

CITY OF CASTLEGAR

GARBAGE REGULATIONS & RATES

BYLAW 705

A bylaw to regulate the rates, conditions and terms for solid waste disposal

WHEREAS pursuant to Sections 614 and 615 of the Municipal Act it is deemed expedient to make provisions for regulating the rates, conditions and terms under or upon which waste removal services may be supplied to and used by the inhabitants of the City of Castlegar.

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

Citation

1. The Bylaw may be known and cited as the "Garbage Regulations and Rates Bylaw No. 705, 1994".

Definitions

2. In the Bylaw, unless the context otherwise requires:

"City" means the City of Castlegar.

"Garbage" means and includes any and all rubbish, trade waste, ashes, household waste, discarded matter, rejected, abandoned or discarded waste or vegetable or animal food, floor sweepings, crockery, glass or metal ware having contained food.

"Garbage Collection Area" means the area within the boundaries of the City of Castlegar.

"Garbage Collector" means any person who is under contract to the City to collect garbage within the City.

"Garbage Disposal" means the collection of garbage under the provisions of this bylaw.

"Inert Refuse" means all non-putrescible solid wastes and includes tree prunings of a diameter not more than two inches, hedge clippings and other garden refuse or rubbish if cut into one metre lengths or less and tied in suitable bundles weighing not more than 25 kg, and includes grass, if placed in a container, and newspapers, reading material and magazines, if tied securely in bundles of not more than 25 kg but does not include waste or rubbish from renovating, re-modelling or re-building.

"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 garbage collection area and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises.

"Recycling Service" means the recycling service operated by the Regional District of Central Kootenay to service the City.

"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.

"Standard Garbage Container" (hereafter referred to as "container") means non-corrosive, durable receptacles, fitted with secure handles and a water-tight cover or approved plastic bags, which shall contain not more than 95 litres, and must not weigh more than 25 kg when full used for the collection of garbage from residential dwelling premises.

"Superintendent of Public 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.

General Provisions

3. No person within the garbage collection area shall dispose of garbage except in accordance with the provisions of this bylaw.
4. No person shall place garbage for pick-up with the garbage of others or place garbage in containers owned by others without that owner's permission.
5. No person shall dispose of garbage contrary to the provisions of this bylaw.
6. No Garbage Collector shall enter any building for the purpose of carrying out or returning thereto any container, nor shall he demand or receive any gratuity, gift, payment or consideration for services rendered in connection with garbage collection beyond his regular remuneration.

Collection - General

7. Every owner of a residential dwelling premises within the garbage collection area shall use the garbage disposal system established by the City pursuant to this bylaw.
8. Notwithstanding section 7, a property owner may be granted a waiver of service by applying to City Council.
9. The City or a Garbage Collector shall pick-up all garbage set out at residential dwelling premises provided it conforms to the terms of this bylaw and does not exceed the quantity limits outlined in Schedule "A". The rates specified in item 1 of Schedule "A" entitle the property owner to a pick up of up to two standard garbage containers. Any

additional containers must be in the form of approved plastic bags and each bag must have a "Tag-a-Bag" sticker attached. The fees for "Tag-a-Bag" stickers are specified in Schedule "A". **(Bylaw 765)**

10. Every owner of premises other than residential dwelling premises shall provide for a system of garbage collection, removal, and disposal for their premises consistent with any applicable Federal, Provincial, Regional District, or Municipal regulations that may apply.

Container Requirements

11. Every owner of residential dwelling premises within the garbage collection area shall provide and maintain in sanitary condition and in good order and repair, standard garbage containers sufficient in number at all times to contain all garbage in a sanitary condition.
12. The City or its Garbage Collector shall not be responsible for the replacement of any containers or lids damaged or lost for any reason whatsoever.
13. Every owner of premises other than residential dwelling premises shall provide containers sufficient in size and number to contain all garbage without spillage and in a sanitary condition at all times.
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. All containers shall be kept and maintained at, and readily accessible for emptying, between the hours of 7:00 a.m. and 7:00 p.m. on the day of collection.
- 15(a) Containers shall not be placed on any City street or boulevard prior to 4:00 a.m. on the day of collection. (Bylaw 1071) (Bylaw 1137)**
16. For collection purposes, all containers must be placed next to the lane, or the boulevard or at a place designated by the Superintendent of Public Works.
17. If containers are enclosed in a structure, the structure shall be built with doors opening upon the collection side so that the said containers may be readily removed.
18. 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.
19. Each container shall not weigh more than 25 kg when full. Inert refuse, not placed in containers, must be tied securely in bundles not exceeding a length of one metre or a weight of 25 kg.
20. All containers shall be kept covered with watertight lids, or fastened in such a manner that they are watertight.

21. All containers and any structure used as a cover for such containers shall, at all times, be kept in good repair, clean and accessible for inspection at all reasonable hours. When any container has been condemned by the City, such container shall be removed by the owner of the premises who shall provide a suitable container in its place.
22. The City may suspend collection service from properties where containers or location or design of pick-up facilities are 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

23. No liquids shall be put in or be allowed to accumulate in any container.
24. All table and kitchen garbage, all wet garbage, floor sweepings, ashes and sawdust or other granular materials must be in a garbage bag before being placed within any container.
25. Christmas trees, cut to a maximum of one metre in length and tied into bundles, will be collected through the Christmas holiday season.
26. 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.
27. Ashes shall be placed in non-combustible containers separate from other garbage or inflammable material.

Prohibited Materials

28. No person shall place or mix, with any material for removal as garbage any explosive, volatile, corrosive materials, dangerous chemicals or any other material dangerous to the health and/or safety of the garbage collection personnel or other members of the public.
29. 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 garbage collection.

Rates and Charges

30. Property owners shall be responsible for payment of all rates for garbage services for properties owned by them.
31. The user rates and charges specified in Schedule "A" of this Bylaw are hereby imposed and levied for garbage services supplied by the City. All such rates shall be

due and payable from the first day of January in each year but may be paid in four equal quarterly payments due on or before March 31, June 30, September 30, and December 31.

32. User rates are subject to a discount of 10% if paid in full within 30 days of the date of mailing of the notice that such rates are due, and every such notice shall state the amount of the discount and the date by which the account is required to be paid in order for the discount to apply.
33. 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.
34. For any garbage 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.
35. 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

36. The City reserves the right to refuse to remove all waste material which is not garbage, as defined by this bylaw.
37. 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

38. "City of Castlegar Garbage Bylaw No. 365, 1982" and all amendments thereto are repealed on the date this bylaw comes into effect.
39. This Bylaw shall take effect on January 1, 1995.

READ A FIRST TIME on the 15th day of November, 1994.

READ A SECOND TIME on the 15th day of November, 1994.

READ A THIRD TIME AND PASSED on the 6th day of December, 1994.

ADOPTED on the 22nd day of December, 1994.

Mike O'Connor, MAYOR

Dianne Hunter, CLERK

List of Amending Bylaws

765	August 13, 1996
780	January 7, 1997
832	January 1, 1998
861	January 1, 1999 (Repealed)
893	November 22, 1999 (Repealed)
933	November 5, 2001
960	December 16, 2002
1011	December 6, 2004
1053	December 4, 2006
1071	October 1, 2007
1099	December 15, 2008
1116	December 21, 2009 (Repealed)
1137	November 15, 2010
1134	January 17, 2011(Repealed)
1153	January 16, 2012

Note to Users

This office consolidation is not an authoritative text of the law and is produced solely as a convenience to the user. The authoritative text of the law is in the original bylaw and the amending bylaw(s).

CITY OF CASTLEGAR
GARBAGE REGULATIONS & RATES BYLAW 705
SCHEDULE "A"

FEES

Tag-a-Bag Labels

\$5.00 for 6 labels

ANNUAL RATES (subject to discount)

		Garbage
1.	Residential - per dwelling unit	\$122.00
2.	For all other users not herein provided for	\$ 122.00

Bylaw 1153