

HUTT CITY COUNCIL BYLAW 2008

REFUSE COLLECTION AND DISPOSAL

Adopted by Council 18 March 2008

1. Interpretation

“Approved Bag” means a refuse bag of a type and size authorised by the Council.

“Collection Day” means any day appointed by the Council and publicly notified for the collection of domestic refuse from specified parts of the District.

“Commercial Building” means a building which is designed or occupied substantially for retail outlets, offices or other commercial purposes and includes halls, schools and public buildings, served by any refuse collection service conducted or controlled by the Council.

“Domestic Refuse” means cool ashes, sweepings, dust, bones, waste food, cans, cartons, containers, bottles, paper and any other refuse or rubbish arising or resulting from domestic housekeeping and includes refuse or rubbish of a similar nature from commercial buildings, but does not include trade refuse, or any of the materials prohibited under the provisions of clause 3 of this bylaw.

“Dwelling Unit” means a building or part of a building occupied as a separate household unit.

“Occupier” in relation to any land or premises, means any lessee, licensee, or other occupant of the land, and includes the owner or the agent of the owner where there is no apparent occupier.

“Recyclable Material” means domestic refuse that can be recycled or re-used as determined by Council’s recycling contractor in consultation with Council.

“Recycling Container” means a recycling bin or tied shopping bag.

“Trade Refuse” means any waste material resulting from the carrying on of any business manufacturing process, factory, commercial or industrial operation or any other activity.

2. Collection of Domestic Refuse and Recyclable Material

2.1 All domestic refuse must be placed in an approved bag.

2.2 The occupier of every dwelling unit, commercial building or part of a commercial building who wishes to be served by a refuse collection service conducted or controlled by the Council shall, on each collection day, and not later than 7.30 am on that day, place their approved bag or bags and/or recyclable material at the kerbside nearest the dwelling unit or commercial building, or in any other position determined by Council Officers.

2.3 Where as a result of circumstances beyond its control Council is unable to collect domestic refuse and/or recyclable material on the stipulated collection day the occupier must remove the domestic refuse and/or recyclable material from the kerbside.

2.4 The occupier of any dwelling unit, commercial building or part of a commercial building must ensure that all domestic refuse for collection must be secured in an approved bag.

2.5 The occupier of any dwelling unit, commercial building or part of a commercial building must ensure that all recyclable material for collection must be secured within a recycling container.

3. Prohibited Activities

3.1 No person shall:

- (a) Deposit in an approved bag:
 - (i) Any explosive material, highly flammable material, hot ashes, infectious material or any other refuse or other matter that is not domestic refuse;
 - (ii) Any liquid, acid or viscous fluid unless contained so that there shall be no injury to, or deterioration of the approved bag;
 - (iii) Any broken glass, bottles, other glass articles or sharp objects unless wrapped to prevent the possibility of injury;
 - (iv) Any trade refuse.
- (b) Deposit in a recycling container:
 - (i) Any broken glass or bottles;
 - (ii) Any domestic refuse that is not recyclable material;
 - (iii) Any trade refuse.
- (c) Leave an approved bag for collection that weighs more than 15 kilograms.
- (d) Allow domestic refuse or recyclable material from a dwelling unit, commercial building, or part of a commercial building to remain at the kerbside where it has been rejected and marked with a sticker outlining the reason for non-collection.
- (e) Interfere with or remove any domestic refuse or recyclable material that has been placed at the kerbside for collection unless they are the occupier to whom the domestic refuse or recyclable material belongs.

4. Alternate Agreements

- 4.1 The Council may enter into an agreement with the occupier of a dwelling unit, commercial building or part of a commercial building in respect of the collection of :
 - (a) domestic refuse upon a basis other than that determined under this bylaw or;
 - (b) trade refuse.

5. Recycling Stations

5.1 The Council may:

- (a) Specify the location of recycling stations, at which recyclable materials will be received from the public;
- (b) Issue instructions for the use of recycling stations by members of the public.

- 5.2 No person shall leave or place domestic refuse or trade refuse at a recycling station.

Commentary

The following comments do not form part of the Refuse Collection and Disposal Bylaw. They are provided to alert readers to relevant law and information that relate to the Bylaw.

Separate Rate for Collection of Domestic Refuse

The Council may set a targeted rate as defined by the Local Government (Rating) Act 2002, for the collection of domestic refuse, or set user charges fees.

Recyclable Material

Where there is a change to the types of recyclable material accepted for collection from the kerbside or at a recycling station one or more of the following methods of notification may be used by Council to notify such change: flyers, newspaper advertisement, Council website or as indicated on signage at a recycling station.

Statutory authority

This Bylaw is made pursuant to the Council's bylaw-making powers in the Local Government Act 2002.

Offences

It is an offence under section 239 of the Local Government Act 2002 to breach a bylaw. If you breach this Bylaw, you may be liable on conviction to a fine of up to \$20,000 under section 242(4) of the Local Government Act 2002.