

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4380

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called the City) to maintain, regulate and control the collection and disposal of solid waste and recyclable materials in the City of Dawson Creek.

WHEREAS, the *Community Charter* authorizes the Council to regulate, prohibit and impose requirements in relation to refuse, garbage or other material that is noxious, offensive or unwholesome;

AND WHEREAS, the *Community Charter* authorizes the Council to regulate, prohibit and impose requirements in relation to the use of waste disposal and recycling services;

AND WHEREAS, the *Community Charter* authorizes the Council to impose a fee payable in respect of services of the municipality;

NOW THEREFORE, the Council of the City of Dawson Creek enacts as follows:

SECTION 1 - TITLE

- 1.1 This bylaw may be cited as **“SOLID WASTE AND RECYCLABLE MATERIAL REGULATION BYLAW NO. 4380, 2018”**.

SECTION 2 - DEFINITIONS

- 2.1 In this bylaw the following words and terms have the following meanings:

“Approved Waste Management Facility” means the Landfill and all associated transfer stations operated by the Peace River Regional District.

“Bylaw Enforcement Officer” means a person or persons appointed from time to time by resolution of City Council pursuant to the *Police Act* to enforce regulatory bylaws of the municipality.

“Collection Cart” means a Garbage Collection Cart or a Recyclable Materials Collection Cart.

“Collection Contractor” means a third party that has entered into a contract with the City for waste or recycling collection services.

“Commercial Garbage Container” means a Garbage Container with a capacity in excess of 360 litres that is supplied by a private waste collection contractor and designed to be emptied by automated machinery.

“Commercial Garbage Container Service” means a garbage collection service, with a provider authorized by the City, used in place of curbside pickup.

“Curbside pickup account” means an account that is set up by the property owner or occupant of a property when water service to that property is activated.

“City” means the Corporation of the City of Dawson Creek.

“Garbage” means all permitted solid waste.

“Garbage Collection Cart” means a rigid durable receptacle supplied by the City that has a maximum capacity of 180 Litres and is designed to be moved to and from the collection point by an able-bodied individual and emptied by automated machinery.

“Gated Community” means a residential community closed by walls or fences that may provide shared common amenities for residents and includes developments such as Chapel Hills Estates, Fireside Glen, Evergreen and Park Side Villas.

“General Manager of Development Services” means the General Manager of Development Services for the City, or their designate, and shall include their duly appointed assistants and representatives.

“Manufactured Home Park” means a parcel of land under single ownership that contains two or more manufactured home lots and includes ancillary buildings and accessory buildings and structures that serve the manufactured home park.

“Multi-Family Dwelling” means an apartment building, condominium or any other residential building containing five or more dwellings.

“Recyclable Materials” means materials approved for pick up as part of the City’s recycling program.

“Recyclable Materials Collection Cart” means a rigid durable receptacle supplied by the City that has a maximum capacity of 360 Litres and is designed to be moved to and from the collection point by an able-bodied individual and emptied by automated machinery.

“Residential Dwelling” includes single family dwellings, single family dwellings with secondary suites, duplexes, duplexes with secondary suites, and triplexes.

“Service” means the service described in Section 3 of this bylaw.

“Service Area” means the area within the municipal boundaries of the City of Dawson Creek in which the service is provided under this bylaw.

“Solid Waste” includes all refuse and other discarded material, but excludes hazardous material, yard waste, material that is not accepted at an approved waste management facility, and recyclable materials.

“Yard Waste” means vegetation from residential premises and other landscaped areas including leaves, grass clippings, plants, and sod.

SECTION 3 - THE SERVICE

Establishment of the Service

- 3.1 The City hereby establishes waste disposal and recycling services within the municipal boundaries of the City.
- 3.2 Council hereby delegates authority to the General Manager of Development Services to administer the service.
- 3.3 For the purposes of providing the service, the City may utilize its own labour and equipment or the labour and equipment of a third party contractor.

Curbside Pickup Account or Commercial Garbage Service

- 3.4 Every owner or occupant of real property within the service area must establish a garbage curbside pickup account or commercial garbage container service when water service to that property is activated or established. Curbside pickup account fees will not be charged to the owner that provides proof of a contract for commercial container service at that location.
- 3.5 Every owner or occupant of a residential dwelling must establish a recyclable materials curbside pickup account when water service to that property is activated or established.
- 3.6 Commercial, Industrial or Institutional property owners are required to establish a curbside recycling pickup account if they have opted to participate in the curbside garbage collection service.
- 3.7 Gated Communities and Manufactured Home Parks are required to establish a curbside recycling pickup account if they have opted to participate in the curbside garbage collection service. Gated Communities and Manufactured Home Parks may opt out of garbage and recyclable materials curbside collection upon application to, and approval by, the General Manager of Development Services. Applications will only be accepted from a duly authorized representative of the Strata Corporation or the Owner of the Manufactured Home Park and applies to the entire development.

Collection Carts

- 3.8 Every Curbside Pickup Account Owner shall be provided with the initial garbage and recyclable material Collection Carts. Initially provided Collection Carts remain the property of the City of Dawson Creek and are linked to each property with a serial number permanently etched in the plastic.
- 3.9 Should an additional Collection Cart be required for any reason, the City will provide a second cart subject to the applicable fees set out in Schedule "A". The second cart will be the property of the property owner or tenant (purchaser) and may be removed from the property when relocating.
- 3.10 Council delegates authority to the General Manager of Development Services to receive, review, and approve, on a case by case basis, any application made for a fee waiver for a second cart directly associated with a waste intensive in home medical treatment.
- 3.11 Every Curbside Pickup Account Owner and/or Occupier shall replace any Collection Carts that have become so damaged that they are no longer water-tight, do not adequately contain waste, or are otherwise no longer safe for use, subject to the applicable fees set out in Schedule "A" and payable by the Curbside Pickup Account Owner and/or Occupier.

3.12 Every Curbside Pickup Account Owner and/or Occupier shall maintain Collection Carts in a clean and sanitary condition at all times.

3.13 Every Curbside Pickup Account Owner and/or Occupier shall store all Collection Carts on his or her property. Collection carts shall not be placed upon, or project over, any street, lane or public place except when placed curbside for the purpose of collection under this bylaw.

Commercial Garbage Containers

3.14 Every Commercial Garbage Container shall:

- a. be of a capacity sufficient to contain the garbage generated in the premises for which it is provided during the intervals between collections;
- b. be maintained by its owner in good condition, and be kept in a clean and sanitary condition by the occupier of the premises for which it is provided;
- c. be equipped with a water-shedding cover that is kept in place at all times except when its contents are being placed or removed, unless the General Manager of Development Services has authorized the use of an uncovered container for the premises;
- d. be located on a level site that can be accessed by the collection contractor; and not encroach on any highway, boulevard, lane or other public place unless the owner or occupant has obtained written approval from the City.

Storage and Disposal of Garbage and Recyclable Materials

3.15 Every Curbside Pickup Account Owner and/or Occupier shall store all garbage or recyclable materials originating from his or her property in the appropriate containers provided.

3.16 No person shall dispose of garbage or recyclable materials except in accordance with this bylaw and all other applicable enactments.

3.17 Every Curbside Pickup Account Owner and/or Occupier shall dispose of garbage or recyclable materials through the use of the service or directly at an approved waste management or recycling facility.

3.18 No person shall deposit or allow any liquid to accumulate in a Collection Cart.

3.19 No person shall deposit any table and kitchen garbage, wet garbage, pet waste, floor sweepings, sawdust, or waste that may adhere to the container, in a Garbage Collection Cart unless the waste is contained in a plastic garbage bag.

3.20 No person shall deposit any explosive, volatile or corrosive materials, biohazardous waste, gypsum board, paint cans, fuel, oil or other lubricant filters, tires, hot ashes, animal biomedical waste, or other material that may affect the health and safety of collection and disposal personnel in a Collection Cart.

3.21 No person shall deposit recyclable materials or yard waste in a Garbage Collection Cart.

3.22 No person shall deposit material that is not approved for pick up as part of the City's recycling program in a Recyclable Materials Collection Cart.

- 3.23 All recyclable materials are to be placed loosely in the Recyclable Materials Cart; bagging or bundling is not permitted.

Yard Waste

- 3.24 Yard waste is only permitted in the City compost site located at 941 & 949 - 99th Avenue. Branches or trees are not permitted.

SECTION 4 – GARBAGE AND RECYCLABLE MATERIAL COLLECTION

- 4.1 The City shall provide garbage collection to each curbside pickup account owner once per week and recyclable material collection once every two weeks in accordance with the schedule determined by the City.
- 4.2 Collection Carts shall be placed for collection on the street, with the wheels against the curb, at least one (1) metre from other carts, parked cars or other obstructions. The General Manager of Development Services may authorize alternate placement of the collection cart where reasonable under circumstances peculiar to the property.
- 4.3 Every Curbside Pickup Account Owner and/or Occupier shall ensure that each Collection Cart placed for collection does not weigh in excess of 50 kilograms.
- 4.4 Every Curbside Pickup Account Owner and/or Occupier shall, on the day of the week designated by the City for collection, place all Collection Carts containing materials to be collected by the City before 7:00 a.m. and remove all Collection Carts from the street by 7:00 pm on their collection day.
- 4.5 Every Curbside Pickup Account Owner and/or Occupier must ensure that all collection cart lids are closed.
- 4.6 The City or the Collection Contractor shall not collect more than two Garbage Collection Carts and two Recyclable Material Carts per collection day per Curbside Pickup Account address.
- 4.7 Only City supplied Collection Carts will be picked up. Plastic bags or other garbage cans will not be removed.
- 4.8 Every Curbside Pickup Account Owner and/or Occupier must properly dispose of any garbage or recyclable material that has spilled outside of the container.
- 4.9 Every Curbside Pickup Account Owner and/or Occupier is responsible for any and all waste or recyclable material that is not collected by the City and shall dispose of such waste or recyclable material directly at an approved waste management facility.
- 4.10 No person other than the occupier of the premises on or adjacent to which the container is placed, shall remove a cover from or disturb the contents of a Collection Cart.

SECTION 5 - FEES

- 5.1 Every curbside pickup account owner shall pay the applicable fees set out in Schedule “A”.
- 5.2 The City shall render accounts in respect of all applicable fees under this bylaw to the owners and/or occupiers of the curbside pickup account address required to use the service in accordance with the policies adopted by the City from time to time.

- 5.3 All fees imposed under this Bylaw, inclusive of accumulated penalties, due and payable by December 31st and unpaid on that date are deemed to be taxes in arrears and may be collected in the same manner and with the same remedies as property taxes.

SECTION 6 - ENFORCEMENT

- 6.1 The General Manager of Development Services or Bylaw Enforcement Officer may enter, at all reasonable times, upon any property subject to the provisions of this Bylaw for the purposes of ascertaining whether the regulations, directions or provisions contained in this Bylaw are being followed.
- 6.2 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per the *Community Charter*.
- 6.3 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw as amended from time to time, or by the Municipal Ticket Information System Bylaw as amended from time to time.
- 6.4 The City may suspend the provision of the service to real property for which the owner and/or occupier is in contravention of this bylaw, but the suspension will not affect the fees payable in respect of the real property under this bylaw.
- 6.5 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.
- 6.6 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
- 6.7 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.
- 6.8 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SECTION 7 – ADMINISTRATIVE

- 7.1 If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.
- 7.2 Schedule "A" is attached to this bylaw and forms a part of this bylaw.
- 7.3 This bylaw comes into effect September 1, 2018.
- 7.4 "Waste Collection and Disposal Regulation Bylaw No. 4035, 2009", and all amendments thereto, are hereby repealed September 1, 2018.

READ a first time this 14 day of May, 2018.

READ a second time this 14 day of May, 2018.

READ a third time this 14 day of May, 2018.

ADOPTED this 25 day of June, 2018.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4380 cited as "SOLID WASTE AND RECYCLABLE MATERIAL REGULATION BYLAW NO. 4380, 2018".

Brenda Ginter
Director of Corporate Administration

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

Dale Bumstead - Mayor

Brenda Ginter - Director of Corporate Administration

SCHEDULE "A" TO BYLAW NO. 4380

FEES

Type of Service	Fee
Garbage Curbside pickup - first Collection Cart	\$12.00 Per Month
Garbage Curbside pickup - second Collection Cart	\$12.00 Per Month
Recyclable Material Curbside pickup - first Collection Cart	\$6.86 Per Month
Recyclable Material Curbside pickup - second Collection Cart	\$6.86 Per Month
Purchase of second collection cart	Cost plus 15% administration fee