

NEW ZEALAND STANDARD

Model general bylaws

CHAPTER 6

REMOVAL OF REFUSE

Metric units

Superseding NZS 791, Part 10

STANDARDS ASSOCIATION OF NEW ZEALAND
WORLD TRADE CENTER, 15-23 STURDEE STREET, WELLINGTON
Postal address: Private Bag, Wellington Telegrams: *Standards*, Wellington

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REQUEST FOR NEXT AMENDMENT

NZS 9201 : Ch. 6 : 1972
Amendment No. 1

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CONTENTS

Committee representation	4
Foreword	4

GENERAL*Clause*

601 Interpretation	5
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HOUSEHOLD REFUSE

602 Accumulation of refuse	5
603 Receptacles to be covered	5
604 Receptacles to be kept clean and in repair	6
605 Receptacles to be placed conveniently for emptying or removal	6
606 Owner of apartment building to provide receptacles	6
607 Deposit of certain materials in receptacles prohibited	6
608 Against obstruction to refuse collectors	6
609 Method of storage of refuse in receptacle	7

TRADE REFUSE

610 Agreement for removal required	7
611 Disposal of trade refuse	7
612 Against accumulation	7
613 Notice to remove	7
614 Establishment and control of refuse tips	8
615 Against removal of material from disposal site	8
616 Against lighting of fires	8

COMMITTEE REPRESENTATION

This chapter of the model general bylaws was prepared under the supervision of the Local Government Sectional Committee (92) for the Standards Council established under the Standards Act 1965. The sectional committee consisted of representatives of the following:

- *Department of Health.
Department of Internal Affairs.
Fire Service Council.
- *Municipal Association of New Zealand.
New Zealand Counties Association.
- *New Zealand Institute of County Clerks.
- *New Zealand Institute of County Engineers.
- *New Zealand Institute of Town Clerks and Municipal Treasurers.
- *New Zealand Institution of Engineers (Municipal Division).

The Building and Engineering Bylaws Committee (2/8/11) was responsible for the drafting of this chapter, and consisted of representatives of the organizations marked with an (*) asterisk in the foregoing list.

FOREWORD

NZS 791 Part 10, *Removal of refuse*, was first published in 1952. This standard supersedes that edition.

The few alterations that have been made include the addition to the definition of "household refuse" of paper and bottles, and provision for the wrapping of bones and waste food, and to avoid the risk of fire, ashes are required to be cold and wrapped. "Apartment building" as defined in the relevant Acts has been added to the list of definitions.

In clause 602 the word "metal" has been deleted before the word "receptacle" in order to permit the use of paper bags or other approved containers. The size of the container which was 2 ft³ has been metricized at 60 litres. It is realized that the size can be changed by local authorities to suit their own conditions.

Clause 605 has been amended to provide for the placing and proper sealing of removable containers, and to enable local authorities to specify the time by which containers must be left out for collection.

Clause 607 now provides protection for employees against injury from broken crockery, clause 611 enables the local authority to set, by resolution, a charge for the removal of trade refuse, and clause 613 allows the local authority to remove the refuse itself and to charge the offender with the cost of removal.

New clauses 614 and 615 provide for the establishment and control of refuse tips.

**NEW ZEALAND STANDARD
MODEL GENERAL BYLAWS****Chapter 6****REMOVAL OF REFUSE****GENERAL****601 Interpretation**

601.1 In this Part of this bylaw, unless inconsistent with the context—

APARTMENT BUILDING means a building in which accommodation is provided for 3 or more families living independently of one another, with or without a common right to the use of cooking or laundry facilities, sanitary conveniences, entrances, passages, stairways, or open spaces; and where necessary includes a portion of such a building or a combination of 2 or more such buildings or parts thereof; but does not include any building comprising wholly or principally owner-occupier flats;

HOUSEHOLD REFUSE means wrapped cold ashes, sweepings, dust, paper, bottles, wrapped bones and waste food, cans, cartons, or other food containers, or any other refuse arising or resulting from domestic house-keeping operations;

TRADE REFUSE means any scrap or waste material resulting from the carrying on of any business, manufacture, process, trade, market, or other undertaking.

HOUSEHOLD REFUSE**602 Accumulation of refuse**

602.1 No person being the occupier of any building, land or premises or any portion thereof separately occupied and for the time being visited or served by a refuse collection vehicle employed by or by the sanction of the local authority for the removal of refuse shall permit or suffer any accumulation or collection of household refuse to remain or be in, upon or about such building, land, or premises or portion thereof unless contained in manner hereinafter prescribed, in a receptacle or receptacles each not exceeding 60 litres in capacity of the number and type approved by the local authority.

603 Receptacles to be covered

603.1 Each receptacle shall be kept covered at all times with a close-

fitting lid or covering for the protection of the interior of the receptacle from rain or ingress or egress of flies or any vermin, save when the receptacle is being actually used for the placing of matter therein or being emptied, cleansed, or repaired.

604 Receptacles to be kept clean and in repair

604.1 Save and except as is provided in clause 606 hereof every such occupier shall at his own cost provide such receptacle or receptacles and shall keep the same as clean as practicable and shall maintain the same in good repair to the satisfaction of the local authority or its duly authorized officer, and shall provide new receptacle or receptacles from time to time as and when such local authority or the said officer may consider necessary.

605 Receptacles to be placed conveniently for emptying or removal

605.1 Every such occupier shall, on the day and not later than the time specified for removal of refuse, cause the said receptacle or receptacles to be securely sealed and placed in such situation as may be required by the local authority or any officer appointed in that behalf.

606 Owner of apartment building to provide receptacles

606.1 In every apartment building where no approved alternative method of refuse disposal is in operation the owner of such building shall provide or cause to be provided for each apartment an approved refuse receptacle.

606.2 Every such owner shall ensure that no accumulation or collection of refuse, except as is herein provided, is permitted or suffered to remain or be in, upon, or about such apartment building or any portion thereof.

607 Deposit of certain materials in receptacles prohibited

607.1 No person shall deposit or cause or permit or suffer to be deposited in any such receptacle as aforesaid—

- (a) Any explosive, hot ashes, highly flammable material, infectious material or any matter, thing or refuse of any kind whatsoever, other than household refuse.
- (b) Any liquid, acid, printer's ink, paint, or any other viscous fluid.
- (c) Any ashes, broken bottles, glass, glass articles, broken crockery, china or other such sharp articles or materials unless such ashes, sharp articles or materials are wrapped so as to prevent injury to men engaged on collection or disposal work.

608 Against obstruction to refuse collectors

608.1 No person shall in any way obstruct or hinder any person for the

time being employed by or operating under the sanction of the local authority for the removal of household refuse from entering upon any premises for the purpose of collecting and removing the contents of any receptacle being on such premises and used for the reception of household refuse, or from disposing of such refuse into the refuse collection vehicle.

609 Method of storage of refuse in receptacle

609.1 Except in cases where disposable containers are used, refuse shall not be packed tightly in receptacles, but shall be stored in such a manner that the whole of the contents of the receptacle fall out easily and cleanly when the receptacle is upended.

TRADE REFUSE

610 Agreement for removal required

610.1 Unless a prior agreement in writing has been entered into in relation thereto, no trade refuse will be removed or disposed of by the local authority.

611 Disposal of trade refuse

611.1 Where a local authority agrees to accept trade refuse for disposal, then such refuse shall be taken to the place appointed and at the time specified by the local authority and disposed of at such charge as the local authority shall determine by resolution from time to time. No person shall take to any place of disposal material of any kind which has been prohibited by the local authority.

612 Against accumulation

612.1 No person carrying on any business, manufacture, or other undertaking shall cause, permit, or suffer any undue accumulation of trade refuse to remain or be in, upon, or about the premises occupied by him. Any perishable or putrescible refuse shall be removed daily, except where stored in an approved manner.

613 Notice to remove

613.1 Where in the opinion of the local authority or its duly authorized officer any such accumulation of trade refuse exists on such premises as is or is likely to be injurious to health, or offensive, or to harbour vermin, or is likely to create a fire hazard, any such person aforesaid who, after the service upon him of a notice in writing under the hand of the said authorized officer calling upon him to remove and dispose of such trade refuse within a time specified in such notice, shall neglect or refuse to comply with such notice, shall be guilty of an offence against this Part of this bylaw:

Provided that if such person shall fail to comply with the said notice, the local authority may remove the refuse and charge the cost of removal to such person.

614 Establishment and control of refuse tips

614.1 The disposal of refuse on any land or premises set aside by the local authority for the disposal of refuse shall be subject to such conditions as the local authority may from time to time by resolution impose in respect of the hours of opening and closing, the nature of the refuse which may be disposed of therein, the charges in respect of any such disposal, the position in any such place in which refuse may be placed, and any other matters which the local authority may consider it necessary or desirable to determine by any such resolution.

615 Against removal of material from disposal site

615.1 On any land or premises set aside by the local authority for the disposal of refuse, it shall be unlawful for any unauthorized person to enter, loiter, or to disturb any deposit of refuse, or to remove therefrom any article or material of any kind.

616 Against lighting of fires

616.1 No person shall light any fire upon or near any refuse tip without the express permission of the Engineer or duly authorized officer.