

DISTRICT OF KITIMAT

BYLAW NO. 2040, 2023

A BYLAW TO AMEND THE KITIMAT MUNICIPAL CODE WITH RESPECT TO PART 7 – PUBLIC HEALTH, DIVISION 2 – SOLID WASTE DISPOSAL

WHEREAS the District of Kitimat may by bylaw under Section 8(3) of the *Community Charter* regulate municipal services;

AND WHEREAS the District of Kitimat provides garbage collection services and yard waste collection services.

AND WHEREAS the Council of the District of Kitimat wishes to amend Part 7, Division 2 – Solid Waste Disposal;

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 "SOLID WASTE DISPOSAL AMENDMENT BYLAW NO. 2040, 2023".
2. Part 7 – Public Health, Division 2 – Solid Waste Disposal is amended by deleting Part 7 – Public Health, Division 2 – Solid Waste Disposal in its entirety and replacing with Appendix A to Bylaw No. 2040, 2023.
3. Part 1 – General Provisions, Division 3 – Municipal Ticket Information Systems, Subdivision 1 – Designation of Code Provisions to be Enforced by Ticket and Persons who may Issue Tickets be amended by adding “Site Personnel as defined by Part 7, Division 2 of the *Kitimat Municipal Code*” as Designated Bylaw Enforcement Officers for Part 7 – Public Health.
4. This bylaw shall take effect and be binding upon all persons as of November 1, 2023.

READ a first time this 5th day of September, 2023

READ a second time this 5th day of September, 2023

READ a third time this 11th day of September, 2023

FINALLY ADOPTED this 3rd day of October , 2023

MAYOR

Philip Germuth

CORPORATE OFFICER

Tracy Tavares

Subdivision 1 - Interpretation

7.2.1.

1. In this Division, unless the context otherwise requires:

Appliances see Ozone Depleting Substances (ODS) Containing Product

Asbestos means a waste containing Friable Asbestos fibres or Asbestos dust in concentration greater than 1 percent by weight either at the time of manufacture, or as determined using a method specified in the *Hazardous Waste Regulation No. 63/88*:

- a) **Asbestos Friable** means any material containing Asbestos that when dry, can be easily crumbled or pulverized to powder by hand due to its nature is very difficult to handle and therefore requires preapproval for disposal
- b) **Asbestos Non-Friable** means any material containing Asbestos fibres that are bound or locked into the product matrix, so that the fibres are not readily released

Asphalt means a petroleum by-product, mixed with materials such as gravel and crushed rock, used for applications such as paving roadways, driveways, or parking areas

Asphalt Shingles means a unit of prepared roofing material made from petroleum-based by-product and used in the installation on roofs

Auto Hulk means a wrecked or derelict vehicle body that has been drained of all fluids and is not registered under the *Motor Vehicle Act*

Automotive Batteries means all consumer and industrial lead-acid batteries typically found in Vehicles, boats, forklifts and back-up power supply over 5 kilograms in weight

Clean Wood means waste that comprises of solid wood, lumber, or pallets that:

- does not contain any glues or resins; and
- is unpainted, unstained, or untreated; and
- may or may not be pierced with nails or other metal fasteners

Corrugated Cardboard means paper-based material consisting of a fluted corrugated sheet and one or two flat linerboards.

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

Commercial Waste means solid waste generated by stores, offices, restaurants, warehouses and nonmanufacturing activities at industrial facilities

Compressed Gas Cylinder means refillable propane tanks for home barbeques or camp stoves or disposable propane canisters, butane canisters, helium balloon tanks, and oxygen tanks

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Concrete means a hardened mixture of cement with sand, gravel and/or rebar. Rebar protruding from cement shall not exceed 30 (thirty) centimetres in length

Construction and Demolition Waste means waste produced from the construction, renovation, and demolition of buildings and other structures, but does not include waste containing or contaminated with asbestos, creosote, polychlorinated biphenyls (PCBs), Gypsum or Wall Board or any other Hazardous Waste specified in section 40 (1) of the *Hazardous Waste Regulation*

Contaminated Soil means soil, sediment and/or fill material containing substances in quantities or concentrations greater than those specified in provincial environmental quality standards, but which is not a hazardous waste under *Hazardous Waste Regulation*

Controlled Waste means waste as set out in Schedule C

Controlled Waste Application means an application to dispose of waste as may be required by the Municipal Engineer and in a form acceptable to the Municipal Engineer

Corrugated Cardboard means paper-based material consisting of a fluted corrugated sheet and one or two flat linerboards

Council deleted by Bylaw No. 2040, 2023

Curbside Collection Service means the collection service for the District as set out in Part 7, Division 1 of the *Kitimat Municipal Code*

Dead Animals and Parts means any deceased pets, wildlife, livestock or slaughter remains or offal thereof, including: bones, feathers, skin, and hair but excluding cattle carcasses or free bodily fluids

District means the District of Kitimat

District Container Deleted by Bylaw No. 2040, 2023

Division unless context notes otherwise, means Part 7, Division 2 of the *Kitimat Municipal Code*

Environmental Management Act means the *Environmental Management Act*, S.B.C. 2003, c. 53, as amended or replaced and any successor legislation and regulations there under

Extended Producer Responsibility (EPR) Materials means materials regulated under the Recycling Regulation by the Provincial Environmental Management Act.

Food Waste means vegetative matter, food processing waste, kitchen waste and other organic wastes that can be composted, and includes but is not limited to: dairy products,

egg shells, fruit and vegetable scraps, meat, bones, fish, seafood shells, noodles, rice, beans, grains, and bread, small amounts of oil and fat (soaked in paper towel or newspaper), teabags, coffee grounds, filters, tissues, paper towels, food soiled paper, and waxed cardboard

Garbage means solid waste and has the same meaning as defined in this division

Gypsum Board or Wall Board means a board made from wood pulp, plaster, or other material. It includes, but is not limited to, new construction cut-offs or scraps and old wallboard that has been painted, covered in wallpaper, vinyl, ceramic tile, and lath and plaster. It does not include material containing asbestos

Hazardous Waste means waste defined as hazardous waste in the *Hazardous Waste Regulation*

Hazardous Waste Regulation means the *Hazardous Waste Regulation No. 63/88*, as amended or replaced and any successor legislation and any regulations thereafter

Household Batteries means all batteries accepted as EPR Materials.

Industrial Waste means any waste originating from an industrial or manufacturing operation including but not limited to: forestry, pulp and paper, mining or fisheries, aluminum smelter, or natural gas operations

Industrial Work Camp Waste means waste from a building or collection of buildings used or intended for use for the purpose of residential accommodation and supports for industrial project workers, where residents are provided with individual sleeping accommodation units, with individual or communal bathroom facilities, and where residents are provided meals in communal dining areas

Interpretation Act means the *Interpretation Act*, R.S.B.C. 1996, c.238 as amended or replaced and any successor legislation and any regulations thereafter

Landfill Site means the location established for the management and disposal of Solid Waste, Controlled Waste, and Restricted Waste as set out in this Division

Land Clearing Waste means the wood waste produced from clearing of land for development, other than organic materials, and includes trunks, stumps, tree branches 12mm (1/2 inch) in diameter or greater, tops and whole trees

Mattress means a unit comprised of a case of canvas or other heavy textile stuffed with wool, cotton, other fibres or similar material, with or without coiled springs, that was used as a bed or as a support for a bed (boxspring) and includes foam mattresses used as a primary sleeping surface.

Mixed Load means waste containing more than one stream of waste. Special handling fees and requirements may apply as specified in Schedule A

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Motor Vehicle Act means the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318 as amended or replaced and any successor legislation and any regulations thereafter

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

Non-Resident Garbage deleted by Bylaw No. 2040, 2023

Non-Resident Yard Waste deleted by Bylaw No. 2040, 2023

Operational Certificate means the current certificate for operation of the Kitimat Landfill issued by the Province of British Columbia

Other Sewage Waste means any wastewater, sewage or slurry, including pumpage from catch basins, oil-water separators and shop floor drains, but does not include Septic Sludge

Organic Material means Food Waste, garden waste including leaves, grass, small twigs, chipped tree waste, tree branches less than 12 mm (1/2 inch) in diameter and 1.2 m (4 feet) in length, and compostable structural wood waste

Owner deleted by Bylaw No. 2040, 2023

Ozone Depleting Substances (ODS) Containing Product means Major Appliances containing a compressor and ozone depleting substances, including refrigerators, wine coolers/ beverage centres, freezers, room air conditioners, portable air conditioners and dehumidifiers

Person has the same meaning as defined in the *Interpretation Act*

Product Stewardship Materials means designated materials that fall under a specific product category of the *Recycling Regulation*, including, but not limited to, beverage containers, electronic and electrical products, fluorescent tubes and bulbs, gasoline, lead-acid batteries, packaging and printed paper, paint products, pesticides, pharmaceutical products, rechargeable batteries, solvents, flammable liquids, tires, Used Oil and Antifreeze, as those products are defined under the *Recycling Regulation*

Prohibited Waste means waste as set out in Schedule E

Recyclable Materials has the same meaning as defined in the *Environmental Management Act*

Recycling Regulation means Recycling Regulation 449/2004 as amended or replaced and any successor legislation and any regulations thereafter

Residential Premises deleted by Bylaw No. 2040, 2023

Restricted Waste means waste as outlined in Schedule D

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Septic Sludge means treated septic tank pumpage and treated sewage sludge from domestic sources, but does not include Other Sewage Waste

Service Area means the municipality of the District of Kitimat

Sharps means clinical and laboratory materials consisting of needles, syringes, blades or laboratory glass which have been autoclaved

Site Operator means a Person employed by or having a contract with the District for supervision or maintenance duties at the Landfill Site

Site Personnel the Site Operator and any person performing duties at the Landfill Site under the employment or supervision of a Site Operator, or any other person authorized by the District to perform duties at the Landfill Site from time to time

Soils Suitable for On-site Use means soils free of contamination, and free of rocks and organic materials, on-site suitability to be determined by Site Operator

Soils Unsuitable for On-site Use means soils mixed with other wastes, rocks and organic material but does not include Contaminated Soils

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

Trailer has the same meaning as defined in the *Motor Vehicle Act*

Used Oil and Antifreeze means all products as defined under the Lubricating Oil product category, Empty Oil Container product category, Oil Filter product category and Antifreeze product category in Recycling Regulation

Vehicle has the same meaning as motor vehicle defined in the *Motor Vehicle Act*

Yard Waste means all organic material produced by a yard or garden including grass clippings, hedge and tree pruning material, small twigs, chipped tree waste, branches not exceeding 12 mm (1/2 inch) in diameter and 1.2 m (4 feet) in length, weeds and material from flower beds and vegetable gardens

2. The following schedules are hereby made and declared to be integral parts of this Subdivision:

Schedule A	Fees
Schedule B	Charge Accounts
Schedule C	Controlled Waste
Schedule D	Restricted Waste
Schedule E	Prohibited Waste
Schedule F	Recyclables

Subdivision 2 - General Regulations

PART 7 - PUBLIC HEALTH
Division 2 - Solid Waste Disposal

- 7.2.2.
1. *Deleted by Bylaw No. 2040, 2023*
 2. *Deleted by Bylaw No. 2040, 2023*
 3. No Person shall deposit Solid Waste at the Landfill Site except in accordance with the Division.
 4. All Solid Waste deposited at the Landfill Site shall become the property of the District, except where such Solid Waste is deposited contrary to the provisions of the Division in which case the District may refuse to accept ownership.
 5. No Person shall dispose of Solid Waste within the Service Area other than at the Landfill Site of the District of Kitimat.
 6. No Person shall deposit Solid Waste which originated outside the Service Area at the Landfill Site of the District.
 7. As an exception to 7.2.2.6.:
 - (a) the Municipal Engineer may authorize a Person to deposit Solid Waste from outside the Service Area at the Landfill Site upon request where:
 - (i) the deposit of such Solid Waste is consistent with the Operational Certificate for the Landfill Site;
 - (ii) the Municipal Engineer considers that there is sufficient space for the deposit at the Landfill Site;
 - (iii) the deposit is made in accordance with such terms and conditions as the Municipal Engineer considers appropriate in relation to such deposit.

Subdivision 3 - Landfill Site

- 7.2.3.
1. The Landfill Site is located at District Blocks A, B, and C, Lot 6185, Range 5.

Subdivision 4 – Facility Use Regulations

- 7.2.4.
1. *Deleted by Bylaw No. 2040, 2023*
 2. *Deleted by Bylaw No. 2040, 2023*
 3. *Deleted by Bylaw No. 2040, 2023*
 4. *Deleted by Bylaw No. 2040, 2023*
 5. *Deleted by Bylaw No. 2040, 2023*

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6. *Deleted by Bylaw No. 2040, 2023*
7. All Persons entering the Landfill Site do so at their own risk. The District accepts no responsibility or liability for damage or injury to Persons or property that occurs during or as a result of entry to the Landfill Site.
8. Solid Waste transported to the Landfill Site shall be adequately covered or secured to prevent the materials from blowing or falling off the Vehicle or Trailer while in transit.
9. Any Person depositing Controlled Waste or Restricted Waste at the Landfill Site, must declare that intention to Site Personnel at the time of deposit.
10. Any Person operating a Vehicle within the Landfill Site must do so in a safe and prudent fashion, and must obey speed limits
11. No Person shall leave a Vehicle unattended at the Landfill Site.
12. No Person shall loiter at the Landfill Site.
13. No Person at the Landfill Site shall engage in conduct that is disorderly or offensive including but not limited to loud or excessive use of offensive language or intoxication.
14. Children under thirteen (13) years of age and pets are not permitted at the Landfill Site except when they remain within the confines of a Vehicle.
15. No Person, other than Site Personnel acting in the course of their duties, shall ignite a fire or cause a fire to be ignited, or bring any burning materials or hot ashes, or light or smoke any cigarette (tobacco or cannabis), cigar, pipe, vaping device, or similar thing within the Landfill Site.
16. No Person shall remove, scavenge, or salvage Solid Waste from the Landfill Site except pursuant to Section 7.10.4.b of this Division.
17. Every Person who deposits Solid Waste at the Landfill Site shall comply with all directions of Site Personnel, whether such directions are given in the form of signage, or verbal or written instructions.
18. No Person shall be within the Landfill Site except in accordance with this Division unless the Municipal Engineer or Site Personnel has authorized their presence.

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Subdivision 5 - Building Operations

Repealed by Bylaw No. 2036, 2023

Subdivision 6 - Excavated Material

Repealed by Bylaw No. 2035, 2023

Subdivision 7 – Solid Waste Receptacle

Repealed by Bylaw No. 2037, 2023

Subdivision 8 – Controlled Waste, Restricted Waste, and Prohibited Waste

7.2.8.

1. *Deleted by Bylaw No. 2040, 2023*
2. *Deleted by Bylaw No. 2040, 2023*
3. *Deleted by Bylaw No. 2040, 2023*
4. Controlled Waste is subject to the regulations set out in Schedule C.
5. Restricted Waste is subject to the regulations set out in Schedule D.
6. Prohibited Waste is subject to the regulations set out in Schedule E.

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Subdivision 9 - Solid Waste Collection Fees

- 7.2.9.
1. *Deleted by Bylaw No. 2040, 2023*
 2. *Deleted by Bylaw No. 2040, 2023*
 3. *Deleted by Bylaw No. 2040, 2023*
 4. *Deleted by Bylaw No. 2040, 2023*
 5. Every Person who deposits Solid Waste, Controlled Waste, or Restricted Waste at the Landfill Site shall:
 - a. pay the applicable fees prescribed in Schedule A; and
 - b. pay the fees at the time of deposit.
 6. Section 7.2.9.5 and the fees prescribed in Schedule A shall not apply to the deposit of Solid Waste at the Landfill Site in the following circumstances:
 - a. where the Solid Waste is collected by the District or First Nation within the Service Area that pays a service fee to the District, or by a contractor on behalf of them, for purposes of a residential Curbside Collection Service.
 - b. where Municipal Engineer has authorized the deposit, without charge, of Solid Waste for purposes of encouraging voluntary clean-up initiatives.
 7. Notwithstanding sections 7.2.9.5.b. Charge Accounts may be established in accordance with Schedule B.

Subdivision 10 - Miscellaneous

7.2.10 Tampering with Containers

1. *Deleted by Bylaw No. 2040, 2023*

Administration of Bylaw

2. The Municipal Engineer is authorized with the administration of this Division and with the supervision, control and direction of the Landfill Site.
3. Without limiting the generality of section 7.2.10.2, the Municipal Engineer is hereby authorized to do the following:
 - a. authorize the deposit of Solid Waste where not otherwise permitted at Landfill Site;
 - b. establish form for the Controlled Waste Application; and
 - c. prohibit the deposit of waste at the Landfill Site by Persons with an overdue Charge Account in accordance with Schedule B.
4. Without limiting the generality of section 7.2.10.2, the Municipal Engineer is hereby authorized to do the following:
 - a. process Controlled Waste Applications, and where appropriate issue and cancel authorized Controlled Waste Applications in accordance with Schedule C; and
 - b. authorize Persons to remove, scavenge or salvage waste from the Landfill Site at defined locations.

Subdivision 11 - Abandoned Vehicles

- 7.2.11.
1. *Deleted by Bylaw No. 2040, 2023*
 2. *Deleted by Bylaw No. 2040, 2023*

Subdivision 12 – Violations and Penalties

- 7.2.12.
1. A Person who contravenes this Division may be refused or prohibited re-entry to the Landfill Site.
 2. A Person who contravenes this Division shall, in addition to any other penalty imposed, pay any costs incurred by the District, or its agents, to remediate or rectify that Person's act or omission.

Subdivision 13 – Appeal

- 7.2.13.
1. A Person directly affected by a decision made under this Division may deliver a written notice of appeal with the Municipal Engineer.
 2. A notice of appeal under section 7.2.13.1 must be delivered to the Municipal Engineer no later than thirty (30) days of the date of the decision being appealed.
 3. Upon considering a decision under appeal, the Municipal Engineer may:
 - a. confirm, reverse or vary the decision under appeal; or
 - b. make any decision that the Municipal Engineer considers appropriate.

Schedule “A”

Fees

1. Schedule A sets out the fees for deposit of Solid Waste, Controlled Waste, and Restricted Waste at the District’s Landfill Site.
2. The minimum charge to deposit waste applies to all instances where waste is deposited as set out in Schedule A.1. Additional fees may apply as per Schedule A.2. Fees for Commercial Waste will be applied as per Schedule A.2.
3. Any waste listed in the table classified as Controlled Waste under Schedule C, the fee is only applicable where the solid waste has received permission for disposal at the Kitimat Landfill Site.
4. Any person or Commercial Premise submitting an Application for Credit shall pay an application fee of \$25.00 at the time of application.
5. Despite Schedule A:
 - a. the minimum charge for depositing Dead Animals and Parts is \$110.00
 - b. the minimum charge for depositing Asbestos is \$165.00
 - c. a surcharge of fifty (50) percent will be applied to Mixed Loads
 - d. a handling fee of \$75 will apply to dispose of Auto Hulks
 - e. a handling fee of \$10 will apply per Mattress (any size)
 - f. *Septic Sludge will be accepted free of charge from residential premises in the Cable Car Neighbourhood, Strawberry Meadows, and from 1846 to 2727 on Kitamaat Village Road.

Schedule A – Fee Schedule

Schedule A.1

Solid Waste Category	2023	2024	2025	2026	2027
Minimum charge (less than 100kg)	NA	\$5.00	\$10.00	\$10.00	\$10.00

Schedule A.2

Solid Waste Category	2023	2024	2025	2026	2027
Garbage	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Construction and Demolition Waste	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Land Clearing Waste	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Mixed Load	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Controlled Waste					
Asbestos	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Asphalt	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne
Concrete - no rebar	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne
Concrete - with rebar	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Dead Animals and Parts	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Septic Sludge*	\$20.00 per tonne	\$30.00 per tonne	\$40.00 per tonne	\$50.00 per tonne	\$50.00 per tonne
Soil Suitable for Onsite Use	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne

Soil Not Suitable for Onsite Use	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Restricted Waste					
Appliances (Ozone Depleting Substances (ODS) Containing Product)	No Charge				
Automotive Batteries	No Charge				
Clean Wood	No Charge				
Propane Tank and Compressed Gas Cylinder	No Charge				
Scrap Metal	No Charge				
Tires on rims	\$20/tire	\$20/tire	\$20/tire	\$20/tire	\$20/tire
Tires (rimless)	No Charge				
Yard Waste	No Charge	\$20.00 per tonne	\$20.00 per tonne	\$20.00 per tonne	\$20.00 per tonne

Schedule “B”

Charge Accounts

1. Schedule “B” forms part of the Division, unless the context requires otherwise, the following words and expressions have the following meanings:
 - 1.1. “**Account Holder**” means a person that holds a Charge Account;
 - 1.2. “**Applicant**” means a person who has submitted an Application for Credit;
 - 1.3. “**Application for Credit**” means an application for a Charge Account in the form established by the Municipal Engineer;
 - 1.4. “**Arrears**” with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) days after the date of invoice;
 - 1.5. “**Billing Address**” has the meaning assigned in Section 5 of Schedule B;
 - 1.6. “**Charge Account**” means an account held by a user of the Landfill Site at the District whereby the user is permitted to pay disposal fees on a monthly basis instead of paying at the time of disposal;
 - 1.7. “**Delinquent**” with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) after the date of a Notice of Arrears;
 - 1.8. “**Notice of Arrears**” means a written notice from the District to an Account Holder indicating that a Charge Account is in arrears.
2. A Person wishing to establish a Charge Account must submit a completed Application for Credit to the Finance Department.
3. The Finance Department shall examine and verify the references and credit history of the Applicant, and shall advise the Municipal Engineer of the creditworthiness of the Applicant.
4. Upon receipt of the report from the Finance Department under section 3, the Municipal Engineer may approve or deny an Application for Credit. The Municipal Engineer may deny an Application for Credit in any of the following circumstances:
 - 4.1. Where the Finance Department has advised that the Applicant is not creditworthy;
 - 4.2. Where the Municipal Engineer has reasonable grounds to believe the Applicant intends to deposit Prohibited Waste at the Landfill Site, or to deposit Solid Waste at the Landfill Site in a manner contrary to this Division; or

- 4.3. Where the Applicant, or any principal, partner, director or officer of the Applicant has had a Charge Account cancelled within the previous five (5) years.
5. Invoices for amounts owing on Charge Accounts will be generated by the District on a monthly basis and delivered to the address provided by the Account Holder on the Application for Credit, or to such address as the Account Holder may from time to time furnish for that purpose (the “**Billing Address**”). The onus is upon the Account Holder to notify the District of any change in Billing Address.
 6. The total amount owing on any invoice must be paid in full by the Account Holder to the District within thirty (30) days of the date of the invoice.
 7. Any amount not paid to the District within thirty (30) days of the date of the invoice is in arrears and must be paid immediately, along with interest pursuant to Section 13 of Schedule B.
 8. Where a Charge Account is in arrears the District shall deliver a Notice of Arrears to the Account Holder at the Billing Address.
 9. Any amount not paid to the District within thirty (30) days of the date of a Notice of Arrears is delinquent and must be paid immediately, along with interest pursuant to Section 13 of Schedule B.
 10. Any Charge Account that is delinquent shall be suspended until such time as all amounts owing, including interest, are paid in full. During the period of suspension, the Account Holder must pay all disposal fees at the time of disposal.
 11. Any Charge Account that becomes delinquent more than once shall be subject to immediate cancellation.
 12. The District may refer any delinquent Charge Account to a third party collection agency at any time.
 13. In addition to any other penalty imposed under the Division, any amount owing on a Charge Account that is not paid within thirty (30) days of the date of invoice shall bear interest at the rate of eighteen percent (18%) per year, calculated and accruing daily, from and including the first date upon which the account falls into arrears, and such interest shall form part of the amount in arrears.
 14. The Municipal Engineer may, in addition to any other penalty imposed under the Division, cancel a Charge Account where the Account Holder has deposited Prohibited Waste at the Landfill Site, or has deposited Solid Waste at the Landfill Site in a manner contrary to the Division. As may be determined, in the sole discretion of the Municipal Engineer. During an investigation the charge account will be held in abeyance.

Schedule “C” Controlled Waste

1. Schedule C lists Controlled Waste and applicable specifications and restrictions for disposal at the Landfill Site:

Controlled Waste	Specifications and Restrictions
Asbestos- Friable	<ul style="list-style-type: none"> - Approval of completed Controlled Waste Application required. - Hauler will be given a disposal time. Failure to show up at the correct time, or failure to notify the Site Operator may result in a penalty or refusal to dispose - Forty-eight (48) hours prior notice must be obtained before disposal - Material must be manifested or documented as required by the <i>Environmental Management Act</i> - Material must be disposed of, transported and contained as required by the <i>Environmental Management Act</i> - Failure to contain material as required by the <i>Environmental Management Act</i> may result in refusal to dispose - Site Restrictions may apply - Special handling Fees may apply
Asbestos- Non Friable	<ul style="list-style-type: none"> - Approval of completed Controlled Waste Application required. - Hauler will be given a disposal time. Failure to show up at the correct time, or failure to notify the Site Operator may result in a penalty or refusal to dispose - Forty-eight (48) hours prior notice must be obtained before disposal - Material must be disposed of, transported and contained as required by the <i>Environmental Management Act</i> - Site Restrictions may apply - Special handling fees may apply
Auto Hulks	<ul style="list-style-type: none"> - Auto Hulk must have the following removed prior to disposal: tires, antifreeze, lubricating oils, brake fluids, transmission fluids, ozone depleting substances, gaseous and liquid fuels and batteries - Site restrictions may apply - Special handling fees may apply
Concrete	<ul style="list-style-type: none"> - Site restrictions may apply - Special handling fees may apply
Dead Animals and Parts	<ul style="list-style-type: none"> - Material must be deposited three (3) hours prior to closing - Site restrictions may apply - Special handling fees may apply
Gypsum Board or Wallboard	<ul style="list-style-type: none"> - Site restrictions may apply - Special handling fees may apply
Recyclable Materials	<ul style="list-style-type: none"> - Site restrictions may apply - Special handling fees may apply

Controlled Waste	Specifications and Restrictions
Septic Sludge	<ul style="list-style-type: none"> - Approval of Controlled Waste Application may be required for several or more loads from a single site. - Material must be residential pre-digested septic waste
Sharps	<ul style="list-style-type: none"> - Approval of Controlled Waste Application required.
Soils Suitable for On-site Use and Soils Unsuitable for On-site Use	<ul style="list-style-type: none"> - Approval of Controlled Waste Application required. - Forty-eight hours (48) prior notice must be obtained before disposal - Site restrictions may apply - Special handling fees may apply
Wood ash from commercial operations	<ul style="list-style-type: none"> - Site restrictions may apply - Special handling fees may apply

General Regulations

2. Where an approved Controlled Waste Application is required to dispose of Controlled Waste, the following requirements apply:
 - 2.1 The Person who has generated the Controlled Waste must complete a Controlled Waste Application and submit it to the Municipal Engineer for approval as per Schedule C;
 - 2.2 Controlled Waste must not be deposited unless the Municipal Engineer has approved the Controlled Waste Application which may include any terms and conditions of deposit the Municipal Engineer deems necessary or desirable to ensure compliance with this Division, the Operational Certificate, and any other applicable law;
 - 2.3 Subject to the terms and conditions of the applicable Controlled Waste Application, an appointment for deposit must be made with the Site Operator a minimum of forty-eight (48) hours prior to deposit of Controlled Waste;
 - 2.4 The Person depositing Controlled Waste must produce the applicable Approved Controlled Waste Application to Site Personnel upon arrival at the Landfill Site;
 - 2.5 Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;
 - 2.6 Loads of Controlled Waste must be of one type only and from no more than one source unless the Approved Controlled Waste Application specifies otherwise;
 - 2.7 Controlled Waste must be kept separate from any other type of Solid Waste;
 - 2.8 If the terms and conditions of an approved Controlled Waste Application are not met, Site Personnel may refuse to allow deposit;
 - 2.9 Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;
 - 2.10 The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Landfill Site, and the Municipal Engineer may refuse to authorize a Controlled Waste Application where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the Operational Certificate;

2.11 Notwithstanding the above, in cases of an emergency or hardship, the Municipal Engineer may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of forty-eight (48) hours' notice, and outside regular appointment hours.

3. Where a Controlled Waste Application is not required to dispose of Controlled Waste, the following apply:

3.1 The Person disposing of the Controlled Waste is required to contact the Site Personnel to arrange for disposal

3.2 Controlled Waste must not be deposited unless the Site Personnel has approved the disposal, which may include any terms and conditions of deposit the Site Personnel deems necessary or desirable to ensure compliance with this Division, the Operational Certificate, and any other applicable law;

3.3 Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;

3.4 Loads of Controlled Waste must be of one type only;

3.5 Controlled Waste must be kept separate from any other type of Solid Waste;

3.6 If the above conditions are not met, Site Personnel may refuse to allow deposit;

3.7 Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;

3.8 The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Landfill Site, and the Site Personnel may refuse to allow deposit where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the Operational Certificate;

2.11 Notwithstanding the above, in cases of an emergency or hardship, the Municipal Engineer may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of forty-eight (48) hours' notice, and outside regular appointment hours.

Schedule “D” Restricted Waste

1. Schedule D lists Restricted Waste:

Recyclable Materials	Specifications and Restrictions
Appliances (Ozone Depleting Substances (ODS) Containing Product)	- Appliances must contain no food products and be empty - Site restrictions may apply - Special handling fees may apply
Automotive Batteries	- Site restrictions may apply - Load restrictions may apply
Corrugated cardboard	- Site restrictions may apply
Industrial Camp Waste	- Site restrictions may apply - Special handling fees may apply - Authorization required
Industrial Waste	- Site restrictions may apply - Special handling fees may apply - Authorization required
Organic Material	- Site restrictions may apply
Propane Tank (Compressed Gas Cylinder)	- Site restrictions may apply - 1 propane tank per visit - Propane tank must be empty - Only 20 lbs propane tank accepted
Polystyrene Foam Packaging	- Site restrictions may apply
Scrap Metal	- Site restrictions may apply - Special handling fees may apply
Tires	- Passenger and Light Truck tires, medium truck tires and off road vehicle tires - Special handling fees may apply - Site restrictions may apply
Yard Waste	- Site restrictions may apply - Special handling fees may apply
Recyclables (as defined in Schedule F)	- Site restrictions may apply - Special handling fees may apply - Load restrictions may apply

Restricted Waste Regulations

2. Restricted Waste is recyclable or compostable and must be kept separate from other types of Solid Waste when deposited at a Landfill Site, and must be deposited in the designated location at the Landfill Site.
3. Tires from cars and light trucks are accepted for recycling through the Tire Stewardship BC program. Tires on rims have a surcharge for handling.

Schedule “E”

Prohibited Waste

Definition

1. Schedule E lists Class A Prohibited Waste and shall not be disposed of at the Landfill Site:
 1. Alum pond or lime sludge in dewatered form
 2. Automotive Batteries except as permitted within this Division
 3. Cattle Carcasses
 4. Empty steel and plastic drums, unless they are crushed, shredded, or similarly reduced in volume to the maximum practical extent
 5. Explosives
 6. Fencing wire
 7. Fuels
 8. Hazardous Waste as defined in *Hazardous Waste Regulation*
 9. Household batteries
 10. Ignitable Waste
 11. Industrial chemical waste
 12. Lithium-Ion batteries
 13. Free Liquid as defined in *Hazardous Waste Regulation*
 14. Used Oil and Lubricants
 15. Material that is on fire or smouldering
 16. Material that was previously on fire and has not been extinguished for at least thirty (30) days except with a letter from the Kitimat Fire Department stating it has been fully extinguished and is ready for disposal
 17. Ozone Depleting Substances except as permitted within this Division
 18. Paints and solvents
 19. Radioactive Waste as defined in *Hazardous Waste Regulation*
 20. Reactive Waste as defined in *Hazardous Waste Regulation*
 21. Grease from restaurants and mobile food vendors
 22. Septic Sludge, except as permitted within this Division
 23. Wire rope

Prohibited Waste Regulations

2. No person shall deposit or attempt to deposit Prohibited Waste at the Landfill Site.

Schedule "F"
Recyclables

1. Recyclables are Extended Producer Responsibility (EPR) Materials accepted for deposit under a Product Stewardship program.
2. Site restrictions and special handling fees may apply.