

Subdivision 1 - Interpretation

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

“Active Face” means the area of the Landfill Site that is currently being filled with Solid Waste;

“Bear Proof Container” means any container in which Garbage is stored which is designated to prevent bears from accessing the contents;

“Bi-weekly Collection” means collection every second week;

“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;

“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) or any other Hazardous Waste;

“District” means the District of Kitimat;

“District Container” means a container provided by the District for the purpose of this Division;

“Garbage” means discarded or abandoned materials, substances or objects but does not include Prohibited Waste;

“Garbage Collection Service” means the service for the collection, removal, management and disposal of Solid Waste.

“Garbage Container” means a rigid plastic can of not more than 121 litres capacity, not more than 23 kilograms (50 lb.) gross weight and having a secure, non-hinged lid that suppresses odours and deters access to the contents by wildlife.

Subdivision 1 – Interpretation (continued)

7.2.1

“Hazardous Waste” means waste defined as hazardous waste in the *Hazardous Waste Regulation*, B.C. Reg 63/88 as amended or replaced and any successor legislation and any regulations thereunder;

“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” means 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.

“Kraft Paper Bag” means a paper yard waste bag made from readily compostable kraft paper, specifically designed for Yard Waste.

"Landfill Site" means the location established for the management and disposal of Solid Waste, Yard Waste, and Prohibited Waste as set out in Part 7, Division 2, Subdivision 8 of the Kitimat Municipal Code.

“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;

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

"Non-Resident Garbage" means Garbage originating from outside the District of Kitimat municipal boundary but does not include Garbage originating from Kitimaat Village;

“Non-Resident Yard Waste” means Yard Waste originating from outside the District of Kitimat municipal boundary but does not include Yard Waste originating from Kitimaat Village;

"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;

Subdivision 1 – Interpretation (continued)

7.2.1 “Prohibited Waste” means gaseous, liquid or solid waste as listed in detail in in Part 7, Division 2, Subdivision 8 of the Kitimat Municipal Code.

"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);

"Site Operator" means a Person designated by the District to supervise and maintain the Landfill Site;

“Solid Waste” means Garbage that originates from Residential Premises, Commercial Premises, land clearing, demolition, and construction sources but does not include Prohibited Waste;

"Vehicle" shall mean automobile, truck or mobile equipment or any parts from an automobile, truck or mobile equipment;

“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.

“Yard Waste Collection Service” means the service for the collection, removal, management and disposal of Yard Waste.

“Yard Waste Container” means customer provided Kraft Paper Bags with a capacity of not more than 121 litres, or a rigid plastic can containing a maximum volume or 121 litres, not more than 23 kilograms (50 lb.) gross weight, and readily identifiable as containing Yard Waste.

Subdivision 2 - General Control

- 7.2.2.
1. Except as otherwise provided in this Division, no Person shall dump, collect or accumulate any Solid Waste within the District.
 2. Except with the permission of the Municipal Engineer, no Person shall bring Solid Waste into the District.
 3. There is hereby implemented a Garbage Collection Service for the collection, removal, management and disposal of Garbage from Residential Premises.

PART 7 - PUBLIC HEALTH
Division 2 - Solid Waste Collection and Disposal

Subdivision 2 – General Control (continued)

- 7.2.2
4. Except as otherwise provided in this Division, no Person shall dump, collect or accumulate any Yard Waste within the District.
 5. Except with the permission of the Municipal Engineer, no Person shall bring Yard Waste into the District.
 6. There is hereby implemented a Yard Waste Collection Service for the collection, removal, management, and disposal of Yard Waste from Residential Premises.

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 – Disposal

- 7.2.4.
1. Except as otherwise provided the District shall be solely responsible for the Garbage Collection Service.
 2. Garbage generated on a Residential Premise from residential use may be privately hauled and disposed of in the Landfill Site as directed by the Site Operator.
 3. Garbage generated on a Commercial Premise may be privately hauled and disposed of in the Landfill Site under terms approved by the Municipal Engineer, as directed by the Site Operator.
 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 Site Operator.
 5. All Solid Waste or other items collected by the District, or deposited at the Landfill Site by any Person, shall become the property of the District.
 6. With the exception of placing Garbage for collection, no Person shall place or sweep any Garbage into any land, street, gutter, walkway or public place.
 7. Garbage shall be stored in a Garbage Container, or in an enclosed garage or fully enclosed storage bin or storage shed where bears or other wildlife or domestic animals cannot access it.
 8. Except as otherwise provided the District shall be solely responsible for the Yard Waste Collection Service.

PART 7 - PUBLIC HEALTH
Division 2 - Solid Waste Collection and Disposal

Subdivision 4 – Disposal (continued)

- 7.2.4
9. Yard Waste generated on a Residential Premise from residential use may be privately hauled and disposed of in the Landfill Site as directed by the Site Operator.
 10. Yard Waste generated on a Commercial Premise may be privately hauled and disposed of in the Landfill Site under terms approved by the Municipal Engineer, as directed by the Site Operator.
 11. With the exception of placing Yard Waste for collection, no Person shall place or sweep any Yard Waste into any land, street, gutter, walkway or public place.

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 Solid Waste accumulating from such construction or operations on any lane, street, walkway, sidewalk or any public place in the District, or
 - b. accumulate such Solid 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 Solid Waste at the Landfill Site except as directed by the Site Operator.

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 – Container and Receptacle Preparation

Residential Premises - Garbage Container

- 7.2.7. 1. The Garbage Collection Service shall refer to the collection, removal, management and disposal of Garbage from a Residential Premises.
2. No Person shall place any Non-Resident Garbage in a Garbage Container.
3. No Person shall place any Prohibited Waste as detailed in 7.2.8.1 and 7.2.8.2 in a Garbage Container.
4. No Person shall place Yard Waste in a Garbage Container.
5. Garbage from a Residential Premise placed for collection shall conform to the following:
- a. All Garbage shall be placed in a Garbage Container;
 - b. no Garbage Container shall weigh more than 23 kilograms (50 lbs.);
 - c. the maximum number of Garbage Containers per week shall be three (3);
 - d. no Garbage from a Residential Premise shall be stored upon any lane, street, walkway, sidewalk or other public place unless approved in writing by the Municipal Engineer;

Subdivision 7 – Container and Receptacle Preparation
Residential Premises – Garbage Container (continued)

- 7.2.7 5. e. Garbage to be collected from a Residential Premise shall be placed at the curb of the premises by 8:00 a.m. but not earlier than 4:30 a.m. on the day of collection and Garbage Containers shall be removed from the curb not later than 9:00 p.m. on the date of collection.
- f. All Garbage placed in a Garbage Container shall conform to the following:
- i. all Garbage shall be thoroughly drained;
 - ii. all Garbage of a liquid nature shall be placed in a disposable container and sealed closed;
 - iii. Garbage of a putrescible nature or of a small or fly away nature, such as hair, dry ashes, and sawdust shall be secured in a disposable container, plastic or paper bag, or wrapped in paper.

Residential Premises - Yard Waste Container

6. The Yard Waste Collection Service refers to the collection, removal, management, and disposal of Yard Waste from a Residential Premises.
7. No Person shall place any Non-Resident Yard Waste in a Yard Waste Container.
8. No Person shall place any Prohibited Waste as detailed in 7.2.8.1 and 7.2.8.2 in a Yard Waste Container.
9. No Person shall place Garbage in a Yard Waste Container.
10. Yard Waste from a Residential Premise placed for collection shall conform to the following:
- a. All Yard Waste shall be placed in a Yard Waste Container;
 - b. No Yard Waste shall be placed in plastic bags for collection.
 - c. the maximum number of Yard Waste Container shall be four (4) Yard Containers bi-weekly.
 - d. no Yard Waste from a Residential Premise shall be stored upon any lane, street, walkway, sidewalk or other public place unless approved in writing by the Municipal Engineer;

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Subdivision 7 – Container and Receptacle Preparation
Residential Premises – Yard Waste Container (continued)

- 7.2.7 10. e. Yard Waste to be collected from a Residential Premise shall be placed at the curb of the premises by 8:00 a.m. but not earlier than 4:30 a.m. on the day of collection and Yard Containers shall be removed from the curb not later than 9:00 p.m. on the date of collection.
- f. All Yard Waste placed in a Yard Waste Container shall conform to the following:
- i. all Yard Waste shall be thoroughly drained;
- ii. Yard Waste of a small or fly away nature, such as woodchips, shall be secured in a Kraft Paper Bag.

Commercial Premises – Garbage

11. No Person shall place any Non-Resident Garbage in the Commercial Premises' Garbage receptacle.
12. No Person shall place any Prohibited Waste as detailed in 7.2.8.1 and 7.2.8.2 in the Commercial Premises' Garbage receptacle.
13. No Person shall place Yard Waste in the Commercial Premises' Garbage receptacle.
14. Commercial Premises shall arrange their own Garbage collection and dumping of Garbage at the Landfill Site or at a site approved by the Municipal Engineer and in consideration of the fees set out in this Division.
15. 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 Garbage accumulated by that premises and the receptacles shall prevent access by bears, other wildlife, or domestic animals.
16. Nothing in this Division prevents the Municipal Engineer from approving any number of Commercial Premises to go cooperatively on common receptacles for Garbage collection.
17. No Garbage or receptacle 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 – Container and Receptacle Preparation

Commercial Premises – Yard Waste

- 7.2.7
18. No Person shall place any Non-Resident Yard Waste in the Commercial Premises' Yard Waste receptacle.
 19. No Person shall place any Prohibited Waste as detailed in 7.2.8.1 and 7.2.8.2 in the Commercial Premises' Yard Waste receptacle.
 20. No Person shall place Garbage in the Commercial Premises' Yard Waste receptacle.
 21. Commercial Premises shall arrange their own Yard Waste collection and dumping of Yard Waste at the Landfill Site or at a site approved by the Municipal Engineer and in consideration of the fees set out in this Division.
 22. 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 Yard Waste accumulated by that premises.
 23. Nothing in this Division prevents the Municipal Engineer from approving any number of Commercial Premises to go cooperatively on common receptacles for Yard Waste collection.
 24. No Yard Waste or receptacles 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 8 Prohibited Waste Items

7.2.8.

1. Without limiting the restrictions imposed by any Provincial or Federal legislation the following items are deemed to be prohibited from the Collection Services and the Landfill Site:
 - a. explosives;
 - b. raw sewage;
 - c. highly flammable materials;
 - d. hot ashes;
 - e. herbicides;
 - f. pesticides;
 - g. poisons;
 - h. waste oil (excluding cooking oil);
 - i. toxic wastes;
 - j. Corrugated Cardboard originating from a Commercial Premises or Residential Premises;
 - k. Industrial Camp Waste; and
 - l. Industrial Waste.

2. Without limiting the restrictions imposed by any provincial or federal legislation the following items are deemed to be prohibited from the Collection Services and disposal on the Active Face of the Landfill Site and shall be disposed of at the Landfill Site as directed by the Site Operator:
 - a. tires
 - b. batteries; and
 - c. dead animals.

3. Every Owner of premises upon or within which special wastes restricted by Federal or Provincial legislation or Prohibited Waste are generated, shall be responsible for their proper handling and disposal.

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Subdivision 9 - Solid Waste Collection Fees

7.2.9.

1.

- a. Every Residential Premise shall pay for Garbage Collection Service and Yard Waste Collection Service as follows:

Unit Served	Frequency of Collection	Rate of Charge
Residential Premise	Garbage not less than once a week Yard Waste Bi-Weekly April to November.	\$120.00 for the remainder of 2021, and \$146.00 per year for the subsequent years, per dwelling unit, payable by line charge as part of annual property taxes

- b. The following disposal tipping fees rates shall be in effect at the Landfill Site:

Unit Served	Disposal
Commercial Premise arranging their own collection and disposal services, disposal contractors, and, Non-Residential Garbage and Non-Residential Yard Waste	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 ³ . (15 cu.yd.) - \$50.00 Tipping Fee per Load over 11.5 m ³ up to 23 m ³ (30 cu.yd.) - \$100.00 Tipping Fee per Load over 23 m ³ up to 33 m ³ (43 cu.yd.) - \$150.00 Tipping Fee per Load over 33 m ³ (43 cu.yd.)

Subdivision 9 - Solid Waste Collection Fees (continued)

- 7.2.9
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 shall be conclusive with respect to the quantities and classes of Solid Waste and other matter collected by the District or delivered at the Landfill Site by any Person other than the District.
 5. Properties that qualify for Schedule 4 grant of the *Home Owner Grant Act*, shall receive a discount of TEN (10) percent for residential Garbage Collection Service charges on property tax notices associated with that property.

Subdivision 10 - Miscellaneous

No Collection

- 7.2.10.
1. The District reserves the right to not collect Garbage that does not conform to the provisions of this Division.
 2. The District reserves the right to not collect Yard Waste that does not conform to the provisions of this Division.

Suspension of Collection

3. The District reserves the right to suspend Garbage Collection Service where Garbage, Garbage Containers, or facilities for containers are contrary to the provisions of this Division.
4. The District reserves the right to suspend Yard Waste Collection Service where Yard Waste, Yard Waste Containers, or facilities for containers are contrary to the provisions of this Division.

Tampering with Containers

5. No Person, other than the Owner or renter of a Garbage Container or receptacle; Persons authorized by such Owner or renter; or authorized employees of the District, shall tamper with or disturb any Garbage, Garbage Container or receptacle.
6. No Person, other than the Owner or renter of a Yard Waste Container or receptacle; Persons authorized by such Owner or renter; or authorized employees of the District, shall tamper with or disturb any Yard Waste, Yard Waste Container or receptacle.

Subdivision 10 – Miscellaneous (continued)

Entering Premises

- 7.2.10 7. Employees of the District, or its agents, involved in Garbage Collection Service, Yard Waste Collection Service or inspection, shall have the right to enter onto any property for the purposes of administering the provisions of this Division.

Administration of Bylaw

8. The Municipal Engineer is charged with the administration of this Division and with the supervision, control and direction of the Landfill Site, Garbage Collection Service, and Yard Waste 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 District 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.