



Town of New Perlican

Waste Disposal and Property By-Law

Pursuant to the authority conferred in Section 8 (1) (f) of the *Towns and Local Service Districts Act, 2025*, the Town Council of New Perlican has adopted the following regulations on September 8th, 2025

1. TITLE

1.1 This document will be known and cited as the *Waste Disposal and Property By-Law for the Town of New Perlican*.

2. DEFINITIONS

In this By-law:

(a) "By-law" means the Town of New Perlican Waste Disposal and Property By-Law.

(b) "Council" means the Town Council of New Perlican.

(c) "Commercial Property" means any property or building that is used or designed for use by business, commercial, industrial or institutional purposes or vacant land within a mixed development 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 the way.

(e) "Inspector" means any official of the Town or any employee of the of the Town designated by the Council to enforce the provisions of the By-law and shall include a Municipal Enforcement Officer or member of any police force presently stationed within the province of Newfoundland and Labrador.

(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 representatives 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;

(iv) is in physical possession of the property;

(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 this By-law there may be more than one occupant of the same property;

(i) "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, discarded 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 as waste material by Council.

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) 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 on any property within the Town except where the vehicle or parts thereof are enclosed within a building. Such a building shall be subject to Council’s approval and must 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 thing or waste material is placed and kept in violation of this By-Law.

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 this By-law or any other By-laws of the municipality.

6. PENALTIES

6.1 Every person who is guilty of an offence under this By-law or who acts in contravention of or fails to comply with any provision thereof, or neglects to do so:

- (a) Shall be liable to penalties as stipulated in accordance with section 290 of the *Towns and Local Service Districts Act*; or
- (b) Shall be subject to an order under section 285 (1) of the *Towns and Local Service Districts Act*;
or
- (c) Shall be subject to a violation notice issued under section 287 (1) of the *Towns and Local Services Act*; or
- (d) Shall be issued a ticket under the *Provincial Offences Act* in accordance with section 288 of the *Towns and Local Services District Act*.

7. COMPLIANCE WITH OTHER ACTS AND BY-LAWS

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

8. REPEAL OF PREVIOUS BY-LAWS AND AMENDMENTS

8.1 None

9. CAME INTO EFFECT

These Regulations first came into effect on September 8th, 2025, through a resolution of Council # 2025-070.


Ivy Piercey, Mayor


Shelly Burrage, Town Clerk/Manager