

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 431

CONSOLIDATED FOR CONVENIENCE ONLY TO INCLUDE UP TO 431.19

A Bylaw to provide for the collection of residential garbage
within the Sunshine Coast Regional District

WHEREAS pursuant to "Sunshine Coast Regional District Refuse Collection Local Service Bylaw No. 1021, 1994", the Sunshine Coast Regional District is authorized to provide a service for the collection of garbage;

AND WHEREAS the Board of the Sunshine Coast Regional District wishes to provide for the collection of municipal solid waste to certain areas and classes of land within the Regional District as described in this bylaw;

NOW THEREFORE the Board of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

1.0 INTERPRETATION

In this bylaw the following definitions shall apply:

"Board" means the Sunshine Coast Regional District Board of Directors.

"Collectible Garbage" means municipal solid waste of a non-toxic nature generated by residential premises from normal household use and capable of being contained in a garbage can but does not include: garden waste; commercial waste; industrial waste; institutional waste; demolition, construction & land clearing waste; hazardous (including pathogenic & radioactive) wastes; explosive substances; chemicals which may create hazardous working conditions; material hot enough to start combustion; waste oil or petroleum by-products; waste paint; lumber, stumps or timbers; fish feed bags; batteries; undigested septic sludge.

"Collection Contractor" means a person appointed from time to time by the Board of the Sunshine Coast Regional District to carry out the duties related to collectible garbage as provided for in this bylaw.

"Commercial Waste" means waste generated by commercial or other non-residential activity.

"Garbage Can" means a waterproof container of heavy plastic or light weight galvanized sheeting with a close fitting lid, and a maximum capacity of 77 litre and of not more than 20 kg gross weight when filled with collectible garbage.

"Garden Waste" means grass clippings, tree or hedge clippings or other organic materials from yards and gardens.

"Industrial Waste" means waste generated by industrial or other non-residential activity.

"Institutional Waste" means waste generated by institutional or other non-residential activity.

“Mobile Home” means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried, and which is used as a dwelling.

“Mobile Home in Mobile Home Park” means a mobile home located in a mobile home park as defined in the *Home Purchase Assistance Act*.

“Municipal Solid Waste” means waste which originates from residential, commercial, institutional, demolition, land clearing or construction sources.

“Private Collection Service” means any collection service other than the regional collection service.

“Regional collection service” means the regional collection service established under Section 2.1 of this bylaw.

“Regional District” means the Sunshine Coast Regional District;

“Residential Premises” means a single family dwelling unit.

“Service Area” means the portion of the Sunshine Coast Regional District designed for “refuse collection local service” under *Sunshine Coast Regional District Refuse Collection Local Service Bylaw No. 1021, 1994*.

“Single Family Dwelling Unit” means a single family detached dwelling; each dwelling unit of a duplex, triplex, quadruplex, townhouse, or row house development; a mobile home; but does not include a hotel, motel, apartment, resort or marina, or other commercial property as identified on the Assessment Roll.

“Waste” means discarded materials, substances or objects.

2.0 PROVISION OF SERVICE

2.1 Establishment of Collection Service

There is hereby established throughout the service area a regional collection service for the collection, removal and disposal of collectible garbage.

2.2 Mandatory Service

Every owner or occupier of residential premises located within the service area shall use the regional collection service for the collection, removal and disposal of all collectible garbage generated in their residential premises.

2.3 Provision of Service

The Sunshine Coast Regional District is hereby authorized to provide for the collection of collectible garbage from residential premises within the service area.

3.0 PREPARATION OF GARBAGE

3.1 Only collectible garbage shall be placed in garbage cans for collection by the regional collection service.

3.2 Wet garbage shall be drained of excess moisture and wrapped in a suitable waterproof material before being placed in any garbage container.

- 3.3 No liquid in free form shall be allowed in any garbage container.
- 3.4 No solids or greases which may adhere to the garbage collection vehicle receptacle shall be put or placed in any garbage container unless wrapped in a waterproof covering or placed in a closed container.

4.0 SERVICE OPERATION

4.1 Residents' Responsibility

- (a) Every owner or occupier of residential premises within the service area shall:
 - (i) place collectible garbage in garbage cans.
 - (ii) place garbage cans at the property line adjacent to the public roadway by 8:00 am on the day designated for collection from their residential premises.
 - (iii) secure the garbage can as necessary to prevent entry of water, and accidental spillage or disturbance by animals, rodents and birds.
 - (iv) place tags, as described in Schedule "A", on extra garbage cans so that tags are clearly visible.
- (b) Every owner or occupier of residential premises served by the regional collection service shall keep all garbage cans in good condition and shall replace any which become damaged or dangerous to persons handling them.
- (c) Any dispute over the suitability of the garbage can shall be decided by an officer of the Regional District.

4.2 Collection Service

- (a) The Sunshine Coast Regional District shall arrange by contract or otherwise for the collection of collectible garbage within the service area.
- (b) The contents of one garbage can shall be collected from all residential premises within the service area on a frequency of once every week, except during extraordinary circumstances beyond the control of the Regional District.
- (c) The collection schedule and items eligible for collection shall be published from time to time in local newspapers circulated in the service area.
- (d) In the event that a solid waste collection day falls on a statutory holiday:
 - i) the collection for that day shall be deferred until the regular collection day of the following week provided two collection days are not missed in a row; and
 - ii) two times the collectible garbage allowed under Section 4.2(b)

shall be collected on the regular collection day of the following week.

5.0 ADMINISTRATION

5.1 Fees

- (a) The fees and charges enumerated in Schedule “A” of this bylaw are hereby imposed and levied on the owners of residential premises within the service area.
- (b) The fees and charges enumerated in Schedule “A” of this bylaw shall be payable on the due date as specified on the bill.
- (c) The fees and charges enumerated in Schedule “A” of this bylaw may be included on a common form with other user rates levied by law, or as a separate line on the annual property tax notice.
- (d) Subject to Section 5.1 (e), these charges will apply to new residential premises:
 - i) upon issuance of a civic address; or
 - ii) for mobile homes located in mobile home parks, upon notification of a new installation by the appropriate provincial agency.
- (e) Where charges for new residential premises are applicable for a period shorter than the normal billing period, the charges for such shorter period in respect of such new residential premises shall be calculated, levied and collected on a proportionate basis from the first day of the following month.
- (f) The fees and charges levied under Section 5.1 (a) shall be subject to a non-compounding 2% monthly interest charge if they remain unpaid after the close of business on the due date set out in the billing form. The following conditions shall also apply with respect to fees and charges payable:
 - i) non-receipt of the bill will not be recognized as a valid reason for failure to pay the fees when due;
 - ii) postmarks will not be considered as date of payment;
 - iii) all payments received will be applied firstly against arrears, then to current balances;
 - iv) interest is imposed on outstanding account balances in excess of \$10.00.
- (g) A charge imposed under this bylaw which remains unpaid on the thirty-first day of December in any year shall be deemed to be taxes in arrears on the land or real property on which the charge was imposed, and may be recovered as provided in the Municipal Act.

Section 5.1
(d) replaced
by BL
431.18

Sections 5.1
(f) replaced
by BL
431.19

- 5.2 Every person who offends against or violates any of the provisions of this Bylaw or who neglects to do or refrains from doing anything that requires to be done by any of the provisions of this Bylaw shall be deemed to be guilty of an infraction of this Bylaw and upon conviction therefore before a Judge having jurisdiction in the Province of British Columbia, shall be liable to a penalty under the *Offence Act* plus the costs of prosecution or where applicable, to a fine approved and provided under a Municipal Ticket Information Bylaw.
- 5.3 Every day that a violation of a provision of this bylaw exists or is permitted to exist, shall constitute a separate offence.
- 5.4 The Bylaw Enforcement Officer and the local detachment of the RCMP are hereby authorized to enforce this bylaw and to enter, at any reasonable time onto any property in the course of conduct of administration of this bylaw in order to ascertain whether the regulation of this bylaw are being observed.
- 5.5 No person shall interfere with or obstruct the Bylaw Enforcement Officer or the RCMP or any other person acting in the conduct of administration or enforcement of this bylaw.
- 6.0 SEVERABILITY
Should any section or subsection, clause, paragraph or sentence of this Bylaw be declared invalid by a court of competent jurisdiction, no other part of this Bylaw shall be deemed to be invalid and the balance of the bylaw shall remain in force as a whole except for the part declared invalid.
- 7.0 EFFECTIVE DATE
This bylaw shall come into effect as of January 1, 1997.
- 8.0 REPEAL
"Sunshine Coast Regional District Garbage Collection and Disposal Bylaw No. 22, 1969" and "Sunshine Coast Regional District Garbage Collection and Disposal Amendment Bylaw No. 22(1), 1974" are hereby repealed as of the effective date of this bylaw.
- 9.0 CITATION
This Bylaw may for all purposes be cited as "Sunshine Coast Regional District Waste Collection Bylaw No. 431, 1996"

**SUNSHINE COAST REGIONAL DISTRICT
BYLAW NO. 431**

“SCHEDULE A”

1.0 Fees

- | | | | |
|-----|--|-----------|-----------------|
| 1.1 | Residential Premises Owners
Rate for Garbage Collection:
allows for setting out one 77 litre
garbage can on any collection day | \$ 145.45 | per annum |
| 1.2 | Mobile Home in Mobile Home
Park - per occupied pad
allows for setting out one 77 litre
garbage can on any collection day | \$ 122.62 | per annum |
| 1.3 | Tags for disposal of extra garbage:
allows for setting out additional 77 litre
garbage cans over and above those
permitted under items 1 and 2. | \$ 2.50 | per garbage can |

2.0 Fee Reduction for Eligible Properties

2.1 For the purpose of this section

- a) “eligible property” means property that is:
 - i) liable to property taxation; and
 - ii) owned by a person entitled to receive the Additional Homeowner’s Grant in respect of that property.
- b) “eligible property reduction” means an amount equal to the portion of the Additional Homeowner’s Grant that an owner of an eligible property was unable to claim during the year for which the charge under section 1.0 is payable to a maximum of \$145.45 in respect of any property.

2.2 Despite section 1.0 of this Schedule, the level of fee for a person who owns and occupies an eligible property shall be the fee set out in section 1.1 or 1.2, as applicable, less the amount of the eligible property reduction.

2.3 A person who owns and occupies an eligible property must apply for the refuse fee reduction each year prior to the bill due date. Failure to apply prior to this date results in forfeiture of the eligible property reduction for the current year.