



# **Residential Curbside Collection & Disposal**

Bylaw 1408

Effective September 2023

**CASTLEGAR**

# Residential Curbside Collection and Disposal

## Bylaw 1408

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### **A bylaw to establish the rates, conditions and terms for residential curbside collection and disposal of garbage, recycling, and organic material.**

WHEREAS Section 64 of the *Community Charter* authorizes the Council of the City of Castlegar to require persons to use a garbage, recycling and organics collection and disposal service 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 "Residential Curbside Collection and Disposal Bylaw No.1408".

#### **Definitions**

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

"Banned Items" means all items that are currently strictly prohibited from disposal at designated facilities.

"Bi-weekly Collection" means collection every second week (also known as every-other-week collection).

"City" means the City of Castlegar.

"Collection Area" means those lands within the boundaries of the City on which eligible properties are located.

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

"Curbside Collection" means the collection of garbage, recyclable materials and organic materials from collection carts and containers placed at the curb adjacent to eligible properties.

"Curbside Collection Materials" means garbage, recyclable materials and organic materials as defined under this bylaw.

"Curbside Collection Service Provider" means any person who is under contract to the City to collect garbage, recyclable materials, and organic material within the City.

"Designated Facility" means the delivery point, designated by the City, for each of the waste streams as follows:

- a) Garbage – Ootischenia Landfill operated by the Regional District of Central Kootenay at 671 Columbia Road, Castlegar.
- b) Organic Materials – Ootischenia Landfill organics transfer area operated by the Regional District of Central Kootenay at 671 Columbia Road, Castlegar.
- c) Recyclable Materials – Recycle BC post-collection facility designated by Recycle BC.

"Director of Municipal Services" means the person appointed as such by the Council of the City and any person delegated by that person to assist in carrying out the duties under this bylaw.

"Eligible Property" means a residential dwelling premise that is eligible for residential curbside collection as established and set out under this bylaw.

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

"Fixed Day Schedule" means a residential curbside collection schedule that provides collection service on the same day of the week for an eligible property.

"Food Waste" means compostable dairy products, egg shells, fruit and vegetable scraps, meat, bones, fish, seafood shells, noodles, rice, beans, grains, bread, small amounts of oil and fat (soaked in paper towel or newspaper), teabags, coffee grounds and filters, and includes food tissues, paper towels, food soiled paper, compostable paper take-out containers, food soiled paper and pizza boxes, and other material originating from eligible properties, as identified by the designated facility.

"Garbage" means discarded matter and includes refuse, waste, noxious, offensive, and unwholesome materials, but does not include organic materials, recyclable materials, ICI waste or prohibited and hazardous materials.

"Garbage Collection" means the bi-weekly collection of garbage under the provisions of this bylaw.

"Garbage Collection Cart" means the collection cart provided by the City to each eligible property for garbage to be set at the curb for collection.

"ICI Waste" means discarded matter generated by the Institutional, Commercial, and Industrial sectors.

"In-Scope PPP" means the separated recyclable printed papers and container packaging generated by eligible properties as described in the City's contract with Recycle BC, and such other materials identified as in-scope PPP by the City and broadly defined in Schedule B of this Bylaw. In-scope PPP does not include recyclable materials generated by the Institutional, Commercial or Industrial sectors.

"Organics Collection" means the weekly collection of organic materials under the provisions of this bylaw.

"Organic Materials" means food waste, vegetative matter, yard and garden waste, and other residential organic wastes for inclusion in curbside collection.

"Organics Collection Cart" means the collection cart provided by the City to each eligible property for organics materials to be set at the curb for collection.

"PPP" means packaging and printed paper from residential sources identified in a stewardship plan approved by the Ministry of Environment (British Columbia) under the Recycling Regulation.

"Primary Residential Dwelling Unit" means the primary residence on a residential property. A property may have multiple primary residential dwelling units (e.g., apartments, strata lots, condominiums, etc.).

"Property Owner" means the registered owner of any lands and eligible properties situated within the collection area and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the property.

"Recyclable Materials" means in-scope PPP.

"Recycle BC" means the producer responsibility organization that has contracted the City to provide curbside residential recyclable materials collection of in-scope PPP.

"Recycling Collection" means the bi-weekly collection of recyclable materials under the provisions of this bylaw.

"Recycling Container" means the container(s) supplied to eligible properties for household storage and curbside set-out of recyclable materials as follows:

- (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) 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 Director of Municipal Services, for use as a receptacle for recyclable material.

"Refurbished Collection Cart" means a cart made from material of previously damaged carts that help reduce cost and waste.

"Residential Dwelling Premise" means individual dwelling units and includes single family dwellings, two family dwellings, triplexes, fourplexes and City approved individually serviced units of apartments or condominiums.

"Secondary Suite" means a self-contained dwelling unit with its own kitchen and bathroom, which is separate from the primary residential dwelling unit in a house. It can be located either within the primary residential dwelling unit or in an accessory building on the same lot as the primary residential dwelling unit.

"Yard and Garden Waste" means all organic material produced by a yard or garden including grass clippings, hedge and tree pruning material, small twigs, chipped tree waste, weeds and material from flower beds and vegetable gardens, which fit in the organics collection cart and that do not exceed the dimensions of 30 cm (1 foot) in length and 5 cm (2 inches) in diameter as specified by the designated facility.

"Yard Waste Disposal Site" refers to the location designated by the City for depositing excess yard waste located at 2161 – 6<sup>th</sup> Avenue, Castlegar.

### **General Provisions**

1. No person within the collection area shall dispose of curbside collection materials except in accordance with the provisions of this bylaw.
2. No person shall place curbside collection materials with the curbside collection materials of others or place curbside collection materials in collection carts or recycling containers owned by others without that owner's permission.
3. No person shall dispose of curbside collection materials contrary to the provisions of this bylaw.
4. No person shall place garbage in an organics collection cart or recycling container, nor organics in a garbage collection cart or recycling container, nor recycling in a garbage or organics collection cart.

### **Collection – General**

5. Every eligible property within the collection area shall use the curbside collection system established by the City pursuant to this bylaw. Each eligible property will be provided with collection carts and containers as follows:
  - a) One 242 L (64 gallon) bear resistant organics collection cart.
  - b) One 121 L (32 gallon) bear resistant garbage collection cart.
  - c) Two recycling containers.
6. Property owners of an eligible property may apply to the City for a second 121 L garbage collection cart. Additional fees for the extra cart, a one-time administration fee, and an additional annual collection fee will be charged as detailed in Schedule A of this bylaw.
7. Notwithstanding section 5, a property owner of an eligible property may be granted a waiver of service by applying to City Council.

8. The City or a curbside collection service provider shall pick-up curbside collection materials from eligible properties, provided it conforms to the terms of this bylaw, on a fixed day schedule as follows:
  - a) Organics on a weekly collection frequency.
  - b) Garbage on a bi-weekly collection frequency.
  - c) Recyclable materials on a bi-weekly collection frequency on the alternate week to garbage collection.
9. Every property owner of premises other than residential dwelling premises shall provide for a system of 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**

10. Every property owner of an eligible property must make their collection cart accessible for inspection upon the request of the City.
11. Every property owner of an eligible property must use only a collection cart that is supplied by the City.
12. Collection carts remain the property of the City.
13. Collection carts are assigned to a specific address and must remain with the property.
14. The property owner of an eligible property 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 curbside collection service provider.
15. 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 property owner of an eligible property.

#### **Collection Carts – Location and Access Requirements**

16. Carts shall be always kept on the owner's property 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.
17. 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 Municipal Services.
18. Collection carts intended for collection on the lane abutting the property shall be placed as close to the travelled portion of the lane as possible without creating an obstruction to traffic.
19. Collection carts intended for collection on the boulevard in front of the premises shall be placed as close as possible to the curb, or where no curb is present, the roadway portion of the highway, without creating an obstruction to traffic.
20. 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

21. For collection purposes, on the morning of collection a collection cart must have its wildlife clips unclipped and be placed in a location free from obstructions at least one meter horizontally on all sides from another collection cart or recycling container, at least two meters horizontally on all sides from vehicles, and three meters vertically above the cart.
22. 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
23. 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.
24. 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.
25. All collection carts 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.
26. 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**

27. No liquids shall be put in or be allowed to accumulate in any collection cart.
28. All wet garbage, floor sweepings, ashes and sawdust or other granular materials must be in a bag or wrapped before being placed within the garbage collection cart.
29. All solids, gases or liquids which might adhere to any collection cart, shall be separately contained within individual disposable wrappings or containers before being placed within the collection cart. In the case of the organics collection cart, only paper or approved cellulose liners and containers are permitted.
30. Ashes shall be placed in non-combustible containers separate from other garbage or inflammable material.

#### **Prohibited and Hazardous Materials**

31. No person shall place or mix, with any material for removal as curbside collection materials any explosive, volatile, corrosive materials, dangerous chemicals, or any other material dangerous to the health and/or safety of the curbside collection service provider personnel or other members of the public.
32. Christmas trees.
33. 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 curbside collection.

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**Recycling Containers – Location and Access Requirements**

34. Recycling containers are assigned to a specific address and must remain with the property.
35. Recycling containers remain the property of the City.
36. The property owner of an eligible property is responsible for the costs of any damage to recycling containers caused by willful or accidental damage that is not caused by normal wear and tear or actions of the curbside collection service provider, as detailed in Schedule A of this bylaw.
37. The City or a curbside collection service provider shall pick-up recycling every other week from residential dwelling premises provided it conforms to the terms of this bylaw.
38. 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.
39. Recycling containers intended for collection on the boulevard in front of the premises shall be placed as close as possible to the curb, or where no curb is present, the roadway portion of the highway, without creating an obstruction to traffic.
40. For collection purposes, recycling containers must be set out or stacked in such a manner to minimize the chance of weather scattering the recyclable material and be placed in a location free from obstructions at least one meter horizontally on all sides from a collection cart.
41. 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**

42. Yard Waste generated at a residential premises in excess of the organics collection cart capacity, or that exceeds the permitted maximum dimensions for inclusion in the organics collection cart, can be disposed of at the Ootischenia Landfill organics transfer area or deposited at the City's yard waste disposal site.

**Rates and Charges**

43. Property owners shall be responsible for payment of all rates for residential curbside collection services for properties owned by them.
44. The user rates and charges specified in Schedule "A" of this Bylaw are hereby imposed and levied for residential curbside collection services supplied by the City. All such rates are due and payable when invoiced.
45. 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.
46. A penalty of 5% (five percent) shall be imposed upon the balance of the current quarterly installment (or any portion thereof) that is unpaid by the last day of each respective quarter.



- 47. For any residential curbside collection 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.
- 48. 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**

- 49. The City reserves the right to refuse collection of all waste material which is not garbage, recyclable materials, or organic materials as defined by this bylaw.
- 50. The City reserves the right to perform audits of collection carts and recycling containers set out for collection to ensure compliance with this bylaw.
- 51. 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 to fines set out in the City's Municipal Ticketing Bylaw and/or Wildlife Attractant Control Bylaw, on conviction to a fine of not more than \$5,000.00.

**Repeal**

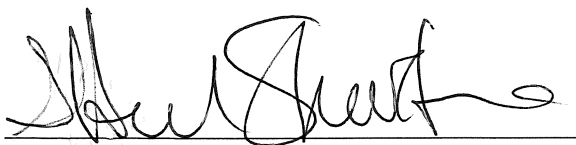
- 52. City of Castlegar Solid Waste and Recycling Regulations and Rates Bylaw No. 1248, 2016 and all amendments thereto are hereby repealed.
- 53. This Bylaw shall take effect upon adoption thereof.

READ A FIRST TIME this 14<sup>th</sup> day of August, 2023

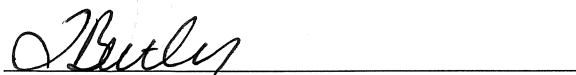
READ A SECOND TIME this 14<sup>th</sup> day of August, 2023

READ A THIRD TIME this 14<sup>th</sup> day of August, 2023

ADOPTED this 5<sup>th</sup> day of September, 2023



Mayor



Director of Corporate Services

**Schedule "A"  
City of Castlegar  
Residential Curbside Collection and Disposal Bylaw 1408**

**Garbage/Organics/Recycling Pickup**

|                               |           | RATES      |
|-------------------------------|-----------|------------|
| GARBAGE                       | 2023      | 2024       |
| <b>Residential</b>            |           |            |
| Dwelling Unit                 | 143.65    | 128.40     |
| Additional Collection Service | 143.65    | 128.40     |
| <br>ORGANICS                  | <br>43.95 | <br>132.87 |
| <br>RECYCLING                 | <br>22.23 | <br>27.73  |
| <br>YARD WASTE                | <br>37.56 | <br>33.18  |

**Additional Charge Fees**

|  | 121 Litre Cart | 242 Litre Cart |
|--|----------------|----------------|
| New  | \$215          | \$230          |
| Second Cart Purchase                             | \$215          | \$230          |
| Refurbished Cart (for Replacement)               |                |                |
| <br>Additional 121 Litre Cart Administrative Fee | <br>\$100      |                |
| Damaged Cart Lid Repairment                      | 24             |                |
| Blue Box Replacement (each)                      | 25             |                |

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**SCHEDULE "B"****CITY OF CASTLEGAR**  
Residential Curbside Collection and Disposal Bylaw 1408**Acceptable Recyclable Materials List**

Those materials approved for curbside collection under the City's agreement with Recycle BC.

Materials set out for recycling collection must be separated by into the two streams and set out for collection in separate recycling containers.

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

- 1 Printed Papers
- 2 Old Corrugated Carboard (OCC)
- 3(b) Other Paper Packaging (not containing liquids when sold)

Stream two – Categories 3(a), 6 and 7

- 3(a) Other Paper packaging (containing liquids when sold)
- 6 Other Plastic Packaging
- 7 Metal Packaging

The following Categories can only be recycled at Recycle BC Depots.

Categories 4, 5, 8, and 9

- 4 Polyethylene (PE) Film Packaging
- 5 Polystyrene (PS) Foam Packaging
- 8 Glass Packaging
- 9 Other Flexible Plastic Packaging