



WASTE DISPOSAL (GARBAGE) BY-LAW

BY-LAW NO.

BL-PW-02

PASSED BY COUNCIL ON

FEBRUARY 18, 2025

MOTION NUMBER

M25-052

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the Towns and Local Service Districts Act, (SNL 2023 T-6.2), Section 8(1)(b), and all other powers enabling it, the following Waste Disposal By-law has been adopted by the Town Council of the Town of Paradise.

1. TITLE

This By-law may be cited the *Town of Paradise Waste Disposal By-law, 2025 or the Town of Paradise Garbage By-law, 2025.*

2. INTERPRETATIONS

In this By-law, unless the context otherwise requires:

- (1) "Act" means the *Towns and Local Service Districts Act, SNL 2023 T-6.2a*
- (2) "Automated Garbage Collection" means the collection of Garbage using a specially designed vehicle with mechanical apparatus which empties a Garbage Cart directly into the vehicle without requiring manual labour to empty the Garbage Cart.
- (3) "Bulk Collection" means garbage materials not suitable for Automated Garbage Collection, as defined in Section 12(1) of this By-law.
- (4) "Commercial Premises" means a school, institution, factory, store, office, place of business, or a building used for residential purposes which contains more than four (4) residential units.
- (5) "Council" means the Town Council of the Town of Paradise.
- (6) "Fibre Products" are as defined in Section 10(4) of this By-law.

- (7) "Garbage" means every waste accumulation of animal, fruit or vegetable matter, liquid or which otherwise attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables, and including tin cans, bottles and similar food containers or any dry waste and all other miscellaneous waste materials, but does not include the following: Recyclable materials, building materials, manure, night soil, hot, explosive or highly combustible material or Hazardous Waste Material.
- (8) "Garbage Bag" means: i) Any polyethylene opaque plastic bag of 1.5 gauge thickness fastened at the top with a minimum dimension of 66 cm x 90 cm (26" x 36"); and ii) For the purpose of Recyclable materials, namely those referred to in Section 10 and Section 11 of this By-law, a Garbage Bag shall mean a blue transparent polyethylene plastic bag of 1.25 gauge thickness fastened at the top with a minimum dimension of 66 cm x 90 cm (26" x 36").
- (9) "Garbage Cart" means a 360-litre wheeled cart supplied by the Town for the deposit of garbage, which shall remain the property of the Town.
- (10) "Hazardous Waste Material" means a dangerous good as described in the Transportation of Dangerous Goods Regulations under the *Federal Transportation of Dangerous Goods Act, 1992* or any successor federal legislation.
- (11) "Nuisance" means anything, in the opinion of Council or any Person authorized by Council, that endangers life or health, gives offence to the senses, violates the laws of decency or obstructs reasonable and comfortable use of property in any way, and includes any obnoxious substances, smoke, animal waste or unsanitary matter or noise that has an unpleasant effect on the senses.
- (12) "Metal and Plastic Products" are as defined in Section 11(3) of this By-law.
- (13) "Owner" means the legal entity having title to a property.
- (14) "Occupant" means any Person who is an agent, tenant or occupier of a property.
- (15) "Person" means any person, firm, partnership, association, corporation, company, co-operator, club, society, or any other corporate body or organization of any kind.
- (16) "Recyclable" includes all Fibre Products and Metal and Plastic Products.
- (17) "Regular Garbage Collection" means the once-a-week collection of residential Garbage and does not include the collection of Recyclables or Bulk Collection.
- (18) "By-law" means this Town of Paradise Waste Disposal (Garbage) By-law.
- (19) "Residential Property" means all households within the municipal boundaries.
- (20) "Residential Unit" means a house, registered apartment, or apartment building with four (4) or less units.

(21) "Sanitary Inspector" means any Town personnel designated as a Waste Management Coordinator, By-law Enforcement Officer or Inspector, or any Town of Paradise personnel authorized to carry out municipal enforcement

(22) "Schedule" means the schedule for Town pick up of Garbage and Recyclables which shall be provided by the Town.

(23) "Town" means the Town of Paradise.

(24) "Waste Management Coordinator" means the Waste Management Coordinator of Garbage Collection.

3. GARBAGE COLLECTION

Garbage collection shall be made by the Town as follows:

- (1) At all Residential Properties situated within the Town, once each week except as noted in the Schedule. The Town will only collect Garbage from Garbage Carts allocated by the Town to the Owner of the Residential Property. Recyclable materials will be collected every second week along with the Regular Garbage Collection.
 - (a) By special arrangement with the Waste Management Coordinator for items of Garbage
 - (b) By special arrangement with the Waste Management Coordinator for items of Garbage which cannot readily be accommodated in a Garbage Cart, i.e. Bulk Collection which cannot readily be accommodated in a Garbage Cart, i.e. Bulk Collection.
- (2) Garbage Carts shall be placed for collection not earlier than 6:00 a.m. and not later than 8:00 a.m. on the day of collection.
- (3) Empty Garbage Carts and material not collected shall be removed not later than 8:00 p.m. in the evening of the day of collection and stored on private property in a safe manner. All Garbage Carts are to be returned and placed in an area that does encroach upon the street or protrude beyond the property line.

4. RESTRICTIONS

- (1) No Person shall:
 - (a) Deposit, throw, sweep or place any Garbage upon any street, lane, public place or private property outside the buildings within the Town unless the same is enclosed in approved Garbage Carts in such a manner as to in no way constitute a Nuisance or annoyance to others.
 - (b) Dispose of syringes or any sharp objects unless they are wrapped and secured to prevent injury; or

- (c) Put any toxic substance such as Javex or bleach on the outside of Garbage Carts or Garbage Bags, which can cause harm to a Person and/or animals.
- (2) The following restrictions apply to Regular Garbage Collection:
 - (a) Hazardous Waste Material shall not be deposited or placed in a Garbage Cart for collection.
 - (b) No Owner or Occupant shall place the following materials out for collection:
 - (i) Animal carcasses or parts; Car wrecks, parts, frames, engines.
 - (ii) Furniture and appliances.
 - (iii) Garbage Bags consisting solely of animal feces or kitty litter
 - (iv) Any item, refuse or material which the Town considers to be a hazard to the people handling the material.
- (3) The Town shall not collect Garbage from a Residential Unit unless the Owner or Occupant has placed the Garbage Bags intended for collection in the Garbage Cart supplied by the Town.

5. PARKING

On the day of Regular Garbage Collection, as indicated in the Schedule, no Persons shall park an unattended vehicle on any street or road reservation that is scheduled for Automated Garbage Collection between the hours of 8:00 am and 5:00 pm.

6. GARBAGE CART ALLOCATION AND FEES

- (1) Garbage Carts shall remain property of the Town.
- (2) Each Residential Unit shall be allocated one Garbage Cart.
- (3) c) Each Garbage Cart will be assigned a serial number linking the Garbage Cart to the Residential Unit.
- (4) All Garbage Carts assigned to a Residential Unit shall remain with that Residential Unit.
- (5) An Owner of a Residential Unit shall be responsible for all fees related to Automated Garbage Collection service or Garbage Carts issued to the Owner's property, including fees for maintenance, repair, or replacement of the Garbage Cart.
- (6) The annual fees, as approved by Council, for Automated Garbage Collection services are due and payable by each Owner, whether or not:
- (7) The Residential Unit is occupied or unoccupied for any length of time:
 - (a) The Owner or Occupant of the Residential Unit make use of the garbage service; or
 - (b) The garbage service is interrupted or altered in any manner.

7. GARBAGE CART CONTENTS

- (1) An Owner or Occupant shall not fill a Garbage Cart:
 - (a) To the extent that the lid does not close.
 - (b) To a weight that exceed 136 kilograms or 300 pounds.
 - (c) To the extent that the collector cannot easily empty the contents.
- (2) Under no circumstance shall loose Garbage be collected from Garbage Carts. Garbage must be placed in Garbage Bags and placed in the Garbage Cart.

8. GARBAGE CART PLACEMENT

- (1) On the day of Regular Garbage Collection, as indicated in the Schedule, Garbage Carts shall be placed:
 - (a) Immediately adjacent to the street fronting the property. If a curb exists, the wheels of the Garbage Cart shall be placed against the curb. Garbage Carts shall not be placed on sidewalks.
 - (b) With the arrows of the Garbage Cart lid pointing toward the centre of the street.
 - (c) So that there is at least one (1) metre (3 feet) of clearance on each side of the Garbage Cart and three (3) metres of clearance above the Garbage Cart.
 - (d) So that the Garbage Cart will not be likely to overturn.
 - (e) So that the Garbage Cart is clearly visible and accessible.
 - (f) So that the Garbage Collector will have easy, direct and safe access to the Garbage Cart.
- (2) A Garbage Cart shall not be placed in such a manner that it encroaches on any street, land or public place, or interferes with the ordinary travel or parking of vehicles and passage of pedestrians.
- (3) Garbage Carts set out for Automated Garbage Collection shall not be placed on top or behind any snowbank.
- (4) The Director of Public Works may authorize the placement of a Garbage Cart in a location that does not comply with Section 8 (a) and 8 (b) of this By-law.
- (5) All other Garbage containers (i.e. garbage boxes, unauthorized Garbage Carts) must be removed from the curbside of Residential Properties.

9. GARBAGE CART CARE AND MAINTENANCE

- (1) Each Owner or Occupant to whom a Garbage Cart is issued must keep the Garbage Cart in a good and generally clean condition.
- (2) An Owner or Occupant shall, at all times, store Garbage Carts with the lids closed.

- (3) An Owner or Occupant shall not use Garbage Carts for any other purpose other than the storage of Garbage for collection by the Town.
- (4) Upon determination by the Town that a Garbage Cart is unfit for use, the Owner or Occupant of the Residential Unit must discontinue use of the Garbage Cart and obtain a replacement.
- (5) The Director of Public Works may elect not to collect Garbage from that Residential Unit until a replacement Garbage Cart is obtained by the Owner or Occupant of the Residential Unit.

10. FIBRE RECYCLING

- (1) Residents shall separate Fibre Products from their regular household Garbage and place in a blue transparent polyethylene plastic bag 66 cm x 90 cm (26" x 36") x 1.25 mm gauge thickness. No bag shall exceed 22.7 kg (50 lbs.) in weight.
- (2) Notwithstanding Subsection (a), Fibre Products can be placed by the curb in the transparent polyethylene plastic bag or tied in a securely tied compact parcel not exceeding 60 cm x 60 cm x 90 cm (36" x 24" x 24") in dimensions and 22.7 kg (50 lbs.) in weight.
- (3) Fibre Products should be placed to the curb within one (1) metre from the Garbage Cart not earlier than 6:00 a.m. and not later than 8:00 a.m. on the day of collection. Fibre Products shall not be placed in the Garbage Cart.
- (4) "Fibre Products" means and includes the following:
 - (a) newspapers
 - (b) flyers
 - (c) glossy magazines
 - (d) telephone books
 - (e) office paper (including white paper, coloured paper and envelopes with and without windows)
 - (f) shredded paper
 - (g) soft covered books (i.e. paperbacks)
 - (h) hard covered books (covers removed)
 - (i) corrugated cardboard (corrugated cardboard is "waffled" between the layers, e.g. appliance boxes)
 - (j) file folders
 - (k) egg cartons
 - (l) toilet paper and paper towel rolls

- (m) paper bags
- (n) boxboard (i.e. cereal, detergent boxes and more); and
- (o) catalogues.

(5) For further certainty, the following items are not accepted as Fibre Products:

- (a) glass
- (b) plastic bags/wrap
- (c) aerosol or paint cans
- (d) syringes
- (e) Styrofoam
- (f) Diapers
- (g) kitty litter
- (h) drink cups or coffee cups; and
- (i) gift wrapping paper.

(6) The Town reserves the right not to pick up Garbage at any Residential premises if separation of Fibre Products is not undertaken in accordance with this By-law.

11. METAL AND PLASTIC

- (1) Residents shall separate Metal and Plastic Products from the Garbage and place in a blue transparent polyethylene plastic bag 66 cm x 90 cm (26" x 36") x 1.25 mm gauge thickness. No bag shall exceed 22.7 kg (50lbs) in weight.
- (2) "Metal and Plastic Products" should be placed to the curb within one (1) metre from the Garbage Cart not earlier than 6:00 a.m. and not later than 8:00 a.m. on the day of collection. Metal and Plastic Products shall not be placed in the Garbage Carts.
- (3) Metal and Plastic Products means and includes the following:
 - (a) aluminum containers (pop cans, beer cans, pie plates)
 - (b) plastic bottles (water bottles, pop bottles, liquor bottles)
 - (c) plastic containers (ice cream, ketchup, bleach, shampoo)
 - (d) tin cans (soup, cat food)
 - (e) gable tops (milk, juice cartons)
 - (f) tetra-packs (juice boxes, soup)

(g) all plastic, #1-7

- (4) The Town reserves the right not to pick up household Garbage at any residence if separation of the Metal and Plastic Products is not undertaken in accordance with this By-law.

12. BULK COLLECTION

- (1) Bulk Collection shall be pre-arranged by residents calling the Town Hall before the closing of business on Monday. Collection of the approved items shall be made as follows:

- (a) Metal items (excluding car parts) - 1st Wednesday of each month
- (b) All other items - All Wednesdays except the 1st Wednesday of each month. Wood, boards, siding, tree branches and bushes should be no longer than 4ft in length and tied up in small bundles
- (c) The following items are not included in Bulk Collection
 - (i) car parts
 - (ii) earthen, brick or concrete materials
 - (iii) electronics
 - (iv) hazardous waste materials
 - (v) home renovation/building materials; and
 - (vi) tress and stumps.

13. NUISANCE

No Person shall create, permit or maintain a Nuisance.

14. COMMERCIAL PREMISES

- (1) The Town of Paradise does not collect commercial waste or commercial recycling materials.
- (2) Every Person being the Owner or Occupant of a Commercial Premises within the Town shall provide garbage boxes or other receptacles approved by the Town for the use of such building or buildings and premises for the reception of Garbage. All Garbage from such building, or buildings and premises shall be placed in such receptacles and removed by the Owner or Occupant or his agent
- (3) All Garbage shall be disposed of at intervals not exceeding one week or when receptacles are full, by the Owner or Occupant of any building or place of business.
- (4) Every Person being the Owner or Occupant of a Commercial Premises within the Town shall be responsible for rodent control and shall maintain the garbage boxes or other receptacles in a generally clean condition.

15. CONSTRUCTION RELATED MATERIALS

Garbage left by any builder or contractor, or Owner or Occupant upon any street, lane, drain, public or private property outside of a building or buildings within the Town during construction, alteration or repair of such building or buildings, shall be periodically removed by the builder, contractor, Owner or Occupant and at no time shall such Garbage be left so as to create a Nuisance or annoyance to others.

16. REMOVAL OF CUT TREES

When trees are cut, for any purpose, on any land, whether private or otherwise, within the Town, all boughs, limbs and tree-tops constitute a fire hazard and must be removed from the area forthwith.

17. VEHICLES CARRYING GARBAGE AND REFUSE

- (1) No Person shall transport Garbage in the Town other than within a covered motor vehicle or trailer.
- (2) No Person shall dump, transport or dispose of Garbage except in compliance with the provisions of this By-law and each unit (Garbage truck/collection vehicle) used in the collection and/or disposal of Garbage shall be licensed by Council for the prescribed fee as set by Council.

18. SUBJECT TO CHANGE

The list of materials listed for recycling may be altered, changed or amended to reflect current products that the Town deems necessary and/or acceptable for recycling by giving two weeks' public notice of such a change.

19. SANITARY INSPECTOR

- (1) The Sanitary Inspector shall make periodic inspections of properties within the Town for the purpose of enforcing this By-law.
- (2) Notwithstanding anything contained in with this By-law., the Sanitary Inspector may at any time order the Owner or Occupant to clean up and remove any accumulated Garbage outside any building or buildings or on any private property within the Town.
- (3) If the Owner or Occupant neglects or refuses, when ordered by the Sanitary Inspector, to clean up or remove any accumulation of Garbage from his/her premises, the Sanitary Inspector may cause the clean-up and removal of such accumulation at the expense of the Owner or Occupant and charge to the Owner or Occupant as a civil debt.

20. ENFORCEMENT

- (1) The Town has a right to refuse to collect Garbage from Owners or Occupants:
 - (a) who do not use the Garbage Cart supplied by the Town
 - (b) who do not keep Garbage Carts in a neat and tidy condition

- (c) whose Garbage Cart is in a state of disrepair; and/or
- (d) whose Garbage Cart is infested with rodents or insects
- (2) The Owner or Occupant shall immediately clean up any residential Garbage or refuse picked over, interfered with, disturbed by, removed or scattered by animals or natural causes (wind, weather conditions).
- (3) This By-law may be enforced by the Sanitary Inspector, or any other person designated by the Town.
- (4) Pursuant to Section 287(1) of the *Act*, the By-law Enforcement Officer or Inspector means the Town of Paradise personnel authorized to carry out municipal enforcement. Sanitary Inspector may serve upon the Owner or Occupant or any other person in violation of a provision of this By-law, a serially numbered notice advertising the nature of the violation and required action to conform to the standards as set out in this By-law.
- (5) The Owner or Occupant shall carry out the directions of the Sanitary Inspector referred to in Section 20(4) at the cost of the Owner or Occupant within the time specified.
- (6) Every person requested by the By-law Enforcement Officer, or any person authorized by Council to enforce this By-law, shall, upon request, forthwith give his/her proper name and address.

21. RIGHT OF ENTRY

Pursuant to Section 51 of the *Urban and Rural Planning Act*, 2000 and/or Section 280 of the *Towns and Local Services Districts Act*, a By-law Enforcement Officer or Inspector has the authority to enter a property for the purposes of inspection or to carry out work as required under this By-law.

22. FAILURE TO COMPLY

- (1) Pursuant to Section 285(5) of the *Act* where a person to whom an order is directed does not comply with the order or part of an order made under Section 20(4) of this By-law, Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by Council in carrying out the term of the order are recoverable from the person against whom the order was made as a civil debt owed to Council.
- (2) Council may delegate to an official or employee of Council the power to issue orders under this Section.
- (3) Council, its employees, servants or agents shall be saved harmless from any and all claims arising out of the action of Council, its employees, servants or agents in the process of inspecting and/or carrying out work under this By-law, except in the case of gross negligence.

23. PENALTIES

- (1) Pursuant to Section 289(3) of the *Towns and Local Service Districts Act* each day upon which the same offence is committed or continued is a separate offence.

(2) Every person who is guilty of an offence under this By-law or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:

(a) Shall be liable to penalties as stipulated in accordance with Section 290 of the *Act*.

(b) Shall be subject to an order under Section 285(1) of the *Act*.

(c) Shall be subject to a violation notice issued under Section 287(1) of the *Act*.

(d) Shall be issued a ticket under the *Provincial Offences Act* in accordance with Section 487(3) of the *Towns and Local Service Districts Act*.

(3) REVIEW AND AMENDMENTS

All sections of this By-law have been developed in accordance with the *Towns and Local Service District Act*. This By-law is reviewed as required following new information or knowledge.

(4) PUBLICATION

This By-law was published on the Town of Paradise website in 2025.

(5) REPEAL OF PREVIOUS LEGISLATION

All previous Town of Paradise Waste Disposal regulations and amendments are repealed.

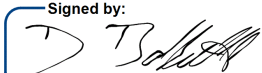
(6) COMING INTO EFFECT

Under the *Towns and Local Services Districts Act*, Section 12, this By-law came into effect once adopted by Motion of Council (M25-052), voted on by a majority of the councillors in attendance at the Town Public Council Meeting on February 18, 2025.

IN WITNESS WHERE OF the Seal of The Town of Paradise has been here unto affixed, and this By-law has been signed by the Town Clerk and Mayor on behalf of the Council.

Town Clerk: 
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Date: March 13, 2025 | 10:27:13 AM NDT

Mayor: 
D015141A8037469...

Date: March 13, 2025 | 10:34:51 AM NDT

