

Regional District of Alberni-Clayoquot

BYLAW NO. R1021

A Bylaw to Provide for the Collection of Garbage
and Recyclable Materials within the
Regional District of Alberni-Clayoquot

WHEREAS pursuant to Bylaw No. R1020, cited as the "Solid Waste Management Plan Bylaw No. R1020, 2007", the Regional District of Alberni-Clayoquot is authorized to collect garbage and recyclable materials;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot has determined that a garbage collection service and a recyclable material collection service should be provided to certain areas and classes of land within the District;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Bylaw No. R1021 Garbage and Recyclable Materials Collection Bylaw, 2008."

2. DEFINITIONS

For the purposes of this bylaw, unless the context otherwise requires:

- a. "**Banned Materials**" means all materials that have been banned by the **Regional District** from disposal at its landfills.
- b. "**Contractor**" means the person or persons under contract to the **Regional District** to collect **Garbage** or **Recyclable Materials** or both from **Eligible Residences**.
- c. "**Dwelling Unit**" means one or more rooms for residential occupancy connected together with facilities for living, sleeping, cooking and having a separate entrance.
- d. "**Eligible Residence**" means a detached single family dwelling; each **Dwelling Unit** of a duplex, triplex, quadruplex, townhouse, or

- row house development, a **Manufactured Home**, but does not include an apartment building containing more than four **Dwelling Units**, a hotel, motel, resort or marina, or any commercial property, seasonal campsite,
- e. **"Garbage"** means discarded matter and includes refuse, waste, noxious, offensive and unwholesome materials, but does not include **Recyclable Materials**, **Banned Materials**, **Trade Waste** or unacceptable waste as set out in this bylaw.
- f. **"Garbage Collection Service"** means the collection, removal and disposal of **Residential Garbage** from **Eligible Residences**.
- g. **"Garbage Collection Service Area"** means an area identified in Schedule "C".
- h. **"Garbage Container"** means a container of 120 litres capacity or less, having two handles, a waterproof cover and being no longer than 1.2 metres in any dimension.
- i. **"Manager"** means the person duly appointed by the **Regional District** to the position of "Manager of Environmental Services".
- j. **"Manufactured Home"** means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured for full-time occupancy and to be moved from one place to another by being towed or carried, and which is used as a dwelling.
- k. **"Recyclable Materials"** means paper, metal, plastic, boxboard, cardboard and other materials as determined by the **Regional District** but excludes any material contaminated by food or oil.
- l. **"Recycling Container"** means a bag or container clearly marked with the words "Recycling" or "Recyclable Materials".
- m. **"Recycling Collection Service"** means the collection, removal and disposal of **Recyclable Materials** from **Eligible Residences**.

- n. **"Regional District"** means the Regional District of Alberni-Clayoquot.
- o. **"Recycling Collection Service Area"** means an area identified in Schedule "B".
- p. **"Trade Waste"** means refuse, waste and abandoned material resulting from the operation of a trade or business including paper boxes and packing cases, wrapping material, wrappings and all materials of a like nature, other than **Garbage**.

3. **Recycling Collection Service**

- a. The **Regional District** is hereby authorized to provide a **Recycling Collection Service** throughout a **Recycling Collection Service Area**.
- b. Every owner of an **Eligible Residence** located within a **Recycling Collection Service Area** is required to pay the fees specified in Schedule "A" of this bylaw for the **Recycling Collection Service** whether or not the owner or occupier of the **Eligible Residence** uses the **Recycling Collection Service**.

4. Regulations regarding the **Recycling Collection Service**

- a. A person may only set out **Recyclable Materials** that originate from an **Eligible Residence** for collection by the **Contractor**.
- b. **Recyclable Materials** set out for collection by the **Contractor** must be placed in a **Recycling Container**.
- c. A person must not set out a **Recycling Container** containing **Recyclable Materials** that exceeds:
 - i. 120 litres in volume;
 - ii. 20 kilograms in weight; or,
 - iii. 1.2 metres long in any dimension.

- d. A person must not set a **Recycling Container** containing **Recyclable Materials** out for collection earlier than 5:00 a.m. nor later than 8:00 a.m. on collection days.
 - e. A person setting out **Recyclable Materials** for collection must place them as close as possible to the edge of the travelled road serving the premises without obstructing traffic.
 - f. The **Contractor** is not required to pick up **Recyclable Materials** from an **Eligible Residence** if the owner or occupier contravenes any of the regulations in Section 4 a to f.
 - g. Where an **Eligible Residence** may be accessed by a lane and a road, the **Manager** will determine whether the collection will be at the lane or the road.
 - h. The **Recycling Collection Service** will be biweekly.
 - i. Collection will be on the day determined by the **Manager** and may change from time to time.
 - j. A person may set out more than one **Recycling Container** for collection.
 - k. Neither the **District** nor the **Contractor** will not be responsible for the replacement or repair of any **Recycling Container** that may be damaged.
5. **Garbage Collection Service**
- a. The **Regional District** is hereby authorized to provide a **Garbage Collection Service** throughout the **Garbage Collection Service Area**.
 - b. Every owner of an **Eligible Residence** located within the **Garbage Collection Service Area** is required to pay the fees specified in Schedule "A" of this bylaw whether or not the owner or occupier of the **Eligible Residence** uses the **Garbage Collection Service**.

6. Regulations regarding the **Garbage Collection Service**
- a. A person may set out one **Garbage Container** containing **Garbage** for collection each week.
 - b. A person may set out an additional one or two **Garbage Containers** containing **Garbage** for collection each week provided that he or she has purchased and affixed a garbage tag to each additional **Garbage Container** set out for collection; the fee for garbage tags is in Schedule "A".
 - c. A person must not set out a **Garbage Container** for collection that contains anything except **Garbage** emanating from an **Eligible Residence**.
 - d. A person must not set out **Garbage** for collection unless it is in a **Garbage Container**.
 - e. A person must not set out a **Garbage Container** for collection that contains any noxious or hazardous material, including but not limited to:
 - i. explosive substances;
 - ii. flammable or volatile liquids;
 - iii. human or animal excretions;
 - iv. offal;
 - v. dead animals;
 - vi. malodorous substances; or,
 - vii. raw sewage or septic tank sludge.
 - f. A person must not set out a **Garbage Container** for collection that contains:
 - i. demolition or construction waste;
 - ii. gypsum board or drywall;

- iii. rocks;
 - iv. hot ashes;
 - v. oil or lubricants;
 - vi. wet **Garbage** unless it has first been drained of excess moisture and wrapped in a suitable waterproof material; or,
 - vii. grease or any other paste which may adhere to the **Garbage** collection vehicle unless it has first been wrapped in a suitable covering.
- g. A person must not set out for collection a **Garbage Container** that together with the **Garbage** contained in it weights more than twenty kilograms.
- h. A person must not set a **Garbage Container** containing **Garbage** out for collection earlier than 5:00 a.m. nor later than 8:00 a.m. on collection days.
- i. Every owner or occupier of an **Eligible Residence** served by the **Garbage Collection Service** shall keep all **Garbage Containers** in good condition and shall replace any which become damaged or dangerous to persons handling them.
- j. A person setting out **Garbage** for collection must place it as close as possible to the edge of the travelled road serving the premises without obstructing traffic.
- k. The **Contractor** is not required to pick up **Garbage** from an **Eligible Residence** if the owner or occupier contravenes any of the regulations in Section 6 a to j.
- l. Where an **Eligible Residence** may be accessed by a lane and a road, the **Manager** will determine whether the collection will be at the lane or the road.
- m. The **Garbage Collection Service** will be weekly.
- n. Collection will be on the day determined by the **Manager** and may change from time to time.

- o. Neither the **District** nor the **Contractor** will not be responsible for the replacement or repair of any **Garbage Container** that may be damaged.

7. Administration

- a. The **Manager** is authorized to administer this bylaw.
- b. Any fees levied under this bylaw that remain unpaid on December 31 in any year shall be deemed to be taxes in arrears.

8. Violation

Any person who violates any provision of this bylaw commits an offence and is punishable in accordance with the *Offence Act*.

READ A FIRST TIME this 25th day of June , 2008.

READ A SECOND TIME this 25th day of June , 2008.

READ A THIRD TIME this 25th day of June , 2008.

ADOPTED this 25th day of June , 2008.



Chairperson



Secretary

Schedule "A"

Recycling and Garbage Collection Fees

1. Recycling Collection Fees for **Eligible Residences** within each **Recycling Collection Area**:

Recycling Collection Area	Annual Fee
City of Port Alberni	\$ 30.20
District of Tofino	\$ 54.30
District of Ucluelet	\$ 54.30
"Port Albion", a Portion of Electoral Area "C" (Long Beach)	\$ 54.30
"Millstream Subdivision", a Portion of Electoral Area "C" (Long Beach)	\$ 54.30
A Portion of Electoral Area "E" (Beaver Creek)	\$ 30.20

2. Garbage Collection Fees for **Eligible Residences** within each **Garbage Collection Area**:

Garbage Collection Area	Annual Fee
District of Tofino	\$ 113.73
District of Ucluelet	\$ 113.73
"Port Albion", a Portion of Electoral Area "C" (Long Beach)	\$ 113.73
"Millstream Subdivision", a Portion of Electoral Area "C" (Long Beach)	\$ 113.73

3. Tags for disposal of extra **Garbage** as specified in Section 6 (b):

\$2.00 for a single use tag good for one **Garbage Container**.

4. The fees specified in Section 1 and 2 of this schedule will apply to a new **Eligible Residence** upon occupancy or upon issuance of an occupancy permit, whichever is earlier and the fee will be pro-rated by the number of months or part months left in the billing cycle.

5. The billing cycle will be July 1 to June 30.

6. For service started in 2008, the billing cycle will be from the start of the service to June 30, 2009. For service started in 2009 or later, the billing cycle will be as determined by the **Manager**.
7. Billing will be in advance and payment is due 30 days after the **Regional District** mails the bill.

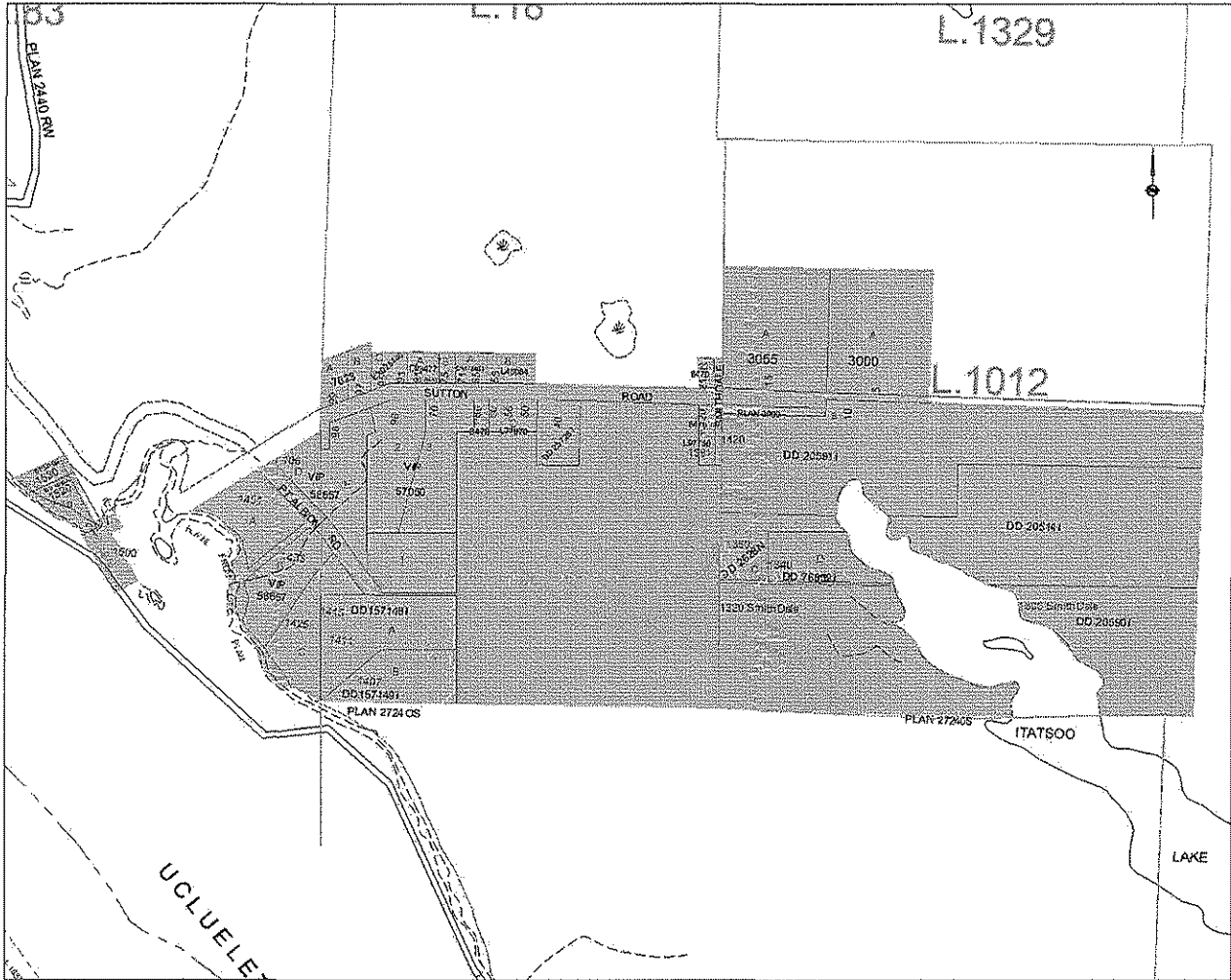
Schedule "B"

Recycling Collection Service Areas

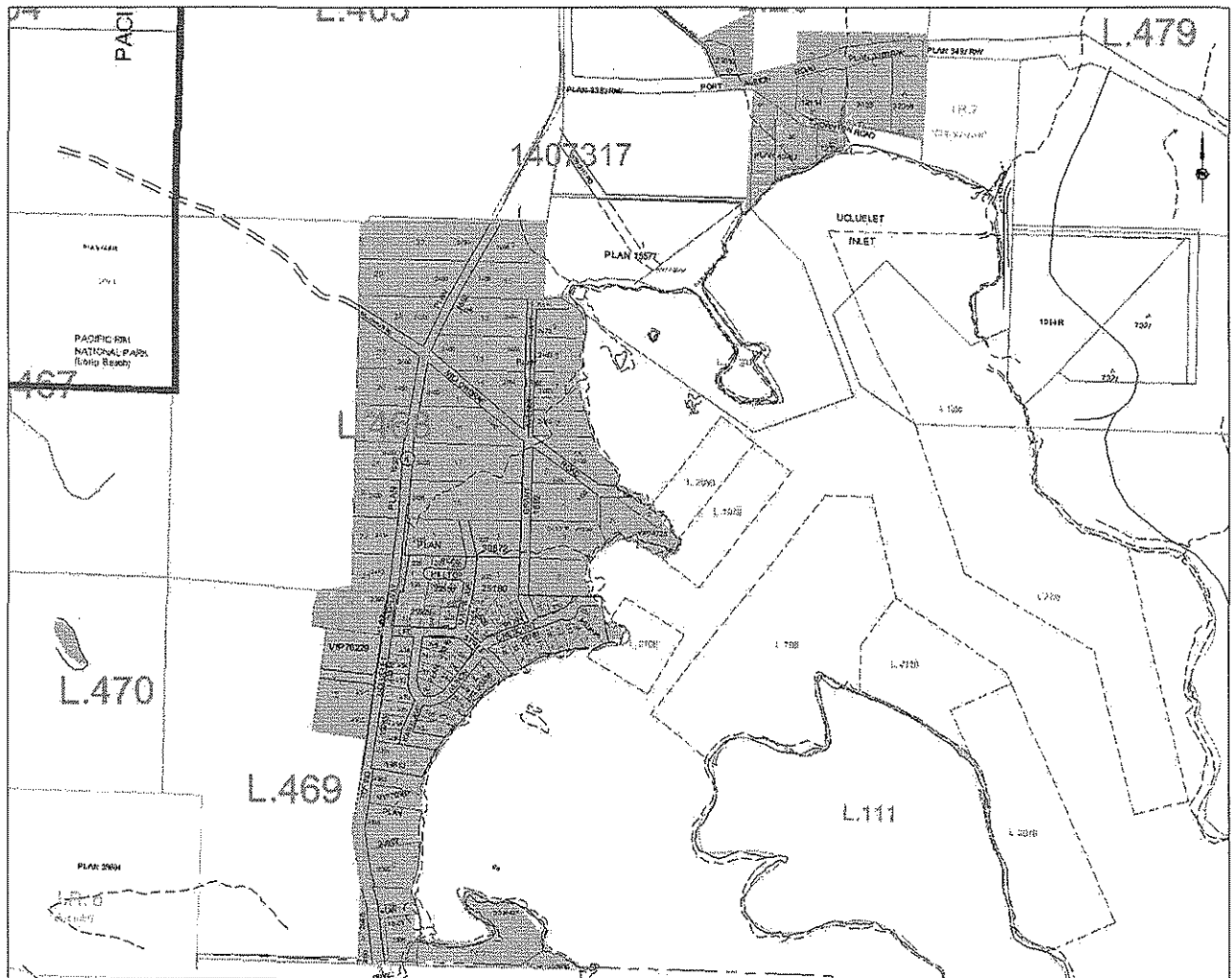
The ***Recycling Collection Service Areas*** are as follows:

1. All properties within the City of Port Alberni.
2. All properties within the District of Ucluelet.
3. All properties within the District of Tofino.
4. All properties within the portion of Electoral Area "C" (Long Beach) known as "Port Albion" identified on the map attached as Appendix "1" to this schedule.
5. All properties within the portion of Electoral Area "C" (Long Beach) known as "Millstream Subdivision" identified on the map attached as Appendix "2" to this schedule.
6. All properties within the portion of Electoral Area "E" (Beaver Creek) identified on the map attached as Appendix "3" to this schedule.

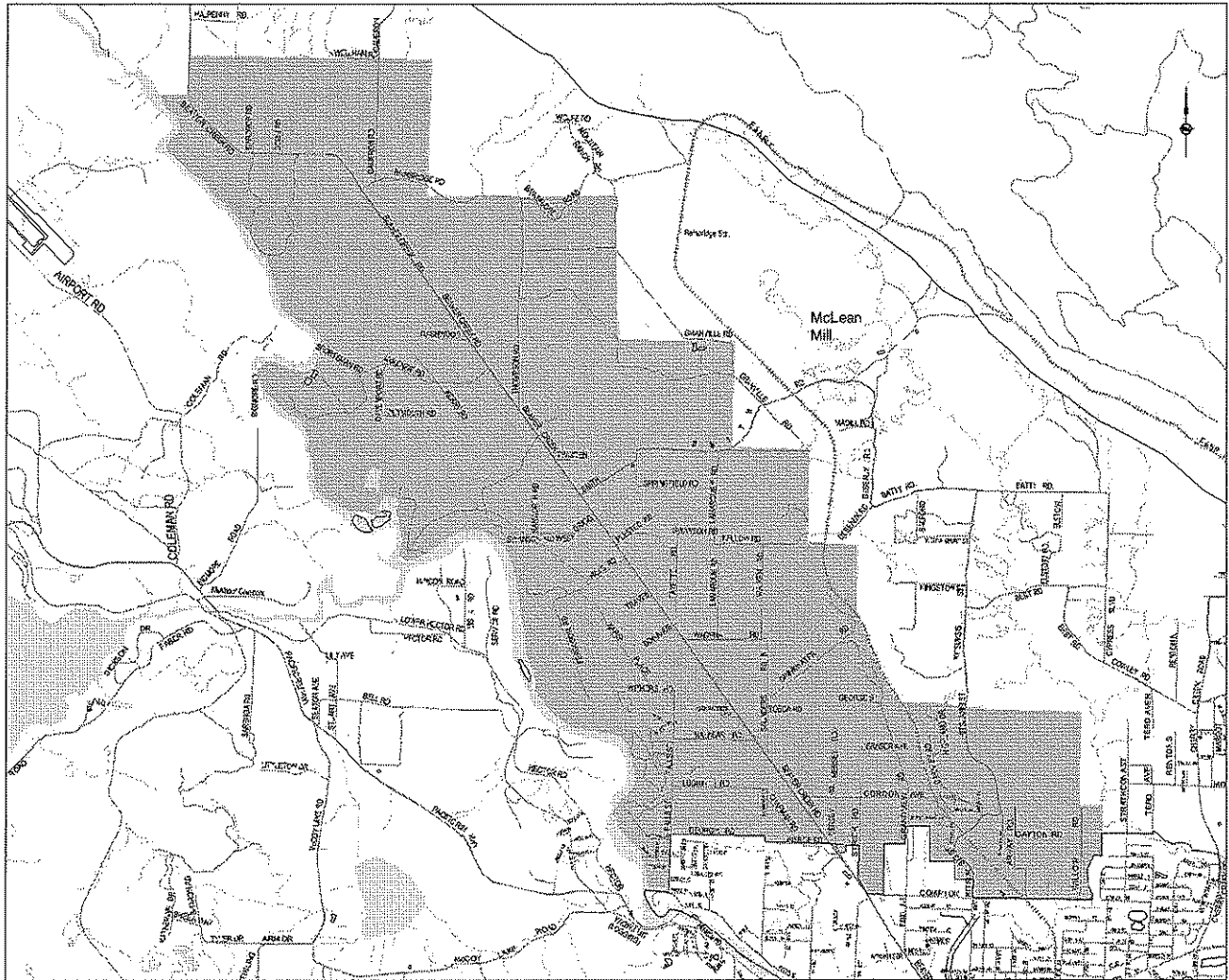
Appendix "1" to Schedule "B"
Port Albion
Within Electoral Area "C" (Long Beach)



Appendix "2" to Schedule "B"
Millstream Subdivision
Within Electoral Area "C" (Long Beach)



Appendix "3" to Schedule "B"
Part of Electoral Area "E" (Beaver Creek)



Regional District of Alberni-Clayoquot
Schedule "C"
To Bylaw No. R1021
Garbage Collection Service Areas

The ***Garbage Collection Service Areas*** are as follows:

1. All properties within the District of Ucluelet.
2. All properties within the District of Tofino.
3. All properties within the portions of Electoral Area "C" (Long Beach) identified on the maps attached as Appendix "1" and "2" to Schedule "B".