



VILLAGE OF
VALEMOUNT

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Village of Valemount
Solid Waste Collection Bylaw
No. 697, 2013

VILLAGE OF VALEMOUNT
SOLID WASTE COLLECTION BYLAW NO. 697, 2013

Being a bylaw to establish comprehensive solid waste collection regulations

WHEREAS it is deemed necessary that a new Solid Waste Collection Bylaw be established for the Village of Valemount;

NOW THEREFORE the Council of the Village of Valemount, in open meeting assembled, enacts as follows:

1. Title

- 1.1 This bylaw may be cited for all purposes as "Bylaw No. 697, 2013, Solid Waste Collection Bylaw."

2. Repeal

- 2.1 Bylaw No. 312, 1989, Garbage Disposal, and all amendments thereto, are hereby repealed.

3. Establishment

- 3.1 This bylaw shall come into effect on January 1, 2014.

4. Definitions

- 4.1 Refer to Schedule A of this bylaw.

5. Extent of Collection Service

- 5.1 Collection Service will be provided to all Owners or Occupiers of real property or premises within the Village of Valemount, with the exception of undeveloped real property.
- 5.2 Owners cannot opt out of the Collection Service, regardless of whether:
 - a. any building(s) situation on the real property or premises are used or occupied;

- b. the Owner or Occupant makes use of the Collection Service; or
 - c. the Collection Service is interrupted or altered in any manner.
- 5.3 Collection Service will not be provided where, in the opinion of the Public Works Superintendent, personnel using collection service vehicles cannot readily access or serve a property in a safe and efficient manner for any of the following reasons:
- a. the road, lane or other access route adjacent to the property is not sufficiently wide or otherwise does not allow for, or facilitate, turning of a solid waste collection vehicle;
 - b. the road, lane or other access route used to access the property is not a Village-owned road; or
 - c. access has been restricted by the use of a security gate (or similar obstacle).
- 5.4 Should the Public Works Superintendent deem a property unfit for Collection Service, the Owner or Occupier will be required to work with the Village to develop an alternative arrangement for Collection Service. During this time, the Owner will not be exempt for any and all fees associated with this bylaw.

6. Frequency of Collection Service

- 6.1 Residential Collection Service will take place once per week.
- 6.2 Home-based Business Collection Service (e.g. Home Occupations, Home Industries and Bed and Breakfasts) will take place once per week.
- 6.3 Commercial Collection Service will take place once per week or as otherwise directed by the Public Works Superintendent from time to time, unless additional collection is otherwise agreed upon, through business license application or other Village form, by the Village and the Owner of the real property or premises.
- 6.4 Recipients of Commercial Collection Service can apply to have the frequency of Collection Service changed a maximum of once per year. A request for any change must occur prior to November 30th of the given calendar year, will take effect on January 1st of the following calendar year

and will be charged a transaction fee as specified in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.

- 6.5 In circumstances where adverse weather or road conditions, construction activity, labour shortages, or other unusual conditions would, in the opinion of the Public Works Superintendent, render ordinary Collection Service not feasible or practical on the day or days set out in the Collection Schedule, the Public Works Superintendent may direct alternate arrangements until it is again feasible and practical to provide the collection service according to the ordinary schedule.
- 6.6 There will be no regularly scheduled Collection Service on Saturday, Sunday or any statutory holiday, unless otherwise agreed upon, through business license application or other Village form, by the Village and the Owner of the real property or premises.
- 6.7 The collection service is carried out in accordance with the Collection Schedule, as amended, revised or replaced from time to time.

7. Collection Procedures

- 7.1 Every Owner or Occupier of real property or premises served by the Collection Service must ensure that refuse placed for curbside collection is prepared in the following manner:
 - a. refuse must be placed in a Collection Container leased from the Village or placed in a Dumpster owned by the Owner or Occupier of the real property or premises;
 - b. all Collection Containers must have their lids closed;
 - c. for Residential Collection Service and Home-Based Business Collection Service:
 - i. The Collection Container(s) must be placed curbside by 7:00 a.m. on the day of collection, as designated by the Collection Schedule. Collection Containers placed curbside after 7:00 a.m. will not be collected for that week of Collection Service.
 - ii. The Collection Container(s) must be placed in full view and within 1 meter from the curb.

- iii. The Collection Container(s) must be placed on the driveway or boulevard of the real property or premises. If this is not feasible, the Collection Container may be placed on a Village road or sidewalk, providing that the Collection Container(s) does not obstruct traffic or pedestrians.
 - iv. If the day of collection, as designated by Collection Schedule, coincides with a heavy snowfall, the Collection Container(s) must be placed in the driveway.
- d. for Commercial Collection Service:
- v. Unless otherwise agreed upon by the Village and the recipient of the Collection Service, the Collection Container(s) must be placed curbside by 7:00 a.m. on the day of collection, as designated by the Collection Schedule.
 - vi. On the day of collection, as designated by the Collection Schedule, the Collection Container(s) must be placed at a location mutually agreed by the Village and the recipient of the Collection Service.

8. Collection Charges

- 8.1 Every Owner of real property or premises served by the Collection Service must pay, with respect to each dwelling unit or separate business premises, the fees established in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.
- 8.2 Accounts for the annual charges, prescribed in this bylaw, are payable on December 31st of each year.
- 8.3 A discount of eight percent (8%) shall be allowed on the yearly rate, if paid on or before March 10th of each year.
- 8.4 Where the Collection Service for a real property or premises commences after the accounts for annual charges were payable, the charge payable is pro-rated for the remaining portion of the year.
- 8.5 Except in the case of new construction, Owners of residential property are not eligible for pro-rated annual charges.

- 8.6 Any collection fees or charges that remain unpaid after December 31st in the year imposed will be collected in the same manner as for unpaid property taxes and will be subject to the same penalties.
- 8.7 If the Village is unable to provide Collection Service to a real property or premises where it would normally be provided (as per the Collection Schedule or the direction of the Public Works Superintendent), with the exception of circumstances as described in "Frequency of Collection Service" of this Bylaw, the Village will apply a credit to the property tax account for that property.
- 8.8 Any person may be charged retroactively for Collection Service.

9. Collection Containers

- 9.1 All Collection Containers are the property of the Village.
- 9.2 The Village will lease Collection Containers to each Owner of real property or premises. Leasing fees for Collection Containers can be found in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.
- 9.3 Every Owner or Occupier of real property or premises must keep their Collection Containers in good condition.
- 9.4 The Owner or Occupier of real property or premises must report if a Collection Container has been damaged, lost or stolen.
- 9.5 Every Owner of real property or premises must repair or replace any Collection Container which becomes damaged, unsafe or dangerous as a result of neglect or misuse, or is lost or stolen. Repair and replacement fees for Collection Containers can be found in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.
- 9.6 The Village will replace any Collection Container that is damaged due to normal wear and tear.
- 9.7 Recipients of Residential Collection Service will be leased not more than one Collection Container.

- 9.8 Recipients of Home-Based Business Collection Service (e.g. home occupations, home industries and bed and breakfasts) will be leased up to two 95 gallon Collection Containers.
- 9.9 Recipients of Commercial Collection Service will be leased up to four Collection Containers, unless otherwise agreed upon by the Owner of the real property or premises and the Village.
- 9.10 An Owner of a real property or premises receiving Residential Collection Service may change the size of their Collection Container a maximum of once per calendar year.
- 9.11 An Owner of a real property or premises receiving Home-Based Business Collection Service or Commercial Collection Service may change the size or number of their Collection Container(s) a maximum of once per calendar year.
- 9.12 A request for any change in number or size of Collection Containers must occur prior to November 30th of the given calendar year, will take effect on January 1st of the following calendar year and will be charged a transaction fee as specified in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.

10. Dumpsters

- 10.1 Owners or Occupiers of real property or premises requiring a Dumpster must provide the Dumpster at their own expense.
- 10.2 Owners or Occupiers of real property or premises requiring a Dumpster are only allowed one Dumpster.
- 10.3 Owners or Occupiers requiring a Dumpster must ensure that the Dumpster is compatible with the collection service vehicles and is placed in a location that is mutually agreed upon by the Owner or Occupier and the Village.
- 10.4 Dumpster(s) must be kept in good condition and be repaired or replaced if the Dumpster is damaged, unsafe or dangerous to the person who handles them.

10.5 Dumpsters that are located within a Development Permit Area must meet any requirements that are required by that Development Permit Area.

10.6 The Village will not be held responsible for any damage to Dumpsters resulting from the Collection Service.

11. Solid Waste Not Accepted by the Collection Service

11.1 No person shall include any of the following items for collection by the Collection Service:

- a. material that is or may become explosive;
- b. highly flammable materials;
- c. hot or loose ashes;
- d. household batteries, whether rechargeable or non-rechargeable;
- e. raw sewage;
- f. dead animals;
- g. free water or other liquids;
- h. biomedical waste or sharps (syringes, needles, injection devices, blades, and similar items);
- i. petroleum-based oils, containers and filters (motor oil and oil filters,
- j. lubricating oil, transmission oil, hydraulic oil, and similar oils);
- k. any form of grease, unless securely wrapped or enclosed in waterproof material;
- l. paint and pesticides;
- m. rocks;
- n. demolition materials;
- o. gyproc or gypsum wallboard;
- p. wire;
- q. heavy pieces of metal or car parts;
- r. compostable Yard Waste;
- s. items of any kind that are larger than 60 centimetres (24 inches) in any dimension;
- t. recyclables that are accepted by the bottle depot or regional district;
- u. Hazardous Waste;
- v. any item defined as a "product" in the Recycling Regulation, B.C. Regulation 449/2004, under the Environmental Management Act as amended or replaced from time to time; or

- w. any item that is banned for acceptance at Transfer Stations, as per Regional District of Fraser Fort George bylaws.

12. Storage of Solid Waste

- 12.1 Every Owner or Occupier of real property or premises must ensure that any and all waste, while remaining on the property or premises, is stored:
 - a. in a safe, sanitary and inoffensive manner; and
 - b. in a manner as to avoid attracting wild and domestic animals.
- 12.2 Where Collection Service is not provided for a real property or premises, the Owner or Occupier must cause all waste generated or stored on the property to be removed from the property or premises and delivered to the transfer station and/or recycling depot.
- 12.3 A person having possession, control of, or responsibility for any of the items listed in "Items Not Accepted by the Collection Service" must ensure that such items are stored safely and in a manner authorized by law; and must ensure that any such items are disposed of at a facility authorized by the Village or Regional District of Fraser Fort George to accept such items.
- 12.4 In addition to the above, a person shall ensure that any storage of waste adheres to any conditions as set out in the Village of Valemount Good Neighbour Bylaw.

13. Delivery of Solid Waste to Receiving Site

- 13.1 If not disposing of waste through the Collection Service, a person must only dispose of solid waste at a designated receiving facility, such as a Regional District of Fraser Fort George transfer station.
- 13.2 If not disposing of waste through the Collection Service, a person must ensure that the material is acceptable at the receiving facility, and is delivered and deposited at the site in a reasonable manner in accordance with the site-specific operation rules.

14. Administration and Inspection

- 14.1 The Public Works Superintendent is delegated the power, duty and function of administering this bylaw; and the direction, control and supervision of the Collection Service.
- 14.2 The Public Works Superintendent, or person designated as a Bylaw Enforcement Officer, may enter onto any property, in accordance with Section 16 of the Community Charter, to inspect and determine whether this Bylaw is complied with, and undertake the necessary bylaw enforcement activities to ensure compliance.

15. Offense and Penalty

- 15.1 No person shall do any act or permit any act or thing to be done in contravention of this bylaw.
- 15.2 Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this by-law, or who fails to do any act or thing required by this by-law, shall be deemed to have committed an offence against this by-law and:
- a. Shall be liable to any conditions set out in the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw; or
 - b. Shall be liable, upon summary conviction, to the penalties provided under the Offence Act; or
 - c. Any combination of the above.
- 15.3 Each day that an offence against this bylaw continues may be deemed a separate and distinct offence.
- 15.4 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.



16. Prohibition

- 16.1 A person, other than the Village or its agents and authorized contractors, must not operate a service for collecting Solid Waste within the Village.

17. Severability

17.1 If any portion of this bylaw is declared ultra vires by the Court of Competent Jurisdiction, that portion shall be deemed to be severed from the bylaw to the extent that the remainder of the bylaw shall continue in full force and effect.

Read a First Time this	9 th day of July, 2013
Read a Second Time this	9 th day of July, 2013
Read a Third Time this	13 th day of August, 2013
Reconsidered and Adopted this	27 th day of August, 2013

	
Mayor, Andru McCracken	Corporate Officer, Anne Yanciw

Certified to be a true copy of the Bylaw 697, 2013 as adopted by Council Resolution #312/13, dated 27th day of August, 2013.

VILLAGE OF VALEMOUNT
SOLID WASTE COLLECTION BYLAW NO. 697, 2013

Schedule A: Definitions

In this Bylaw, unless the context otherwise requires:

“Collection Container” means a solid waste receptacle leased to the owner or occupier of a real property or premises by the Village.

“Collection Schedule” means a calendar indicating the days on which the Collection Service is provided to the areas of the Village that receive the Collection Service under this Bylaw.

“Collection Service” means the service provided by or on behalf of the Village pursuant to this Bylaw for collecting Solid Waste, in relation to properties described in “Extent of Collection Services”

“Commercial Collection Service” means Collection Service provided to any real property or premises, with the exception of single family detached dwellings and home-based businesses. Commercial Collection Service includes, but is not limited to, businesses, societies, multi-family dwellings, seniors housing, daycare facilities outside the home, government buildings, etc.

“Dumpster” means a solid waste receptacle owned by the owner or occupier of a real property or premises that is larger than 95 gallons and is compatible with the Village collection service vehicle(s).

“Hazardous Waste” means dangerous or highly offensive wastes, including, without limitation, all substances within the definition of “hazardous waste” in the Hazardous Waste Regulation, B.C. Regulation 464/2004, under the Environmental Management Act, as amended or replaced from time to time;

“Home-Based Business Collection Service” means Collection Service provided to a home occupation, home industry or bed and breakfast.

“Occupier” has the same meaning as defined in the *Community Charter*.

“Owner” has the same meaning as defined in the *Community Charter*, and in relation to strata property includes a strata corporation.

“Recyclables” means any used items, materials and substances that are accepted for Recycling at the Regional District of Fraser Fort George Transfer Station or other designated Recycling Depot.

“Residential Collection Service” means Collection Service provided to a single family detached dwelling, which may or may not include a secondary suite. It does not include Collection Service provided to multi-family dwellings (e.g. seniors housing, apartment buildings).

“Solid Waste” means Garbage, Curbside Recyclables, Recyclables, Compostable Waste, Hazardous Waste and other items as mentioned in “Waste Not Accepted by the Collection Service.”

“Transfer Station” means a Regional District of Fraser Fort George facility that accepts Solid Waste for disposal.

“Village” means the Village of Valemount.

“Yard Waste” includes household plants and cut flowers, grass clippings, leaves, tree trimmings, plant remains and stumps or branches less than 15 centimetres (6 inches) in diameter and less than 1 metre (39 inches) long, but does not include lumber, rocks, soil, or sod.