

## VILLAGE OF KASLO

### BYLAW 1119

#### A BYLAW TO PROVIDE FOR THE COLLECTION AND REMOVAL OF SOLID WASTE WITHIN THE VILLAGE OF KASLO

WHEREAS Sections 8 and 64 of the Community Charter provide that Council may, by bylaw, exercise its authority regarding refuse and garbage, and the use of waste disposal and recycling services;

AND WHEREAS Council wishes to encourage waste reduction, reuse and recycling to reduce the volume of waste being deposited into the landfill;

NOW THEREFORE the Council of the Village of Kaslo, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the “Solid Waste Management Bylaw 1119, 2012”.

#### DEFINITIONS

2. In this bylaw, unless the context otherwise requires,

“collection day” means the day or days during each week on which waste is scheduled to be collected from a specific premises;

“collector” means any person employed by, or on behalf of, the Village to collect and dispose of waste;

"container" means a receptacle constructed of non-corrosive durable metal or plastic equipped with a tight fitting cover constructed of the same or similar material and handles for lifting, having a capacity not greater than 17.5 gallons, which is capable of being completely closed to reduce odours and secured with a latching device of sufficient strength and design to prevent access by animals;

“Council” means the Council of the Village of Kaslo;

“industrial waste” means material from excavations; material from lot clearing or building construction, repairs, alterations, or maintenance; debris from any building removed or damaged or destroyed by fire or any other cause; material from any manufacturing processes; dead animals; condemned or contaminated matter from any premises; (and any similar material other than human or animal excrement;)

“landfill” means an area designated and established for the use of residents of the Village for the disposal of waste, and shall include transfer stations;

“stand” means a fully enclosed wooden or metal enclosure designed to hold all containers required by the premises on which the stand is provided, which shall be so designed as to reduce odours, to keep all containers a minimum of 250 mm (10 inches) and a maximum of 750 mm (29.5 inches) from ground level, to have no more than a 1 cm gap or opening at any location, to be in a closed position at all times and protected from interference from all animals;

“waste” means discarded or rejected material but does not include human or animal excrement, industrial waste, compostable matter or recyclable material;

“waste collection area” means an area or areas established by Council within which waste will be collected by the Village as frequently as is considered necessary by Council;

“Village” means the Village of Kaslo.

#### RESPONSIBILITIES OF OWNERS AND OCCUPANTS

- 3(1). No person shall dispose of waste or industrial waste except in accordance with this bylaw.
- 3(2). No person shall dump or dispose of any waste or industrial waste, or any noxious, offensive, unwholesome or discarded matter in any place other than the designated landfill or transfer station unless directed to do so by the Village.
4. The owner or occupant of every premise shall provide sufficient containers to hold the normal waste generated from that premises during the period between collection days.
5. No person shall place or keep any container, or receptacle for industrial waste, upon any street or public land in the Village except as specifically provided in this bylaw.
6. The owner or occupant of every premises shall provide, and maintain in good and sanitary condition, sufficient containers for all waste upon the premises owned or occupied by him, and shall ensure that the mouth of each container is closed or securely covered except when the container is actually being filled or emptied.
7. Every person shall dispose of waste upon the premises owned or occupied by him by placing or causing the same to be placed in a container maintained for that purpose, but not elsewhere.

8. All containers shall be placed in the location directed by the Village under this bylaw for collection before 7:00 a.m. on each collection day, but not more than 2 hours in advance of that time.
9. The owner or occupant of premises from which waste is to be collected shall ensure that all wet or granular material is separately wrapped or put into a plastic bag before being placed in a container for pick-up.

#### GENERAL REGULATIONS

10. Notwithstanding any other provisions of this bylaw, where a recycling program is in effect and storage or other recycling facilities are available, either within the Village or elsewhere, the following shall be either recycled or otherwise disposed of in accordance with this bylaw:
  - (a) aluminum and tin cans,
  - (b) corrugated cardboard,
  - (c) glass bottles and jars,
  - (d) motor oil,
  - (e) paper,
  - (f) magazines and catalogues,
  - (g) rigid plastic,
  - (h) milk jugs, and
  - (i) all other material as may, from time to time, be accepted for recycling.
11. The Village shall be responsible for removing on collection day only the contents of containers which clearly display official tags sold by the Village. Removal and disposal of the contents of containers which do not clearly display official Village tags shall be the sole responsibility of the owner or occupier of the premises which produced the waste.
  - (a) Official tags will be sold by the Village for a cost of \$2.50 each, and a minimum of 10 tags shall be purchased at any one time.
  - (b) On waste inside a container, the official tag shall:
    - (i) be firmly affixed to the top of the waste in the container;
    - (ii) be whole, unaltered, unobscured and clearly visible to the collector immediately upon removing the lid of the container.
12. Plastic bags may be used for the disposal of waste under the following conditions:
  - (a) plastic bags containing waste shall be kept in a structure, fenced area, stand or other enclosure protected from interference from all animals;
  - (b) plastic bags containing waste shall be in good repair and be kept securely closed except when waste is being placed therein or placed in another container by the owner or occupant on whose premises the waste was generated;
  - (c) Under no circumstances shall plastic bags of waste be placed or kept on any street or public land.

13. When a stand is used for the storage of waste as provided for in this bylaw, and while the stand is on his premises the owner or occupant of the premises shall be responsible for maintaining the stand in a condition which is not offensive or dangerous to the public health and which is protected from interference from all animals.
14. Where Council considers it in the public interest to do so, the Village may temporarily place one or more stands on public or private lands to accommodate waste expected to be generated at a special event or function. Council may, at its discretion, establish a charge for the temporary placement, use, and removal of stands under this subsection.
15. The owner or occupant of any premises shall at all times ensure that waste or industrial waste is kept within the containers or stands provided for that purpose, and not allowed to spill onto, or accumulate on, any street or adjoining public or private property.
16. No water or other liquid shall be kept in, or be permitted to remain or accumulate in, any container or stand, and no person shall keep or place any explosive, toxic, hot or highly flammable substance in any container or stand.
17. Where any premise is served by a lane, all waste from such premises shall be placed in containers for collection at a location within 2 meters of such lane, but not in the lane.
18. Where any premises is not served by a lane, all waste from such premises shall be placed in containers for collection at a location as close as possible to the traveled portion of an adjacent street, but not on a sidewalk or in such a location as to interfere with vehicular or pedestrian traffic.
19. Where containers are placed for collection within any structure, fence, or other enclosure, direct access to the containers from a street or lane shall be provided.
20. Where special arrangements have been made for on-site pick-up, a passageway and ready means of access from a street shall be maintained at all reasonable times, and such means of access shall be unobstructed and of sufficient size to provide safe and convenient access to Village's collectors and equipment. Where collectors are required to access any building or structure designed to accommodate containers, the access door or gate shall be not less than 1.8 meters or 70.8 inches in height, nor less than 750 mm or 29.5 inches in width.
21. Where any container is not, other than on collection day, kept in a structure, enclosure, or fenced area on the premises, it shall at all times be kept in a stand provided by the owner or occupant for that purpose.
22. Except on collection day, all containers shall be kept and maintained on the premises of the owner or occupant, and any container located on any street or

- other public land in the Village other than on collection day may be removed and disposed of at the discretion of the Village without compensation to the owner thereof.
23. Collectors designated by Council for the collection and removal of waste shall have the right to enter at all reasonable times all premises and yards to the extent necessary for the performance of his duties in accordance with this bylaw.
  24. No person other than a lawful user thereof, or an authorized collector of the Village, shall open any container or stand, remove anything therefrom, add anything thereto, or in any way disturb the contents thereof; nor shall any other person handle, interfere, interfere with, or in any manner disturb any container put out for collection.
  25. When any container is in a condition that presents a hazard to the collector or has been condemned by the Village for any other reason, and written notice to that effect has been given to the owner or occupant, the condemned container may be removed and disposed of along with the waste from that premises.
  26. No person shall operate a vehicle in the Village while it is carrying waste or industrial waste unless the portion of the vehicle in which the material is being carried is securely covered or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while it is in transit.
  27. The removal of industrial waste from any premises, and the full cost thereof, shall be the sole responsibility of the owner or occupant of such premises.
  28. The Village may suspend collection service from properties where stands, or their locations for pick-up, do not comply with the requirements of this bylaw, but such suspension shall not relieve the owners or occupants of such premises from their responsibilities under this bylaw.
  29. An owner or occupant of premises may make private arrangements for the collection and disposal of waste, industrial waste, or other material; however the provision of this bylaw shall apply to the accumulation of all such material on the premises.
  30. Unless special arrangements are made with the Village to do so, the Village shall not remove or collect any of the following:
    - (a) industrial waste;
    - (b) discarded furniture, appliances or other household equipment
    - (c) tree limbs more than 50 mm or 2 inches in diameter, or whole bushes or hedges;
    - (d) waste oil or petroleum products;
    - (e) gravel, sand, rocks, or bricks;
    - (f) discarded material of any kind which weighs more than 10 kg or 23 pounds, or is more than 1.8 meters or 70.8 inches in length; or

- (g) discarded or abandoned vehicles or equipment, or parts thereof, including tires, batteries, etc.
- 31. Collectors shall not enter any building for the purpose of carrying from or returning thereto any container, except when in the judgment of the Village it is impractical to store the container outside the building.
- 32. Collectors shall not pick, sort over, or remove for their own use any waste or other discarded materials on any premises or on the collection vehicle.

#### OFFENSES AND PENALTIES

- 33. Every person who violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, shall be deemed to be guilty of an offence under this bylaw, and shall be liable on summary conviction to a fine of not less than \$50.00 nor more than \$2,000.00.

#### REPEAL

- 34. Solid Waste Management Bylaw 1071 is hereby repealed.

#### EFFECTIVE DATE

- 35. This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME this 10th day of January 2012.

READ A SECOND TIME this 10th day of January 2012.

READ A THIRD TIME this 10th day of January 2012.

RECONSIDERED AND FINALLY ADOPTED this 24 day of January 2012.