

BY-LAW NO.
AMENDMENT NO.
SANITATION REGULATIONS
PASSED BY COUNCIL ON

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990, c. C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to sanitation.

CITATION

1. This By-Law may be cited as the "St. John's Sanitation Regulations."

DEFINITIONS

2. In this By-Law:
 - a. "Bulk Item" means a large item of a household nature including, but not limited to, a large piece of furniture or a large household appliance that satisfies each of the following:
 - i. the item does not fit inside a Cart, Regular Garbage Container or Regular Garbage Bag;
 - ii. the longest dimension of the item does not exceed 1.5 metres in length; and
 - iii. the item does not exceed 68 kilograms (150 pounds) in weight.
 - b. "Cart" means a receptacle assigned by the City to a property solely for Regular Garbage collection.
 - c. "Collectable Waste" means Regular Garbage, Recyclable Materials, Bulk Items and Yard Waste.
 - d. "Collection Schedule" means a schedule of the day or days that apply to properties within each collection area of the City when Curbside collection will take place.
 - e. "Commercial Landfill Permit" means a valid permit issued by an Inspector for a vehicle used in the business of collecting and depositing Collectable Waste which grants entry into the Regional Waste Management Facility located at Robin Hood Bay.

- f. "Container Products" means the following Recyclable Materials:
- i. aluminium trays and cans;
 - ii. milk and juice cartons and containers;
 - iii. Tetra Pak containers;
 - iv. steel ("tin") cans;
 - v. recyclable plastic materials including food containers, trays, tubs, household cleaning product containers, toiletry containers, and drink bottles; and
 - vi. any other Collectable Waste that the City may from time to time designate as a Container Product.
- g. "Curbside" means the place where a property boundary joins with the abutting street, which may include a driveway where there is one, specifically:
- h.
- i. where there is a sidewalk and the abutting street allows for on-street parking, "Curbside" means the place on the street, not on the sidewalk, nearest the property boundary or driveway;
 - ii. where there is a sidewalk and the abutting street does not allow for on-street parking, "Curbside" means the place on the street, not on the sidewalk, nearest the property boundary or where there is a driveway, means the end of the driveway;
 - iii. where there is no sidewalk between the abutting street and the property, "Curbside" means the place on the gravel shoulder nearest the property boundary or driveway; and
 - iv. where an Owner is subject to a collection notice in which "Curbside" is expressly defined, "Curbside" shall have such meaning as set out in the collection notice.
- i. "Dwelling Unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

- j. "Fibre Products" means the following Recyclable Materials:
- i. newspaper, flyers;
 - ii. lottery tickets;
 - iii. magazines, catalogues and phone books;
 - iv. writing paper, computer paper and envelopes;
 - v. books (provided that the outer hardcover, if any, is removed);
 - vi. boxboard, corrugated cardboard, egg cartons, and take out drink trays;
 - vii. empty paper towel rolls and toilet paper rolls; and
 - viii. any other Collectable Waste that the City may from time to time designate as a Fibre Product.
- k. "Inspector" means a person designated by City Council to administer and enforce this By-Law.
- l. "Non-Collectable Waste" means any waste that is not eligible for municipal curbside collection, more particularly described in Schedule "A" hereto annexed, which Schedule forms part of this By-Law.
- m. "Owner" means a person or organization of persons owning or having the legal right to use the property.
- n. "Recyclable Bag" means a commercially available watertight bag that is transparent and blue in colour, at least 0.375 millimetres thick, and between 0.5 metres and 1 metre in length when empty.
- o. "Recyclable Container" means a commercially available watertight container that is inaccessible to wildlife, constructed of durable, non-porous, easily cleaned material, features a tight-fitting lid or cover that is tied or connected to the container, is weighted at the bottom or is of sufficient weight so as to be secure against wind, has a capacity of between 70 litres and 360 litres, and which is blue in color or, if not blue, bears a sticker issued by an Inspector that indicates the container is used for Recyclable Materials.
- p. "Recyclable Materials" means Fibre Products and Container Products.

- q. “Regular Garbage” means household waste and other refuse other than Recyclable Materials, Yard Waste and Bulk Items.
- r. “Regular Garbage Bag” means a commercially available, transparent and colourless, watertight bag that is at least 0.375 millimetres thick, and between 0.5 metres and 1 metre in length when empty.
- s. “Regular Garbage Container” means a commercially available watertight container that is inaccessible to wildlife, constructed of durable, non-porous, easily cleaned material, features a tight fitting lid or cover that is tied or connected to the body of the container, is weighted at the bottom or is of sufficient weight so as to be secure against wind, has a capacity of between 70 litres and 360 litres in volume, and which is any color except blue.
- t. “Regular Garbage Privacy Bag” means a commercially available opaque watertight bag that is at least 0.375 millimetres thick, and between 0.5 metres and 1 metre in length when empty.
- u. “Regulation Net” means a solid colour nylon or polyester net which is secure against wind, easily removable by municipal curbside collection personnel, has a maximum mesh size of 25 millimetres by 25 millimetres, and which is designed and maintained so as to provide adequate coverage of Regular Garbage placed on the Curbside.
- v. “Yard Waste” means the following Collectable Waste:
 - i. grass clippings, sod, plants, flowers, weeds and leaves;
 - ii. twigs and branches not exceeding 2.5 centimetres in diameter;
 - iii. sawdust and woodchips;
 - iv. soil and dirt not exceeding 5 kilograms in total;
 - v. pumpkins, provided that any candles and lights have been removed; and
 - vi. any other Collectable Waste that the City may from time to time designate as Yard Waste.
- w. “Yard Waste Bag” means a commercially available and compostable heavy-duty paper bag designed to contain Yard Waste.

COLLECTION ANNOUNCEMENT

3. The City may from time to time issue a collection announcement to the public about municipal curbside collection which may include, but is not limited to, publication in the City of St. John's City Guide, posting on the City website or social media, radio, television, or other media.

COLLECTION NOTICE TO AN OWNER

4. The City may from time to time issue a collection notice to an Owner about municipal curbside collection services.
5. The City may serve a collection notice on an Owner by attaching it to any thing placed on or about the Curbside of the property.
6. Where the City has issued and served a collection notice on an Owner, the Owner shall not place Collectable Waste for collection except in accordance with the collection notice.

POSTPONEMENT OR CANCELLATION

7. Where inclement weather or any other circumstance has or is likely to interfere with municipal curbside collection services, the City may postpone or cancel such services and any revised date stated by the City shall become the collection day.

COLLECTION SCHEDULE

8. The City may from time to time:
 - a. divide the City into collection areas for the purpose of municipal curbside collection;
 - b. alter the boundaries of a collection area as deemed necessary on reasonable notice to the public; and/or
 - c. issue a Collection Schedule.

TIMING OF PLACEMENT AND REMOVAL FROM CURBSIDE

9. Collectable Waste shall not be placed earlier than 6:00 a.m. and no later than 8:00 a.m. in the morning of a collection day unless written permission is provided by an Inspector to the Owner.
10. Except where otherwise approved by the City, the Owner of the property shall remove all remaining bagged Collectable Waste, any Cart(s), any Recyclable Container(s), and

any Regular Garbage Container(s) from a Curbside by no later than 8:00 p.m. in the evening of a collection day.

11. Notwithstanding s. 9 and s. 10, Collectable Waste shall not be placed for collection at a Curbside at a time or in a manner which may impede or prevent City snow clearing or street and/or sidewalk cleaning operations.

BAGGED COLLECTABLE WASTE

12. All Regular Garbage shall be bagged in Regular Garbage Bags or in a maximum of two Regular Garbage Privacy Bags and each bag shall:
 - i. not exceed 22 kilograms (50 pounds) in weight; and
 - ii. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.
13. All Recyclable Materials shall be bagged in one or more Recyclable Bag and each bag shall:
 - i. not exceed 22 kilograms (50 pounds) in weight;
 - ii. contain only Fibre Products or contain only Container Products which have been rinsed and drained of residue and contaminants; and
 - iii. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.
14. Notwithstanding section 13, Fibre Products may be securely tied into a bundle, provided that each bundle shall not exceed:
 - i. 22 kilograms (50 pounds) in weight; and
 - ii. 60 centimetres by 60 centimetres by 90 centimetres in dimension.
15. All Yard Waste shall be bagged in one or more Yard Waste Bags and each bag shall:
 - i. not exceed 22 kilograms (50 pounds) in weight; and
 - ii. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.

CARTS – GENERAL

16. No person shall
 - a. modify or damage a Cart; or
 - b. remove a Cart assigned to a property the person is not the Owner of;except where authorized in writing by the City.
17. Where a Cart assigned to a property has been lost, stolen or damaged, the City may charge a Cart repair fee or Cart replacement fee to the Owner of the property, and may suspend municipal curbside collection services to the property until such fee has been paid.
18. The Owner of a property to which a Cart has been assigned shall:
 - a. ensure that the Cart is labeled, by permanent marker or other means with the civic address of the property to which the Cart has been assigned;
 - b. ensure the Cart is kept clean and maintained in good condition;
 - c. except when placed for collection, ensure that a Cart is secure against theft, loss and damage and shall promptly report to the City any stolen, lost or damaged Cart;
 - d. upon the City's request, make a Cart available to the City for inspection, repair, removal or replacement; and
 - e. pay any Cart repair fee or Cart replacement fee levied by the City.

REGULAR GARBAGE COLLECTION – WITH A CART

19. Where a Cart has been assigned to a property, Regular Garbage shall not be placed for collection except in accordance with the following:
 - a. all bagged Regular Garbage is placed inside the Cart;
 - b. the Cart, together with its contents, does not exceed 100 kilograms in weight;
 - c. the Cart is placed in an upright and stable position with the lid closed and with the front of the Cart facing the centre of the street; and

- d. the Cart is placed:
 - i. on the Curbside;
 - ii. at least 1 metre away from any object on either side of the Cart;
 - iii. at least 3 metres away from any object above the top of the Cart;
 - iv. at least 30 centimetres away from any object behind the Cart; and
 - v. such that it is not on top of, or behind, any snowbank exceeding 30 centimetres in height.

REGULAR GARBAGE COLLECTION – WITHOUT A CART

20. Where a Cart has not been assigned to a property, Regular Garbage shall not be placed for collection except in accordance with the following:
- a. all bagged Regular Garbage is placed for collection either:
 - i. directly on the Curbside; or
 - ii. inside a Regular Garbage Container that is placed on the Curbside.
 - b. where Regular Garbage Bags or a maximum limit of two Regular Garbage Privacy Bags are placed directly on the Curbside:
 - i. each bag shall be placed at least 1 metre away from any Regular Garbage Container placed on the Curbside;
 - ii. no more than 4 bags shall be placed for collection for each Dwelling Unit situate at the property, with a limit of 2 Regular Garbage Privacy Bags; and
 - iii. between April 1 and November 30 of each year, each bag placed for collection shall be fully covered with a Regulation Net.
 - c. where a Regular Garbage Container is placed on the Curbside:
 - i. the Regular Garbage Container shall be placed in an upright and stable position with the lid closed and with the front of the Regular Garbage Container facing the centre of the street;

- ii. the Regular Garbage Container, together with its contents, shall not exceed 100 kilograms in weight; and
- iii. except where otherwise approved by the City, no more than 1 Regular Garbage Container shall be placed for collection for each Dwelling Unit situate at the property.

RECYCLABLE COLLECTION

- 21. Recyclable Materials shall not be placed at a Curbside except in accordance with the following:
 - a. all bagged or bundled Recyclable Materials are placed for collection either:
 - i. directly on the Curbside; or
 - ii. within a Recyclable Container that is placed on the Curbside.
 - b. where bagged and/or bundled Recyclable Materials are placed directly on the Curbside, the bagged and/or bundled Recyclable Materials shall be placed at least 1 metre away from any Cart, Regular Garbage Container or Recyclable Container placed on the Curbside.
 - c. where a Recyclable Container is placed on the Curbside:
 - i. the Recyclable Container shall be placed in an upright and stable position with the lid closed and with the front of the Recyclable Container facing the centre of the street; and
 - ii. the Recyclable Container shall be placed at least 1 metre away from any Cart or Regular Garbage Container placed on the Curbside.

YARD WASTE COLLECTION

- 22. Yard Waste shall be bagged and placed on the Curbside at least 1 metre away from any Cart, Regular Garbage Container or Recyclable Container placed on the Curbside.

BULK ITEMS COLLECTION

- 23. Bulk Items shall not be placed for collection except in accordance with the following:
 - a. the Owner of the property has requested and been approved for a Bulk Items collection appointment;

- b. the Owner of the property has listed all Bulk Items to be placed for collection at the time of making an appointment;
- c. only the Bulk Items listed by the Owner for pick up at the time of making an appointment shall be placed for collection;
- d. where a Bulk Item contains a door, lid, latch or movable surface permitting access to the inside, the Bulk Item shall not be placed for collection unless the door, lid, latch or movable surface has been removed; and
- e. any Bulk Item placed for collection must adhere to all provincial and federal disposal requirements.

OTHER WASTE COLLECTION

- 24. The City may from time to time announce municipal curbside collection services in addition to, or in substitution of, Bulk Items collection, Regular Garbage collection, Recyclable Materials collection, and/or Yard Waste collection, and an Owner of a property shall not place materials for collection except in accordance with the dates, terms and conditions set out by the City.

SCAVENGING

- 25. No person shall pick over, interfere with, disturb, remove or scatter any Collectable Waste at the Regional Waste Management Facility located at Robin Hood Bay without the written consent of the City.

NON-COLLECTABLE WASTE

- 26. The Owner of a property shall, at their own expense, arrange for the safe and sanitary storage, removal, transportation and disposal of any Non-Collectable Waste situate at the property in accordance with all applicable federal, provincial and municipal legislation.

COLLECTABLE AND NON-COLLECTABLE WASTE WHERE NO MUNICIPAL CURBSIDE SERVICES

- 27. The Owner of a property not in receipt of municipal curbside services shall, at their own expense, make arrangements for the safe and sanitary storage, removal, transportation and disposal of any Collectable Waste and Non-Collectable Waste situate at the property in accordance with all applicable federal, provincial and municipal legislation.

COMMERCIAL LANDFILL PERMIT

- 28. (a) No person shall engage in the business of depositing Collectable Waste at the Regional Waste Management Facility located at Robin Hood Bay except where such person is the holder of a valid Commercial Landfill Permit.
- (b) A Commercial Landfill Permit required under Section 28(a) herein shall be

obtained annually at a cost to be prescribed by the City.

- (c) The holder of a Commercial Landfill Permit shall comply with the terms and conditions of the Commercial Landfill Permit.
- (d) The holder of a Commercial Landfill Permit shall comply with all federal, provincial and municipal legislation that applies.
- (e) Where, in the opinion of an Inspector, the holder of a Commercial Landfill Permit has violated:
 - (i) this Section; and/or
 - (ii) any term or condition of a Commercial Landfill Permit;then the Inspector may revoke the Commercial Landfill Permit.
- (f) A person who owes outstanding fines to the City of St. John's for a By-Law or regulatory violation for which that person has been convicted shall not be entitled to a Commercial Landfill Permit issued pursuant to this By-Law until such time as all such outstanding fines have been paid and proof of payment, in a form acceptable to the City, has been provided.
- (g) A person who owes outstanding property taxes to the City of St. John's shall not be entitled to a Commercial Landfill Permit issued pursuant to this By-Law until such time as all such outstanding taxes have been paid.

MEDICAL EXEMPTION

29. Where a note signed by a health care practitioner recommends that the Owner of a property be relieved from performing one or more requirements herein, the Owner may apply to the City to be exempted from performing the requirement(s).

PENALTY

30. Any person who contravenes the provisions of this By-Law shall be guilty of an offence and liable upon summary conviction to:
- a. a fine of \$100.00 where the person is issued a ticket; or
 - b. a penalty as provided for in Section 403 of the City of St. John's Act, RSNL 1990, c C-17, as amended, where an information is laid.
31. The City may suspend or discontinue any municipal curbside collection services to any property if an Owner does not comply with this By-Law or is in violation of this By-Law.

REPEAL

32. The St. John's Sanitation Regulations enacted by the City of St. John's on April 23, 1986, together with all amendments thereto, is hereby repealed.
33. The St. John's Covering of Garbage Placed for Collection By-Law enacted by the City of St. John's on April 17, 2006, together with all amendments thereto, is hereby repealed.

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SCHEDULE "A" TO THE SANITATION BY-LAW

"Non-Collectable Waste" means any waste that is not eligible for municipal curbside collection, and includes each of the following:

- i. batteries and devices which contain batteries that have not been removed;
- ii. propane tanks (of any size), butane tanks and aerosol cans;
- iii. pesticides, herbicides and fungicides;
- iv. chemicals;
- v. firearms;
- vi. Christmas trees;
- vii. liquids and gels including, but not limited to, paint, paint thinner, varnish, shellac, stain, glue, motor oil, gasoline, kerosene, diesel, automotive fluids, ethanol gel chafing fuel, cooking oil, grease and any waste material that has not been completely drained of fluid;
- viii. combustible or explosive materials including, but not limited to, celluloid cuttings, motion picture film, oil or gasoline-soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite and other similar material;
- ix. biomedical waste including, but not limited to, dressings, bandages, pharmaceuticals, medications or other contaminated, infected, pathogenic or biohazardous material;
- x. medical sharps including, but not limited to, hypodermic needles, syringes, glass stem pipes, lancets and insulin tips;
- xi. mercury and devices that contain mercury including, but not limited to, thermometers and thermostats that contain mercury;
- xii. tires;
- xiii. Recyclable appliances, including toasters and other devices that can be deposited at a recycling facility;

- xiv. smoke and carbon monoxide detectors and alarms;
- xv. insect repellent, pest control products and flea collars;
- xvi. electronic devices including, but not limited to, radios, video cameras, computer monitors, laptops, tablets, and smart phones;
- xvii. gravel, rocks, sand, fill, soil and tree stumps in excess of 5 kilograms in total;
- xviii. Vinyl siding, asphalt shingles, toilets, parquet, treated wood, screws and nails;
- xix. fluorescent lights, bulbs and tubes and compact fluorescent lights;
- xx. carcasses or parts of any animal except food waste;
- xxi. pieces of scrap metal and sheet metal;
- xxii. automobile parts, scrapped vehicles and machine parts;
- xxiii. septic tank pumping's, raw sewage and industrial sludge;
- xxiv. broken glass, ceramics or any other jagged, sharp-edged, barbed or pointed material unless such materials have been wrapped in cardboard, or placed in a sealed puncture proof container and labelled in a manner that clearly describes the contents;
- xxv. manure, kennel waste, excrement and fish processing waste;
- xxvi. burning or smouldering waste;
- xxvii. maggot-infested waste, including any collection from maggot-infested Carts or Regular Garbage Containers, or maggot infested Regular Garbage Privacy Bags or Regular Garbage Bags;
- xxviii. urea formaldehyde foam insulation;
- xxix. materials containing asbestos;
- xxx. radioactive materials;

- xxxi. any material listed or characterized as hazardous by any federal or provincial law;
- xxxii. any material banned from landfill disposal by the Newfoundland and Labrador government, except Recyclable Materials and Yard Waste; and
- xxxiii. any other material that the City may from time to time designate as Non-Collectable Waste.

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