

VILLAGE OF MCBRIDE

SOLID WASTE COLLECTION BYLAW NO. 736, 2013



“A TOWN ON TRACK”

SOLID WASTE COLLECTION BYLAW NO. 736, 2013.

Amending Bylaws to the Village of McBride Solid Waste Collection Bylaw No. 736, 2013

Description	Amending Bylaw No.	Amend Bylaw Adoption Date

THE CORPORATION OF THE VILLAGE OF MCBRIDE

SOLID WASTE COLLECTION BYLAW NO. 736, 2013

A Bylaw of the Corporation of the Village of McBride to establish a Solid Waste collection service, and to regulate, prohibit and impose requirements in relation to that service.

WHEREAS, the *Community Charter* enables the Village to provide a Solid Waste collection service that the Council considers necessary or desirable;

AND WHEREAS the *Community Charter* enables the Council to, by bylaw, regulate, prohibit and impose requirements in relation to a Solid Waste collection service;

AND WHEREAS the Village is operating and maintaining a Solid Waste collection service on a self-liquidating basis in a manner responsive to community needs;

NOW THEREFORE the Council of the Corporation of the Village of McBride, in open meeting assembled, **ENACTS AS FOLLOWS:**

PART 1 - CITATION

1.1 This Bylaw may be cited as the “Village of McBride Solid Waste Collection Bylaw No. 736, 2013”

PART 2 - DEFINITIONS

2.1 Unless otherwise defined herein, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act* and the *Community Charter*. In this Bylaw:

“Authorized Person” means the Chief Administrative Officer of the Village or a person designated in writing, electronic or hard copy, by the Chief Administrative Officer to carry out any act or function under this Bylaw;

“Council” means the elected officials of the Village;

“Dwelling” means accommodation providing sleeping, washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household;

“Dwelling, One Unit” means a building containing only one Dwelling exclusively used for occupancy by one Household;

“Dwelling, Two Units” means a building containing only two Dwellings, each designed and used for the exclusive occupancy by one Household;

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“Garbage” means discarded, abandoned or rejected items and materials, animal or vegetable food waste, and household waste;

“Garbage Container” means a receptacle made of galvanized iron or plastic that is specifically designed to contain Garbage;

“Household” means:

- a) a person;
- b) two or more persons related by blood, marriage, common law relationship, or adoption, together with not more than two persons unrelated to such persons; or
- c) a group of not more than 6 persons who are not related by blood, marriage, common law relationship or adoption;

all living together in a Dwelling, comprising a single housekeeping group and using cooking facilities shared in common. Unrelated persons may include owners, renters, tenants, boarders, paid domestic servants, or foster children;

“Lane” means a highway not exceeding 10.0 m in width;

“Manager” means the Public Works Supervisor of the Village;

“Occupier” has the meaning given by the *Community Charter*, as amended from time to time;

“Owner” has the meaning given by the *Community Charter*, as amended from time to time, and in relation to strata property, includes a strata corporation;

“Real Property” has the meaning given by the *Community Charter*, as amended from time to time;

“Solid Waste” means refuse accepted for disposal at the transfer station, but excluding prohibited waste.

“Solid Waste Collection Service” means the service provided by or on behalf of the Village pursuant to this Bylaw for collection of Solid Waste;

“Village” means the Corporation of the Village of McBride; and

“Yard Waste” includes grass clippings, leaves, tree trimmings, plant remains and stumps or branches less than 15 centimetres (6 inches) in diameter and less than 1 metre (39 inches) long, but does not include lumber, rocks, soil, or sod.

PART 3 – GENERAL PROVISIONS

3.1 This Bylaw applies to the collection of Solid Waste within the Village.

3.2 Words in this Bylaw directing or empowering any officer or employee of the Village to do any act or thing, or to otherwise applying to him by name of office, include his successors in such

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office and his lawful deputy, and any person the Council may from time to time by bylaw or resolution designate to act in his place.

- 3.3 The Manager is delegated the power, duty and function of administering this Bylaw; and the direction, control and supervision of the Solid Waste Collection Service.
- 3.4 The Manager, or person designated as a Bylaw Enforcement Officer of the Village, may enter onto any Real Property, in accordance with Section 16 of the *Community Charter*, S.B.C. Chapter 21, to inspect and determine whether conditions of this Bylaw are being met.

PART 4 – ESTABLISHING THE SERVICE

- 4.1 The Village hereby establishes the Solid Waste Collection Service within the area specified in Schedule "A", and operating, maintaining and regulating the Solid Waste Collection Service.

PART 5 – ESTABLISHING THE CLASS OF PROPERTIES

- 5.1 Solid Waste Collection Service will be provided to Owners and Occupiers of the following classes of Real Property:
 - a) Dwelling, One Unit;
 - b) Dwelling, Two Units; and
 - c) Businesses, schools and hospitals within the specified area set out in Schedule "A" that, in the opinion of the Authorized Person, have waste that is typical of residential Garbage.

PART 6 – TERMS AND CONDITIONS

- 6.1 Solid Waste placed for collection must be securely enclosed in a Garbage Container with watertight cover and two secured handles, having a maximum capacity of not more than 80 litres (18 gallons) and a gross weight of not more than 23 kilograms (50 pounds).
- 6.2 The Owner or Occupier served by the Solid Waste Collection Service is limited to two Garbage Containers for collection, per Dwelling, per week. The Authorized Person may use his or her discretion in collecting any Garbage Containers in excess of two per Dwelling per week.
- 6.3 Despite Section 6.1 of this Bylaw, if the Real Property is within an area that is designated by the Village or Authorized Person, as being frequented by bears or cougars, the Village may provide the Owner or Occupier of the Real Property with a bear-resistant container; in which case, the Owner or Occupier must ensure that any and all Solid Waste is securely enclosed within the provided container. The Owner or Occupier of the Real Property is responsible for the safe-keeping of the container.
- 6.4 Solid Waste Collection Service will not be provided where the Village determines that personnel using Solid Waste Collection Service vehicles cannot readily access or serve a Real Property in a safe and efficient manner for any of the following reasons:

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- a) The road, Lane or other access route adjacent to the Real Property is not sufficiently wide or otherwise does not allow for, or facilitate, turning of the Solid Waste Collection Service vehicles;
 - b) The road, Lane or other access route used to access the Real Property is not a City or Province-owned road; or
 - c) Access has been restricted by the use of a security gate.
- 6.5 An Owner or Occupier of Real Property located within the Specified Area shown in Schedule “A” that does not receive Solid Waste Collection Service must arrange for collection, removal and disposal of Solid Waste in accordance with this Bylaw, through a contractor appropriately licensed to provide such service.
- 6.6 No person shall include any of the items in Schedule “C” Solid Waste Collection – Prohibited Waste in Garbage put out for collection by the Solid Waste Collection Service:
- 6.7 No property shall include cardboard waste generated at the premises for Solid Waste Collection. The Village will not be responsible for the disposal of such cardboard. The Owner or Occupier must ensure that all cardboard generated or stored on the Real Property is removed from the Real Property or premises at least once every two weeks and is delivered to a transfer station.

PART 7 – FREQUENCY, TIME, AND PLACE OF SOLID WASTE COLLECTION SERVICE

- 7.1 Solid Waste will be collected once each week within the Solid Waste Collection Service within the Specified Area as shown in Schedule “A”.
- 7.2 In circumstances where adverse weather or road conditions, construction activity, strikes or labour shortages, or other unusual conditions would, in the opinion of the Village or Authorized Person, render Solid Waste Collection Service not feasible, practical, or safe on the day or days scheduled, the Village or Authorized Person may direct alternate arrangements until it is again feasible, practical, and safe to provide the Solid Waste Collection Service according to the day or days scheduled.
- 7.3 There is no regularly scheduled Solid Waste Collection Service on Saturday, Sunday or statutory holidays.
- 7.4 Between the hours of 5:00 a.m. and 7:00 a.m. on the day designated Solid Waste Collection Service, the Owner or Occupier of Real Property receiving Solid Waste Collection Service must place any and all Solid Waste in a Solid Waste Container in full view and within 1.0 metre (39 inches) of the curbside of civic access serving the Real Property.

PART 8 – STORAGE OF SOLID WASTE

- 8.1 Every Owner or Occupier of Real Property or premises must ensure that any and all Solid Waste, while remaining on the Real Property or premises, is stored in a safe, sanitary, and inoffensive manner.

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- 8.2 Without limiting the generality of Section 8.1 of this Bylaw, every Owner or Occupier must ensure that any and all Solid Waste generated on the Real Property or premises is stored in such a manner as to avoid attracting rodents, raccoons, coyotes, cougars, bears, and crows.
- 8.3 Where no Solid Waste Collection Service is provided to a Real Property or premises, the Owner or Occupier must ensure that all Solid Waste generated or stored on the Real Property is removed from the Real Property or premises at least once every two weeks and is delivered to a Transfer Station.

PART 9 – CONDITION OF CONTAINERS

- 9.1 Every Owner or Occupier of Real Property or premises within the Village boundaries must keep all containers for Solid Waste in good condition, and must repair or replace any Solid Waste Container which becomes damaged, unsafe or dangerous to a person who handles them.
- 9.2 Every Owner and Occupier of a commercial, institutional, or industrial property or premises must ensure that Solid Waste Containers:
- a) Are placed on private property and not in the road allowance, sidewalk, land, boulevard or other Village property, excluding Lanes;
 - b) Have their lids securely closed at all times, except when being filled or emptied; and
 - c) Are maintained, along with the area immediately surrounding the container, in a clean and tidy condition at all times.
- 9.3 The Village may provide commercial or institutional containers, if available, for businesses, schools, and hospital. These bins are not provided for residential or personal use. Anyone caught using commercial or institutional containers for residential or personal use will be subject to penalties as specified in Section 11.2.
- 9.4 The Village reserves the right to provide a locking system for the commercial containers to prevent unauthorized use.

PART 10 - FEES AND CHARGES

- 10.1 The Owner or Occupier shall pay, in addition to all other rates, charges and fees for Solid Waste collection the amounts specified in the Village of McBride Fees and Charges Bylaw, as amended from time to time.
- 10.2 Pursuant to the *Community Charter*, unpaid fees may be collected in the same manner and with the same remedies as property taxes.
- 10.3 Accounts for annual charges for the Solid Waste Collection Service are rendered on January 1 of each year.
- 10.4 Where the Solid Waste Collection Service for a Real Property commences after the accounts for

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the annual charges have been rendered, the charge payable by the Owner will be pro-rated for the remaining portion of the year.

- 10.5 An Owner of Real Property is deemed to have applied for Solid Waste Collection Service effective the first day of the third month following the application for a building permit.
- 10.6 If the Village is unable to provide Solid Waste Collection Service to a Real Property that would normally be provided this service, the Village will apply a credit to the residential tax account.

PART 11 – OFFENCE AND PENALTY

11.1 Offence

- 11.1.1 A person must not dispose of any Solid Waste, except in accordance with this Bylaw.
- 11.1.2 A person, other than the Village or its agents and Authorized Persons, must not operate a service for collecting Solid Waste from the properties within the Village boundary.

11.2 Penalty

- 11.2.1 Any person contravening or committing any breach of or committing any offence against any provision of this Bylaw or who suffers or Permits any act or thing to be done in contravention of or in violation of any of the provisions of this Bylaw or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this Bylaw prescribed or imposed or required to be done is liable, on summary conviction, to a fine not more than \$2,000, and the cost of prosecution; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.

PART 12 - REPEAL

- 12.1 “Village of McBride Garbage Collection System Bylaw No. 571, 1997” and all its amendments are repealed.

READ A FIRST TIME this 26 day of November , 2013.

READ A SECOND TIME this 26 day of November , 2013.

READ A THIRD TIME this 26 day of November , 2013.

All three readings passed by a **unanimous** decision of Members of Village Council present and eligible to vote.

ADOPTED THIS THE 11 DAY OF FEBRUARY , 2014, BY A UNANIMOUS DECISION OF ALL MEMBERS OF

SOLID WASTE COLLECTION BYLAW NO. 736, 2013.

COUNCIL PRESENT AND ELIGIBLE TO VOTE.

MAYOR _____

ADMINISTRATOR _____

Certified a true copy of the "Village of McBride Solid Waste Collection Bylaw No. 736, 2013" as adopted.

Corporate Officer

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**SCHEDULE "A"
SOLID WASTE COLLECTION AREA MAP**

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SCHEDULE "B"
SOLID WASTE COLLECTION – PROHIBITED WASTE

- a) Material that is or may become explosive;
- b) Highly flammable materials;
- c) Hot or loose ashes;
- d) Household batteries, whether rechargeable or non-rechargeable;
- e) Raw sewage;
- f) Animal feces, other than cat litter, or dog litter if:
 - i. The plastic bags containing the litter is securely tied;
- g) Dead animals;
- h) Free water or other liquids;
- i) Biomedical waste or sharps (syringes, needles, injection devices, blades, and similar items);
- j) Petroleum-based oils, containers and filters (motor oil and oil filters, lubricating oil, transmission oil, hydraulic oil, and similar oils);
- k) Any form of grease, unless securely wrapped or enclosed in waterproof material;
- l) Paint and pesticides;
- m) Rocks;
- n) Demolition materials;
- o) Gyproc or gypsum wallboard;
- p) Wire;
- q) Heavy pieces of metal or car parts;
- r) Yard Waste;
- s) Items of any kind that are larger than 60 centimetres (24 inches) in any dimension;
- t) Dangerous or highly offensive wastes, including, without limitation, all substances within the definition of "hazardous waste" in the *Hazardous Waste Regulation*, B.C. Regulation 63/88, under the *Environmental Management Act*.