



EXTRACT of Minutes of the regular meeting of the Council of the Town of Hudson held at the Community Centre, on October 1st, 2012 during which the following by-law was adopted:

BY-LAW N^o 622

CONCERNING REFUSE

WHEREAS in March 1970 the Town first regulated the accumulation, removal and disposal of garbage, waste, and other offensive matter;

WHEREAS over the years there have been 4 amendments to this by-law and another amendment is now required;

WHEREAS Notice of Motion has been duly given at the September 10th, 2012 meeting;

WHEREAS the requirements of Article 356 of the Cities and Towns Act have been met and that Council members declare having read By-Law N^o 622 and relinquish its reading;

THEREFORE it is **moved** by Councillor Madeleine Hodgson, **seconded** by Councillor Diane Piacente and unanimously resolved that By-Law bearing No 622 be and is adopted and that it be enacted and decreed as follows:

1. Definitions:

In this by-law the following words mean:

Ashes:

includes residue from the burning of coal or wood used for cooking or heating in dwellings, stores, restaurants etc. or from the burning of leaves and paper. Foundry or boiler furnace ashes are excluded from this definition

Commercial waste:

includes every kind of waste material from a commercial or industrial establishment or from the work of construction, repairing, decorating, clearing or grading a building or property

Garbage:

includes kitchen and table waste from dwelling houses, clubs etc. and comprises sweepings

Person

includes corporation, limited company, firm, partnership, association or club

Person in charge:

with respect to any dwelling, commercial or industrial establishment, or other premises or property, means the occupant thereof whether as owner, tenant, operator or otherwise; provided, however, that the person in charge of an apartment building shall be deemed to be also the person in charge of each of the apartments therein, unless provision has been made for the tenants or occupants of such apartments to comply with this by-law.

Refuse:

designates garbage, ashes, rubbish and commercial waste unless otherwise specified

Rubbish:

includes all refuse not defined as ashes, garbage, or commercial waste as herein defined

2. General:

2.1. It shall be the duty of the person in charge of any building, establishment or property to keep such premises clean and free from any droppings, residue or accumulation of refuse and to keep all refuse receptacles on the premises covered at all times

2.2. In domestic establishments, kitchen garbage shall be wrapped before being placed in receptacles

2.3. Refuse consisting of animal and/or vegetable garbage shall not be placed in a receptacle unless tightly wrapped in paper or other wrapping material

2.4. Ashes shall be extinguished, cold and dry before being laid out for collection and shall not be placed in a receptacle containing garbage or commercial waste



- 2.5. Rubbish shall be bound, baled or crushed so as to reduce its volume and, if bound up in a solid roll or bundle, may be placed alongside the receptacles

3. Receptacle:

- 3.1. The person in charge of every dwelling, establishment, premises and property from which the Municipal Garbage Collector is to remove refuse shall cause such material to be placed in a portable, water tight metal or plastic receptacle of the kind hereinafter specified and in accordance with the following requirements:

- 3.1.1 The receptacle shall have a capacity or volume not exceeding 3 cubic feet
- 3.1.2 The weight of the receptacle and contents shall not exceed one hundred pounds
- 3.1.3 The receptacle shall be fitted with a water tight metal or plastic cover and provided with suitable handles for lifting
- 3.1.4 Receptacles must be kept in good condition, clean and dry. Any container which is dangerous or which is loosened or damaged to the point that it does not hold its contents properly will be removed as rubbish, after a notice of eight days has been given thereof to the owner

4. Time:

- 4.1. Refuse collections throughout the Town shall take place on the days, at the time in the manner and under the conditions which Council may, by resolution, determine from time to time
- 4.2. Receptacles and rubbish must be set out on collection days at a distance and place which Council may from time to time determine by resolution
- 4.3. Receptacles and rubbish shall not be set out for collection earlier than the evening of the day prior to collection. Receptacles shall be brought in within four hours after collection

5. Prohibited:

- 5.1. It is prohibited for any person to tamper with any receptacle or bundle of refuse placed for collection save and except those persons who are authorized by resolution of the Council
- 5.2. It is prohibited to place with refuse any dangerous material or anything liable to cause accidents or damage by combustion, corrosion, explosion or in any other manner. The disposal of explosives and/or firearms is prohibited without the express permission of the Sûreté du Québec
- 5.3. It is prohibited to store, abandon, set-out for collection, or to dispose of in any manner whatsoever, any box, refrigerator, case, trunk, strongbox or container of any kind closing with a cover, door or any other device, in which children might introduce themselves, unless the doors, covers or any other device have previously been removed
- 5.4. The laying, accumulating or piling on a piece of land, in a yard or any lot within the Town, of junk metal and/or junk of other materials, unusable motor vehicles, parts or pieces of motor vehicles, old iron or cast away movable effects, kept for commercial purposes or storage is prohibited
- 5.5. No person shall cause or suffer any refuse to be buried or incinerated on any lane, street, public place or private property without the permission of Council

6. Public places:

- 6.1. No person shall cause or suffer any snow, ice, dirty water, dirt or filth of any kind to be thrown into any street, lane or public place
- 6.2. No person shall cause or suffer paper of any kind to be dropped in any street, lane or public place



7. Vehicle:

- 7.1. No person shall cause or suffer any vehicle containing refuse or other kind of waste or containing materials which emit an offensive odour, to stand or remain on or near any street, lane or public place except for the time necessary for loading or unloading said vehicle
- 7.2. No person shall cause or suffer any vehicle referred to in the previous article to be driven or to be upon any street, lane, or public place unless such vehicle is covered and watertight and so constructed as to prevent any of its contents from escaping there from
- 7.3. In transporting any refuse, dirt, fill, dust or similar material through any public place, street or lane no part thereof shall be allowed to drop or fall from the vehicle transporting the same.

8. Animals:

- 8.1. If any animal shall die on a street, lane or public place or if its body shall be found thereon, the owner of such animal shall remove the body immediately at his own expense or the Town, at its option, may have it removed at the owner's expense
- 8.2. No person shall cause or suffer any refuse, dead carcass, ordure or any offensive matter whatsoever to be dumped upon any lane, street, public place, private property or into any watercourse, lake, ditch or other place in the Town without the permission of Council

9. Businesses:

- 9.1. The person in charge of every business, commercial or industrial establishment or restaurant which deal in foodstuffs, vegetables, meat, kitchen and table wastes and other similar perishable garbage from which the municipal garbage collector is to remove said refuse must insure that such business, commercial or industrial establishment or restaurant be equipped with appropriate refuse containers
- 9.2. Said containers must be constructed of steel, fibreglass or other suitable water tight rigid material and must be compatible with the garbage contractors collection equipment
- 9.3. The capacity and/or quantity of containers must be adequate to handle the amount of garbage which is produced between garbage pick-ups
- 9.4. In addition, all containers must be kept in good condition and must be disinfected and cleaned regularly to ensure adequate sanitation

10. Penalties:

Anyone contravening a provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable, besides the costs, to the following fine:

10.1. for a first infraction:

a minimum of ONE HUNDRED DOLLARS (100 \$) and a maximum of ONE THOUSAND DOLLARS (1 000 \$) if the offender is a physical person or a maximum of TWO THOUSAND DOLLARS (2 000 \$) if the offender is a moral person;

10.2. for a repeat infraction:

a minimum of TWO HUNDRED DOLLARS (200 \$) and a maximum of TWO THOUSAND DOLLARS (2 000 \$) if the offender is a physical person or a maximum of FOUR THOUSAND DOLLARS (4 000 \$) if the offender is a moral person.

11. Additional provisions:

- 11.1. In addition to the remedies hereinbefore mentioned, in cases where the person in charge cannot be found or should the person in charge thereof refuse, neglect or should be unable for want of means, to carry out such remedies as may be necessary to abate the specified infraction of this by-law to the satisfaction of Council within one week's written notice from the Council or its appointed Health Officer, the Council may itself cause such work to be undertaken and performed as may be necessary and for that purpose may, without liability, enter upon the lands and premises of the person in charge with its servants, agents, workmen, equipment and materials; and the amount so expended shall constitute a lien on the said lands and premises thereon. In case the owner or person in charge cannot be found, the notice herein prescribed shall be posted in a conspicuous place upon the lands or premises and such notice shall be deemed sufficient.



11.2. The Town will dispose in the manner described in article 470 of the Cities and Towns Act, of vehicles manufactured for more than 7 years and which are in the Town's custody, abandoned or found and unclaimed after sixty days; this delay is ten days in the case of a vehicle without a motor or in such a state that it constitutes an object of refuse.

12. By-Law N° 15 is hereby repealed

13. The present by-law shall come into force according to law

BL622

CARRIED

*Councillor Tim Snow,
Pro-Mayor*

*Louise L. Villandré,
Director General*

Hudson, this 1st day of October Two Thousand Twelve