



VILLAGE OF BURNS LAKE

It's Only Natural!



CORPORATION OF THE VILLAGE OF BURNS LAKE WASTE COLLECTION BYLAW NO. 938, 2013

A Bylaw to regulate the administration and collection of waste for the Village of Burns Lake

WHEREAS Council has the authority, under Section 176 of the *Local Government Act*, to collect waste and to impose charges against an owner or occupier of real property for the removal of same.

WHEREAS the Village of Burns Lake participates in the Bulkley Nechako *Regional District Solid Waste Management Plan* and supports the policy of waste reduction through the more equitable distribution of fees and charges by charge fees based on the amount of waste produced.

NOW THEREFORE the Council of the Village of Burns Lake, in open meeting assembled, hereby enacts as follows:

DIVISION 1 – ADMINISTRATIVE PROVISIONS

Section 1.1 Title, Transition and Severability

1.1.1 Short Title

This Bylaw may be cited for all purposes as "*Corporation of the Village of Burns Lake Waste Collection Bylaw No. 938, 2013*", and will come into effect on the date of adoption.

1.1.2 Transition

Bylaw No. 722 cited as "Corporation of the Village of Burns Lake Garbage Disposal Bylaw No.722, 2000" is hereby repealed as amended.

1.1.3 Severability

If any section, subsection, sentence, clause or phrase in this Bylaw is, for any reason, held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the Bylaw.

Section 1.2 Definitions

1.2.1 In this Bylaw:

"Act" means the *Local Government Act*.

"Business core" means the area of the legal boundaries of the Municipality

"Business premises" means a store, office, warehouse, factory, building, house, enclosure, yard or any other place occupied, or capable of being occupied by any person but does not include a dwelling as defined in this Bylaw.

"Commercial premises" means a store, office, warehouse, factory, building, house, enclosure, yard or any other place occupied, or capable of being occupied by any person but does not include a dwelling as defined in this Bylaw.

"Container" means a receptacle of rigid plastic or metal designed for the purpose of holding waste.

"Container, business type" means a receptacle of rigid plastic or metal designed for the purpose of holding waste.

"Dwelling" means one or more connecting rooms with self-contained cooking, sleeping, and sanitary facilities having an entrance to a common corridor or to the exterior, used, intended, or designed to be used as living accommodation for a single family.

"Garbage" means any material that currently has no economic value to a local enterprise and those items which are designated by the Municipality as being acceptable for refuse collection.

"Large Bin" means a rigid plastic container having a capacity of no more than 90 gallons, compatible with the Village garbage truck, and purchased from the supplier through the Village.

"Medium Bin" means a rigid plastic container having a capacity of no more than 65 gallons, compatible with the Village garbage truck, and purchased from the supplier through the Village.

"Municipality" means the Corporation of the Village of Burns Lake.

"Premises" means a store, office, warehouse, factory, building, house enclosure, yard or any other place occupied, or capable of being occupied by any person.

"Refuse collection area" means properties located within Village boundaries.

"Residential property" means properties that contain the following premises:

- a. single family detached dwellings, duplexes, triplexes, four-plexes and five-plexes, and
- b. strata title developments, mobile home developments and apartments containing fewer than six dwelling units.

"Small Bin" means a rigid plastic container having a capacity of no more than 35 gallons, compatible with the Village garbage truck, and purchased from the supplier through the Village.

"Special waste" includes hazardous wastes, explosives, herbicides, pesticides, poisons, waste oils or liquids, biomedical waste and all wastes defined under the special waste regulations of the *Waste Management Act*.

"Trade waste" means waste resulting from a manufacturing or industrial process that is not found in regular household or business waste.

"Waste" means any material that currently has no economic value to a local enterprise and those items which are designated by the Municipality as being acceptable for refuse collection.

DIVISION 2 - GENERAL REGULATIONS

Section 2.1 Sole Authority

2.1.1 Pursuant to Section 176 of the Act, the Municipality is hereby authorized to establish, equip, maintain and operate a system of "Waste Collection" within the Municipality.

2.1.2 Every owner or occupier of a premise shall pay for the collection of waste as set forth in Schedule "A", attached to and forming part of this Bylaw.

Section 2.2 Administration

2.2.1 This Bylaw shall be administered by the Director of Public Works, or Chief Administrative Officer or any other official of the Municipality who may be appointed from time to time by the Municipal Council.

2.2.2 Director of Public Works or Chief Administrative Officer, or any other employee of the Municipality appointed to administer this Bylaw may enter upon, at all reasonable times, any property in order to ascertain whether the regulations and provisions of this Bylaw are being, or have been, complied with.

Section 2.3 Restricted Materials

2.3.1 No person shall place or mix with any material for removal as waste, the following materials:

- (a) raw sewage and septic tank sludge;
- (b) explosives;
- (c) materials defined by the *Workplace Hazardous Material Information System Standards (WHMIS)* as a compressed gas, flammable, combustible, oxidizing, poisonous, infectious, toxic, corrosive and dangerously reactive;
- (d) trees, stumps, logs, branches and land clearing debris;
- (e) motor vehicle parts or bodies and farm implements;
- (f) carcasses, offal or viscera;
- (g) special waste;
- (h) construction materials or wastes;
- (i) materials that are on fire or above a temperature of 65.5°C;
- (j) clean wood waste originating from industrial operations, construction, reconstruction, or demolition; (small household wood waste can be disposed of but must fit in municipal bin and meet weight restriction 2.5.5.)
- (k) biomedical waste, as defined by the *Waste Management Act*, except sharps (needles) that have been properly contained through a method approved by the Ministry of Environment, Lands and Parks and the Municipality;
- (l) containers with significant residuals of any above listed materials;
- (m) animal excreta, unless properly contained;
- (n) compostable yard and garden waste;
- (p) soils; and
- (q) articles of waste too large for bin.

The Municipality reserves the right not to remove such materials. A charge shall be made and payable should the removal of such waste material be necessary according to the scale of charges as set forth in the current Fees and Charges Bylaw.

2.3.2 The Municipality may, at its discretion, declare special clean-up events from time to time, as it deems necessary.

Section 2.4 Waste Preparation

2.4.1 Containerized Waste

All wet waste shall be thoroughly drained and wrapped in paper or placed in plastic bags before being placed in a waste bin.

Discarded clothing, waste paper, and inoffensive household waste may be placed directly in waste bins.

Food contaminated cardboard crates, cartons and all other similar containers shall be broken down and compacted flat before being placed in any container.

Waste shall not be placed in bins or containers in such a manner as to prohibit the closing of the attached covers.

Containers containing restricted materials specified in Section 2.3 and/or in contravention of the specifications within this Section shall not be collected. A notice (shown as Schedule A attached) will be placed on the container identifying the reason the container was not serviced.

Section 2.5 Bins and Bin Locations

2.5.1 General

In an attempt to reduce human interaction with wildlife, every person or business shall place waste in containers with fitted lids in a reasonable state of repair of a type and size acceptable to the Municipality.

All persons requiring residential collection shall ensure waste is stored and placed in a sanitary and inoffensive manner, and in a way that will not harm or injure persons handling it.

No person or business will place waste:

- in front of another person's property without the permission of that owner; or
- in a bin or container without the permission of the bin's or container's owner.

Only waste generated within Village boundaries will be collected.

The basic service offered by the Municipality for residential dwellings is the weekly disposal of waste from one bin, also defined as; one container, or one small bin, or one medium bin, or one large bin per premise. Additional services will be charged at the rates specified in current Fees and Charges Bylaw.

Scavenging is prohibited. No person, except the occupant of the dwelling unit from which the waste and/or recycling bins originate, shall remove any material from the bin before the materials have been collected by the Village.

All Residential containers or bins must be placed in the proper location as specified in Section 2.5.7 no more than 24 hours prior to collection and removed within 24 hours of being emptied.

All bins are to be purchased from the Village of Burns Lake office.

2.5.2 Bins (Business)

Business premises shall use the large bins purchased from the Village of Burns Lake office

Small or medium bins are not permitted for business use.

The owner or others will not alter structure or colour of bins purchased from the Municipality in any way without the approval of the Municipality.

2.5.3 Bin Location (Business Premises)

All business premises shall provide on the parcel, a minimum space of three (3) metres in width, three (3) metres in depth and three and one half (3.5) metres in height for the placement of waste containers.

No bin with a combined weight of bin and waste in excess of 18.75 kg (45 lbs) shall be emptied by the Municipality.

If bins are enclosed in a structure, such structure shall be built with doors or openings facing the street or lane and shall allow access by Municipal personnel at all times. Any such structure shall not be constructed on Municipal property and shall only be constructed with prior approval from the Municipality's Public Works Department.

The owner or occupant of a business shall be responsible for the protection of their containers against upset or spillage at all times. Spilled or upset waste cleanup shall be the responsibility of the owner or occupant.

The Municipality shall not be responsible for the removal of any waste that is not placed in a bin purchase from the Village of Burns Lake office, or a bin not placed at the designated location at the proper time.

2.5.4 Restricted Area Dwellings

The owner of any dwelling located in a business shall be restricted to the use of the bins or bins utilized by the business.

2.5.5 Bin Sizes and Quantity (Dwellings)

The Municipality shall not collect more than one bin, per dwelling or one (1) small bin, or one (1) medium bin, or one (1) large bin, per dwelling per week. Additional bins are not acceptable.

Owners or occupiers of Residential properties must use the bins or containers purchased from the Village of Burns Lake Office.

No bin with a combined weight of bin and waste in excess of 18.75 kg (45 lbs) shall be emptied by the Municipality.

If an owner or occupant of a Residential property utilizes the large bin, such owner or occupant shall meet all applicable location requirements as described in Sections 2.5.3 of this Bylaw.

2.5.6 Bin Sizes and Quantity (Commercial)

The Municipality shall not collect more than 5 bins, per dwelling or five (5) large bins, per business per week. Additional bins required must be negotiated with the Director of Public Work, or Director of Operations or Chief Administrative Offices and paid for in addition to the regular rates; see current Fees and Charges Bylaw.

Owners or occupiers of Business properties must use the large bins or containers purchased from the supplier through the Municipality. These bins are available from the Municipality.

No bin with a combined weight of bin and waste in excess of 18.75 kg (45 lbs) shall be emptied by the Municipality.

If an owner or occupant of a Business property utilizes the large bin, such owner or occupant shall meet all applicable location requirements as described in Sections 2.5.3 of this Bylaw.

2.5.7 Large Bin Location (Residential and Commercial Property)

All waste bins or containers shall be kept on the parcel belonging to that dwelling or business unless approved by the owner of an alternative property.

Bins or containers placed for emptying shall be placed on the street, boulevard or laneway as designated by the Municipality. The owner or occupant of the dwelling or business shall be responsible for the placement and removal of that dwelling's or businesses containers or carts.

The owner or occupant of a dwelling or business shall be responsible for the protection of their bins or containers against upset or spillage at all times. Spilled or upset waste cleanup shall be the responsibility of the owner or occupant.

The Municipality shall not be responsible for the removal of any waste not placed in a suitable container or bin at the designated location by the appropriate time on the scheduled day of waste pickup. The occupant or owner of each dwelling shall be responsible for ascertaining the scheduled day of waste pickup for their street.

2.5.8 Maintenance of Bins or Containers

All bins or containers for waste and any structure used as a cover or enclosure for such containers shall, at all times, be kept in good repair and clean and accessible for inspection at all times.

When any bin or container has been condemned by the Director of Public Works or Chief Administrative Officers or Medical Health Officer, such container or carts shall not be emptied by the Municipality. Bins or containers declared as unfit shall forthwith be replaced with a suitable container as described in Section 2.5.2 and Section 2.5.5 of this Bylaw.

2.5.9 Lost or Damaged Bins or Containers

The Municipality shall not be responsible for the replacement or repair of any bins, containers, or lids damaged or lost for any reason whatsoever.

Section 2.6 Municipality Right of Suspension

2.6.1 Suspension

The Municipality reserves the right to suspend collection services from business premises or residential properties where the bins or containers or facilities for bins or containers are contrary to the provisions of this Bylaw.

Section 2.7 Persons in Violation

2.7.1 Violations

A person who violates any of the provisions of this Bylaw shall:

a) be liable to pay a fee as set out in the current Fees and Charges Bylaw.

Where an offense against any provision of this Bylaw is of a continuing nature, a separate offense shall be deemed to occur on each day that the offense occurs or continues.

Section 2.8 Billing

2.8.1 Annual Billing

All annual waste collection rates are specified in the Village of Burns Lake's current Fees and Charges Bylaw.

2.8.2 Quarterly Service Charges

The monthly commercial and other waste collection services (other than the annual charges) are in the Village of Burns Lake's current Fees and Charges Bylaw.

2.8.3 Interest

Any amounts remaining unpaid on December 31st each year shall be deemed to be taxes in arrears in respect of the property concerned and shall be forthwith entered on the real property tax roll as taxes in arrears, and will be subject to prescribed rates of interest.

READ A FIRST TIME this 22 day of January, 2013.

READ A SECOND TIME this 22 day of January, 2013.

READ A THIRD TIME this 22 day of January, 2013.

ADOPTED this 5 day of February, 2013.



MAYOR



CORPORATE OFFICER

Certified to be a true copy of the "Corporation of the Village of Burns Lake Waste Collection Bylaw #938, 2013".

CORPORATE OFFICER

SCHEDULE "A"
NOTICE OF CONTRAVENTION
WASTE COLLECTION BYLAW

You are in contravention of the current Waste Collection Bylaw.

Date of Offence: _____

Offence being recognized: _____

This is being recognized as your:

____ First Offence

____ Second Offence

____ Third Offence

As stated in current Village of Burns Lake Waste Collection Bylaw:

The Municipality reserves the right not to remove such materials. A charge shall be made and payable should the removal of such waste material be necessary according to the scale of charges as set forth in the current Fees and Charges Bylaw.

2.3.1 No person shall place or mix with any material for removal as waste, the following materials:

- (a) raw sewage and septic tank sludge;
- (b) explosives;
- (c) materials defined by the *Workplace Hazardous Material Information System Standards (WHMIS)* as a compressed gas, flammable, combustible, oxidizing, poisonous, infectious, toxic, corrosive and dangerously reactive;
- (d) trees, stumps, logs, branches and land clearing debris;
- (e) motor vehicle parts or bodies and farm implements;
- (f) carcasses, offal or viscera;
- (g) Special waste;
- (h) construction materials or wastes;
- (i) materials that are on fire or above a temperature of 65.5o C;
- (j) clean wood waste originating from industrial operations, construction, reconstruction, or demolition; ; (small household wood waste can be disposed of but must fit in municipal bin and meet weight restriction 2.5.5.)
- (k) biomedical waste, as defined by the *Waste Management Act*, except sharps (needles) that have been properly contained through a method approved by the Ministry of Environment, Lands and Parks and the Municipality;
- (l) containers with significant residuals of any above listed materials;
- (m) animal excreta, unless properly contained;
- (n) compostable yard and garden waste;
- (p) soils; and
- (q) articles of waste too large for bin.
- (R) OTHER NOT LISTED ABOVE: _____

Fee Imposed: _____

Name of Bylaw Officer: _____

Signature of Bylaw Officer: _____

Date of Signature: _____