

ANTI-LITTER REGULATIONS

PUBLISHED BY AUTHORITY

Pursuant to the powers vested in it by virtue of Section 414(2)(pp) of the Municipalities Act, 1999 and all other powers it enabling, the Town Council of the Town of Wabush in regular session convened on the 09 day of December, 2014 hereby passes and enacts the following regulation's for the control and prevention of littering

1. These regulations may be cited as the Town of Wabush (Anti-litter Regulations) 2014
2. Interpretations: in these regulations unless the context otherwise requires:
 - a) "Act" means the Municipality Act, 1999
 - b) "Council" means the Town Council of the Town of Wabush, constituted under the provisions of the Municipalities Act, 1999
 - c) "Authorized Receptacle" means a litter storage or collection receptacle that may be approved by Council
 - d) "Authorized Landfill Site" means an area designated by the Town to receive residential, commercial and industrial waste or an area under a permit by the Town to receive soil from an excavation site.
 - e) "Commercial Property" shall mean any building or property that is used or designed for use for business, commercial, industrial or institutional purposes or vacant land within a commercial or industrial zone.
 - f) "Enforcement Authority" means Council or its authorized administrator.
 - g) "Litter" means any obnoxious substance, waste or unsanitary matter, refuse, garbage, rubbish, ashes, street cleaning, dead animals, paper wrappings, cardboard boxes, tin cans, leaves, wood, bedding, crockery, glass bottles and glass in all forms, cement bags, and bags of all description and other matter of things which if thrown or deposited as herein prohibited tends, or is likely to cause or causes unsightliness within the Town or creates a danger to health, welfare or public safety and includes abandoned vehicles, furniture and appliances.
 - h) "Nuisance" means any obnoxious substance, animal waste or unsanitary matter or noise; that has an unpleasant effect on the senses.
 - i) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

- j) "Waste" means, rubbish, offal, slime, tailings, effluent, sludge, sewage, garbage, refuse, scrap metal, litter or other substances or waste products that would or could cause an adverse effect;

3. Application

These regulations shall apply within the boundaries of the Town.

4. Litter

No person, firm or corporation shall deposit, throw, sweep or place any litter in or upon any street, lane, sidewalk, drain, public place, beach area, pond, river, stream or private property within the Town, except in authorized receptacles for collection by agents of Council.

5. Placement of litter in receptacles

Persons placing litter in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, lane, sidewalk, drain, public place, beach area, pond, river, stream or private property within the Town.

6. Business Area

Persons owning or occupying places of business within the Town shall keep their parking areas free of litter.

7. Sweeping Litter into Gutters Prohibited

No person, firm or corporation shall sweep into or deposit into any gutter, public place, street, or drain within the Town the accumulation of litter from any building, lot, or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

8. Litter Thrown by Persons in Vehicles

No person, firm or corporation while being a driver or passenger in a vehicle shall throw or deposit litter or any description upon any street, public place or upon any private property within the Town.

9. Truck Loads Causing Litter

No person shall drive, park or move any truck or other vehicle within the Town unless such vehicle is so constructed or loaded so as to prevent any load, contents or litter from being blown or deposited upon any street, land, public place or private property.

10. Litter in Parks

No person shall throw or deposit litter in any park within the Town except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any street or part of the park or any other public place or private property. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and property disposed of elsewhere as provided herein.

11. Litter in Walkways

No person shall throw or deposit litter in any ditch, pond, or stream or other body of water in any park or walking trail or elsewhere in the Town.

12. Litter on Private Property

No person shall throw or deposit litter on any private property within the Town, whether the property is owned by such person or not, except that the owner or person in control of private property may maintain authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon a private property.

13. Order for Disposal of Litter

The Chief Administrator Officer (CAO) is empowered and authorized to order the owner or occupier of any private property within the Town to properly dispose of any or all litter located on such property. Such order shall be by means of a notice signed by the CAO or Municipal Enforcement Officer and served upon the owner or occupier.

14. Vehicle Impounding

Failure of the owner to remove a vehicle from a residential or commercial area within the Town where Town officials have deemed it a "nuisance" will result in that vehicle being impounded and all costs related to such removal will be the responsibility of the owner. The Town is not obligated to contact the owner prior to removal.

15. Council may Carry Out Directions

If any notice issued and served under Section 12 is not complied with or is not so far complied with as the Council regards as reasonable within the time named in the notice, the Council may carry out the directions contained in the notice through its officers, agents, employees or contractors and recover the cost of so doing as a civil debt from the person on whom the notice was served.

16. Enforcement

It shall be the duty of the Municipal Enforcement Officer or any person assigned by the Council to enforce these Regulations:

- a) To report the name and address of any person observed or reliably reported to have violated any of the provisions.
- b) To report the time and nature of the violation of the Regulations and any circumstances being relevant to the violation.
- c) To serve upon the person violating any provisions of these Regulations a serially numbered notice that the person concerned has violated a provision of the Regulations and instructing such person to carry out any order in regard to such violation within a stated period of time.
- d) To provide the CAO a duplicate of each serially numbered notice of violation.

17. Penalties

Every person who is guilty of an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:

- a) Shall be liable to penalties as stipulated in accordance with Section 420 of the Municipalities Act, 1999; or
- b) Shall be subject to an order under Section 404 (1) (I) of the Municipalities Act, 1999; or
- c) Shall be subject to a violation notice issued under Section 421.1 (1) of the Municipalities Act, 1999; or
- d) Shall be issued to a ticket under the Provincial Offences Act in accordance with Section 421. 2 of the Municipalities Act, 1999.

18. These Regulations may be enforced by the Royal Newfoundland Constabulary, Royal Canadian Mounted Police, Municipal Enforcement Officer, Peace Officer or any person appointed by Council.

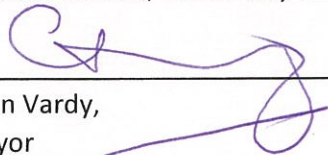
19. Coming into effect

These Regulations shall come into effect 09 day of December 2014.

20. Repeal of Previous Regulations and Amendments

All previous Anti-Litter Regulations are hereby repealed.

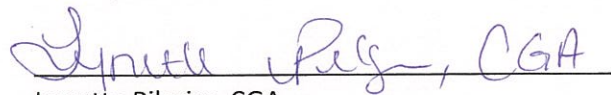
In Witness whereof the seal of the Town of Wabush has been affixed herewith and the Mayor and the Town Clerk have signed these Regulations behalf of the Wabush Town Council, this 09 day of December, 2014.



Colin Vardy,
Mayor



Witness



Lynette Pilgrim, CGA
Town Clerk

