

DISTRICT OF LOGAN LAKE

BYLAW NO. 835, 2018

A bylaw to establish a system of solid waste and recycling removal.

WHEREAS the Council for the District of Logan Lake desires to develop a bylaw to establish a System of Solid Waste and Recycling Removal.

NOW THEREFORE the Council of the District of Logan Lake, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited as the "District of Logan Lake Solid Waste and Recycling Removal/Disposal Bylaw No. 835, 2018".

Definitions

2. In this bylaw, unless the context otherwise requires, the following definitions apply:

"Automated Collection" means a method of collection by which a specifically equipped vehicle can mechanically pick up and empty a container specifically designed for that purpose.

"Bear Attractants" means any and all food wastes and accumulations of discarded fruit on public or private land, and includes offal.

"Building Waste" means all waste produced in the process of constructing, demolishing, altering or repairing a building and shall include, but not be limited to soil, vegetation and rock displaced during the process of building.

"Bylaw Enforcement Officer" means the person or persons appointed by the Council as Bylaw Enforcement Officer for the District.

"Collector" means collector as defined in the *Community Charter*.

"Commercial Cardboard pickup" means the collection of cardboard material from District issued cardboard pickup bags.

"Commercial Premises" means a building or part of a building situated within the District of Logan Lake that is used or intended to be used for any type of business including without limitation, the carrying on of commercial industrial or professional undertakings of any kind.

"Compost" means the soil amendment created by the natural decomposition of yard and garden waste.

"District" means the District of Logan Lake, and where the context so requires, the geographical area within the municipal boundaries of the District of Logan Lake.

"Dwelling" means a residence occupied by a single family, either permanently or temporarily, whether the residence is stationary or a mobile home or in a multiple dwelling complex with five or fewer units.

"Fire Chief" means the person appointed by the Council as Superintendent of Fire Protection and Emergency Services for the District and any person authorized by the Fire Chief to administer this bylaw.

"Full Service Area" means the portion of the District that receives full solid waste pickup.

"Hazardous Waste" means waste designated as such in the Hazardous Waste Regulation under the *Environmental Management Act* and as amended from time to time.

"Health Officer" means a medical health officer appointed for the enforcement of the Health Act or of any other Act of British Columbia relating to public health.

“Multiple Dwelling” means a building designed for residential occupation by more than one family and includes apartment houses, condominiums, rooming houses, boarding houses and row houses with six or more units within the multiple dwelling complex.

“Occupier” means any person occupying such property within the District, and includes the owner of the property where:

- (a) the Owner is the person occupying such property, or
 - (b) the property is unoccupied
- but does not include any person who is a boarder, roomer or lodger.

“Owner” means owner as defined in the *Community Charter*.

“Permanently Disabled” means a person with a permanent disability for which there is no remedial therapy available which would significantly lessen the disability and which is sufficiently severe that in order to manage normal daily functioning in the home in which the person resides, the person requires either extensive physical assistance or structural modifications to the home.

“Physically Challenged” means a person who has physical infirmities.

“Recyclable Material” includes, but is not limited to, mixed paper, newsprint, corrugated cardboard, glass, aluminium cans and plastic milk jugs and other materials determined by the TNRD from time to time based on the nature and capacity of their designated recycling facility.

“Solid Waste” means any and all rejected, abandoned or discarded waste, vegetable or animal food, floor sweepings, but does not include grass, trees, hedge clippings or other garden waste.

“Solid Waste and Recycling Cart” means a 250-litre cart provided by the District that is designed to be moved to and from the collection point by an able-bodied individual and to be emptied by automated machinery.

“Solid Waste and Recycling Container” means a 1,136-litre solid waste container provided by the District and designed to be emptied by automated machinery.

“Solid Waste and Recycling Receptacle” means either a solid waste cart or a solid waste container.

“Superintendent” means the person appointed by the Council as Superintendent of Public Works for the District and any person authorized by the Superintendent to administer this bylaw.

“TNRD” means Thompson Nicola Regional District.

“Trade Premise(s)” shall mean any warehouse, factory, store, hotel, restaurant, auto camp, wholesale or retail business place, garage, office building, public and institutional buildings, any building in or from which solid waste is generated, other than a dwelling and multiple dwelling within the District.

“Transfer Station” means the TNRD Transfer Station located on Highway 97C, Logan Lake, BC and such other solid waste transfer stations as the District may establish from time to time.

“Yard Waste” means vegetative trimmings from yards or other landscaped areas and consisting only of leaves, grass clippings, plants, small brush and hedge clippings.

Administrative

3. There is hereby established, within the boundaries of the District, a system for the collection, removal and disposal of solid waste and recyclable material.
4. The Superintendent will direct the days and times that collections will be made from different areas of the District and subject the schedule to change from time to time to accommodate statutory holidays.

5. Upon providing the occupier with 24 hours prior written notice, the Superintendent is authorized to enter, at all reasonable times and in a reasonable manner, any land and buildings for the purposes of ascertaining whether the provisions of this bylaw are being complied with.
6. The District will only pick up solid waste and recycling receptacles provided by the District.
7. No person within the District will dispose of solid waste or recyclable material, except in accordance with the provisions of the bylaw.
8. The District may establish a system for the collection and removal of yard waste.
9. Every owner or occupier of a trade premise having solid waste in excess of two (2) solid waste carts per week, shall be required to convert to the solid waste container system.
 - a) The District's Solid Waste Collector will monitor a three (3) stage warning program for the following noncompliance offenses:
 - i. Improper placement of containers
 - ii. Non-allowable contents in containers
 - iii. Overfilling of containers

STAGE 1 and 2 will see 'Warning Stickers' placed on containers by the District's Solid Waste Collector;

STAGE 3 will see a 'Final Non-Compliance' sticker placed on the container by District's Solid Waste Collector, resulting in a \$100 bylaw infraction fine issued by the District's Bylaw Enforcement Officer; and

- b) District staff will not accommodate pickup of solid waste containers that are identified by residents, as being missed.

Duties of Occupiers

10. No person will cause or permit any loss of or damage to a District owned solid waste or recycling receptacle.
11. No person will dispose of solid waste anywhere in the District other than in a solid waste and recycling receptacle or at a provincially approved Waste Management Centre.
12. A person who has placed solid waste contrary to the provisions of this bylaw will remove the waste or cause the waste to be removed upon being directed to do so by the occupier of the land, the Superintendent, a Health Officer, the Fire Chief or a Bylaw Enforcement Officer.
13. If the identity of the person who placed waste on the land contrary to the provisions of the bylaw cannot reasonably be ascertained, the occupier of the land will remove the waste or cause the waste to be removed upon being directed to do so by the Superintendent, a Health Officer, the Fire Chief or a Bylaw Enforcement Officer.
14. Every occupier, as designated by the Superintendent, within the Full Service Area shall use the system established by this bylaw for the collection and disposal of solid waste, and will place the solid waste generated from his or her premises out for collection at those premises in accordance with this bylaw.
15. No person will cause or permit the accumulation of solid waste except where such solid waste is placed in suitable solid waste receptacle for collection and removal. The contents to be protected to minimize as much as possible the escape of offensive odours.
16. All solid waste and recycling receptacles must, at all times, be maintained in a clean and sanitary condition.

17. No occupier will cause or permit the contents of a solid waste or recycling receptacle, for which he or she is responsible, to exceed the manufacturers rated weight limit.
18. No occupier will accumulate, store, or collect any bear attractants in a manner that poses or may pose a risk to the safety of any person and protect the solid waste and recycling containers from bear or animal attacks.
19. All solid waste must be bagged to prevent loose waste from becoming wind borne. The occupier must protect solid waste receptacles from spillage and promptly clean up any such spillage. Clean up will be done by the District staff at the charges prescribed in the Unsightly Premises Bylaw and any amendments thereto. Recyclable material must be placed in blue carts as individual items; Plastic bags and Plastic bags containing recyclable materials will not be accepted in Blue recycling carts. Recycling containers for plastic bags will be provided outside of the Public Works Yard or can be recycled at the TNRD Transfer Station.
20. No person will place any solid waste receptacle in any location that in the opinion of the Fire Chief creates a fire hazard or endangers the life or safety of persons by impeding access to premises by firefighting apparatus or personnel.
21. Each dwelling will be provided with one solid waste and one recycling cart for the sole use of the occupier of the residence. Should an occupier require another solid waste cart they may place their request with the District. Every dwelling is permitted a maximum of two (2) solid waste carts. Additional cost as detailed in Schedule "A", will be levied.
22. Every dwelling may place a maximum of two solid waste carts out for weekly collection.
23. Solid waste and recycling carts are the property of the District and are not to be removed from the residence by the occupier, or used for any purpose other than as permitted in this bylaw.
24. Every occupier of a dwelling will, on the date set for solid waste and recycling collection and not prior to 5 am, place the solid waste carts between 5 am and 10 am, and recycling carts between 5 am and 7 am at or near the street at a distance of 1 metre (3 feet) apart in a position readily accessible by the District for convenient pickup. The placement of such solid waste and recycling carts is not to interfere with snow ploughing, snow removal or street cleaning."
25. Solid waste and recycling receptacles are not to be filled higher than the upper rim or in a manner, which prevents full closure of the lid. The solid waste receptacle lids must be left closed except when depositing waste in order to reduce odours and to prevent waste from being blown from the solid waste receptacle.
26. Solid waste and recycling carts are to be:
 - (a) set out in accordance with the instructions and operating policy of the Superintendent.
 - (b) set out so that they will not be likely to be overturned; and
 - (c) stored on the property when not being used.
27. No person will place solid waste for pick-up with the solid waste of others or place solid waste in solid waste receptacles owned by others without the other owner's permission.
28. An occupier whose solid waste receptacle is lost, stolen or damaged due to negligence or misuse shall notify the Superintendent immediately and have the solid waste or recycling receptacle replaced at the expense of the occupier as per Schedule "A".
29. An occupier within the District, who is permanently disabled or is physically challenged and not able to place their solid waste cart in accordance with *Section 24* due to a physical disability, may apply to the Superintendent for assistance and the Superintendent may, on being satisfied that there is no able-bodied person available to assist in the placement of the solid waste cart, approve such assistance as may be necessary by the District. The Superintendent may require the applicant to provide proof of disability by means of a physician's certificate. If at any time the occupier becomes able to comply with *Section 24*, then they must immediately notify the Superintendent.

30. Every occupier of a trade premises or multiple dwelling must provide an accessible location for solid waste and recycling containers to be accessed for dumping by the specially equipped vehicle. The placement of such solid waste and recycling containers must not interfere with snow ploughing, snow removal or street cleaning.
31. Any structure built to accommodate solid waste and recycling containers must be built in accordance with all relevant legislation and with approval from the Superintendent.
32. Where a solid waste and recycling container is stored in a gated enclosure, all gates on the enclosure must be secured in an open position for solid waste and recycling collection.
33. An occupier may keep the solid waste container lid locked provided that:
 - (a) the occupier unlocks the solid waste container lid for collection purposes;
 - (b) solid waste containers must be unlocked by 10:00 am on the scheduled collection day; and
 - (c) locks must be provided by the occupier.
34. Every occupier of a trade premises or multiple dwelling must ensure that the area surrounding the solid waste and recycling receptacles is kept free from snow and ice.
35. Every occupier of a trade premises or multiple dwelling must ensure that the area surrounding the solid waste and recycling receptacles is safe from hazards. Areas considered unsafe by the District's operator will not be serviced.
36. Every occupier of a trade premises or multiple dwelling will be provided with sufficient solid waste receptacles to accommodate the potential amount of waste generated. Should an occupier of a trade premises or multiple dwelling require more solid waste containers they may place their request with the District.
37. Occupiers of trade premises who require an occasional additional collection may arrange with the Superintendent for same, at the rates provided in Schedule "A" to this bylaw.
38. No occupier of a trade premises will:
 - (a) dispose of commercial cooking grease except in a commercial cooking grease container; or
 - (b) fail to maintain a commercial cooking grease container in a clean and sanitary state.

Types of Refuse Not Collected

39. The District will not remove the following:
 - (a) recyclable material
 - (b) highly combustible or explosive materials including but not limited to liquid or solid fuels, gunpowder, ammunition or explosives,
 - (c) compressed propane or butane cylinders, toxic or household hazardous waste including solvents, oven cleaners, paints, automotive fluids, wet cell batteries, pesticides, herbicides, or any material commonly referred to as household, commercial, or industrial hazardous waste,
 - (d) hot ashes,
 - (e) large amounts of excrement,
 - (f) any refuse not contained within a District supplied solid waste receptacle, unless by prior arrangement,
 - (g) discarded furniture,
 - (h) discarded automobile parts,
 - (i) tires,
 - (j) liquid wastes or sludge,
 - (k) private vehicles,
 - (l) household equipment and appliances,
 - (m) tree limbs, whole shrubs or bushes, portions of hedges,
 - (n) fences, gates, other permanent and semi-permanent fixtures on the premises,
 - (o) building waste,

- (p) oil, fuel or other equipment lubricant,
- (q) discarded heavy machinery,
- (r) bi-products of manufacturing,
- (s) heavy or bulky wrapping, packaging or crating materials, and
- (t) yard waste.

Miscellaneous

- 40. The District may authorize a clean-up campaign in the spring of any year at which time all waste will be picked up with the exception of construction waste, hazardous waste, car bodies, manure and dead animals.
- 41. Christmas trees may be collected after the Christmas holiday season.
- 42. No person will convey solid waste on any street within the District, except in a properly covered receptacle, or in a vehicle which is covered with canvas or tarpaulin, or other covering so that the contents are protected from becoming wind borne or being deposited on the streets.
- 43. Corrugated cardboard will only be picked up from commercial premises that have a cardboard pickup bag issued by the District. In all other cases, cardboard may be placed in any designated "Cardboard Only" collection bin located throughout the District, or it may be delivered to the transfer station with all other recyclable material.
- 44. The District may request or authorize the use of special commercial garbage receptacles other than, or in addition to, the commercial regulation type. Rates for these special receptacles shall be determined on an individual basis, with the final decision being that of the District.
 - 44.1 Recycling of glass and plastic bags are only accepted at the Public Works Yard and TNRD Transfer Station.
 - 44.2 Large amounts of corrugated cardboard are not accepted at the blue bag recycling bins, but can be taken to the large green cardboard recycle bins located at the Public Works Yard, the Bargain Shop and behind Highland Valley Foods".

Fees and Charges

- 45. Every occupier will pay to the District the fees and charges for collection, removal and disposal of solid waste prescribed in Schedule "A" of this bylaw on or before the due date.
- 46. The fees and charges enumerated under Schedule "A" of this bylaw, are hereby imposed and levied for solid waste removal and disposal by the municipality, and all such rates and charges shall be rendered annually on the municipal tax notice sent out each year and will be due and payable as current year's taxes in respect to the land on which the said dwelling, multiple dwelling or trade premises is situated.
- 47. Private contractors may dispose of solid waste at the transfer station at the rate prescribed by the TNRD.
- 48. Where charges for services provided by the District under this bylaw remain unpaid after the 31st day of December in any year, they will be deemed to be taxes in arrears on the property in respect of which they were levied and will promptly be entered as such on the tax roll by the Collector.
- 49. The District of Logan Lake shall establish a Full Service Area within the District, therefore, the owners of premises within the area, whether occupied or vacant on which a premise exists, shall be responsible for the payment of all garbage fees and charges, whether the service is actually used or not.

However, upon written application to the District the owner of land shall be exempt from payment of user rates when:

- (a) water disconnection fee has been paid and the water service to the land has been disconnected;
- (b) the land has been unoccupied for a period not less than two years from the date of payment of the water disconnection fee; and the exemption shall continue so long as the land remains unoccupied.

Offence

50. Any person who contravenes any provision of this bylaw is liable upon summary conviction, to the penalties prescribed by the *Offence Act*.
51. No person shall:
- (a) fail to comply with an order made under this bylaw;
 - (b) obstruct or hinder a District employee or representative acting under this bylaw; or
 - (c) fail to comply with any provision of this bylaw.

Schedules

52. The schedules to this bylaw form part of this bylaw and are enforceable in the same manner as this bylaw.

Severability

53. If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

General

54. That the District of Logan Lake Garbage Collection and Disposal Bylaw No. 827, 2017 and all amendments thereto are hereby repealed.
55. Solid waste removal charges under Schedule "A", are deemed to be imposed in year in which Bylaw 887, 2022 is adopted. **'Bylaw 887'**
56. This bylaw shall come into full force and effect upon adoption.

READ A FIRST AND SECOND TIME this 17th day of April, 2018

READ A THIRD TIME this 17th day of April, 2018

RECONSIDERED AND ADOPTED this 8th day of May, 2018

Mayor (R. Smith)

Corporate Officer (M. Miles)

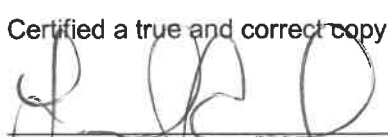
INDEX OF AMENDING BYLAWS

Bylaw 887Adopted May 10, 2022

Note to Users

"WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of adoption of the original and all amending bylaws", pursuant to 'Authority to Consolidate Municipal Bylaws No. 655, 2009', which was adopted on the 3rd day of November, 2009.

Certified a true and correct copy this 24 day of August, 2022.


Corporate Administrator
District of Logan Lake

SCHEDULE "A"

SOLID WASTE AND RECYCLING REMOVAL/DISPOSAL BYLAW 887, 2022

<u>Rate charges per 12 months or calendar year – full-service area</u>	<u>Solid Waste</u>	<u>Recycling</u>	<u>Total</u>
<u>Residential</u>			
a) Solid Waste Cart – 250 litres			
- One pickup per week / per solid waste cart Single Dwelling	\$127.70	\$25.50	\$153.20
- Single Dwelling with Secondary Suite	\$255.40	\$51.00	\$306.40
b) Solid Waste Container – 1,136 litres Multiple Dwelling – per unit	\$85.20	\$17.05	\$102.25
<u>Commercial</u>			
a) Solid Waste Cart – 250 litres One pickup per week / per solid waste cart Trade Premises	\$170.35	\$34.05	\$204.40
b) Solid Waste Container – 1,136 litres One pickup per week / per solid waste container Trade Premises	\$574.75	\$114.95	\$689.70
c) Two pickups per week / per solid waste container Trade Premises	\$1,149.50	\$229.90	\$1,379.40
d) Replacement Cost or Cost for additional Receptacle Solid Waste Cart – 250 litres	At Cost		
Solid Waste Container – 1,136 litres	At Cost		
e) Additional Trade Premises Collection Fee Minimum charge out ½ hour	\$100.00 / hour		
f) Pickup / per commercial cardboard bag	\$25.00		

Container Offence Penalties – Stage 3

STAGE 3: 'Final Non-Compliance' sticker placed on the container followed by the following bylaw infraction fine:

a) Improper placement of containers	\$100	\$100
b) Non-allowable contents in containers	\$100	\$100
c) Overfilling of containers	\$100	\$100

Schedule A "Bylaw 887"

