

The following is a consolidated copy of the Royston garbage collection regulation and rates bylaw and includes the following bylaws:

<b>Bylaw No.</b>	<b>Bylaw Name</b>	<b>Adopted</b>	<b>Purpose</b>
119	Royston Garbage Collection Regulations and Rates Bylaw No. 119, 2013	May 28, 2013	A bylaw to provide for the control, collection and disposal of solid waste within the Royston garbage collection service
367	Royston Garbage Collection Regulations and Rates Bylaw No. 119, 2013 Amendment No. 1	March 31, 2015	To amend the Royston garbage collection service to authorize discounts for performance of the Multi-materials British Columbia incentives program

**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 more clear and identify historical changes and conditions. 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. 119****A bylaw to provide for the control, collection and disposal of solid waste within the Royston garbage collection service**

**WHEREAS** under section 800(1) of the *Local Government Act* a regional district may establish and operate a local service;

**AND WHEREAS** order in council no. 626 was issued by the Lieutenant Governor in Council ordering the transfer of obligations from the Royston Improvement District to the Comox Valley Regional District;

**AND WHEREAS** the Royston garbage collection service was established as a Comox Valley Regional District service by the conversion of the Royston Improvement District to Comox Valley Regional District services on January 1, 2010 and subsequently by the adoption of Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” on August 31, 2010;

**AND WHEREAS** it was deemed necessary to regulate the collection of residential refuse and other types of solid waste as provided by this bylaw within the service as specified in this bylaw;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Definitions**

1. In this bylaw the following definitions apply:

- (a) **Approved container** means a strong plastic or galvanized iron container, with a volume capacity not to exceed 80 litres and having a secure, watertight cover or lid, or other suitable sanitary container approved by the CVRD as a suitable design and size to hold and contain the residential refuse from the residential unit it is designed to serve.
- (b) **Basic service** means the garbage and recyclable materials collection service established under section 4 of this bylaw.
- (c) **Commercial premises** means any warehouse, factory, storage yard, retail business place or any building other than a residential unit.
- (d) **Disposal site** means the property maintained and operated by the regional district for the disposal of solid waste in the location prescribed.
- (e) **Dwelling** means a self-contained unit consisting of one or more rooms designed, occupied, or intended for occupancy, as a separate household with sleeping and sanitary facilities and not more than one set of kitchen and cooking facilities, but specifically excluding recreational vehicles.
- (f) **Extended service** means the additional garbage collection service provided under section 5 of this bylaw.
- (g) **Garbage** means municipal solid waste containing materials discarded from a residential unit but not including: recyclable materials or any materials listed in section 7 of this bylaw.

- (h) **Garbage collector** means the person or persons granted a contract by the regional district to collect and dispose of garbage and recyclable materials within the service area.
- (i) **Garbage container** means either/or
  - i) a metal or plastic container designed as a garbage can, complete with handles and friction fit or snap-lock lid, with a maximum capacity of eighty liters;
  - ii) a plastic garbage bag.
- (j) **Garbage tags** means a single use tag purchased from the regional district office at a rate specified in schedule ‘A’.
- (k) **Hazardous waste** means any gaseous, liquid or solid waste that because of its inherent nature and quality, requires special disposal techniques to avoid creating health hazards, nuisances or environmental pollution and includes; paint, oil, gypsum, toxic waste, poisonous waste, corrosive waste, explosive waste, automotive or marine-type batteries.
- (l) **Occupier** means an Owner who occupies a property, a person who has signed a lease or rental agreement to occupy a property for residential purposes, or a person who otherwise occupies property as a tenant without a signed agreement.
- (m) **Owner** means a person or persons, including a corporation or company, who is liable under the *Local Government Act, Community Charter* or successor legislation to pay real property taxes as owner of land with the regional district.
- (n) **Recyclable materials** means any materials including; dry newsprint/newspaper, dry corrugated cardboard, boxboard, dry mixed waste paper, washed metal food and beverage containers, plastic containers #1-7, but specifically excludes glass and Styrofoam.
- (o) **Regional district** means the Comox Valley Regional District.
- (p) **Service area** means that portion of Electoral Area ‘A’ that is the Royston garbage collection service as established under Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” and amended as required.
- (q) **Yard waste** means grass clippings, leaves, plants, branches, prunings from shrubs and trees.

### Collection systems established

- 2. (a) The boundaries of the Royston garbage collection service are as defined under Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010”, and amended as required.
- (b) A garbage collection system is hereby established to collect, remove and dispose of garbage from all dwellings and participating commercial premises with the specified area.
- (c) A recycling system is hereby established to collect recyclable materials from all residential units within the regional district specified area, the regulation of which shall be as approved by the regional district board from time to time.

**Basic service mandatory**

3. (a) Except as provided in this section, the owner/occupier of every dwelling within the Service area shall use this service for the collection of garbage.
- (b) Section 3(a) does not apply to occupants of commercial, industrial or institutional premises who dispose of their garbage through a private dumpster collection service.
- (c) The occupier of commercial premises may participate in collection service provided they conform to the Basic or Extended services

**Basic service**

4. Basic service for all service units consists of removal of:
  - (a) Garbage, in the amount of one (1) regulation garbage container per week;
  - (b) Recyclable materials, in an unlimited quantity, every second week.
  - (c) A basic service user who requires additional garbage collection shall use the extended service by using garbage tags authorized by the regional district.

**Extended service**

5. The regional district imposes charges for garbage tags as set out in schedule 'A' to this bylaw.
  - (a) Each garbage tag entitles the extended service user to the collection of one regulation garbage container.
  - (b) An extended service user shall attach garbage tags inside the additional garbage container or on the outside of the garbage bag.
  - (c) Garbage tags are not reusable or refundable.

**Frequency of collection service**

6. (a) Unless otherwise approved by the regional district and scheduled accordingly, garbage shall be collected once per week on the same day each week.
- (b) Unless otherwise approved by the regional district and scheduled accordingly, recyclable materials shall be collected once every second week on the same day as the scheduled garbage collection.
- (c) Notwithstanding section 5(a) any user may be entitled to extra pick-ups at the scheduled time of garbage pick-up if each additional regulation garbage container is affixed with a garbage tag.

**Prohibited materials**

7. (a) No person shall place any of the following items in any container for collection by the regional district's garbage collector:
  - (i) Hazardous waste;
  - (ii) Ignitable waste;
  - (iii) Raw sewage or septic tank sludge;
  - (iv) Dead animals;
  - (v) Animal feces, waste or related litter products, other than from domestic pets;

- (vi) Oversized items of any kind exceeding 60 cm (2 feet) in any direction;
  - (vii) Demolition or construction waste;
  - (viii) Yard waste; or
  - (ix) Ashes.
- (b) Any material listed in section 7(a) shall not be collected by the garbage collector.
  - (c) Recyclable materials shall not be collected as garbage.
  - (d) Every owner of a premise upon or within which materials listed in section 7(a) are created shall be solely responsible for the proper sanitation thereof and for storage, removal and disposal of all such wastes in compliance with all applicable laws and/or bylaws.

### **Owner/occupier responsibilities**

- 8. Every owner/occupier of a premises serviced by the regional district garbage collection system and recycling system shall:
  - (a) Place all garbage in a regulation garbage container;
  - (b) Maintain all garbage containers and recycling containers in safe, sanitary and usable condition;
  - (c) Place all recyclable materials in designated container identified as a recycling container;
  - (d) Recyclable containers should be capable of confining and keeping dry the recyclable materials set out for collection;
  - (e) Tie or otherwise seal any plastic bags containing any garbage;
  - (f) Drain excess moisture from wet garbage and wrap wet garbage in waterproof material before placing it in the garbage container;
  - (g) Ensure no liquid is deposited in any garbage container;
  - (h) Ensure no liquid runs into or accumulates in any garbage container;
  - (i) Ensure no solid or semi-solid greases are deposited in a garbage container unless wrapped in a waterproof covering or placed in a tightly closed container;
  - (j) Cover all garbage containers at all times with a waterproof lid;
  - (k) Set out for collection by 8:00 am on the collection day all garbage containers and recycling containers, which are not to be set out on any other day;
  - (l) Place all garbage containers and recycling containers in one location per premises as close as possible to the edge of the street adjoining the dwelling unit or premises in a location clearly visible to collection workers, but not placed so as to obstruct vehicles or pedestrians; and

- (m) Remove all empty garbage containers and recycling containers from the street after collection and keep all garbage containers and recycling containers, when not set out for collection, on the property from which the garbage or recyclable materials originate.

### **Fees for garbage and recyclable materials collection**

- 9.
  - (a) Garbage and recycling fees as shown on the attached schedule ‘A’ shall be billed quarterly and shall be due and payable 30 days after billing. Any fees outstanding may be transferred to the surveyor of taxes to be collected as taxes in arrears as per the *Local Government Act*.
  - (b) Charges for new services will commence on the issuance of an occupancy permit and are as indicated in schedule ‘A’ and may be prorated.
  - (c) Tags for use with additional regulation garbage containers may be purchased at the regional district office during regular business hours at the rate established in schedule ‘A’.
  - (d) The registered owners of dwellings, whether occupied or vacant, shall be responsible for the payment of all garbage user fees, whether the service is actually used or not.
  - (e) Annually, a review of the Multi-Materials British Columbia performance and incentives program shall be conducted to identify any discounts that may be applied to the monthly garbage and recycling fees for the upcoming year. The review must be incorporated with the financial planning process for the upcoming year and any discounts may only be approved by the chief administrative officer or as delegated to an officer pursuant to the CVRD officer bylaw.

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### **Penalties**

- 10. A person who contravenes this Bylaw commits an offence and is punishable in accordance with section 6, part 267 of the *Local Government Act*.

### **Repeal**

- 11. Royston Improvement District Bylaw No. 304 being the “Garbage Collection and Disposal Regulations and Rates Bylaw” and any amendments hereto are hereby repealed.

### **Citation**

This Bylaw No. 119 may be cited for all purposes as “Royston Garbage Collection Regulations and Rates Bylaw No. 119, 2013”.

## Schedule 'A'

### Fees for Collection of Refuse from approved Receptacles and Excess Receptacles

Effective until June 30, 2013 the rates are as follows:

Garbage Fees            \$6.65 per month, per unit

Recycling Fees         \$2.00 per month, per unit

Garbage Tags           \$2.00 each

Effective July 1, 2013 the rates are as follows:

Garbage and Recycling Fees   \$9.65 per month, per unit

Garbage Tags            \$2.00 each

Discounts to garbage and recycling fees may be applied as authorized under section 9 of this bylaw.

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