

CONSOLIDATION FOR CONVENIENCE PURPOSES ONLY OF BYLAW 3509, 3621, 3852



CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3509

A BYLAW OF THE CITY OF CAMPBELL RIVER AUTHORIZING THE CONTROL, COLLECTION, RECYCLING, AND DISPOSAL OF GARBAGE, HOUSEHOLD AND TRADE WASTE WITHIN THE CITY OF CAMPBELL RIVER.

The Council of the City of Campbell River, in open meeting assembled, enacts as follows:

1. TITLE:

This Bylaw may be cited as "**Recycling and Garbage Regulations Bylaw No. 3509, 2013**".

2. ENACTMENT

This bylaw comes into effect upon adoption.

3. DEFINITIONS:

That the collection, recycling, and disposal of all Garbage, Rubbish, and Trade Waste is hereby regulated under the terms and conditions set forth below:

Contractor means the persons or companies with whom the City of Campbell River has a contract for the collection, recycling, and disposal of garbage, recyclable materials, and yard waste.

City means the City of Campbell River.

City Official means an employee of the City authorized by the City Manager to administer this Bylaw.

Duplex means and includes any building or place occupied or used or intended to be occupied or used as a residence, place of abode or place of living by two families and specifically includes residences that contain additional living quarters with wiring for cooking facilities or plumbing for kitchen facilities, including secondary suites as defined in the City of Campbell River Zoning Bylaw.

Dwelling Unit Means one or more rooms with self-contained sleeping, living, and sanitary facilities containing not more than one set of cooking facilities, used or intended for use as a residence or domicile for one or more persons, but specifically excludes a recreational vehicle.

Fourplex means a building on a single lot containing four Dwelling Units.

Garbage means and includes any and all rejected, abandoned, discarded or waste materials generally used for a Dwelling Unit, Multiple Dwelling, or Trade Premises, and shall specifically include waste food, packaging, floor sweepings, crockery, glass or metal ware, other household items, debris from hobby workshops, ashes, and cinders; **but does not include:** Recyclable Materials and Yard Waste as defined by this bylaw; products subject to product stewardship recovery programs under the Recycling Regulation of the *Environmental Management Act* of the Province of British Columbia; household furnishings or major appliances, lumber, roofing materials,

and other debris from building construction and renovation, logs and stumps, soil including rock and other excavated materials, and any liquid substance.

Amd Bylaw 3621 May/16 Definition revised

Multiple Dwelling	means an apartment or strata building which is or is intended to be, occupied as a habitation or place of residence by more than four families living independently of one another upon the same property.
Owner	shall be held and construed to mean and include the owner or fully authorized agent or any other person having any right or interest in any real property within the City, other than a person who holds an interest in such property as security only and who is not in possession thereof.
Objectionable Material	Means any material determined by the City Official to have an overbearingly foul smell.
Receptacle	means a strong lidded container designed to hold Garbage or Trade Waste from any Residence or Trade Premises it is designed to serve.
Recyclable Material	means waste materials as defined in Schedule 'A' and collected separate from Garbage for recycling.
Rubbish	means one or all of Garbage and Trade Waste.
Recycling Container	means any reusable container that is used to contain Recyclable Materials from the Residence or Trade Premises it is designed to serve.
Single-family Dwelling	means any building consisting of not more than one Dwelling Unit.
Trade Premise	means any warehouse, factory, store, cafe, eating house, wholesale or retail business place, garage, or office building, and any building other than a building containing one or more Dwelling Unit.
Trade Waste	means Garbage, Recyclable Material and accumulation of other waste and abandoned materials generated by a Trade Premise.
Triplex	means a building on a single lot containing three Dwelling Units.
Yard Waste	means plant debris, grass clippings, tree clippings, leaves, small branches, tree and hedge prunings, plants, flowers, branches, sod, and small amounts of soil not exceeding 20 kilograms in aggregate.

4. GENERAL REGULATIONS

- 4.1 Every owner of a Single-family Dwelling or Duplex is entitled to participate in the City's Collection Program as defined herein and shall pay the applicable fee under the City's User Fees and Charges Bylaw.
- 4.2 Every owner of a Triplex or Fourplex is entitled to participate in the City's Collection Program as defined herein, with initial enrollment on a voluntary basis. Only those owners who choose to participate shall pay the applicable fee under the City's User Fees and Charges Bylaw.

- 4.3 Every owner of a Triplex or Fourplex who chooses to not participate in the City's collection program, all owners of a Multiple Dwelling, and every person who occupies any Trade Premises within the City shall be responsible for the proper disposal of Rubbish from their property at least once weekly or more frequently if so instructed by the City Official, and the said Rubbish shall be disposed of in accordance with the regulations of the Province of British Columbia Environmental Management Act.

Amd Bylaw 3621 May/16 Section 4.4 added

- 4.4 Every owner of a Multiple Dwelling shall be responsible for the proper disposal of Recyclable Materials from their property.
- 4.5 Nothing in this Bylaw contained shall relieve any person from complying with the provisions of any other Bylaw of the City.

5. CONTAINMENT OF WASTE

- 5.1 That every owner of a Dwelling Unit or Multiple Dwelling and every person who occupies any Trade Premises within the City shall provide and maintain, in good and sufficient condition, a Receptacle or Receptacles sufficient in number and size, to contain all Garbage, and Trade Waste emanating from said Dwelling Unit, Multiple Dwelling or Trade Premises.

Amd Bylaw 3621 May/16 Section 5.2 replaced

- 5.2 That every owner of a Single-family Dwelling Unit, Duplex, those Triplexes and Fourplexes participating in the City's curbside collection program, and Multiple Dwellings shall provide and maintain, in good and sufficient condition, a Recycling Container to contain all Recyclable Materials. Those Trade Premises providing collection of Recyclable Materials must also provide a Recycling Container in good and sufficient condition to contain all Recyclable Materials emanating from said premises.

Amd Bylaw 3621 May/16 Section 5.3 revised

- 5.3 That Garbage and Trade Waste shall be placed and kept in the above-mentioned Receptacles. Any wet waste, vegetable, fruit, animal feces, litter box waste, or any other Objectionable Material shall be wrapped in several thicknesses of paper or polyethylene bag. Recycling Materials kept outdoors shall be placed and kept in a Recycling Container.
- 5.4 If any Objectionable Material is deemed unsuitable by the City Official for placement in a Receptacle, the City Official may require the property owner to dispose directly of the Objectionable Material at the Campbell River Waste Management Centre or appropriate recycling facility.
- 5.5 All Receptacles containing ashes shall be placed and kept at a distance of at least two meters from the nearest building or wooden fence.
- 5.6 All Receptacles and Recycling Containers shall be kept on the premises connected with such Dwelling Unit, Multiple Dwelling or Trade Premises.

- 5.7 All Receptacles, and Recycling Containers, herein before mentioned shall be accessible for inspection at all reasonable hours and when any Receptacle or Recycling Container has been condemned by the City Official as unfit for the purpose or not suitable from a safety perspective, such Receptacle or Recycling Container shall be replaced with a suitable and sanitary Receptacle or Recycling Container.
- 5.8 No liquids or free water shall be put or placed in, or allowed to run into, or accumulate in, any Recycling Container or Receptacle, and all Receptacles shall, at all times, be kept securely covered with a water tight cover.

6. CITY CURBSIDE GARBAGE, RECYCLING, AND YARD WASTE COLLECTION SERVICES

- 6.1 Every Owner of a Single-family Dwelling or Duplex within the City shall, from the time the said dwelling is first occupied or is annexed into the City, to the 31st day of December in the same calendar year, by personal agreement with the Contractor, have his or her garbage, recycling, and yard waste collected by the Contractor. The Contractor shall not charge the owner of the said dwelling at a rate in excess of the rate per Dwelling Unit paid by the City under its agreement with the Contractor.
- 6.1.1 The owner of each parcel of land having thereon a Single-family Dwelling or Duplex recorded in the real property assessment roll for the City as taxable shall pay the garbage and recycling charges as set out in the City's User Fees and Charges Bylaw.
- 6.1.2 Triplex and Fourplex property owners may choose to participate in the City's curbside Recycling, Garbage, and Yard Waste collection program. Participation is subject to:
- 6.1.2.1 All units within the Triplex and Fourplex must participate in the curbside collection program. Where a Strata Council is in place, registration in the curbside collection program must be approved by the Strata Council.
- 6.1.2.2 At any time of year, the property owner may register the Triplex or Fourplex with the City of Campbell River to receive curbside collection of Recyclable Material, Garbage, and Yard Waste.
- 6.1.2.3 Once registered for the curbside collection program the owner of each Triplex and Fourplex recorded in the real property assessment roll for the City as taxable shall pay the garbage and recycling charges as set out in the City's User Fees and Charges Bylaw.
- 6.1.2.4 Once registered with the City for curbside collection services the Triplex or Fourplex is obligated to participate in the program in perpetuity.
- 6.1.3 The payment of the garbage and recycling charges shall entitle the owner of the parcel of land in respect of which the charges are made, to receive curbside collection services for garbage, recycling, and yard waste for the

Dwelling Unit on the said parcel. The curbside collection services will be as follows:

- 6.1.3.1 collection and disposal of Garbage as defined in Section 2 hereof that can be accommodated in one *Receptacle*, once in each and every week of the year for which the annual charge is made. Additional *Receptacles* will be collected only if they have affixed to them a non-reusable coupon indicating that the bearer has paid the City for additional pick-up. Notwithstanding the foregoing, the limitation on the number of *Receptacles* will not apply during the week following Christmas, the week following New Years' Day, and at any other time when, due to snowfall or other circumstances determined by the City Official, causes the garbage collection to be delayed;
 - 6.1.3.2 collection and disposal of Recyclable Materials as defined in Section 2 on a *weekly* basis;
 - 6.1.3.3 collection and disposal of Yard Waste as defined in Section 2 on a weekly basis spring and fall as determined annually.
 - 6.1.3.4 ability to dispose of Yard Waste from the property at the City's Yard Waste Drop-Off Centre. Transportation of Yard Waste to the centre is the responsibility of the property owner. The location of the centre and hours of operation are as published on the City's website.
- 6.1.4 Receptacles and Recycling Containers shall be placed at the gateway of the property where the Dwelling Unit is situated or, where there is no gateway or readily recognizable entrance, they shall be placed at the roadside in a position readily accessible to the collector on the evening before collection or by 7:30 a.m. on the day of collection. The collector is not required to enter upon any premises or grounds for the purpose of removing and emptying the Receptacles or Recycling Containers. All Receptacles and Recycling Containers must be removed from their collection locations by 8:00 p.m. on the collection day.
- 6.1.5 No application for discontinuance of the garbage, recycling and yard waste collection service, and abatement of the garbage and recycling charges, will be accepted for any reason whatsoever.
- 6.2 Garbage, not exceeding 80 litres and not weighing more than 20 kilograms, shall be placed in a Receptacle of suitable design and size to hold and contain the Garbage from the Dwelling Unit, it is designed to serve.
- 6.3 Recyclable Material shall be placed in a blue box Recycling Container with a maximum capacity of 68 litres, set out for collection as required in Section 15 (d). If the amount of Recyclable Material set out for collection exceeds the capacity of one blue box Recycling Container, Recyclable Material can be placed in additional open top Recycling Containers for collection, provided each such container is no larger than 68 litres in capacity.
- 6.4 Yard Waste shall be placed in biodegradable bags, kraft paper yard waste bags, or lidded refuse containers no larger than 80 litres and clearly marked as containing Yard Waste. No bag or container containing contents shall exceed 20 kilograms in

weight. Tree and hedge prunings and branches shall be tied in secure bundles not longer than 90 centimetres, not wider than 60 centimetres, not weighing more than 20 kilograms, and with an individual branch not exceeding 7.5 centimetres in diameter. Yard Waste shall be set out for collection in a similar manner as required in Section 14 (d) for the collection of Garbage and Recyclable Materials.

- 6.5 The City may appoint a Contractor to remove Garbage, Trade Waste, Recyclable Material and Yard Waste from all or any particular type of premises in the City. It shall be the duty of such Contractor to remove said Garbage, Trade Waste, Recyclable Material and Yard Waste in accordance with the terms of his agreement or contract with the City, and in accordance with the terms of this Bylaw insofar as they may apply.

7. UNACCEPTABLE MATERIAL

- 7.1 No person shall place any of the following items in any Receptacle or Recycling Container for collection by the City or its Contractor:
- 7.1.1 Hazardous waste including any leftover household product that is marked flammable, corrosive, explosive or poisonous.
 - 7.1.2 Household furnishing or major appliances
 - 7.1.3 Lumber, roofing materials and other debris from building construction and renovation
 - 7.1.4 Logs, stumps, soil including rock and other excavated materials

8. ENFORCEMENT

- 8.1 City Officials, including Bylaw Enforcement Officers, may at all reasonable times, enter upon any property in the City in order to inspect and ascertain whether the regulations, prohibitions and requirements of this Bylaw are being complied with and to enforce the provisions of this Bylaw.

Amd Bylaw 3852 Mar/22

- 8.2 Every person who:
- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
 - (b) fails to comply with any of the provisions of this bylaw;
 - (c) neglects or refrains from doing anything required under this bylaw; or
 - (d) who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw;
- is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to a fine not less than \$5,000 and a maximum of \$50,000, or to imprisonment for not more than six months, or to both.
- For continuing offences, each day that such violation is caused, or allowed to continue, constitutes a separate offence.

9. BYLAW REPEAL

Garbage Rates and Regulation Bylaw No. 3332, 2008 as amended is hereby repealed.

Read a first time on the	23rd	day of	April,	2013
Read a second time on the	23rd	day of	April,	2013
Read a third time on the	23rd	day of	April,	2013
Adopted on the	7th	day of	May,	2013

Original signed by:

Mayor Jakeway
MAYOR

Tracy Bate
DEPUTY CITY CLERK

SCHEDULE 'A'

RECYCLABLE MATERIAL

For the purposes of the By-law, Recyclable Material shall include:

1. Newspaper and inserts, flyers, fine paper including office paper, construction paper and envelopes without windows.
2. Glossy magazines and catalogues, telephone directories and paper back books.
3. Boxboard including wax and plastic coated boxboard.
4. Corrugated cardboard.
5. Plastic containers, marked as being manufactured from No. 1, 2, 3, 4, 5, 6 and 7 plastic resins, excluding 20 litre pails and motor oil containers.
6. Aluminum and steel food containers.
7. Aluminum pie plates and foil.
8. *Juice Tetra Paks (i.e. juice boxes and juice pouches), excludes non-juice Tetra Paks with wax liners (i.e. milk, soy, rice milk products).*
9. *Gable topped juice cartons (not milk).*
10. *Refundable beverage containers.*