

CITY OF PRINCE RUPERT

SOLID WASTE MANAGEMENT BYLAW NO. 3405, 2016

A BYLAW REGULATING THE COLLECTION AND DISPOSAL OF SOLID WASTES AND THE CHARGES, METHODS AND REQUIREMENTS TO OPERATE AND MAINTAIN A SOLID WASTE DISPOSAL SITE.

WHEREAS the *Community Charter*, SBC 2003, Chapter 26, provides that Council may by bylaw establish, maintain and operate grounds for disposal of solid wastes and of noxious, offensive or unwholesome substances and to establish and maintain a system to collect, remove and dispose of such solid wastes, substances and discarded matter and to compel persons to make use of such a system and prescribe the terms and conditions for the use thereof; and

WHEREAS the Council deems it necessary to provide and continue such a system in the City of Prince Rupert;

NOW THEREFORE the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

PART 1 DEFINITIONS AND INTERPRETATION

Title:

1.1 This Bylaw may be cited as “**Solid Waste Management Bylaw No. 3405, 2016.**”

Definitions:

1.2 In this **Bylaw**:

“**active face**” means the area of the *disposal site* that is currently being filled with *solid waste*;

“**add-a-day system**” means the scheduling system in which the day for collection of *solid waste* advances by one day following any holiday recognized by the *City*;

“**approved disposal site**” means a site for the deposit and disposal of *solid waste*, recyclable materials, or both, which is either owned or operated by the *City* or is authorized by the *City* as a disposal site;

“**Asset Management Reserve Fee**” means a surcharge collected to repair and replace the service infrastructure assets for present and future needs of users.

“**attendant**” means the *person* authorized to perform the duty of directing and controlling access to the *Landfill Site*;

“**attractant**” means any *waste* which could reasonably be expected to attract *wildlife* or does attract *wildlife* including but not limited to kitchen waste, food products, pet food, bird feed, compost, grease, fruit, honey, salt, or chemical products;

“**City**” means City of Prince Rupert;

“**Commercial Collection Service**” means any *trade* or *institutional* premise using City Collection Services.

“**container**” means a container used to hold *waste*;

“**contaminated water waste**” means water which contains more than a minor trace, as determined by the *Director of Operations*, of a petroleum/grease product and includes wastewater from facilities where maintenance or lubrication of vehicle/equipment components are washed or where solvents are used for removal of paint, grease or oils. It will be the determination of the *Director of Operations* as to what level of contamination is deemed to be minor and therefore acceptable at the *Landfill Site* or what level of contamination is more than minor and unacceptable at the *Landfill Site*, but under no circumstance is it to include the classification of ‘Special Waste’ under the Waste Management Act;

“**controlled waste**” means certain *waste* which is approved for disposal at the disposal site but which, because of its inherent nature or quantity, requires special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution, and shall include those wastes outlined in the schedule attached hereto as Schedule “C”;

“**cover**” means material that is of a gravel/soil type nature, is compactable, and does not contain large pieces of debris;

“**creosote**” means a dark brown oil, distilled from coal tar, used as a wood preservative;

“**cruise ship international garbage**” means low risk and high risk garbage offloaded from foreign vessels which has written approval from the Canadian Food Inspection Agency in the form of a “Certificate for Disposal of *Low Risk International Garbage*”;

“**curbside collection service**” means the system established under this Bylaw by the City for the collection and removal of solid waste solid waste;

“**Director of Operations**” means the person holding the title of “Director of Operations” at the City of Prince Rupert, or his/her designate;

“**Disposal Site**” means that area of the *Landfill Site* which accepts certain *solid wastes, controlled wastes, cover, and low risk international garbage*;

“**dwelling unit**” means any building, or one or more rooms connected together within a building, for residential occupancy as a single housekeeping unit with facilities for cooking, eating, living, sleeping, and sanitary facilities and having a separate entrance, but does not include any building containing a store, or a *multiple family premises*;

“**insecure load**” means a load of *solid waste* that has not been secured to, or confined within, a vehicle in such a manner that it cannot fall from or blow out of the vehicle while the vehicle is in transit;

“**Landfill Site**” means the *City Landfill Site* and describes an area of land located off Ridley Island Road that includes a “*Disposal Site*” and a “*Recyclable Site*”;

“**multiple family premises**” means a building or part thereof which is, or is intended to be, for residential occupancy, usually with facilities for cooking, eating, living, sleeping, and sanitary facilities, and having a common entrance to four or more such *dwelling units*, and shall include apartment buildings, hotels, motels, tenement houses, lodging houses, rooming houses, boarding houses, or any business block which is, or is intended to be occupied by four or more *persons* in individual rooms or *dwelling units*;

“**non-compliance notice**” means a notice of violation issued in accordance with this Bylaw;

“**non-profit organization**” means an incorporated organization or society which exists for educational, recreational or charitable reasons and from which shareholders or trustees do not benefit financially;

“**non-resident**” means an *owner* of lands and *premises* situated outside of the geographical boundaries of the City;

“**person**” means and includes natural persons of either sex, associations, co-partnerships and corporations, whether acting by themselves or by a servant, agent or employee;

“**owner**” means the registered owner of any lands and *premises* situated within the *City* and includes the agent, heir, executor, or administrator of the owner, or the lessee or occupier of the lands and *premises*;

“**premises**” means land composed of one or more parcels along with any building or group of buildings which may be located thereon and includes buildings located on land under common ownership or management,

“**prohibited waste**” means *solid waste* that is not acceptable at the *Landfill Site* and shall include those *wastes* outlined in Schedule “B” attached to and forming part of this Bylaw;

"recyclable material" means reusable or marketable materials such as those items described in Schedule "D" attached to and forming part of this Bylaw;

"Recyclable Site" means that area of the *Landfill Site* which accepts *recyclable material*;

"service period" means the period of time associated with scheduled *solid waste* collection services;

"solid waste" means any *waste* that originates from residential, commercial, industrial, institutional, demolition, land clearing, or construction sources or activities, or any other source, but excludes liquid waste or effluent;

"soot" means black carbonaceous residue of wood, coal, oil, and all other fossil fuels originating in open fires, chimney linings, boilers, furnaces, and other burners;

"sorted building debris" means construction or building demolition materials that have been manually or mechanically separated into products of clean wood, metals, and masonry materials, with no amounts of other mixed contaminants (i.e. very small pieces of drywall, gypsum, tar paper, wiring, etc.).

"sterilized biomedical waste" means non-anatomical *waste* which is generated by, but not limited to, the following: hospitals, laboratories, doctors' offices, clinics, veterinarians and which has been sterilized, and clearly identified as being sterilized, in a 'Certified Sterilization Facility' and as defined in the CCME Draft Code of Practice for the Management of Biomedical Waste in Canada (June 1991);

"tag" means the sticker sold by the City of Prince Rupert which is to be affixed to garbage bags in excess of the 2 bag limit for residential properties.

"temporary worker residence" means residences, including related facilities and infrastructure, used for workers' temporary accommodation for a defined period to support projects within and outside the geographical boundaries of the City;

"trade premises" means any commercial *premises* including a shop, café, restaurant, eating house, club, drive-in lunch counter, wholesale or retail business place, or office block, or any building other than an industrial operation, a *dwelling unit* or a multiple *family premises*;

"trade waste" means *waste* resulting from the operation of a trade *premises*;

"unacceptable waste" means those materials listed in Schedule "A" attached to and forming part of this Bylaw;

"uncovered load" means a load of *solid waste* of such a nature that it can fall from or blow out of the vehicle if it is not covered while in transit;

“unserviceable property” means:

- a) any *premises* to which access from a street is inadequate for collection service as determined by the *Director of Operations*; or
- b) any *premises* which by its lack of proximity to other *premises* being provided collection service would result in excessively high costs or time being allocated to service as determined by the *Director of Operations*;
- c) any *premises* the *Director of Operations* determines is unsafe to service;

“waste” means discarded, rejected or abandoned materials, substances or objects;

“white goods” means metal appliances such as refrigerators, freezers, washing machines, dishwashers, clothes dryers, ranges, stoves, furnaces, air conditioners and hot water tanks;

“wildlife” means any mammal not normally domesticated, including but not limited to bears, cougars, coyotes, wolves, foxes, raccoons and skunks; and

“wire rope” means metal in the form of a flexible thread or slender rod and/or a rope formed wholly or chiefly of wires.

- 1.3 Wherever the singular or masculine is used in the Bylaw the names shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs, executors, administrators, successors and assigns.

PART 2 PROHIBITIONS

2.1 No person shall:

- a) dispose of any type of *waste*, except in accordance with this Bylaw, and all other applicable municipal, provincial and federal laws;
- b) cause, allow or permit any *waste* to collect, accumulate or remain on *premises*, unless it is securely contained in a *container* meeting the specifications of this Bylaw;
- c) deliver, place, bury or dump, or cause or allow to be delivered, placed, buried or dumped, any *waste* anywhere in the *City* other than at the *Landfill Site* or an *approved disposal site*;
- d) place *solid waste* on or in front of another person's *premises* without the permission of that person;
- e) place *solid waste* in another person's *container* or in a container used by private contractors without the permission of that person or private contractor, as the case may be;
- f) cause, allow or permit any *container* to be filled above the top of the container, or any plastic bag, in such a way that the lid or cover cannot be closely fitted, the plastic bag cannot be securely fastened;
- g) deposit or leave any *waste* or other discarded material on any highway, public place

- or *premises* other than the *premises* on which the *solid waste* was generated, and no person shall remove *solid waste* from a *premises* except for the purpose of disposal in accordance with this Bylaw;
- h) transport any *waste* without securing the materials in an enclosure, under a cover or such other methods to ensure that all of the materials will reach the *Disposal Site* without spillage;
 - i) place any *unacceptable waste* at curbside for collection by the City;
 - j) cause, allow or permit *recyclable materials* to be discarded as *waste*;
 - k) remove, take, salvage or convert for their own purpose, any *solid waste* placed at any curbside collection location as part of the *curbside collection service* unless the person is:
 - l) the person who initially placed the material at curbside for collection by the City; or
 - m) an employee or agent of the City authorized to provide the *curbside collection service*;
 - n) interfere with, threaten or in any way obstruct any employee or agent of the City engaged in the provision of a *curbside collection service*;
 - o) cause, allow or permit any *attractant* to be deposited or kept outdoors on any *premises* in a manner that makes the *attractant* accessible to *wildlife*;
 - p) place wet *waste* in any *container* unless it is drained of excess moisture and wrapped in waterproof material;
 - q) allow to run into, accumulate in or place into a *container*, liquid, rainwater or other free water;
 - r) throw, sweep, or place any waste onto any *premises*, street, lane, walkway, sidewalk, or other public place in the *City*;
 - s) deposit or dispose in the *Landfill Site* any of the materials outlined on Schedule “B” (*prohibited wastes*), attached to and forming part of this Bylaw;
 - t) allow refuse of any kind to drop from or be blown from any vehicle or premises onto any other *premises*, street, lane, walkway, sidewalk, or other public place in the *City*; and,
 - u) dispose of *waste* if the vehicle used to transport the *waste* exceeds the weight restrictions of the weigh scale. Split-weighing will not be permitted.

PART 3 CURBSIDE WASTE COLLECTION SERVICE

City Collection:

- 3.1 It shall be lawful for the *City* to establish, regulate, continue, maintain and operate a *curbside collection service* within the *City* under the control and direction of the *Director of Operations* as follows:
- a) collection of certain residential *solid waste* from any dwelling unit; and
 - b) collection of commercial solid waste from any *trade premises* or *institutional premises* comprising of two (2) or less *containers* with a maximum of four garbage

bags in total per collection day,

At the frequency set out under this Bylaw.

3.2 The City shall not be required to collect *solid waste* from:

- a) a *multiple family premises*;
- b) a *trade premises* that has placed more than two (2) *containers* for collection;
- c) an industrial *premises*; and
- d) an *unserviceable property*.

General Conditions of Service:

3.3 The *City's* not to be liable for any damages suffered or costs incurred by any person by reason of the failure of the *City* to supply *curbside collection service*.

3.4 No *person* will be relieved of the obligation to observe the requirements of all applicable municipal, provincial and federal laws by reason of the services provided by the *City*.

3.5 The *City* shall not be responsible for the replacement of any *container* or lids damaged or lost for any reason whatsoever.

3.6 The *City* will not be responsible for the accidental collection of goods not intended to be placed for collection in the event that such goods are left in garbage bags.

Right to Refuse Waste:

3.7 The *City* reserves the right to refuse to collect all waste which is not acceptable at the *Landfill Site* or which does not comply with the provisions of this Bylaw or any other material as deemed by the *Director of Operations* to be unacceptable.

PART 4 DUTIES OF OWNERS

Duty to Remove Waste:

4.1 Every *owner* of *premises* shall, at least once each *service period*, dispose of any *waste* produced on such *premises* through any of the following means:

- a) by the *City's curbside collection service*;
- b) by a private *waste* collection service approved and licensed by the *City*;
- c) by otherwise removing or arranging for the removal of the *waste* to an *approved disposal site* for the *waste* being deposited.

- 4.2 Only *waste* generated within the geographical boundaries of the City is eligible for collection under the *curbside collection service* unless otherwise permitted under this Bylaw.
- 4.3 The *City* will not provide for the collection and disposal by means of the *curbside collection service* of any wastes other than *solid waste*. Every *owner* of a *premises* must provide for the legal collection and disposal of all other waste products not eligible for collection under the *curbside collection service*.
- 4.4 No person shall deposit *solid waste* from a residential property, *trade premises* or *institutional premises* into a *City* garbage receptacle located in public areas.

Noxious Waste:

- 4.5 An *owner* of *premises* shall immediately remove any noxious, offensive, or unwholesome *waste*, odour, matter or substance upon their *premises* to the *Landfill Site*, or other *approved disposal site*, and shall not permit such waste, matter or substance to be left upon the *premises* for collection through the *curbside collection service*.
- 4.6 If an *owner* fails to comply with Section 4.5, the *Director of Operations* may provide the *owner* written notice to remove the noxious, offensive, or unwholesome *waste*, odour, matter or substance and/or to wash and clean the *container* to eliminate the odour, within such time as the *Director of Operations* deems reasonable and, if the owner fails to have the noxious, offensive, or unwholesome *waste*, odour, matter or substance removed from the *premises* within the stipulated time, the *City* may, by its workmen or others enter at all reasonable times upon the *premises* and remove the noxious, offensive, or unwholesome *waste*, odour, matter or substance, in a reasonable manner at the expense of the *owner* who shall be charged at cost, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.
- 4.7 Any charges incurred by the *City* pursuant to Section 4.6 shall be due and payable upon receipt of notice from the *City* and any such charges remaining unpaid at December 31 of that year shall be added to and form part of the taxes payable on the *premises* as taxes in arrears.

Mandatory Service:

- 4.8 Every *owner* of *premises* shall pay for the collection of *solid waste* from their *premises* as herein provided and shall also pay for the use of the *approved disposal sites* as may be available from time to time except as otherwise permitted in this Bylaw.

Authority Not Exclusive – Others:

- 4.9 Any *person* may collect *solid waste*, and collect recyclable material, provided that they obtain the necessary licenses and comply with all applicable municipal, provincial and

federal laws and do not interfere with the *City waste collection service* or the recycling system operated by the North Coast Regional District.

- 4.10 *Owners* of *premises* listed in Section 3.2 shall, at their cost, make arrangements for *waste* collection by a private waste collection service provider approved and licensed by the *City* that disposes of *waste* at an *approved disposal site*.

Unacceptable Materials:

- 4.11 An *owner* of any *solid waste* that cannot be placed in a *container* or that may cause harm to the collector must make arrangements to have the *solid waste* disposed of at the *Landfill Site* in designated locations, or as directed by the *attendant*, and upon payment of the designated disposal fee.

PART 5 CONTAINERS

General Specifications:

- 5.1 *Owners* are responsible for providing all *containers* required for their premises conforming to the following specifications:
- a) galvanized iron or plastic container specifically manufactured for the containment of waste;
 - b) equipped with a close-fitting watertight lid or cover that is animal, bird and insect proof;
 - c) having rigid handles which permit ease in handling; and
 - d) having a capacity of not more than 0.16 cubic meters (6 cubic feet).
- 5.2 *Solid waste* to be collected under the *curbside collection service* must be contained within durable plastic garbage bags that are a minimum of 76 cm x 80 cm and a maximum of 90 cm x 127 cm and have a maximum capacity of 17 kilograms in weight, properly fastened and closed and placed within a *container* that is loaded to a height not greater than 5 centimeters (2") from the top rim.
- 5.3 Every *owner* shall provide and maintain in sanitary condition and in good order of repair, containers sufficient in number to, at all times, contain all *solid waste* for collection.
- 5.4 All *solid waste* put out for collection which does not comply with the requirements of this Bylaw will not be collected and may be marked with a *non-compliance notice* setting out the reason which it was not collected.

Number of Bags:

- 5.5 Basic residential collection charges are for two (2) garbage bags only per collection day.

- 5.6 An *owner* may have in excess of two (2) garbage bags by purchasing and affixing a *tag* to each additional garbage bag, for the fee specified in this Bylaw.
- 5.7 When a *trade* or *institutional* premise has an excess of four (4) garbage bags per collection day, as per Section 3.1 b, they will be charged for each additional garbage bag at the fee specified in this Bylaw.

Placement of Containers:

- 5.8 *Containers* must be stored in a location that does not encroach upon or project over any highway or other public place except during times that the *containers* are put out for collection in accordance with this Bylaw.
- 5.9 The placement of containers for *City* collection shall be as follows:
- a) where premises are serviced by street collection, *containers* shall be set out, on the scheduled day for collection, not more than 1.2 metres (4 feet) back from the curb or traveled portion, whichever is applicable, of the collection roadway in a location clearly visible to collection workers.
 - b) where premises are served by a lane collection, garbage containers must be easily accessible at the lane.
 - c) *containers* are not to be placed with the garbage of others or on the inside of a fence, hedge, etc., on collection day.
 - d) *containers* shall not be placed so as to obstruct vehicles or pedestrians.
- 5.10 In the event there is more than one possible collection roadway for *solid waste collection*, the *Director of Operations* shall determine the location of collection.

Storage Sheds:

- 5.11 All facilities such as stands, sheds or other structures that are to be used to disguise or store containers awaiting collection shall meet with the approval of the *Director of Operations*.

Frequency of Curbside Collection Services:

- 5.12 Unless otherwise approved by the *Director of Operations* and scheduled accordingly, residential *solid waste* shall be collected once each service period on the same day of each week according to the *add-a-day system*.
- 5.13 Under the *add-a-day system* where a collection day falls on a holiday recognized by the *City*, the schedule for residential collection advances one day for each such holiday.

- 5.14 Unless otherwise approved by the *Director of Operations* and scheduled accordingly, commercial *solid waste* shall be collected on Mondays and Thursdays (other than after a holiday recognized by the City).

Collection Time:

- 5.15 Every *owner* of a *dwelling unit* served by City collection services shall, on the regular collection day for that *dwelling unit*, ensure that all *solid waste* is placed at curbside for collection by 8:00 am. All emptied *containers* shall be removed from the curb within 16 hours of collection.
- 5.16 Every *owner* of *trade premises* served by City collection services shall, on the regular collection day for that *premises*, ensure that all *solid waste* is placed at curbside for collection by 9:00 am. All emptied *containers* shall be removed from the curb within 15 hours of collection.
- 5.17 *City* collectors **will not return** for *solid waste* that was not placed at curbside for collection at the times designated in Sections 5.15 and 5.16.

Safe Collection Area:

- 5.18 Every *owner* of premises shall on the regular collection day for that *premises* ensure that pathways are cleared of all snow, ice, and other hazards.
- 5.19 *City* collectors will not collect *solid waste* that is not accessible by a safe, cleared pathway.

Suspension of Service:

- 5.20 The *City* may suspend *curbside collection service* from any *premises* where the provisions of this Bylaw are not met, including but not limited to, bagging of wastes, number of bags, lack of standard *containers*, location or design of collection facilities, or the condition of *wastes*, but such suspension shall not waive any requirement, or abate or waive any charges or rates, under the provisions of this Bylaw.

PART 6 PRIVATE WASTE COLLECTION SERVICE

Private Collection:

- 6.1 Every *owner* of a *premises* not eligible or opts out of the *City's curbside collection services*, shall arrange to rent receptacles from a private *waste* collection firm and shall, on the regular collection day for that *premises*, cause to be removed all wastes from all *premises* of the *owner*.

Private Containers:

- 6.2 Every *person* who has entered into a contract with a licensed contractor for the removal of *solid waste* shall:
- a) use only those containers supplied or specified by the contractor; and,
 - b) keep the container(s) and the area around them in a condition not noxious, offensive, objectionable, or dangerous to the public or to public health.

Responsibilities of Private Contractors:

- 6.3 All private contractors operating within the *City* must comply with the following regulations:
- a) Containers must at all times be:
 - i. kept in good repair; and
 - ii. designed and maintained so as to prevent the intrusion of rain water or wildlife into the container and so as to contain any and all liquids comprising part of, or which escape from, the *solid waste*; and,
 - iii. approved by the *Director of Operations*.
 - b) All vehicles used for the collection of *solid waste* that is liable to rot or putrefy must be of a closed metal type, suitably designed to contain the liquid by-products of any rotting or putrefaction.
 - c) Subject to the provisions of the City's Noise Control Bylaw, the hours of operation in and adjacent to residential areas are limited to the period between 7:00 a.m. and 9:00 p.m.
 - d) All collecting, transporting, processing, converting or salvaging of any *solid waste*, must be carried out so as not to be offensive or objectionable.
 - e) Any *solid waste* that will not immediately be processed, converted or salvaged, must be removed as directly as possible on the day of collection to an *approved disposal site*.
 - f) All containers used by private contractors or their customers must, unless approved by the *Director of Operations* to occupy a street, lane, walkway, sidewalk, or other public place, be kept on private *premises* at all times.
 - g) Ensure that customers are equipped with suitable, and a sufficient number of, containers so that the containers themselves, and the area around the containers, remains in a condition not noxious, offensive, objectionable, or dangerous to the public or to public health.
 - h) Every private contractor must keep areas around containers clean of all *solid waste* deposited outside of the container, whether the container is used by the private contractor or its customers.

PART 7 BUILDING OPERATIONS

- 7.1 No *person* carrying out building construction, maintenance, renovation, or demolition within the *City* shall:
- a) place or dump the *waste* accumulating from such construction or other operations on any lane, street, walkway, sidewalk or any public place; or
 - b) accumulate such *waste* on the *premises* where such construction or operations are being carried out without disposing of the waste at an *approved disposal site* within such time as the *Director of Operations* by written notice may deem reasonable.

Construction Clean-up Costs:

- 7.2 If the *owner* fails to comply with Section 7.1a) or b), the *City* may, by its workmen or others enter at all reasonable times upon the *premises* and remove the *waste* at the expense of the person carrying out the building construction, maintenance, renovation, or demolition at cost, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.
- 7.3 Any charges incurred by the *City* pursuant to Section 7.2 shall be due and payable upon receipt of notice from the *City* and any such charges remaining unpaid at December 31 of that year shall be added to and form part of the taxes payable on the *premises* as taxes in arrears.

PART 8 LANDFILL SITE REGULATIONS

Prohibited and Controlled Waste:

- 8.1 The *City* reserves the right to ban, refuse, or otherwise control the type and nature of waste which is to be deposited at the *Landfill Site*, and the *attendant* on duty or the *Director of Operations* may refuse any waste material he considers unacceptable.
- 8.2 If any *prohibited wastes* are deposited at the *Landfill Site*, they shall be removed immediately by the *person* depositing them.
- 8.3 In addition to requiring the removal of any *prohibited wastes* deposited at the *Landfill Site*, the *person* depositing such *prohibited wastes* shall also be required to pay any fees specified by bylaw for such unauthorized disposal.
- 8.4 No *person* shall deposit or dispose of any of the controlled materials set out in Schedule "C" (*controlled wastes*), attached to and forming part of this Bylaw, contrary to the special handling and/or disposal techniques determined to be in effect for that *controlled waste* by the *attendant* at the *Landfill Site* or by the *Director of Operations*.

- 8.5 Any *person* depositing or disposing of any *controlled waste* contrary to the special handling and/or disposal techniques determined to be in effect for that *controlled waste* by the *attendant* at the *Landfill Site* or by the *Director of Operations* without the prior written authorization of the *attendant* shall, in addition to any other penalties imposed or actions taken for such unauthorized disposal, pay any fee specified by bylaw for such unauthorized disposal.

General Disposal Regulations:

- 8.6 No *person* shall, in disposing *solid waste* at the *Landfill Site*:
- a) deposit *solid waste* without first having it weighed on the scales at the *Landfill Site*;
 - b) drive a vehicle anywhere on the *Landfill Site* except on roads provided by the *City* for that purpose unless otherwise instructed;
 - c) act in a manner contrary to the posted *Landfill Site* regulations;
 - d) having deposited *solid waste*, fail to pay the applicable disposal fee prescribed by this Bylaw;
 - e) deposit any *solid waste* at the *Landfill Site* until any outstanding disposal fees and/or scale use charges and interest owing thereon have been paid in full;
 - f) enter the *Landfill Site* in a vehicle if the vehicle's load exceeds the permitted weight limits set out in the regulations passed pursuant to the Motor Vehicle Act, or the Commercial Transport Act;
 - g) exceed the posted speed limits;
 - h) enter the *Landfill Site* with an *insecure load*;
 - i) enter the *Landfill Site* with an *uncovered load* (applicable to Commercial Vehicles only);
 - j) deposit *waste* in any place or manner other than as directed by the *attendant* or *Landfill Site* staff;
 - k) remove *waste* from the *Landfill Site* except with prior written approval of the *Director of Operations*;
 - l) loiter on the *Landfill Site*. All vehicles must proceed directly to the designated dumping area and leave the *Landfill Site* as soon as possible after unloading;
 - m) use the wash down facility to wash out the interior of truck boxes unless they have been granted access to deposit waste at the *active face*; or
 - n) smoke within the *Landfill Site*.

Wash Down Facility:

- 8.7 When operational, the tires and undercarriages of vehicles permitted access to the *active face* for the disposal of waste must be washed down at the wash down facility prior to leaving the *Landfill Site*. The wash down facility is not available during the winter season.

Recyclable Site:

- 8.8 The *City* may accept *recyclable material* into the *Recyclable Site*.
- 8.9 Building debris/demolition material must be sorted in order to be accepted at the *Recyclable Site* as defined under “*sorted building debris*”. No large pieces or amounts of unacceptable waste shall be permitted. Acceptance of the “*sorted building debris*” shall be at the discretion of the Scale Attendant.
- 8.10 All loads for the *Recyclable Site*, intended to be delivered on Saturday, must have prior written approval from the *Director of Operations* before being accepted.

Material Ownership:

- 8.11 All materials accepted by the *City* at the *Recyclable Site*, unless unlawfully deposited, shall become the property of the *City*, and may be sold or otherwise disposed of at the *City's* discretion.

Buildings, Mobile Homes, Boats & Trailer Demolitions:

- 8.12 Residential House, Mobile Home, Boats & Trailer demolitions will be accepted at the *Landfill Site* under the following conditions:
- a) all loads will be screened;
 - b) no *prohibited waste* will be permitted;
 - c) asphalt roofing is to be separated, weighed at the scale house, and staff will give directions for unloading at the *Disposal Site* and the regular disposal fees for general waste at the *Disposal Site* shall apply;
 - d) *sorted building debris* remaining after separation of asphalt roofing is to be weighed at the scale house, and staff will give directions for unloading at the *Recyclable Site*, and the disposal fees for *sorted building debris* at the *Recyclable Site* shall apply;
 - e) If large pieces and/or amounts of asphalt roofing is seen in a mixed load of *sorted building debris*, then the regular disposal fees for general waste at the *Disposal Site* shall apply; and,
 - f) wood or metal roofing materials are to be separated, and transported to the *Recyclable Site* and the disposal fees for the *Recyclable Site* shall apply.
 - g) mobile homes, boats or trailers must be demolished before crossing the scale, they will not be accepted as a whole unit;
 - h) steel trailer frames must be separated and taken to the *Recyclable Site*;
 - i) tires must be removed from rims and are not accepted at the *Landfill Site*; and,
 - j) boats must be stripped of fuel tanks, engines, oils and fluids.

Disposal by Non-profit Organizations:

- 8.13 *Non-profit organizations*, in order to benefit from the “non-profit organization” disposal rate, must have prior written approval from the *Director of Operations* before depositing their wastes at the *Landfill Site*.

PART 9 FEES AND CHARGES

- 9.1 For *City* residential and commercial collection services and for general disposal of solid wastes at the *Landfill Site*, the collection and disposal rates set out in Schedule “E” are hereby imposed and levied by the *City* and are due and payable to the *City* by the parties liable under this Bylaw for provision of *curbside collection services* or for disposal of such *solid waste*.

Residential Collection Charges Discontinued:

- 9.2 The rates set out in Schedule “E” for residential collection services are due and payable by the *owner* whether or not:

- a) the *dwelling units* are occupied
- b) the *owner* makes use of the service, or
- c) the service is interrupted or altered in any manner.

unless any of the circumstances in Section 9.3 apply and the prior arrangements referred to in Section 9.3 have been made.

- 9.3 Charges for residential *solid waste* collection will only be discontinued in respect of a *dwelling unit* if the owner has provided prior written notice to the *City* that:

- a) the *dwelling unit* is temporarily rendered uninhabitable because of fire or other similar disaster; or
- b) the *dwelling unit* is serviced by an approved alternate service and the *owner* has provided the name of the collection service to be used and the date private collection service will start; or
- c) the *dwelling unit* will not require such service for any period of time not less than three consecutive months; and
- d) the *dwelling unit* not receiving the service is unoccupied for the entire duration of the cessation of service; and
- e) the *owner* has either arranged for the Building Inspector to verify that the *dwelling unit* is empty and has paid the charge for this service in accordance with the general “Inspection Fees” under Bylaw 2420, 1982, Fee Schedule "A" and any amendments thereto, or the *owner* will obtain a water disconnect permit from the *City*, in which case charges will resume when water service is reconnected; and

- f) the *owner* enters into an agreement with the Finance Department regarding the discontinuation of collection service to the *dwelling unit* and his responsibility to notify the City if the *dwelling unit* is to be occupied at any time, in the future,
and in such event the charge or rate shall be abated or reduced pro rata as the case may be.
- 9.4 Should the *City* become aware that the *dwelling unit* has been occupied without notification, or that the private collection service has been terminated without reinstating *curbside collection service*, the City shall back charge the owner to the date of discontinuation of the collection service fee and charge the ten (10%) percent late payment penalty.

PART 10 PAYMENT OF ACCOUNTS

10.1 Payment of Accounts:

- a) Residential Accounts under Section 9.1 and in accordance with Schedule “E” shall be paid on an annual basis. Instalment payments can be made for any amount at any time. Interest shall be paid on these payments at the discretion of the Financial Administrator.
- b) **Commercial Accounts** under Section 9.1 and in accordance with Schedule “E” shall be rendered monthly or quarterly and shall be due and payable at the designated *City* Collection Office on or before the last working day of the month or quarter. Quarter means any three-month period ending on the last day of March, June, September, or December.
- c) **Landfill Site Disposal Charges** will be rendered monthly for those *persons* with an established credit account and shall be due and payable on or before the 30th day after the invoice date. Where a *person* liable to a disposal fee under Section 9.1 and in accordance with Schedule “E” does not have an established credit account, the fee payment must be made in cash to the *Landfill Site* staff prior to leaving the *Landfill Site*.

- 10.2 Failure to receive mail will not be recognized as valid excuse for failure to pay rates when due.

Outstanding Fees and Charges Added to Taxes:

- 10.3 Pursuant to the provisions of *Community Charter*, SBC 2003, Chapter 26 as amended, the fees and charges payable by the *owner* of any *premises* subject to the conditions and terms of this Bylaw, if remaining unpaid after the thirty-first day of December in any year, shall be deemed to be taxes in arrears in respect to that *premises* and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon premises in accordance with the applicable provisions of the *Community Charter*.

PART 11 CUSTOMER SERVICE

11.1 The *Director of Operations* will seek to ensure customer service and satisfaction in the provision of *solid waste* collection and disposal services to the local consumer. It will be his right and obligation to take such action as is deemed equitable and necessary in terms of service delivery, customer charges, and the long-term interest of the utility. Consumer relations, including advertising and marketing may also be done at the discretion of the *Director of Operations*.

PART 12 OFFENCES AND PENALTIES

Bylaw Contravention:

- 12.1 Any *person* who contravenes any provision of this Bylaw for which a specific penalty has not otherwise been specified commits an offence of this Bylaw.
- 12.2 Every person who commits an offence punishable on summary conviction shall be liable to a fine of not more than \$10,000 or the imprisonment for not more than six months, or both, or such other maximum penalties as set out in the *Community Charter SBC 2003*, Chapter 25, as may be amended or replaced from time to time.
- 12.3 This Bylaw may be enforced under the *Offence Act*, R.S.B.C. 1996, chapter 338, or the City of Prince Rupert Ticket Information Bylaw No. 2783, 1992, as may be amended or replaced from time to time.
- 12.4 Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence.

Specific Penalties:

- 12.5 The *City* reserves the right to suspend collection services, or to charge a fee of \$30.00 per incident, to the *owner of premises* when:
- a) *approved containers* are not used,
 - b) *containers are overfilled* and the lid is not secured.
- 12.6 When a violation of Section 12.2 results in solid waste spills or is spread by animals, birds or wind onto *City* property, *solid waste* collectors will clean up *solid waste* and the *owner* will be invoiced for the cost of such clean up, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.

Right of Entry:

12.7 For the purpose of collection, removal and disposal of *solid wastes*, and other noxious, offensive, unwholesome and discarded substance or matter, and ascertaining whether the provisions of this Bylaw are observed, authorized *solid waste* collectors and employees

of the City shall have the right to enter upon any *premises* in the *City* during reasonable daylight hours on any day of the week.

Other Remedies:

12.8 Nothing in this section affects any other right or remedy of the *City* in respect of any violation of any provision of this Bylaw.

PART 13 SEVERABILITY

Severability:

13.1 If any section, subsection, clause, sub clause, phrase or any other part, of this Bylaw is for any reason held to be invalid, void or ineffective by the decision of any court of competent jurisdiction, the part in question is to be severed from the rest of this Bylaw and that does not affect the validity of the remainder of this Bylaw, which is to be interpreted and applied as if this Bylaw had been enacted without the severed part.

PART 14 ADOPTION AND REPEAL

Adoption:

14.1 This Bylaw shall come into full force and effect upon its final passage and adoption, except Schedule “E” which shall come into force on January 1, 2017.

Repeal:

14.2 “Solid Waste Management Bylaw No. 3358, 2014”, and its amendments are hereby repealed except Schedule “E” which will be repealed on the effective date of the substitute Schedule in this Bylaw .

Read a First time this 12th day of December, 2016.

Read a Second time this 12th day of December, 2016.

Read a Third time this 12th day of December, 2016.

Final Consideration and Adopted this 14th day of December, 2016

Mayor

Corporate Administrator

**SCHEDULE “A” to
Solid Waste Management Bylaw No. 3405, 2016**

UNACCEPTABLE WASTES FOR CITY COLLECTION SERVICE

The following waste materials will not be collected by City collection forces and shall not be placed by any person in any container or other location for collection by the City:

1. any prohibited wastes described in Schedule “B”.
2. any controlled wastes described in Schedule “C”.
3. trade waste to be collected from residential premises.
4. industrial wastes.
5. dead animals.
6. oversized items of any kind.
7. demolition or construction waste.
8. wood or wood waste.
9. garden waste, grass and leaves.
10. trees.
11. hedge clippings.
12. rocks.
13. discarded furniture.
14. metal scraps.
15. cardboard.
16. Any other waste material determined by the Director of Operations to be unacceptable.

**SCHEDULE “B” to
Solid Waste Management Bylaw No. 3405, 2016**

PROHIBITED WASTES

The following wastes are prohibited from disposal at the Landfill Site:

1. hazardous (including pathogenic and radioactive) wastes.
2. “Hazardous Wastes” as defined by the *Environmental Management Act* (BC).
3. Any substance prescribed as "waste" by regulation under the *Environmental Management Act* (BC).
4. non-sterilized biomedical waste.
5. explosive substances.
6. chemicals or other materials which may create hazardous working conditions.
7. inflammable materials.
8. ashes or other materials hot enough to start combustion.
9. waste oil, petroleum by-products, used oil filters or equipment lubricant filters.
10. contaminated water waste.
11. all forms of excrement excluding minor amounts of domestic pet waste.
12. tanks, barrels, drums, pails, and other large liquid containers that are not empty, unless authorized by the Director of Operations.
13. creosote painted/pressure treated material.
14. contaminated soils unacceptable to the Director of Operations.
15. tires.
16. commercial loads of dry cell batteries.
17. corrugated cardboard from commercial sources.
18. white goods.
19. any other material deemed by the Director of Operations or the Medical Health Officer as hazardous, unacceptable, or unsuitable for disposal at the Landfill Site.
20. some prohibited materials may be accepted in small quantities for recycling.
21. Wire rope.

**SCHEDULE “C” to
Solid Waste Management Bylaw No. 3405, 2016**

CONTROLLED WASTES

The following *waste* materials may be accepted at the *Landfill Site* upon approval from the *Director of Operations*, but because of their inherent nature or quantity may be subject to special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution:

1. asbestos.
2. liquid wastes and sludges including sewage.
3. dead animals and animal parts (including bones, feathers, skin, hair, nails and teeth).
4. contaminated soils acceptable to the Director of Operations.
5. non-contaminated water waste acceptable to the Director of Operations.
6. soot.
7. mobile homes.
8. automobile bodies, automobile parts, or boat hulls.
9. tanks, barrels, drums, pails and other large liquid containers, that are empty.
10. gypsum.
11. lumber, timber, logs, etc., longer than 3.6 metres (12 ft).
12. cruise Ship International Garbage (low and high risk).
13. grain.
14. sandblast sand.
15. non-processed Fish Waste (salmon, crab, sea urchins, etc.)

**SCHEDULE “D” to
Solid Waste Management Bylaw No. 3405, 2016**

WASTES ACCEPTED AT THE RECYCLABLE SITE

The following *waste* materials only are accepted for disposal at *Recyclable Site*:

1. muskeg, berm material, and overburden, (including grass and branches).
2. cement products (including protruding rebar).
3. metal products (no allowable contamination).
4. approved *sorted building debris* such as clean wood, but excluding drywall or gypsum.
5. clean wood (pallet boards, etc.). No treated wood products.
6. steel frames from mobile homes.
7. tin, steel and aluminum.

The foregoing accepted materials exclude any leachable material or any loose material that can be wind swept.

**SCHEDULE “E”
Solid Waste Management Bylaw No. 3405, 2016**

FEES AND CHARGES

	2017	2018	2019	2020	
CITY COLLECTION FEES					
Residential Collection Service					
Per dwelling unit, charge per month for two (2) bags of garbage per week.	\$33.00	\$34.00	\$35.00	\$36.00	
Asset Management Reserve Fee – 2%	\$0.66	\$0.68	\$0.70	\$0.72	
Total Residential House per dwelling	\$33.66	\$34.68	\$35.70	\$36.72	
Commercial Collection Service					
Minimum charge per month for two (2) cans picked up twice per week.	\$66.00	\$81.00	\$96.00	\$111.00	
Asset Management Reserve Fee – 2%	\$1.32	\$1.62	\$1.92	\$2.22	
Total Commercial Collection	\$67.32	\$82.62	\$97.92	\$113.22	
Extra Bag Tags					
Residential Extra Bag Tags	\$4.25	\$4.50	\$4.75	\$5.00	
Commercial for each additional garbage bag above four (4)	\$9.75	\$10.00	\$10.25	\$10.50	
The above City Collection Fees will be subject to a 2% Asset Management Reserve Fee.					
USE OF DISPOSAL SITE – CASH RATES					
Fees for disposing of waste at the Disposal Site is measured by weight (tonne) on the scale provided at the site unless otherwise stated. Cash rates include debit and credit cards.					
General Waste Disposal					
Regular Tipping Fees	Resident	\$134.00	\$138.00	\$142.00	\$146.00
	Minimum	\$3.00	\$3.00	\$3.00	\$3.00
	Non-Res	\$187.00	\$193.00	\$199.00	\$205.00
	Minimum	\$4.00	\$4.00	\$4.00	\$4.00
Temporary Worker’s Residence (upon approval).	Resident	\$341.00	\$351.00	\$362.00	\$373.00
	Non-Res	\$477.00	\$491.00	\$506.00	\$521.00
The above General Waste Disposal fees will be subject to a 2% Asset Management Reserve Fee.					

		2017	2018	2019	2020
Controlled Waste Weekdays					
Non-processed fish waste	Resident	\$449.00	\$462.00	\$476.00	\$490.00
	Non-Res	\$629.00	\$648.00	\$667.00	\$687.00
Non-contaminated Water Waste (upon approval)	Resident	\$169.00	\$174.00	\$179.00	\$184.00
	Non-Res	\$236.00	\$243.00	\$250.00	\$258.00
Liquid Waste and Sludge includes sewage	Resident	\$8.40	\$8.70	\$9.00	\$9.30
	Non-Res	\$11.80	\$12.20	\$12.60	\$13.00
Waste that requires immediate burial	Resident	\$316.00	\$325.00	\$335.00	\$345.00
	Non-Res	\$442.00	\$455.00	\$469.00	\$483.00
Controlled Waste Weekends/Holidays					
Regular tipping fees plus additional charge of:	Resident	\$328.00	\$338.00	\$348.00	\$358.00
	Non-Res	\$459.00	\$473.00	\$487.00	\$502.00
Any Controlled Waste without a specified disposal charge shall be charged the general disposal rate for the particular site (General or Recycle) that is directed to by staff.					
The above Controlled Waste fees will be subject to a 2% Asset Management Reserve Fee.					
Non Operational Scale Fees					
In the event that the Landfill Site scales provided are not operational, all solid waste delivered to the Landfill Site shall be subject to the following charges, according to the type of vehicle delivering the waste and without taking into consideration the volume or weight of the waste contained in the vehicle.					
Standard size garbage bags up to 6 bags	Resident	\$6.20	\$6.40	\$6.60	\$6.80
	Non-Res	\$8.70	\$9.00	\$9.30	\$9.60
Automobiles including cars, vans, suv's, small trucks and single axle trailer with tire inner diameter of less than 10" (25 cm)	Resident	\$9.80	\$10.10	\$10.40	\$10.70
	Non-Res	\$13.70	\$14.10	\$14.50	\$14.90
Small truck overloaded, ½ or ¾ ton truck and single axle trailer with tire inner diameter of more than 10" (25 cm)	Resident	\$13.40	\$13.80	\$14.20	\$14.60
	Non-Res	\$18.70	\$19.30	\$19.90	\$20.50
Overloaded ½ or ¾ ton truck and tandem trailer with sides less than 1 metre (3 ft)	Resident	\$21.60	\$22.20	\$22.90	\$23.60
	Non-Res	\$30.30	\$31.20	\$32.10	\$33.10

		2017	2018	2019	2020
Non-Operational Scale Fees Continued					
Tandem trailer with sides more than 1 metre (3 ft)	Resident	\$27.80	\$28.60	\$29.50	\$30.40
	Non-Res	\$39.00	\$40.00	\$41.00	\$42.00
One (1) ton units	Resident	\$30.00	\$31.00	\$32.00	\$33.00
	Non-Res	\$42.00	\$43.00	\$44.00	\$45.00
Single axle dump truck	Resident	\$365.00	\$376.00	\$387.00	\$399.00
	Non-Res	\$511.00	\$526.00	\$542.00	\$558.00
Tandem dump truck	Resident	\$598.00	\$616.00	\$634.00	\$653.00
	Non-Res	\$838.00	\$863.00	\$889.00	\$916.00
Single axle side load 20 yd Refuse Truck (low compaction)	Resident	\$641.00	\$660.00	\$680.00	\$700.00
	Non-Res	\$898.00	\$925.00	\$953.00	\$982.00
Single axle side load 20 yd Refuse Truck (mid-high compaction)	Resident	\$1,031.00	\$1,062.00	\$1,094.00	\$1,127.00
	Non-Res	\$1,443.00	\$1,486.00	\$1,531.00	\$1,577.00
Tandem side load 30 yd Refuse Truck (mid-high compaction)	Resident	\$1,284.00	\$1,323.00	\$1,363.00	\$1,404.00
	Non-Res	\$1,797.00	\$1,851.00	\$1,907.00	\$1,964.00
Front load Refuse Truck	Resident	\$1,093.00	\$1,126.00	\$1,160.00	\$1,195.00
	Non-Res	\$1,530.00	\$1,576.00	\$1,623.00	\$1,672.00
Roll on/off Tandem with open container	Resident	\$749.00	\$771.00	\$794.00	\$818.00
	Non-Res	\$1,049.00	\$1,080.00	\$1,112.00	\$1,145.00
Roll on/off Tandem with compactor style container	Resident	\$1,179.00	\$1,214.00	\$1,250.00	\$1,288.00
	Non-Res	\$1,650.00	\$1,700.00	\$1,751.00	\$1,804.00
The above Non-operational scale fees will be subject to a 2% Asset Management Reserve Fee.					
USE OF RECYCLABLE SITE – CASH RATES					
Recycling under one tonne – minimum charge	Resident	\$3.00	\$3.00	\$3.00	\$3.00
	Non-Res	\$4.00	\$4.00	\$4.00	\$4.00
Recycling above one tonne	Resident	\$13.00	\$13.40	\$13.80	\$14.20
	Non-Res	\$18.00	\$18.50	\$19.10	\$19.70
Automobiles for recycling as authorized	Resident	\$42.00	\$43.30	\$44.60	\$45.90
	Non-Res	\$58.00	\$59.70	\$61.50	\$63.30
The above Recycling fees will be subject to a 2% Asset Management Reserve Fee.					

		2017	2018	2019	2020
OTHER LANDFILL SITE CHARGES – CASH RATES					
Use of Scale	Resident	\$23.00	\$24.00	\$25.00	\$26.00
	Non-Res	\$32.00	\$33.00	\$34.00	\$35.00
Clean Cover Material (grain & sand) per load	Resident	\$23.00	\$24.00	\$25.00	\$26.00
	Non-Res	\$32.00	\$33.00	\$34.00	\$35.00
Disposal of Controlled Waste or Prohibited Waste without prior approval (per item). This fee will be added to the general tipping fees.	Resident	\$550.00	\$550.00	\$550.00	\$550.00
	Non-Res	\$770.00	\$770.00	\$770.00	\$770.00
The above fees will be subject to a 2% Asset Management Reserve Fee.					
UNCOVERED OR INSECURE LOADS					
General Waste Disposal fees will be doubled when Commercial Vehicles attend the disposal site with an uncovered or an insecure load.					
NON-PROFIT ORGANIZATIONS FEE					
Non-profit groups may apply to have a 50% reduction in their landfill tipping fees to a maximum of \$3,000 annually when authorized by the <i>Director of Operations</i> or his designate. This approval must be granted prior to attending the disposal site. Any other requests for financial assistance must be directed to City Council.					
INVOICE RATES – LANDFILL SITE					
Invoice rates will be 12% higher than the cash rate identified in this Schedule.					
BILLING AND EARLY PAYMENT REWARD					
Accounts paid in full by the due date on the Billing Statement may be entitled to receive a ten percent (10%) reduction. Any payments received after the close of business day at Prince Rupert City Hall on the due date are not eligible for the discount. Payments made at a Financial Institution must be received by the City on or before the application due dates in order for the customer to qualify for the discount. Non receipt of the utility bill will not be recognized as a valid excuse for failure to pay the rates when due.					
UNPAID FEES AND CHARGES					
Any amounts imposed under this Schedule remaining unpaid on the thirty-first (31 st) day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Community Charter and Local Government Act. Furthermore, these accounts will also be subject to a late fee of ten percent (10%).					