



SOLID WASTE BYLAW, 2016, No. 2991

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Consolidated as of January 5, 2024

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SOLID WASTE BYLAW, 2016,

BYLAW NO. 2991

A bylaw to regulate the collection of garbage, recyclables and organics and the use of waste disposal, transfer facilities, and recycling depots within the City of Langley.

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

1. Title

This bylaw shall be cited as the “Solid Waste Bylaw, 2016, No. 2991”.

2. Definitions

In this bylaw:

- (1) **Bylaw Enforcement Officer** means a person appointed by Council as a bylaw enforcement officer for the City of Langley, by name of office or otherwise;
- (2) **City** means the City of Langley;
- (3) **Civic Facility** means those facilities, parks or Parcels that are owned by the City;
- (4) **Collection Day** means a day scheduled for the collection of Garbage, Recyclables and/or Organics in accordance with a schedule established, published and distributed by the City;
- (5) **Collection Guide** means the annual guide produced by the City of Langley that provides information and requirements regarding the Municipal Collection Service;
- (6) **Container** means a receptacle used for temporary storage of Garbage, Recyclables, or Organics;
- (7) **Director** means the Director of Engineering, Parks and Environment of the City of Langley, or his/her designate;
- (8) **Dwelling Unit** means one or more habitable rooms which constitute one self-contained unit used or intended to be used for living and sleeping purposes which has:

- a. cooking equipment or facilities for the installation of cooking equipment;
and
 - b. one or more bathrooms with a water closet, wash basin and shower or bath;
- (9) **Excess Garbage** means additional Containers of Garbage to the two allotted per Parcel under the Municipal Collection Services.
- (10) **Excess Garbage Sticker** means a tag or sticker issued by the City indicating that the Container to which it is attached may be collected;
- (11) **Garbage** means all materials discarded as waste, but not including Recyclables or Organics. Garbage does not include contaminated soil, asbestos or other similar material that requires special handling or disposal procedures pursuant to Applicable Law, nor does it include material arising from building construction or demolition, including scraps of wood, concrete, drywall, insulation, siding, roofing, steel, masonry, wire, structural metal, or other such materials prohibited by this bylaw from being disposed of as Garbage;
- (12) **GVS&DD Bylaw** means the "Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 293, 2015, as may be amended or replaced from time to time.
- (13) **Hazardous Waste** means chemical, biological, or bacteriological material or waste that is or may become explosive, radioactive, corrosive, flammable, reactive, toxic, or infectious and all substances now or hereafter included as "Banned Hazardous and Operational Impact Materials" in the GVS&DD Bylaw and as defined in the Environmental Management Act Hazardous Waste Regulation B.C. Reg. 464/2004, as amended from time to time.
- (14) **Kraft Bags** mean a double ply biodegradable paper bag specifically manufactured to store Yard Waste or Organics;
- (15) **Multi-family Dwelling** means a residential mobile home park, an apartment building, condominium building, or any other residential building containing more than two Dwelling Units except attached residential buildings on separate fee simple Parcels;
- (16) **Municipal Collection Services** means the system established under this bylaw by the City of Langley for the collection of Garbage and/or Organics from a residence or Dwelling Unit;
- (17) **Organics** means food and Yard Waste including weeds, leaves, grass (whether sod or cuttings), and tree, plant or shrubbery cuttings and kitchen organics including meat, bones, poultry, fish, fats, oils, greases, dairy products or food contaminated paper products;

- (18) **Occupier** means an Owner who occupies a property, a person who has signed a lease or rental agreement to occupy a property for residential purposes, or a person who otherwise occupies residential property as a tenant without a signed agreement;
- (19) **Owner** means the person or persons, including a corporation or company, who is liable under the Local Government Act, Community Charter or successor legislation to pay real property taxes;
- (20) **Parcel** means any lot, block, or other area in which real property is held or into which real property is subdivided.
- (21) **Private Collector** means any person, firm or corporation that collects Solid Waste from premises within the City and includes all persons who dispose of waste from their own premises, but does not include employees of the City or persons, firms or corporations under contract with the City for the collection of Solid Waste.
- (22) **Public Waste Receptacle** means any Garbage, Organics or Recyclables receptacle placed in a public place by the City, its agents or another public body.
- (1) **Recyclables** means material defined in the packaging and printed paper stewardship plan defined in Schedule 5 of the Recycling Regulation, B.C. Reg. 449/2004 under the Environmental Management Act, S.B.C. 2003, c.53, as may be amended or replaced from time to time.
- (2) **Single Family Dwelling** means a detached or attached residential building on a separate fee simple Parcel, a detached residential building in a strata-titled development, or a mobile or manufactured home located on a separate fee simple Parcel;
- (3) **Solid Waste** in this document refers to Garbage, Recycling and Organics waste materials.
- (4) **Waste Disposal Site** means a facility legally authorized for the disposal or transfer of Garbage, Organics, large items, and recyclable material operated by the GVS&DD or other government authority or private-sector entity.
- (5) **White Goods** includes stoves, dishwashers, hot water tanks, refrigerators and freezers, washers and dryers;
- (6) **Yard Waste** means organic yard/garden waste that originates from residential sources, including plant debris, grass clippings, tree clippings, leaves and other trimmings, tree and hedge pruning's, plants, flowers and sod, except for greater certainty, Yard Waste does not include materials that originates from commercial operations, including land development and landscaping services; loose soils; plastics and synthetic fibres; lumber; any wood or tree limbs over ten centimetres in diameter; human or animal excrement; noxious weeds, soil contaminated with

hazardous substances and other organic yard/garden waste commonly thrown away in the course of maintaining yards and gardens.

3. Prohibitions

- (1) No Owner or Occupier of real property shall cause, allow or permit any Solid Waste, refuse or other noxious, offensive, unwholesome or discarded matter to collect, accumulate or remain on the real property, unless it is securely contained in a waste Container or receptacle equipped with a close-fitting lid or cover.
- (2) No Owner or Occupier of real property shall cause, allow or permit any carcass in whole or part, offal or viscera to remain, accumulate or collect on real property.
- (3) No person shall deliver, place, bury or dump, or cause or allow to be delivered, placed, buried or dumped, any Solid Waste, refuse or other noxious, offensive, unwholesome or discarded matter anywhere in the City other than at a Waste Disposal Site.
- (4) No person shall transport any Solid Waste, refuse or other noxious, offensive, unwholesome or discarded matter without securing the materials in a manner which will ensure that all of the materials will reach the designated Waste Disposal Site. All materials transported shall be secured in a closed Container or by a tarping method.
- (5) No person shall deliver, place or dump or cause or allow to be delivered, placed or dumped, any residential, commercial or industrial Solid Waste into a Public Waste Receptacle.
- (6) No owner or Occupier of real property shall cause, permit, suffer or allow any Solid Waste generated on that property to be placed in a Public Waste Receptacles.
- (7) No person shall cause, permit, suffer or allow any Solid Waste to be placed in a Public Waste Receptacle other than Solid Waste generated in a public place.
- (8) No person shall burn or cause or allow to be burned any Solid Waste refuse or other noxious, offensive, unwholesome or discarded matter anywhere in the City.
- (9) No person shall cause, allow or permit any Recyclables or Organics to be discarded as Garbage.
- (10) No person shall interfere with, threaten, or in any way obstruct any of the City's employees, contractors, or agents while the City's employees, contractors, or agents are engaged in the provision of the Municipal Collection Services.

- (11) No person shall remove, take or convert to his or her own use any Solid Waste placed at the designated pickup location except the owner or occupant of the Parcel from which it is generated, employee or agent of the City, or the person providing the private collection service at the request of the owner or Occupier of the Parcel.

4. Notice to Remove Solid Waste

- (1) Where an Owner or Occupier of real property has caused, allowed or permitted any Solid Waste to accumulate or remain on the real property in contravention of Section 3, the Director or the Bylaw Enforcement Officer may cause a notice in writing to be delivered to an Owner or Occupier of real property requiring the removal of Solid Waste within 48 hours of receipt of such notice.
- (2) The Director or a Bylaw Enforcement Officer, may serve an notice under this Bylaw:
- a. by mailing it by registered post to the Owner or Occupier of the applicable real property at the address shown on the assessment roll;
 - b. by handing it to the Owner or Occupier of the applicable real property;
 - c. by mailing it by registered post to the address of the user shown on the Container as required by Section 11(2)f;
 - d. by mailing it by registered post to the private contractor;
 - e. by handing it to a person at the address of the user shown on the Container as required by Section 11(2)f; or
 - f. if a Container is on a street or lane, by posting the notice on the Container.
- (3) Where a notice is given pursuant to this Bylaw and, in the opinion of the Director or Bylaw Enforcement Officer, the Garbage, or discarded materials identified in Section 4(1) has not been removed:
- a. within the time specified on the notice; or
 - b. in the manner specified in the notice; or
 - c. sufficiently to satisfy the requirements of the notice; the City may, by its employees, agents or contractors, enter the real property and remove the Garbage or other material in the manner the Director or Bylaw Enforcement Officer considers necessary and appropriate and charge the cost of the work to the Owner of the real property.
- (4) Any charges incurred pursuant to Section 4 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 real property as taxes in arrears.

5. Extent of Municipal Collection Services

- (1) The Municipal Collection Services established and operated by the City includes collection of residential Garbage and Organics subject to the terms of this Bylaw;
- (2) Every Owner or Occupier of a Parcel in the City containing a Single Family Dwelling, duplex dwelling or multiplex eligible under Section 5(2) shall make use of the Municipal Collection Services for Garbage and Organics where these services are made available by the City.
- (3) The City is responsible for the collection and disposal of Garbage, Organics and Recyclables from Civic Facilities and Garbage and Recyclables in municipal sidewalk and park Containers under the supervision of the Director, however these do not form a part of the Municipal Collection Services, which refers to collection of residential Solid Waste.

6. Municipal Collection Services

- (1) Only Garbage and Organics generated within the City of Langley are eligible for collection under this Bylaw unless otherwise permitted under this Bylaw.
- (2) The Municipal Collection Services shall serve Owners or Occupiers of:
 - a. Single Family Dwellings and Duplexes; and
 - b. Multi-Family Dwelling Complexes that have less than 7 units, can be collected curbside and have been approved by the Director.
- (3) The Collection Service for each Single Family Dwelling or Duplex comprises collection of two Containers of Garbage with a maximum volume of 80 litres and weighing no more than 20 kilograms, plus collection of unlimited amounts of Organics generated from that property.
- (4) Multi-Family Dwelling Units in Complexes which have been approved for the Collection Service shall be serviced in accordance with the same Container size and weight restriction as the service level for a Single Family Dwelling or Duplex.
- (5) Owners or Occupiers of Multi-Family Dwelling Complexes, commercial buildings, institutions, industrial sites and any buildings other than Single Family Dwellings and Duplexes shall make their own arrangements for the removal and disposal of Garbage and Recyclables and Organics by a Private Collector, except for Multi-Family Dwelling Complexes that qualify for service under this Bylaw.

(6) Owners or strata councils of all Multi-Family Dwelling Complexes that are not served by the Collection Service shall provide adequate space dedicated for collection of Garbage, Organics and Recycling Containers.

(7) The Director shall only grant an exemption from the collection of Garbage if:

- a. In the opinion of the Director the Municipal Collection Service cannot reasonably and practically be provided to that building, by reason of inadequate access or otherwise; or,
- b. An exemption under Section 7(8)a continues until the Director notifies the Owner of the building that in his opinion the property can reasonably and practically be provided with the Collection Service.
- c. Owners of properties rendered uninhabitable by fire or natural disaster or under demolition should apply for discontinuation of service. Proof of fire destruction or demolition will be required.
- d. Residences under renovation are not eligible for exemption from the Collection Service.

(8) Collection Frequency

- a. The Municipal Collections Service is such that Garbage will be collected bi-weekly, i.e. once every two weeks, and Organics will be collected weekly.
- b. Municipal Collection Services will be in accordance with the schedule and area map indicating Collection Days for specific colour-coded areas of the City (or other way of designating different collection areas), which will be distributed to residents annually, and which will vary to allow for Statutory Holidays, as indicated on the Collection Guide.
- c. Despite the schedule of days for the Municipal Collection Services, the Director may make alternate collection arrangements where weather conditions or other circumstances will not permit collection on the day or days scheduled.

(9) Container Specifications

- a. Residents are responsible to provide Garbage Containers not exceeding 80 litres in capacity and not greater than 20 kilograms when filled with waste that meet the following specifications:
 - i. a galvanized, sheet metal or plastic watertight receptacle fitted with at least one sturdy handle on the receptacle and a tight cover also equipped with a handle that is rodent and insect proof; and
 - ii. a plastic bag that is manufactured for the containment of household waste of a size not exceeding flat dimensions of 66 centimeters by 91 centimeters and that is strong enough to withstand normal

handling and lifting without breaking when filled with Garbage, is closed and sealed with wide or plastic ties, and contains no broken glass, sharp pieces of metal, wood or other items that might tear the bag.

- b. Residents are responsible for providing Organics Containers that meet the following specifications:
 - i. a galvanized, sheet metal or plastic watertight receptacle not less than 50 litres not exceeding 80 litres in capacity and 20 kilograms in weight (when filled with Organics), fitted with at least one sturdy handle on the receptacle and a tight cover also equipped with a handle that is rodent and insect proof and, clearly marked with “Green Can” sticker;
 - ii. a securely tied bundle (using natural fibre twine) of Yard Waste that is no greater than 60 centimetres in circumference, no greater than 1 metre in length, no greater than 20 kilograms in weight and contains no individual pieces of Yard Waste with a diameter of more than 8 centimetres;
 - iii. double-ply water resistant, compostable Kraft Bags specifically designed for green waste collection;
 - iv. no plastic bags, including those labeled “compostable” or “biodegradable” shall be used as a Container for Organics for Municipal Collection Services.
 - v. Organics placed in Containers for curbside collection must be positioned in such a manner that they can be easily removed from the can or bin. Organics must fit within the Container, allowing the Container to be securely closed.

(10) Collection Procedures

- a. Every person shall ensure that Garbage, Recyclables and Organics are stored and placed in a sanitary manner, and in a way that will not injure persons handling them. A Container shall not be used and may not be collected if it is broken, hazardous, unsanitary, or dangerous to persons handling it.
- b. No wet waste shall be placed in any Container of Garbage unless it is drained of excess moisture and wrapped in waterproof material.
- c. No liquid, rainwater or other free water shall be put or placed in, or allowed to run into, or accumulate in any Container. If the Container is a can or bin, the Container shall, at all times, be kept securely covered with watertight covers. The cover or lid shall not be tied, latched or strapped to the can or bin. Plastic bags shall be securely fastened.
- d. No person shall place or store Garbage, Recyclables, or Organics in front of another person’s property without the permission of that person.

- e. No person shall place Garbage, Recyclables, or Organics in another person's Container without the permission of that person.
- f. No Container shall be filled above the top of the Container. No plastic bag shall be filled in such a way that the plastic ties cannot be securely fastened.
- g. All Garbage, and Organics which an Owner or Occupier chooses to have collected and disposed of by the City under this Bylaw shall be placed at curbside for collection before 7:30 a.m. on the designated Collection Day unless otherwise notified in writing.
- h. Garbage, Recyclables and Organics shall not be placed at the curb or road edge any earlier than 6:00 p.m. the day prior to the designated Collection Day. All emptied Containers shall be removed from the curb within 18 hours of collection.
- i. All Garbage and Organics shall be placed in full view of and within two metres of the street serving the premises. The Director may designate lane pick-up or another location where the Director considers this appropriate.
- j. Every Owner or Occupier of premises shall clean up any Garbage, Recyclables, or Organics which escape onto the highway, street, lane or public way from their waste put out for collection.

(11) Condition of Containers

- a. Every Owner or Occupier of real property or premises within the City must keep all Containers for Garbage, Recyclables, and Organics, in good condition, and must repair or replace any Container which becomes damaged, unsafe or dangerous to a person who handles them.
- b. Every Owner and Occupier of a commercial, institutional or industrial property or premises must ensure that Containers used for Garbage, Recyclables, and Organics
 - i. are placed on private property and not on City road allowance, sidewalk, lane, boulevard or other City property;
 - ii. have their lids securely closed at all times, except when being filled or emptied; and
 - iii. are maintained, along with the area immediately surrounding the Container, in a clean and tidy condition at all times.

(12) Excess Garbage

- a. If a property receives Municipal Collection Services and the Owner or Occupier wishes to place one or more additional bags or Containers of Garbage for collection in excess of the limits set out in Section 6(9), they may purchase an Excess Garbage tag from the City at a cost set out in the City's Fees and Charges Bylaw.

- b. An Excess Garbage tag is valid for one Container or bag of Garbage not to exceed 20 kilograms in weight.
- c. If for any reason there is a backlog of Garbage that should have been collected in a previous collection period that was not collected for reasons including the Contractor's failure to complete the Garbage Collection or because weather or other conditions prevented full collection, and the Director will notify the Contractor to collect the backlog, in which case no Excess Garbage Stickers need be affixed to the Excess Garbage.

(13) Large Item Pick Up Service

- a. Each detached Single Family residence and Multi-Family residence is permitted to have four large waste items collected over the course of each calendar year. This can constitute four items collected at the same time, or one item each collected on separate occasions. This allowance is not cumulative, and unused allowance will not be transferred forward to future years.
- b. The following items are acceptable pursuant to the Large Item Pickup Program:
 - i. furniture;
 - ii. White Goods;
 - iii. small household goods, provided they are boxed or bundled and are a reasonable size (one box or bundle is equal to one of the resident's four allotted items).
- c. The following items do not qualify for the Large Item Pick Up:
 - i. mattresses;
 - ii. carpets;
 - iii. tree stumps;
 - iv. lumber, demolition or home renovation materials;
 - v. Hazardous Waste;
 - vi. car bodies or parts
 - vii. propane tanks; and
 - viii. tires.

(14) Restricted and Prohibited Materials

- a. No person may place any of the following at curbside for collection by the City:
 - i. Hazardous Waste;

- ii. bio-medical waste, sharps or infectious materials;
 - iii. flammable, combustible or oxidizing materials;
 - iv. materials that are on fire or above a temperature of 65.5oC;
 - v. any explosive substance, object or mechanism;
 - vi. waste oil, oil filters, or oil containers;
 - vii. carcasses, offal ,viscera;
 - viii. trees, tree stumps, logs, land-clearing debris, timbers and fence posts;
 - ix. small appliances or electronic waste accepted for recycling through the provincial stewardship program;
 - x. materials originating from industrial and/or agricultural operations;
 - xi. motor vehicle bodies and farm implements;
 - xii. rubber tires accepted for recycling through the provincial stewardship program;
 - xiii. semi-solid and liquid waste including raw sewage, septic tank sludge, parking lot pumping and grease trappings;
 - xiv. uncontained dog excrement or other animal waste;
 - xv. construction and/or demolition materials;
 - xvi. dirt, rocks, cement, or asphalt;
 - xvii. batteries;
 - xviii. propane cylinders;
 - xix. scrap metal;
 - xx. gypsum board (gyproc);
 - xxi. any refrigerator, freezer, air conditioning unit or other large appliance;
 - xxii. light bulbs and light fixtures;
 - xxiii. any single container or item, material or structure exceeding any of the following: a volume of 1 cubic metres, a length of 1.25 metres, and/or a weight of 25 kg for Garbage, Recyclables and Organics; or,
 - xxiv. waste materials not identified as acceptable for landfilling pursuant to any permit or certificate issued by the Provincial Ministry of Environment.
- b. Organics placed at the curb for collection shall not include:
- i. loose soils and rocks;
 - ii. Garbage and Recyclables;

- iii. plastics or synthetic fibres;
 - iv. wood or tree limbs over 20 centimetres in diameter or 1.25 metre in length;
 - v. Hazardous Waste or soil contaminated with Hazardous Waste;
 - vi. flammable, combustible or oxidizing materials;
 - vii. materials that are on fire or above a temperature of 65.5°C;
 - viii. any explosive substance, object or mechanism;
 - ix. animal waste, carcasses, offal or viscera;
 - x. wood painted or treated with creosote, or petroleum derivatives, etc;
 - xi. semi-solid and liquid waste including raw sewage, septic tank sludge, parking lot pumping and grease trappings;
 - xii. any single item of waste, material or structure exceeding a volume of 1 cubic metre;
 - xiii. waste materials not identified as acceptable for composting pursuant to any permit or certificate issued by the Provincial Ministry of Environment; or,
 - xiv. invasive plants requiring special disposal.
- c. The Director, at their sole discretion acting reasonably, may amend the qualifying or prohibited items listed at any time due to a material ban by GVS&DD or for any other reason.

(15) Fees and Billing

- a. Every Owner of a Dwelling Unit receiving Municipal Collection Services provided by the City is required to pay the applicable fee for the Municipal Collection Services as set out in Schedule A, unless the Owner has an exemption from use of and payment for the Municipal Collection Services under this Bylaw, whether or not the Owner chooses to utilize the Municipal Collection Services.
- b. The collection fee shall be payable annually with the billing statement for property taxes with the same due date as property taxes, and effective for the calendar year.
- c. The annual collection fee shall be payable with respect to each new Single Family Dwelling, Duplex and each Dwelling Unit in an approved Multi-Family Dwelling located within a Solid Waste collection area, payable at the time of application for the building permit for the new building. The first collection fee shall be the portion of the annual collection fee equal to the portion of the calendar year remaining commencing as of the first day of the month following the date of issuance of the occupancy permit or temporary occupancy permit for the new building.

- d. If an Owner is entitled to an exemption from the Municipal Collection Services, the fees will be prorated based on the number of serviced months.
- e. No adjustments to billing will be provided in response to a loss of service due to inclement weather.
- f. The Owner of a real property is responsible for the payment of all accounts in arrears.
- g. Any fee or charge as set out in Schedule A of this Bylaw shall be subject to interest if unpaid after the due date as stated on the invoice. Interest shall be at the rate as prescribed from time to time by the Lieutenant Governor in Council under Section 11(3) of the Taxation (Rural Area) Act.
- h. Any fee or charge imposed by this Bylaw which is unpaid on December 31 is deemed to be taxes in arrear and may be collected in the same manner and with the same remedies as ordinary taxes on the property.

7. Recycling

- (1) Owners and Occupiers under this Bylaw shall sort out Recyclables from their residential Garbage and place those materials in separate Containers of a type acceptable for collection, or into designated bins at a recycling depot.

8. Organics and Composting

- (1) Owners and Occupiers under this Bylaw shall sort out Organics from their residential Garbage.
- (2) Persons may only dispose of Organics at a licensed depot, through curbside service or private collection service or their private residential Parcel for composting. All on-site composting must be done in a manner that minimizes the generation of odours and the attraction of animals.
- (3) No composting or disposal shall be conducted within 30 metres of a watercourse.

9. Industrial, Commercial and Institutional Sector

- (1) No Owner or Occupier of commercial, industrial or institutional property shall cause, allow or permit any Recyclables or Organics to be discarded as Garbage.
- (2) Owners or Occupiers of commercial, industrial and institutional property shall separate the following materials for recycling;
 - a. White Goods;
 - b. motor vehicle bodies and other large metallic waste;

- c. rubber tires accepted for recycling through the provincial stewardship program;
 - d. batteries;
 - e. gypsum wallboard;
 - f. corrugated cardboard;
 - g. mixed paper and newspaper;
 - h. small appliances and electronic waste accepted for recycling through the provincial stewardship program;
 - i. light bulbs and light fixtures;
 - j. any other waste and/or Recyclable material regulated under the *British Columbia Recycling Regulation*;
 - k. other materials banned by the regional district through the GVS&DD Bylaw;
- (3) Owners or Occupiers of Industrial, Commercial or Institutional Parcels shall provide adequate space dedicated for collection of Garbage, Organics and Recycling Containers.
- (4) Owners or Occupiers of commercial buildings, institutions, and industrial sites shall make their own arrangements for the removal and disposal of Garbage and Recyclables and Organics by a Private Collector, except for Civic Facilities that qualify for service under this Bylaw.

10. Multi-Family Residential Dwellings

- (1) Owners or Occupiers of Multi-Family Parcels shall make their own arrangements for the removal and disposal of Garbage and Recyclables and Organics by a Private Collector, except for those that qualify for service under this Bylaw.
- (2) Owners of Multi-Family Dwellings shall provide adequate space dedicated for collection of Garbage, Organics and Recycling Containers.

11. Responsibilities of Private Collectors

- (1) Despite Section 3(1), a person who is the holder of a business license to provide private Solid Waste services in the City may engage in the business of removing, collecting, transferring, recycling, and processing of Solid Waste in the City, subject to compliance with all applicable bylaws, provincial and federal legislation.
- (2) All Private Collectors must:
 - a. not cause, permit, suffer or allow liquids to escape or leak from any private Container during the storage, collection or transport of Solid Waste;
 - b. not cause, permit, suffer or allow rain or pests to enter a private Container;
 - c. maintain every private Container in good condition;
 - d. if the private Container is located on a street or lane, maintain the private container in a clean and sanitary condition that is not noxious, offensive or dangerous to public health;
 - e. at all times and in letters and numbers at least 5 centimeters in height , display on all private Containers visible from a street or lane the name and telephone number of the private contractor;
 - f. if the private Container is located on a street or lane, at all times and in letters and numbers at least 5 centimeters in height, display the address or addresses of the property the Private Collector serves; and
 - g. provide each private Container that is visible from a street or lane and greater than one cubic meter in size with a secure, functioning lockable lid and lock and maintain the lock in working order.
- (3) All Private Collectors must not cause, permit, suffer or allow any vehicles used in the course of business to allow liquids to escape or leak from the vehicle during the collection or transport of Solid Waste.
- (4) All collecting, transporting, processing, converting or salvaging of any Solid Waste, must be carried out so as not to be offensive or objectionable.
- (5) Any Solid Waste which will not immediately be processed, converted or salvaged must be removed as directly as possible on the day of collection to a Waste Disposal Site.

- (6) No Private Collector may cause, permit, suffer or allow a private container to be placed on a lane or street unless authorized to do so pursuant to a license agreement with the City.

12. Recycling Depots

- (1) Recycling depots shall only be used for the containment and temporary storage of Recyclables. All other uses, in particular dumping of Garbage or Organics, or Hazardous Waste, are prohibited.
- (2) Recyclables shall be placed in the applicable recycling container at the recycling depot.
- (3) Recycling depot operators shall not allow the recycling depot to become unsafe, untidy, unsightly or unsanitary and must not allow or permit Recyclables to be visible, to the outside public, above the height of the fence surrounding the site.

13. Administering the Bylaw

The Director is authorized to administer this Bylaw, and supervise, control and direct the Municipal Collection Services, including restricting the quantities and types of Solid Waste materials accepted in the Municipal Collection Services.

14. Right of Entry

The Director or Bylaw Enforcement Officer may enter at all reasonable times upon any property subject to the provisions of this Bylaw for the purposes of ascertaining whether the regulations, directions or provisions contained in this Bylaw are being obeyed in accordance with *section 16 of the Community Charter S.B.C. c26*.

15. Health Act Provisions

Nothing contained in this Bylaw shall be construed as prohibiting any Owner or Occupier of real property from disposing of waste in any manner permitted pursuant to the *Health Act*.

16. Offence and Penalty

- (1) A person who violates any of the provisions of this bylaw shall upon summary conviction, be liable to pay a penalty of not more than \$10,000.
- (2) A separate offence shall be deemed to occur on each day that the offence occurs or continues.
- (3) Every person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of

this Bylaw, is guilty of an offence against this Bylaw and is liable to the penalties imposed under this Bylaw.

- (4) Every person who commits an offence against this Bylaw shall be liable upon summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*, as amended.
- (5) Recurring non-compliance of any provision of this bylaw that may affect the integrity of the Municipal Collection Services may result in suspension of the service pursuant to the *Community Charter, S.B.C. c26*.
- (6) Persons deemed to be in non-compliance will be provided reasonable notice of the suspension and will have opportunity to make representation to Council pursuant to the *Community Charter, S.B.C. c26*.

17. Severability

If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

18. Schedules

That Schedule "A" is attached hereto and forms part of this Bylaw.

19. Repeal

Bylaw No. 2000 and all amendments are hereby repealed.

READ A FIRST, SECOND AND THIRD time this twelfth day of September, 2016.

ADOPTED this nineteenth day of September, 2016.

MAYOR

CORPORATE OFFICER



SOLID WASTE BYLAW, 2016,

BYLAW No. 2991

SCHEDULE "A"

Every Owner of a Dwelling Unit receiving Municipal Garbage Collection Services provided by the City is required to pay the amount of \$271.00 per year. For new construction, the charge shall be pro-rated for the first year of service according to the actual number of months that the service is provided.