DISTRICT OF VANDERHOOF

BYLAW 1162, 2016

CONSOLIDATED VERSION

(Includes amendment as of July 8, 2019)

this is a consolidated copy to be used for convenience only. Users are asked to refer to the Residential Solid Waste Collection Service Bylaw as amended from time to time to verify accuracy and completeness.

Amending Bylaw	Summary of Amendments	Adoption
1169	Amend section 2) a) Repeal Bylaw 536, 1983	April 10, 2017
1205	Amend section 2) a) Amend section 11 Delete and replace Schedule A Repeal Bylaw 1181, 2019	July 8, 2019

DISTRICT OF VANDERHOOF

BYLAW 1162, 2016

A BYLAW TO REGULATE THE ADMINISTRATION, COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE BOUNDARIES OF THE DISTRICT OF VANDERHOOF

WHEREAS Pursuant to Part 2, Division 1, Section 8(3)(a) of the *Community Charter*, Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services.

AND WHEREAS Council deems it necessary to establish and operate a system for the collection, storage, removal and disposal of Residential Solid Waste within the boundaries of the District of Vanderhoof.

AND WHEREAS Council deems it necessary to prohibit the disposal of Solid Waste and other waste material on property other than within the Solid Waste disposal grounds established by the Regional District of Bulkley-Nechako.

AND WHEREAS The District of Vanderhoof participates in the Regional District of Bulkley-Nechako Solid Waste Management Plan.

AND WHEREAS Council supports solid waste reduction initiatives and recycling programs for the betterment of our community and the environment.

NOW THEREFORE Council of the District of Vanderhoof, in open meeting assembled, hereby enacts as follows:

1) TITLE, Transition and Severability

a) This Bylaw may be cited for all purposes as "District of Vanderhoof Residential Solid Waste Collection Service Bylaw No. 1162, 2016", and comes into effect on the date of adoption.

b) District of Vanderhoof Garbage Collection Bylaw No. 155, 1958 and District of Vanderhoof Garbage Collection Rates Amendment Bylaw 1115, 2012 and all amendments thereto are hereby repealed.

c) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by decision of any court of competent jurisdiction, the invalid portion shall be severed, without affecting the remainder of this bylaw.

2) DEFINITIONS

a) In this Bylaw, unless context otherwise requires:

Bin means the rigid wheeled plastic container supplied by the municipality.

Business means a store, office, warehouse, factory, building, house, enclosure, yard or any other place occupied, or capable of being occupied by any person, but does not include a dwelling as defined in this Bylaw.

Bylaw means District of Vanderhoof Solid Waste Collection Service Bylaw No. 1162, 2016.

Collection means the collection of Solid Waste by the Municipality under this bylaw.

Added by Bylaw 1169

Consumer Price Index (CPI) Canada means a measure that examines the weighted average of prices of a basket of consumer goods and services and is calculated by taking price changes for items in the predetermined basket of good and averaging them.

Added by Bylaw 1169

Designated Service Area means the entire area within the District of Vanderhoof.

Dwelling means a residential property which includes, but is not limited to:

A single-family dwelling,
A duplex, triplex, or fourplex, each a self-contained residential suite, or
A secondary suite

Designated service area means the area identified in Schedule "B" of this bylaw.

Fees means the rates established with Schedule "A" of this bylaw.

Municipality means the District of Vanderhoof.

Officer means the District of Vanderhoof Bylaw Enforcement Officer.

Owner means the owner of real property within the Municipality.

Restricted materials means those materials not accepted by the Regional District of Bulkley-Nechako at the Vanderhoof Transfer Station.

Solid Waste means any solid waste material deemed acceptable by the municipality for collection and disposal at the transfer station. Solid waste material deemed unacceptable and not-conforming to the provisions of this bylaw will not be collected.

Special Waste includes hazardous wastes, explosives, herbicides, pesticides, poisons, waste oils or liquids, biomedical waste, and all wastes defined under the special waste regulations of the *Environmental Management Act.*

Transfer Station means the Regional District of Bulkley-Nechako Vanderhoof Transfer Station.

3) SOLE AUTHORITY

Pursuant to Part 2, Division 1, Section 8 (3) (a) of the Community Charter the municipality is hereby authorized to establish, equip, maintain and operate a system to be known as the "Vanderhoof Municipal Residential Solid Waste Collection Service".

4) ADMINISTRATION

a) Except as otherwise indicated, this bylaw applies to all properties serviced by the Vanderhoof Municipal Residential Solid Waste Collection Service.

b) This Bylaw shall be administered by the Officer or any other Municipal Official otherwise appointed.

c) The Officer may enter upon, at all reasonable times, any property or premises in order to ascertain whether the regulations and provisions of this bylaw are being, or have been complied with.

d) The Officer may, where access to any premises is hampered by any circumstance, designate in writing any location for the placement of bins on those premises, and those locations shall substitute for locations prescribed for the premises by this bylaw until the officer notifies the occupier or owner of premises otherwise.

e) The Officer may from time to time prescribe the documents required in the administration of this bylaw.

5) COLLECTION SERVICES

a) This bylaw has been established to provide a municipal solid waste collection service to dwellings within the designated service area.

b) Owners of dwellings within the designated service area may use the Solid Waste Collection Service, and must use the bins provided by the municipality.

c) The municipality may, at its discretion, declare special clean-up events from time to time, as it deems necessary.

6) **OWNER/OCCUPANT RESPONSIBILITIES**

Every customer that uses the Residential Municipal Solid Waste Collection System shall:

a) Place all solid waste in a bin in accordance with this bylaw.

b) All bins must be placed on the street, no later than 8:00 am on the day of collection. Failure to do so may result in the contents of the bin not being collected.

c) Ensure bins are placed on the street in a location that is approved for collection by the municipality. Should a bin be placed in a location that is not accessible to the solid waste collection truck operator, the contents of the bin will not be collected. Under no circumstances shall the bin be placed greater than 1.0 metres from the edge of the roadway.

d) Remove empty bins from the street after collection and keep the bins on the property from which the solid waste originates.

e) Maintain the bins in a safe, sanitary and usable condition.

f) Ensure no liquids are deposited or allowed to run into or accumulate in the bins.

g) Be responsible for the protection of the bins against upset or spillage at all times. Spilled or upset solid waste is the responsibility of the owner or occupant.

h) Be responsible for the cost of replacement and repair of any bins damaged or lost for any reason whatsoever.

7) SOLID WASTE CONTAINERS

a) Every residential customer will be supplied one (1) 240 L bin. Additional bins can be acquired from the municipality by paying an additional fee. The residential customer will have the option to upgrade or downgrade the bin size subject to the fee guide as outlined in schedule “A”. The owner is responsible for the fees associated with each additional bin.

The owner has the option of choosing from the following Solid Waste Container sizes:

i. 120 Litre

ii. 240 Litre

iii. 360 Litre

b) Bins that have been lost or stolen will result in the cost of a replacement bin. Replacement bins must be acquired from the municipality upon payment of the appropriate fee.

c) Bins that have been deemed unsanitary, unsafe, or damaged will be removed by the District. Replacement containers must be acquired from the municipality upon payment of the appropriate fee.

d) Bins must remain with the lands upon change of ownership.

e) If the owner chooses to opt out of the municipal solid waste collection service, the bin must be returned to the municipality.

8) FREQUENCY OF SERVICE

a) Residential customers will have one (1) pick up a week.

9) RESTRICTED MATERIALS

a) No person shall place any restricted materials in a bin.

b) The municipality reserves the right not to collect bins that have restricted materials.

10) RIGHT OF SUSPENSION

The municipality reserves the right to suspend collection services from residential properties where provisions of this bylaw are violated.

11) FEES AND CHARGES

a) Every customer who uses the Collection Service under this bylaw shall pay the fees described in "Schedule A".

b) The fees are due and payable in full on the date specified by the municipality.

c) Fees imposed for services provided under this bylaw may be collected in the same manner and with the same remedies as property taxes on premises in respect of which they are imposed and, if unpaid on December 31st of the year in which they are imposed and due and payable on that date, shall be deemed to be taxes in arrears.

Added by Bylaw 1205

d) The due date of the annual billing will be noted on the invoice. Any payment received after the noted due date will be subject to a 10% late payment charge.

e) Annual billing will be increased by a minimum of the CPI annually.

f) Vanderhoof residents, aged 65 years or older, will pay 85% of the normal residential rate as stated in Schedule "A".

g) There will be no pro-rating of annual fees, except upon opening a new account.

12) VIOLATIONS

Every person who contravenes any provision of this bylaw is punishable, on summary conviction, by a fine not exceeding $2,000 per offence, and in the case of continuing offence, a fine not exceeding that amount for each day that offence continues.

13) CITATION

This bylaw may be cited as the "District of Vanderhoof Residential Solid Waste Collection Bylaw No. 1162, 2016".

READ A FIRST TIME THIS __11___ DAY OF __July__, 2016.
READ A SECOND TIME THIS __11___ DAY OF __July___, 2016.
READ A THIRD TIME THIS __23__ DAY OF _January_, 2017.

ADOPTED THIS __06_ DAY OF _February_, 2017.

*Original signed*_____ _____
Mayor

*Original signed*_____ _____
Corporate Officer

Schedule "A"

SOLID WASTE COLLECTION RATES

	Bin size		
	120L	**240L**	**360L**
A) RESIDENTIAL	$94.25	$196.50	$251.00