

GARBAGE CONTROL ACT

**NEW AIYANSH VILLAGE GOVERNMENT**  
**GARBAGE CONTROL ACT**

New Aiyansh Village Government enacted this law on JANUARY 4, 2001

Mr. Brian Tait, Chief Councillor of the New Aiyansh Village Government, signed this law on

JANUARY 10, 2000  
DATE

Brian Tait  
CHIEF COUNCILLOR

<b>NISGA'A NATION - REGISTRY OF NISGA'A LAWS</b>
Certified a true copy
of <u>above named Village Act</u> ,
enacted <u>4/01/01</u>
<u>[Signature]</u>
Law Clerk, Wilp/Si'ayuukhi Nisga'a
<u>3/10/01</u>
date

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**Interpretation****1** In this Act:

“garbage” means any discarded or abandoned material, substance or object which is or may become offensive or prejudicial to health or to public safety or harmful to the quality of the environment;

“garbage control officer” means a person appointed as a garbage control officer under section 5;

“Nisga’a Village” means the village of New Aiyansh;

“Nisga’a Village Government” means the government of the Nisga’a Village of New Aiyansh;

“Nisga’a Village Lands” means Nisga’a Village Lands of the Nisga’a Village;

“property” means:

- (a) vacant land, and
- (b) the land surrounding a residence or business which the owner lawfully possesses or controls.

**Application****2** This Act applies to all Nisga’a Village Lands.**Accumulating or disposing of garbage****3** No person may

- (a) accumulate garbage anywhere within Nisga’a Village Lands except to allow the garbage to be collected by a garbage collection service, or
- (b) dispose of garbage anywhere within Nisga’a Village Lands other than at a landfill site designated by the Nisga’a Village Government.

**Interference with garbage control officer****4** No person may interfere with a garbage control officer exercising a power or carrying out a duty under this Act.

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**Officer**

5 The Nisga'a Village Government may appoint a garbage control officer.

**Officer's Powers**

- 6
- (1) On the written request of a garbage control officer, an owner or person in control or possession of property must permit the officer to inspect the property, at any time during reasonable business hours, to determine whether this Act is being complied with.
  - (2) If a garbage control officer is of the reasonable opinion that a person has accumulated, deposited or disposed of garbage in a manner that contravenes this Act, the officer may give that person a written order to collect and properly dispose of the garbage.
  - (3) A notice under subsection (1) and an order under subsection (2), may be
    - (a) sent by mail to the owner or person in control or possession of the property,
    - (b) delivered to the owner or person in control or possession of the property, or
    - (c) given by posting the notice at the property,and will be deemed to have been delivered
    - (d) if mailed, on the fifth day following the date it is mailed to the mailing address of the owner or person,
    - (e) if delivered, immediately upon being delivered to or being left at the residence of the owner or person, or
    - (f) if posted, immediately upon being posted at the property.
  - (4) A person given an order under subsection (2) must collect and properly dispose of the garbage in the manner and within the time specified in the order.
  - (5) If a person does not comply with an order given under subsection (2)
    - (a) the garbage control officer may collect and dispose of the garbage as specified in the order, and
    - (b) the person is liable for all incurred costs.
  - (6) The costs referred to in subsection (5)(b) are recoverable by the Nisga'a Village Government as a debt due from the person to whom the order was given.

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**Penalties**

- 7 Every person who contravenes sections 3, 4, 6(1) or 6(4) commits an offence punishable under the *Nisga'a Offence Act*.

**Commencement**

- 8 This Act comes into force on JANUARY 4, 2001 .