

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

Pursuant to the authority conferred in Section 8(f) of the *Towns and Local Service Districts Act*, the Town Council of Portugal Cove-St. Philip's has adopted the following By-Law on the 11<sup>th</sup> day of February 2025.

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**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 disposed of for residential collection.
- 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.
- 3.10. **“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.

#### **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:
- 4.2.1. Local media outlets (e.g., radio, television, newspapers).
  - 4.2.2. Town voyent alerts.
  - 4.2.3. Town website.
  - 4.2.4. Social media.

#### **5. BY LAW STATEMENT**

- 5.1. No person, firm or corporation shall deposit, throw or place any garbage or recyclables upon any street, lane, public place, drain, trail or exterior private property within the Town unless contained within a designated waste container.
- 5.2. 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:
- 5.2.1. Changes in schedule due to inclement weather, natural disasters or similar events in which the Town has no control.
  - 5.2.2. Changes in schedule due to labor dispute.
  - 5.2.3. Changes in schedule due to Landfill closures.
- 5.3. 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.
- 5.4. Commercial Garbage shall be disposed of at intervals not exceeding one week, or when Commercial Containers are full. If private waste disposal services are not completed to the satisfaction of the Town, the Town may arrange to have the Commercial Garbage disposed of at an approved waste disposal site and invoice any costs incurred to the property owner.
- 5.5. No person, other than authorized employees of the Town, shall remove, disturb or otherwise interfere with solid waste that has been placed for collection by the Town.
- 5.6. Residential Garbage Containers shall be:
- 5.6.1. Placed for collection no later than 8:30am on the day of collection or as posted by the Town due to changes in schedule.
  - 5.6.2. Placed within five (5) meters of the roadway and in a safe place so as to not interfere with the movement of vehicular or pedestrian traffic.
    - 5.6.2.1. Placement of Residential Garbage Containers on concrete sidewalks is prohibited.

- 5.6.3. Kept in 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.
- 5.7. Garbage bags shall weigh no more than fifty (50) lbs. and must be of standard size and standard plastic construction.
  - 5.7.1. Contractor's bags, kitchen catcher bags or recycling bags are prohibited from being placed for Residential Garbage Collection.
- 5.8. Garbage bags shall not be sprayed with or contain harmful chemicals, nor contain sharp objects that have not been secured in such a way as to remove the risk to the collector.
- 5.9. Animal waste must be double bagged and weigh no more than fifty (50)lbs.
- 5.10. Bulk Garbage Collection will occur on designated Mondays between the months of May and October inclusive. The Town may extend Bulk Garbage Collection if weather and operations permit.
  - 5.10.1. Bulk Garbage Collection will occur by appointment only. Placement of Bulk Garbage without an appointment shall be deemed to be in contravention of this By-Law.
  - 5.10.2. Residents may only obtain one (1) Bulk Garbage Collection appointment, per collection year. Additional Bulk Garbage Collection appointments will be at the discretion of the Town.
- 5.11. Construction related materials shall not be collected by the Town.

## **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**

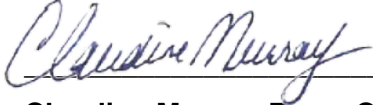
- 7.1 A person who commits an offense under s. 289 of the Act is liable on Summary Conviction to penalties under s. 290 of the Act
- 7.2. Prosecutions for offenses in this By-Law may be carried out by the Town under s. 291 (1) of the Act.
- 7.3. A Prosecution shall not be commenced by the Town with respect 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**

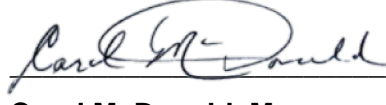
- 8.1. All previous Town of Portugal Cove – St. Philips Litter, Garbage and Refuse Regulations and Waste Management Policies are repealed.

**9. CAME INTO EFFECT**

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



**Claudine Murray, Town Clerk**



**Carol McDonald, Mayor**