

CITY OF TERRACE

CONSOLIDATED FOR CONVENIENCE

BYLAW NO. 1701-2000/1765-2002/1767-2002

"A BYLAW OF THE CITY OF TERRACE TO ESTABLISH AND MAINTAIN A SYSTEM FOR COLLECTION AND DISPOSAL OF COMPOST AND GARBAGE."

WHEREAS it is provided by Section 550, Division 7, of the Local Government Act, being Chapter 323 of the Revised Statutes of British Columbia, as amended, that Council may by Bylaw establish and maintain a system for the collection, removal and disposal of compost, garbage, ashes, refuse and other noxious, offensive, unwholesome and discarded matter;

AND WHEREAS it is provided by Section 550, Division 7, of the Local Government Act, aforesaid, that Council may by Bylaw compel persons to make use of the established system;

AND WHEREAS it is provided in Section 550, Division 7, of the Local Government Act, aforesaid, that Council may by Bylaw establish a set of charges for the established systems;

NOW THEREFORE the Municipal Council of the City of Terrace in open meeting assembled hereby enacts as follows:

*Amended by
#1767-2002*

1. DEFINITIONS:

"Apartment" shall mean a type of building containing three (3) or more dwelling units which has its principal access from an entrance common to the dwellings.

"CAO" shall mean the Chief Administrative Officer of the City of Terrace, or his authorized representative.

"City" shall mean the City of Terrace.

"Commercial" shall mean any warehouse, factory, shop, cafe, restaurant, eating house, club drive-in, lunch counter, wholesale or retail business place, or office block, or any building other than a dwelling with six or less units.

"Commercial Waste" shall mean refuse and accumulation of waste and abandoned materials resulting from the operation of a trade or business.

*Added by
#1767-2002*

"Compost" shall mean grass clippings, leaves and garden trimmings. Not acceptable: household waste, kitchen scraps, branches or sticks greater than ½ inch (12.5 mm).

Amended by
#1767-2002

"Compost Bag" shall mean biodegradable bags.

"Dwelling or Dwelling unit" shall mean a suite operated as a housekeeping unit, used or intended to be used as a domicile by one family and containing cooking, eating, living, sleeping and sanitary facilities.

"Family" shall mean:

- a) two or more persons related by blood, marriage, adoption or foster parenthood sharing one dwelling; or
- b) not more than five unrelated persons sharing one dwelling.

"Owner" shall mean the person registered on the current British Columbia Assessment Roll.

Added by
#1767-2002

"Prohibited Waste" shall mean waste that is not acceptable for collection and shall include, but not be limited to, waste oil, batteries and any waste classified as "special wastes" by the Waste Management Act R.S.B.C. 1982, Chapter 41 (BC Reg. 63/88).

"Refuse" means garbage, ashes, refuse and other noxious, offensive, unwholesome, discarded material and matter, not compost.

Added by
#1767-2002

"Restricted Waste" shall mean solid waste designated by the CAO as banned or otherwise controlled.

Added by
#1767-2002

"Solid Waste" shall be considered synonymous with "Refuse", and both shall include any and all rejected, abandoned, or discarded waste, or vegetable or animal food, floor sweepings, crockery, glass, grass, trees, hedge clippings, other garden refuse, construction wastes, scrap metal, old lumber, rubbish or commercial waste, tins, bottles, furniture, but not including sanitary sewage, drainage, waste oils, hot ashes, RESTRICTED WASTE and PROHIBITED WASTE.

Added by
#1767-2002

"Special Waste" includes hazardous wastes, explosives, herbicides, pesticides, poisons, waste oils or liquids, biomedical waste and all wastes defined under the special waste regulations of the Waste Management Act.

"Tag" shall mean the garbage tag sticker sold by the City of Terrace which is to be affixed to garbage in excess of the basic charges.

2. CENTRAL CONTROL:

- (1) *Except as in this Bylaw provided, all persons within the City shall make use of the system established and provided by the City for the disposal of residential refuse.*
- (2) *No person shall bring refuse into the City.*
- (3) *Only the City may establish and maintain a system for the collection of compost and residential refuse within the City.*
- (4) *All compost and refuse, or other waste, collected by the City shall become the property of the City and may be sold or otherwise disposed of as the CAO may direct.*
- (5) *The owner of any building or premises, within the City, who is not the occupant thereof, shall be guilty of an offence against this Bylaw where the occupant has contravened any requirement of this Bylaw.*

*Added by
Terrace.
#1767-2002*

- (6) *Commercial waste shall not be collected by the City of

Commercial buildings with residential suites may, at the owner's request, be serviced by the City's residential refuse truck at the discretion of the CAO.*

*Added by
#1767-2002*

- (7) *The City of Terrace reserves the right to ban or otherwise control the type and nature of solid waste which is collected and/or deposited at City disposal sites.*

3. LITTERING:

- (1) *No person shall throw, sweep or place compost or refuse of any kind on to any land, street, walkway, sidewalk or any public place in the City.*
- (2) *Every person shall take due precautions to ensure that no refuse of any kind drops from or is blown from any vehicle or property on to any other land, street, walkway, sidewalk or public place in the City.*

4. BUILDING OPERATIONS:

No person carrying out building construction or demolition operations within the City shall:

- (1) *place or dump the waste accumulating from such construction or operations on any lane, street, walkway, sidewalk or any public place, or*
- (2) *accumulate such waste on the land or about the premises where such construction or operation is being carried out without disposing of waste within such time as the CAO may deem reasonable by written notice.*

5. REFUSE RECEPTACLES:

The occupant of every building or premises within the City shall:

- (1) *provide and maintain in a good and sanitary condition a sufficient number of receptacles to hold at least the volume of refuse which accumulates at such building or premises between time of collection, and*
- (2) *unless the Bylaw otherwise provides, place and keep all such refuse from said building or premises in such receptacles.*

6. RECEPTACLE REQUIREMENTS:

*Amended by
#1767-2002*

- (1) *Only clear biodegradable compost bags shall be used for compost collection.*
 - (2) *No occupant shall use as refuse receptacles, receptacles which do not meet with the following requirements:*
 - (a) *are manufactured of at least 24 gauge galvanised metal or equivalent plastic and/or rubber compound, and are watertight, and of circular design;*
 - (b) *have watertight cap-type covers, rigid fixed handles and smooth rims;*
 - (c) *have a maximum size of not greater than 45 cm (approx. 18 inches) in diameter at the top and are tapered to a lesser diameter at the bottom with an overall height of not more than 80 cm (approx. 30 inches); and*
- 6.** (2) (d) *have a minimum size of not less than 40 cm (approx. 16 inches) in diameter at the top, and tapered to a lesser diameter at the bottom with an overall height of not less than 50 cm (approx. 20 inches);*

- (3) *No occupant shall allow such receptacles to be filled with refuse:*
- Amended by #1767-2002*
- (a) *to a height that prevents the receptacle cover from being fixed in place;*
 - (b) *such that the total weight of the receptacle with its contents exceeds 22 kg. (approx. 50 pounds) and*
 - (c) *such that it is difficult to remove.*
- (4) *Commercial businesses that are required by way of volume of refuse to have garbage dumpsters, must meet the following requirements:*
- (a) *are to maintain dumpsters no smaller than "two yards";*
 - (b) *must have lids which are maintained in good condition to ensure they close properly;*
 - (c) *and must ensure that lids are to be closed at all times.*
- (5) *Under special loading circumstances, the CAO may, in writing, authorize the use of larger receptacles or refuse parcelling and in such case, subsections (1), (2) and (3) of this section shall not be applicable.*
- Added by #1767-2002*
- (6) *Any parcel with more than one dwelling unit shall plainly mark the dwelling unit number of letter on each refuse receptacle.*

7. RECEPTACLE LOCATION:

- (1) *No person shall place or keep refuse receptacles upon any lane, street, walkway, sidewalk or other public place in the City, unless such location is approved in writing by the CAO.*
- Amended by #1767-2002*
- (2) *By 8:00 a.m. on the day refuse collection service is provided for such building or premise, the occupant of such building or premise shall place all refuse-containing receptacles with covers in place, within three feet of the travelled portion of the road designated as the collection route so that refuse collectors shall have unobstructed and convenient access thereto.*
- (3) *No collection of refuse will be made from any yard, private property or from the inside of any building unless arrangements for so doing have been made with the CAO in writing.*

8. TAMPERING WITH RECEPTACLES:

No person shall place garbage for pick-up with the garbage of others or place garbage in containers owned or leased by others without that owner's/leasee's permission.

9. BULK LOADING:

- (1) An occupant may keep and place refuse for bulk loading in such manner and under such conditions as the CAO may direct.*
- (2) The owner or occupant of any building or premises shall be charged for any collections from a bulk loading point, in accordance with Schedule A of this Bylaw.*

10. REFUSE PREPARATION:

*Amended by
#1767-2002*

- (1) Solid waste from residential premises shall be thoroughly drained and wrapped in paper or plastic before being placed in refuse-containing receptacles.*
- (2) Discarded clothing, waste paper and inoffensive household refuse may be placed in refuse receptacles or may be tied in bundles not larger than 60 cm (approx. 24 inches) in cube and placed beside refuse receptacles ready for removal.*
- (3) Clippings from shrubs and trees shall be completely and securely tied in bundles not exceeding 1 metre (approx. 3 ft.) in length before being put out for collection.*
- (4) Crates, discarded cartons, and all similar containers shall be compacted flat and securely tied in bundles not exceeding 11 kg (approx. 25 pounds) in weight, before being placed in refuse receptacles.*

*Amended by
#1767-2002*

- (5) Ashes placed for collection shall be properly quenched before being placed in refuse receptacles.*
- (6) Refuse of highly inflammable or explosive nature shall not be placed in refuse receptacles or left for collection.*
- (7) Each bundle as described in 10 (2), (3) and (4) shall be considered as the equivalent of one (1) can for purposes of charges.*

*Added by
#1767-2002*

- (8) Prohibited waste shall not be set out for collection.*

Added by
#1767-2002

- (9) *Commercial waste shall not be set out for residential collection.*

11. COMPOST PREPARATION:

Amended by
#1767-2002

- (1) *Compost shall be placed in clear biodegradable bags.*

12. FREQUENCY OF COLLECTION:

Amended by
#1767-2002

- (1) *Unless otherwise arranged with the CAO, residential compost collection shall be weekly from mid April to mid November. No residential garbage will be collected on Compost Days, only compost will be collected on Compost Days.*

Amended by
#1767-2002

- (2) *Unless otherwise arranged with the CAO, residential refuse collection shall be once weekly. No compost will be collected on residential refuse collection days, only residential refuse.*

Added by
#1767-2002

- (3) *HOLIDAYS: There will be no collection on a statutory holiday. The missed refuse day or compost day will be collected on the next working day after a statutory holiday, along with the refuse for that regular day.*

13. COLLECTION CHARGES:

- (1) *The charges levied by the City for collection of refuse are outlined on Schedule "A" entitled "City of Terrace Compost & Refuse Collection Charges" which is attached hereto and forms a part of this Bylaw.*

14. GENERAL CHARGES AND INFORMATION:

- (1) (a) *The owner of a trailer court will be charged per trailer pad on a residential collection basis, unless commercial containers are provided.*
- (b) *An apartment house shall be charged on a residential basis, unless commercial containers are provided.*
- (c) *Dwelling units greater than six in one building will be commercial refuse for the purpose of this Bylaw.*
- (d) *Commercial establishments will require containers maintained to an acceptable standard.*

(2) Any person may arrange with the CAO for an occasional or special refuse collection and the charge for providing such service shall be actual costs plus administration fee according to City of Terrace Policy No. 66.

(3) Dwelling units in commercial buildings will be included in the collection arrangements established for that building.

15. QUANTITIES AND CLASSES:

(1) Basic residential garbage charges are for two (2) bags/cans per collection day, and includes an unlimited number of compost bags collected per compost collection day.

16. EXEMPTION FROM SERVICE:

Deleted by
#1765-2002

(1) Section 16.(1) deleted.

17. SERVICE BILLING:

(1) The calendar year's services shall be billed on the annual property tax invoice and if payment is not made before the due date, there shall be payable a penalty of ten percent (10%) of the outstanding amount.

(2) All charges shall be to the owner.

18. ARREARS:

If charges for service provided under this Bylaw are unpaid on the 31st day of December in the current year, the outstanding amount complete with penalties shall be deemed to be taxes in arrears in respect of the property and shall be entered on the real property tax as taxes in arrears on January 1st of the following year.

19. INFRACTIONS:

Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of this Bylaw or who neglects to do or refrains from doing anything which is compelled to be done by him by virtue of this Bylaw, shall be guilty of an offence and shall be liable on summary conviction to a fine, such fine to be a minimum of one hundred (\$100.00) dollars and a maximum fine of two thousand (\$2,000.00) dollars together with costs for each offence.

20. METRIC:

Metric units are used for all measurements in this Bylaw. The approximate equivalent of those units of Canada measure (feet, pounds, etc.) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this Bylaw.

21. *Garbage Collection and Disposal Bylaw No. 1427-1995 (consolidated) and all amendments thereto is hereby repealed.*

22. *This Bylaw may be cited as "Terrace Compost & Garbage Collection and Disposal Bylaw No. 1701-2000".*

This Bylaw is consolidated for convenience only. If discrepancies exist between this consolidation and the original bylaws, the original bylaws shall prevail.

BYLAW #1701-2000 READ a first time this 25th day of April, 2000.

BYLAW #1701-2000 READ a second time this 25th day of April, 2000.

BYLAW #1701-2000 READ a third time this 25th day of April, 2000.

BYLAW #1701-2000 ADOPTED this 8th day of May, 2000.

(ORIGINAL SIGNED BY "J. TALSTRA")
Mayor

(ORIGINAL SIGNED BY "D. FISHER")
Clerk

Replaced by
#1767-2002

SCHEDULE "A"
TO
TERRACE COMPOST & GARBAGE COLLECTION
AND DISPOSAL BYLAW NO. 1701-2000

	CLASSIFICATION	BASIC CHARGES	ADDITIONAL CANS/BAGS
1.	<i>RESIDENTIAL CANS – Weekly</i>	<i>\$2.00 per week</i>	<i>\$1.00 for each can/bag in excess of two (2)</i>
2.	<i>COMPOST BAGS – Weekly from mid April to mid November</i>	<i>included with basic charges</i>	<i>no limit</i>