

DISTRICT OF KITIMAT

BYLAW NO. 2037, 2023

A BYLAW TO AMEND THE KITIMAT MUNICIPAL CODE WITH RESPECT TO DISPOSAL OF SOLID WASTE BY COMMERCIAL PREMISES

WHEREAS the *Community Charter* provides that a municipality may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS the Council of the District of Kitimat wishes to amend the *Kitimat Municipal Code* with respect to regulating the use of Solid Waste Bin and Yard Waste Bin for Commercial Premises;

AND WHEREAS, the District of Kitimat has a consolidation of regulatory bylaws referred to as the *Kitimat Municipal Code*;

NOW THEREFORE the Council of the District of Kitimat in open meeting assembled ENACTS AS FOLLOWS:

1. This bylaw may be cited as "Disposal of Solid Waste by Commercial Premises Bylaw No. 2037, 2023".
2. That the *Kitimat Municipal Code* is amended by repealing Part 7 – Public Health, Division 2 – Solid Waste Disposal, Subdivision 7 – Solid Waste Receptacle.
3. That the *Kitimat Municipal Code* be amended to add Part 7 – Public Health, Division 9 - Commercial Premise Solid Waste as follows:

Subdivision 1 - Interpretation

7.9.1 1. Unless otherwise specified, the following will apply to this Division:

District Container means a container supplied by the District of Kitimat in public spaces for public use while using the public space

Commercial Premise means any business establishment, apartment building or institution including but not limited to schools, churches, and hospitals

Controlled Waste means waste as outlined in Part 7 – Public Health, Division 2 – Solid Waste Disposal of the *Kitimat Municipal Code*

Division means Part 7, Division 9 of the *Kitimat Municipal Code*

Municipal Engineer means the Director of Engineering Services of the District of Kitimat or the authorized representative

Prohibited Waste means waste as outlined in Part 7 – Public Health, Division 2 – Solid Waste Disposal of the *Kitimat Municipal Code*

Restricted Waste means waste as outlined in Part 7 – Public Health, Division 2 – Solid Waste Disposal of the *Kitimat Municipal Code*

Solid Waste Bin means the container owned by or rented to a Commercial Premise for the purpose of collection of Solid Waste

Solid Waste means discarded or abandoned materials, substances or objects but does not include Controlled Waste, Restricted Waste or Prohibited Waste

Subdivision 2 - Containers

7.9.2

District Containers

1. No Person shall place any Controlled Waste, Prohibited Waste, or Restricted Waste in a District Container.

Commercial Premises – Garbage

2. Commercial Premises shall arrange their own Solid Waste collection and disposal.
3. Any Commercial Premise arranging their own collection shall provide, maintain and use in good and sanitary condition a sufficient number of Solid Waste Bins to hold the Solid Waste accumulated by that Commercial Premise and the Solid Waste Bins shall prevent access by bears, other wildlife, or domestic animals.
4. Nothing in this Division prevents the Municipal Engineer from approving any number of Commercial Premises to go cooperatively on common Solid Waste Bins for Solid Waste collection.
5. No Solid Waste or Solid Waste Bin from a Commercial Premises shall be stored upon any lane, street, walkway, sidewalk or other public place, unless approved in writing by the Municipal Engineer.

4. Part 1 – General Provisions, Division 3 – Municipal Ticket Information Systems, Subdivision 2 – Designation of Offences and Fines be amended by:

Delete the following:

Placing Prohibited Waste in a receptacle	7.2.7.1	\$75
Placing Garbage in a Commercial receptacle contrary to Kitimat Municipal Code	7.2.7.2	\$75
Placing Prohibited Waste in a Commercial Premise receptacle contrary to Kitimat Municipal Code	7.2.7.3, 7.2.7.9	\$75
Storing of Commercial Premise receptacle contrary to Kitimat Municipal Code	7.2.7.7, 7.2.7.14	\$75
Improper storage of Garbage	7.2.7.5	\$75

Add the following:

Placing Controlled, Prohibited, or Restricted Waste in a District Container	7.9.2.1	\$75
Solid Waste Bin contrary to <i>Kitimat Municipal Code</i>	7.9.2.3	\$75
Storing of Solid waste Bin contrary to <i>Kitimat Municipal Code</i>	7.9.2.5	\$75

5. This bylaw shall take effect and be binding upon all persons as from the date of adoption.

READ a first time this	17 th day of	July, 2023
READ a second time this	17 th day of	July, 2023
READ a third time this	17 th day of	July, 2023
FINALLY ADOPTED this	8 th day of	August, 2023

MAYOR

Philip Germuth

CORPORATE OFFICER

Tracy Tavares