

# Municipality of Cumberland By-Law 96-02

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## Solid Waste Collectors By-Law

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1. This By-law shall be known and may be cited as the "Solid Waste Collectors By-law".
2. Definitions:

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

  - (1) "applicant" means a person applying for a collector's license;
  - (2) "clerk" means the Clerk of the Municipality;
  - (3) "collector" means any person who engages in the business of collecting solid waste;
  - (4) "collector's license" and "license" means the license issued by the Municipality pursuant to this By-law;
  - (5) "Council" means the Municipal Council of the Municipality;
  - (6) "disposal site or transfer station" means a solid waste deposit or disposal site operated by the Municipality, but does not include the Little Forks Landfill operated by the Cumberland District Planning Commission;
  - (7) "Municipality" means the Municipality of the County of Cumberland;
  - (8) "person" includes a body corporate; and
  - (9) "solid waste" includes garbage, ashes, filth, ordure, waste building materials, refuse, rubbish, and any similar material.
3. No person shall engage in the business of solid waste collection within the Municipality unless that person holds a valid collector's license.
4. Every application for a collector's license or a renewal thereof must be submitted to the Clerk in writing on a form prescribed by the Municipality, must be signed by the applicant, and must contain the following information:
  - (1) the full name and mailing address of the applicant; and

- (2) a true copy of the vehicle permit issued by the Registry of Motor Vehicles for all vehicles to be used by the applicant for the collection of solid waste.
5. A collector's license shall be valid until the 31st day of December of the year of its issue, unless it is revoked prior to that date.
6. Every application for a collector's license or a renewal thereof shall be accompanied by an application fee of \$5.00, which is not refundable.
7. The holder of a collector's license shall inform the Clerk of any changes in the information set out in the application for a collector's license as prescribed in section 4 within three days of the change occurring.
8. A collector shall not deposit solid waste at a disposal site or transfer station operated by the Municipality unless the collector holds a valid collector's license, which must be produced if demanded by the operator of the disposal site or transfer station.
9. If the Municipality should permit solid waste tipping fees charged for the use of the Little Forks Landfill for solid waste generated within the Municipality, to be charged to the Municipal account, only collectors holding a valid collector's license shall be permitted to request the tipping fees be charged to the Municipal account. Collectors who request that tipping fees be charged to the Municipal account must provide all information requested by the Municipality, the Cumberland District Planning Commission, or any staff or agents thereof, to verify the origin of solid waste deposited to the Little Forks Landfill.
10. At the request of the Clerk, a collector shall supply the Municipality with a written description of the collector's pick-up route for each day of the week, including the number of customers residing within the Municipality and the number of other customers residing outside the Municipality. At the request of the Clerk, a collector shall supply such additional information as the Clerk may require to verify the origin of any solid waste which the collector has disposed of, or may wish to dispose of, at the Little Forks Landfill or any of the solid waste transfer stations operated by the Municipality. Information requested

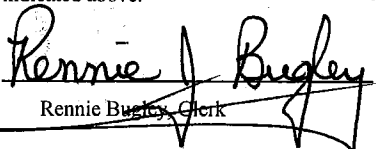
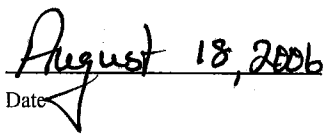
pursuant to this section must be delivered to the Clerk, at the E.D. Fullerton Municipal Building, Upper Nappan, Nova Scotia within 10 days of the date such a request is mailed by ordinary post to the collector at the address supplied in the license application. The Clerk shall forthwith revoke the collector's license of any collector who fails to comply with a request for information pursuant to this section. The Clerk may re-instate a license if and when the request is complied with.

11. It shall be an offence punishable in accordance with Section 17 of this By-Law for a collector to deposit solid waste at the Little Forks Landfill which was collected outside of the Municipality, which the collector falsely represented to the operators of the Little Forks Landfill as having been collected within the Municipality.
12. A collector may only deposit sold waste at a transfer station or disposal site which has been collected within the Municipality.
13. If the Clerk has reasonable grounds to believe and does believe that a collector has deposited solid waste collected outside the Municipality at a disposal site or transfer station operated by the Municipality, the Clerk shall immediately revoke the collector's license.
14. If the Clerk has reasonable grounds to believe and does believe that a collector has supplied false information pursuant to section 9 or section 10 of this By-Law in an effort to mislead the Municipality or the Cumberland District Planning Commission as to the origin of solid waste, the Clerk shall immediately revoke that collector's license.
15. Any person whose collector's license has been revoked by the Clerk may apply to Council to have the license reinstated. Before deciding whether or not to reinstate the license, Council shall give the collector an opportunity to be heard. Council may reinstate the collector's license, with or without conditions, or may refuse to reinstate the license. The procedure to be followed by Council on an application for reinstatement of a license shall be as informal and quick as

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circumstances reasonably permit, and shall be in accordance with the principles of natural justice.

16. A new collector's license or renewal of a license shall not be issued to a person whose license has been revoked unless Council has first approved the reinstatement of the license pursuant to section 14 of this By-Law.
17. Any person who violates any provision of this By-Law is guilty of an offense punishable by summary conviction and is liable to a fine of not less than \$200 or more than \$2,000.
18. This By-Law shall come into force on publication.

<u>Clerk's Annotation For Official By-Law Book</u>	
Date of first reading:	_____
Date of advertisement of Notice of Intent to Consider:	_____
Date of second reading:	_____
*Date of advertisement of Passage of Solid Waste Collectors By-Law:	_____
Date of mailing to Minister a certified copy of By-Law:	_____
I certify that this SOLID WASTE COLLECTORS BY-LAW was adopted by Council and published as indicated above.	
 Rennie Bugley, Clerk	 Date