

Town of Portugal Cove-St. Philip's
Solid Waste By-Law

Pursuant to the authority conferred in sections 7 and 8 of the Towns and Local Service Districts Act, 2025, the Town Council of Portugal Cove-St. Philip's has adopted the following By-Law on the 6th day of August 2026.

1. TITLE

1.1 This document shall be known and cited as the *"Solid Waste By-Law"*.

2. PURPOSE

2.1 The purpose of this By-Law is to establish and provide guidelines pursuant to s. 162 of the Towns and Local Service Districts Act, which the Town of Portugal Cove – St. Philips shall utilize to support the collection of residential solid waste, in a safe and effective manner.

3. INTERPRETATION / DEFINITION

3.1 **"Council"** shall mean the duly elected Council of the Town of Portugal Cove – St. Philip's.

3.2 **"Act"** shall mean the *Towns and Local Service Districts Act*.

3.3 **"Province"** shall mean the Province of Newfoundland and Labrador.

3.4 **"Town"** shall mean the Town of Portugal Cove-St. Philip's.

3.5 **"Garbage"** shall mean any solid waste that is not yard waste or recyclable material.

3.6 **"Residential Premises"** shall mean any dwelling with three (3) or less residential units.

3.7 **"Commercial Premises"** shall mean a school, institution, factory, store, office, nursing home, place of business, agricultural operation or other similar uses or a building used for residential purposes which contains four (4) or more residential units.

3.8 **"Commercial Garbage"** shall mean any garbage created by use and operation of a commercial premises.

3.9 **"Residential Garbage"** shall mean any garbage created by the use and occupation of a residential premises.

3.10 **"Recyclable"** shall mean used materials that can be processed into new products to prevent waste.

3.11 **"Solid Waste"** shall mean garbage or recycling.

3.12 **"Bulk Garbage"** shall mean any residential garbage deemed too large for scheduled residential collection (i.e. dishwasher, deep freeze, couch, etc..).

3.13 **"Garbage Container"** shall mean storage containers of approved construction and design for the purpose of storing waste bags between collection days.

3.14“**Commercial Container**” shall mean a steel dumpster of solid steel construction and approved design that includes fully operational coverings/lids.

3.15“**Yard Waste**” shall mean vegetative trimmings or cuttings from residential yards (including but not limited to), grass clippings, leaves, tree branches, compost or Christmas Trees.

3.16“**Garbage Cart**” shall mean the Town provided plastic, roll-out, container supplied by the Town for the deposit of residential garbage.

4. APPLICATION

4.1 This By-Law shall apply to all Solid Waste collection within the Municipal boundaries of the Town.

4.2 The Town shall notify its residents of a schedule change in Solid Waste collection using any or all of the following:

- i. Local media outlets (e.g., radio, television, newspapers).
- ii. Town Voyent alerts (PCSP Connects)
- iii. Town Website
- iv. Social Media

5. BY-LAW STATEMENT

General

1. No person, firm, or corporation shall deposit, throw, or place any solid waste upon any street, lane, drain, public place or exterior private property within the Town unless the same is enclosed in proper containers approved by the Town.
2. All residential garbage shall be disposed of at intervals not exceeding one (1) week and recycling at intervals not exceeding two (2) weeks except for:
 - i. Changes in schedule due to inclement weather, natural disasters or similar events in which the Town has no control.
 - ii. Changes in schedule due to labor dispute.
 - iii. Changes in schedule due to Landfill closures.
3. Bulk Garbage collection will occur on designated Mondays between the months of May – October inclusive. The Town may extend or shorten this collection period for operational reasons such as seasonal weather.
 - a. No Bulk Collection will occur without an appointment made with the Public Works Department. Residents shall be permitted one (1) Bulk Collection appointment per collection year. Additional appointments will be at the discretion of the Town.
4. Each Commercial Premises shall make provision, at the cost of the property owner, for private solid waste collection and shall provide sufficient Commercial Containers to contain Commercial Garbage accumulated by use of the Commercial Premises.
5. No person shall transport solid waste in the Town other than within a covered motor vehicle or trailer.
6. The Town shall not collect construction related materials for Bulk Collection nor Residential Collection. Disposal of construction materials shall be the responsibility of the contractor or property owner.

Residential Collection

1. Residential garbage containers shall be placed for collection no later than 8:30am on the day of collection OR as posted by the Town due to changes in schedule.
2. Existing garbage containers that are not Garbage Carts, shall remain within five (5) meters of the roadway and in a safe place, so to not interfere with the movement of vehicular or pedestrian traffic.
 - a. Existing containers must also be sanitary condition and free of hazards such as rodents, wasps, wildlife, sharp edges, nails, screws, wires, standing water or any item deemed to be an ergonomic or environmental hazard.
3. Garbage bags must be tied over, and weigh no more than fifty (50) lbs and must be of standard size and plastic construction
 - a. Contractors bags, kitchen catchers, or recycling bags are prohibited from being placed for Residential Garbage collection.
 - b. Garbage bags shall not be sprayed with, nor contain, harmful chemicals or sharp objects that have not been secured.
 - c. Animal waste shall be double bagged.

Garbage Carts

1. Each dwelling and registered subsidiary apartment shall be allocated one garbage cart unless otherwise approved by Council. Each garbage cart will have a serial number permanently stamped by the manufacturer that will be correlated to the respective civic address. Each garbage cart is also equipped with a blank area for residents to input their civic address. All garbage carts shall remain with the residential units and are property of the Town.
2. If an additional garbage cart is required by the owner of a dwelling or subsidiary apartment, the owner shall apply to the Town outlining the reasons for the requirement. An additional annual collection fee, as approved by Council for the additional garbage cart, will apply.
3. All garbage carts shall be the responsibility of the resident. The resident shall be charged for the replacement of carts that are vandalized, stolen or lost. The fee for a replacement cart shall be set in the Town annual Tax Structure and Schedule of Fees.
4. Delivery of the garbage carts will be carried out by the Town, and the Town shall replace or repair, at its cost, any carts that are defective or damaged as a result of collection efforts.
5. The Town shall not collect garbage from a garbage cart, that was provided by the Town.***
6. The resident shall not use the garbage cart for any other purposes other than the storage of garbage for collection by the Town. Items placed to “weigh” down the garbage cart shall not be replaced, and any damages occurring to Town equipment resulting from the deposit of such items, may be billed back to the property owner.
7. Garbage carts shall at all times, be stored with the lids closed.
8. Each resident to whom a garbage cart is issued, shall keep the garbage cart in a good and generally clean condition.
9. Upon determination by the Town that a garbage cart is unfit for use, the resident to whom the cart was issued must discontinue use and obtain a replacement from the Town.
 - a. The Director of Public Works may elect not to collect residential garbage from that garbage cart until a replacement is obtained.

10. The garbage cart shall not be filled:
 - a. To the extent that the lid does not close;
 - b. To a weight that exceeds 136 kgs or 300lbs;
 - c. To the extent that the collector cannot easily empty the contents.

Placement of Garbage Carts

1. Garbage carts shall be placed for collection before 8:30am on the collection day, and shall not be placed before 8:00pm the evening before. The garbage cart shall be removed by 8:00pm on the collection day, by the resident.
2. Garbage carts shall not be placed on the concrete sidewalk.
3. Garbage carts shall be placed in such a way as to not interfere with the ordinary travel or parking of vehicles and the passage of pedestrians. A garbage cart shall not be placed in such a manner as that it encroaches on any street, lane, or public place.
4. On the scheduled collection day, the garbage carts shall be placed in a location free from obstructions at least one (1) clear meter (3ft) horizontally on all sides and three (3) meters (10ft) vertically.

Recycling

1. Residents shall separate all fiber, metal and plastic materials from their regular household garbage, which shall be placed in blue transparent recycling plastic bags. These must be placed by the curb or in a designated container away from garbage bags, or a minimum of one (1) meter (3ft) on the day of collection. All recyclable materials must be cleaned prior to placement.
2. Separation of materials must follow the acceptable guidelines set forward by the Robin Hood Bay Landfill Facility, these are:
 - a. Fibrous materials such as papers, cardboard, paper towel roles, egg cartons or similar but be placed in one bag;
 - b. Containers, such as plastic drink bottles, cans, milk cartons, aluminum containers or plates, or similar, must be placed in a separate bag.
 - c. Mixing of containers and fibrous materials will result in rejection of the recycling and the items will not be collected until separated into appropriate bags.
 - d. Glass is not accepted as recycling material.

6. OFFENCES

- 6.1 A person who violates this By-Law commits an offense in accordance with s. 289 (f) of the Act.
- 6.2 This By-Law shall not exclude the application of other penalties not expressly listed.

7. PENALTIES

- 7.1 A person who commits an offense under s. 289 of the Act is liable on Summary Conviction to penalties under s. 290 of the Act
- 7.2 Prosecutions for offenses in this By-Law may be carried out by the Town under s. 291 (1) of the Act.
- 7.3 A Prosecution shall not be commenced by the Town with respect to an Offence under the Act until after an appeal period which may apply to the activity giving rise to the Offence has passed.

8 REPEAL OF PREVIOUS REGULATIONS AND BY-LAWS

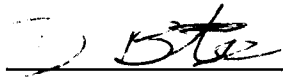
8.1 All previous Town of Portugal Cove – St. Philips Litter, Garbage and Refuse Regulations and Waste Management Policies are repealed.

9 AMEDMENTS

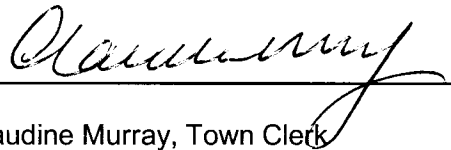
9.1 August 6, 2026, Motion #2026-286.

10 CAME INTO EFFECT

10.1 This By-Law came into effect on February 11, 2025, through a resolution of Council, Motion #2025-054.



Dave Bartlett, Mayor



Claudine Murray, Town Clerk