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**Halifax Regional Council**  
**June 10, 2003**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:** Brian T. Smith  
Brian T. Smith, Acting Director, Environmental Management Services

**DATE:** May 30, 2003

**SUBJECT:** Refuse Containers for Apartment Buildings

## **INFORMATION REPORT**

### **ORIGIN**

At the May 13, 2003 meeting of Regional Council, a staff report was requested inquiring how HRM can go about getting a by-law to address the requirement for garbage containers for apartment buildings or boarding homes of less than seven units. Councillor Sloane suggested the report should also address fire retardant characteristics of the different containers, and Councillor Colwell suggested there should be a minimum engineering standard for the containers.

### **BACKGROUND**

Regulation of refuse containers is provided for in the Solid Waste Resource Collection and Disposal By-Law (S-600).

## DISCUSSION

### **Regulation of Containers:**

By-Law S-600 specifies the type of container permitted for the storage of refuse at eligible properties, including apartments and boarding homes with less than seven units. As properties eligible for municipal curbside collection, the owners/tenants of these properties are provided by the HRM with a green cart and kitchen mini bin, and supporting educational materials (i.e., House Holders Guide to Waste Management, Organics Green Cart Collection Schedule, and the Naturally Green newsletter), the same information and assistance that a resident in a single family residence receives.

Section 4 specifies that the owner/occupier is to “provide sufficient and adequate regulation containers to contain collectible waste generated at the eligible premise”. To “maintain such regulation containers in good repair and in a sanitary condition” and “ensure that each regulation container is covered and secured at all times except when being emptied or filled”, and “to store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pest or animals”.

For those properties larger than six units and not eligible for municipal collection services, Section 13 specifies that a commercial container at an ICI property is to be “sturdily constructed of weather-proof and animal proof material”, is “equipped with a tight-fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded”. Section 13 1(i), (i) and (ii) specifies that the owner of an ICI property is “responsible... to keep the area surrounding any such container free from litter and waste”, and “cause any such container to be emptied at least once in every seven (7) days or more frequently if the container becomes filled before the seven-day period elapses unless the material is of a nature such that longer storage will not cause a nuisance or health related problem”.

Councillor Sloane’s question regarding fire retardant characteristics of the different containers and Councillor Colwell’s suggestion of a minimum engineering standard for the containers falls under By-Law S-600 Section 13.1 (a)(iii) which requires that all commercial containers “meet the performance standards set out in clause 3 of the American National Standards Institute Z245.3-1977, Safety Requirements for the Stability of Refuse Bins as updated and amended from time to time”. These standards pertain to safety of the lids and the bin design for stability, e.g., won’t tip etc. Most, if not all, commercial refuse and recyclables containers are metal and flame retardant, some are metal with plastic lids.

### **Enforcement Considerations:**

Although we can undertake enforcement regarding refuse containers under By-Law S-600, it may not expedite the process of getting garbage removed from a property where garbage is strewn

everywhere. By-Law S-600 is one of the by-laws currently under review by Council to be amended to give the municipality the authority to lien properties for remedies under the by-law.

There are issues regarding the enforcement of refuse containers under By-Law S-600. On a given day a container may appear adequate as there is no overflow. On another day it may appear inadequate as there is an overflow. Obviously, the best day to do an on-site inspection would be the day before garbage pickup, but this may not always be possible to arrange.

The best way to address such situations in a reasonable manner is through the Dangerous & Unsightly Legislation. The provincial legislation has recently approved Bill 9 which includes an amendment to the Dangerous & Unsightly Legislation, Part XV Section 348(3) which will expedite orders to remedy instead of waiting 30 days.

### **BUDGET IMPLICATIONS**

N/A

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

### **ATTACHMENTS**

None

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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