

Subdivision 1 - Interpretation

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

"Bear Proof Container" means any container in which refuse is stored which is designated to prevent bears from accessing the contents;

"Cardboard" means containers or materials used in containers consisting of three or more layers of kraft paper materials and having smooth exterior liners and a corrugated or rippled core. It shall also include boxboard; a thin, rigid, resistant paperboard used in making packaging or cartons (for example, cereal boxes). Excluded is cardboard which is impregnated with blood, grease, oil, chemicals, food residue, or wax; or have polyethylene, polystyrene, foil or other non-paper liners; or is contaminated with a material which will render the cardboard unmarketable.

"Caretaker" means a person designated by the District to supervise the municipal landfill site;

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

"District Container" means a container provided by the District for the purpose of this bylaw;

"Landfill Site" means the location established for the disposal of refuse;

"Non-resident Refuse" means refuse originating from outside the District of Kitimat municipal boundary;

"Owner" means the owner or occupier of real property and shall include any agent of the owner or occupier;

"Person", in addition to its ordinary meaning, shall mean and include a firm or partnership, association, company, or corporation;

"Refuse" means any rubbish, garbage, waste, debris, ashes and all other discarded material but does not include sewage;

Subdivision 1 - Interpretation (continued)

- 7.2.1. 1. "Refuse Container" means a galvanized iron or rigid plastic can and shall have: a capacity of not more than .1 m<sup>3</sup> (3-1/2 cubic feet), a height not exceeding 72 cm, a diameter at the top not greater than 46 cm, and a taper to a lesser diameter at the bottom;
- "Residential Premises" means a single family residence, occupied by a single family either permanently or temporarily, whether the residence is stationery or a manufactured home and includes self contained dwellings in a strata development (e.g. row housing);
- "Vehicle" shall mean automobile, truck or mobile equipment or any parts from an automobile, truck or mobile equipment;

Subdivision 2 - General Control

- 7.2.2. 1. Except as otherwise provided in this Division, no person shall dump, collect or accumulate any refuse within the District.
2. Except with the permission of the Municipal Engineer, no person shall bring refuse into the District.

Subdivision 3 - Landfill Site

- 7.2.3. 1. A municipal landfill site is located at District Lot 6185.

Subdivision 4 - Refuse Disposal

- 7.2.4. 1. Except as otherwise provided the District shall be solely responsible for collection, removal and disposal of refuse within the District.
2. Refuse generated on a Residential Premises from residential use may be privately hauled and disposed of in the landfill site as directed by the caretaker.
3. Refuse generated on a Commercial Premises may be privately hauled and disposed of in the landfill site under terms approved by the Municipal Engineer, as directed by the caretaker.
4. Anyone abandoning or discarding a refrigerator, ice box, freezer cabinet, or similar container, shall remove the doors and/or lids and dispose of it in the landfill site, as directed by the Caretaker.
5. All refuse or other items collected by the municipality, or deposited at the landfill site by any person, shall become the property of the District.

Subdivision 4 - Refuse Disposal (Continued)

- 7.2.4.           6.     With the exception of placing refuse for collection, no person shall place or sweep any refuse into any land, street, gutter, walkway or public place.
7.     Refuse shall be stored in Bear Proof Containers, or in an enclosed garage or fully enclosed storage bin or storage shed where bears or other wildlife or domestic animals cannot access it.

Subdivision 5 - Building Operations

- 7.2.5.           1.     No person carrying out building construction or demolition operations shall:
- a.     without the written permission of the Municipal Engineer, place or dump the waste accumulating from such construction or operations on any lane, street, walkway, sidewalk or any public place in the District, or
- b.     accumulate such waste on the premises where such construction or operation is being carried out without having obtained from the Municipal Engineer written terms specifying the terms and time frame for disposing of such waste.
- c.     dispose of the materials at the Refuse Site except as directed by the Caretaker.

Subdivision 6 - Excavated Material

- 7.2.6.           1.     No person shall deposit or cause to be deposited any soil, sand, gravel, rock or other excavated material on any land in the District unless:
- a.     the material originates within the boundaries of the property on which it is deposited and is graded to blend in with the surroundings; or
- b.     the material consists of topsoil or rock being deposited for purposes of establishing a landscaped area; or
- c.     the material is deposited in a location designated by the Municipal Engineer in writing.

Subdivision 6 - Excavated Material (Continued)

- 7.2.6. 2. The Municipal Engineer in issuing permission provided for in 1. above may specify:
- a. that the applicant produce the written permission of the owner of the property on which material is to be deposited;
  - b. the maximum elevation to which the material to be deposited may be placed;
  - c. the nature of the material which may be deposited;
  - d. the frequency of grading, compaction, or levelling which will be required.

Subdivision 7 - Receptacles and Refuse Preparations

Residential Premises

- 7.2.7. 1. All refuse from a Residential Premises placed by the resident for pick up by the District shall conform to the following:
- a. Except as in 7.2.7.1.b, refuse shall be placed in a Refuse Container;
  - b. Lawn and garden clippings may be placed in plastic bags with a capacity of not more than .1 m<sup>3</sup> of sufficient strength to contain the enclosed refuse during handling;
  - c. tree cuttings and other such materials shall be bundled in not more than 1.2 meters in length and not more than 0.5 meters in diameter;
  - d. crates, cartons and similar containers shall be compacted flat and securely tied in bundles;
  - e. no refuse shall be more than 1.2 meters in length or weigh more than 35 kilograms (75 lbs.);

Subdivision 7 - Receptacles and Refuse Preparations (Continued)

- 7.2.7. 1. f. the maximum number of units of refuse shall be three cans and two items of bundled refuse. In lieu of cans plastic bags may be substituted at a factor of one can equals two plastic bags;
- g. no refuse or refuse container from a residential premises shall be stored upon any lane, street, walkway, sidewalk or other public place unless approved in writing by the Municipal Engineer;
- h. refuse to be collected from a residential premises shall be placed on the boulevard of the premises not earlier than 4:00 a.m. on the day of pick up and refuse containers shall be removed from the boulevard not later than 9:00 p.m. on the date of collection.

Commercial Premises

2. Commercial Premises shall arrange their own refuse collection and dumping of refuse at the landfill or at a site approved by the Municipal Engineer and in consideration of the fees set out in this bylaw.
3. Any Commercial Premises arranging their own collection shall provide, maintain and use in good and sanitary condition a sufficient number of receptacles to hold the refuse accumulated by that premises.
4. Nothing in this bylaw prevents the Municipal Engineer from approving any number of Commercial Premises to go cooperatively on common refuse containers and collection.
5. No refuse or refuse containers 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.

Subdivision 7 - Receptacles and Refuse Preparations (Continued)

Refuse Preparation

- 7.2.7. 6. All refuse placed in a refuse receptacle shall conform to the following:
- a. all refuse shall be thoroughly drained;
  - b. all refuse of a liquid nature shall be placed in a disposable container and sealed closed;
  - c. refuse of a putrescible nature or refuse of a small or fly away nature, such as hair, dry ashes, sawdust, woodchips, shall be secured in a disposable container, plastic or paper bag or wrapped in paper.

Subdivision 8 - Unacceptable Items

- 7.2.8. 1. Without limiting the restrictions imposed by any Provincial or Federal legislation the following items are deemed to be unacceptable items and are prohibited from the landfill site and prohibited from being placed for collection:
- a. explosives;
  - b. raw sewage;
  - c. highly flammable materials;
  - d. dead animals;
  - e. hot ashes;
  - f. herbicides;
  - g. pesticides;

Subdivision 8 - Unacceptable Items (Continued)

- 7.2.8. 1. h. poisons;
- i. waste oil (excluding cooking oil);
- j. toxic wastes;
- k. car tires;
- l. batteries;
- m. cardboard originating from a Commercial Premises or Residential Premises.

Every owner of premises upon or within which special wastes restricted by Federal or Provincial legislation or unacceptable items are generated, shall be responsible for their proper handling and disposal.

Subdivision 9 - Refuse Control Fees and Collection Schedule

- 7.2.9. 1. a. Every Residential Premises and Commercial Premises shall pay for refuse control as follows:

| Unit Served   | Frequency of Collection    | Rate of Charge   |
|---|----------------------------|--|
| Residential Premises  | Not less than once a week. | \$62.00 per year, per dwelling unit, payable by line charge as part of annual property taxes |
| Industrial premises maintaining and using their own landfill site | N/A                        | None   |

Subdivision 9 - Refuse Control Fees and Collection Schedule (Continued)

- 7.2.9. 1. b. Effective July 1, 2005 the following Disposal Tipping fees rates shall be in effect at the Municipal Refuse Site:

| Unit Served  | Disposal  |
|--|---|
| Commercial Premises, businesses arranging their own collection and disposal services, disposal contractors, and non-residential refuse | Single Axle Vehicle < Tonne - \$10.00 Tipping Fee per Load  |
|  | Single Axle Vehicle 1 Tonne or larger - \$20.00 Tipping Fee per Load                                |
|  | Tandem Axle Vehicles/Trailers - \$30.00 Tipping Fee per Load up to 11.5m <sup>3</sup> . (15 cu.yd.) |
|  | - \$50.00 Tipping Fee per Load over 11.5 m <sup>3</sup> up to 23 m <sup>3</sup> (30 cu.yd.)         |
|  | - \$100.00 Tipping Fee per Load over 23 m <sup>3</sup> up to 33 m <sup>3</sup> (43 cu.yd.)          |
|  | - \$150.00 Tipping Fee per Load over 33 m <sup>3</sup> (43 cu.yd.)                                  |

2. Clean fill shall be accepted at the landfill site at no charge.
3. All charges shall be billed quarterly, except tipping fees which shall be collected on a cash basis.
4. The decision of the Municipal Engineer, or his authorized representative, shall be conclusive with respect to the quantities and classes of refuse and other matter collected from any premises by the Municipality or delivered at a municipal dump by any person other than the Municipality.
5. Senior citizens and persons qualifying under the Home Owner Grant Act, for the additional Home Owner Grant, shall receive a discount of TEN (10) percent per dwelling unit for residential refuse charges on property tax notices.



Subdivision 10 - Miscellaneous

No Collection

- 7.2.10. 1. The District reserves the right to not collect items of refuse that do not conform to the provisions of this Division.

Suspension of Collection

2. The District reserves the right to suspend collection services where refuse items, containers or facilities for containers are contrary to the provisions of this Division.

Tampering with Receptacles

3. No person, other than the owner or renter of a refuse receptacle; persons authorized by such owner or renter; or authorized employees of the District, shall tamper with or disturb any refuse or receptacles.

Entering Premises

4. Employees of the District involved in refuse collection or inspection, shall have the right to enter onto any property for the purposes of administering the provisions of this Division.

Administration of Bylaw

5. The Municipal Engineer is charged with the administration of this bylaw and with the supervision, control and direction of the landfill site and garbage collection service.

Subdivision 11 - Abandoned Vehicles

- 7.2.11. 1. No person shall deposit, discard or abandon any inoperative, wrecked, damaged or destroyed vehicle on any municipal property other than a disposal location designated for that purpose by the Municipal Engineer.
2. The District may remove or have removed such inoperative, wrecked, damaged or destroyed vehicle, at the owner's expense to a location determined by the Municipal Engineer.