

**BY-LAW #538**  
**A BY-LAW RELATING TO THE COLLECTION AND DISPOSAL OF WASTE**  
**IN THE TOWN OF OROMOCTO**

**BE IT ENACTED** by the Council of the Town of Oromocto under the authority vested in it under Section 10 by the *Local Governance Act (S.N.B. 2017 c. 18)* as follows:

1.0 This By-Law must be cited as the “Waste Collection By-Law.”

2.0 **SCOPE**

To identify appropriate means of placing, storing and disposal of waste in the Town of Oromocto.

3.0 **DEFINITIONS**

3.1 In this by-law:

- a. “Ashes” means the residue, including soot, of any fuel or waste after it has been consumed by fire.
- b. “Bulky Items” includes but is not limited to, weighty or large articles such as major household appliances, stoves, furnaces, barbecues, bed springs, mattresses, furniture, boxes, barrels, water tanks, tires, etc.
- c. “Collection Day” means the day of the week on which waste is collected.
- d. “Container” means:
  - 1. a plastic or galvanized metal watertight container from 65 litres to 125 litres loaded to less than 20 kg;
  - 2. a wheeled plastic container, suitable for standardized hydraulic/mechanical collection from 295 litres to 430 litres; or
  - 3. a plastic garbage bag of 1.5 mil thickness with a capacity from 36 litres to 55 litres to a loaded maximum of 20 kg.
- e. “Dwelling Unit” means a building or part of a building fronting on a public street, occupied or capable of being occupied as a home or residence by one or more persons, and containing one or more dwelling units but shall not include an apartment containing more than 5 dwelling units, business professional, institution, commercial accommodation or a hotel/motel.
- f. “Garbage” means household waste material produced within a dwelling that is not recyclable, household hazardous waste or otherwise non-collectable. It also means household furniture, appliances and miscellaneous items weighting less than 20 kg each and not larger in any dimension than 90 cm.
- g. “Household Hazardous Waste” means any waste that is potentially damaging to the environment or human health because of toxicity, ignitability, corrosivity, chemical reactivity or other reasons and includes; but is not limited to, petroleum products, solvents, paints, acids, chemicals and coolants.
- h. “Municipality” means the geographical area within the boundaries of Oromocto.
- i. “Owner” means any person, firm or corporation controlling the property in whose name a property is assessed under the Provincial Assessment Act and includes the executors, administrators and assigns of such a person.
- j. “Special Collections” are those announced by public notice from time to time, for limited periods for the collection of yard waste or disposal of Christmas trees.
- k. “Waste” includes any garbage, recyclables, ashes and bulky items, household hazardous waste, and yard waste.
- l. “Yard Waste” means grass clippings including thatch, leaves (in plastic or paper bags securely tied at the top and not exceeding 20 kg); bundled brush (not greater than 7.5 cm

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in diameter and not exceeding 90 cm in length); branches and tree limbs (60 cm in diameter and weigh less than 20 kg).

**4.0 GENERAL**

- 4.1 All garbage and waste generated within the Town shall be disposed of at an approved solid waste disposal site. No person shall dump, place, transport or dispose of waste except in compliance with the provisions of this by-law.
- 4.2 Only garbage will be collected in approved containers at curbside for single dwelling units or from garbage bins where contracted for multiple housing units, once weekly.
- 4.3 Bulky items disposal is the sole responsibility of each dwelling, owner or occupant and may not be placed at curbside or in garbage bins for collection.
- 4.4 Yard waste will be collected by “special collections” typically in the Spring and Fall or in the case of Christmas Trees taken to a designated collection point as determined by the Town Engineer.
- 4.5 Household hazardous waste disposal is the sole responsibility of each individual. The Town does not collect items classified as household hazardous waste. These items may be taken to the Fredericton Region Solid Waste for proper disposal.
- 4.6 Recycling waste material may be deposited at any of the Town’s recycling bins located in designated areas determined by the Town Engineer. The Town of Oromocto will not collect recyclable items as garbage.
- 4.7 For the purposes of carrying out the waste collection and disposal service the Town shall designate and publish the days of collection.

**5.0 OWNER/OCCUPANT RESPONSIBILITIES**

- 5.1 Garbage which is stored by the owner or occupant of a dwelling unit prior to the collection date shall be kept in proper containers.
- 5.2 No occupant of a dwelling unit shall permit a container containing garbage to remain upon premises for a period exceeding seven days without placing the contents for collection.
- 5.3 Containers shall be placed by the owner/occupant in front of their dwelling unit just off the traveled portion of the street so as not to interfere with traffic, or at such other convenient location as may be approved by the By-Law Enforcement Officer.
- 5.4 Containers set out for collection shall not be located on top of any snowbank or in an area not cleared for snow and ice.
- 5.5 Containers shall be placed by the occupant of the dwelling unit for collection not later than 7:30 am on the day of collection and not earlier than 8 pm in the evening of the previous day.
- 5.6 Empty containers and materials not collected shall be removed by the occupant of the dwelling unit by 8 pm of the day of collection.
- 5.7 The occupant of the dwelling unit shall maintain garbage containers and/or bins in good condition at all times.

**6.0 LANDLORD OPTION – MULTIPLE UNITS**

Notwithstanding the current provisions provided in Town of Oromocto Garbage Collection Contract, dated 13 December 2019, the following shall apply:

- 6.1 The landlord of co-located multiple dwelling units may maintain, on behalf of their tenants, a metal garbage bin(s) or a secure storage premise at the landlord’s sole cost. Such bins and/or storage premises must be constructed such that the landlords designated tenants only may access them solely for the disposal of garbage as defined herein.

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- 6.2 Any waste remaining uncollected at multiple unit and/or rental dwellings shall be removed and disposed of at an approved site by the landlord or his agent within 3 working days at the landlord's sole cost.

**7.0 UNAUTHORIZED DISPOSAL**

- 7.1 No person shall:
- a. Place any garbage or waste in a street or public place or upon private property except for collection as prescribed in this by-law.
  - b. Deposit any garbage or waste or household hazardous waste in any stream, storm sewer, sanitary sewer or body of water within the municipality.
  - c. Deposit garbage or waste in a bulk garbage bin not specifically designated for use by their dwelling unit.

**8.0 ENFORCEMENT**

- 8.1 The Director of Planning and Compliance is designated as the officer responsible for the administration and enforcement of this by-law.
- 7.2 The By-Law Enforcement Officer is hereby authorized to take such action or issue such tickets as they may deem necessary to enforce any provision of this by-law.
- 8.2 The By-Law Enforcement Officer shall have the right to enter, at all reasonable times, upon any property within the Town for the purpose of making an inspection or enforcement of this by-law.
- 8.3 The By-Law Enforcement Officer shall give written notice to all persons or companies who violate any section of this by-law, to correct such violation within a specified period of time. Upon failure of such persons or companies to comply with such written notice, the Town may cause garbage to be removed and disposed of at the expense of such persons or companies.

**9.0 PENALTY**

Any person who violates or fails to comply with any provision of this by-law commits an offence, and liable on conviction of a summary fine of not less than \$140 and not more than \$2100 the maximum fine that may be imposed for commission of an offence punishable under Category D of the *Provincial Offences Procedure Act*.

**10.0 REPEAL**

- 10.1 By-Law #403, A By-Law of the Municipality of Oromocto Respecting the Collection and Disposal of Garbage and Other Material, and any amendments thereto are hereby repealed.
- 9.2 The Repeal of By-Law #403, A By-Law of the Municipality of Oromocto Respecting the Collection and Disposal of Garbage and Other Material, and any amendments thereto shall not affect any by-law infraction, penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any agreement completed, existing or pending at the time of repeal.

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**READ FIRST TIME BY TITLE ONLY:**

**12 NOVEMBER 2020**

**READ SECOND TIME IN ITS ENTIRETY:**

**READ THIRD TIME BY TITLE ONLY FOR ENACTMENT:**

\_\_\_\_\_  
Steven Hart  
Chief Administrative Officer/Clerk

\_\_\_\_\_  
Robert E Powell  
Mayor