, which require special disposal techniques, which may interfere with the level of service to the public or which are in contravention with Provincially-mandated disposal bans, are not acceptable for disposal.

In some cases, wastes which are acceptable in small quantities may not be acceptable in large quantities from a single generator because they may cause the level of service to other users to deteriorate and may cause handling problems and increased environmental liability at the Facility. The acceptability of large quantity wastes, as defined by the Director of Public Works, shall be at the Waste Facility Staff's discretion, and subject to the Facility's ability to accommodate disposal without deterioration in the level of service.

Waste generated outside the boundaries of the Municipality is unacceptable for disposal at the Facility except pursuant to direction by the Municipality.

Wastes which pose potential safety or environmental problems **MAY NOT** be disposed of at the Facility. It is not possible to produce an exhaustive list of these wastes.

Unacceptable wastes include but are not limited to the following:

1. Explosives or highly combustible materials of any nature.



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2. Gas cylinders, unless the valve has been removed and the cylinder properly drained by a professional trained in handling gas cylinders.
3. Fuel tanks containing fuel.
4. Radioactive materials.
5. Chemicals and chemical wastes, including sludges from water and wastewater treatment plants and other generators.
6. Any hazardous materials, which may be classed as corrosive, reactive, toxic, or flammable.
7. Waste building materials unless specified acceptable or conditionally acceptable by the Director of Public Works.
8. Carcasses of animals weighing more than 25 kg.
9. Liquid wastes, including herbicides, insecticides or other sprays, paints, oils and solvents.
10. Septic tank waste and sewage treatment plant sludges, unless a facility is specifically designed for their disposal or they have been pre-treated as defined by NSDEL's Standards and Guidelines Manual for the Collection, Treatment and Disposal of Sanitary Sewage.
11. Hot ashes.
12. Pieces of concrete or asphalt which are larger than one metre by one metre.



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13. Tree stumps and trees having a diameter greater than 250 mm and a length greater than 1.2 metres.
14. Any liquids, or liquid waste, of a quantity greater than 20 litres in any one load.
15. Dangerous goods as defined by the Nova Scotia Dangerous Goods Transportation Regulations (e.g., poisonous substances, infectious substances, oxidizing substances).
16. Biomedical wastes that are not treated prior to disposal according to the Guidelines for the Handling and Disposal of Biomedical Waste from Nova Scotia Health Care Facilities and Laboratories (dated March 1988 or as amended).
17. **Residential Sharps:** Needles and lancets are not acceptable for disposal in the garbage. For more info, call RRFB Nova Scotia (1-877-313-7732) or your local pharmacy.
18. Any other materials not listed as acceptable or conditionally acceptable with the approval of the Director of Public Works.

6.0 Waste Inspection and Control

All waste arriving at the Facility is subject to inspection for unacceptable or hazardous waste content. Inspections are to be conducted, as much as possible, within the delivery vehicles prior to dumping and at an area designated by Waste Facility Staff in the Facility after dumping. In addition, thorough random checks shall be performed, at a minimum, once per week, near the Facility working face.

The following general rules and procedures apply with respect to waste control:

1. Before depositing any material at the Facility, users must report to the Facility Scale to obtain direction from Waste Facility Staff. The Waste Facility Staff reserves the right to

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- inspect all waste arriving at the Facility and the user will comply with any directives of the Waste Facility Staff.
2. All loads delivered to the Facility must be suitably covered to prevent material from leaving the vehicle and causing undesirable litter. The operators of vehicles arriving with uncovered loads will be advised that any subsequent uncovered loads will be immediately refused.
 3. When the Waste Facility Staff encounter suspect, unacceptable waste, the material shall be segregated and appropriate action taken.
 4. When a random check is to be performed the Waste Facility Staff will inform the hauler. If the hauler refuses to allow the vehicle to be inspected, the vehicle will not be permitted to unload and will be selected for a check on its next visit. The Waste Facility Staff will record as much information as possible about haulers who refuse a random check.
 5. The selected hauler will be directed to a designated area, ensuring separation from all other incoming waste. Prior to dumping, the driver of the inspected vehicle will confirm the absence of unacceptable materials. The Waste Facility Staff will examine the load for hazardous or unacceptable wastes. Non-hazardous, unacceptable waste delivered by a known hauler will be reloaded by the hauler if necessary and removed from the site.
 6. Non-hazardous, unacceptable waste delivered by an unknown hauler may be removed from the Facility, processed to render it acceptable, or accepted as a special circumstance at the discretion of the Waste Facility Staff.
 7. Suspected hazardous (and therefore unacceptable) waste delivered by a known hauler will be reloaded by the hauler if necessary and removed from the Facility. Once a waste is suspected to be hazardous, unless the hauler can prove otherwise to the satisfaction of the Waste Facility Staff, the waste shall be removed at the hauler's expense.

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8. If reloading or further transporting of the suspected hazardous waste is considered unsafe, the NSDEL will be contacted for direction. Costs associated with the attempted delivery shall be the responsibility of the hauler.
9. Repeat deliverers of unacceptable or hazardous wastes may be banned from the Facility at the discretion of and for a period determined by the Director of Public Works.
10. Before leaving the Facility and after depositing waste materials, users must report to the scale for weighing out of the vehicle.



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7.0 Waste Disposal Tipping Fees

Loads of waste are subject to tipping fees for both commercial and residential customers.

“*Commercial customers*” are defined as those using vehicles that are registered to commercial enterprises (ICI sector) as well as those vehicles that either frequent the facility more than 4 times per month, exceed one Tonne of weight in a single visit, or are hauling waste originating from other than their personal household. Vehicles will be tracked by license plate and assigned either ‘commercial’ or ‘residential’ status based on vehicle registration and/or usage history. Assignment of ‘commercial’ or ‘residential’ is at the discretion of Waste Facility Staff.

Commercial loads in excess of 200 Kg are subject to the tipping fees shown in Table 1 (with the fee based on the actual **total weight of the load** as determined by the Municipal Solid Waste Management Facility).



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Table 1: Tipping Fee Structure for Commercial (ICI) Customers – Effective June 1, 2021

Product	Tipping Fee	Comments
Construction and Demolition (C&D) Unsorted	\$90 / Tonne	
Construction and Demolition (C&D) Sorted	\$50 / Tonne	
Uncontaminated Compostable Organics	\$30 / Tonne ICI No Charge for Residential	
Contaminated Compostable Organics	\$80 / Tonne	Waste Facility staff will determine if organics are contaminated
General and Paper Recyclables	\$100 / Tonne	
Residual Garbage	\$100 / Tonne	
Mixed / Non-Compliant Residual Waste	\$170 / Tonne	Waste Facility staff will determine if a load is mixed / non-compliant
Leaf and Yard Waste	No Charge	
Metals and White Goods	No Charge	
HHW (Household Hazardous Waste)	No Charge	Includes on-road tires without rims
<p>Weights: Normally the net weight to be charged will be the difference between the inbound weight and the outbound weight. Should the scale not be working, the tipping fee charges will be on a per load basis for which fees apply as follows: 1/2 ton truck or small trailer = \$25.00; Single axle truck = \$50.00 ; Tandem axle truck = \$100.00 ; Tractor trailer = \$200.00.</p>		



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Residential customers (see definition of commercial customer above) are subject to the stepped tipping fee structure shown in table 2.

Table 2: Tipping Fee Structure for Residential Customers

Net Weight (Kg)	Fee
0 < 400	\$0.00
400 < 600	\$7.50
600 < 800	\$15.00
800 < 1000	\$25.00
Equal or Greater than 1000 Kg	Commercial Tipping Fees Apply
Weights: Should the scale not be working, the tipping fee charges will be on a per load basis for which residential fees apply as follows: 1/2 ton truck or small trailer = \$10.00 (residential customer); Single Axle = \$50.00 ; Tandem truck = \$75.00 ; Tractor trailer = \$100.00.	
