



Village of New Maryland

A By-law to Regulate the
Collection and Disposal
of Garbage and Other
Material

By-law No. 59-2020

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**VILLAGE OF NEW MARYLAND
A BY-LAW TO REGULATE THE COLLECTION AND DISPOSAL
OF GARBAGE AND OTHER MATERIAL
BY-LAW NO. 59-2020**

WHEREAS the *Local Governance Act*, SNB 2017, c.18 (“the Act”) came into effect January 1, 2018;

AND WHEREAS under Section 195 of the Act a by-law made under the authority of the former *Municipalities Act c.M-22* of the Revised Statutes, 1973, that was in force immediately before the commencement of this section, shall be deemed to have been made under this Act and is valid and continues in force until amended or repealed;

AND WHEREAS the Council for the Village of New Maryland proposes amendments to By-law No. 59;

THEREFORE BE IT ENACTED by the Council of the Village of New Maryland, in accordance with Section 10 of the *Local Governance Act* SNB 2017, c.18 and regulations thereunder, enacts the following By-law to Regulate the Collection and Disposal of Garbage and Other Material:

1. TITLE

This by-law may be cited as the “Village of New Maryland Garbage Collection and Disposal By-law.

2. DEFINITIONS

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

“ashes” means the residue from fires used for cooking, heating, or outdoor fireplaces and fire pits;

“combustible material” includes paper and paper products, plastic bottles and aerosol cans;

“commercial establishment” includes any shop, restaurant, office, industry, institution, business establishment, apartment building with five or more apartment units, or rooming house with ten or more roomers;

“garbage” means any refuse, accumulation of animal, fruit, or vegetable matter, liquid or otherwise, which attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit or vegetables;

“garden refuse and waste” means waste matter from gardens, consisting of dead branches, bushes, weeds, plants and similar materials;

“grass clippings” means any lawn material bagged, raked or otherwise collected for disposal;

“hazardous material” means any waste that is potentially damaging to the environment or human health because of the toxicity, ignitability, corrosiveness, chemical reactivity or other reasons and includes, but is not limited to, propane or propane containers, petroleum products, solvents, paints, acids, chemicals and coolants;

“housing unit” means a place of dwelling;

“incombustible material” means metals, dirt and similar rubbish which cannot be burned;

“recyclable material” means material approved by the Fredericton Region Solid Waste as acceptable material to be placed in recycle boxes for collection;

“recycle box” means receptacles issued by the Village of New Maryland for a recycling program;

“residential property” means all single and double housing units, individual townhouse units, condominiums, apartment buildings with not more than four apartment units, and rooming houses with not more than 9 roomers;

“restaurants” generally refers to a business that provides goods and services in the dining service industry and is located within the Village of New Maryland;

“shared accommodation” means any room or rooms forming part of the residence of a landlord, or their agent, and of which the entrance and any facilities are used in common by the landlord, or their agent, and the occupant and occupants of the room or rooms;

“street rubbish” means sweepings, dirt, leaves, catch-pit dirt and similar rubbish;

“tires” means the outer pneumatic rubber covering of the wheels of motorized vehicles, with an inner diameter greater than 15 (fifteen) centimeters (6 [six] inches); and

“the Village” means the Village of New Maryland.

3. RECEPTACLES FOR GARBAGE, COMBUSTIBLE MATERIAL, GARDEN REFUSE AND WASTE

3.01 Residents supplied garbage receptacles shall be watertight, shall have a capacity of not more than 125 (one hundred twenty-five) litres (28 [twenty-eight] gallons) and shall have a weight of not more than 20 (twenty) kilograms (44 [forty-four] pounds) when loaded.

3.02 Oversized wheeled garbage dollies shall not exceed 45 (forty-five) kilograms (100 [one hundred] pounds) when loaded.

3.03 Plastic or vinyl garbage bags shall not exceed a capacity of 125 (one hundred twenty-five) litres (28 [twenty-eight] gallons) and a weight of 20 (twenty) kilograms (44 [forty-four] pounds) when fully loaded.

4. COLLECTION OF GARBAGE, COMBUSTIBLE MATERIAL AND GARDEN REFUSE AND WASTE

4.01 Only residential properties are eligible for collection of garbage, combustible material, and garden refuse and waste.

4.02 Every person placing garbage for collection shall:
(a) if using a receptacle have the cover securely in place;

(b) ensure plastic or vinyl garbage bags are securely tied and have a capacity not more than 125 (one hundred twenty-five) litres (28 [twenty-eight] gallons) and a weight of not more than 20 (twenty) kilograms (44 [forty-four] pounds) when fully loaded;

(c) ensure paper and cardboard material has been flattened out and securely tied in packages, and is at the curb or roadside of the street or road on which their property fronts, not earlier than 8:00 p.m. of the day preceding the day established for collection;

(d) ensure building material, broken or discarded household furniture or furnishings are securely tied in packages that do not exceed 20 (twenty) kilograms (44 [forty-four] pounds) in weight or 90 (ninety) centimeters (36 [thirty-six] inches) in dimension; and

(e) ensure garden refuse and waste is bagged or securely tied in bundles that do not exceed 20 (twenty) kilograms (44 [forty-four] pounds) in weight or 90 (ninety) centimeters (36 [thirty-six] inches) in dimension.

4.03 Subject to section 3.05, no person shall place garbage, combustible material, or garden refuse and waste for collection in any manner or in any container other than those as set out in section 3.02.

4.04 No person shall permit any of the items enumerated in section 4.02 (a) to 4.02 (e), placed by them for collection, to remain at the curb or roadside beyond the conclusion of the day established for collection.

4.05 All residents are responsible to clean up any loose garbage, broken glass, debris or recycling materials not picked up by the contractor.

4.06 No person other than employees of the Village, agents or contractors hired by the Village, shall remove any waste material or garbage placed at the curb for collection.

4.07 The Village of New Maryland may establish a schedule of days and routes for the annual "Cleanup Days" for the collection of yard and garden refuse and may amend the said schedule from time to time.

5. SCHEDULE FOR COLLECTION OF GARBAGE, COMBUSTIBLE MATERIAL AND GARDEN REFUSE AND WASTE

5.01 The Village shall establish a schedule of days and routes for collection of garbage, combustible material and garden refuse and waste and may amend the said schedule from time to time.

5.02 The Village Clerk shall cause to be posted on Village social media sites (website, Facebook, Twitter, etc.) for 3 (three) consecutive days during the 5 (five)-day period immediately preceding the day upon which a schedule or any amendment thereof referred to in section 4.01 becomes effective, a notice setting forth the said schedule or amendment.

6. GARBAGE COLLECTION

6.01 The Village may enter into an agreement with any person, herein after referred to as the Contractor, for the collection of garbage and combustible material under the provisions of this by-law and may from time to time define their duties.

6.02 The Contractor shall make 1 (one) collection each week from the occupants of residential properties and the landlords of shared accommodation in the Village in accordance with the schedule established pursuant to section 4.01 and amendments.

6.03 The Contractor shall perform the collection of garbage, combustible material, garden refuse and waste between the hours of 7:00 a.m. and 4:00 p.m.

7. DISPOSAL OF RUBBISH

7.01 Ashes, grass clippings, incombustible material, and street rubbish shall not be placed for collection but shall be disposed of by the owner at their own expense.

7.02 Broken or discarded household furniture or furnishings in excess of 20 (twenty) kilograms (44 [forty-four] pounds) and larger than 90 (ninety) centimeters (36 [thirty-six] inches) in length, shall not be placed for collection but shall be disposed of by the owner at their own expense at the appropriate facility.

7.03 Hazardous material shall not be placed for collection but shall be disposed of by the owner at their own expense at the appropriate facility.

7.04 Waste material and rubbish left on premises following the construction, alteration, demolition or repair of a building or erection shall be removed and disposed of by the owner of such premises at their own expense at the appropriate facility.

8. RECYCLING PROGRAM

8.01 The Village may enter into an agreement with any person for the collecting of recyclable material under the provisions of this by-law and may from time to time define the duties of the collector.

8.02 While the Village operates a recycling program, sections 7.03 to 10 inclusive of this by-law shall be in force and effect.

8.03 Residents using recycle boxes shall maintain them in good condition at all times.

8.04 The Village may establish a schedule of days and routes for collection of recyclable material and shall coincide with the day of collection of garbage.

8.05 No person in possession of a recycle box shall place a recycle box for collection at the curb or roadside of the street or road on which their property fronts earlier than 8:00 p.m. of the day preceding the day of collection.

8.06 No person in possession of a recycle box shall permit their recycle box to remain at the curb or roadside beyond the conclusion of the day of collection.

8.07 Only recyclable material shall be placed in recycle boxes for collection.

9. PENALTIES

Every person who violates any provision of this by-law is guilty of an offense and is liable on summary conviction to a fine of not less than \$50.00 (*fifty dollars*) and not more than \$200.00 (*two hundred dollars*).

10. SEVERABILITY

If any part of this by-law shall be held invalid, such part shall be deemed severable and the invalidity of thereof shall not affect the remaining parts of this by-law.

11. REPEAL AND REPLACEMENT

11.1 The Village of New Maryland By-law No. 59, A By-law to Regulate the Collection and Disposal of Garbage and Other Material, enacted on October 21, 2009, and all amendments, is hereby repealed.

11.2 The repeal of By-law No. 59 shall not affect any by-law infractions, penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or pending at the time of the repeal.

Read First Time (*by title only*): November 18, 2020

Read Second Time (*by title only*): November 18, 2020

Read Third Time (*in its entirety*): December 16, 2020

Read Final Time (*by title only and enacted*): December 16, 2020

(Sgd.) Judy Wilson-Shee
Judy Wilson-Shee
MAYOR

(Sgd.) Cynthia Geldart
Cynthia Geldart
CAO/CLERK