

CITY OF ABBOTSFORD
SOLID WASTE COLLECTION BYLAW, 2013

Bylaw No. 2213-2013

The Council of the City of Abbotsford, in open meeting assembled, ENACTS AS FOLLOWS:

1. CITATION

Bylaw No. 2213-2013 may be cited as “Solid Waste Collection Bylaw, 2013”.

2. INTERPRETATION

- (a) Schedule “A” contains definitions of terms used in this Bylaw.
- (b) Unless otherwise defined in this Bylaw, words or phrases used herein must be interpreted consistently with the *Community Charter, Local Government Act, Environmental Management Act* and *Interpretation Act* of British Columbia, as the context requires. Any reference to a statute, regulation, or bylaw refers to that enactment as amended or replaced from time to time.
- (c) Words in the singular include the plural and gender specific terms include both genders. Headings are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- (d) If any part of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid part is severed and the remainder of the bylaw continues to be valid.

3. EXTENT OF COLLECTION SERVICE

- (a) The Collection Service will be provided to Owners or Occupiers of:
 - (i) Residential Use, One Unit;
 - (ii) Residential Use, Two Units; and
 - (iii) businesses located in residential areas that, in the opinion of the General Manager, have waste that is typical of residential Garbage, and the businesses are capable of being readily accessed and served in a safe and efficient manner using Collection Service vehicles on a regular basis.

- (b) Despite paragraph (a), the Collection Service will not be provided where, in the opinion of the General Manager, personnel using Collection Service vehicles cannot readily access or serve a property in a safe and efficient manner for any of the following reasons:
 - (i) the road, lane or other access route adjacent to the property is not sufficiently wide or otherwise does not allow for, or facilitate, turning of the Collection Service vehicles;
 - (ii) the road, lane or other access route used to access the property is not a City or Province-owned road; or
 - (iii) access has been restricted by the use of a security gate.
- (c) An Owner or Occupier of real property and premises that do not receive the Collection Service must arrange for collection, removal and disposal of Garbage, Commercial Container Recyclables, Compostable Waste and other Recyclables in accordance with this Bylaw, through a contractor appropriately licensed to provide such services.

4. FREQUENCY OF COLLECTION SERVICE

- (a) Compostable Waste and Curbside Recyclables ordinarily will be collected once each week.
- (b) Garbage ordinarily will be collected once every two weeks.
- (c) In circumstances where adverse weather or road conditions, construction activity, strikes or labour shortages, or other unusual conditions would, in the opinion of the General Manager, render ordinary Collection Service not feasible or practical on the day or days set out in the Collection Schedule, the General Manager may direct alternate arrangements until it is again feasible and practical to provide the Collection Service according to the ordinary schedule.
- (d) There will be no regularly scheduled Collection Service on Saturday, Sunday or any statutory holiday.
- (e) The Collection Service is carried out in accordance with the Collection Schedule, as amended, revised or replaced from time to time. The Collection Schedule is available at City Hall and at the City's Engineering Operations Yard.

5. COLLECTION PROCEDURES

Every Owner or Occupier of real property or premises served by the Collection Service must ensure that Garbage, Curbside Recyclables and Compostable Waste placed for curbside collection are prepared in the following manner:

Garbage

- (a) Garbage placed for collection must be securely enclosed:
- (i) in a Garbage Container with a watertight cover and two secured handles, having a maximum capacity of not more than 80 litres (18 gallons) and a gross weight of not more than 23 kilograms (50 pounds); or
 - (ii) in a standard size plastic Garbage bag of at least 2 millimetres thickness, having a maximum capacity of not more than 80 litres (18 gallons) and a gross weight of not more than 23 kilograms (50 pounds).

Curbside Recyclables

- (b)
- (i) Curbside Recyclables must be placed in one or more Blue Bags, the size not being more than 66 cm x 92 cm, with each Blue Bag holding no more than 23 kilograms (50 pounds) gross weight of materials.
 - (ii) Cardboard must be flattened and either placed in a Blue Bag, or bundled and tied, with neither the length, width, or height, exceeding 60 cm (2 feet).

Compostable Waste

- (c) Except as set out in Paragraphs (i) and (ii), Compostable Waste must be placed in a galvanized metal or plastic container, no larger than 80 litres (18 gallons) in capacity; and no more than 23 kilograms (50 pounds) in weight, that is specifically designed for curbside waste collection, and to which a sticker obtained from the City is affixed, identifying the container as containing Compostable Waste.
- (i) Kraft paper bags may be used to contain Yard Waste only. Food Waste is not permitted in kraft paper bags. Each bag, when filled, must weigh, no more than 12 kilograms (25 pounds).
 - (ii) Branches may be tied in bundles, the size of each bundle being not more than 1.0 metre (39 inches) in length, 0.6 metres (24 inches) in diameter, and 12 kilograms (25 pounds) in weight; and fastened with a compostable string or twine, such as jute or cotton.

Bear Resistant Containers

- (d) Despite Paragraphs (a) and (c), for properties within an area shown outlined on Schedule "E", or that is designated by the General Manager as an area frequented by bears or cougars, the City may provide the Owner of the property with a bear-resistant container; in which case,
 - (i) the Owner is responsible for the care and safe-keeping of the container;
 - (ii) the Owner or Occupier must ensure that any and all Garbage and Food Waste is securely enclosed within the provided container;
 - (iii) a sticker obtained from the City must be affixed to the container containing Compostable Waste to identify the container as containing Compostable Waste; and
 - (iv) a sticker obtained from the City must be affixed to the container containing Garbage to identify the container as containing Garbage.

Time and Place

- (e) Between the hours of 5:00 a.m. and 7:00 a.m on the day designated on the Collection Schedule, or otherwise as directed by the Manager for Collection Service, an Owner or Occupier of property receiving the Collection Service must place any and all Garbage, Curbside Recyclables and Compostable Waste in full view and within 1.0 metre (39 inches) of the curbside or civic access serving the property.

6. COLLECTION CHARGES

- (a) Every Owner or Occupier of real property or premises served by the Collection Service must pay, with respect to each dwelling unit or separate business premises, as applicable, the fees established in Schedule "B".
- (b) Every Owner or Occupier of real property or premises served by the Collection Service who places more than three Garbage Containers for collection, per unit must:
 - (i) pay an additional fee, in the amount prescribed in Schedule "B", for each additional Garbage Container or bag; and
 - (ii) securely affix to each additional Garbage Container, including Garbage bags, a prepaid sticker prepared by the City and available from the City.
- (c) Ordinarily, the Collection Service will not collect additional Garbage Containers if prepaid stickers are not affixed.

- (d) Accounts for the annual charges, prescribed in this Bylaw, are rendered on May 31st of each year.
- (e) Where the Collection Service for a property commences after the accounts for annual charges were rendered, the charge payable by the Owner is pro-rated for the remaining portion of the year.
- (f) An Owner is deemed to have applied for Collection Service effective the first day of the third month following the application for a building permit.
- (g) Any collection fees or charges that remain unpaid after December 31st in the year imposed may be collected in the same manner as for unpaid property taxes and will be subject to the same penalties.
- (h) If the City is unable to provide Collection Service to a residential property where it would normally be provided, pursuant to the Collection Schedule or a direction of the General Manager, the City will apply a credit to the residential tax account, as set out in Schedule "B", for that property.

7. ITEMS NOT ACCEPTED BY COLLECTION SERVICE

- (a) No person shall include any of the following items in Garbage put out for collection by the Collection Service:
 - (i) material that is or may become explosive;
 - (ii) highly flammable materials;
 - (iii) hot or loose ashes;
 - (iv) household batteries, whether rechargeable or non-rechargeable;
 - (v) raw sewage;
 - (vi) animal feces, other than Cat Litter which must:
 - A. have feces removed within the remaining Cat Litter;
 - B. be double-bagged, using two plastic bags of adequate integrity to resist tears or leakage; and
 - C. be securely tied,before being placed in a Garbage Container for pickup by the Collection Service; and for that purpose, each dwelling is limited to one bag, containing a maximum of 5 litres of Cat Litter, for each pickup;

- (vii) dead animals;
- (viii) free water or other liquids;
- (ix) biomedical waste or sharps (syringes, needles, injection devices, blades, and similar items);
- (x) petroleum-based oils, containers and filters (motor oil and oil filters, lubricating oil, transmission oil, hydraulic oil, and similar oils);
- (xi) any form of grease, unless securely wrapped or enclosed in waterproof material;
- (xii) paint and pesticides;
- (xiii) rocks;
- (xiv) demolition materials;
- (xv) gyproc or gypsum wallboard;
- (xvi) wire;
- (xvii) heavy pieces of metal or car parts;
- (xviii) Compostable Waste;
- (xix) items of any kind that are larger than 60 centimetres (24 inches) in any dimension;
- (xx) Curbside Recyclables;
- (xxi) Hazardous Waste;
- (xxii) any item defined as a "product" in the *Recycling Regulation*, B.C. Regulation 449/2004, under the *Environmental Management Act* as amended or replaced from time to time; or
- (xxiii) any item that is banned for acceptance at *Transfer Stations* under the *Tipping Fee and Solid Waste Disposal Regulation Bylaw* of the Greater Vancouver Regional District (Metro Vancouver) as amended or replaced from time to time.

8. RESTRICTIONS ON REMOVAL OF RECYCLABLES

- (a) A person must not take or remove any Curbside or Commercial Container Recyclables placed on a curb, sidewalk, boulevard or road allowance unless that person:
- (i) is the person who initially placed the Recyclables outside his or her residence or business premises for collection, or who normally occupies that residence or premises;
 - (ii) is an employee or agent of the City authorized to collect those Recyclables; or
 - (iii) is an employee or member of a business or organization duly authorized by the City to collect Commercial Container Recyclables within the City boundaries.
- (b) A person must not deposit Recyclables originating, or collected, from any property, or premises, within the City to any site, or facility, other than a Recycling Depot.

9. REQUIRED RECYCLING PROGRAMS

Multi-Unit Residential Complex

- (a) Every Owner of a Multi-Unit Residential Complex must:
- (i) implement and follow a program for the regular collection of Commercial Container Recyclables from the residents of that property;
 - (ii) arrange for delivery and deposit to a Recycling Depot by a person who is appropriately licensed to provide recycling services; and
 - (iii) adhere to the following requirements:
 - A. a storage area for all Commercial Container Recyclables must be located alongside the regular containers used for Garbage collection by the provider of that service, except where the Commercial Container Recyclables can be collected in a location that is more convenient for the residents;
 - B. every storage area for Commercial Container Recyclables must be of a sufficient size to accommodate at least 125 litres of Recyclables per dwelling unit, per week (approximately 0.45 m x 0.45 m x 0.6 m per unit); and

- C. the collection of Commercial Container Recyclables and their delivery to a Recycling Depot, must be carried out at least once every two weeks.

Industrial, Commercial or Institutional Property

- (b) Every Owner or Occupier of a Commercial Container Recyclables Property, as the case may be, who provides for the regular collection of Garbage from the property, must:
 - (i) implement and follow a program for the regular collection of Commercial Container Recyclables generated on the property;
 - (ii) arrange for delivery and deposit to a Recycling Depot; and
 - (iii) adhere to the following requirements:
 - A. a storage area for all collection containers for Commercial Container Recyclables must be provided on the property and located alongside the regular containers used for Garbage collection by the provider of that service, except where the Commercial Container Recyclables can be collected in a location that is more convenient for the property users;
 - B. the collection containers for Commercial Container Recyclables must be of a sufficient volume and number to handle all Commercial Container Recyclables generated on the property; and
 - C. the collection of Commercial Container Recyclables and their delivery to a Recycling Depot must be carried out at least once every two weeks, or as needed.

Deposit at Recycling Depot

- (c) Every Owner who must implement a recycling program pursuant to this Section and every recycling service provider must ensure that all Commercial Container Recyclables collected are delivered to, and deposited at, a Recycling Depot in accordance with this Bylaw.

10. RECYCLING FEES

Every Owner of a unit within a Multi-Unit Residential Complex must pay a Recycling Depot fee, in the amount prescribed in Schedule "B".

11. STORAGE OF GARBAGE, CURBSIDE RECYCLABLES, RECYCLABLES AND COMPOSTABLE WASTE

- (a) Every Owner or Occupier of real property or premises must ensure that any and all Garbage, Curbside Recyclables, Recyclables and Compostable Waste, while remaining on the property or premises, is stored in a safe, sanitary and inoffensive manner.
- (b) Without limiting the generality of paragraph (a), every Owner or Occupier must ensure that any and all Garbage and Compostable Waste generated on the real property or premises is stored in such a manner as to avoid attracting wild and domestic animals.
- (c) Where no Collection Service is provided for a real property or premises, the Owner or Occupier must cause all Garbage, Curbside Recyclables, Recyclables and Compostable Waste generated or stored on the property to be removed from the property or premises at least once, every two weeks, and delivered:
 - (i) in the case of Garbage, other than the items listed in Section 7, to a Transfer Station;
 - (ii) in the case of Curbside Recyclables and Recyclables, to a Recycling Depot; and
 - (iii) in the case of Compostable Waste, to a Compost Facility, except where the Compostable Waste is composted on the property or premises.
- (d) A person having possession, control of, or responsibility for any of the items listed in Section 7 must ensure that such items are stored safely and in a manner authorized by law; and must ensure that any such items are disposed of at a facility authorized by the City or Fraser Valley Regional District to accept such items.

12. CONDITION OF CONTAINERS

- (a) Every Owner or Occupier of real property or premises within the City must keep all containers for Garbage, Curbside Recyclables, Recyclables, and Compostable Waste, in good condition, and must repair or replace any container which becomes damaged, unsafe or dangerous to a person who handles them.
- (b) Every Owner and Occupier of a commercial, institutional or industrial property or premises must ensure that containers used for Garbage, Curbside Recyclables, Recyclables, and Compostable Waste:
 - (i) are placed on private property and not on the City's road allowance, sidewalk, lane, boulevard or other City property;

- (ii) have their lids securely closed at all times, except when being filled or emptied; and
- (iii) are maintained, along with the area immediately surrounding the container, in a clean and tidy condition at all times.

13. DELIVERY OF SOLID WASTE TO RECEIVING SITE

Every Owner and any person must:

- (a) only dispose of Solid Waste, to a facility authorized by the City or Regional District Solid Waste management plan, approved under the *Environmental Management Act*, as amended or replaced from time to time, to receive the Solid Waste.
- (b) ensure that the material is acceptable to the receiving facility; and
- (c) ensure that the material is delivered and deposited at the site in a reasonable manner in accordance with the site-specific operation rules.

14. SOLID WASTE REPORTING

The Owner or operator of a Transfer Station or Recycling Depot, located within the City, must provide the General Manager with the following information by December 31st of each year:

- (a) the tonnages of Solid Waste received at the site;
- (b) the tonnages recycled or forwarded for recycling; and
- (c) what amounts are transported from the site for landfilling or incineration.

The reported tonnages must be based on the measured amounts if available. If measured tonnages are not available, the tonnages may be approximated.

15. ADMINISTRATION AND INSPECTION

- (a) The General Manager is delegated the power, duty and function of administering this Bylaw; and the direction, control and supervision of the Collection Service.
- (b) The General Manager, or a person designated as a Bylaw Enforcement Officer under the *Municipal Ticket Information Bylaw, 2007*, may enter onto any property, in accordance with Section 16 of the *Community Charter, S.B.C. Chapter 26*, to inspect and determine whether this Bylaw is complied with, and under take the necessary bylaw enforcement activities to ensure compliance.

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SCHEDULE "A"

DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"Blue Bag" means a blue-tinted, plastic transparent bag to be supplied by the *Owner* or *Occupant* for the containment, placement and collection of *Curbside Recyclables*.

"Cat Litter" means loose, granular or similar material that is used to collect the urine and feces of domestic cats.

"City" means the City of Abbotsford.

"Collection Schedule" means a colour-coded and letter-coded set of calendars indicating the days on which the *Collection Service* is provided to the areas of the City that receive the *Collection Service* under this Bylaw.

"Collection Service" means the service provided by or on behalf of the City pursuant to this Bylaw for collecting Garbage, Curbside Recyclables and Compostable Waste, in relation to properties described in Section 3 (a).

"Commercial Container Recyclables" means items identified in Schedule "D" that are collected in containers provided by private recycling services.

"Commercial Container Recyclables Property" means any land, building or structure which is used for a commercial, industrial or institutional purpose and from which Garbage is regularly collected.

"Compost Facility" means a compost processing facility authorized under the Fraser Valley Regional District Solid Waste Management Plan, as amended or replaced from time to time.

"Compostable Waste" means Yard Waste and Food Waste.

"Curbside Recyclables" means the items identified in Schedule "D" that are collected by the City as part of the Collection Service.

"Food Waste" includes fruits, vegetables, meat, fish, bones, dairy products, eggs, egg shells, pasta, rice, flour, bread, coffee grounds, coffee filters, fats, oils, lards, jams, jellies, condiments, and food-contaminated paper included paper napkins, tissues, paper packaging and paper take-out containers.

"Garbage" means discarded, abandoned or rejected items and materials and household waste.

SCHEDULE "A" (cont'd)

DEFINITIONS (cont'd)

"Garbage Container" means a receptacle made of galvanized iron or plastic, or a plastic bag, that is specifically designed for curbside waste collection and that meets the criteria of Section 5.

"Hazardous Waste" means dangerous or highly offensive wastes, including, without limitation, all substances within the definition of "hazardous waste" in the *Hazardous Waste Regulation*, B.C. Regulation 464/2004, under the *Environmental Management Act*, as amended or replaced from time to time;

"General Manager" means the place of the General Manager of Engineering and Regional Utilities for the City or designate.

"Multi-Unit Residential Complex" means any building containing three or more separate dwelling units or any of the following as defined in the *Abbotsford Zoning Bylaw, 1996*, as amended or replaced from time to time:

- (a) mobile home located in a mobile home park;
- (b) a residential use apartment;
- (c) a residential use, street townhouse; or
- (d) a residential use, townhouse.

"Occupier" has the same meaning as defined in the *Community Charter*.

"Owner" has the same meaning as defined in the *Community Charter*, and in relation to strata property includes a strata corporation.

"Recyclables" means any used items, materials and substances that are accepted for recycling at the Recycling Depot.

"Recycling Depot" means a recycling facility authorized under the *Fraser Valley Regional District Solid Waste Management Plan*, as amended or replaced from time to time, and includes the Abbotsford Mission Recycling Depot at 33670 Valley Road, Abbotsford, British Columbia.

"Residential Use, One Unit" means a single residential building on a lot, other than a strata lot.

"Residential Use, Two Units" means a residential building, other than a building composed of strata lots, that is designed for or occupied as two dwelling units side by side sharing a common wall above ground.

SCHEDULE "A" (cont'd)

DEFINITIONS (cont'd)

"Solid Waste" means Garbage, Curbside Recyclables, Recyclables, Compostable Waste and Hazardous Waste.

"Transfer Station" means a facility that accepts Solid Waste for disposal and includes the Matsqui Transfer Station located at 33621 Valley Road, Abbotsford, British Columbia, or another facility that has been approved as a Transfer Station by the Fraser Valley Regional District for accepting Solid Waste.

"Yard Waste" includes household plants and cut flowers, grass clippings, leaves, tree trimmings, plant remains and stumps or branches less than 15 centimetres (6 inches) in diameter and less than 1 metre (39 inches) long, but does not include lumber, rocks, soil, or sod.

SCHEDULE "B"

COLLECTION SERVICE FEES

(a) Regular collection of Garbage, Curbside Recyclables and Compostable Waste per dwelling unit or business premises, as shown in the Curbside Collection Areas of Schedule "C":

- | | | |
|------|---|--------------------|
| (i) | Urban and Eastern Rural Collection Area | \$ 220.00 annually |
| (ii) | Western Rural Collection Area | \$ 192.00 annually |

(b) Additional Garbage Containers:

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|-----|-----------------------------------|---------|
| (i) | each additional Garbage Container | \$ 2.00 |
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COLLECTION SERVICE CREDIT

Per week or portion thereof	\$ 3.00
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MULTI-UNIT RESIDENTIAL COMPLEX RECYCLING DEPOT FEE

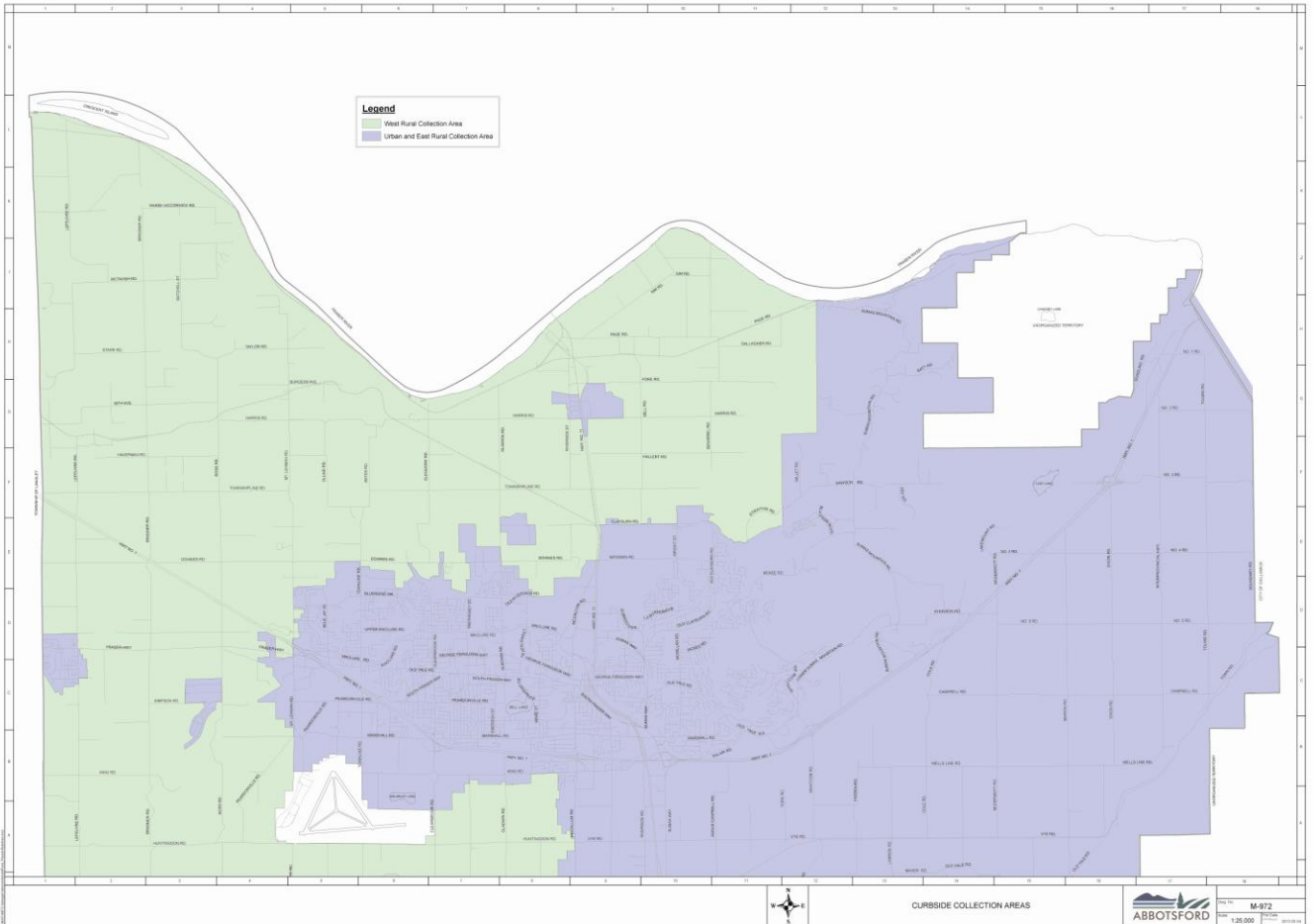
Per dwelling unit	\$ 13.00 annually
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SCHEDULE "C"
CURBSIDE COLLECTION AREAS



SCHEDULE "D"

CURBSIDE & COMMERCIAL CONTAINER RECYCLABLES

The materials listed in this Schedule are accepted in the *Curbside Recycling Collection Service* and are required to be accepted in the *Commercial Container Recyclables* collection for *Multi-Unit Residential Complexes* and for industrial, commercial and institutional facilities:

- (a) newspaper, newsprint;
- (b) cardboard, flattened;
- (c) paper products, including: magazines, office paper, phone books, cereal boxes, mail envelopes, paper back books, egg cartons and any paper product made entirely of paper fiber;
- (d) beverage containers, including drink boxes and drink pouches;
- (e) glass bottles and jars, but excluding drinking glasses, ceramics, window glass, and light bulbs;
- (f) tin and aluminum cans and lids, aluminum pans and foil;
- (g) milk jugs and cartons, rinsed and flattened;
- (h) any rigid plastic container or item with a plastics recycling number or resin code of #1 (PET), #2 (HDPE), #4 (LDPE) or #5 (PP), which may include:
 - (i) shampoo bottles;
 - (ii) detergent bottles;
 - (iii) yogurt containers;
 - (iv) margarine tubs;
 - (v) water bottles; and
 - (vi) pop bottles,but does not include:
 - (i) motor oil containers;
 - (ii) filters; or
 - (iii) pesticide containers; and
- (i) any #4 (LDPE) stretchy film plastic, such as grocery bags, ziploc bags, bread bags, and saran wrap.

All recyclable materials must be clean and reasonably dry.

SCHEDULE "E"

BEAR-RESISTANT CONTAINER AREAS

