

BE IT RESOLVED by the Municipal Council of the Municipality of the County of Inverness that By-law No. 18, Garbage Collection, be repealed and re-enacted as follows:

BY-LAW 16

GARBAGE COLLECTION

1. In this By-law:
 - (1) "Combustible" means capable of being consumed by fire;
 - (2) "Garbage" includes filth and ordure;
 - (3) "Incombustible" means incapable of being consumed by fire and, without restricting the generality of the foregoing, includes tin cans and other metallic objects, and bottles and other objects of glass, crockery or similar materials;
 - (4) "Wet garbage" means wet combustible material and also material of animal or vegetable nature such as table scrapings, fruit or vegetable peelings and fresh grass, but does not include anything of fluid consistency;
 - (5) "Container" means garbage bag no larger than 30" by 37".
2. No person shall engage in the business of removing and collecting garbage, or similar material within the Municipality unless he/she holds from the Municipality a license for that purpose which is in force.
3. (a) For the purpose of collecting garbage or similar material hereinbefore defined, the Council shall divide the Municipality of Inverness into sections and shall upon designated days of the week, collect or cause to be collected, from such sections the accumulation of garbage or other similar materials placed for collection hereinafter provided. The Council may change the boundaries of such sections from time to time and shall give such public notice of the said boundaries as it may determine to be sufficient.

(b) For the purpose of garbage collection as outlined in sub-section (a) above, the Municipality of Inverness shall be divided into the following districts:
 - (i) Pleasant Bay and adjacent area.
 - (ii) Cheticamp and adjacent area.
 - (iii) Inverness and adjacent area.
 - (iv) Port Hastings, Judique, Whycocomagh and the intervening areas.
4. Every application for a license under this by-law shall be made in writing, in duplicate, on a form provided therefore by the Municipality and signed by the person applying therefore.

5. A license issued under this by-law shall be valid until the first day of April followings the date of its issue, unless sooner revoked or suspended, and upon application it shall be renewed by the Council on payment of the required license fee, except when provisions of this by-law have been violated by the applicant.
6. Every application for a license whether new or renewal shall contain the following information concerning the applicant:
 - (a) His/her name in full and address.
 - (b) The provincial registration number of any vehicles to be used by him/her in his/her business.
 - (c) The collection area of the Municipality in which he/she intends to carry on his/her business.
 - (d) The location of any place of deposit intended to be used by him/her and shall be accompanied by the license fee. If a person licensed uses any vehicle different from that mentioned in the license, he/she shall report this to the Municipal Clerk within ten (10) days thereafter.
7. If there is not already a licensed garbage collector for the collection area of the Municipality mentioned in the application form, or for part thereof, the Council shall issue a license on receipt of the following:
 - (a) A completed application form.
 - (b) The required license fee.
 - (c) The approval of the place of deposit mentioned in the application, by the local Board of Health of the Municipality within whose jurisdiction the place is situated.
8. The fee for such a license shall be Fifty (\$50.00) Dollars per annum. The fee shall be the same for part only of a year as for a year, except that the fee for a license for a period of less than six months shall be one-half the annual fee.
9. The fee for garbage collection shall be based on an assessment basis and charged against each ratepayer of the Municipality.
10. A garbage collector shall collect all garbage for the area specified in his/her license not less than once each week, on a day determined by the Municipality and of which notice shall be given to the householders in his/her district either by newspapers or other media, provided that the garbage is properly packed in garbage bags no larger than 30" by 37" and placed at the location as required by these by-laws.
11. The collection area in which the licensee is licensed to collect garbage shall be specified on his/her license.
12. No person being the owner or operator of any vehicle used in the collection of garbage shall permit such a vehicle to remain parked on any Municipal Streets when not actually in use.

13. Every vehicle used in the collection of garbage shall be so sufficient to prevent any of the contents of the vehicle from falling out of or otherwise being spilled or scattered from the vehicle while in motion.
14. A license issued under this by-law may be suspended or revoked by the Council if the licensee fails to carry on his/her business in accordance with the terms of this by-law or carries on such business in a manner so as to be a nuisance to all or any part of the public.
15. All cardboard boxes or cartons shall be flattened out and they and newspapers shall be securely tied into neat packages and bundles, and need not be placed in a container.
16. A package of papers or a container containing garbage to be collected shall be placed readily accessible to the collector within ten feet of the curb on the street where the garbage is to be collected and if upon a sidewalk then in such a position as to interfere as little as reasonable possible with pedestrian traffic. It shall not be placed on or near the sidewalk earlier than nine o'clock in the evening of the day preceding the collection.
17. If for any reason garbage is not removed on the day provided for collection, it shall be removed from the sidewalk by the householder not later than midnight on the day on which the garbage should have been collected.
18. Every occupant of property in the Municipality shall have all garbage removed from his/her premises at least once each week. If there is no occupant, then the owner shall do so.
19. A garbage collector is not required to remove more than four garbage bags of garbage with a combined weight of seventy five (75) pounds.
20. A garbage collector is not required to remove the contents of a container if the contents or part thereof is of a fluid consistency.
21. A garbage collector shall not deposit garbage at any place of deposit other than that specified in his/her application unless in an alternative place directed by the Council.
22. It is an offence for any person to put garbage in a container in a way other than provided by this by-law.
23. No person shall throw any dirt, filth or rubbish on any street, road, land or highway in the Municipality.
24. Wrecked or derelict motor vehicles, bodies or parts, dead animals, garden refuse and waste and broken or discarded household furniture or furnishings shall not be included with garbage or similar materials for the weekly collection, but shall be deposited by the owner at his/her own expense, in a place of disposal designated by the Council.

25. Waste material or rubbish left by any contractor or by the owner of any premises following construction, alteration or repairing of any building shall be removed by such contractors as promptly as possible and will not be collected by the Municipality.
26. Every person who violates or fails to comply with any of the provisions of this by-law shall be liable on conviction to a penalty not exceeding One Hundred (\$100) Dollars and in default of payment to imprisonment for a period not exceeding ten (10) days.

THIS IS TO CERTIFY that the foregoing bylaw is a true copy of a bylaw duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness duly held on the 11th day of July A.D., 1994.

Clerk

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommened for
approval of the Minister

Cassleen O'Grady
Departmental Solicitor

APPROVED this 16th day
of September 1994

Candy Kelly
Minister of Municipal Affairs