

DISTRICT OF KITIMAT

BYLAW NO. 2045

A BYLAW TO AMEND PART 7, DIVISION 1 OF THE KITIMAT MUNICIPAL CODE WITH RESPECT TO SOLID WASTE COLLECTION SERVICES TO ALLOW FOR THE USE OF GARBAGE CONTAINER TAGS

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 residential solid waste collection services.

WHEREAS the Council of the District of Kitimat wishes to amend Part 7, Division 1 of the *Kitimat Municipal Code*;

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 "Residential Solid Waste Collection Amendment Bylaw No. 2045, 2023".
2. Part 7, Division 1, Subdivision 1 be amended by:
 - Adding the following definitions:

Collection Period means the period of time of residential solid waste collection where:
Bi-Weekly means collection once in a two-week period; and
Weekly means collection once every week.

Controlled Waste means Schedule C of 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 thereafter.

Garbage Container Tag means a District approved tag allowing an additional garbage container that is affixed to a Garbage Container.

Home Owner Grant Act means the *Home Owner Grant Act*, R.S.B.C. 1996, c. 194 as amended or replaced and any successor legislation or regulations there under.

Motor Vehicle Act means the *Motor Vehicle Act*, R.S.B.C. 1995, 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 or the authorized representative.

Restricted Waste means Schedule D of Part 7, Division 2 of the *Kitimat Municipal Code*

- Deleting the following definitions:

Bi-weekly Collection means the scheduled collection once in a two-week period

Commercial Premises means business establishment or institution facilities. This includes but is not limited to educational and health care facilities, and churches.

Construction Camp means a building or collection of buildings for temporary residential use as workforce accommodation for an industrial construction project where residents are provided with (a) exclusive sleeping accommodation units with individual or communal bathroom(s) but no cooking facilities; and (b) meals in communal dining area(s).

Director of Engineering means the Director of Engineering Services or the Municipal Engineer of the District of Kitimat or their designated representative;

Food Waste Container means a Container for Food Waste as set out in Schedule “A”.

Garbage Container means a Container for Garbage as set out in Schedule “A”.

Industrial Premise means an industry or manufacturing operation including but not limited to forestry, pulp and paper, mining or fisheries, aluminum smelter, or natural gas operations.

Recyclable Material Container means a Container for Recyclable Material as set out in Schedule “A”

Yard Waste Container means a container for Yard Waste as set out in Schedule “A”.

Weekly Collection means the scheduled collection once every week.

- By deleting the definition for “Container” and replacing with:

Container shall mean a rigid plastic or paper receptacle used for temporary storage of Garbage, Food Waste, Recyclable Material, or Yard Waste. This may refer to bags, boxes, bins, cans, or carts owned by the owner or occupier or the District, and used for the Collection Service where:

Food Waste Container means a Container for Food Waste as set out in Schedule “A”.

Garbage Container means a Container for Garbage as set out in Schedule “A”;

Recyclable Material Container means a Container for Recyclable Material as set out in Schedule “A”; and

Yard Waste Container means a container for Yard Waste as set out in Schedule “A”.

- By deleting the definition for “Garbage” and replacing with:

Garbage means discarded matter including refuse, waste, noxious, offensive and unwholesome materials, but does not include Food Waste, Recyclable Material, Controlled Waste, Prohibited Waste, or Restricted Waste.

- By deleting the definition for “Motor Home” and replacing with:

Motor Home has the same meaning as the *Motor Vehicle Act*

- By deleting the definition for “Prohibited Waste” and replacing with:

Prohibited Waste means Schedule E of Part 7, Division 2 of the *Kitimat Municipal Code*

- By deleting the definition for “Recyclable Material” and replacing with:

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

- By deleting the definition for “Trailer” and replacing with:

Trailer has the same meaning as the *Motor Vehicle Act*.

3. Part 7, Division 1 be amended by replacing all instances of the word “Director of Engineering” with “Municipal Engineer”.

4. Delete 7.1.4.1.

5. Delete 7.1.10.1 and replace with:

Each Dwelling Unit is limited to collection of two (2) Garbage Containers per Collection Period.

6. Add new sections 7.1.10.6 and 7.1.10.7 as follows:

6. Any Garbage Containers in excess of limits set out in 7.1.10.1 shall only be collected if an authorized Garbage Container Tag is clearly placed on the Garbage Container placed for collection in accordance with this Division.

7. Notwithstanding 7.1.10.6, no more than two (2) Garbage Container Tags may be used by a Dwelling Unit in any one Collection Period, unless authorized by the Municipal Engineer.

7. Add Subdivision 10.1 Garbage Container Tags as follows:

Subdivision 10.1 – Garbage Container Tags

- 7.1.10.1.
 1. Only Dwelling Units covered under the Collection Service may use Garbage Container Tags.
 2. Garbage Container Tags are valid for the Collection Service only.
 3. Each Garbage Container Tag is valid for one Garbage Container.
 4. The Garbage Container Tag must be clearly affixed to the Garbage Container.
 5. The District may issue up to 15 Garbage Container Tags per quarter for a Dwelling Unit where an owner or occupier has a documented medical condition that results in additional Garbage. Garbage Container Tags will be issued quarterly to the Dwelling Unit address.

6. No person shall replicate, copy or otherwise tamper with a Garbage Container Tag.

8. Delete 7.1.11.1 and replace with:

No person shall accumulate, spill, drop, dump, or dispose of any Solid Waste, Prohibited Waste, Controlled Waste, Restricted Waste, or any other material on any street, sidewalk, park or other lands owned by the District or other public property, or upon private property, whether owned by that person or not, unless that person has obtained the permission of the Municipal Engineer.

9. Delete 7.1.13.2 and replace with:

Properties that qualify for Schedule 4 grant of the *Home Owner Grant Act*, shall receive a discount of ten(10) percent for residential Collection Service charges on property tax notices associated with that property.

10. Add new section 7.1.13.3 as follows:

3. The cost of a Garbage Container Tags will be \$3.00 per Garbage Container Tag.

11. This bylaw shall come into effect on February 5, 2024.

READ a first time this	20 th day of	November, 2023
READ a second time this	20 th day of	November, 2023
READ a third time this	20 th day of	November, 2023
FINALLY ADOPTED this	11 th day of	December, 2023

MAYOR

Philip Germuth

CORPORATE OFFICER

Tracy Tavares