

The following is a consolidated copy of the Comox Strathcona waste management service establishing bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
1822	Regional Solid Waste Plan Local Service Area Establishment Bylaw 1996	March 24, 1997	A bylaw to establish the local service of collection, removal and disposal of waste, noxious, offensive or unwholesome substances and provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles.
331	Regional Solid Waste Plan Local Service Area Establishment Bylaw 1996, Amendment No. 1	November 6, 2014	To provide clarity in the service's scope and purpose and to reflect current legislative requirements.

NOTE: The Comox Strathcona waste management service is delivered by the Comox Valley Regional District as specified in letters patent dated February 15, 2008. Participants in the service include all of the Comox Valley Regional District and all of the Strathcona Regional District.

**This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version easier to use. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.**

## **COMOX VALLEY REGIONAL DISTRICT**

### **BYLAW NO. 1822**

**Being a bylaw to establish the local service of collection, removal and disposal of waste, noxious, offensive or unwholesome substances and provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles.**

**WHEREAS**, the Regional District of Comox-Strathcona, may pursuant to Section 788(1)(c) of the Municipal Act, establish and operate a local service for the collection, removal and disposal of waste and noxious, offensive or unwholesome substances;

**AND WHEREAS**, pursuant to Section 788(1)(c.i) of the Municipal Act, the Regional District may establish and operate a local service for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters;

**AND WHEREAS**, pursuant to Section 16(10) of the Waste Management Act, where a waste management plan has been approved by the Minister of Environment Lands and Parks, a Bylaw adopted for the purpose of preparing or implementing the waste management plan does not require the assent of the electors, a petition, an initiative plan or consent on behalf of the electors referred to in the Municipal Act;

**AND WHEREAS**, the Regional District has prepared a Solid Waste Management Plan approved by the Minister of Environment Lands and Parks on September 15, 1995, that requires the Regional District to establish and operate a local service for the collection, removal and disposal of waste, noxious, offensive or unwholesome substances and to provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters;

**AND WHEREAS**, the Regional District now wishes to establish a local service to implement the Solid Waste Management Plan;

**NOW THEREFORE**, the Regional Board of the Regional District of Comox-Strathcona, in open meeting assembled, enacts as follows:

#### **Local Service**

1. The local service hereby established is to provide for:
  - a) the collection, removal and disposal of waste and noxious, offensive or unwholesome substances and,
  - b) the regulation, storage, management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters.

#### **Boundaries**

2. The boundaries of the local service area shall be the boundaries of the participating areas.

### Participating Areas

3. The participating areas for the local service shall be:
- The City of Campbell River
  - The City of Courtenay
  - The Town of Comox
  - The Village of Cumberland
  - The Village of Gold River
  - The Village of Tahsis
  - The Village of Sayward
  - The Village of Zeballos
  - Comox Valley Regional District’s Electoral Area ‘A’ (Baynes Sound – Denman / Hornby Islands), Electoral Area ‘B’ (Lazo North) and Electoral Area ‘C’ (Puntledge – Black Creek), and
  - Strathcona Regional District’s Electoral Area ‘A’ (Kyuquot / Nootka – Sayward), Electoral Area ‘B’ (Cortes Island), Electoral Area ‘C’ (Discovery Inlets – Mainland Inlets) and Electoral Area ‘D’ (Oyster Bay – Buttle Lake).”

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### Cost Recovery

4. The annual costs for the local service may be recovered by:
- a) the requisition of money under sections 809 and 809.1 to be collected by a property value tax to be levied and collected under sections 810(1) and 810.1(1);
  - b) the requisition of money under sections 809 and 809.1 to be collected by a frontage tax or parcel tax to be imposed in the manner provided by sections 810(2) and 810.1(2);
  - c) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.

### Apportionment

5. The annual debt costs, if any, and the operating costs shall be apportioned among the participating areas on any one or combination of:
- a) on the basis of the converted value of land and improvements for general municipal purposes in the municipalities and converted value of land and improvements for regional hospital district purposes in the electoral areas;
  - b) on the basis of tonnage of municipal solid waste and recyclable material derived from each municipality and electoral area as a percentage of the total municipal solid waste and recyclable material derived from the entire regional district.

### Maximum Requisition

6. The maximum amount that may be requisitioned under Section 804(1) of the Municipal Act SBC.1979 for this service is:
- a) the sum of Seven Million Dollars (\$7,000,000.00) per year, or;
  - b) the product obtained by multiplying the net taxable value of land and improvements within the service area by property tax value rate of \$1.00 per \$1,000 of assessment; whichever is the greater.

### Citation

7. This Bylaw may be cited for all purposes as “Regional Solid Waste Plan Local Service Area Establishment Bylaw, 1996.”