

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 875

Being a bylaw to amend the Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 580.

WHEREAS the Regional Board adopted the Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 580, 1993;

AND WHEREAS it is deemed necessary to amend said bylaw;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

1. Amend the short description by deleting the words, "management facilities"
2. Amend the preamble section as follows:
 - a) Delete the words, "WHEREAS the Regional District of Central Okanagan has, pursuant to Bylaw No. 577, cited as the Solid Waste Management Local Service Establishment Bylaw No. 577, established a local service area to provide for the management of solid waste pursuant to Section 788 (1)(c) of the Municipal Act" and replace them with the words, "WHEREAS the Regional District of Central Okanagan has, pursuant to Bylaw No. 577, cited as the Solid Waste Management Local Service Establishment Bylaw No. 577, established a local service area to provide for the management of solid waste pursuant to the Municipal Act and the Waste Management Act;"
 - b) Delete the words, "AND WHEREAS the Regional District of Central Okanagan operates Solid Waste Management Facilities for disposal of garbage and maintains a system to collect, remove and dispose of garbage and compels persons to make use of such system and the Regional District wishes to regulate the Solid Waste Management Facilities." and replace them with the words, "AND WHEREAS the Regional District of Central Okanagan operates Solid Waste Management Facilities for collection, recycling, and disposal of garbage and maintains a system to collect, remove, recycle, and dispose of garbage and compels persons to make use of such system and the Regional District wishes to regulate the Solid Waste Management Facilities."

3. Amend Section 1.0 as follows:

- a) Delete definition of “Approved Disposal Site” and replace with a new definition: “Approved Waste Management Facility” means a site for the deposit and disposal of garbage and/or recyclable materials, which is either owned and operated by the Regional District of Central Okanagan, the City of Kelowna, or authorized by the Regional District as a disposal site for which a permit has been issued under the Waste Management Act and includes landfills, transfer stations, recycling depots, and any other facilities the Regional District or member municipalities have established or approved of for the collection, recycling, or disposal of solid waste.
- b) Add definition of "Blue Bag" means a transparent blue tinted plastic or clear plastic bag with a maximum capacity of ninety-five (95) litres when used for the collection of recyclable materials.
- c) Add definition of "Commingled Containers" means all colours of recyclable glass or metal food and beverage containers, and all plastic bottles identified as cloudy coloured #2 High Density Polyethylene ("HDPE"); but does not include beverage containers under deposit as part of the Provincial container deposit/refund system.
- d) Delete definition of “Controlled Waste” and replace with a new definition: "Controlled Waste" means solid waste requiring special handling at an Approved Waste Management Facility, and includes but is not limited to: asbestos in dry or slurry form; food processing waste; large dead animals; and biomedical waste. Special handling includes extra excavation, trenching, lining, extra cover and using extraordinary means to cover with other solid waste.
- e) Add definition of "Garbage" means and includes any and all rubbish, trade waste, ashes, household waste, discarded matter, rejected, abandoned or discarded waste or vegetable or animal food, floor sweepings, crockery, glass or metal ware having contained food and includes tree prunings of a diameter not more than five centimetres (two inches), hedge clippings and other garden refuse or rubbish if cut into one metre lengths or less and tied in suitable bundles weighing not more than 25 kg, and includes grass, if placed in a standard container, but does not include waste or rubbish from renovating, re-modelling or re-building.
- f) Delete definition of “Garbage Collection Area” and replace with a new definition: “Garbage and Recyclable Materials Collection Area” means Electoral Areas G, I, and Westbank, and the District of Lake Country, excluding areas falling within the boundaries of the City of Kelowna, the District of Peachland, or Indian Reserve Lands.

- g) Add the definition of "Garbage Disposal" means the collection and disposal of garbage under the provisions of this Bylaw.
 - h) In the definition of "Mandatory Recyclable Material", delete the words, "are required by the Regional District to be source separated and."
 - i) Add the definition of "Mixed Waste Paper" includes but is not limited to commingled boxboard, paper shopping bags, white and coloured ledger paper, wrapping paper, envelopes with windows, sticky notes, computer paper, envelopes, third class mail, flyers, magazines, catalogues, telephone books, paper egg cartons, and any other 100% paper fibre products.
 - j) In the definition of "Prohibited Waste", delete the words, "Approved Disposal Site" and replace them with, "Approved Waste Management Facility" and in section 3(iii) of the definition delete the words, "Standard municipal waste" and replace them with "Garbage".
 - k) In the definition of "Recyclable Materials", delete the words, "marketable, source-separated waste that includes but is not limited to, newspaper, ledger and computer paper, magazines, telephone directories, corrugated cardboard, boxboard, plastic food and beverage containers, ferrous and non-ferrous metals food and beverage containers, glass food and beverage containers" and replace them with, "commingled food or beverage containers, mixed waste paper, recyclable corrugated cardboard and recyclable newsprint."
 - l) Delete the definition of "Solid Waste."
 - m) Delete the definition of "Solid Waste Management Facilities."
 - n) In the definition of "White Goods", add the words, "washers, dryers, stoves," after the words, "such as."
4. Delete sub-sections 2.1 to 2.5 and replace them with:
- 2.1 No person shall deposit garbage or recyclable materials that do not originate from within the Regional District at the disposal site except as permitted by the Director of Engineering.
 - 2.2 No person shall deposit garbage or recyclable materials at a location other than an Approved Waste Management Facility.

- 2.3 No person shall deposit garbage at an Approved Waste Management Facility, except in accordance with this bylaw and any regulations posted at the Approved Waste Management Facility.
- 2.4 No person shall deposit a Prohibited Waste at an Approved Waste Management Facility.
- 2.5 No person within the garbage collection area shall dispose of Garbage or Recyclable Materials except in accordance with the provisions of this bylaw.

5. Amend Section 3.0 as follows:

- a) In the title, delete the words, “RESIDENTIAL GARBAGE COLLECTION SYSTEM” and replace them with the words, “RESIDENTIAL GARBAGE AND RECYCLABLE MATERIALS COLLECTION SYSTEM.”
- b) Delete the words in sub-section 3.1 and replace them with the words, “Every owner of a residential dwelling premise within the garbage collection area shall use the Garbage and Recyclable Materials collection system established by the Regional District pursuant to this bylaw and shall pay the rates and fees set out in the Regional District of Central Okanagan Garbage and Recyclable Materials Collection User Rates Bylaw No. 581, 1993, except those who have been granted a waiver of service by the Regional District Board of Directors.”
- c) Delete the words in sub-section 3.3 and replace them with the words, “The Regional District or a contractor acting on behalf of the Regional District shall pick up all Garbage and Recyclable Materials set out at residential dwelling premises provided it conforms to the terms of this bylaw and does not exceed the quantity limits outlined in Schedule “A”.”
- d) Delete the words in sub-section 3.5 and replace them with, “No person shall litter Garbage or dispose of Garbage or Recyclable Materials contrary to the provisions of this bylaw.”
- e) Add a new sub-section 3.7, “No Garbage or Recyclable Materials’ collector shall enter any building for the purpose of carrying out or returning thereto any container, nor shall he/she demand or receive any gratuity, gift, payment, or consideration for services rendered in connection with garbage collection beyond his regular remuneration.”

6. Amend Section 4.0 as follows:

- a) Delete the words in sub-section 4.4 and replace them with the words, "Garbage containers and Blue Bags shall be kept on the premises at all times and shall not encroach upon or project over any street, lane or public place except when placed on such street or lane for the purpose of collection under this Bylaw."
- b) Delete the words in sub-section 4.5 and replace them with the words, "All Garbage containers and Blue Bags shall be kept and maintained at, and readily accessible for emptying, between the hours of 7:00 a.m. and 7:00 p.m. on the day of collection."
- c) Delete the words in sub-section 4.6 and replace them with the words, "For collection purposes, all containers must be placed within one metre of the travelled portion of the lane, or the boulevard or at a place designated by the Director of Engineering."
- d) Delete the words in sub-section 4.7 and replace them with the words, "If standard containers are enclosed in a structure, it shall be built with doors opening upon the pick-up side so that the said containers may be readily removed."
- e) Delete the words in sub-section 4.12 and replace them with the words, "All containers for Garbage or Recyclable Materials and any structure used as a cover for such containers shall, at all times, be kept in good repair, clean and accessible for inspection at all reasonable hours. When any standard or special container has been condemned by the Regional District, such container shall be removed by the owner of the premises who shall provide a suitable container in its place."
- f) Add a new sub-section 4.14, "Blue Bags, when full, shall not weigh more than 25 kilograms per bag. Recyclable materials are to be placed loosely in the Blue Bag. Bundling of recyclable materials with string, ties or tape is not permitted. Recyclable corrugated cardboard may be flattened, bundled and tied with the Blue Bag placed on top provided that the recyclables remain clean and dry and that no litter is created. Commingled Containers must be washed out."
- g) Add a new sub-section 4.15, "No person shall transport Recyclable Materials from an industrial, commercial, or institutional premise to a Residential Dwelling premise for collection from outside the Garbage and Recyclable Materials Collection Area for collection."
- h) Add a new sub-section 4.16, "Recyclable Materials may be disposed of at a recycling depot during depot operating hours."
- i) Add a new sub-section 4.17, "Recyclable Materials delivered to a Recycling Depot must be uncontaminated and sorted as required."

7. Amend Section 6.0 as follows:

- a) Delete the words in sub-section 6.2 and replace them with the words, "No person shall place or mix, with any material for removal as Garbage, hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, animal cuttings or wastes, dead animals or oil, fuel, or other equipment lubricant filters shall not be placed for residential garbage collection."
- b) Add a new sub-section 6.4, "Materials not identified as Recyclable Materials, or contrary to the provisions of this bylaw will not be accepted at Recycling Depots."
- c) Add a new sub-section 6.5, "It is prohibited to place Recyclable Materials in the same container as Garbage for collection."
- d) Add a new sub-section 6.6, "Blue Bags containing materials not identified as Recyclable Materials, or contrary to provisions of this bylaw will not be collected."
- e) Add a new sub-section 6.7, "Scavenging of Recyclable Materials on collection routes or at the recycling depots is prohibited."
- f) Add a new sub-section 6.8, "Intentional contamination of Recyclable Materials to make them non-recyclable is prohibited."

8. Amend Section 7.0 as follows:

- a) Delete the words in sub-section 7.1 and replace them with the words, "The Regional District reserves the right to control the type and nature of garbage which is disposed at an Approved Waste Management Facility."
- b) Delete the words in sub-section 7.3(c) and replace them with the words, "Deposit Mandatory Recyclable Materials in garbage."
- c) Add a new sub-section 7.3(d), "Deposit Divertible Waste in other than a designated location."
- d) Delete the words in sub-section 7.4 and replace them with the words, "All loads of wastes delivered to an Approved Waste Management Facility shall be covered as specified in Schedule "B" of this Bylaw."

9. Amend Section 10.0 as follows:

a) Delete the words in sub-section 10.1 and replace them with the words, "Any person who breaches any provision of this bylaw commits an offence and is liable, upon conviction, to the penalties provided under the Offence Act."

b) Delete sub-section 10.2

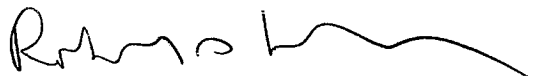
10. Amend Schedule "B" Section 3. sub-section (e) as follows:


Delete the word, "cooperative" and replace it with the word, "co-operative."

11. This bylaw may be cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Amendment Bylaw No. 875, 2000."

READ A FIRST	TIME THIS	1st	DAY OF	May,	2000.
READ A SECOND	TIME THIS	1st	DAY OF	May,	2000.
READ A THIRD	TIME THIS	29th	DAY OF	May,	2000.

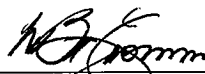
RECONSIDERED AND ADOPTED THIS 29th DAY OF May, 2000.


CHAIRPERSON


SECRETARY


I hereby certify the foregoing to be a true and correct copy of Bylaw No. 875, cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Amendment Bylaw No. 875, 2000, as read a third time by the Regional Board on the 29th day of May, 2000.

Dated at Kelowna, B.C. this
5th day of June, 2000.


SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 875, cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Amendment Bylaw No. 875, 2000", as reconsidered and adopted this 29th day of May, 2000.

Dated at Kelowna, B.C. this
5th day of June, 2000.



SECRETARY