

CITY OF ARMSTRONG

BYLAW NO. 1871

SOLID WASTE COLLECTION SERVICE BYLAW

**A Bylaw to regulate the administration, collection and disposal of residential solid waste
in the City of Armstrong**

The Council for the City of Armstrong, in open meeting assembled, enacts as follows:

TITLE:

1. This Bylaw may be cited for all purposes as "*City of Armstrong Solid Waste Collection Service Bylaw No. 1871, 2021*".

DEFINITIONS:

2. In this bylaw:
 - a. **"Bylaw"** means the "City of Armstrong Solid Waste Collection Service Bylaw No. 1871, 2021".
 - b. **"Biomedical Waste"** means material that is prescribed as biomedical waste by the *Environmental Management Act* of the Province of British Columbia.
 - c. **"Bin"** means the rigid plastic container provided by the City for the collection of Food Waste.
 - d. **"Cart"** means the rigid plastic wheeled container provided by the City for the collection of Municipal Solid Waste.
 - e. **"Certified Compostable"** means materials approved by the Biodegradable Products Institute (BPI) that are designed to completely biodegrade at an industrial composting facility.
 - f. **"City"** means the City of Armstrong.
 - g. **"Collection Bins"** means large sized containers supplied by the Collector or City for the storage of Municipal Solid Waste.
 - h. **"Collection Day"** means the day of the week determined by the City for the collection of Municipal Solid Waste, Food Waste and Green Waste.
 - i. **"Collection Service"** means the City of Armstrong Solid Waste Collection Service for eligible residents of the City of Armstrong.
 - j. **"Collector"** means the entity performing the Collection Service for the City.

- k. **“Compostable Bag”** means paper bags as well as manufactured bags that are certified as compostable, not solely biodegradable.
- l. **“Curbside Collection”** means the City’s collection of Municipal Solid Waste, Food Waste and Green Waste to be delivered to the Solid Waste Management Facility.
- m. **“Dwelling”** means a livable quarter with a bedroom, kitchen, and bathroom facilities.
- n. **“Fees”** means the rates established by the City of Armstrong Fees and Charges Bylaw, as amended from time to time.
- o. **“Food Waste”** includes coffee grounds, coffee filters, tea bags, tea leaves, eggs, eggshells, dairy products, bread, baked goods, pasta, batter, dough, meat, poultry, fish, shellfish, bones, fat, shells, fruit, vegetables, grains, nuts, seeds, peelings, shells, oils, butter, sauces combined with foods, whether raw, cooked or processed, and food-soiled paper products including but not limited to pizza boxes, paper plates, and paper takeout containers, but **excludes** grease, diapers, animal carcasses, pet waste, cat litter and liquid oils not combined with food.
- p. **“Green Waste”** includes organic matter from plants including leaves, flowers, grasses, small branches, stems, and roots but excludes soil like substances and fruit. Materials included, other than small plants and flowers, must originate at the collection address and be from residential uses.
- q. **“Municipal Solid Waste** includes
 - i. Solid Waste that originates from eligible residential dwelling(s); and/or
 - ii. Solid Waste specified by the British Columbia government to be included in a waste management plan; and
 - iii. Has been deemed acceptable by the Regional District of North Okanagan for diversion and disposal at a Solid Waste Management Facility.
- r. **“Officer”** means the City of Armstrong Chief Bylaw Enforcement Officer or authorized designate including:
 - i. City of Armstrong Bylaw Enforcement Officer.
 - ii. Public Works Manager.
- s. **“Owner”** means the owner of Property within the City of Armstrong.
- t. **“Prohibited Waste”** means Solid Waste designated by Bylaw by the Regional District of North Okanagan to be inappropriate for disposal at a Solid Waste Management Facility for environmental, regulatory, or legal reasons related to the safe or efficient operation of a Solid Waste Management Facility.
- u. **“Property”** means real property within the City of Armstrong.
- v. **“Public Container”** means a container provided by the City in a public place to be used by the general public for Municipal Solid Waste.

- w. **“Receptacle”** means an Owner supplied and approved commercially available container of a rigid plastic or metal design with a latching or snapping lid for the purpose of holding Green Waste.
- x. **“Solid Waste Management Facility”** means a designated site owned and/or operated by or for the Regional District of North Okanagan for the purpose of managing Municipal Solid Waste.
- y. **“Waste Sharps”** includes needles, syringes, blades, or laboratory glass capable of causing punctures or cuts.

GENERAL REGULATIONS

- 3. No person will obstruct or interfere with an Officer in the exercise of their duties.
- 4. This Bylaw will be administered by the Officer.
- 5. The Officer may from time to time prescribe documents required in the administration of this Bylaw.
- 6. An Officer is authorized to enter, at all reasonable times, upon any property within the City , subject to any of the regulations of this Bylaw, in order to ascertain whether such regulations are being obeyed.

COLLECTION SERVICE

- 7. Except as otherwise indicated, this Bylaw applies to all eligible residential properties served by the Collection Service.
- 8. This Bylaw has been established to provide a Collection Service to all eligible residential properties in the City.
- 9. The City reserves the right to determine eligibility of all properties to receive Collection Service.
- 10. The Curbside Collection provided by the City is subject to the following limits per Dwelling on designated Collection Days:
 - a. Municipal Solid Waste – Bi-Weekly
 - b. Food Waste – Weekly
 - c. Green Waste – Bi-Weekly
- 11. Residential properties serviced by Curbside Collection will be provided with:
 - a. One (1) 240 litre Cart for Municipal Solid Waste; and
 - b. One (1) Bin for Food Waste.
- 12. Only one (1) Owner supplied Receptacle or two (2) Compostable Bags for Green Waste will be collected on applicable Collection Days.

13. Owners will be responsible for the cost of replacement Carts or Bins if they go missing or are damaged beyond repair.
14. The City reserves the right to determine who is responsible for costs associated with minor repairs to Carts or Bins.
15. City supplied Carts and Bins must remain with the designated Property at all times.
16. The City may, at its discretion, declare special clean-up events from time to time, as it deems necessary.
17. Collection Service schedule is established by the Collector and approved by the City.

MUNICIPAL SOLID WASTE

18. Municipal Solid Waste will be collected on a bi-weekly basis from all eligible dwellings.
19. Municipal Solid Waste will only be collected from the supplied Cart in accordance with this Bylaw;
 - a. Plastic bags for Municipal Solid Waste must be contained in the Cart and any bags not contained in the Cart will not be collected.
20. Food Waste should not be placed in a Cart to discourage access or upset from wild or domesticated animals.

FOOD WASTE

21. Food Waste will be collected on a weekly basis from all eligible Dwellings.
22. Food Waste will only be collected from the supplied Bin in accordance with this Bylaw;
 - a. Only Certified Compostable material shall be placed in a Bin on Collection Day.
 - b. Any Food Waste must be contained in the Bin and any Food Waste not contained in the Bin will not be collected.
 - c. A Bin must not exceed 20 kg (44 pounds) in weight.
 - d. Food Waste should be placed in a Compostable Bag prior to being placed in a Bin to prevent freezing of the Food Waste which may cause damage to the Bin.
 - e. Plastic bags for Food Waste will not be collected.

GREEN WASTE

23. Green Waste will be collected on a bi-weekly basis from all eligible Dwellings.
24. Green Waste must be contained in a customer provided Compostable Bag or Receptacle.
 - a. Receptacles provided by the Owner for Green Waste must:

- i. be a metal or rigid plastic garbage container;
 - ii. be in safe, sanitary, and useable condition;
 - iii. have a watertight, animal and insect proof lid;
 - iv. have a rigid handle which permits ease of handling;
 - v. have a total weight of each when full not to exceed 20 kg (44 lbs.); and
 - vi. be not be more than 0.099 cubic metres (3 ½ cubic feet) in size.
- b. Compostable Bags provided by the Owner for Green Waste must:
 - i. have a maximum volume of 120 litres;
 - ii. a maximum weight of 20 kg (44 lbs.);
 - iii. branches must be smaller than 1/2 " or 12mm in diameter and
 - iv. branches must not be longer than 30 inches (75 centimeters).
 - v. be kept dry to avoid failure of the bag
 - (a) Should the bag not be kept dry and fails (disintegrates or falls apart), Green Waste may not be collected.
- c. Only Certified Compostable material shall be placed in a Bin, Receptacle or Compostable Bag on Collection Day.
- d. Plastic Bags for Green Waste will not be collected.

GENERAL CONDITIONS

25. Every Owner or occupier will:

- a. place Municipal Solid Waste in the City supplied Cart in accordance with this Bylaw;
- b. be responsible for any mess that is created by wild or domesticated animals and will be required to clean up such mess should it occur on City lands;
- c. place Cart, Bin, Receptacle or Compostable Bags on the street no earlier than 4:00 am and no later than 7:00 am on Collection Day;
 - i. Failure to do so may result in the contents of the Cart, Bin and Receptacle not being emptied, or Compostable Bag being collected;
 - ii. Where a Cart, Bin, Receptacle or Compostable Bag is not Collected, the Owner or occupier must wait until the next regularly scheduled Collection Day for Curbside Collection.
- d. ensure Cart, Bin, Receptacles and Compostable Bags are placed on the street in a location that is approved for collection by the City;

- i. under no circumstances will a Cart, Bin, Receptacle or Compostable Bag be placed greater than 1.0 metre from the edge of a roadway;
 - ii. a Cart, Bin, Receptacle or Compostable Bag must be placed adjacent to the property to which it belongs and may not be placed on a neighbouring property for collection.
 - e. remove Cart and Bin from the street after collection and store on the Property from which the Municipal Solid Waste originates no later than the expiry of the Collection Day; and
 - f. be responsible for the protection of the Cart, Bin and Receptacle against upset or spillage at all times; and
 - g. spilled or upset Carts, Bin and Receptacles are the responsibility of the Owner or occupier and will not be emptied or collected.
26. The City reserves the right to replace a Cart with a wildlife resistant Cart where an Owner(s) is not storing them in an appropriate manner that prevents access or upset from wild or domesticated animals.
- a. Where such instances occur, the Owner will be responsible for the cost of the wildlife resistant Cart as indicated in the current City of Armstrong Rates, Fees and Charges Establishment Bylaw and any amendments thereto.
27. The City reserves the right to designate areas requiring wildlife resistant Carts when those areas are being negatively impacted by wildlife.
28. Should a Cart, Bin, Receptacle or Compostable Bag be placed in a location that is not accessible to the Collector; Municipal Solid Waste, Food Waste and/or Green Waste will not be collected.
29. Liquids are not to be placed or allowed to accumulate in a Cart, Bin, Receptacle or Compostable Bag.
30. No person will deposit or place refuse upon a public place except in an approved Public Container.
31. No person will deposit any off-site refuse of any kind upon private property or a public place unless in a Public Container or Cart explicitly marked for that purpose.
32. The City reserves the right to suspend Collection Services from residential properties where provisions of this Bylaw are violated.

RESTRICTED MATERIAL

33. No Owner or occupier will place Prohibited Waste including Waste Sharps or Biomedical Waste in a Cart, Bin, Receptacle or Compostable Bag.
34. The City reserves the right to not collect material from Carts, Bins, Receptacles or to collect Compostable Bags containing Prohibited Waste or Biomedical Waste.

MULTI-FAMILY COLLECTION SERVICE

- 35. Only current eligible multi-family residential properties will be provided with a Collection Service under the provisions of this Bylaw, which may be amended from time to time.
- 36. Eligible multi-family residential properties provided with a Collection Service under the provisions of this Bylaw that use Collection Bins for the storage of Municipal Solid Waste will not be provided with Food Waste collection.

FEES AND CHARGES

- 37. Every Owner or occupant that is eligible to use the Collection Service will pay the applicable Fees as set out in the current City of Armstrong Rates, Fees and Charges Establishment Bylaw and its amendments.
- 38. Fees or charges imposed under this Bylaw may be collected in the same manner and with the same remedies as property taxes on the premises in respect of which they are imposed and, if unpaid on December 31st in the year which they are imposed and due, will be deemed to be taxes in arrears.

OFFENCES AND PENALTIES

- 39. A person who:
 - a. violated any provision of this Bylaw;
 - b. permits, suffers or allows any act to be done in violation of this Bylaw; or
 - c. neglects to do or refrains from doing anything required to be done by any provision of this Bylaw;commits an offence against this Bylaw and:
 - a. is liable to a fine as set out in the City of Armstrong Municipal Ticket Information System Bylaw; and
 - b. is liable, upon summary conviction, to the maximum fines plus costs under the Offence Act, Local Government Act and Community Charter.

SEVERANCE

- 40. If any portion of this Bylaw is held to be invalid by decision of any court of competent jurisdiction, the invalid portion will be severed, without affecting the remainder of this Bylaw.

REPEAL

- 41. THAT Solid Waste Collection Service Bylaw No. 1871, 2021 hereby repeals Solid Waste Collection Service Bylaw No. 1857, 2020 and any amendments thereto.

EFFECTIVE DATE

42. This Bylaw comes into force and effect on May 1, 2021.

READ a first time this 22nd day of February 2021.

READ a second time this 22nd day of February 2021.

READ a third time this 22nd day of February 2021.

ADOPTED this 8th day of March 2021

Signature on File
CORPORATE OFFICER

Signature on File
MAYOR