

CHIEF EXECUTIVE'S ORDER

File Ref: Environment Dept.

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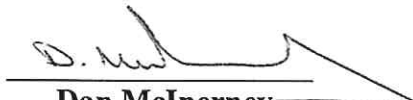
Subject: County of Carlow (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws 2018

Record of Business: In the exercise of its powers under the Waste Management Act 1996 as amended and Section 199(1) of the Local Government Act 2001 and in accordance with Part 19 of the Local Government Act 2001, Carlow County Council at its monthly meeting held on 10th September 2018 resolved to adopt the County of Carlow (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws 2018

Order: Having regard to the resolution of Council, it is hereby ordered that the Common Seal of the County Council of the County of Carlow be affixed to an original copy of the County of Carlow (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws 2018. This will be the true copy of the Bye Laws in accordance with Section 203 of The Local Government Act 2001 as amended.

Made this 13th day of September 2018.

Signed:


Dan McInerney,
Director of Transportation,
Environment & Water Services.



COUNTY OF CARLOW (SEGREGATION, STORAGE AND PRESENTATION OF
HOUSEHOLD AND COMMERCIAL WASTE) BYE-LAWS, 2018

Statutory Basis of the Bye-law

Carlow County Council, pursuant to Section 35(1) of the Waste Management Act 1996 and Section 199(1) of the Local Government Act 2001 and in accordance with Part 19 of the Local Government Act 2001, hereby makes the following bye-laws:

Citation

These bye-laws may be cited as the County of Carlow (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-laws, 2018

Date of Commencement

These bye-laws shall enter into force on the 10th of October 2018

Geographical area of application

These bye-laws shall apply to the functional area of Carlow County Council.

Scope of this Bye-law: Waste Types and Controlled Activities

Unless the following bye-laws indicate to the contrary, these bye-laws apply to both household and commercial waste.

1. Interpretation and Definitions

In these bye-laws, these words and phrases have the following meanings:

“appropriate waste container” means a waste container suitable for the collection of kerbside waste and which is a receptacle that complies with the standards for mobile waste containers (wheeled bins) which are specified in the CEN standard entitled IS EN 840 (Parts 1-6;

“authorised person” means a person authorised by Carlow County Council in accordance with Section 204 of the Local Government Act 2001 or a member of an Garda Síochána;

“authorised waste collector means a person authorised in accordance with Section 34 of the Waste Management Act, including any regulations made thereunder, for the collection of the type of waste being collected;

“authorised waste facility” means a waste recovery or disposal facility:

(a) which is authorised under the Waste Management Act, under the Environmental Protection Agency Act, under any regulations stemming from either of these Acts or under regulations made under the European Communities Act 1972 relating to the control of waste management activities; and

(b) where the authorisation of that facility permits the acceptance of the waste being referred to in the particular part of these bye-laws;

“bring facility” means an authorised waste facility comprising one or more purpose-built receptacles in which segregated recyclable household waste may be deposited by the public for the purposes of the recovery of that waste;

“commercial kerbside waste” shall mean commercial waste that is kerbside waste.

“commercial waste” means waste from premises used wholly or mainly for the purposes of a trade or business or for the purposes of sport, recreation, education or entertainment but does not include household, agricultural or industrial waste;

“designated waste collection day” shall mean the day designated by an authorised waste collector for the collection of kerbside waste, and different days may be designated for commercial kerbside waste and household kerbside waste;

“designated bag collection area” is an area designated by Carlow County Council in accordance with Article 20 of the Waste Management (Collection Permit) Regulations 2007 where waste can be collected in bags or sacks;

“fixed payment notice” means a notice provided for by these bye-laws and by Section 206 of the Local Government Act 2001 which is issued to a person in respect of a contravention of these bye-laws and which, as an alternative to prosecution, requires that person to pay a specified fixed payment by a specified time;

“food waste” means waste food that is household waste or, as the case may be, commercial waste, and shall have the same meaning as that applying to Regulation 7 of the Waste Management (Food Waste) Regulations 2009 (SI 508 of 2009) or, as the case may be, to Regulation 6 of the European Union (Household Food Waste and Bio-Waste) Regulations 2015 (SI 430 of 2015);

Food Waste Regulations: see “national legislation on food waste”;

“holder” means the waste producer or the person who is in possession of the waste and “holder of commercial waste” and “holder of household waste” shall be interpreted accordingly;

“household kerbside waste” means household waste that is kerbside waste;

“household waste” means waste produced within the curtilage of a building or self-contained part of a building used for the purposes of living accommodation;

“kerbside waste” means that fraction of commercial or household waste presented for collection from a premises and which is to be collected by an authorised waste collector, with the exception of wastewater, construction and demolition waste and bulky waste more suitable for collection in a skip or other such receptacle (including heavy waste such as waste furniture, carpets and rubble), as well as hazardous waste and other streams of household or commercial waste which are required to be collected in another appropriate manner, such as waste electrical and electronic equipment and waste batteries;

“national legislation on food waste” means the Waste Management (Food Waste) Regulations 2009 (SI 508 of 2009) and the European Union (Household Food Waste and Bio-Waste) Regulations 2015 (SI 430 of 2015);

“occupier” includes, in relation to any premises, the owner, a lessee, any person entitled to occupy the premises and any other person having, for the time being, control of the premises;

“person” shall, for the purposes of these bye-laws, include an individual, company (whether limited, incorporated or not), partnership, co-operative or other similar body within the meaning of the definition contained in the Interpretation Act 2005;

“recyclable household kerbside waste” means the fraction of household kerbside waste that comprises recyclable household waste and which includes the materials set out in Schedule 1 and as may be amended from time to time on www.mywaste.ie;

“residual household kerbside waste” means the fraction of household kerbside waste remaining after that waste has been separated from the fractions of:

(a) recyclable household kerbside waste,

(b) food waste where food waste is required to be segregated under the national legislation on food waste or by these bye-laws, and

(c) if subject to separate collection by an authorised waste collector, biodegradable garden waste.

Unless the contrary is indicated, for the avoidance of doubt and in accordance with Section 19 of the Interpretation Act 2005, the definitions in the Waste Management Act 1996 apply to these bye-laws, including to the following terms:

“facility”, “disposal”, “hazardous waste”, “premises”, “recovery”, “recycling”, “separate collection”, “waste”, “waste producer”.

Where it is necessary, the Interpretation Act 2005 shall apply in construing any provision of these bye-laws.

2. Obligation to Participate in a Waste Collection Service

(a) Subject to paragraph (b), household kerbside waste that arises from the premises where such waste is produced shall not be presented to any person other than to an authorised waste collector.

(b) Paragraph (a) does not apply where such waste:

(i) is deposited in an appropriate waste container provided under a contract by an authorised waste collector to another person for the management of that waste and where that other person has consented to the receipt of that waste, or

(ii) is delivered directly by the holder to an authorised waste facility.

(c) Documentary evidence, such as receipts, statements or other proof of payment, demonstrating compliance with this bye-law shall be presented to an authorised person within a time specified in a written request from either that person or from another authorised person employed by Carlow County Council.

3. Maintenance and Management of Waste Containers

Containers used for the presentation of kerbside waste shall be maintained in such condition and state of repair that the waste placed therein will not be a source of nuisance or litter. Waste shall not be presented in a container where:

(a) the wheels or lid have been removed or damaged to such an extent that it is not able to contain the waste without spillage, is otherwise unfit for the purpose for which it was designed or is not capable of being conveniently emptied.

4. Location for container storage

Other than on the day before and the designated waste collection day, containers used for the presentation of kerbside waste shall be held within the curtilage of the premises where the waste is produced. They shall not be stored on a roadway, footway, footpath or any other public place unless the location has been expressly authorised in writing by an authorised person.

5. Use of Waste Containers on Collection Day

(a) Subject to paragraph (b), household kerbside waste shall only be presented for collection in an appropriate waste container. The container shall not be over-loaded and the lid shall be securely closed. No waste shall be presented on the top of the lid or adjacent to the waste container.

(b) Paragraph (a) shall not apply where waste is collected in bags or sacks in an area designated by Carlow County Council as a designated bag collection area.

6. Collection Times and Container Removal

Kerbside waste presented for collection shall not be presented for collection earlier than 20.00 on the day immediately preceding the designated waste collection day.

All containers used for the presentation of kerbside waste and any uncollected waste shall be removed from any roadway, footway, footpath or any other public place no later than 08:00 on

the day following the designated waste collection day, unless an alternative arrangement has been approved in accordance with bye-law 4.

7. Prohibited Waste Types

Household waste that comprises hazardous waste or waste electrical and electronic equipment shall not be placed in an appropriate waste container for kerbside collection.

8. Segregation of Household Waste, Contamination Prevention and Extending Food Waste Collection

(a) Subject to paragraph (c), household kerbside waste shall be segregated into residual household kerbside waste and recyclable household kerbside waste, with these fractions being stored separately. Any such separated recyclable waste shall not be deposited into a container designated for residual household kerbside waste and no such residual waste shall be deposited into a container designated for recyclable household kerbside waste.

(b) Neither recyclable household kerbside waste nor food waste arising from households shall be contaminated with any other type of waste before or after it has been segregated.

(c) where a dwelling is situated within one of the areas referred to in Schedule 2, household kerbside waste shall be segregated into residual household kerbside waste, recyclable household kerbside waste and food waste, with these fractions being stored separately. Such separated recyclable waste shall not be deposited into a container designated for residual household kerbside waste or for food waste; separated food waste shall not be deposited into a container designated for residual household kerbside waste or recyclable household kerbside waste.

9. Additional Provisions for Householders not availing of a Kerbside Collection Service

Where an occupier of a dwelling is not participating in a household kerbside waste collection service, that person shall ensure that:

(a) recyclable household kerbside waste segregated in compliance with bye-law 8 is taken to an authorised waste facility and is deposited there in a manner that allows it to be recycled or otherwise recovered,

(b) residual household kerbside waste segregated in compliance with bye-law 8 is taken to an authorised waste facility, and

(c) documentation, including receipts, is obtained and retained for a period of no less than one year to provide proof that any waste removed from the premises has been managed in a manner that conforms to these bye-laws, to the Waste Management Act and, where such legislation is applicable to that person, to the European Union (Household Food Waste and Bio-Waste) Regulations 2015.

Documentation required to be obtained and retained by this bye-law, or copies of it, shall be presented to an authorised person within a time period specified in a written request from either that person or from another authorised person employed by Carlow County Council.

10. Provisions affecting Multi-user Buildings, Apartment Blocks, etc

A management company, or another person if there is no such company, who exercises control and supervision of residential and/or commercial activities in multi-unit developments, mixed-use developments, flats or apartment blocks, combined living/working spaces or other similar complexes shall ensure that:

- (a) *separate receptacles of adequate size and number are provided for the proper segregation, storage and collection of recyclable household kerbside waste and residual household kerbside waste*
- (b) *additional receptacles are provided for the segregation, storage and collection of food waste where this practice is a requirement of the national legislation on food waste,*
- (c) *the receptacles referred to in paragraphs (a) and (b) are located both within any individual apartment and at the place where waste is stored prior to its collection,*
- (d) *any place where waste is to be stored prior to collection is secure, accessible at all times by tenants and other occupiers and is not accessible by any other person other than an authorised waste collector,*
- (e) *written information is provided to each tenant or other occupier about the arrangements for waste separation, segregation, storage and presentation prior to collection,*
- (f) *an authorised waste collector is engaged to service the receptacles referred to in this section of these bye-laws, with documentary evidence, such as receipts, statements or other proof of payment, demonstrating the existence of this engagement being retained for a period of no less than two years. Such evidence shall be presented to an authorised person within a time specified in a written request from either that person or from another authorised person employed by Carlow County Council,*
- (g) *receptacles for kerbside waste are presented for collection on the designated waste collection day,*
- (h) *adequate access and egress onto and from the premises by waste collection vehicles is maintained.*

11. Interference with Orderly Waste Collection

- (a) *Employees of an authorised waste collector or of Carlow County Council involved in the removal of waste shall not be wilfully obstructed, disturbed, interrupted or otherwise interfered with in the course of their engagement in waste collection.*
- (b) *Unless the following activities have been subject to approval by the authorised waste collector responsible for the container, a microchip attached to an appropriate waste container or any non-time expired identification mark, badge, label, tag, disc or other thing attached to that container or to a refuse bag or to another container shall not be removed, damaged, destroyed, tampered with or otherwise rendered inoperative.*
- (c) *Waste stored or presented for the purposes of collection shall not be:*
 - (i) *supplemented by waste added by another person unless that person has been authorised to do so by the person storing or, as the case may be, presenting the container of waste for collection*
 - (ii) *otherwise interfered with by another person.*
- (d) *Waste shall not be deposited into a refuse collection vehicle by any person other than by an employee of an authorised waste collector or a local authority*

12. Additional Provisions for Commercial Waste

Commercial waste shall not be deposited at any bring facility provided by or on behalf of Carlow County Council.

13. Enforcement Provisions/Fixed Payment Notices.

- (a) *Subject to paragraph (b), a person found guilty of the contravention of these bye-laws shall be liable to the penalty of no more than €1500*
- (b) *Paragraph (a) shall not apply where a fixed payment notice has been issued in accordance with the Local Government Act 2001 (Bye-Laws) Regulations and where a full payment has been made by the person subject to that notice.*
- (c) *Where the contravention of any provision of these bye-laws continues after a person has been subject to the fine referred to in paragraph (a), a person found guilty of an offence relating to this continued contravention shall be liable to a penalty of no more than €100 per day for each day the contravention continues after that conviction.*
- (d) *A fixed payment notice may be issued requiring a person found to have contravened or be contravening these bye-laws to make a payment of €75. Payment of this notice shall be made within 21 days of the date of the notice in order to avoid the person subject to this notice being prosecuted for the contravention of these bye-laws.*

**Made and Adopted by Resolution under the Common Seal of
The COUNTY COUNCIL OF THE COUNTY OF CARLOW**

On the 10th day of September 2018



Nominated Member of Council



Authorised Officer to Authenticate the Common Seal of Carlow County Council



Director of Services

SCHEDULE1. Recyclable Kerbside Waste

| Paper | Aluminium Cans | Plastic Bottles (PET 1) |
|-------------------------------|---------------------------------------|--------------------------------|
| Newspapers | Drink cans | Mineral bottles |
| Magazines | Soda & beer cans | Water bottles |
| Junk mail | | Mouthwash bottles |
| Envelopes | Steel cans | Salad dressing bottles |
| Paper | Pet food cans | |
| Phone books | Food cans | Plastic Bottles (HDPE2) |
| Catalogues | Biscuit tins | Milk bottles |
| Tissue boxes | Soup tins | Juice bottles |
| Sugar bags | | Cosmetic bottles |
| Calendars | Cardboard | Shampoo bottles |
| Diaries | Food boxes | Household cleaning bottles |
| Letters | Cereal boxes | Laundry detergent bottles |
| Computer paper | Kitchen towel tubes | Window cleaning bottles |
| Used beverage & juice cartons | Parcel boxes | Bathroom bottles |
| Milk cartons | | |
| Egg boxes | Plastic Pots, Trays & Tubs | |
| Holiday brochures | Yogurt pots | |
| Paper potato bags | Margarine tubs | |
| | Rigid food trays | |
| | Liquid soap containers | |

For Further Information go to www.mywaste.ie

SCHEDULE2. European Union (Household Food Waste and Bio-waste) Regulations 2015

Areas where a segregated food waste receptacle must be provided

Carlow Town

Tullow

Muinebeag

Rathvilly

Leighlinbridge

Hackestown

Ballon

Borris



CHOMHAIRLE

CONTAE CHEATHARLACH

Dréacht Fodhlíthe Chontae Cheatharlach (Dramháil Teaghlaigh agus Tráchtála a
Leithlisiú, a Stóráil agus a Thabhairt I Láthair), 2018

Bonn Reachtúil an Fhodhlí

Déanann Comhairle Contae Cheatharlach, de bhun Alt 35(1) den Acht um Bainistiú Dramhaíola, 1996 agus Alt 199(1) den Acht Rialtais Áitiúil, 2001 agus de réir Chuid 19 den Acht Rialtais Áitiúil, 2001, leis seo, na fodhlíthe seo a leanas:

Lua

Féadfar Fodhlíthe Chontae Cheatharlach (Dramhaíl Teaghlaigh agus Tráchtála a Leithlisiú, a Stóráil agus a Thabhairt i Láthair), 2018 a ghairm de na fodhlíthe seo

Dáta Tosach Feidhme

Tiocfaidh na fodhlíthe seo i bhfeidhm an 10u lá de Deireadh Fómhair 2018.

Limistéar geografach feidhme

Beidh feidhm ag na fodhlíthe seo maidir le limistéar feidhme Chomhairle Contae Cheatharlach

Raon an Fhodhlí seo: Cineálacha Dramhaíola agus Gníomhaíochtaí Rialaithe

Mura gcuirtear a mhalairt in iúl sna fodhlíthe seo, tá feidhm ag na fodhlíthe seo a leanas maidir le dramhaíl teaghlaigh agus dramhaíl tráchtála araon.

1. Léiriú agus Mínithe

Sna fodhlíthe seo, tá na bríonna seo a leanas leis na focail agus na frásaí seo:

ciallaíonn “coimeádán dramhaíola cuí” coimeádán dramhaíola atá oiriúnach chun dramhaíl ar cholbha an chosáin a bhailiú agus is gabhdán a chomhlíonann na caighdeáin maidir le coimeádáin dramhaíola soghluaiste (araidí rothaí) a shonraítear sa chaighdeán CEN dar teideal IS EN 840 (Codanna 1-6);

ciallaíonn “duine údaraithe” duine arna údarú ag Comhairle Contae Cheatharlach de réir Alt 204 den Acht Rialtais Áitiúil, 2001 nó comhalta den Gharda Síochána;

ciallaíonn “bailitheoir dramhaíola údaraithe” duine arna údarú de réir Alt 34 den Acht um Bainistiú Dramhaíola, lena n-áirítear aon rialacháin arna ndéanamh faoin Acht sin, chun an cineál dramhaíola a bheidh á bailiú a bhailiú;

ciallaíonn “saoráid dramhaíola údaraithe” saoráid aisghabhála dramhaíola nó saoráid diúscartha dramhaíola:

(a) arna húdarú faoin Acht um Bainistiú Dramhaíola, faoin Acht fán nGníomhaireacht um Chaomhnú Comhshaoil, faoi aon rialacháin a eascraíonn as ceachtar de na hAchtanna sin nó faoi rialacháin arna ndéanamh faoi Acht na gComhphobal Eorpach, 1972 a bhaineann le gníomhaíochtaí bainistithe dramhaíola a rialú; agus

(b) i gcás go gceadaítear le húdarú na saoráide sin an dramhaíl dá dtagraítear sa chuid áirithe de na fodhlíthe seo a ghlacadh;

ciallaíonn “saoráid ‘fág anseo’” saoráid dramhaíola údaraithe arb éard í gabhdán saintógtha amháin nó níos mó ina bhféadfaidh daoine den phobal dramhaíl teaghlaigh inathchúrsála leithlisithe a thaisceadh chun an dramhaíl sin a aisghabháil;

ciallóidh “dramhaíl tráchtála ar cholbha an chosáin” dramhaíl tráchtála is dramhaíl ar cholbha an chosáin.

ciallaíonn “dramhaíl tráchtála” dramhaíl ó áitribh a úsáidtear go hiomlán nó go príomha chun críocha trádála nó gnó nó chun críocha spóirt, áineasa, oideachais nó siamsaíochta ach ní fholaíonn sé dramhaíl teaghlaigh, dramhaíl talmhaíochta nó dramhaíl tionscail;

ciallóidh “lá bailiúcháin dramhaíola ainmnithe” an lá a ainmneoidh bailitheoir dramhaíola údaraithe chun dramhaíl ar cholbha an chosáin a bhailiú, agus féadfar laethanta éagsúla a ainmniú le haghaidh dramhaíl tráchtála ar cholbha an chosáin agus dramhaíl teaghlaigh ar cholbha an chosáin;

is limistéar arna ainmniú ag Comhairle Contae Cheatharlach de réir Airteagal 20 de na Rialacháin um Bainistiú Dramhaíola (Cead Bailiúcháin), 2007 inar féidir dramhaíl a bhailiú i málaí nó i saic é “limistéar bailiúcháin málaí ainmnithe”;

ciallaíonn “fógra íocaíochta seasta” fógra dá bhforáiltear leis na fodhlíthe seo agus le hAlt 206 den Acht Rialtais Áitiúil, 2001 arna eisiúint chuig duine i leith sárú ar na fodhlíthe seo agus, mar mhalairt ar ionchúiseamh, lena gceanglaítear ar an duine sin íocaíocht sheasta a shonrófar a íoc faoi thráth sonraithe;

ciallaíonn “dramhbhia” dramhbhia is dramhaíl teaghlaigh nó, de réir mar a bheidh, dramhaíl tráchtála, agus beidh an bhrí chéanna leis agus an bhrí sin a bhaineann le Rialachán 7 de na Rialacháin um Bainistiú Dramhaíola (Dramhbhia) 2009 (I.R. Uimh. 508 de 2009) nó, de réir mar a bheidh, le Rialachán 6 de Rialacháin an Aontais Eorpaigh (Dramhbhia Teaghlaigh agus Bithdhramhaíl), (IR Uimh. 430 de 2015);

Rialacháin um Dramhbhia: féach “reachtaíocht náisiúnta maidir le dramhbhia”;

ciallaíonn “sealbhóir” an táirgeoir dramhaíola nó an duine a bhfuil an dramhaíl ina sheilbh nó ina seilbh agus léireofar “sealbhóir dramhaíola tráchtála” agus “sealbhóir dramhaíola teaghlaigh” dá réir sin;

ciallaíonn “dramhaíl teaghlaigh ar cholbha an chosáin” dramhaíl teaghlaigh is dramhaíl ar cholbha an chosáin;

ciallaíonn “dramhaíl teaghlaigh” dramhaíl arna táirgeadh laistigh de chúirtealáiste foirgnimh nó an chuid lánscartha d’fhoirgneamh a úsáidtear mar chóiríocht chónaithe;

ciallaíonn “dramhaíl ar cholbha an chosáin” an chuid sin den dramhaíl tráchtála nó dramhaíl teaghlaigh a thabharfar i láthair lena bailiú ó áitreabh agus atá le bailiú ag bailitheoir údaraithe dramhaíola, seachas dramhuisce, dramhaíl foirgníochta agus scartála agus dramhaíl toirtiúil is oiriúnaí lena bailiú i scib nó i ngabhdán eile den sórt sin (lena n-áirítear dramhaíl trom ar nós dramhaíl troscán, cairpéid agus spallaí), mar aon le dramhaíl ghuaiseach agus sreafaí eile dramhaíola teaghlaigh nó tráchtála is gá a bhailiú ar mhodh cuí eile, ar nós dramhthrealamh leictreach agus leictreonach agus taisc-chealla dramhaíola;

ciallaíonn “reachtaíocht náisiúnta maidir le dramhbhia” Na Rialacháin um Bainistiú Dramhaíola (Dramhbhia), 2009 (I.R. Uimh. 508 de 2009) agus Rialacháin an Aontais Eorpaigh (Dramhbhia Teaghlaigh agus Bithdhramhaíl), 2015 (I.R. 430 de 2015);

folaíonn “áititheoir”, i ndáil le haon áitreabh, an t-úinéir, léasaí, aon duine ata i dteideal an t-áitreabh a áitiú agus aon duine eile a bhfuil an t-áitreabh faoin rialú de thuras na huaire;

folóidh “duine”, chun críocha na bhfodhlíthe seo, pearsa aonair, comhlacht (cibé acu teoranta, corpraithe nó nach ea), comhpháirtíocht, comharchumann nó comhlacht eile den tsamhail sin de réir an mhínithe san Acht Léiriúcháin, 2005;

ciallaíonn “dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin” an chuid den dramhaíl teaghlaigh ar cholbha an chosáin is dramhaíl teaghlaigh inathchúrsála agus a n-áirítear inti na hábhair atá leagtha amach i Sceideal 1 agus a leasófar ó am go ham ar www.mywaste.ie ;
 ciallaíonn “dramhaíl teaghlaigh iarmharach ar cholbha an chosáin” an chuid den dramhaíl teaghlaigh ar cholbha an chosáin a bheidh fágtha tar éis an dramhaíl sin a scaradh ó na codanna seo a leanas:

- (a) dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin,
- (b) dramhbhia i gcás go gceanglaítear dramhbhia a leithlisiú faoin reachtaíocht náisiúnta maidir le dramhbhia nó leis na fodhlíthe seo, agus
- (c) más rud é go mbeidh sí faoi réir bailiúcháin ar leithligh ag bailitheoir dramhaíola údaraithe, dramhaíl ghairdín in-bhithdhíghrádaithe.

Mura gcuirtear a mhalairt in iúl, chun amhras a sheachaint agus de réir Alt 19 den Acht Léiriúcháin, 2005, tá feidhm ag na mínithe san Acht um Bainistiú Dramhaíola, 1996 maidir leis na fodhlíthe seo, lena n-áirítear maidir leis na téarmaí seo a leanas:

“saoráid”, “diúscairt”, “dramhaíl ghuaiseach”, “áitreabh”, “aisghabháil”, “athchúrsáil”, “bailiúchán ar leithligh”, “dramhaíl”, “táirgeoir dramhaíola”.

I gcás inar gá sin, beidh feidhm ag an Acht Léiriúcháin, 2005 maidir le haon fhoráil de na fodhlíthe seo a fhorléiriú.

2. Oibleagáid Páirt a Ghlacadh i Seirbhís Bailiúcháin Dramhaíola

“(a) Faoi réir mhír (b) ní dhéanfar dramhaíl teaghlaigh ar cholbha an chosáin a eascraíonn ón áitreabh ina dtáirgtear an dramhaíl sin a thabhairt i láthair aon duine seachas bailitheoir dramhaíola údaraithe.

(b) Níl feidhm ag mír (a) i gcás, maidir leis an dramhaíl sin:

- (i) go dtaiscfear í i ngabhdán dramhaíola cuí arna sholáthar faoi chonradh ag bailitheoir dramhaíola údaraithe do dhuine eile chun an dramhaíl sin a bhainistiú agus go mbeidh toiliú tugtha ag an duine eile sin an dramhaíl sin a ghlacadh, nó
- (ii) go ndéanfaidh an sealbhóir í a sheachadadh go díreach go dtí saoráid dramhaíola údaraithe.

(c) Déanfar fianaise dhoiciméadach, ar nós admhálacha, ráitis nó cruthúnas eile ar íocaíocht, lena dtaispeánfar comhlíonadh an fhodhlí seo a thabhairt ar aird do dhuine údaraithe laistigh den tráth a shonrófar in iarraidh i scríbhinn ón duine sin nó ó dhuine údaraithe eile a bheidh fostaithe ag Comhairle Contae Cheathlach.

3. Coimeádáin Dramhaíola a Chothabháil agus a Bhainistiú

Déanfar coimeádáin a úsáidtear chun dramhaíl ar cholbha an chosáin a thabhairt i láthair a chothabháil i cibé riocht agus bailríocht ionas nach mbeidh an dramhaíl a chuirfead isteach ann ina cúis le nús ná bruscar. Ní dhéanfar dramhaíl a thabhairt i láthair i gcoimeádán:

- (a) ar baineadh na rothaí nó an clúdach de a mhéid nach féidir an dramhaíl a choinneáil ann gan doirteadh as, nó a bheidh neamhoiriúnach ar shlí eile chun na críche dar dearadh é nó nach féidir a fholmhú go caoithiúil.

4. Ionad chun coimeádán a stóráil

Seachas ar an lá roimh an lá bailiúcháin dramhaíola ainmnithe agus ar an lá sin, déanfar coimeádáin á úsáidtear chun dramhaíl ar cholbha an chosáin a thabhairt i láthair a shealbhú laistigh de chúirtealáiste an áitribh ina dtáirgtear an dramhaíl. Ní dhéanfar iad a stóráil ar bhóthar, cosán nó in aon áit phoiblí eile mura mbeidh an t-ionad údaráithe go sainráite i scríbhinn ag duine údaráithe.

5. Coimeádáin Dramhaíola a Úsáid ar Lá Bailiúcháin

(a) Faoi réir mhír (b), ní dhéanfar dramhaíl teaghlaigh ar cholbha an chosáin a thabhairt i láthair lena bailiú ach amháin i gcoimeádán dramhaíola cuí. Ní bheidh barraíocht dramhaíola sa choimeádán agus beidh an clúdach dúnta go daingean. Ní dhéanfar aon dramhaíl a thabhairt i láthair ar bharr an chlúdaigh ná tadhlach leis an gcoimeádán dramhaíola.

(b) Ní bheidh feidhm ag mír (a) i gcás go mbailítear dramhaíl i málaí nó i saic i limistéar arna ainmniú ag Comhairle Contae Cheathlach mar limistéar bailiúcháin málaí údaráithe.

6. Tráthanna Bailiúcháin agus Coimeádáin a Bhaint

Ní dhéanfar dramhaíl ar cholbha an chosáin arna tabhairt i láthair lena bailiú a thabhairt i láthair lena bailiú tráth is luaithe ná 20.00 ar an lá díreach roimh an lá bailiúcháin dramhaíola ainmnithe.

Déanfar gach coimeádán a úsáidtear chun dramhaíl ar cholbha an chosáin a thabhairt i láthair agus aon dramhaíl neamhbhailithe a bhaint d'aon bhóthar, cosán nó aon áit phoiblí eile tráth nach déanaí ná 08:00 ar an lá tar éis an lae bailiúcháin dramhaíola ainmnithe, mura mbeidh socrú de mhalaire air sin ceadaithe de réir fhodhlí 4

7. Cineálacha Dramhaíola Toirmisce

Ní dhéanfar dramhaíl teaghlaigh a chuimsíonn dramhaíl ghuaiseach nó dramhthrealamh leictreach agus leictreonacha chur i gcoimeádán dramhaíola cuí a bheidh le bailiú ar cholbha an chosáin.

8. Dramhaíl Teaghlaigh a Leithlisiú, Éilliú a Chosc agus Bailiúchán Dramhbhia a Leathnú

(a) Faoi réir mhír (c), déanfar dramhaíl teaghlaigh ar cholbha an chosáin a leithlisiú mar dhramhaíl teaghlaigh iarmharach ar cholbha an chosáin agus mar dhramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin, agus déanfar na codanna sin a stóráil ar leithligh. Ní dhéanfar aon dramhaíl inathchúrsála scartha den sórt sin a thaisceadh i gcoimeádán a bheidh ainmnithe le haghaidh dramhaíl teaghlaigh iarmharach ar cholbha an chosáin agus ní dhéanfar aon dramhaíl iarmharach den sórt sin a thaisceadh i gcoimeádán a bheidh ainmnithe le haghaidh dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin.

(b) Ní dhéanfar dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin ná dramhbhia a eascraíonn ó theaghlaigh a éilliú le haon chineál dramhaíola eile sula ndéanfar í a leithlisiú ná dá éis sin.

(c) i gcás go mbeidh teaghais suite laistigh de cheann de na limistéir dá dtagraítear i Sceideal 2, déanfar dramhaíl teaghlaigh ar cholbha an chosáin a leithlisiú mar dhramhaíl teaghlaigh iarmharach ar cholbha an chosáin, mar dhramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin agus mar dhramhbhia, agus déanfar na codanna sin a stóráil ar leithligh. Ní dhéanfar dramhaíl inathchúrsála den sórt sin a thaisceadh i gcoimeádán a bheidh ainmnithe le haghaidh dramhaíl teaghlaigh iarmharach ar cholbha an chosáin ná le haghaidh dramhbhia; ní dhéanfar dramhbhia scartha a thaisceadh i gcoimeádán a bheidh ainmnithe le haghaidh dramhaíl

teaghlaigh iarmharach ar cholbha an chosáin nó le haghaidh dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin.

9. Forálacha Breise do Shealbhóirí Tí nach mbaineann leas as Seirbhís Bhailiúcháin ar Cholbha an Chosáin

I gcás nach mbeidh áititheoir teaghaise páirteach i seirbhís bhailiúcháin dramhaíola teaghlaigh ar cholbha an chosáin, cinnteoidh an duine sin:

- (a) *go ndéanfar dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin, arna leithlisiú de réir fhodhlí 8 a thabhairt go dtí saoráid dramhaíola údaraithe agus go dtaiscfear í ansin ar mhodh lena gceadófar í a athchúrsáil nó a aisghabháil ar shlí eile,*
- (b) *go ndéanfar dramhaíl teaghlaigh iarmharach ar cholbha an chosáin, arna leithlisiú de réir fhodhlí 8, a thabhairt go dtí saoráid dramhaíola údaraithe, agus*
- (c) *go ndéanfar doiciméadacht, lena n-áirítear admhálacha, a fháil agus a choinneáil ar feadh tréimhse nach giorra ná bliain amháin chun cruthúnas a sholáthar go ndearnadh aon dramhaíl a baineadh ón áitreabh a bhainistiú ar mhodh atá de réir na bhfodhlíthe seo, an Achta um Bainistiú Dramhaíola agus Rialacháin an Aontais Eorpaigh (Dramhbhia Teaghlaigh agus Bíthdramhaíl), 2015, i gcás ina mbaineann an reachtaíocht sin leis an duine sin.*

Déanfar doiciméadacht a gceanglaítear leis an bhfodhlí seo í a fháil agus a choinneáil, nó cóipeanna den chéanna, a thabhairt ar aird do dhuine údaraithe laistigh de thréimhse ama a shonrófar in iarraidh i scríbhinn ón duine sin nó ó dhuine údaraithe eile a bheidh fostaithe ag Comhairle Contae Cheathlach.

10. Forálacha a dhéanann difear d'Fhoirgnimh Ilúsáideoirí, Bloic Árasáin, etc

Cinnteoidh cuideachta bhainisteoireachta, nó duine eile murab ann do chuideachta den sórt sin, a fheidhmíonn cumhacht agus maoirsiú ar ghníomhaíochtaí cónaitheacha agus/nó tráchtála i bhforbairtí ilaonad, i bhforbairtí ilchineálacha, in árasáin nó bloic árasán, i spásanna cónaithe/oibre comhcheangailte nó ionaid eile den tsamhail sin:

- (a) *go ndéanfar líon leordhóthanach gabhdán de mhéid leordhóthanacha sholáthar chun dramhaíl teaghlaigh inathchúrsála ar cholbha an chosáin agus dramhaíl teaghlaigh iarmharach ar cholbha an chosáin a leithlisiú, a stóráil agus a bhailiú go cuí,*
- (b) *go ndéanfar gabhdáin bhreise a sholáthar chun dramhbhia a leithlisiú, a stóráil agus a bhailiú go cuí i gcás gur ceanglas de chuid na reachtaíochta náisiúnta maidir le dramhbhia an cleachtas sin,*
- (c) *go ndéanfar na gabhdáin dá dtagraítear i míreanna (a) agus (b) a shuíomh laistigh d'aon árasán aonair agus ag an áit ina ndéantar dramhaíl a stóráil sula mbaileofar í araon,*
- (d) *go mbeidh aon áit ina mbeidh dramhaíl le stóráil sula mbaileofar í slán, inrochtana gach tráth ag tionóntaí agus áititheoirí eile agus nach mbeidh sí inrochtana ag aon duine eile ach bailitheoir dramhaíola údaraithe,*
- (e) *go ndéanfar faisnéis i scríbhinn a sholáthar do gach tionónta nó áititheoir eile faoi na socruithe le haghaidh dramhaíl a scaradh, a leithlisiú, a stóráil agus a thabhairt i láthair sula mbaileofar í,*
- (f) *go ndéanfar bailitheoir dramhaíola údaraithe a fhostú chun na gabhdáin dá dtagraítear san alt seo de na fodhlíthe seo a sheirbhísiú, agus go ndéanfar fianaise dhoiciméadach, ar nós admhálacha, ráitis nó cruthúnas eile ar íocaíocht a choinneáil ar feadh tréimhse nach giorra ná dhá bhliain, lena dtaispeánfar go ndearnadh an fostú sin. Tabharfar fianaise den sórt sin ar aird do dhuine údaraithe laistigh de thráth a shonrófar in iarraidh i scríbhinn ón duine sin nó ó dhuine údaraithe eile a bheidh fostaithe ag Comhairle Contae Cheathlach.*

- (g) go ndéanfar gabhdáin le haghaidh dramhaíl ar cholbha an chosáin a thabhairt i láthair ar an lá bailiúcháin dramhaíola ainmnithe,
- (h) go ndéanfar bealach leordhóthanach isteach san áitreabh agus amach as an áitreabh ag feithiclí bailiúcháin dramhaíola a chothabháil.

11. Bac a Chur ar Bhailiúchán Dramhaíola Ordúil

- (a) (a) Ní dhéanfar, go toiliúil, bac a chur ar fhostaithe de chuid bailitheora dramhaíola údaraithe nó de chuid Chomhairle Contae Cheathlach a bheidh ag gabháil do dhramhaíl a bhaint ná ní chuirfear isteach orthu ná ní dhéanfar moill a chur orthu ná cur isteach orthu ar shlí eile fad a bheidh siad ag gabháil do dhramhaíl a bhailiú.
- (b) Mura mbeidh na gníomhaíochtaí seo a leanas faoi réir a gceadaithe ag an mbailitheoir dramhaíola údaraithe a bheidh freagrach as an gcoimeádán, ní dhéanfar micrishlis a bheidh greamaithe de choimeádán dramhaíola cuí nó aon mharc aitheantais, suaitheantas, lipéad, clib, diosca nó rud eile a bheidh greamaithe den choimeádán nó de mhála bruscair nó de choimeádán eile, nach mbeidh a thréimhse nó a tréimhse feidhme istigh, a bhaint, a dhamáistiú, a dhíothú ná ní bhainfear dó ná dí ná ní dhéanfar é nó í a dhéanamh neamhoibríoch ar shlí eile.
- (c) (c) Maidir le dramhaíl arna stóráil nó arna tabhairt i láthair chun í a bhailiú:
 - (i) ní dhéanfar í a fhorlíonadh le dramhaíl arna cur léi ag duine eile mura mbeidh an duine sin údaraithe chun déanamh amhlaidh ag an duine a bheidh á stóráil nó, de réir mar a bheidh, a bheidh ag tabhairt an choimeádáin dramhaíola i láthair lena bailiú
 - (ii) ní chuirfidh duine eile isteach uirthi ar shlí eile.
- (d) (d) Ní dhéanfaidh aon duine ach fostaí de chuid bailitheora dramhaíola údaraithe nó de chuid údarais áitiúil dramhaíl a thaisceadh i bhfeithicil bailiúcháin dramhaíola

12. Forálacha breise maidir le Dramhaíl Tráchtála

Ní dhéanfar dramhaíl tráchtála a thaisceadh ag aon saoráid 'fág anseo' arna soláthar ag Comhairle Contae Cheathlach nó thar a ceann.

13. Forálacha Forfheidhmiúcháin/Fógraí Íocaíochta Seasta.

- (a) Faoi réir mhír (b), aon duine a bheidh ciontach i sárú na bhfodhlíthe seo, dlífead pionós nach mó ná €1500 a chur air nó uirthi.
- (b) Ní bheidh feidhm ag mír (a) i gcás inar eisíodh fógra íocaíochta seasta de réir na Rialacháin um an Acht Rialtais Áitiúil (Fodhlíthe), 2001 agus go mbeidh íocaíocht iomlán déanta ag an duine faoi réir an fhógra sin.
- (c) I gcás go leanfar d'aon fhoráil de na fodhlíthe seo a shárú tar éis do dhuine a bheith faoi réir na fíneála dá dtagraítear i mír (a), aon duine a bheidh ciontach i gcion a bhaineann leis an sárú leanúnach sin, dlífead pionós nach mó ná €100 a chur air nó uirthi in aghaidh gach lae a leanfaidh an sárú tar éis an chiontaithe sin.
- (d) Féadfar fógra íocaíochta seasta a eisiúint ar dhuine a fhaightear gur sháraigh sé nó sí na fodhlíthe seo nó go bhfuil siad á sárú aige nó aici íocaíocht €75 a dhéanamh. Déanfar íocaíocht an fhógra sin laistigh de 21 lá ó dháta an fhógra chun ionchúiseamh an duine faoi réir an fhógra sin mar gheall ar na fodhlíthe seo a shárú a sheachaint.

SCEIDEAL 1. Dramhaíl Inathchúrsála ar Cholbha an Chosáin

| Páipéar | Cannaí Alúmanaim | Buidéil Phlaisteacha (PET 1) |
|--|---|-------------------------------------|
| Nuachtáin | Cannaí deochanna | Buidéil mhianraí |
| Irisleabhair | Cannaí sóide & beorach | Buidéil uisce |
| Dramhphost | | Buidéil folcadh béil |
| Clúdaigh litreach | Cannaí Cruach | Buidéil bhlastáin |
| Páipéar | Cannaí bia peataí | |
| Eolairí gutháin | Cannaí bia | Buidéil Phlaisteacha (HDPE2) |
| Catalóga | Stáin brioscáí | Buidéil bhainne |
| Boscaí ciarsúir | Stáin anraith | Buidéil shúlaigh |
| Málaí siúcra | | Buidéil chosmaidí |
| Féilirí | Cairtchlár | Buidéil seampú |
| Dialanna | Boscaí bia | Buidéil ghlantacháin tí |
| Litreacha | Boscaí gránach | Buidéil ghlantaigh níocháin |
| Páipéar ríomhaire | Feadáin tuáille cistine | Buidéil ghlantaigh fuinneoga |
| Cartáin deochanna & súlaigh úsáidte | Boscaí beartáin | Buidéil an tseomra folctha |
| Cartáin bhainne | | |
| Boscaí uibheacha | Plaisteach - Potáí, Tráidirí agus Tobáin | |
| Bróisiúir saoire | Potáí iógairt | |
| Malaí páipéir prátaí | Tobáin margairín | |
| | Tráidirí dochta bia | |
| | Coimeádáin leacht ghallúnaí | |

Is féidir Tuilleadh Eolais a fháil ar www.mywaste.ie

SCHEDULE2. Rialacháin an Aontais Eorpaigh (Dramhbhia Teaghlaigh agus Bithdhramhaíl),(IR Uimh. 430 de 2015)

Baile Cheatharlach

An Tulach

Muinebeag

Ráth Bhile

Leithghlinn an Droichid

Baile Haicéid

Balana

An Bhuiríos

