

DISTRICT OF SEHELDT

BYLAW No. 598, 2021

A Bylaw to provide for the Control, Collection and Disposal of
Solid Waste and Recyclables

WHEREAS the District of Sechelt may by bylaw regulate with regard to refuse, garbage and other material that is noxious, offensive or unwholesome as well as regulate with regard to the use of waste disposal and recycling services;

AND WHEREAS the District of Sechelt may by bylaw provide for the collection of solid waste and recyclables as a municipal service:

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

TITLE

This bylaw may be cited as “District of Sechelt Solid Waste Collection, Control, and Disposal Bylaw No. 598, 2021”.

DEFINITIONS

In this bylaw:

“**ANIMAL**” means a mammal, reptile, amphibian, or bird.

“**ANIMAL ATTRACTANT**” means a material, substance or activity that attracts or is likely to attract Wildlife or Animals

“**APPROVED DISPOSAL SITE**” means a site authorized by the District and where applicable, licensed by the Sunshine Coast Regional District and or the Ministry of Environment, Lands and Parks, for the deposit, disposal or processing of Solid Waste, Recyclables or Organic Recyclables.

“**COLLECTION(S)**” means all work performed by Collection Personnel in the transfer of Solid Waste from a Serviced Unit’s collection point to a collection vehicle.

“**COLLECTION DAY**” means the regularly scheduled day of the week for Collection of Solid Waste from the curb side of Serviced Units as published or approved by the District. Multifamily Building’s Collection Day shall be on a as required basis, the frequency if which is determined by the amount of Solid Waste produced onsite.

“**COLLECTION CONTAINER**” means a Solid Waste container assigned by the District to a Multifamily Building to facilitate Collection of Solid Waste from a Solid Waste Collection Room.

The District shall assign every Multifamily Building with a minimum of one Collection Container for Garbage, Packaging and Printed Paper Recyclables and Organics Recyclables.

“COLLECTION PERSONNEL” means people or a contractor authorized by the District to perform Collections of Solid Waste.

“DIRECTOR” means the person or persons that is authorized to oversee the implementation of this bylaw.

“DISTRICT” means the District of Sechelt and, where the context requires, all land parcels located within the Service Area boundary;

“DWELLING UNIT” means an enclosed space or a suite of rooms which provides residential accommodations for one or more persons, has its respective entrance, and contains a sleeping area, toilet facilities and not more than one set of cooking facilities. Notwithstanding the generality of the forgoing, a Dwelling Unit can also be described as:

- (a) A single-family building;
- (b) A secondary suite of rooms located in a single-family building, whether approved or not;
- (c) A manufactured home located in a manufactured home park, whether approved or not;
- (d) A camper or travel trailer, used as a dwelling by a person or persons, located on land in the Service Area, whether approved or not;
- (e) A suite of rooms located in a multifamily building or complex that is rented under a single tenancy;
- (f) A suite of rooms located in a stratified multifamily building, as defined in the Strata Property Act, S.B.C. 1998, as amended or replaced from time to time

“GARBAGE” means discarded matter and includes refuse, waste, noxious, offensive and unwholesome materials, but does not include Prohibited Waste as listed in Schedule B, Packaged and Printed Paper Recyclables as listed in Schedule C or Organics Recyclables as listed in Schedule D;

“GARBAGE TAG” means a tag issued under Section 19;

“MULTIFAMILY BUILDING” means a building or complex of buildings containing more than two Dwelling Units classified as Serviced Units. Each Multifamily Building shall have a Solid Waste Collection Room. Collections are from Collection Containers stored in a Solid Waste Collection Room. Collections at Multi Family Buildings shall occur in sufficient number to ensure that no Solid Waste is stored outside of Collection Containers.

“ORGANIC RECYCLABLES” means any item or material that is listed in Schedule “D” of this bylaw;

“PROHIBITED WASTE” means any item or material that is listed in Schedule “B” of this bylaw;

“PACKAGED AND PRINTED PAPER RECYCLABLES” means any item or material that is listed in Schedule “C” of this bylaw;

“RECYCLABLES” means Packaged and Printed Paper Recyclables and any other materials required to have an Extended Producer Responsibility program, as required by the Environmental Management Act (S.B.C. 2003 c.53) Recycling Regulation, as amended or replaced from time to time;

“SERVICE AREA” means all Dwellings and land parcels located within the area outlined, in a thick black line, on the map attached as Schedule “A” to this bylaw.

“SERVICED UNIT(S)” means individual Dwelling Units located in the Service Area that are charged a fee for the Collection of Solid Waste by the District;

“SOLID WASTE” means Garbage, Recyclables and Organic Recyclables, either individually or collectively as the context requires, but does NOT include Prohibited Waste, as listed in Schedule B;

“SOLID WASTE COLLECTION ROOM” means an enclosed space in a Multifamily Building designated exclusively for the storage and Collection of Collection Containers. Each Solid Waste Collection Room shall:

- (a) be of a sufficient size to completely contain all Collection Containers required to service all Units in the building or complex,
- (b) be designed and sized to allow for convenient sorting of Solid Waste into its respective Collection Containers
- (c) meet good engineering and industry design practices and conform to all applicable requirements of the BC Building Code.

If a phased strata development proposes one Solid Waste Collection Room, for all the units in all the phases, said Solid Waste Collection Room shall be built in the first phase and be sized to accommodate all units in all phases.

“TOTE” means the wheeled container assigned by the District to a Serviced Unit to facilitate curbside Collections of Solid Waste.

“TOWNHOUSE” means a building that has more than two Dwelling units that are individual independent Dwelling units connected only by a vertical fire separation or party wall.;

“WASTE BIN” means a fully enclosed container of sufficient strength, durability and volume to

completely contain Solid Waste while meeting the following criteria:

- (a) be completely waterproof;
- (b) allow no access to Wildlife or Animals;
- (c) contains completely all Solid Waste produced onsite by residents or occupiers of the land.

“**WILDLIFE**” means:

- (a) bear, cougar, coyote, or wolf, or
- (b) an Animal designated as dangerous wildlife in the Wildlife Act (S.B.C. 1996) as amended or replaced, from time to time.

GENERAL REGULATIONS

1. Within the District of Sechelt, no person, or occupier or owner, of land shall:
 - (a) throw, place or pile Solid Waste or Prohibited Waste on any street, lane, alley, public land or into the sea;
 - (b) allow Solid Waste or Prohibited Waste to accumulate, in any amount deemed unacceptable to the District, contained or uncontained, on lands in the Service Area;
 - (c) place or store Garbage, Recyclables, Organics Recyclables or Prohibited Waste in a Tote, Collection Container or Waste Bin, unless it is specifically designed for the materials so placed or stored;
 - (d) allow Solid Waste, Prohibited Waste or Animal Attractants to be accessible to Wildlife or Animals. All such items shall be stored in a Wildlife resistant enclosure of sufficient design and strength to prevent access by Wildlife or Animals at all times except for when Solid Waste is accessible for Collection on Collection Day;
 - (e) place Recyclables, Organics Recyclables or Prohibited Waste in a Tote, Collection Container or Waste Bin used for Garbage Collection;
 - (f) transfer or use a Tote or Collection Container anyplace other than the land parcel that the District assigned it to; and
 - (g) burn any Solid Waste or Prohibited Waste in the Service Area.
2. Every owner or occupier of land within the District, other than Serviced Units or Multifamily Buildings shall:
 - (a) provide and maintain in good and sufficient order and repair Waste Bins of sufficient

- capacity and number to completely contain all Solid Waste generated onsite;
- (b) provide and maintain in good and sufficient order and repair Waste Bins in sufficient number so all Packaging and Printed Paper Recyclables, Organics Recyclables and Garbage generated on site is stored separately; and
 - (c) arrange, at his or her own cost, for the collection and removal of all Solid Waste Recyclables and Organics Recyclables from the property a minimum of once every two weeks.
 - (d) all Solid Waste collected under this section shall be delivered to an Approved Disposal Site.

SOLID WASTE COLLECTION SERVICE

- 3. The District shall provide for Collection of Solid Waste from all Serviced Units and Solid Waste Collection Rooms, on a regularly scheduled basis
- 4. Every owner or occupier of a Serviced Unit or Solid Waste Collection Room shall:
 - (a) possess or arrange to possess a minimum of one Tote or Collection Container each for Garbage, Packaging and Printed Paper Recyclables and Organics Recyclables;
 - (b) maintain all Totes or Collection Containers, assigned by the District, in sanitary condition and good repair;
 - (c) after the District's initial distribution and assigning of a minimum of one Tote or Collection Container each for Garbage, Packaging and Printed Paper Recyclables and Organics Recyclables to Serviced Units or Solid Waste Collection Rooms, request and pay for additional Totes or Collection Containers, in a sufficient quantity, to completely contain all the Solid Waste generated onsite, by residents of Service Units so that Collections can be performed in an efficient manner;
 - (d) not place Solid Waste out for Collection-on-Collection Day in a Tote or Collection Container other than what the Tote or Collection Container is designated to contain;
 - (e) not place Recyclables or Organic Recyclables in Garbage for Collection;
 - (f) place Prohibited Waste in a Tote or Collection Container for Collection or storage
 - (g) keep all Totes or Collection Containers securely closed if placed at the curb for Collection;
 - (h) not cause or allow water or other liquids to accumulate in a Tote or Collection Container;
 - (i) drain all liquid from putrescible Solid Waste prior to placing putrescible Solid Waste in a Tote or Collection Container;

- (j) not cause a Tote or Collection Container to be filled to within 10 centimeters of its brim;
 - (k) not cause the weight of a Garbage Tote's contents to exceed 20 kilograms;
 - (l) keep all Totes or Collection Containers assigned to a Serviced Unit or Solid Waste Collection Room secured by the Serviced Unit or within the Solid Waste Collection Room, except on Collection Day;
 - (m) not place Totes or Solid Waste at the curb for Collection before 6:00 am on Collection Day;
 - (n) not leave Totes or Solid Waste at the curb after 7:00 pm on Collection Day;
5. On Solid Waste Collection Day, Collection Personnel may not Collect more than one Garbage Tote per Serviced Unit unless each additional Garbage Tote or plastic bag has a Garbage Tag affixed.
 6. On a Recyclables or Organics Recyclables Collection Day, the Waste Collection Contractor may not collect more than three Recycling or Organics Recycling Totes or bags per Serviced Unit. The Waste Collection Contractor shall collect all eligible Recyclables or Organics Recyclables that are placed beside a Recycling Tote.
 7. The Waste Collection Contractor may decline to serve a Serviced Unit on a Garbage, Recyclables or Organics Recyclables collection day if the condition or placement of a Garbage Tote, Recycling Tote or Organics Recycling Tote is in contravention of section 4 of this bylaw.

ANIMAL AND WILDLIFE ATTRACTANTS

8. No person shall store, handle, or dispose of Animal Attractants in such a way that they are accessible to Wildlife or Animals.
9. No person shall feed or attempt to feed Wildlife, or deposit Animal Attractants in a place or manner that attracts Wildlife.
10. No person shall place or allow an Animal feeder on a land parcel so that the feeder is accessible to Wildlife. Every person who occupies a land parcel must keep the area below any Animal feeder free of the accumulation of any debris from the Animal feeder, at all times.
11. All apiary equipment or activities, that may create or cause an Animal Attractant, shall be kept fully secure and totally inaccessible to Wildlife.
12. No owner or occupier of a land parcel shall permit or allow fruit from a tree or bush on a land parcel to accumulate on the tree, bush or ground such that it attracts or is likely to attract Wildlife.

13. No person shall fail to take remedial action to avoid contact or conflict with Wildlife after being advised by the Director, a designated bylaw enforcement officer or peace officer, that such action is necessary.

CHARGES AND FEES

14. Every owner of a land parcel within the Service Area shall pay the District the annual collection charge, as prescribed in the District's current fees and charges bylaw for each Dwelling that is located on or is under construction on the land parcel and this annual per Dwelling charge shall be:
 - (a) collected in the same manner as property taxes for the land parcel; and
 - (b) payable whether or not the owner or occupier uses the Solid Waste Collection service provided under this Bylaw.
15. If a person commences construction of a new Serviced Unit on a land parcel, the annual charge for collection services payable for the new Serviced Unit for the year that construction commenced shall be subject to a pro-rated reduction in the charge for that Serviced Unit to be calculated from the first day of the month after the building permit for the new Serviced Unit was issued.
16. If a Serviced Unit is added partway through an annual taxation cycle, the annual charge for the Serviced Unit shall be subject to a pro-rated reduction in the annual charge calculated from the first day of the month that Solid Waste collection is commenced for the Serviced Unit.
17. Persons residing in a Serviced Unit may purchase Garbage Tags from the municipal hall by paying the fee so noted in the current District Fees and Charges Bylaw.
18. A person may obtain an additional or replacement Tote for a Serviced Unit by paying the District or the Waste Collection Contractor the current replacement cost of a Tote.
19. A person may obtain up to three Recycling Totes per Serviced Unit.

OFFENCES

20. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
21. Every person who violates any provision of this bylaw, or who permits any act or thing to be done in violation of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:
 - (a) Shall be liable to the appropriate fine as set by District of Sechelt bylaws; or

- (b) Shall be liable, upon summary conviction, to the penalties provided under the Offence Act; or any combination of these.
22. Each day that an offence against this bylaw continues constitutes a separate offence.
23. The Director, bylaw enforcement officer and peace officers are hereby authorized to enforce this bylaw and to enter, at any reasonable time, onto any property in the course of conduct of administration of this bylaw in order to ascertain whether the regulations of this bylaw are being observed.
24. No person shall interfere with or obstruct the Director, bylaw enforcement officer or a peace officer or any other person authorized to administer or enforce this bylaw.

SEVERABILITY, SCHEDULES AND REPEAL

25. Should any section, or sub-section, clause, paragraph or sentence of this bylaw be declared invalid by a court of competent jurisdiction, no other part of this bylaw shall be deemed to be invalid, and the balance of the bylaw shall remain in force as a whole except for the part declared invalid.
26. The schedules attached to this bylaw form part of the bylaw.
27. District of Sechelt Solid Waste Control, Collection and Disposal Bylaw No. 548, 2016 is hereby repealed.

FEE REDUCTION FOR ELIGIBLE PROPERTIES

28. For the purpose of this section
- (a) “eligible property” means property that is:
- i. liable to property taxation; and
 - ii. owned by a person entitled to receive the Additional Homeowner’s Grant in respect of that property.
- (b) “eligible property reduction” means an amount equal to the portion of the Additional Homeowner’s Grant that an owner of an eligible property was unable to claim during the year for which the charge under Section 15 is payable to a maximum of the solid waste collection fee in respect of any property.
- (c) The level of fee for a person who owns and occupies an eligible property shall be the fee set out in Section 15, as applicable, less the amount of the eligible property reduction.
- (d) A person who owns and occupies an eligible property must apply for the solid waste

fee reduction each year prior to the bill due date. Failure to apply prior to this date results in forfeiture of the eligible property reduction for the current year.

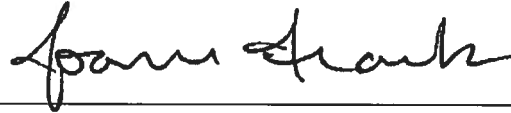
REPEAL

29. "Solid Waste Collection, Control, and Disposal Bylaw No. 548, 2016" is hereby repealed.

READ A FIRST TIME THIS	17	DAY OF	NOVEMBER	2021
READ A SECOND TIME THIS	17	DAY OF	NOVEMBER	2021
READ A THIRD TIME THIS	17	DAY OF	NOVEMBER	2021
ADOPTED THIS	1	DAY OF	DECEMBER	2021

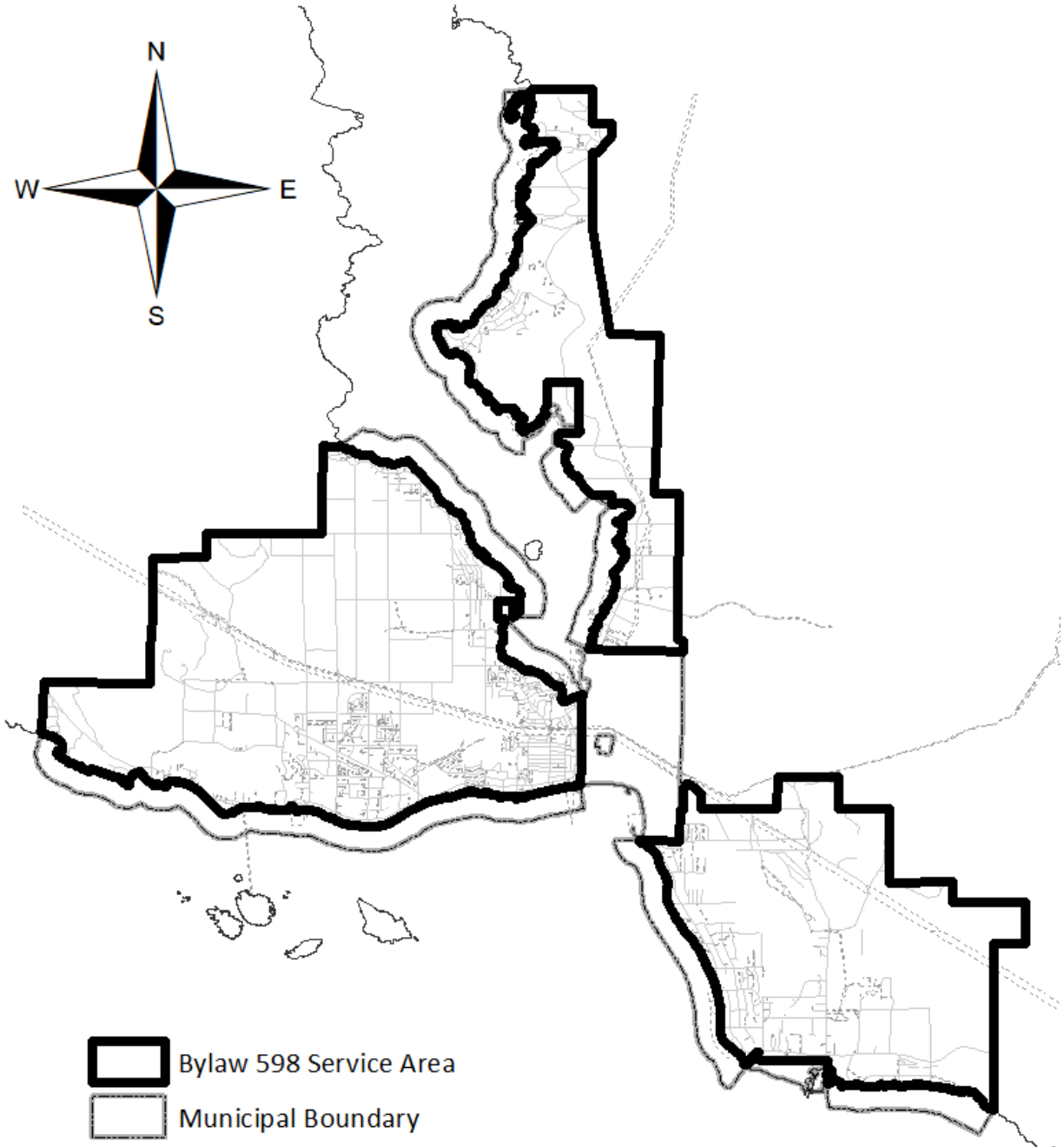


Mayor



Corporate Officer

Schedule "A"



Schedule "B"

Prohibited Waste

- Appliances (large or small)
- Batteries
- Car Parts
- Caulking
- Construction Waste
- Electronics (TVs, computers, monitors, etc.)
- Explosives of any kind
- Fabric
- Furniture
- Glass
- Gypsum
- Household cleaner spray cans (Full or Empty)
- Medical waste
- Medication and pharmaceuticals
- Motor oil containers
- Paint Cans
- Sod, tree branches, logs, stumps or another yard waste
- Soil
- Small tools
- Styrofoam
- Syringes
- Tires
- Televisions
- Wire

Schedule "C"

Package and Printed Paper Recyclables

- Advertising brochures and leaflets
- Beverage cans
- Cereal, tissue & detergent boxes with liners removed
- Clean Pizza boxes
- Corrugated boxes
- Empty plastic bottles and prescription containers
- Envelopes
- Foil pie plates
- Hardcover books with covers removed
- Magazines, catalogues and telephone directories
- Milk & juice cartons
- Newspapers & flyers
- Paper
- Paper bags & rolls
- Paper gift wrap and cards (without ribbons or bows)
- Paper egg cartons
- Plastic jars, jugs, lids, and plant pots
- Paper plates & cups
- Plastic wrap
- Plastic wrap, bags and bubble pack
- Plastic jars, jugs, lids, and plant pots
- Rigid metal cooking trays
- Shredded paper in clear plastic bags
- Softcover books
- Tin foil wrap
- Tin cans
- Tetra-pack containers
- Un-waxed cardboard
- Writing and computer paper
- And any other material Recycle BC adds to their list of acceptable items for recycling

Schedule "D"

Organics Recyclables

- Baked Goods
- Baking ingredients, herbs, spices
- Bones
- Bread, cereal, grains
- Candy
- Coffee grounds, filters, tea bags
- Dairy products, butter, mayonnaise
- Egg shells
- Fruit & vegetable scraps
- Meat, fish/seafood, poultry
- Nuts & shells
- Pasta, rice
- Soiled cardboard
- Paper cups & plates
- Paper towels & tissues
- Pizza boxes
- Compostable bags
- Houseplants, cut & dried flowers
- Grass clippings
- Leaves
- Tree Limbs & Branches - max dia. 3" (75 mm) x 3' (1000 mm)