

# **WASTE DISPOSAL AND PROPERTY REGULATIONS**

## **PUBLISHED BY AUTHORITY**

Pursuant to the authority conferred by section 414(1) (PP) of the Municipalities Act, Chapter M-24, S.N. 1999, the Town of Harbour Grace hereby enacts the following Regulations.

---

Terry Barnes

Mayor

---

### **1. TITLE**

These regulations may be cited as "The Town of Harbour Grace Waste Disposal and Property Regulations".

### **2. DEFINITIONS**

In these Regulations"

- (a) "Regulations" means the Town of Harbour Grace Waste Disposal and Property Regulations.
- (b) "Council" means the Town of Harbour Grace Municipal Council.
- (c) "Commercial Property" means any property or building that is used or designed for use for business, commercial, industrial or institutional purposes or vacant land within a commercial zone.
- (d) "Highway" means a place or way, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic and includes all the space between the boundary lines of the place or way.
- (e) "Inspector" means any official of the Town or any employee of the Town designed by the Council to enforce the provisions of the Regulations and shall include a Municipal Enforcement Officer or member of any police force presently stationed within the province of Newfoundland and Labrador.

**3. GENERAL DUTIES AND OBLIGATIONS**

- 3.1 The owner and the occupant of a residential property or commercial property shall be jointly and severally liable to maintain the property in a clean and sanitary condition and free from fire, health and accident hazards.
- 3.2 All parts of a property shall be kept clean and free from;
- (a) waste material, garbage and other debris;
  - (b) growth of weeds and grass that is detrimental to the health, safety and welfare of the occupants or the public or that by reason of not being cut regularly is excessive when compared with the neighbouring properties;
  - (c) objects and conditions that are or might create health, fire or accident hazards.
- 3.3 No person shall repair, dismantle or scrap a vehicle on residential property except for repairs of a minor nature, such as repairing flat tires, boosting batteries, changing filters or replacing spark plugs to a vehicle, which is owned by an occupant of the residential property on which the repairs are being affected.
- 3.4 No person shall deposit, discard or keep a wrecked, discarded, dismantled, inoperative, unused, or abandoned vehicle, trailer or other machinery or any parts thereof or any property within a building. Such a building shall be subject to Council's approval and must be comply with the provisions for accessory buildings in the Town's Development Regulations.

**4. AUTHORITY SECTION**

The inspector shall have the power to enter upon any property or any land or premises within the Town where he or she knows or suspects any matter or thins or waste material is placed or kept in violation of these regulations.

- (f) "Land" includes land covered by water and buildings and structures on, over, under the soil and fixtures that form part of those buildings and structures.
- (g) "Person" means a natural person, a firm, partnership, corporation or company and includes the heirs, executors, administrators or other legal representative of a person.
- (h) "Occupant" of any property means a person who:
  - (i) owns the property;
  - (ii) resides at the property;
  - (iii) conducts business at the property; or
  - (iv) is in physical possession of the property; or
  - (v) has responsibility for, and control over, the condition of the property, the activities conducted on the property and the persons allowed to enter the property; for purposes of these Regulations there may be more than one occupant of the same property;
- (g) "Property" means a dwelling and the land around it and all other buildings or structures, fences, barriers or other erections therein and thereon or vacant land within a residential zone.
- (h) "Waste Material" means:
  - (i) refuse, garbage, dead animals, rubbish, scrap and discarded material, including tailings, offal, machinery, products, vehicles and other articles which are dumped, discarded, abandoned or otherwise disposed of;
  - (ii) A material or thing or substance that may be a danger to the health and safety of human beings, animals, wildlife or fish or is of unsightly appearance;
  - (iii) A substance designated a waste material by Council.

**5. OBSTRUCTION**

- 5.1 No person shall, willfully obstruct, interfere with or impede, in any way, an Inspector, Municipal Enforcement Officer, Police Officer or any other person so authorized by Council in the performance of his/her duties or in any way tamper with Council vehicles and equipment while involved with the enforcement of these regulations or any other regulations of the municipality.
- 5.2 Where an inspector has placed or caused the placing of a sign, placard, order or Notice of Violation upon any property or premises under the authority of these regulation or laws, no person shall remove except with consent of the Inspector.

**6. PENALTIES**

- 6.1 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) (L) 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.

**7. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS**

All previous Town of Harbour Grace Waste Disposal Regulations and amendments are repealed.

**8. COMPLIANCE WITH OTHER ACTS AND REGULATIONS**

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulation of the Town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.

**9. EFFECTIVE DATE**

These regulations shall come into force on \_\_\_\_\_

In witness whereof the Seal of the Town of Harbour Grace has been affixed hereto and these regulations have been signed by the Mayor and the Chief Administrative Officer on behalf of Council on this \_\_\_\_\_

\_\_\_\_\_  
Terry Barnes  
Mayor

\_\_\_\_\_  
Michael Saccary  
Chief Administrative  
Officer/Town Clerk

**New Business**

**Adoption -Fence By-Laws** Motioned by Clr. Haire and seconded by Clr. Tetford to replace and adopt new Fence By-Laws for the Town of Harbour Grace.  
Motion Carried. Unanimously *Motion #16-125*

**Adoption-Waste Disposal** Motioned by Clr. Haire and seconded by Clr. Tetford to adopt Waste Disposal By-Laws for the Town of Harbour Grace.  
Motion Carried. Unanimously *Motion #16-126*

**EDO-Hired** Motioned by Deputy Mayor Williams and seconded by Clr. Haire to approve CAO/Town Clerk's recommendation to hire Brendan Chafe for the position of Economic Development Officer subject to a probationary period of six months.  
Motion Carried. Unanimously *Motion #16-127*

**Enforcement Officer-Hired** Motioned by Deputy Mayor Williams and seconded by Clr. Tetford to approve CAO/Town Clerk's recommendation to hire Todd Parsons for the position of part-time Enforcement Officer subject to a probationary period of six months.  
Motion Carried. Unanimously *Motion #16-128*

**Committee Reports**

**Capital & Public Works Committee**

**Tender- Lady Lake Rd.** Clr. Haire advised that tenders should soon be advertised for work to begin on Kitchen's Hill/Bennett's Lane Lady Lake Road, Kitchen's Hill and Bennett's Lane.

**Finance Committee**

**CBN Bulldogs Baseball** Motioned by Clr. Tetford and seconded by Clr. Stone to donate \$100.00 to the CBN Bulldogs Baseball.  
Motion Carried. Unanimously *Motion #16-129*

Sean O'Brien left chambers at 8:30PM  
Clr. Stone left chambers at 8:30PM

**Assistant Town Clerk Appointment** Motioned by Clr. Tetford and seconded by Clr. Haire to appoint Sean O'Brien as Assistant Town Clerk. CAO/Town Clerk to adjust his salary.  
Motion Carried. Unanimously *Motion #16-130*

Sean O'Brien returned to chambers at 8:31PM  
Clr. Stone returned to chambers at 8:31PM

**Housing/Environment/Sanitation Committee**

**Recycling** Clr. Stone advised that there are a few growing pains with the Town's recycling plan and plans are to meet and discuss concerns.

**Economic Development/Tourism/Heritage Committee**

**Town Beautification** Clr. Stone advised Council that the Heritage Redevelopment Committee have been very active and letters were sent to business requesting they consider hanging flower baskets or pots outside. Also the Town requested all residents clean up their property.

June 15, 2016


**Speed Bump-Water Street**


Mayor Barnes requested the speed bump on Water Street relocated to an area around 240 Water Street. Also requested to have a Three-Way Stop Sign installed at the Bottom of Lee's Lane.

Meeting adjourned at 8:55 P.M. by motion of Clr. Stone  
Motion Carried. Unanimously *Motion #16-131*

Next scheduled regular meeting of Council is July 13, at 7:30 P.M. with Councillors meeting at 6:00 P.M.

**Confirmed:**

  
\_\_\_\_\_  
Terry Barnes, Mayor

 d  
\_\_\_\_\_  
Mike Saccary, CAO/Town Clerk

DATE:

lc