

# Town of Portugal Cove-St. Philip's

## Litter, Garbage and Refuse Regulations

Pursuant to the powers conferred in sections 397 and 413 of the Municipalities Act, 1999 the following regulations were adopted by the Town of Portugal Cove-St. Philip's on the 8<sup>th</sup> day of March, 1994.

---

### 1. Title

This document will be known and cited as the *Litter, Garbage and Refuse Regulations*.

### 2. Interpretation

(a) *Act*- shall mean the Municipalities Act, 1999. \*needs to be amended.

(b) *Council*- shall mean the Town Council of Portugal Cove-St. Philip's.

(c) *Town*-shall mean the town of Portugal Cove-St. Philip's as defined by an Order in Council dated February 1<sup>st</sup>, 1992. \*needs to be amended.

(d) *Litter*- shall mean any obnoxious substances, waste, or unsanitary matter, refuse, garbage, rubbish, ashes, street cleanings, dead animals, paper wrappings, cardboard boxes, tin cans, leaves, wood, bedding, glass bottles and glass in all its forms and other matter or things which are thrown or deposited as herein prohibited tends, or is likely to cause unsightliness within the Town or creates danger to the health, welfare or public safety and includes vehicles and appliances.

(e) *Garbage*- shall mean every waste accumulation of animal, fruit or vegetable matter, liquid or otherwise that attends the preparation, use cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables and including tin cans, bottles and similar food containers.

(f) *Refuse*- shall mean all other miscellaneous waste material not specifically defined as garbage.

(g) *Owner*- includes agent, tenant or occupant.

(h) *Authorized Receptacles*- shall mean a litter, garbage or refuse storage or collection receptacle as may be approved by Council.

(i) *Hand Bill*- shall mean a printed or written matter, circular sample advertisement, leaflet or paper other than a newspaper or her Majesty's mail.

### 3. Regulations

- i. No person, firm or corporation shall deposit, throw, sweep, or place any litter or refuse upon any street, lane, drain, pond, stream, public place, beach area, the sea or private property outside of buildings within the Town between January 1<sup>st</sup> and December 31<sup>st</sup> in each year.
- ii. All litter, garbage or refuse for collection by the Town garbage collector must be placed by the roadside by 8:00am, in sealed, plastic bags or other suitable disposable containers in a dog proof container.
- iii. Every proprietor, firm, corporation being the owner of a building or buildings and premises with the Town shall provide sufficient authorized containers for the use of such buildings and premises for the reception of litter, garbage and refuse, in such containers or disposed of by such methods as may be approved by Council in writing.
- iv. Garbage containers shall be kept covered and in a sanitary condition at all times.
- v. Subject to regulation 8 of these regulations, no person, firm or corporation shall deposit, throw, sweep, or place any refuse upon any street, lane, drain, public place or private property outside buildings within the Town between January 1<sup>st</sup> and December 31<sup>st</sup> in each year, unless the same is enclosed in approved containers in such a manner as to, constitute a nuisance or annoyance to others.
- vi. All garbage and refuse shall be disposed of at intervals not exceeding one week by the owner of any property, building or place of business in any of the following manners;
  - (a) by disposal through a recognized garbage contractor.
  - (b) By disposal at Robin Hood Bay.
  - (c) By burning or burial under and in accordance with a permit in writing from Council. \*needs to be reformulated.
  - (d) Provided that garden waste and broken or discarded household furnishings may be retained in a tidy fashion and placed for collection at a period of the year to be specified by Council as "Clean Up Week", unless otherwise ordered.
- vii. No person, firm or corporation shall place any container or receptacle, garbage or refuse intended for removal by the Council the weight of which together with that of the container or receptacle will exceed fifty (50) pounds.
- viii. Garbage or refuse left by any builder or contractor, or owner upon any street, lane, drain, public or private property outside of a building or buildings within the Town following the construction, alteration or repair of such building or buildings, shall be removed by the builder, contractor, or owner, as promptly as possible.
- ix. No person, other than employees of the Council authorized for that purpose shall pick over, remove, disturb or otherwise interfere with any garbage or refuse placed for removal by the Council whether or not it is enclosed in receptacles or containers.

- x. Notwithstanding the time limits prescribed in regulations 2 and 7 of these regulations, the Council may at any time order the owner to clean up and remove any accumulation of garbage or refuse outside any building or buildings within the Town.
- xi. Householders, businesses, clubs and other owners of properties within the Town are required to maintain their grounds in a tidy litter and garbage free manner so as not to constitute an offence or annoyance to others.

#### 4. Penalties

Any person who is guilty of an offence against these regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so shall be liable on summary conviction to a fine not exceeding one hundred dollars (\$100.00) and in default of payment to imprisonment for a period not exceeding ninety (90) days or both such fine and imprisonment.

#### 5. Date Effective

March 8<sup>th</sup>, 1994 \*needs amending, Motion # 94-165

#### 6. Repeals

This document rescinds all previous regulations on this subject matter.