



**THE CORPORATION OF THE VILLAGE OF TELKWA
REGULATION, COLLECTION AND DISPOSAL OF
GARBAGE AND RECYCLING BYLAW NO. 750, 2022**

A Bylaw to provide for the regulation, collection and disposal of garbage, recycling or other material that is noxious, offensive or unwholesome in the Village of Telkwa.

WHEREAS the Council of The Village of Telkwa, in accordance with sections 8(2), (3), (7) and (8) and 194 of the *Community Charter*, may establish Garbage Collection and Recycling Collection Services, exercise its statutory powers, and impose fees and charges in relation to that Service;

NOW THEREFORE the Council of the Corporation of the Village of Telkwa in open meeting assembled enacts as follows:

1. CITATION

1.1 This bylaw may be cited for all purposes as the "Regulation, Collection and Disposal of Garbage and Recycling Bylaw No. 750, 2022".

2. REPEAL

2.1 "Village of Telkwa Regulation, Collection and Disposal of Garbage Bylaw No. 605, 2011" is hereby repealed.

2.2 "Village of Telkwa Regulation, Collection and Disposal of Garbage Amendment Bylaw No. 725, 2020" is hereby repealed.

3. INTERPRETATION

3.1 In this Bylaw, unless the context otherwise requires:

"Chief Administrative Officer" means the Chief Administrative Officer duly appointed from time to time by Council.

"Change Out" means change out of a Garbage Cart to a larger size or adding another Garbage Cart for additional service.

"Change Out Fee" means the fee prescribed for the Change Out.

"Collection" means the collection of garbage or recycling by the Village.

"Collection Day" means the days and times established by Council from time to time for the Collection.

“Collection Fee” means the Fee prescribed for the Collection.

“Collection Point” means the location where the Garbage Cart, Recycling Cart and Excess Waste Bags are placed for Collection.

“Construction / Demolition Waste” has the same meaning as in the Regional District of Bulkley-Nechako Construction / Demolition and Land Clearing Waste Regulation and Tipping Fee Bylaw.

“Director of Finance” means the Director of Finance duly appointed by the Council or their appointed designate.

“Dwelling” has the same meaning as in the Village of Telkwa Zoning Bylaw, and includes the following:

- a) **“Dwelling, Single Detached”** as defined in the Village of Telkwa Zoning Bylaw;
- b) **“Dwelling, Duplex”, “Fourplex” and “Triplex”** as defined in the Village of Telkwa Zoning Bylaw; and
- c) **“Dwelling, Row House”** as defined in the Village of Telkwa Zoning Bylaw.

“Dwelling Unit” and **“Dwelling Unit, Accessory”** have the same meanings as in the Village of Telkwa Zoning Bylaw

“Excess Producer” means an Owner or Occupier who generates more Garbage than can be accommodated by the Collection.

“Excess Waste Bags” means a marked Garbage bag made available by the Village, for a Fee, to be used when the amount of Garbage for Collection exceeds the limit of the Garbage Cart.

“Fee” means the fee prescribed in the applicable section for the Service in the Village of Telkwa Fees and Charges Bylaw.

“Food Waste” means compostable food waste, including:

- a) fruits and vegetables;
- b) cooked and raw foods;
- c) meat, fish, shellfish, poultry and bones thereof;
- d) dairy products;
- e) bread, pasta and baked goods;
- f) tea bags, coffee grounds and filters;

- g) soiled paper plates and cups;
- h) soiled paper towels and napkins;
- i) soiled waxed paper;
- j) food soiled cardboard and paper; and
- k) egg shells.

“Garbage” means all waste, rubbish and any noxious, offensive, unwholesome or discarded matter and includes Food Waste, but does not include Land Clearing Waste, Hazardous Waste, Construction / Demolition Waste, White Waste, Recycled Waste, or any refuse resulting from industrial operations.

“Garbage Cart” means a wheeled container purchased by the Owner or Occupier from the Village to be used exclusively for the Garbage Collection.

“Garbage Cart Price” means the Fee prescribed for the purchase of a Garbage Cart.

“Garbage Collection Service” or **“Service”** means the service referred to in section 4 of this Bylaw.

“Hazardous Waste” means materials, including but not limited to, household wastes, which carry the poison, fire compressed gas and/or corrosive warning labels, solvents, batteries, paints, cleaning fluids, biomedical wastes, polychlorinated biphenyls (PCB's) and any other hazardous waste as defined by the Hazardous Waste Regulation of the *Environmental Management Act*, which require special handling.

“Land Clearing Waste” has the same meaning as in the Regional District of Bulkley-Nechako Construction / Demolition and Land Clearing Waste Regulation and Tipping Fee Bylaw.

“Occupier” has the same meaning as in the *Community Charter* and for the purposes of this Bylaw includes an Owner of land in the Village.

“Owner” has the same meaning as in the *Community Charter* and for the purpose of this Bylaw includes an Occupier of land or premises in the Village.

“Person” has the same meaning as in the *Interpretation Act*.

“Prohibited Waste” means waste designated as prohibited waste in section 10.1 of this Bylaw.

“Recycling” means all Recycling mixed container and mixed paper items accepted for Recycling Collection by the Village of Telkwa, including: plastic trays and clamshells; plastic bottles, jars and jugs; plastic or paper take-out

cups, bowls, and lids; metal cans; plastic garden pots and seeding trays; cartons for milk, soup, etc.; foil wrap and take-out containers, empty aerosol cans; paper egg cartons; newspapers, inserts, and flyers; paper bags; corrugated cardboard boxes; boxboard boxes and packaging; and magazines, catalogues, and phone books; but does not include Recycling Waste, Garbage, or any other Waste items.

“Recycling Cart” means a wheeled container purchased by the Owner or Occupier from the Village to be used exclusively for the Recycling Collection.

“Recycling Cart Price” means the Fee prescribed for the purchase of a Recycling Cart.

“Recycling Collection Service” or **“Service”** means the service referred to in Section 4 of this Bylaw.

“Recycled Waste” means waste for which there are facilities in place outside of the Village for receiving recyclable waste and recyclable materials not accepted by the Village in the curbside Recycling Collection Service (i.e. glass, foam, plastic bags, plastic wrap, etc.).

“Trade Premises” means a warehouse, factory, shop, café, restaurant, eating house, club, drive-in lunch counter, wholesale, retail or industrial business place, or office block, and any building other than a Dwelling.

“Village” means The Corporation of the Village of Telkwa, its officers or persons duly authorized by Council.

“White Waste” means large appliances and includes washers, dryers, dishwashers, refrigerators, freezers, air conditioners and hot water tanks.

GARBAGE AND/OR RECYCLING COLLECTION SERVICE REQUIREMENTS

4. GARBAGE AND/OR RECYCLING COLLECTION SERVICE – USE AND GARBAGE AND/OR RECYCLING CARTS

- 4.1 The Garbage and Recycling Collection Services established and maintained by the Village for the Collection, removal, and disposal of Garbage and/or Recycling in regulation Garbage and/or regulation Recycling Carts is continued in accordance with this Bylaw.
- 4.2 Every Owner or Occupier of a Dwelling and an Owner, Occupier or operator of a Trade Premises shall pay for the Collection of Garbage as set out in the Village of Telkwa Fees and Charges Bylaw’s annual garbage fee.

- 4.3 An Owner, Occupier or operator of a Trade Premises from which Garbage and or Recycling is disposed and an Owner or Occupier of a Dwelling must purchase a Garbage Cart and/or a Recycling Cart from the Village and pay the associated Fee for it.
- 4.4 The Owner or Occupier of a Dwelling and the Owner, Occupier or operator of a Trade Premises must maintain the Garbage Cart and/or Recycling Cart in good condition and repair.

5. EXCESS GARBAGE WASTE

5.1 The Owner or Occupier must:

- a) purchase from the Village and pay the Fee for an "Excess Waste Bag" if the Owner or Occupier wishes to put out for Collection Garbage waste exceeding the capacity of the Garbage Cart;
- b) place the "Excess Waste Bag" for Collection in a careful manner and convenient for handling in the same location as the Garbage Cart; and
- c) ensure that any Garbage released from the "Excess Waste Bag" by animals, birds or other cause is promptly cleaned up.

6. "EXCESS WASTE BAG" LIMIT (FOR GARBAGE ONLY)

- 6.1 An Owner or Occupier is limited to a maximum of two (2) "Excess Waste Bags" per Single Detached Dwelling or Dwelling Unit in a Duplex, Triplex, Fourplex or Row House.
- 6.2 Disposal of Garbage exceeding the maximum "Excess Waste Bag" limit is the responsibility of the Owner or Occupier.

7. EXCESS RECYCLING

- 7.1 Excess Recycling that exceeds the capacity of the Recycling Cart will not be collected by the Village.

8. GARBAGE AND/OR RECYCLING CART LOCATION

8.1 An Owner or Occupier shall ensure their Garbage and/or Recycling Cart:

- a) is at all times kept on their property and does not encroach upon or project over any street, lane or public highway, except for the purpose of Collection in accordance with this Bylaw;

- b) is placed on their property line adjoining the road allowance, prior to 8:00 a.m. the morning of Garbage Collection Day or 7:00 a.m. the morning of Recycling Collection Day; and
- c) is stored between Collections not more than one metre above the ground level of the property and readily accessible from the street, side or rear entrance of their Dwelling or Dwelling Unit, whichever applies.

PROHIBITIONS

9. FOOD WASTE

- 9.1 No person shall dispose of Food Waste as Garbage unless it is first wrapped in paper or plastic before deposited into a Garbage Cart.
- 9.2 A Garbage Cart containing Food Waste not wrapped in paper or plastic will not be collected.
- 9.3 No Food Waste is permitted in a Recycling Cart.
- 9.4 A Recycling Cart containing Food Waste will not be collected.

10. PROHIBITED WASTE

- 10.1 No person shall either place out for Collection or mix with any material for removal as Garbage any of the following:
 - a) Construction / Demolition Waste;
 - b) Hazardous Waste;
 - c) Land Clearing Waste;
 - d) Recycled Wastes; or
 - e) White Waste.
- 10.2 Garbage and/or Recycling Cart containing any Prohibited Waste referred to in section 10.1 will not be removed during Collection.
- 10.3 An Owner or Occupier is responsible for and must dispose of Prohibited Waste at the landfill/transfer station or a facility approved under the *Environmental Management Act* to receive such waste, and at no other place.

11. CONSTRUCTION / DEMOLITION WASTE DISPOSAL

- 11.1 No person shall:

- a) place or dump Construction / Demolition Waste on any lane, street, walkway, sidewalk or any public place; or
- b) accumulate Construction / Demolition Waste on their property where such construction is being carried out.

11.2 An Owner or Occupier who deposits Construction / Demolition Waste on their property must:

- a) remove the Construction / Demolition Waste from their property pursuant to the Village of Telkwa Good Neighbour Bylaw; and
- b) dispose of the Construction / Demolition Waste at the landfill/transfer station.

11.3 If the Owner or Occupier receives a Notice in writing from the Village requiring the Construction / Demolition Waste be removed, the Owner or Occupier must dispose of the Construction / Demolition Waste in accordance with the requirements set out in the Notice.

12. WHITE WASTE DISPOSAL

12.1 No person shall put out White Waste for Collection.

12.2 An Owner or Occupier who deposits White Waste on their property must:

- a) remove the White Waste within seven (7) days of it being placed on their property; and
- b) dispose of the White Waste at the landfill/transfer station.

13. RECYCLABLE WASTE DISPOSAL

13.1 No person shall place Recyclable Waste out for Collection.

13.2 Recyclable Waste must be disposed of at a facility approved under the *Environmental Management Act* to receive such waste.

14. LAND CLEARING WASTE DISPOSAL

14.1 No person shall place Land Clearing Waste out for Collection.

14.2 Land Clearing Waste shall be disposed of at the landfill/transfer station or at a facility approved under the *Environmental Management Act* to receive such waste.

15. LITTERING

No person shall throw, sweep or place noxious, offensive, unwholesome or discarded matter or other rubbish onto any land, street, walkway, sidewalk or any public place in the Village and shall not sweep or place noxious, offensive, unwholesome or discarded matter or other rubbish from any walkway or building into a street, drainage ditch, or gutter.

GENERAL

16. QUANTITIES AND CLASSES

The decision of the Village or its authorized representative shall be conclusive with respect to the quantities and classes of Garbage, Recycling, and other matter collected from any Dwelling by the Village.

17. TRADE PREMISES COLLECTION

15.1 The Owner or Occupier of Trade Premises may opt out of Collection.

15.2 Where an Owner or Occupier of Trade Premises opts out of Collection, the Owner or Occupier:

- a) must not place their Garbage or Recycling out for Collection, and
- b) is responsible to remove and dispose of all Garbage or Recycling located on the Trade Premises at the landfill/transfer station, and no other place, at least every seven (7) days.

PENALTIES

18. A person who contravenes this Bylaw or who neglects to do or refrains from doing anything required by this Bylaw commits an offence and is liable to prosecution or other proceedings authorized under the *Community Charter*, as applicable.

19. A person who commits an offence under this Bylaw, is liable, on summary conviction, to a penalty not exceeding Ten Thousand Dollars (\$10,000.00), as specified in the Village of Telkwa Fees and Charges Bylaw, as well as the costs of the proceedings.

READ A FIRST TIME THIS 22nd DAY OF March, 2022.

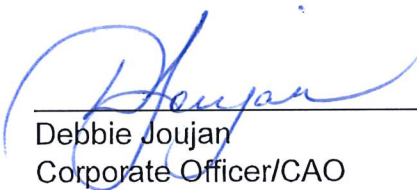
READ A SECOND TIME THIS 22nd DAY OF March , 2022.

READ A THIRD TIME THIS 26th DAY OF April, 2022

ADOPTED THIS 10th DAY OF May, 2022.



Derek Meerdink
Deputy Mayor



Debbie Joujan
Corporate Officer/CAO