
Municipality of Cumberland Policy 24-03

Illegal Dumping Policy

Intent

1. The intent of this Policy is to establish the procedures and processes for the investigations of Illegal Dumping.

Definitions

2. In this Policy, the definitions contained within the Solid Waste By-Law 18-02 apply, mutatis mutandis, to the words and phrases contained herein.

Complaints

3. A complaint regarding illegal dumping must be made in writing. The complaint must contain the following information:
 - a. Exact location of the suspected illegal dump (civic address, if applicable, nearest geographic feature or other location information).
 - b. Name and contact information of complainant and any witnesses and the identity of the person illegally dumping, if known.
 - c. Any other information that might assist in identifying the person or persons responsible for the illegal dumping
 - d. Description of the dumped material (C&D, garbage, furniture, vehicles or parts thereof or household waste, etc.).

Investigation and Documentation

4. Upon receipt of a complaint of illegal dumping, By-Law enforcement officers will undertake an investigation and assessment into the complaint if, and only if, the dump site is on private or Municipal property and the material does not contain medical or hazardous waste. Dump sites located on provincial or federal land may be referred to the appropriate provincial or federal agency.
5. Evidence that illegally dumped material originated from a particular person is, in the absence of evidence to the contrary, prima facie evidence that the person so identified is the person responsible for the material and its placement.

6. If the identity of a person can be ascertained from the examination of the material illegally dumped then the Municipality may issue a cleanup order pursuant to the Municipal Government Act 1998 c.18, proceed under the Solid Waste By-Law 18-02 enforcement provisions or pursue any other permitted remedy.
7. In the event that the identity of the person responsible for the illegal dumping can not be ascertained the Municipality may, among other actions, require the property owner to conduct the cleanup, contract out the cleanup, the costs of which may be recovered pursuant to the provisions of the Municipal Government Act 1998 c18, or refer the case to Nova Scotia Environment for a cleanup order under the Nova Scotia Environment Act.

Effective Date

8. This policy comes into effect upon adoption by Council.

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members of Intent to Consider [7 days minimum]: June 19, 2024

Date of Passage of Current Policy: June 26, 2024

I certify that this Policy was adopted by Council as indicated above.


Deputy Clerk

June 27, 2024
Date