

HAMLET OF Naujaat, NUNAVUT
BY-LAW NUMBER 192

A by-law of the Municipal Corporation of the Hamlet of Naujaat in Nunavut to provide for the collection, removal and disposal of garbage, refuse and ashes, pursuant to the provisions of the Hamlets Act, R.S.N.W.T., 1988, c. H-1, sections 85 and 86 as amended by S.Nu.2003, c.3.

AS the Council deems it necessary to regulate garbage disposal,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF Naujaat, in a meeting duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the "Garbage Collection By-law".

INTERPRETATION

2. In this by-law,

- (a) "apartment" means any residential building which is "complex" either occupied or intended to be occupied by more than eight families living independently of one another upon the same premises;
- (b) "ashes" means the residue and cinders from any substances used for fuel, but does not include such residue as may accumulate as a result of building operations;
- (c) "by-law officer" means a by-law officer appointed by by-law;
- (d) "collectible refuse" means all recyclable and non-recyclable solid wastes including broken dishes, tins, glass, rags, cast-off clothing, waste paper, excelsior, cardboard, food containers, grass cutting, shrubbery and tree pruning's, weeds and garden waste and all discarded materials disposed of as waste in the normal daily operation of a dwelling, office, shop, school or business but does not include night soil, tree stumps, roots, turf earth, rocks, iron, concrete, tires, grease, oil, scrap metal, car bodies, derelict machinery, truck bodies, derelict boats, derelict snowmobiles or any other non-working or scrap machinery or such waste matter as may accumulate as a result of demolition or construction operations;
- (e) "commercial" means any building used as any type of industrial or commercial establishment including warehouses, factories, stores, cafes, wholesale or retail business places, office blocks, hospitals, schools, hotels and motels, and any other establishment which is designated by the council as constituting commercial premises;

- (f) "council" means the council of the Hamlet;
- (g) "foreman" means the person employed as the foreman for the Hamlet;
- (h) "garbage" means all putrescent material including condemned meats, fish, fruits and vegetables resulting from the handling, preparation, cooking and consumption of food;
- (i) "garbage can" means a water tight, rust resistant container of a circular design, having a water tight cover and smooth rim and rigid fixed handles or of a type approved by the Hamlet;
- (j) "Hamlet" means the Hamlet of Naujaat in the Nunavut Territory;
- (k) "large vehicle" means any vehicle having a registered weight of 22,500 kilograms or more;
- (l) "tipping" means the off-loading of large vehicles;
- (m) "tipping permit" means a permit in the form set out in Schedule B attached to and forming part of this by-law;
- (n) "pallet-type" means a metal pallet type loading container with a capacity of not more than 444 imperial gallons capacity standardized to the equipment of persons contracting with the Hamlet to collect garbage;
- (o) "person" includes any person, firm, partnership, association, corporation, company or organization of any kind;
- (p) "responsible" means person
(i) where the premises are occupied by the owner, the owner;
(ii) where the premises are leased, the lessee;
(iii) in any other case, the person in charge of the premises;
- (q) "street" means any public roadway used by waste collection vehicles to gain access to the boundary of a private property from which garbage or refuse is being collected and
- (r) "waste material" means all refuse which is not collectible refuse and includes night soil, tree stumps, roots, turf, earth, rocks, iron, concrete, tires, grease, oil, scrap metal, and such

waste matter as may accumulate as a result of demolition or construction operations and such other material as is designated by the foreman to be non-collectible.

- (s) "wrecked vehicle" means a vehicle as defined in the Inoperable Vehicles By-law, No. .

GENERAL COLLECTION

- 3.(a) Garbage, collectible refuse and ashes from residential dwellings, apartment complexes and commercial premises shall be picked by forces provided by the Hamlet, once per week.
- (b) The permitted number of garbage cans or containers for each premises shall be:
- (i) Residential units - a maximum of three per unit;
 - (ii) Apartment complexes - a maximum of two pallet type containers or a maximum of six garbage containers;
 - (iii) Commercial premises - a maximum of one pallet type container or a maximum of four garbage containers
 - (iv) Row-housing - a maximum of one pallet type container or one garbage container per unit.
4. Each garbage can or container shall be provided
- (a) in the case of a residential unit, by the responsible person and
 - (b) in the case of an apartment complex, commercial premises or row housing, by the owner of the building.
5. All wrecked vehicles shall be disposed of in accordance with the Inoperable Vehicles By-law, No. .

COLLECTION CONTRACTS

6. The Hamlet may, by by-law, enter into a contract or contracts with any person for the collection, removal and disposal of the whole or part of the garbage, collectible refuse and ashes accumulated within the Hamlet.

SCHEDULE OF COLLECTION

7. Collection of garbage, collectible refuse and ashes shall be made on such days as the foreman shall, from time to time, direct.

COLLECTION PROCEDURE

8. No person shall put out or permit to be put out any garbage,

collectible refuse or ashes for collection unless such is contained in garbage containers or cans as defined in section 3 herein, which are, in the opinion of the foreman, in good condition, except as otherwise provided in this by-law.

9. Any person using a garbage can or container shall ensure that its cover is kept firmly in place upon the container or can.
10. All wet garbage shall be wrapped securely in paper or placed in plastic bags prior to being placed in garbage containers or cans for collection.
11. The following material may be placed for collection even if not in garbage containers or cans but only if occasionally deposited, in the opinion of the foreman, on garbage collection day at the normal collection point as follows:
 - (a) Christmas trees, shrubs or bushes if tied in bundles not exceeding four feet in length or twelve inches in diameter;
 - (b) clippings or weeds, if tied in boxes or bags;
 - (c) boxes of waste which are sturdy enough to handle, which do not exceed a capacity of five cubic feet with a maximum weight of fifty pounds.

LOCATION OF GARBAGE CONTAINERS OR CANS

12. On garbage collection days, the garbage container or can must be placed, by the responsible person, at the front property line near the roadway running adjacent to it or at such place as is designated by the foreman to be the pickup location by 8:00 AM on the morning of the day of collection.

PROHIBITIONS

13. No person shall burn or permit the burning of any garbage or other thing in a container or can depot for garbage disposal.
14. No person shall deposit or permit to be deposited, at any time, ashes, garbage, collectible refuse or other waste material of any kind whatsoever on or near any street or any public property.
15. No person shall place or mix or permit to be placed or mixed with any material for removal as garbage, collectible refuse or ashes, any powder, dynamite, explosive wastes, motion picture film or other highly combustible material.
16. No person shall dispose of, or permit to be disposed of, any garbage, collectible refuse, ashes or other waste material at

any place within the Hamlet other than the Hamlet Dump or other place as designated by the council, through the foreman.

17. No person shall haul any garbage, collectible refuse, ashes or other waste material in an open truck without placing a tarpaulin over the box of the truck to ensure that none of the garbage, collectible refuse, ashes or other waste material falls out.

RIGHT OF ENTRY

18. All collectors of garbage, collectible refuse and ashes, as authorized by council, may enter yards and premises of any person at all reasonable times for the purpose of carrying out their duties.
19. If any person is in breach of, or violates any of the provisions of this by-law, the Hamlet may refuse to collect any garbage, collectible refuse or ashes at such premises and the responsible person for the premises will be directly responsible for the collection, removal and disposal thereof.

TIPPING

20. All persons utilizing the Hamlet sanitary landfill facilities for the purpose of tipping large vehicles shall be required to obtain a tipping permit in the form set out in Schedule B, attached to and forming part of this by-law.
21. Tipping permits shall be issued upon remittance to the Hamlet the tipping permit fee in the amount of \$50.00 per truck load.
22. Hamlet owned or contracted vehicles are hereby exempt from the requirement for a tipping permit.
23. Tipping permits may be obtained from the Senior Administrative Officer.

OFFENCES

24. Every person who contravenes any provisions of this by-law is guilty of an offence and is liable upon summary conviction
 - (a) for an individual, to a fine not exceeding one thousand dollars (\$1,000.00) or six months imprisonment in default of payment; or
 - (b) for a corporation, a fine not exceeding five thousand dollars (\$5,000.00).
25. A by-law officer may issue a summons by way of ticket in the form prescribed by the *Summary Conviction Procedures Act*, to

any person who contravenes the provisions of this by-law and such person may, in lieu of appearing in answer to the summons by ticket, pay to the Hamlet a sum provided for in Schedule A, attached to and forming part of this by-law.

26. In addition to any fine levied, any responsible person will be required to remove any garbage, collectible refuse and ashes from the premises within fourteen (14) days of voluntary payment of fine or conviction and failure to do so will result in the Hamlet removing such garbage, collectible refuse or ashes at the expense of the responsible person.

27. If any responsible person is liable for payment to the Hamlet for the collection, removal or disposal of any garbage, collectible refuse, ashes or other waste material and defaults in such payment, the amount in arrears and costs shall become a charge against the property in respect of which the service was performed, whether or not the responsible person is the owner of the premises and shall become collectible against the owner thereof.


28. By-law Number _____ is repealed.

Read a first time this 2 day of November, 2015.

Read a second time this 2 day of November, 2015.



Mayor

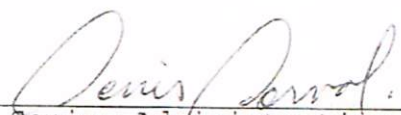


Senior Administrative Officer

Read a third time and finally passed this 17th day of November, 2015.



Mayor



Senior Administrative Officer

**HAMLET OF Naujaat, NU
BY-LAW NUMBER 192
SCHEDULE A**

Schedule of Fines

Allowing waste material to accumulate	\$ 50.00
Using unapproved garbage container or can	50.00
Failure to secure cover on container or can	50.00
Improperly placing wet garbage out for collection	25.00
Failing to remove or return cans to authorized location	25.00
Illegal burning of garbage	100.00
Depositing waste material on or near a street or public property	50.00
Placing highly combustible materials out for collection with garbage	200.00
Disposing of waste materials in unapproved locations	100.00
Hauling of uncovered loads	50.00
Unlawful tipping of large vehicles:	
First Offence	100.00
Second Offence	200.00
Third and Subsequent Offence	350.00

HAMLET OF Naujaat, NU
BY-LAW NUMBER 192
SCHEDULE B

TIPPING PERMIT

Date: _____ Tipping Permit No. _____

I, _____ of _____ do
hereby apply for a Tipping Permit in accordance with the provisions
of the Garbage Collection By-law, No. _____

Origin of Material : Lot _____ Block _____ Plan _____

Street Address: _____

Type of Material to be Tipped: _____

Contractor's Name (if applicable) _____

Phone No.: _____

Demolition Permit No. (if applicable): _____

Number of Loads: _____

Permit Issue Date: _____ Permit Expiry Date: _____

Permit Fee: No. of Loads: _____ x \$50.00 = \$ _____

Signature of Applicant Date

Signature of Senior Administrative Officer Date