



Solid Waste Regulations & Rates Bylaw No. 1044, 2013

Amended by:

Solid Waste Regulations & Rates Bylaw No. 1068, 2016

Comprehensive Fees and Charges Bylaw No. 1094, 2017

CONSOLIDATED FOR CONVENIENCE ONLY



DISTRICT OF HOUSTON
SOLID WASTE REGULATIONS & RATES BYLAW NO. 1044, 2013
BEING A BYLAW TO AUTHORIZE AND REGULATE THE
COLLECTION AND RATES OF SOLID WASTE

WHEREAS pursuant to Part 7 of the *Community Charter*, the Council may by bylaw establish and maintain a system to collect, remove and dispose of solid waste, ashes, refuse and other noxious, offensive, unwholesome and discarded matter and establish a scale of charges payable by owners or occupiers of real property for the removal to a designated place of trade waste, solid waste, rubbish and matter;

AND WHEREAS it is deemed advisable that the District of Houston shall establish and operate a system of collection for solid waste, trade waste and rubbish;

NOW THEREFORE, the Council of the Corporation of the District of Houston. in open meeting assembled, ENACTS AS FOLLOWS:

CITATION

1.0 This bylaw may be cited as the “**Solid Waste Regulations & Rates Bylaw No. 1044, 2013**”.

DEFINITIONS

2.0 In this bylaw, unless the context otherwise requires:

Commercial Bin	means a receptacle for removal of solid waste having a capacity in excess of three (3) cubic yards.
Designated Collection Area	means that part of the District in which the District provides waste collection and removal services, as determined by the Council of the District from time to time and as shown on Schedule C to this bylaw.
Director of Engineering	means the Director of Engineering and Development Services of the District of Houston as appointed by Council from time to time or their duly authorized designate.
District	means the District of Houston.
Dwelling	means any building or place of living or dwelling within the said District.
BL1094 Fees & Charges Bylaw	means <i>Comprehensive Fees and Charges Bylaw No. 1094, 2017</i> including any amendments thereto.
Household	means a place of residence which differs from commercial enterprises.
Institutional	means a building set apart and in use for public worship (namely: Canadian Reformed Church, Christian Reformed Church, Fellowship Baptist Church, Guru Nanak Sikh Temple, Houston Pentecostal Church, Houston United Church, Kingdom Hall of Jehovah’s Witness, St. Anthony’s Catholic Church, St. Clements Anglican Church).
Multiple Dwelling	means a residential use where a building or buildings on a parcel consists of four or more dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence.

Non-Compactable Waste	includes pallets, white goods, gypsum board, slaughter house or meat packing plant wastes, demolition and construction debris, furniture and mattresses.
Occupier	means any person occupying any dwelling, habitation, place of residence, or trade premises within the District of Houston, but shall not include any person who is merely a boarder, roomer or lodger therein.
Owner	means as defined in the <u>Community Charter</u> .
Premises	means such separate and individual lots or parcels of land with improvements, including strata lots, or individual units where they are housed in an individual structure.
Public Health Inspector	means any person appointed as such by the Ministry of Health.
Solid Waste Receptacle	means a 64 Imperial Gallon "Haul-All Equipment System" solid waste receptacle purchased from either the District of Houston or a supplier.
Solid Waste	means all waste and discarded materials produced as the result of domestic activities in a residential premise, excluding special waste and non-compactable waste.
Special Waste	includes hazardous wastes, explosives, herbicides, pesticides, poisons, waste oils or liquids, biomedical waste and all wastes defined under the <u>Hazardous Waste Regulations</u> of the <u>Environmental Management Act</u> , SBC 2003 as amended from time to time.
Tag-a-Cart	means a waste collection service permitting the service user to set out additional solid waste receptacles beyond the one-cart limit prescribed by the District provided that the service user attaches a tag for which a fee has been paid to the District for each additional solid waste receptacle.
Toter Cart	means a 64 Imperial Gallon "Haul-All Equipment System" solid waste receptacle purchased from either the District of Houston or a supplier.
Trade Premises	means any warehouse, factory, store, hotel, restaurant, auto camp, wholesale or retail business, garage or office building, public and institutional buildings, and any building other than a dwelling or multiple dwelling within the District.
Trade Waste	means and includes refuse and accumulation of waste and abandoned materials resulting from the operation of trade or business or otherwise produced in a trade premises including paper, boxes and cardboard packing cases, wrapping materials, sweepings and all materials of a like nature other than solid waste or ashes.

GENERAL PROVISIONS

- 3.0 a) Every occupier or owner of any dwelling within the established Designated Collection Area and within the District of Houston shall provide and maintain in good and sufficient order and repair for such dwelling occupied or owned by him, solid waste receptacles in which solid waste shall be deposited.
- i) Solid waste shall be securely contained within the solid waste receptacles.
 - ii) All wet or offensive household garbage shall be thoroughly drained and placed in plastic bags before being placed in a solid waste receptacle.
 - iii) Discarded clothing, waste paper and inoffensive household garbage may be placed directly in a solid waste receptacle.

- iv) Food contaminated cardboard crates, cartons and all other similar containers shall be broken down and compacted flat before being placed in any solid waste receptacle.
- v) Garbage shall not be placed in solid waste receptacles in such a manner as to prohibit the closing of the attached covers.
- vi) Permitted liquids are to be deposited into a solid waste receptacle only in a sealed container that will prevent spillage during the collection process.
- vii) The District of Houston shall not be responsible for cleanup of any solid waste scattered when not securely contained.

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- b) The rates for solid waste service as outlined in **the Fees & Charges Bylaw** attached hereto are for the removal of not more than one (1) solid waste receptacle per premises per week. The contents of each solid waste receptacle shall not exceed 60 kilograms per receptacle. Additional services will be charged at the rates specified in **the Fees & Charges Bylaw**.
- c) Every owner or occupier of a trade premise, multiple dwelling or mobile/manufactured home park having trade waste in excess of one (1) solid waste receptacle per week, shall be permitted to convert to a commercial bin system and shall make payment directly to the said contractor providing the commercial bin.
- d) Every owner or occupier using a commercial bin shall be responsible for providing a suitable location for the commercial bin. The location and placement of the commercial bin shall be mutually agreed on, with the final decision being that of the District.

ACCESSIBILITY OF SOLID WASTE RECEPTACLES

- 4.0
- a) Residential:
All solid waste receptacles shall be accessible within a meter (3 feet) of the curb or curb line on a public road side. All receptacles containing waste for disposal shall be placed at the designated location by 8:00 a.m. on all designated collection days. Such days shall be designated by the District. No solid waste will be removed from private property or driveways on private property.
 - b) Commercial:
All commercial bins shall be located within the trade premises property lines. There shall be no placement of commercial bins on District of Houston road right-of-ways.

RESTRICTED MATERIALS

- 5.0 No person shall place or mix for removal as solid waste or trade waste, the following materials:
- a) animal excreta or ashes, unless properly contained in a separate disposable container;
 - b) construction materials or waste;
 - c) soils;
 - d) yard waste including leaves, grass clippings, small branches and other compostable material from yard maintenance
 - e) vehicle parts;
 - f) dead animals or birds;
 - g) hot ashes;
 - h) article of solid waste too large for container;
 - i) tires;
 - j) batteries or chemicals;
 - k) paints;
 - l) toxic materials;
 - m) special waste.

The District of Houston reserves the right not to remove such materials.

SPECIAL NEEDS

- 6.0 The District of Houston may authorize the use of special commercial solid waste receptacles or additional service requests. Rates for these special receptacles or for additional service shall be determined on an individual basis, with the final decision being that of the District of Houston.

CONDITION OF REGULATION RECEPTACLE

- 7.0 a) All solid waste receptacles shall, at all times, be kept in good and sanitary condition, and shall be accessible for inspection at all reasonable times, and when any receptacle has been condemned by the District as unfit for the purpose, such receptacle shall be removed along with the solid waste and the occupier or owner of any premise from which the condemned receptacle has been removed shall forthwith provide a suitable and sanitary residential solid waste receptacle.
- b) Users of a commercial bin shall keep such receptacles in good condition.
- c) The Municipality shall not be responsible for the replacement or repair of any containers, carts or lids damaged or lost for any reason whatsoever.

DESIGNATED COLLECTION AREA

- 8.0 The Designated Collection Area for the District shall be as shown on Schedule C to this bylaw.

COMPELLED TO HAVE SOLID WASTE REMOVED

- 9.0 Every owner or occupier of premises within the established Designated Collection Area is compelled to have their solid waste, trade waste and house rubbish removed and disposed of by the District and shall comply to all regulations. Those trade premises, multiple dwellings and mobile/manufactured home parks on a commercial bin service shall be permitted to have their solid waste removed by the company supplying the commercial bin.

INDEPENDENT SERVICE

- BL1094 10. In the case of dwellings, multiple dwellings and mobile/manufactured home parks, each household therein must pay the applicable solid waste user fee of the District, as prescribed in **the Fees & Charges Bylaw** attached hereto and forming part of this bylaw.

RATES

- 11.0 The District of Houston shall establish a Designated Collection Area within the District, therefore, the owners of premises within the area, whether occupied or vacant on which a premise exists, shall be responsible for the payment of all solid waste user fees, whether the service is actually used or not. Exemption from payment of user rates is permitted under provisions to Section 11.2 or 11.3.
- 11.1 Invoicing for new customers will commence within two (2) months immediately following the date of water or sewer connections or occupancy, whichever occurs first, or on date of issuance of Business Licence.
- 11.2 Upon written application to the Director of Engineering, the owner of land shall be exempt from payment of user rates when a water disconnection fee has been paid and the water service to the land has been physically disconnected and the exemption shall continue so long as the land remains unoccupied.
- 11.3 Council may waive user charges in every case where Council is satisfied that a person or property does not require solid waste removal service.
- 11.4 Mobile/Manufactured home parks who are not on a commercial bin system, shall be billed for the current year based on occupancy of pads at October 31st of the previous year.

BILLINGS

BL1079 12.0 a) User rates in the Fees and Charges Bylaw may, at the District's discretion, be billed either quarterly through an invoice in the form provided by the District from time to time and due within 30 days of receipt, or annually on the Property Tax Notice and due as specified on the Property Tax Notice. Unpaid utility amounts shall not be subject to penalties in the same manner as other current taxes.

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b) The owners, as detailed in the records of the municipality, of all residential property shall be billed directly and shall be responsible for the payment thereof.

c) The tenants of commercial property shall be billed directly upon written authorization by the owner thereof, provided that the owners of such commercial property shall, at all times, be responsible to pay all monies required under the provisions of this bylaw.

12.1 Accounts which remain unpaid as at May 1st in each year shall be transferred to the Tax Roll as current year taxes but shall not be subject to penalties in the same manner as other current taxes.

12.2 Accounts which remain unpaid on December 31st in each year shall be transferred to the Tax Roll as taxes in arrears and shall be subject to interest in the same manner as other taxes.

TAG-A-CART SYSTEM

13.0 The District has implemented a Tag-a-Cart system to allow for dwellings that desire service for more than one (1) Toter Cart.

INFRACTION OF BYLAW

14.0 Except as provided in this bylaw, no person shall throw, place or pile, or cause to be thrown, placed or piled upon any street, lane or alley or within any commercial solid waste receptacle within the District of Houston, any solid waste or trade waste.

Any person who shall be guilty of any breach or infraction of any of the provisions of this bylaw shall be liable on summary conviction to a fine or penalty not exceeding the sum of Two Thousand (\$2,000.00) Dollars.

OPTIONAL SOLID WASTE COLLECTION SERVICE

15.0 Properties outside of the District of Houston Designated Collection Area may apply to the District of Houston for Optional Solid Waste Collection Service. Such service shall be supplied only to District of Houston residents and to residents residing on property abutting the District of Houston Municipal Boundary at the discretion of the Director of Engineering and Development Services.

Section 12 of this bylaw shall not be applicable for those properties receiving Optional Solid Waste Collection Service.

All rates for optional solid waste collection service, as outlined on Schedule B of this bylaw shall be billed quarterly and are due 30 days after billing date.

REPEALS BYLAW

16.0 "District of Houston Garbage Regulations & Rates Bylaw No. 1026, 2012" is hereby repealed.

READ A FIRST TIME 19th DAY OF November, 2013

READ A SECOND TIME 19th DAY OF November, 2013

READ A THIRD TIME

19th DAY OF November, 2013

ADOPTED THIS

3rd DAY OF December, 2013

JONATHAN VAN BARNEVELD
DEPUTY MAYOR

MARNI LAROCQUE
CORPORATE SERVICES OFFICER

DISTRICT OF HOUSTON

SOLID WASTE REGULATIONS & RATES BYLAW NO. 1044, 2013

SCHEDULE A

BL1094 A) *[Repealed by Bylaw 1094, Comprehensive Fees and Charges]*

DISTRICT OF HOUSTON

SOLID WASTE REGULATIONS & RATES BYLAW NO. 1044, 2013

SCHEDULE B

BL1094 B) *[Repealed by Bylaw 1094, Comprehensive Fees and Charges]*

