

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2469, 2010

A bylaw to regulate the use of Regional District Recycling and Disposal Facilities and set fees for the recycling and disposal of municipal solid waste at Regional District of North Okanagan Recycling and Disposal Facilities.

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**WHEREAS** it is desirable to establish fees and set standards of use for recycling and disposal facilities owned and operated by the Regional District of North Okanagan in keeping with the Solid Waste Management Plan and environmental protection standards and to provide for the enforcement of these standards;

**AND WHEREAS**, the Regional District of North Okanagan has established a local service to regulate, store and manage municipal solid waste and recyclable material by Bylaw 1352, being "*Solid Waste Management Local Service Establishment Bylaw No. 1352, 1996*";

**AND WHEREAS** the Regional District of North Okanagan has an approved *Solid Waste Management Plan*;

**AND WHEREAS** Section 803(1) [*Options for cost recovery*] of the *Local Government Act*, states that Section 363 [*Imposition of fees and charges*] of the *Local Government Act* applies to Regional Districts in relation to their services;

**AND WHEREAS** Section 363 [*Imposition of fees and charges*] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

**NOW THEREFORE**, the Board of the Regional District of North Okanagan, in open meeting assembled ENACTS AS FOLLOWS:

### CITATION

1. This bylaw may be cited as "***Municipal Solid Waste Management Bylaw No. 2469, 2010***".

### SCHEDULES

2. The schedules listed below and annexed hereto shall be deemed to be an integral part of this Bylaw:

**Schedule "A" – Recycling and Disposal Fees**

**Schedule "B" – Regulated Material**

**Schedule "C" – Recyclable Material.**

### APPLICATION

3. This bylaw shall apply to all Municipal Solid Waste management facilities owned and/or operated by the Regional District of North Okanagan.

## ENVIRONMENTAL MANAGEMENT ACT

4. Nothing in this Bylaw is intended to conflict with *the Environmental Management Act*, but this Bylaw may impose further restrictions or require further conditions than those imposed under the *Environmental Management Act*.

## COMPLIANCE WITH OTHER LAWS

5. Except as otherwise specifically provided, nothing in this Bylaw excuses any person from complying with all other applicable enactments and laws.

## HEADINGS

6. The headings in this Bylaw are for convenience only and shall not limit, enlarge or affect the scope of any of the provisions in this Bylaw.

## DEFINITIONS

7. In this bylaw, unless the context otherwise requires:

**“Adequately Secured”** means that Municipal Solid Waste is contained or immobilized with such that the Municipal Solid Waste cannot leak, spill, blow, fall or otherwise be dislodged from a vehicle and/or trailer attached to a vehicle entering and exiting a RDF. For an open truck box or trailer this means that a tarp and/or cargo net secured to the truck box and/or trailer is required. The tarp and/or cargo net must not be able to blow off, fall or otherwise be dislodged from a vehicle and/or trailer entering or exiting a RDF.

**“Asphalt Roofing – Clean”** means loads containing only waste asphalt roofing that is free of contamination other than nails and screws. This material is considered Municipal Solid Waste.

**“Asphalt Roofing – Minor Contamination”** means loads containing only waste asphalt roofing that also contain minor amounts of contamination other than nails and screws such as paper, wood and miscellaneous refuse. This material is considered Municipal Solid Waste.

**“Asphalt Roofing – Major Contamination”** means loads containing only waste asphalt roofing that also contain major amounts of contamination other than nails and screws such as paper, wood and miscellaneous refuse. This material is considered Municipal Solid Waste.

**“Batteries - Automotive”** means electro-chemical cells contained in plastic cases consisting of lead and lead oxide plates and containing a mixture of acids, which are used to supply an electric power source. This waste material is considered Municipal Solid Waste.

**“Batteries - Household”** means rechargeable or non-rechargeable batteries commonly used for household purposes including, but not limited to A, AA, AAA, C, D, and 9 volt batteries. This waste material is considered Municipal Solid Waste.

**“Biosolids”** means stabilized sewage sludge with more than 30% moisture resulting from a waste water treatment process. This waste material is not considered Municipal Solid Waste and therefore requires pre-approval for disposal.

**“Bulky Waste”** means Municipal Solid Waste articles with a volume greater than one and one half (1.5) cubic metres, or materials greater than two and one-half (2.5) metres in length; or

articles that the Manager determines require special or additional handling and/or disposal techniques.

**“Carcasses”** means dead animals, or portions thereof, that are not a Renderable Product. This waste material is considered Municipal Solid Waste.

**“Ceramic Toilets”** means the base and tank of toilets that are ceramic and do not include the plastic or metal parts. This waste material is considered Municipal Solid Waste.

**“Clinical/Laboratory Waste”** means non-anatomical waste, including Sharps, that is generated by institutions including but not limited to, hospitals, laboratories, doctors’ offices, medical clinics, and veterinary clinics, and has been sterilized such that all micro-organisms including bacteria, viruses, spores, and fungi are killed. This waste material is considered Municipal Solid Waste.

**“Controlled Waste”** means Municipal Solid Waste that requires preapproval by the Manager for disposal at a RDF but which, because of its inherent nature and quantity, may require special handling and/or disposal techniques to avoid creating health hazards, nuisances, or environmental pollution, including, but not limited to:

- (a) screenings from municipal sewage treatment plants, pump stations and domestic septic systems;
- (b) condemned foods;
- (c) animal feces;
- (d) bloody furniture, bedding and rugs/carpet;
- (e) sawdust;
- (f) Bulky Waste;
- (g) Clinical/Laboratory Waste;
- (h) Carcasses;
- (i) Contaminated Soil;
- (j) Waste Asbestos;
- (k) foundry dust;
- (l) Food Processing Waste;
- (m) Septage Waste;
- (n) Noxious Weeds;
- (o) Logs and Stumps – large, dirty and ungrindable;
- (p) Infested Vegetation;
- (q) Tire - Oversize; and
- (r) Preserved Wood.

**“Crushable Material for Aggregate”** means concrete, masonry, brick, ceramic (including Ceramic Toilets) and Glass or glass materials delivered to a RDF that are less than 0.5 m in diameter and 0.5 m thick, and that do not contain rebar longer than 0.5 m as well as metal, plastic, insulation, wood, asbestos or other contaminants defined by the Manager. This waste material is considered Municipal Solid Waste.

**“Construction and Demolition Waste”** means a mixture of Municipal Solid Waste originating from the construction, demolition and/or renovation of buildings and structures, including but not limited to materials such as plastic, wood, metal, insulation, roofing, flooring, carpet, plumbing, electrical, concrete, masonry ceramics and glass.

**“Deconstruction”** means the dismantling of a human-made structure in a manner that enables

maximum salvage of reusable building components and recycling of the remaining building components.

**“Deposit”** means to place Municipal Solid Waste in a location at a RDF for the purposes of reuse or recycling.

**“Dispose”** means the introduction of Municipal Solid Waste into the environment through burial or other non-recycling or reuse technique at a RDF.

**“Drywall - Recyclable”** means gypsum based building material delivered to a RDF for recycling. Drywall is also commonly known as gypsum board, wallboard, plasterboard, rock lath, sheetrock, or gyproc. This waste material is considered Municipal Solid Waste.

**“Drywall – Non Recyclable”** means gypsum based building material delivered to a RDF containing asbestos, vinyl, mesh and/or stucco. This material can not be recycled and must be disposed and is considered Municipal Solid Waste.

**“E-Waste”** means various types of Municipal Solid Waste containing mainly electronic components and listed in a stewardship plan approved by the British Columbia Government.

**“Extended Producer Responsibility Program”** means a program administered by industry to manage specific Municipal Solid Waste products for which there is a British Columbia Government approved stewardship plan.

**“Facility Operator”** means a Person employed by or having a contract with the Regional District to provide operation and maintenance services at a RDF, including but not limited to scaling, inspecting, sorting, hauling and compacting and covering Refuse.

**“Fluorescent Tubes and Bulbs”** means used fluorescent light bulbs and lamps as listed in a stewardship plan approved by the British Columbia Government. This also refers to commercial quantities not currently included in a stewardship plan. This waste material is considered Municipal Solid Waste.

**“Food Processing Waste”** means any organic waste and/or waste by-product that may be produced from a commercial food processing operation, and is unsuitable for composting within existing Regional District programs. This waste material is considered Municipal Solid Waste.

**“Glass”** means glass containers. This waste material is considered Municipal Solid Waste.

**“Hazardous Waste”** means any material defined as such by the British Columbia Government and any Solid Waste which, because of its inherent nature and quantity requires special disposal techniques to avoid creating health hazards, nuisances or environmental pollution, and includes, but is not limited to, toxins or poisons, corrosives, irritants, strong sensitizers, flammables (excluding plastics, paper, paper products and the like), explosives, and infectious wastes.

**“Hydrocarbon Impacted Cover Material”** means soil that is impacted by hydrocarbons at concentrations allowed under the RDF Operational Certificate and that is preapproved for delivery by the Manager to a RDF.

**“Infested Vegetation”** means trees, shrubs, herbaceous plants or associated fruit that show the presence of Plant Disease, Noxious Insects, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit. This waste material is considered Municipal Solid Waste.

**“Litter”** means Municipal Solid Waste that has been deposited illegally on public land or without the consent of the land owner, occupier or other person or authority having control of the land, whether or not the Municipal Solid Waste has any commercial value or is capable of being used for a useful purpose, is delivered to a RDF after a clean up event by employees or volunteers of a local government, thrift store, community group, road maintenance company or the RCMP, and for which pre-approval has been received for disposal at a RDF in writing from the Regional District.

**“Logs and Stumps – Clean and Grindable”** means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, and trunks, whereby the trunk is greater than 20 cm in diameter and there are no rocks and soil adhered to the wood. This waste material is considered Municipal Solid Waste.

**“Logs and Stumps – Large, Dirty or Ungrindable”** means logs and stumps requiring extra handling or disposal if rocks and soil are adhered to the wood. This waste material is considered Municipal Solid Waste.

**“Manager”** means the Recycling and Disposal Facilities Operations Manager for the Regional District of North Okanagan or a designate.

**“Mixed Residential Waste”** means Refuse from a residential source, self hauled to a RDF, which is observed to contain more than 40% wood and/or metal and/or Yard and Garden waste by weight and which is sorted and deposited in the designated areas at a RDF.

**“Municipal Solid Waste”** means

- (a) Solid Waste that originates from residential (single and multi-family), commercial, institutional, demolition, landclearing or construction sources, or
- (b) Solid Waste specified by the British Columbia Government to be included in a waste management plan.

**“Noxious Insects”** means all insects designated by the Regional District’s, *Noxious Insect Control Bylaw*, including, but not limited to:

- (a) Codling moths: *Carpocapsa pomonella*;
- (b) Scales: San Jose – *Aspidiotus perniciosus* (Comstock);
- (c) European Fruit – *Aspidiotus ostreaeformis* Curt;
- (d) Shot-Hole Borer: *Scolytus rugulosus* (Ratzenburg);
- (e) Pear Psylla (Psyllia): *Pyricola* (Forester);
- (f) Cherry Fruit Flies: *Rhagoletis* Species;
- (g) Ambrosia Beetle: *Anisandrus* Species; and
- (h) Douglas Fir Tussock Moth: *Orgia Pseudotsugata*.

**“Noxious Weeds”** means non-native plants that have been introduced to British Columbia without the insect predators and plant pathogens that help keep them in check in their native habitats as listed in the British Columbia *Weed Control Act*. This material is considered Municipal Solid Waste if defined as such in the Regional District Solid Waste Management Plan.

**“Ozone Depleting Substance”** means a substance defined as such in the British Columbia, *Ozone Depleting Substances and other Halocarbons Regulation*, under the *Environmental Management Act*.

**“Person”** means an individual, a body corporate, a firm, partnership, or any other legal entity or an

employee or agent thereof.

**“Plant Disease”** means a condition that exists in a plant or seed as the result of the action of virus, fungus, bacterium, or any other similar or allied organism and that injures or may injure the plant or any part thereof, and that may be spread to another plant or plants with economic, ornamental or aesthetic value, including, but not limited to:

- (a) Apple Scab (*Venturia inaequalis*);
- (b) Anthracnose or Perennial Canker (*Cryptosporiopsis curvispora C. perennans*);
- (c) Bacterial Canker (*Pseudomonas syringae* pv. *syringae*; *P. syringae* pv. *morsprunorum*);
- (d) Blister spot (*Pseudomonas syringae* pv. *papulans*);
- (e) Brown Rot (*Monilinia fructicola*);
- (f) Coryneum Blight (*Wilsonomyces carpophilus*);
- (g) Crown Gall;
- (h) Root Gall and Hairy Root (*Agrobacterium tumefaciens*);
- (i) Crown Rot (*Phytophthora cactorum*);
- (j) Cytospora Canker (*Leucostoma cincta*);
- (k) European Canker (*Nectria galligena*);
- (l) Fire Blight (*Erwinia amylovora*);
- (m) Little Cherry Virus;
- (n) Powdery Mildew (*Podosphaera leucotricha*; *P. clandestina*; *Sphaerotheca pannosa*);
- (o) Peach Leaf Curl (*Taphrina deformans*); and
- (p) Verticillium Wilt (*Verticillium dahliae*).

**“Preserved Wood”** means waste wood products which have been treated with preservatives such as *chromated copper arsenate (CCA)*, *aromatic hydrocarbons (PAHs)*, and *ammonium copper arsenate (ACA)* to prevent rotting. This waste material is considered Municipal Solid Waste.

**“Prohibited Waste”** means Solid Waste designated in an Operational Certificate, in the Regional District Solid Waste Management Plan, or by the Regional District from time to time, to be inappropriate for disposal at a RDF for environmental, regulatory or legal reasons, or reasons related to the safe or efficient operation of a RDF, currently including the following specified materials:

- (a) liquid or semi-solid wastes, including Septage Waste, except as permitted in this bylaw;
- (b) Hazardous Waste;
- (c) waste not defined as Municipal Solid Waste;
- (d) Solid Waste that is on fire or smouldering;
- (e) automobiles and other large metallic objects such as mobile homes;
- (f) Renderable Products;
- (g) slaughterhouse, fish hatchery, and cannery wastes and by-products; and
- (h) Biomedical Waste defined as such in the document “*Guidelines for the Management of Biomedical Waste in Canada*” (CCME, February 1992).

**“Propane Tank”** means a refillable or non-refillable metal container which is used to contain flammable hydrocarbon gases used as fuel. This waste material is considered Municipal Solid Waste.

**“RDF”** means a designated site owned and/or operated by or for the Regional District for the disposal and recycling of Municipal Solid Waste. The term is frequently used interchangeably with the term Recycling and Disposal Facility.

**“Recyclable Material”** means that portion of the Municipal Solid Waste stream listed in Schedule “C” of this Bylaw.

**“Refrigeration Appliances”** means refrigerators, freezers, air conditioners or any other item that may contain an Ozone Depleting Substance. This waste material is considered Municipal Solid Waste.

**“Regulated Material”** means Municipal Solid Waste material listed in Schedule “B” of this Bylaw.

**“Refuse”** means Municipal Solid Waste with less than 30% moisture and intended for disposal at a RDF.

**“Regional District”** means the Regional District of North Okanagan.

**“Renderable Products”** means dead animals, animal parts and animal by-products that were generated at such establishments as slaughter houses, butcheries, retail and wholesale stores, farms, and veterinary clinics acceptable for rendering into other products, for example dog food, at any approved animal bone, meat, and fat rendering facility. This waste material is not considered Municipal Solid Waste.

**“Rescale”** means to go through a RDF scale with a single load of mixed Municipal Solid Waste more than once in order to determine the weight of each of the different types of materials in the load.

**“Scrap Metal”** means recyclable ferrous and non-ferrous metallic materials and products containing more than 75% metal by volume, including but not limited to, metal food containers, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, metal furniture, tire rims and appliances. This waste material is considered Municipal Solid Waste.

**“Septage Waste”** means liquid waste including:

- (a) pumpings from parking lot drainage sumps;
- (b) pumpings from domestic septic tanks;
- (c) pumpings from laundry lint traps;
- (d) pumpings from sumps which collect runoff from motor vehicle washing facilities containing oil separation units only, but not from facilities used for maintenance or lubrication of automobile components or where solvents or sandblasting are employed for removal of paint, grease, or oil; or,
- (e) water containing soil, sand, gravel, or non-hazardous solids.

**“Service Area”** means the service area of the Solid Waste Management Service established by the Regional District, *Solid Waste Management Local Service Establishment Bylaw No. 1352, 1996*.

**“Sharps”** means needles, syringes, blades or laboratory glass generated at clinics and laboratories and if rendered safely contained (e.g. in metal or Styrofoam containers) is considered Municipal Solid Waste.

**“Solid Waste”** means non-liquid, non-soluble materials ranging from municipal garbage to industrial wastes that contain complex and sometimes hazardous substances. Solid wastes also include sewage sludge, agricultural refuse, demolition wastes, and mining residues. Technically, solid waste also refers to liquids and gases in containers and with respect to this bylaw also

includes Refuse, Controlled Waste, Recyclable Material and Regulated Material.

**“Styrofoam”** means waste expanded polystyrene (EPS) and expanded polyethylene (EPE) packaging, including but not limited to egg cartons, meat trays, packing peanuts, and packaging blocks that are clean and free of food residue, tape, labels, plastic, and soil. This does not include insulating sheets, extruded foam, and foam padding. This waste material is considered Municipal Solid Waste.

**“Tires – Passenger and Light Truck”** means tires designed for use on passenger cars, light trucks, small recreational vehicles and multipurpose passenger vehicles including sport utility vehicles and crossover utility vehicles and comply with Canadian Motor Vehicle Safety Standard (CMVSS No. 109) or tires designed for use on consumer or commercial light trucks under 10,000 lbs. gross vehicle weight and comply with Canadian Motor Vehicle Safety Standard (CMVSS No. 119). Codes on the sidewall or passenger and light truck tires are P and LT. This waste material is considered Municipal Solid Waste.

**“Tires – Medium Truck”** means truck and bus tires designed for truck/bus applications and larger recreational vehicle tires not marked “P” or “LT” all of which comply with Canadian Motor Vehicle Standard (CMVSS No. 119). This waste material is considered Municipal Solid Waste.

**“Tires - Oversize”** means assorted agricultural, industrial and OTR (Off the Road) tires, specifically tires with Tread Codes C, E, G, L, IND & NHS as defined by Tire Stewardship B.C. This waste material is considered Municipal Solid Waste.

**“Visitor”** means an authorized Person who enters a RDF for purposes other than to bring, deposit or dispose Municipal Solid Waste.

**“Waste Asbestos”** has the meaning prescribed in British Columbia and Canadian regulations and guidelines. This waste material must be disposed in a manner pre-approved by the Manager and is considered Municipal Solid Waste when it is not a Hazardous Waste.

**“Wood Waste – Clean”** means clean, organic wood material including, but not limited to:

- (a) kiln dried dimensional lumber such as wood pallets, and Deconstruction, Demolition or Construction wood waste;
- (b) branches greater than 20 cm diameter and 2 m long;
- (c) plywood;
- (d) particle board; and
- (e) pressed board or MDF (Medium Density Fibreboard)

delivered to a RDF, provided such material is free of Preserved Wood, rocks, metals other than nails and screws, heavy coats of paint, wire, fibreglass, asphalt roofing material, fasteners, glue, coverings, or chemical treatment and other non-wood materials. This waste material is considered Municipal Solid Waste.

**“Wood Waste – Dirty”** means all other organic wood materials other than Yard and Garden Waste, Wood – Clean and Logs and Stumps delivered to a RDF. This waste material is considered Municipal Solid Waste.

**“Yard and Garden Waste”** means organic material originating from yard and garden management,

maintenance, repair and construction and delivered to a RDF, including but not limited to:

- (a) trimmings and prunings (<20 cm diameter and 2 m long);
- (b) leaves;
- (c) grass;
- (d) mulch;
- (e) flowers;
- (f) vegetable stalks;
- (g) woody or herbaceous waste;
- (h) wood chips;
- (i) wind fallen fruit and vegetables; and
- (j) tree trunks and stumps (<20 cm diameter).

This does not include animal feces, cardboard, plastic, soil, rocks, fencing, fabric, netting and other non-vegetated landscaping and gardening waste. This waste material is considered Municipal Solid Waste.

## **REGULATIONS**

8. No Person shall:

- (a) bring Prohibited Waste to a RDF unless the acceptance of such waste is specifically authorized in writing by both the Regional District and the British Columbia Government;
- (b) bring Controlled Waste to a RDF unless the Manager determines that special handling and disposal techniques are not required, or where special handling and disposal techniques are required, the Manager has determined that the Controlled Waste can be disposed of safely at a RDF and has given written permission and directions for such disposal;
- (c) deposit Regulated Material in locations at a RDF that are not specifically designated for the material type by signage or verbal or written instructions;
- (d) deposit Recyclable Material in locations at a RDF that are not specifically designated for the material type by signage or verbal instructions;
- (e) bring Hydrocarbon Impacted Cover Material to a RDF without prior written consent of the Manager. The Manager may determine that quantities of contaminated soil that do not exceed Hazardous Waste are acceptable for use at a site and/or for disposal;
- (f) bring Litter to a RDF and receive the reduced disposal fee without prior written consent of the Manager;
- (g) deposit or dispose any Municipal Solid Waste at a RDF in a manner or in a location contrary to the signage or written or verbal direction and designation of the Facility Operator;
- (h) enter a RDF or deposit or dispose of any material at a RDF at any time other than the designated hours of operation, except by prior arrangement with the Manager;
- (i) discharge any firearm at a RDF, except as permitted under an applicable enactment and prearranged by with the Manager, for example to control wildlife;
- (j) remove, alter, or deface any sign placed or erected at a RDF;

- (k) ignite a fire, cause a fire to be ignited, or deposit at a RDF materials that are on fire, are smouldering or were on fire within the previous seven days;
- (l) cause the release of an Ozone Depleting Substance at a RDF;
- (m) remain at a RDF for longer than is required to deposit or dispose Municipal Solid Waste or conduct other business related to RDF operation;
- (n) without authorization drive any motor vehicle on a RDF except on designated roads;
- (o) act in a manner contrary to any posted RDF regulations;
- (p) act at a RDF in a manner that is discourteous, disruptive, threatening or wilfully negligent;
- (q) comply with RDF and Regional District rules, signage and policies for the measurement and inspection of all loads entering and exiting a RDF.
- (r) deposit or dispose of any material at a RDF except in accordance with this Bylaw and any regulations posted at a RDF;
- (s) salvage or remove anything from a RDF without the express written permission of the Manager;
- (t) deposit or dispose of any Municipal Solid Waste at a RDF that does not originate from within the Service Area, unless prior written approval is received from the Manager;
- (u) allow children shorter than 42 inches or under the age of 10 years and pets to be outside a vehicle at a RDF unless under direct and controlled supervision of an adult;
- (v) enter a RDF with a load that is not Adequately Secured except those containing stumps that are chained to a flat bed or are confined inside a truck box; soil, sand, gravel and rocks that are within the confines of a truck box with the tailgate up; bulky heavy items that are greater than 1.5 m<sup>3</sup> (53 cubic feet/330 gallons) in size and confined or secured to the vehicle; and logs that are more than 2.5 m in length and chained to a flat bed or confined to a truck box;
- (w) deposit or dispose of a refundable beverage container at a RDF unless a depot for returning beverage containers has been provided at a RDF;
- (x) light or smoke any cigarette, cigar or pipe within the boundaries of a RDF;
- (y) exceed the posted speed limit at a RDF; and
- (z) enter the site if they are a Visitor without first signing in at the scale or gate house stating that they are familiar with the site Emergency Plan and that they will sign out as they leave so that the Facility Operator knows they have left the Regional District property.

### **CONDITIONS OF USE**

9. The Regional District hereby authorizes the Facility Operator to make such rules or give such directions to RDF users that are consistent with this Bylaw and are necessary for the safe, efficient and lawful operation of the RDF.

10. Every Person using a RDF shall comply with and abide by all rules and directions of the Facility Operator or any Regional District staff, acting reasonably, whether such rules and directions are verbal or written, including but not limited to complying with policies regarding the measurement and inspection of loads entering or exiting a RDF.
11. Persons entering a RDF whether a Visitor or customer do so at their own risk. The Regional District accepts no responsibility and/or liability for any injury and/or damage to any Person and/or property of a Person using the RDF.
12. Persons who contravene this Bylaw or the posted rules or verbal directions given at a RDF by the Facility Operator or Regional District staff may be refused entry (prohibited from entering) for a specified period of time at the discretion of the Manager.
13. Controlled Waste must be manifested as required by the Regional District or by the British Columbia Government. In addition, twenty-four (24) hours notice to the Regional District in order to obtain written approval is required prior to deposit or disposal of Controlled Waste at a RDF.
14. All material deposited or disposed at a RDF becomes the property of the Regional District, except where such material is deposited or disposed contrary to the provisions of this Bylaw.
15. Fees assessed on the actual weight of a load of Municipal Solid Waste entering a RDF will not be reduced due to the water content of the Municipal Solid Waste unless prior written approval is issued by the Manager.
16. Any Person who fails to pay the fees and charges required under this Bylaw may be refused entry to a RDF for a specified period of time at the discretion of the Manager.
17. A Person with a load of material generated from outside the Regional District may be refused entry to the Facility.

### **GENERAL**

18. Facility Operators are hereby authorized to:
  - (a) inspect each load of Municipal Solid Waste entering a RDF;
  - (b) determine appropriate fees associated with Municipal Solid Waste entering or leaving a RDF;
  - (c) collect fees as specified in this Bylaw on behalf of the Regional District;
  - (d) enforce RDF rules and the requirements of this Bylaw;
  - (e) direct the placement of loads of Municipal Solid Waste and materials required for the operation of a RDF;
  - (f) limit the number of loads of Municipal Solid Waste or clean fill entering a RDF; and
  - (g) require advanced notice of the delivery of Municipal Solid Waste and clean fill to a RDF.
19. The Regional District hereby establishes and imposes the fees and charges set out in Schedule 'A' of this Bylaw and every Person delivering Municipal Solid Waste or other pre-approved materials to a RDF shall pay the applicable fees and charges therein stated.
20. The payment of fees for the delivery of Municipal Solid Waste or other pre-approved

materials to a RDF shall be applicable at the following facilities, all located within the Regional District:

- |                                |                                  |
|--------------------------------|----------------------------------|
| (1) Greater Vernon RDF         | (4) Lumby and Area "D" RDF       |
| (2) Armstrong/Spallumcheen RDF | (5) Cherryville RDF              |
| (3) Kingfisher (Hupel) RDF     | (6) Silver Star Transfer Station |

or any other Regional District facility established from time to time by the Regional District or British Columbia Government.

21. All loads of Municipal Solid Waste or other pre-approved materials entering a RDF will be assessed the highest applicable fee on the weight of the entire load regardless of the different types and quantities of materials in the load. A Person may sort or separate the load on site and dispose or deposit the materials in the designated location and may Rescale to determine the actual quantities of the different types of materials.
22. After disposing or depositing of portions of a load in the designated location at a RDF and in a manner compliant with this Bylaw, the load may be reweighed so that fees more accurately reflect what the load contained.
23. The Regional District may, at its full discretion, provide for the collection of, and set fees for, a product or products managed under an Extended Producer Responsibility Program.

#### **EXEMPTIONS**

24. Schedule 'A' does not apply to the Silver Star Transfer Station.

#### **VIOLATION AND PENALTIES**

25. It shall be an offence for a Person to contravene or violate this Bylaw.
26. No Person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
27. Every Person who violates any provision of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or thing required by this Bylaw, shall be deemed to have committed an offence against this Bylaw and:
  - a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence; and
  - b) may be prohibited, by written notice, from depositing or disposing material at a RDF for a specified period of time as the Regional District may determine.
28. For violations of Section 8 of this Bylaw, a ticket may be issued or an information may be laid, under the British Columbia *Offence Act*, by a Bylaw Enforcement Officer.
29. Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.
30. Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution

for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

**INSPECTIONS**

- 31. A Bylaw Enforcement Officer, Facility Operator, or other employee of the Regional District may inspect any or all loads entering or exiting a RDF for the purpose of determining compliance with this Bylaw.

**DISPUTE MECHANISM NOTICE**

- 32. For decisions made under this Bylaw, a Bylaw Enforcement Officer, Facility Operator, or other employee of the Regional District may issue to the person for whom a decision has been made with respect to this Bylaw, a notice indicating in writing the method by which a fee or decision made under this Bylaw can be appealed to the Regional District.

**SEVERENCE**

- 33. If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and such decision shall not affect the validity of the remaining portions of this Bylaw.

**NO LIMITATION**

- 34. Nothing in this Bylaw shall limit the Regional District from utilizing any other remedy that would otherwise be available to the Regional District at law.

**EFFECTIVE DATE**

- 35. This Bylaw shall take effect January 1, 2011.

**REPEAL**

- 36. Bylaw No. 2434 cited as "***Municipal Solid Waste Management Bylaw No. 2434, 2010***" shall be repealed December 31, 2010.

**Read a First, Second and Third time**

this 17 day of November, 2010

**Adopted**

this 17 day of November, 2010

  
 \_\_\_\_\_  
 Chair

  
 \_\_\_\_\_  
 Corporate Officer

Schedule "A" attached to and forming part of  
"Municipal Solid Waste Management Bylaw No. 2469, 2010"

<b>SCHEDULE "A"</b>					
<b>Recycling and Disposal Fees</b>					
<b>DESCRIPTION</b>	<b>PRICE LEVEL</b>	<b>PRODUCT CODE AT SCALE</b>	<b>UNITS</b>	<b>FEE</b>	<b>MIN. FEE</b>
Refuse	1	REFUSE	tonne	\$85.00	\$3.00
Controlled Waste	2	REFUSE	tonne	\$155.00	\$6.00
Refuse containing Regulated Material (other than Drywall) – any quantity	3	REFUSE	tonne	\$155.00	\$6.00
Refuse containing Drywall (any quantity)	4	REFUSE	tonne	\$270.00	\$10.00
Refuse not specified in the Regional District Solid Waste Management Plan	5	REFUSE	tonne	\$155.00	\$6.00
Refuse: Out of Region	6	REFUSE	tonne	\$155.00	\$6.00
Controlled Waste: Out of Region	7	REFUSE	tonne	\$295.00	\$12.00
Refuse containing Regulated Material: Out of Region	8	REFUSE	tonne	\$295.00	\$12.00
Refuse not specified in the Regional District Solid Waste Management Plan: Out of Region	9	REFUSE	tonne	\$295.00	\$12.00
Litter: pre-approved only	10	REFUSE	tonne	\$40.00	\$3.00
Mixed Residential Waste	12	REFUSE	tonne	\$60.00	\$3.00
Additional Handling	1	ADD HANDLING	tonne	\$155.00	\$10.00
Asphalt Roofing - Clean	1	ASPH ROOFING - CLEAN	tonne	\$90.00	\$10.00
Asphalt Roofing - Minor Contamination	1	ASPH ROOFING - MINOR	tonne	\$110.00	\$13.00
Asphalt Roofing - Major Contamination	1	ASPH ROOFING - MAJOR	tonne	\$155.00	\$20.00
Batteries - Automotive	1	BATT - AUTO	unit	\$1.00	\$1.00
Batteries - Household, quantities (<20kg)	1	BATT - RES	unit	\$0.10	\$1.00
Batteries - Household, quantities (>20kg)	1	BATT - COMM	tonne	\$3,300.00	\$16.50
Box Springs	1	BOX SPRING	unit	\$5.00	\$5.00
Chipped Yard and Garden Waste and Wood Waste	1	WOOD - CHIPPED	tonne	\$2.50	\$3.00
Construction and Demolition Waste	1	C and D WASTE	tonne	\$155.00	\$6.00
Construction and Demolition Waste: Out of Region	3	C and D WASTE	tonne	\$985.00	\$12.00
Cover Material	1	COVER - SOIL	truck	\$10.00	\$10.00
Cover Material: Out of Region	2	COVER - SOIL	truck	\$20.00	\$20.00

<b>SCHEDULE "A"</b>					
<b>Recycling and Disposal Fees</b>					
<b>DESCRIPTION</b>	<b>PRICE LEVEL</b>	<b>PRODUCT CODE AT SCALE</b>	<b>UNITS</b>	<b>FEE</b>	<b>MIN. FEE</b>
Crushable Material for Aggregate	1	CRUSHABLE	tonne	\$10.00	\$3.00
Drywall - Recyclable	1	DRYWALL - REC	tonne	\$135.00	\$5.00
Drywall - Recyclable: Out of Region	2	DRYWALL - REC	tonne	\$270.00	\$10.00
Drywall - Non Recyclable	1	DRYWALL - NON REC	tonne	\$140.00	\$5.00
Drywall - Non Recyclable: Out of Region	2	DRYWALL - NON REC	tonne	\$275.00	\$10.00
E-Waste [accepted at the Kingfisher (Hupel) and Cherryville RDFs only]	1	E-WASTE	unit	\$5.00	\$5.00
Fluorescent Tubes and Bulbs	1	FLUOR BULBS	unit	\$0.50	\$1.00
Hydrocarbon Impacted Cover Material	1	HYDC - SOIL	tonne	\$10.00	\$10.00
Hydrocarbon Impacted Cover Material: Out of Region	2	HYDC - SOIL	tonne	\$25.00	\$25.00
Logs and Stumps - Clean and Grindable	1	LOGS & STUMPS - CLEAN	tonne	\$20.00	\$3.00
Logs and Stumps - Large, Dirty or Ungrindable	1	LOGS & STUMPS - DIRTY	tonne	\$75.00	\$10.00
Mattresses	1	MATTRESSES	unit	\$5.00	\$5.00
Propane Tanks	1	PROPANE TANKS	unit	\$0.00	\$0.00
Refrigerated Appliances	1	REFRIG	unit	\$15.00	\$15.00
Scale For Movers	1	SCALE USE	unit	\$10.00	\$10.00
Scrap Metal	1	METAL	tonne	\$10.00	\$3.00
Styrofoam	1	STYROFOAM	tonne	\$75.00	\$3.00
Tires - Passenger and Light Truck with or without rims	1	TIRES	unit	\$5.00	\$5.00
Tires - Medium Truck without rims	2	TIRES	unit	\$10.00	\$10.00
Tires - Medium Truck with rims	3	TIRES	unit	\$35.00	\$35.00
Unsecured Load	1	UNSECURED	tonne	\$155.00	\$20.00
Wood Waste - Clean	1	WOOD - CLEAN	tonne	\$20.00	\$3.00
Wood Waste - Dirty	1	WOOD - DIRTY	tonne	\$20.00	\$3.00
Yard and Garden Waste - Charge Days	1	YARD WASTE	tonne	\$20.00	\$3.00
Yard and Garden Waste - Free Days	2	YARD WASTE	tonne	\$0.00	\$0.00

**For RDFs without scales the following conversion factors apply when determining the tipping fee:**

Refuse: 0.4 tonnes/m<sup>3</sup>  
 Wood Waste and Yard and Garden Waste: 0.25 tonnes/m<sup>3</sup>

Schedule "B" attached to and forming part of  
 "Municipal Solid Waste Management Bylaw No. 2469, 2010"

## SCHEDULE "B"

<b>REGULATED MATERIAL</b>
All products under a BC Government approved stewardship plan
Asphalt Roofing – Clean and Minor and Major Contamination
Batteries – Household and Automotive
Box Springs
Crushable Material for Aggregate
Drywall - Recyclable
Fluorescent Tubes and Bulbs
Glass
Logs and Stumps – Clean and Grindable
Mattresses
Propane Tanks
Recyclable Material – as defined in Schedule "C"
Refrigeration Appliances
Scrap Metal
Soil or Other Fill Material (for landfill cover )
Tires – Passenger and Light Truck and Medium Truck
Wood Waste – Clean and Dirty
Yard and Garden Waste

## **SCHEDULE "C"**

### **RECYCLABLE MATERIAL**

1. Aluminum - includes aluminum cans, trays, and foil.
2. Cardboard - includes corrugated cardboard, brown craft bags, and other similar materials, except waxed or plasticized cardboard.
3. Mixed Paper - includes all grades of white and coloured ledger paper, computer paper, magazines, books, telephone directories, junk mail, fax paper boxboard, file folders, book covers, and other commonly used paper, but does not include waxed or plasticized paper or carbon paper.
4. Newspaper - includes all flyers and paper inserts distributed with newspapers.
5. Plastics - includes #1, #2, #3, #4, #5, #6 and #7 labeled plastic containers and plastic film, excluding oil and hazardous materials containers and polystyrene.
6. Tin Cans - includes food and beverage containers made from ferrous and non-ferrous metals.