



MEMBERTOU
SOLID WASTE MANAGEMENT LAW
(October 09,2024)

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PREAMBLE

WHEREAS Membertou is a part of the Mi'kmaw Nation whose ancestors have lived on, and been stewards of the lands of Mi'kma'ki since time immemorial;

WHEREAS Membertou has a profound relationship with the lands and waters that is rooted in respect for the spiritual value of the earth and the gifts of the Creator;

WHEREAS Membertou wishes to preserve and protect its relationship with the lands and waters as well as to ensure sustainability and appropriate stewardship for the benefit of future generations;

WHEREAS Membertou has an unextinguished right to self-determination, as affirmed by the United Nations Declaration on the Rights of Indigenous People, which includes a right to govern itself, its members and its lands;

WHEREAS Membertou has an unextinguished and inherent right of self-governance which emanates from its people, culture, language, land and aboriginal and treaty rights, which are recognized by section 35 of the Constitution Act, 1982;

WHEREAS Membertou has granted the Chief and Council of Membertou law-making powers with respect to the development, conservation, protection, management, use and possession of Membertou lands, waters and resources, and interests and licenses in relation to those Membertou lands, waters and resources pursuant to the Membertou Land Code, 2019;

WHEREAS the Chief and Council of Membertou deem it to be in the best interests of Membertou to make a law relating to the management of solid waste;

AND WHEREAS The creation of a Solid Waste Management Law is important to Membertou. Laws are just one tool that Membertou needs to incorporate but should by no means be their only tool for compliance. Education and active voluntary participation in our recycling programs are a must, if Membertou is to be successful in sustaining our recycling programs. Penalties and enforcement of this Solid Waste Management Law shall be determined and approved by Membertou Chief and Council.

NOW THEREFORE the Chief and Council of Membertou duly enact as follows:

PART I-CITATION

1.1 This Law shall be known and may be cited as the: *Membertou Solid Waste Management Law*.



PART II-APPLICATION

- 2.1 This Membertou Solid Waste Management Law shall apply on all Membertou lands, including those held by certificate of possession, and has as its intent and purpose the collections/disposal/anti-littering and the protection of Membertou lands from illegal dumping and burning of any waste that may be harmful to our environment.

PART III-DEFINITIONS

- 3.1 In this Membertou Solid Waste Management Law, the following words and phrases shall have the following meanings:
- (a) “Backyard Composter” means a unit designed for home composting of fruit and vegetable, bread, grain, rice, pasta, eggshells, coffee grounds, and tea bags;
 - (b) “Blue Bag #1 Recyclables” means as defined in the Membertou guidelines, as amended from time to time;
 - (c) “Blue Bag #2 Recyclables” means (paper products) as defined in Membertou guidelines, as amended from time to time;
 - (d) “Collectible Waste” means materials originating from Eligible Premises and includes any of Mixed Solid Waste, Recyclable Waste and Organic Waste, as defined herein, and any other solid waste material approved by Membertou Chief and Council;
 - (e) “Commercial Container” means any container used for the storage of Collectible Waste materials on properties located in Membertou for Collection of Mixed Solid Waste, or Recyclable Waste by a Hauler;
 - (f) “Companion Pet” means any animal which resides in an Eligible Premises as a household pet. (Pertains to animals permitted to reside on properties in Membertou);
 - (g) “Construction and Demolition Waste” means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fibreglass insulation, pieces of Gyproc, metal, brick, mortar, flooring, and scrap wood;
 - (h) “Contractor” means a person or business who engages in activities of construction, repair, remodelling or demolition of a structure;



- (i) “Derelict Vehicle” means any vehicle that is not in operating condition and has no insurance, registration, or valid licence plate and which has been stored or parked outdoors on a property containing Residential Dwellings for 6 consecutive months.
- (j) “Dwelling” means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn;
- (k) “Eligible Premises” means:
 - i Residential Dwellings, as defined in Section 3.1(jj);
 - ii Multi-Unit Dwellings, which are apartment or condominium buildings with eight (8) or more apartments or units on Membertou Lands;
 - iii Membertou Businesses, which are any privately owned businesses or band-owned businesses on Membertou Lands;
- (l) “Hauler” means any company, person or persons who transports solid waste materials including, without limitation, ICI Waste, Mixed Solid Waste, recyclable materials, or organic materials to waste management facilities approved for operation within Membertou the Cape Breton Regional Municipality and/or Membertou. This does not include infrequent users of these facilities such as residents of an Eligible Premises hauling materials from their premises;
- (m) “Hazardous Waste” means any and all waste designated as hazardous, poisonous or toxic waste, in liquid, solid, gas or semi-liquid form, under any Federal or Provincial law, including but without being limited to:
 - i animal and agricultural waste, being Ktuwe’*m* Wmi’*jan*, crop residues, animal offal such as entrails and other materials obtained from agricultural pursuits, stables, kennels, veterinary establishments, and other such premises;
 - ii any waste which may present a hazard to a person, flora, fauna or public lands which includes but without being limited to: wastes of pathological, explosive, flammable, radioactive, or toxic nature; and
 - iii sanitary wastes, consisting of any putrescible waste that is capable of producing conditions that may present a hazard to health;
- (n) “Household Special Waste” means products used in the home which may not be appropriate for disposal within the standard waste Collection system in Membertou.



Membertou may maintain a database of these materials which may include items such as waste paints, aerosol cans, adhesives, batteries, oven cleaner, drain cleaners, pesticides and insecticides;

- (o) “Industrial/Commercial/Institutional Waste” or “ICI Waste” means material of similar composition as Mixed Solid Waste collected within Membertou other than waste generated in an Eligible Premises;
- (p) “Ktuwe’ m Wmi’jan” means any fecal matter excreted by a Companion Pet, including but not limited to dogs, cats, and other pets.
- (q) “Leaf and Yard Waste” means as defined in Membertou guidelines, as amended from time to time;
- (r) “Litter” means any intentionally or accidentally discarded waste not placed in a proper receptacle, or container for recycling or for disposal;
- (s) “Mixed Solid Waste” means and includes all Collectible Waste other than that which is collected as Recyclable Waste or Organic Waste, and is accepted at waste management facilities approved for operation within Membertou, which is subject to change from time to time but currently includes:
 - i Construction and demolition waste;
 - ii Leaf and yard waste;
 - iii Soiled and Non-Recyclable Paper;
 - iv Broken bottles, crockery, glassware, floor sweepings, discarded clothing, cloth, leather, jute, non-recyclable plastic and metal, non-recyclable packaging, nonrepairable household goods & other household waste;
 - v Liquid waste, being waste materials or substances that have sufficient moisture or other liquid contents to be free flowing but that are not suitable for disposal through a sewer system;
 - vi Household waste, including but without being limited to, packaging of foods and goods which are non-recyclable;
 - vii Bulky wastes, which includes any large item of refuse, including but without limited to: appliances, furniture, vehicle parts under 35 kilograms, large



containers and tree cuttings not exceeding 1 metre in length or 10 centimetres in diameter, in bundles not exceeding 35 kilograms;

- viii Combustible rubbish, meaning burnable material, including but without being limited to: rags, cartons and boxes ineligible for recycling, wood, bedding, leather or plastics;
 - ix Glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to Collection personnel;
 - x Ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked “ashes” or “soot”;
 - xi Ktuwe’m Wmi’jan, excretes or Litter from Companion Pets residing in an Eligible Premises where the material is double-bagged and securely tied in watertight bags and then placed in a Regulation Container;
 - xii Food waste not suitable for a Backyard Composter;
 - xiii Trade waste, being petroleum products, scrap metal, machinery and vehicle parts thereof;
 - xiv Solid waste that is of the nature of useless, unwanted, or discarded waste materials resulting from normal human activities including semi-liquid or wet wastes with insufficient liquid content to be free flowing; and
 - xv Other items not specifically designated as Mixed Solid Waste except as excluded by this by-law.
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- (t) “Membertou Business” means any privately-owned businesses or band-owned businesses located on Membertou Lands;
 - (u) “Membertou Chief and Council” means the Chief and Council of Membertou First Nation;
 - (v) “Membertou Collection” or “Collection” means the scheduled collection of Collectible Waste from Eligible Premises made by or on behalf of Membertou Chief and Council, at the expense of Membertou;
 - (w) “Membertou First Nation” or “Membertou”: lands/homes/businesses/apartments within the parameters considered owned by the Membertou Band;



- (x) “Mixed Solid Waste Regulation Bags” has the meaning given to it in Section 8.1.2;
- (y) “Mixed Solid Waste Regulation Containers” has the meaning given to it in Section 8.2.1;
- (z) “Multi-Unit Dwellings” means apartment or condominium buildings with eight (8) or more apartments or units on Membertou Lands;
- (aa) “Non-Collectible Waste” means all material not eligible for curbside Collection and without limitation includes:
 - i Hazardous Waste;
 - ii Ash and soot that is not completely cold and double-bagged in plastic disposable watertight bags meeting the requirements of Section 8.1.2;
 - iii Residential Bulk Items that do not meet the specifications for bulky waste items contained in the definition of Mixed Solid Waste;
 - iv White Goods;
 - v Oil Tanks;
 - vi Highly combustible or explosive materials, including, without limitation, celluloid cuttings, motion picture film, oil or gasoline-soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry dust, ammunition, dynamite, or other similar material;
 - vii Material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other potentially infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians or wellness centres;
 - viii Septic tank pumping, raw sewage or industrial sludge;
 - ix Waste material which has not been placed for Collection in accordance with the provisions of this Law;
 - x Materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials from an Eligible Premises;



xi The following materials are considered Non-Collectible unless they have been separated and Collection has been pre-arranged and approved by Chief and Council:

- a Carcasses or parts of any animal except food waste;
- b Sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and auto bodies or auto body parts;
- c Sand, soil, rock, stumps, and trees greater than one inch in diameter;
- d Industrial Waste material from factories or other manufacturing processes; and
- e Lead-acid automotive batteries and propane tanks.

(bb) "Oil Tanks" means residential oil tanks to a maximum size of 200 gallons;

(cc) "Operator" means any person who has control of a business on the Membertou First Nation including its leased lands;

(dd) "Organic Waste" means food waste/organic materials as defined in the Membertou guidelines, as amended from time to time;

(ee) "Organic Waste Regulation Container" has the meaning given to it in Section 8.5.1;

(ff) "Recyclable Materials Regulation Container" has the meaning given to it in Section 8.4.1;

(gg) "Recyclable Waste" means Blue Bag #1 Recyclables and Blue Bag #2 Recyclables;

(hh) "Regulation Containers" has the meaning given to it in Sections 8.1.1 to 8.5.1;

(ii) "Residential Bulk Items" means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, and dishwashers;

(jj) "Residential Dwellings" means:

- i Single-family dwellings including mobile homes and band-owned land or property on Membertou Lands and include single-family Dwellings containing a small home-based business; and



- ii Multi-Unit residential Dwellings that constitute a unit in a duplex, row house or townhouse where every unit must have street or road frontage on Membertou Lands.
- (kk) “Soiled and Non-Recyclable Paper” means napkins, paper towels and fast-food wrappers, wax paper, wrapping paper, paper plates and cups, soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items;
- (ll) “Solid Waste Management Plan” means the plan that Chief and Council can direct a Membertou Business to work with a designate of the Membertou Lands Office to develop a Waste Management Plan;
- (mm) “Storage Containers” has the meaning given to it in Section 8.4.1;
- (nn) “Waste Management Facilities” means facilities for the management of mixed waste, recyclable materials, and organic materials operated within the MEMBERTOU or Membertou, and includes, without limitation, the regional spar-road landfill, materials recovery facility, source-separated composting facility(s), transfer stations(s) and Construction and Demolition Waste disposal facilities;
- (oo) “White Goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers, provided that any such item may be no more than 200 kilograms in weight.

PART IV-THE MEMBERTOU CHIEF and COUNCIL

4.1 The Membertou Chief and Council may, by policy:

- (a) Set additional rules, regulations, guidelines, or requirements that are aimed at facilitating the effective implementation and enforcement of this Membertou Solid Waste Management Law, including but not limited to:
 - i Additional rules for placement of Collectible Waste for Membertou Collection;
 - ii Collection frequency and times for Membertou Collection of Collectible Waste and heavy pick-up (spring clean-up);
 - iii Allowable amounts of Construction and Demolition Waste to be set out for Collection within Membertou;



- iv Permissions to be exempt from certain provisions of this Membertou Solid Waste Management Law and the requirements and steps to follow to obtain such permissions;
- v Allowable amounts of Mixed Solid Waste Regulation Bags to be set out for Collection within Membertou; and
- vi Different arrangements for the Collection of Collectible Waste for those Membertou residents of Eligible Premises who are seniors, elders, or have a disability or mobility issues.

PART V-PERMITTED WASTE

- 5.1 The occupier of any Residential Dwelling shall ensure that only Collectible Waste is placed for Membertou Collection and shall not knowingly allow any Non-Collectible Waste to be included with the waste it places out for Membertou Collection.
- 5.2 The occupier of any Multi-Unit Dwelling or Operator of any Membertou Business shall ensure that only Collectible Waste is placed in its Commercial Containers or bins and shall not knowingly allow any Non-Collectible Waste to be included with the waste kept in its Commercial Containers or bins.
- 5.3 Any occupier or Operator of an Eligible Premises or any other resident of Membertou who wishes to dispose of Non-Collectible Waste, must first seek approval and direction from Membertou Chief and Council in order to do so.

PART VI-RESPONSIBILITIES FOR ALL RESIDENTS AND VISITORS OF MEMBERTOU

- 6.1 Every occupier or Operator of an Eligible Premises or any other resident of Membertou or visitor of Membertou shall abide by this Membertou Solid Waste Management Law and shall only dispose of solid waste as permitted by this Membertou Solid Waste Management Law. Any disposal not provided for in this Membertou Solid Waste Management Law, such as the burning of waste or dumping of waste on Membertou Lands, is strictly prohibited and violators will be subject to the penalties contained herein.

PART VII-RESPONSIBILITIES FOR RESIDENTIAL DWELLINGS

- 7.1 The occupier of a Residential Dwelling shall:
 - (a) Provide sufficient Regulation Containers to contain waste generated at the Residential Dwelling;



- (b) Provide separate Regulation Containers for Mixed Solid Waste, Recyclable Waste, and Organic Waste;
- (c) Ensure that each Regulation Container is covered and secured at all times except when being emptied or filled;
- (d) Store Collectible Waste outside the main building of the Residential Dwelling only in secured Regulation Containers made inaccessible to pests or animals;
- (e) Ensure the proper preparation of all Collectible Waste in accordance with this Membertou Solid Waste Management Law;
- (f) Ensure that Collectible Waste is placed for Collection in accordance with this Membertou Solid Waste Management Law;
- (g) Ensure that Collectible Waste remains within Regulation Containers;
- (h) Ensure that no uninsured or Derelict Vehicles or parts are permitted to remain on the occupier's premises or Membertou sidewalks or streets; and
- (i) Ensure that if Regulation Containers are broken, due to birds, dogs or any other reason, any solid waste is properly cleaned and disposed of.

PART VIII-RULES FOR RESIDENTIAL DWELLINGS

8.1 Regulation Containers for Collection:

8.1.1 Only containers which meet the specifications and requirements in this Membertou Solid Waste Management Law shall be utilized for the purposes of Membertou Collection.

8.1.2 Plastic bag specifications for Mixed Solid Waste Regulation Bags (Garbage Bags):

- (a) Bags must be watertight and securely tied with an overall length of between 0.5 metres and 1 metre when empty, except grocery bags;
- (b) Bag weight must not exceed 12 kilograms including contents;
- (c) Bags must have a thickness sufficient to prevent breakage, tearing or splitting upon Collection; and
- (d) Bags are to be green, blue, black, clear or beige in colour.



Note: Membertou will accept grocery bags for disposal of Mixed Solid Waste only (Garbage). Membertou encourages residents **not to use these containers (grocery bags) for Organic Waste or Recyclable Waste** as they create inefficiencies in the Solid Waste Collection system.

8.2.1 **Container Specifications for Mixed Solid Waste Regulation Containers (Garbage Cans):**

- (a) Containers must be watertight, secured with a cover, equipped with handles in good repair and tapered to be as large or larger at the top as at the bottom;
- (b) The weight of the container including contents shall not exceed 24 kilograms, the height shall not be less than 46 and not more than 76 centimetres, and the diameter shall be between 38 and 51 centimetres;
- (c) Containers shall be made of metal, plastic or other impermeable material of sufficient thickness to prevent breakage or splitting upon Collection; and
- (d) Containers must be maintained in a neat and sanitary and waterproof condition and kept in good repair.

8.3.1 **Storage Containers**, outdoor, roadside boxes or bins are acceptable for storing containers or bags for mixed waste provided they meet the following specifications:

- (a) A box or bin constructed of wood or other material suitable for storing containers or bags or mixed waste as long as the box or bin is rodent and animal-proof;
- (b) Boxes or bins must be affixed with a lid weighing not more than 5 kilograms;
- (c) Boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair; and
- (d) Occupiers of Residential Dwellings who choose to leave their Collectible Waste in curbside Storage Containers do so at their own risk to any damage that may be caused by Collection activity.

8.4.1 **Recyclable Waste Regulation Containers:**

- (a) Recyclable Waste must be placed in a watertight transparent blue bag with a thickness sufficient to prevent breakage, tearing or splitting upon Collection. These bags shall have an overall length of between 0.5 metres and 1 metre when empty. These bags shall be securely tied;



- (b) Corrugated cardboard may be tied in bundles not greater than 0.65 metres x 1 metre x 0.20 metres (2 ft x 3ft x 8 in), or may be placed in the blue bag for fibre recyclables;
- (c) The weight of each bag, including contents, placed for recyclable materials curbside Collection must not exceed 12 kilograms; and
- (d) Although transparent blue bags are preferred, clear bags will also be accepted provided they meet the specifications in this Section 8.4.1.

8.5.1 Organic Waste Regulation Containers:

- (a) It is recommended that Organic Waste be placed in compostable “plastic” bags; and
- (b) Bags must be securely tied and placed in the green bins provided by Chief and Council or a bin of equivalent specifications.

8.6 Placement of Collectible Waste Materials:

- 8.6.1 Collectible Waste shall be placed for Membertou Collection in accordance with this Membertou Solid Waste Management Law.
- 8.6.2 Collection is at curbside only. All Regulation Containers must be placed at the end of a driveway and/or at the edge of a property abutting the street, road or highway without obstructing the street, road or highway.
- 8.6.3 Each Regulation Container must be placed for Collection with approximately 1 metre spacing between them and each Regulation Container must be made visible to the collector/Hauler.
- 8.6.4 If Membertou roads are not safely passable by a Collection vehicle, the Collectible Waste must be brought to the nearest intersection with a public street or road and placed in accordance with this Membertou Solid Waste Management Law, where it shall be collected.

PART IX-HOUSEHOLD SPECIAL WASTE

- 9.1 Membertou will direct residents to a location, including the days and hours of operation and the materials eligible for drop off, of Household Special Waste in the MEMBERTOU. Membertou residents must abide by the rules and regulations established by the MEMBERTOU for the disposal of Household Special Waste.
- 9.2 Membertou may have special Household Special Waste events at certain times of the year or may have an annual event where these materials can be picked up in Membertou and disposed of. This will be at the discretion and direction of Membertou Chief and Council.



PART X-LITTER

- 10.1 For the purposes of this Section, Litter or waste includes:
- (a) Derelict bicycles or parts; and
 - (b) Ktuwe'm Wmi'jan, excretes, droppings or litter from Companion Pets.
- 10.2 Residents and visitors of Membertou shall utilize waste receptacles found throughout Membertou to dispose of their Litter and waste and shall not cause Litter or waste to be disposed of on Membertou lands or otherwise in contravention of this Membertou Solid Waste Management Law.
- 10.3 No occupier of any Residential Dwelling shall permit the accumulation of Litter or waste in or around a premises.
- 10.4 The occupier of a Multi-Unit Dwelling or Operator of a Membertou Business shall help maintain the building and property and keep it free from Litter or waste of any kind.
- 10.5 The person or agent of a person who organizes or is responsible for a public event held in Membertou's open spaces or in temporary shelters within Membertou shall be responsible to clean and maintain the property before and after use.

PART XI-CONSTRUCTION AND DEMOLITION WASTE

- 11.1 The Contractor or other person in charge of overseeing any construction and/or demolition activity relating to a Membertou Business or any other Eligible Premises shall provide sufficient and adequate containers for any waste that may accumulate from time to time in or from the construction or demolition activity within Membertou.
- 11.2 All waste generated by a construction and/or demolition project must be recycled or must be disposed of in accordance with this Membertou Solid Waste Management Law.
- 11.3 Construction and demolition disposal sites must maximize the amount of material which is recycled and must maximize the amount of material for which an alternative use is found.

PART XII-RULES FOR MEMBERTOU BUSINESSES AND MULTI-UNIT DWELLINGS

- 12.1 Chief and Council shall be responsible for providing sufficient and adequate Commercial Containers to Membertou Businesses and Multi-Unit Dwellings for any waste that may accumulate from time to time in or from their business or premises.



- 12.2 Chief and Council shall provide separate containers for Mixed Solid Waste, Recyclable Waste, and Organic Waste to Membertou Businesses and Multi-Unit Dwellings.
- 12.3 The Operator of a Membertou Business and occupier of a Multi-Unit Dwelling shall help maintain Commercial Containers in accordance with this Membertou Solid Waste Management Law.
- 12.4 The Operator of a Membertou Business and occupier of a Multi-Unit Dwelling shall ensure the proper preparation of all Collectible Waste in accordance with this Membertou Solid Waste Management Law.

PART XIII-COMMERCIAL CONTAINERS

- 13.1 Any person who makes use of a Commercial Container for the storage of waste shall ensure that such a Commercial Container:
- (a) Is sturdily constructed of weather-proof and animal-proof material and is capable of containing the material deposited within;
 - (b) 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 or the container shall be kept in a locked compound;
 - (c) Meets the requirements of the National Building Code of Canada, 2020;
 - (d) Is placed on a hard level surface and is loaded uniformly;
 - (e) Has displayed thereon the name of the owner of the container;
 - (f) Has only those materials for which the container is intended deposited therein;
 - (g) Is 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 problems (e.g., dry or inert type materials, recyclables, scrap metals, etc.);
 - (h) Is, in circumstances where occupiers are required to place materials in the container, designed and situated so as to be reasonably accessible for this purpose;
 - (i) Is kept, where possible, behind or beside the building which it serves;



- (j) Is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem; and
- (k) Has its surrounding area kept free from Litter and waste.

- 13.2 Any user of a Commercial Container who becomes aware that Section 13.1(a) to (k) is not being met shall immediately notify the Membertou Lands Office.
- 13.3 A Commercial Container placed on a premises for a temporary period of time does not require a permanent lid.
- 13.4 The owner or user of any Commercial Container shall keep such container clean and in good condition.
- 13.5 No person shall place a Commercial Container on any public street within Membertou without the permission of Membertou Chief and Council.
- 13.6 No person shall place waste in any Commercial Container without permission of the owner of the container.

PART XIV-WASTE MANAGEMENT PLANS FOR MEMBERTOU BUSINESSES

- 14.1 If directed by Chief and Council, the Operator of a Membertou Business is required to work with a designate of the Membertou Lands Office to develop a Solid Waste Management Plan. This plan must identify the solid waste generated and the method of recycling and disposal of the solid waste generated by the business. This plan must comply with Membertou's Laws.
- 14.2 Once a Solid Waste Management Plan has been developed, the Operator of a Membertou Business which generates solid waste shall be responsible for complying with this Membertou Solid Waste Management Law and any additional requirements included in the Solid Waste Management Plan.

PART XV-PENALTIES

- 15.1 Any person who violates any provision of this Membertou Solid Waste Management Law is guilty of an offence and is liable on summary conviction to a penalty of not more than \$5000.00 or imprisonment of not more than six (6) months or to both fine and imprisonment, or such traditional remedies as may be imposed by Membertou Chief and Council. Each day that a person commits an offence under this Membertou Solid Waste Management Law constitutes a separate offence.



- 15.2 Depending on the severity of the offence, Membertou may impose a graduated penalty for violation of the Membertou Solid Waste Management Law or a traditional remedy, which may include:
- (a) A verbal warning for a first offence;
 - (b) A written warning from Membertou Chief and Council for a second offence together with the provision of a waste management information package that describes what is being done wrong and how to remedy the problem;
 - (c) A fine or a requirement to pay the cost of remedying the violation for a third infraction;
 - (d) Community service; and
 - (e) Attendance at an education program.

PART XVI- DISPUTE RESOLUTION

- 16.1 Disputes must be addressed following the Dispute Resolution process set out in Part IX of the *Membertou Land Code, 2019*.

PART XVII- AMENDMENTS

- 17.1 Council may, in accordance with this Part, make amendments to this Law.
- 17.2 Amendments to this Law may be made by an approval by Council, by band council resolution.

PART XVIII- EFFECTIVE DATE

- 18.1 This Law comes into force and effect immediately upon enacting the law.

THIS LAW IS HEREBY DULY ENACTED by the Council on 22nd day of October, 2024, at Membertou, Nova Scotia. A quorum of Council consists of five (5) members of Council.