

CITY OF CASTLEGAR

SOLID WASTE AND RECYCLING REGULATIONS & RATES

BYLAW 1248

A bylaw to establish the rates, conditions and terms for solid waste disposal and recycling collection

WHEREAS Section 64 of the Community Charter (RS Chapter 26) authorizes the Council of the City of Castlegar to require persons to use a solid waste or recycling service or on behalf of the municipality:

NOW THEREFORE the Municipal Council of the City of Castlegar, in open meeting assembled enacts as follows:

Citation

1. The Bylaw may be cited as the "Solid Waste and Recycling Regulations and Rates Bylaw No. 1248, 2016 ".

Definitions

2. In the Bylaw and schedules attached hereto, unless the context otherwise requires, the following definitions apply:

"City" means the City of Castlegar.

"collection cart" means a solid waste collection cart supplied by the City that is specifically designed for automated collection.

"Director of Civic Works" means the person appointed as such by the Council of the City and any person delegated to assist him in carrying out his duties under this bylaw.

"fee" includes any fee authorized under City of Castlegar Fees and Charges Bylaw, as amended, and the Community Charter

"landfill site" means the solid waste sanitary landfill site operated by the Regional District of Central Kootenay to service the City.

"property owner" means the registered owner of any lands and premises situated within the solid waste collection area and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises.

"recycling collection" means the collection of recycling service under the provisions of this bylaw.

"recycling container" means

(a) a rigid plastic container manufactured for the containment of recyclable material including, without limitation, the "blue box" distributed by the City for use as a

receptacle for recyclable material,

(b) a plastic bag manufactured for the containment of recyclable material including, without limitation, the "blue bag" distributed by the City for use as a receptacle for recyclable material,

(c) any other container used for recyclable material, the design of which has been approved by the City Engineer for use as a receptacle for recyclable material:

"refurbished waste cart" means a cart made from material of previously damaged carts that help reduce cost and waste. **(Bylaw 1396)**

"residential dwelling premise" means the individual dwelling units and includes single family dwellings, two family dwellings, triplexes, fourplexes and individually serviced units of apartments or condominiums.

"solid waste" includes any and all solid waste or household waste, that is not suitable for reuse or recycling programs and for which there is no opportunity for resource recovery and which must be disposed of at a Landfill;

"solid waste collector" means any person who is under contract to the City to collect solid waste within the City.

"solid waste collection area" means the area within the boundaries of the City of Castlegar.

"solid waste disposal" means the collection of solid waste under the provisions of this bylaw.

"Yard Waste" refers to plant trimmings resulting from, or produced by, the landscaping or maintenance of residential lawns and gardens, and includes grass trimmings, hedge clippings, flowers/plants, weeds, vegetables stalks, small shrub and tree branches of less than 50mm (2 inches) in diameter, dry seed pods, and Christmas trees; but excludes plants that are identified by the City of Castlegar as invasive species, such as rocks, dirt, stumps, sod, construction demolition or other related materials including painted or treated wood, flower pots, animal waste, garbage, recyclables and foam or other similar item. **(Bylaw 1372)**

"Yard Waste Facility" refers to the facility designated by the City of Castlegar for depositing yard waste. **(Bylaw 1372)**

General Provisions

1. No person within the solid waste collection area shall dispose of solid waste except in accordance with the provisions of this bylaw.
2. No person shall place solid waste for pick-up with the solid waste of others or place solid waste in collection carts owned by others without that owner's permission.

3. No person shall dispose of solid waste contrary to the provisions of this bylaw.

Collection – General

4. Every owner of a residential dwelling premises within the solid waste collection area shall use the solid waste disposal system established by the City pursuant to this bylaw. The owner of each dwelling unit may choose the size or quantity of collection carts that meets their needs and the fees charged will reflect the size or quantity of collection cart; which are as follows:
 - a) One 242L (64 gallon) – bear resistant collection cart
 - b) Two 242L (64 gallon) – bear resistant collection carts
 - c) One 121L (32 gallon) – bear resistant collection cart
5. Notwithstanding section 5, a property owner may be granted a waiver of service by applying to City Council.
6. The City or a solid waste collector shall pick-up solid waste every other week from residential dwelling premises provided it conforms to the terms of this bylaw
7. Every owner of premises other than residential dwelling premises shall provide for a system of solid waste collection, removal, and disposal for their premises consistent with any applicable Federal, Provincial, Regional District, or Municipal regulations that may apply.

Collection Cart Inspection, Ownership and Locking Requirements

8. Every owner or occupier of real property must make their collection cart accessible for inspection upon the request of the City.
9. Every owner or occupier must use only a collection cart that is supplied by the City.
10. The collection cart remains the property of the City.
11. The collection cart is assigned to a specific address and must remain with the property if the owner or occupier moves.
12. The owner or occupier is responsible for the costs of any damage to a collection cart caused by willful or accidental damage to the cart that is not caused by normal wear and tear or actions of the Contractor.
13. Should a collection cart be damaged beyond repair due to wildlife, one replacement collection cart shall be provided and the cost for any subsequent collection cart replacements shall be the responsibility of the owner or occupier of a residence.

Collection Cart - Location and Access Requirements

14. Containers shall be kept on the premises at all times and shall not encroach upon or

project over any street, lane or public place except when placed on such street or lane for the purpose of collection under this bylaw.

15. For collection purposes, all collection carts must be placed next to the lane, or the boulevard or at a place designated by the Director of Civic Works.
16. Collection carts intended for collection on the lane abutting the premises shall be placed as close to the travelled portion of the lane as possible without creating an obstruction to traffic.
17. Curbside carts intended for collection on the boulevard in front of the premises and as close to the curb, or where no curb is present, the roadway portion of the highway, as possible without creating an obstruction to traffic.
18. All collection carts must be placed so as not to interfere in any way with the ordinary travel of vehicles and pedestrians and marked bicycle lanes
19. For collection purposes, a collection cart must be placed in a location free from obstructions at least one meter horizontally on all sides of the Container and three meters vertically above the cart.
20. Where circumstances peculiar to any premises do not permit compliance with the requirements of this section, the City may approve an alternate location for the placing of collection carts
21. All collection carts shall be kept unlocked and readily accessible for emptying, between the hours of 7:00 a.m. and 7:00 p.m. on the day of collection.
22. Collection carts shall not be unlocked or placed on any City lane, street or boulevard prior to 4:00 a.m. on the day of collection.
23. All containers shall be kept on the ground level or on a platform not more than one foot in height above ground and shall be readily accessible from the street, or lane abutting the premises.
24. The City may suspend collection service from properties where collection carts are repeatedly placed contrary to the provisions of this bylaw, but such suspension shall not waive any requirement, or abate or waive any charges or rates under the provisions of this bylaw.

Disposal Requirements

25. No liquids shall be put in or be allowed to accumulate in any container.
26. All table and kitchen solid waste, all wet solid waste, floor sweepings, ashes and sawdust or other granular materials must be in a solid waste bag before being placed within any container.
27. All solids, gases or liquids which might adhere to any container, shall be separately

contained within individual disposable wrappings or containers before being placed within the container.

28. Ashes shall be placed in non-combustible containers separate from other solid waste or inflammable material.

Prohibited Materials

29. No person shall place or mix, with any material for removal as solid waste any explosive, volatile, corrosive materials, dangerous chemicals or any other material dangerous to the health and/or safety of the solid waste collection personnel or other members of the public.
30. Christmas trees, and yard wastes.
31. Hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, animal cuttings or wastes, dead animals or oil, fuel, or other equipment lubricant filters shall not be placed for residential solid waste collection.

Recycling - General

32. Every owner of a residential dwelling premises within the solid waste collection area will receive two City supplied recycling containers (blue boxes).
33. The recycling containers are assigned to a specific address and must remain with the property if the Owner or Occupier moves.
34. The Owner or Occupier is responsible for the costs of any damage to the recycling containers caused by willful or accidental damage that is not caused by normal wear and tear or actions of the Contractor.
35. The City or a Solid Waste Collector shall pick-up recycling every other week from residential dwelling premises provided it conforms to the terms of this bylaw.
36. Recycling containers intended for collection on the lane abutting the premises shall be placed as close to the travelled portion of the lane as possible without creating an obstruction to traffic.
37. Recycling Containers intended for collection on the boulevard in front of the premises shall be as close to the curb, or where no curb is present, the roadway portion of the Highway, as possible without creating an obstruction to traffic.
38. For collection purposes, recycling containers must be set out or stacked in such a manner to minimize the chance of weather scattering the recyclable contents.
39. Only those recyclable materials listed in Schedule B are acceptable for deposit in a recycling container and those materials must be separated according to the division set out in Schedule B.

Yard Waste

40. Yard Waste can be deposited at the City's yard waste collection facility at 2161 – 6th Avenue year-round.

Rates and Charges

41. Property owners shall be responsible for payment of all rates for solid waste services for properties owned by them.
42. The user rates and charges specified in Schedule "A" of this Bylaw are hereby imposed and levied for solid waste and recycling services supplied by the City. All such rates are due and payable when invoiced.
43. The City will replace the first collection cart damaged beyond repair by wildlife free of charge with a refurbished one, as long as it was secured properly. **(Bylaw 1396)**
44. A penalty of 5% (five percent) shall be imposed upon the balance of the current quarterly instalment (or any portion thereof) that is unpaid by the last day of each respective quarter.
45. For any solid waste service started after the 1st of January, the user account will be billed for an amount equal to the annual rate prorated for the number of days remaining in the year.
46. All rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.

Enforcement

47. The City reserves the right to refuse to remove all waste material which is not solid waste, as defined by this bylaw.
48. The City reserves the right to perform audits on waste material set out for collection to ensure compliance with this bylaw.
49. Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$2,000.00.

Enactment

50. "City of Castlegar Solid Waste Bylaw No. 705, 1990" and all amendments thereto are hereby repealed.

51. This Bylaw shall take effect upon adoption thereof.

Read a first time this 21st day of November, 2016.

Read a second time this 21st day of November, 2016.

Read a third time this 21st day of November, 2016.

Adopted this 5th day of December, 2016.

Mayor

Director of Corporate Services

List of amending Bylaws

Bylaw 1343 December 21, 2020

Bylaw 1372 December 20, 2021

Bylaw 1396 December 19, 2022

Schedule "A"
City of Castlegar
Solid Waste and Recycling Regulations and Rates Bylaw

SOLID WASTE

Garbage/Recycling Pickup

Fees

Residential

Dwelling Unit	123.32
Secondary Suite	86.33
Second Cart Collection	123.32

Non-Residential

Other Service Users	123.32
Second Cart Collection	123.32

Yard Waste/Compost Pickup

Fees

Residential	37.78
Non-Residential	37.78

Additional Charge

Fees

New Waste Cart	340
Refurbished Waste Cart (for Replacement)	170
Second 242 Litre Waste Cart Purchase	340
Damaged Cart Lid Repairment	24
Blue Box Replacement	25

(Bylaw 1396)

SCHEDULE "B"

CITY OF CASTLEGAR
SOLID WASTE REGULATIONS & RATES BYLAW 1248

Acceptable Recyclable Materials List

Those materials listed in Categories 1,2,3(a),3(b),4,5,6,7,8 by MMBC.

Materials set out for recycling must be separated by into the two streams.

Stream one – Categories 1, 2, and 3(b) (as attached)

Stream two – Categories 3(a), 6 and 7 (as attached)

The following Categories can only be recycled at MMBC Depots.

Categories 4 & 5 (as attached)