

Attachment #1 - Solid Waste and Recycling Bylaw Amendments

Staff recommend that the following amendments be included in the Solid Waste and Recycling Bylaw:

Section 2 – Definitions

Additional Definitions		Definitions to be Implemented
2(1A) “Attractant” means any substance which could reasonably be expected to attract wildlife or does attract wildlife including without limiting the foregoing garbage, food scraps, recyclable materials, barbeque grills and drip trays, bird feeders.		<ul style="list-style-type: none">Definition omitted as it is no longer required.
2(1B) “Bear Area” means a geographical area within the City that has been determined by the Engineer to be frequented by bears.		Definition moved to Designated Bear Areas Section 8A(1)(a). See below.
2(15C) “Additional No-fee Medical Waste Receptacle” means an additional Garbage Receptacle which the City has provided to a resident at no additional fee to assist in the collection and disposal of excessive amounts of non-hazardous medical waste generated by the in-home treatment of a prescribed medical condition.”		<ul style="list-style-type: none">Definition omitted as it is no longer required. See Sections 5(2A) and 9(4) below for proposed provision to permit additional garbage receptacle at no charge for medical reasons.
2(38A) “Bear Resistant Receptacle” means a receptacle whose material and construction is of sufficient strength and design so as to reasonably prevent access by bears during storage.		<ul style="list-style-type: none">Definition moved to Designated Bear Areas Section 8A(1)(b). See below.
2(38C) “Bear Resistant Enclosure” means a fully enclosed structure of sufficient design and strength so as to prevent access by bears, includes a garage, shed, fenced structure or otherwise approved by the Engineer.		<ul style="list-style-type: none">Definition moved to Designated Bear Areas Section 8A(1)(c). See below.
Former Definition	Amendment	Bylaw Sections to be Implemented
2(13) “food scraps” means meat, poultry, fish, shellfish, bones, bread, dough, pasta, grains, eggs, dairy products, vegetables, fruit, coffee grounds filters, tea, food-soiled paper, but does not include liquids, grease absorbed in paper, diapers, animal waste, (Bylaw No. 13260) and animal carcasses;	2(13) “food scraps” means meat, poultry, fish, shellfish, bones, bread, dough, pasta, grains, eggs, dairy products, vegetables, fruit, coffee grounds filters, tea, food-soiled paper, and small amounts of grease, but does not include liquids, large volumes of grease, diapers, animal waste and animal carcasses;	<ul style="list-style-type: none">No adjustments required.
2(3) “bulky item” means a household item which is larger than 1.2 metres in any one	2(3)“bulky item” means a household item which is larger than 1.2 metres in any one dimension or weighs	<ul style="list-style-type: none">No adjustments required.

dimension or weighs in excess of 20 kilograms, including furniture of the size and weight as determined by the Engineer; (Bylaw No. 13052)	in excess of 20 kilograms, including furniture, large household appliances, mattresses and box springs of the size and weight as determined by the Engineer; (Bylaw No. 13052)	
2(29) “prohibited material” means any material defined as “Banned Recyclable Material” or “Prohibited Material” in the GVS&DD Tipping Fee and Solid Waste Disposal Regulation Bylaw; (Bylaw No. 13052)	2(29) “prohibited material” means any material defined as “Banned Materials” in the GVS&DD Tipping Fee and Solid Waste Disposal Regulation Bylaw; and materials recyclable under a product stewardship plan established under the BC Recycling Regulation to the Environment Management Act and any other items designated as recyclable by the Engineer.	<ul style="list-style-type: none"> Adjustment made to read: “(29) “prohibited material” means any material defined as “Banned Materials” in the GVS & DD Tipping Fee and Solid Waste Disposal Regulation Bylaw and any other items designated as “prohibited materials” by the Engineer.”
2(31) “recyclable material” means a product or substance no longer usable in its current state which can be diverted or recovered from solid waste and used in the processing or manufacture of a new product and, without limiting the foregoing, includes paper, cardboard, plastic or metal containers, household batteries (including rechargeable batteries) and materials recyclable under a product stewardship plan established under the Recycling Regulation to the Environment Act, S.B.C. 2003, ch. 53, and any other items designated as recyclable by the Engineer from time to time.	2(31) “recyclable material” means a product or substance no longer usable in its current state which can be diverted or recovered from solid waste and used in the processing or manufacture of a new product and, without limiting the foregoing, includes paper, cardboard, plastic or metal containers, and materials prohibited materials as defined as “Banned Materials” in the GVS&DD Tipping Fee and Solid Waste Disposal Regulation Bylaw and materials recyclable under a product stewardship plan established under the BC Recycling Regulation to the Environment Act and any other items designated as recyclable by the Engineer.	<ul style="list-style-type: none"> Adjustment made to read: “(31) “recyclable materials” means materials defined as “Recyclable Materials”, other than food scraps and yard waste, in the GVS&DD Tipping Fee and Solid Waste Disposal Regulation and any other items designated as “recyclable materials” by the Engineer.”
2(33) “recycling receptacle” means a container provided to a dwelling or premises by the City or a private contractor for the deposit of recyclable materials and includes a blue box, grey box, yellow bag, or recycling cart or any combination of these receptacles.	2(33) “recycling receptacle” means a container provided to a dwelling or premises by the City or a private contractor for the deposit of recyclable materials.	<ul style="list-style-type: none"> No adjustments required.
2(32) “recycling depot” means a facility constructed and operated by the City to enable recyclable materials, yard waste, food scraps and bulky items to be temporary stored.	2(11A) “Eco-Centre” means a facility constructed and operated by the City to enable acceptable recyclable materials, yard waste, food scraps and bulky items to be temporarily stored.	<ul style="list-style-type: none"> Adjustments made to read: “(11A) “Eco-Centre” means a facility constructed and operated by the City to enable temporary drop-off and storage of those recyclable materials, yard waste, food scraps and bulky items designated by the Engineer for acceptance at the facility.”

Section 4: General

Former Bylaw	Amendment	Bylaw Sections to be Implemented
4(7) The City may establish, maintain and operate one or more recycling depots or disposal areas and may limit the kinds of solid waste or recyclable materials that may be deposited there.	4(7) The City may establish, maintain and operate one or more Eco-Centre(s) or disposal areas and may limit the kinds of solid waste or recyclable materials that may be deposited there.	<ul style="list-style-type: none">Adjustments made to read: “(7) The City may establish, maintain and operated one or more Eco-Centre(s) or disposal areas and may limit the kinds of solid waste or recyclable materials that may be deposited in such facility or facilities.”
	4(9) Every owner or occupant of a property in the City for which a municipal collection service is provided must maintain all receptacles supplied by the City in good working order, without tampering, adjustment, modification or alteration.	<ul style="list-style-type: none">Adjustments made to read: “(9) Every owner or occupant of a property in the City for which a municipal collection service is provided must maintain all receptacles supplied by the City in good working order, and shall not tamper, adjust, modify or alter the receptacle.”

Section 5: Residential Garbage, Yard Waste, Food Scraps and Recyclable Materials Collection

Former Bylaw	Amendment	Bylaw Sections to be Implemented
Section 5(1) Any garbage receptacle, green bin receptacle or recycling receptacle supplied by the City at no cost to the owner or occupant shall belong to the City and shall remain on the owner or occupant’s property.	Section 5(1) Any garbage receptacle, green bin receptacle or recycling receptacle supplied by the City to the owner or occupant shall belong to the City and shall remain on the owner or occupant’s property.	<ul style="list-style-type: none">No adjustments required.
Section 5(2) A single family property shall have one garbage receptacle only. A two family property may have one garbage receptacle for each unit.	Section 5(2A) A single family property shall have one garbage receptacle only. A two family property may have one garbage receptacle for each unit. Additional No-fee Medical Waste Receptacles may be provided to residents who generate excessive medical waste.	<ul style="list-style-type: none">Adjustment made to read: “ 5(2A) Notwithstanding subsection (2), the Engineer may approve an additional garbage receptacle for a single family or a two family property with an owner or occupant who has a medical condition that results in a quantity of non-hazardous solid waste which exceed the capacity of the largest garbage receptacle supplied by the City.”

<p>Section 5(3) Every owner or occupier of a dwelling must recycle by placing recyclable materials into the appropriate recycling receptacle without contamination.</p>	<p>Section 5(3) Every owner or occupier of a dwelling must:</p> <ul style="list-style-type: none">(a) recycle by placing recyclable materials into the appropriate recycling receptacle without contamination.(b) take recyclable materials excluded from curbside collection service to the Eco-Centre or appropriate facility.	<ul style="list-style-type: none">• Adjustment made to read: “(3) Every owner or occupant of a dwelling must:<ul style="list-style-type: none">(a) place recyclable materials designated by the Engineer for collection service into a recycling receptacle without contamination; and(b) dispose of recyclable materials not designated by the Engineer for collection service at an Eco-Centre or other facility that accepts such recyclable materials.”
<p>Section 5(6)(f) place the garbage receptacle, green bin receptacle and recycling receptacles out at the collection point near the boundary of the property so that they do not impede pedestrian or vehicle traffic, and with at least one (1) meter clear space on all sides of each receptacle and three (3) meters of clear space above each receptacle, no earlier than 8:00 p.m. on the day before collection day and no later than 7:00 a.m. on the collection day;</p>	<p>Section 5(6)(f)</p> <ul style="list-style-type: none">(i) place the garbage receptacle, green bin receptacle and recycling receptacles out at the collection point near the boundary of the property so that they do not impede pedestrian or vehicle traffic, and with at least one (1) meter clear space on all sides of each receptacles and three (3) meters of clear space above each receptacle, no earlier than 8:00 p.m. on the day before collection day, and no later than 7:00 a.m. on the collection day.(ii) For properties within designated bear areas place the garbage receptacle, green bin receptacle and recycling receptacles out at the collection point near the boundary of the property so that they do not impede pedestrian or vehicle traffic, and with at least one (1) meter clear space on all sides of each receptacles and three (3) meters of clear space above each receptacle, no earlier than 5:30 a.m. and no later than 7:00 a.m. on the collection day.	<ul style="list-style-type: none">• Section 5(6)(f) of the current Bylaw will remain in place without any amendments.• Proposed Section 5(6)(f)(ii) and 5(6)(f)(iii) as they relate to bear areas moved to Designated Bear Areas Sections 8A(3) and 8A(6) respectively. See below.

	(iii) Every owner or occupier of a dwelling when placing out bear resistant receptacles must ensure that latches are unclipped on the on collection day.	
Section 5(6)(h) ensure that empty receptacles and uncollected garbage, recyclable materials, food scraps and yard waste are removed from the collection point no later than 10:00 p.m. on collection day.	Section 5(6)(h) ensure that empty receptacles and uncollected garbage, recyclable materials, food scraps and yard waste are removed from the collection point no later than 8:00 p.m. on collection day unless otherwise directed by the Engineer.	<ul style="list-style-type: none"> No adjustments required.
Section 5(9) An owner or occupier may place not more than three bulky items for pick up on collection day provided that the owner or occupier has contracted the City's Sanitation Department in advance to make arrangements for the pickup of that bulky item. The bulky item shall be placed at the collection point or as otherwise directed by the Engineer.	Section 5(9) An owner or occupier may place bulky items out for collection provided that the owner or occupier has contacted the City in advance to make arrangements for the pickup of that bulky item. The bulky item shall be placed at the designated collection point or as otherwise directed by the Engineer.	<ul style="list-style-type: none"> Adjustments made to read: “(9) An owner or occupant may place bulky items out for collection provided that the owner or occupant has contacted the City in advance to make arrangements for the pickup of such bulky items, in quantities as approved by the City's Solid Waste and Recycling Department for each collection. The bulky items shall be placed at the collection point designated by the Engineer or as otherwise directed by the Engineer.”

Section 6: Multi-Family Garbage, Yard Waste, Food Scraps, and Recyclable Materials Collection

Former Bylaw	Amendment	Bylaw Sections to be Implemented
6(1)(d) keep all receptacles securely stored on the property except on collection day;	<p>Section 6(1)(d)</p> <p>(i) keep all receptacles securely stored on the property except on collection day.</p> <p>(ii) for properties within designated bear areas, garbage, green bin and recycling receptacle(s) shall be stored on the property except on collection day in a bear resistant enclosure(s) or receptacles must be bear resistant.</p>	<ul style="list-style-type: none"> Section 6(1)(d) of the current Bylaw will remain in place without any amendments. Proposed Section 6(1)(d)(ii) moved to Designated Bear Areas Section 8A(4)(a). See below.
Section 6(1)(e) place garbage receptacle, green bin receptacle and recycling receptacle only at a collection point approved or directed by the Engineer.	<p>Section 6(1)(e)</p> <p>(i) place garbage receptacle, green bin receptacle and recycling receptacle only at a collection point approved or directed by the Engineer no earlier than 8:00 p.m. the day</p>	<ul style="list-style-type: none"> Section 6(1)(e) of the current Bylaw will remain in place without any amendments. Proposed Section 6(1)(e)(ii) moved to Designated Bear Areas Section 8A(4)(b).

	<p>before collection day and no later than 7:00 a.m. on collection day.</p> <p>(ii) for properties within designated bear areas, garbage, green bin and recycling receptacles must be removed from bear-resistant enclosures or latches on bear-resistant receptacles must be unclipped on collection day and only and placed at a collection point approved or directed by the Engineer no earlier than 5:30 a.m. and before 7:00am on collection day.</p>	
Section 6(2) Every owner or occupier of a premises must recycle by placing recyclable materials into a recycling receptacle without contamination.	<p>Section 6(2) Every owner or occupier of a premises must:</p> <p>(i) recycle by placing recyclable materials into the appropriate recycling receptacle without contamination.</p> <p>(ii) take recyclable materials excluded from curbside collection service to the Eco-Centre or appropriate facility.</p>	<ul style="list-style-type: none"> Adjustments made to read: <p>“(2) Every owner or occupant of a premises must:</p> <p>(a) place recyclable materials designated by the Engineer for collection service in a recycling receptacle without contamination; and</p> <p>(b) dispose of recyclable materials not designated by the Engineer for collection service at an Eco-Centre or other facility that accepts such recyclable materials.”</p>
Section 6(3)(a) provide written information to new residents, employees, and contractors and at least annually to all existing residents, employees, and contractors on how to separate and deposit garbage, yard waste, food scraps, and recyclable materials into the appropriate receptacles.	Section 6(3)(a) provide written information to new residents, employees, and contractors and at least annually to all existing residents, its employees, and contractors on how to separate and deposit garbage, yard waste, food scraps, and recyclable materials into the appropriate receptacles without contamination.	<ul style="list-style-type: none"> No adjustment required.
Section 6(3)(c) provide storage and signage for bulky items on site for collection.	Section 6(3)(c) Designate a storage area and signage for bulky items within the property.	<ul style="list-style-type: none"> No adjustment required.
	Section 6(3)(d) Provide the City at its request proof of service for the collection of bulky items.	<ul style="list-style-type: none"> Adjustment made to read: <p>“(d) enter into a contract with a service provider for the collection of bulky items from the property and, upon request, provide the City proof of such contract.”</p>

Section 7: Industrial, Commercial and Institutional Garbage, Yard Waste, Food Scraps, and Recyclable Materials Collection

Former Bylaw	Amendment	Bylaw Sections to be Implemented
Section 7(a) separate garbage and food scraps, and recyclable materials	Section 7(a) <ul style="list-style-type: none"> (i) separate garbage and food scraps, and recyclable materials without contamination. (ii) recycle by placing recyclable materials in recycling receptacle without contamination. (iii) take recyclable materials excluded from curbside collection service to an appropriate facility (iv) place yard waste and food scraps in a green bin receptacle without contamination. 	<ul style="list-style-type: none"> • Adjustment made to read: <ul style="list-style-type: none"> “7(a) <ul style="list-style-type: none"> (i) place garbage in a garbage receptacle without contamination; (ii) place recyclable materials designated by the Engineer for collection service in a recycling receptacle without contamination; (iii) dispose of recyclable materials not designated by the Engineer for collection service at a facility that accepts such recyclable materials; and (iv) place yard waste and food scraps in a green bin receptacle without contamination.”
Section 7(c) keep all waste receptacles securely stored on the property except on collection day.	Section 7(c) <ul style="list-style-type: none"> (i) keep all waste receptacles securely stored on the property except on collection day. (ii) for properties within designated bear areas, garbage receptacles and green bin receptacles shall be stored on the property except on collection day in a bear resistant enclosure or receptacles must be bear resistant. 	<ul style="list-style-type: none"> • Section 7(c) of the current Bylaw will remain in place without any amendments. • Proposed Section 7(c)(ii) moved to Designated Bear Section 8A(5). See below.
Section 7(d) provide written information to new tenants, employees and contractors and at least annually to all existing tenants, employees and contractors regarding the requirements of the GVS&DD Tipping Fee and Solid Waste Disposal Regulation Bylaw (Bylaw No. 13052)	Section 7(d) provide written information to new tenants, employees and contractors and at least annually to all existing tenants, employees and contractors on how to separate and deposit garbage, yard waste, food scraps, and recyclable materials into the appropriate receptacles without contamination.	<ul style="list-style-type: none"> • No adjustment required.
	7(e) replace any lost or stolen receptacles at their cost.	<ul style="list-style-type: none"> • Adjustment made to read: <ul style="list-style-type: none"> “(e) replace any lost or stolen receptacles supplied by the City at the owner or occupant’s expense.”

Section 8: Litter Management

Former Bylaw	Amendment	Bylaw Sections to be Implemented
Section 8 No person shall deposit or cause to be deposited any waste, garbage, or material on any street, sidewalk, boulevard, park or other lands owned by the City or other public property or upon private property whether owned by that person or not except in a receptacle or facility designed and intended for such use.	<p>Section 8</p> <p>(a) No person shall deposit or cause to be deposited any waste, garbage, yard waste, food scraps or recyclable materials in receptacles other than those provided to you by the City or private contractor that are intended for such use.</p> <p>(b) No person shall deposit or cause to be deposited any waste, garbage, or material on any street, sidewalk, boulevard, park or other lands owned by the City or other public property or upon private property whether owned by that person or not.</p>	<ul style="list-style-type: none">Adjustment made to read: <p>“(1) No person shall deposit or cause to be deposited any waste, garbage, yard waste, food scraps or recyclable materials in receptacles other than those provided by the City or private contractor for the property from which the waste, garbage, yard waste, food scraps or recyclable materials originated.</p> <p>(2) No person shall deposit or cause to be deposited any waste, garbage, or material on any street, sidewalk, boulevard, park or other lands owned by the City or other public property or upon private property whether owned by that person or not except in a receptacle or facility designed and intended for such waste, garbage, or material.”</p>

Section 8A: Designated Bear Areas

Former Bylaw	Amendment	Bylaw Sections to be Implemented
	2(1B) “Bear Area” means a geographical area within the City that has been determined by the Engineer to be frequented by bears.	<ul style="list-style-type: none">Definition moved from proposed Definitions Section 2(1B) to Designated Bear Areas Section 8A(1)(a) and amended to read: <p>“bear area” means a geographic area frequented by bears, as designated by the Engineer.”</p>
	2(38A) “Bear Resistant Receptacle” means a receptacle whose material and construction is of sufficient strength and design so as to reasonably prevent access by bears during storage.	<ul style="list-style-type: none">Definition moved from proposed Definitions Section 2(38A) to Designated Bear Areas Section 8A(1)(b) and amended to read: <p>“bear-resistant receptacle” means a receptacle with material and construction of sufficient strength and design, including a latch or other device for securing the lid for a receptacle, so as to reasonably prevent access by a bear into the contents of the receptacle.”</p>

	2(38C) “Bear Resistant Enclosure” means a fully enclosed structure of sufficient design and strength so as to prevent access by bears, includes a garage, shed, fenced structure or otherwise approved by the Engineer.	<ul style="list-style-type: none">Definition moved from proposed Definitions Section 2(38C) to Designated Bear Areas Section 8A(1)(c) and amended to read: “bear-resistant enclosure” means a fully enclosed structure of sufficient strength and design so as to prevent access by bears, including a garage, shed, fenced structure or to otherwise approved by the Engineer.”
		<ul style="list-style-type: none">Designated Bear Areas Section 8A(2) added to allow Director Engineering to establish one or more “bear area” within the City and make subsections 8A(3) to (6) apply to these areas, in addition to other provisions of the Bylaw. Section 8A(2) to read as follows: “(2) The Engineer may, from time to time, designate one or more geographic areas within the City as a bear area and subsections (3) to (6) apply to such bear area or bear areas, in addition to all other provisions of this Bylaw. Where there is a conflict between a requirement of this Section 8A and a requirement in the remainder of this Bylaw, the requirement in this Section 8A prevails to the extent of the conflict.”
	<p>Section 5(6)(f)</p> <p>(ii) For properties within designated bear areas place the garbage receptacle, green bin receptacle and recycling receptacles out at the collection point near the boundary of the property so that they do not impeded pedestrian or vehicle traffic, and with at least one (1) meter clear space on all sides of each receptacles and three (3) meters of clear space above each receptacle, no earlier than 5:30 a.m. and no later than 7:00 a.m. on the collection day.</p>	<ul style="list-style-type: none">Proposed Section 5(6)(f)(ii) and 5(6)(f)(iii) moved to Designated Bear Areas Section 8A(3) and 8A(6) respectively and amended to read: “(3) For single family and two family properties located in a bear area, the owner or occupant of the dwelling shall place the garbage receptacle, green bin receptacle and recycling receptacles at the collection point near the boundary of the property so that the receptacles do not impede pedestrian or vehicle traffic, and with at least one (1) meter clear space on all sides of each receptacle and three (3) meters clear space above each receptacle, no earlier than 5:30 a.m. and no later than 7:00 a.m. on the collection day.” “(6) Every owner or occupant of a property shall place and keep the latch or other security device on a bear-resistant receptacle in the unlocked position on collection day.”

	<p>(iii) Every owner or occupier of a dwelling when placing out bear resistant receptacles must ensure that latches are unclipped on the on collection day.</p>	
	<p>Section 6(1)(d)</p> <p>(ii) for properties within designated bear areas, garbage, green bin and recycling receptacle(s) shall be stored on the property except on collection day in a bear resistant enclosure(s) or receptacles must be bear resistant.</p> <p>Section 6(1)(e)</p> <p>(ii) for properties within designated bear areas, garbage, green bin and recycling receptacles must be removed from bear-resistant enclosures or latches on collection day and only and placed at a collection point approved or directed by the Engineer no earlier than 5:30 a.m. and before 7:00am on collection day.</p>	<ul style="list-style-type: none">Proposed Sections 6(1)(d)(ii) and 6(1)(e)(ii) moved to Designated Bear Areas Section 8A(4) and 8A(6) and amended to read: “(4) For multi-family properties located in a bear area, the owner or occupant shall: (a) store all garbage, yard waste, food scraps and recyclable materials in bear-resistant receptacles or store garbage receptacles, green bin receptacles and recycling receptacles in a bear-resistant enclosure on the property; and (b) on collection day, place receptacles at a collection point approved or directed by the Engineer no earlier than 5:30 a.m. and no later than 7:00 a.m.” “(6) Every owner or occupant of a property shall place and keep the latch or other security device on a bear-resistant receptacle in the unlocked position on collection day.”
	<p>Section 7(c)</p> <p>(ii) for properties within designated bear areas, garbage receptacles and green bin receptacles shall be stored on the property except on collection day in a bear resistant enclosure or receptacles must be bear resistant.</p>	<ul style="list-style-type: none">Proposed Section 7(c)(ii) moved to Designated Bear Section 8A(5) and amended to read: “8A(5) For industrial properties, commercial properties and institutional properties in a bear area, the owner or occupant shall store all garbage, yard waste, food scraps and recyclable materials in bear-resistant receptacles or store garbage receptacles, green bin receptacles and recycling receptacles in a bear-resistant enclosure on the property.”

Section 9: Charges and Fees

Former Bylaw	Amendment	Bylaw Sections to be Implemented
Section 9(4) Replacement garbage receptacles and extra or replacement green bin receptacles may be purchased from the City at the price set out in Part D of Schedule A of this bylaw.		<ul style="list-style-type: none">Adjustment made to read: “(4) Replacement garbage receptacles and extra or replacement green bin receptacles may be purchased from the City at the price set out in Part D of Schedule A of this bylaw. Where the Engineer has approved an additional garbage receptacle pursuant to section 5(2A) of this Bylaw, the additional garbage receptacle shall be provided free of charge.”