

GARBAGE COLLECTION AND DISPOSAL BYLAW, 2013, NO. 9233

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Includes Bylaw Amendment No. 9312, 9367, 9409, 9473, 9536, 9598, 9622, 9668 and 9744.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9233

**TO PROVIDE FOR THE REGULATION,
COLLECTION AND REMOVAL OF SOLID WASTE**

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

1. DEFINITIONS:

In this Bylaw, unless the context otherwise requires:

- 1.01 **“CORPORATION”** means The Corporation of the District of Saanich, its Municipal Council and its servants or agents.
- 1.02 **“DEMOLITION AND CONSTRUCTION WASTE”** means debris or building materials originating from demolition or construction.
- 1.03 **“DIRECTOR OF ENGINEERING”** means the Director of Engineering of The Corporation of the District of Saanich and his/her representatives who are authorized to act on his/her behalf.
- 1.04 **“DWELLING UNIT”** means any single family dwelling and any self-contained living unit but shall not include a secondary suite, hotel, motel, auto court, guest house or other living units operated for transient occupancy.
- 1.05 **“GARBAGE”** means and includes waste or discarded matter.
- 1.06 **“GARBAGE COLLECTOR” or “COLLECTOR”** means any person or persons appointed by Council or designated by the Director of Engineering to collect and remove garbage.
- 1.07 **“HOUSEHOLD HAZARDOUS WASTE”** means any chemical, material, substance or product that is toxic or hazardous to persons or the environment and without limiting the generality of the foregoing, includes:
- (a) Pesticides, herbicides, insecticides, mothballs.
 - (b) Products that contain a corrosive chemical including: hydrochloric acid, sulphuric acid, nitric acid, phosphoric acid, sodium hydrogen sulphate, acetic acid, formic acid, lactic acid, hydroxides of alkali metals, gypsum, carbonates of alkali metals, ammonium hydroxide or ammonia, and oxalic acids, salts of oxalic acid, phenol, o-cresol, m-cresol, p-cresol, silver nitrite, zinc chloride, iodine or sodium peroxide, Alkyl cyanacrylate adhesives; metal that contain hydrocyanic acid or salts of hydrocyanic acid.

- (c) Automotive oils, petroleum distillates or products containing petroleum distillates including naphtha, mineral spirits, Stoddard solvent, kerosene, gasoline, mineral seal oil and other related distillates of petroleum, antifreeze preparations containing ethylene glycol or diethylene glycol, methyl alcohol, or products containing methyl alcohol, turpentine or products containing turpentine including gum turpentine, steam distilled wood turpentine, sulphate wood turpentine and destructively distilled wood turpentine, products used in polishing, paints, lacquers, paint thinners, resins and paint strippers, adhesives, cleaning solvents, thinning agents and dyes containing toluene or acetone.
 - (d) Fire extinguishing fluids composed of or containing any halogenated aliphatic hydrocarbons.
 - (e) Automotive batteries, alkaline batteries, any single-use or reusable batteries, fluorescent ballasts containing polychlorinated biphenyl, radioactive materials, or explosives.
 - (f) Dead animals or animal parts.
 - (g) Hypodermic needles, unless in a puncture proof container.
- 1.08 **“KITCHEN SCRAPS”** includes fruit and vegetable scraps, food leftovers, meat, fish, and bones, dairy products, butter, mayonnaise, eggshells, bread, cereal, grains, pasta, baked good, candy, nuts and shells, coffee filters and grounds, tea bags, fat and grease, houseplants, flowers, and food soiled paper products.
- 1.09 **“OWNER” AND “OCCUPIER”** shall have the meaning assigned to them in the *Community Charter, S.B.C. 2003, C.26*.
- 1.10 **“ORGANIC MATERIALS”** are kitchen scraps and yard trimmings.
- 1.11 **“RECYCLABLES”** includes paper and cardboard, plastics, cans, and glass items, and any other item that falls within a product category defined in the Recycling Regulation, B.C. Reg 449/2004
- 1.12 **“REGULATION CONTAINER”** means a wheeled, standardized container for the use of collecting garbage, organics, or other recycling, provided by the Corporation to the owner or occupier of a residential, non-residential or commercial unit.
- 1.13 **“RESIDENTIAL”** means the use of a building or a part thereof as a dwelling unit or dwelling units.
- 1.14 **“SECONDARY SUITE”** means a dwelling unit that is ancillary to another dwelling unit, such as, for instance, a basement or attic suite.
- 1.15 **“SOLID WASTE”** includes garbage, organic and inorganic recyclables.

- 1.16 **“SOLID WASTE SERVICES”** includes the collection of garbage and organic materials, leaf collection and yard and garden waste drop off.
- 1.17 **“YARD TRIMMINGS”** means organic materials, other than kitchen scraps, including grass and hedge clippings, prunings, leaves or other parts of plants, shrubs or trees. It does not include: soil, sod, ashes, rocks, root balls, animal waste, or wood waste.

2. GENERAL COLLECTION SERVICE

- 2.1 The Corporation is responsible for the collection of garbage and organic materials from residential properties.
- 2.2 Each dwelling unit to which collection service is provided shall have regulation organic container(s) and regulation garbage container(s) collected on the same day every fourteen days including Statutory Holidays with the exception of New Years Day, Christmas Day, and Boxing Day.
- 2.3 All properties/premises that fall under the conditions for collection services in Saanich shall participate in the organics collection program.
- 2.4 A regulation container and regulation organics recycling container shall be provided to each single family dwelling, duplex unit, triplex unit and fourplex unit. Owner or occupiers of a dwelling may wish to have different sized regulation containers than initially assigned or selected. Replacement containers for the purposes of volume adjustment may be done, to be paid by the owner or occupier of the dwelling, as per Schedule “A” Solid Waste Services Fee Schedule.
- 2.5 Residential properties that contain less than five units shall have their solid waste collected by the Corporation.
- 2.6 The owner or occupier of a residential property with five or more residential units may arrange to have the solid waste collection services done by a private waste removal company.
- 2.7 The owner or occupier of a non-residential property may apply for solid waste collection services to the Director of Engineering, to be provided under the same regulations as the residential solid waste collection service.
- 2.8 The owner or occupier of a property on which there is located a residential development other than a single family dwelling, duplex, triplex or fourplex may obtain, upon request to the Corporation, garbage collection service for the development using regulation receptacles, and in such case, each dwelling unit in the development shall be entitled to the same level of garbage collection service provided to a single family dwelling under this bylaw.

3. COLLECTION FEES

- 3.1 A Solid Waste Services fee shall be imposed upon the owners or occupiers of each single family dwelling, duplex, triplex or fourplex, and each non-residential property or multi-family property approved under s. 2.7 or 2.8 according to Schedule "A".
- 3.2 Collection service fees for garbage and/or organics collection from each dwelling unit or non-residential property by size of regulation container shall be imposed as per Schedule "A" – Solid Waste Services Fee Schedule.
- 3.3 An owner or occupier who does not require organic and/or garbage collection may apply to the Director of Engineering to opt out of the collection service. If the Director of Engineering permits the owner or occupier to opt out, there shall be no fee imposed for regulation container(s) as per Schedule "A" – Solid Waste Services Fee Schedule, but the owner or occupier shall continue to pay the Solid Waste Services fee.
- 3.4 (a) The Collector shall render accounts for the fees levied in accordance with sections 3.1 and 3.2 in three equal instalments.
- (b) Any accounts rendered by the Corporation shall be due and payable on receipt.
- (c) A five percent (5%) penalty shall be added to account balances remaining unpaid after forty-five (45) days from each billing date.
- (d) Solid waste service fees are payable at the Municipal Hall and such other places as the Director of Finance may determine.
- (e) Solid waste service fees unpaid at the end of the year in which they are due shall be deemed to be taxes in arrears and shall be so entered on the tax roll by the Collector.

Special Provision – Pandemic Relief

- (f) Section 3.4 (c) shall not apply to an account rendered by the Corporation during the period from February 1, 2020 to December 31, 2021.

4. EXTRA PICKUPS

- 4.1 Containers of any design that are not provided by the Corporation will not be collected. Extra bags of garbage will be collected with a proof of payment sticker, issued by the Corporation, affixed to the bag. Each extra bag of garbage shall not exceed 25kg. Fees for extra pickups shall be charged as per Schedule "A" – Solid Waste Service Fee Schedule.

- 4.2 Residents may request a special pickup of garbage or yard trimmings. Fees for extra pickups shall be charged as per Schedule "A" – Solid Waste Service Fee Schedule.
- 4.3 Residents can use the Public Works yard trimmings and garden recycling drop-off area to dispose of excess yard trimmings. No kitchen waste will be accepted. Commercial use is prohibited.

5. AVAILABILITY OF REGULATION CONTAINERS

- 5.1 To ensure the collection of all garbage and recyclables, all regulation containers must be accessible to the Collector between the hours of 7:00 am and 7:00 pm.
- 5.2 No person shall, at any time, place their own garbage or recyclables into a municipal vehicle without the authorization of the Collector.

6. LOCATION OF REGULATION CONTAINERS

- 6.1 Occupants of any premises that receives collection under this Bylaw:
 - (a) Shall, on their designated collection day place the regulation container(s) in front of the premises, by 7:00 am, as close to the curb as possible. Where no curb is present, containers shall be placed as close to the roadway as possible without creating an obstruction to traffic.
 - (b) Must place the regulation container(s) so as not to interfere in any way with the ordinary and safe travel of vehicles or pedestrians or cyclists.
 - (c) Shall place the regulation container(s), positioned with the container fronts facing towards the roadway, in a location free from any obstructions at least one metre horizontally on all sides including the back, and three metres above the container. They shall not be placed in a location where property damage is likely, or contact will be made with any object, including, but not limited to fire hydrants, vehicles, street signs, branches, utility poles or wires.
- 6.2 An assistance service is provided to residents who are medically or physically unable to place the regulation containers at the curb. Requests for this service will be assessed on a case by case basis and are subject to the approval of the Director of Engineering or designate.

7. FILLING OF REGULATION CONTAINERS

- 7.1 No regulation container shall be filled to a point where the lid cannot be fully closed, and the contents must be capable of emptying with no restriction.

8. LIQUIDS IN REGULATION CONTAINERS

- 8.1 No liquids or free water shall be put, placed in, allowed to run into, or accumulate

in any regulation receptacle and all regulation receptacles shall, at all times, be kept securely closed.

9. HOUSEHOLD HAZARDOUS WASTE

- 9.1 No person shall put household hazardous waste in a regulation container placed out for collection.
- 9.2 Regulation containers will not be collected that contain household hazardous waste.

10. PROHIBITED WASTE

- 10.1 (a) No person shall deposit any recyclable or organic material in a regulation garbage container.
- (b) No person shall deposit any garbage in an organics recycling regulation container.
- (c) No person shall deposit any demolition or construction waste in a regulation garbage container.
- 10.2 Containers will not be collected that contain prohibited waste.

11. KITCHEN WASTE BAGS

- 11.1 Plastic or bio-degradable bags shall not be used to dispose of kitchen scraps. Only certified compostable bags will be accepted. No non-compostable items shall be placed in an organics recycling regulation container.

12. MAINTENANCE OF REGULATION CONTAINERS

- 12.1 Regulation containers are the property of the Corporation, and shall be provided to the resident.
- 12.2 The owner or occupier of any dwelling shall contact the Solid Waste Services section of the Corporation to inform them that they will be vacating the premises. An employee of the Corporation will remove the regulation containers, and when needed, replace with new regulation containers, appropriate to the needs of the new occupants.
- 12.3 Sanitary maintenance of the containers is the responsibility of the dwelling occupier.
- 12.4 Routine repairs will be conducted by an employee of the Corporation.
- 12.5 All regulation containers shall be replaced by the Corporation if they become, lost, stolen, unsafe to handle, no longer waterproof, damaged beyond repair, or otherwise unsuitable for continued use.

- 12.6 Regulation containers that are lost, stolen, unsafe to handle, no longer waterproof, damaged beyond repair, or otherwise unsuitable for continued use will be replaced by the Corporation, with full cost being assessed to the owner or occupier of the dwelling, as per Schedule "A" – Solid Waste Service Fee Schedule.

13. DISCONTINUED GARBAGE COLLECTION

- 13.1 Where a condition exists on any property which prevents the Collector from carrying out his/her duties by virtue of hazard, potential danger, difficulty of access or other abnormal or dangerous condition, the Director of Engineering shall give written notification to the owner or occupier that the condition must be abated and in default of abatement, shall direct that garbage collection service be discontinued until the condition is abated.
- 13.2 The Corporation may discontinue collection of garbage, organics, or other recycling from any dwelling owned or occupied by a person who violates this bylaw.
- 13.3 Responsibility for disposal of garbage during discontinuance of service as aforesaid shall rest with the owner or occupier.

14. ACCUMULATION OF OBJECTIONABLE GARBAGE PROHIBITED

- 14.1 No person shall suffer or permit within the Municipality, the collection or accumulation upon his/her premises or upon lands or premises occupied by him/her or under his/her control, or deposit or permit the deposit upon any lands belonging to him/her or in his/her occupation, offensive or unwholesome matters of substance and the owners or occupiers of real property or their agents shall remove any accumulation of filth, discarded materials or rubbish of any kind and in default of such removal, the Corporation, by its workers and others, may enter and effect such removal at the expense of the person so defaulting and the charges for doing, if unpaid on the 31st day of December in the year of such removal, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear.

15. RECYCLING MATERIAL

- 15.1 No person shall remove, take or convert to his/her own use any materials placed on a road allowance, including the sidewalk or boulevard, for the purpose of recycling or disposal, unless he/she is:
- (a) The person who initially placed the materials on the road allowance, or
 - (b) An employee or agent of the Corporation, or

- (c) An employee or member of an organization which has been duly authorized by the Corporation to carry out the collection of materials intended for recycling or disposal within the Municipality.

16. PENALTY FOR VIOLATION

- 16.1 Every person who contravenes this bylaw by doing any act which it forbids, or omitting to do any act which it requires to be done, is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$150.00.
- 16.2 The penalties imposed under this section shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw.

17. INSPECTION

- 17.1 The Director of Engineering, the Garbage Collector and Bylaw Enforcement Officers may enter, at all reasonable times, upon any property in order to ascertain whether the regulations set out in this Bylaw are being obeyed.
 - 17.2 No person shall prevent or obstruct, or attempt to prevent or obstruct, the entry of the Director of Engineering, the Garbage Collector and Bylaw Enforcement Officers upon any property as authorized under Section 17.1 of this Bylaw.
- 18. Bylaw No. 8663, being the "Garbage Collection and Disposal Bylaw, 2005", is hereby repealed except insofar as it repeals any other Bylaw.
 - 19. This Bylaw shall come into effect on March 1, 2014.
 - 20. This Bylaw may be cited for all purposes as the "**GARBAGE COLLECTION AND DISPOSAL BYLAW, 2013, NO. 9233**"

Includes Bylaw Amendment No. 9312, 9367, 9409, 9473, 9536, 9598, 9622, 9668 and 9744.

Schedule "A"**SOLID WASTE SERVICES FEE SCHEDULE (EFFECTIVE JANUARY 1, 2022)**

COLUMN 1 SERVICE	COLUMN 2 FEE
Solid Waste Services fee	\$142.74 per dwelling unit or non-residential property per year
Collection of garbage from each residential unit or non-residential property by size of garbage regulation container*	
<ul style="list-style-type: none"> • 120-litre regulation garbage container • 180-litre regulation garbage container 	\$29.01 per year per container \$42.75 per year per container
Collection of organics recycling from each residential unit or non-residential property by size of organics recycling regulation container*	
<ul style="list-style-type: none"> • 80-litre regulation organics recycling container • 120-litre regulation organics recycling container • 240-litre regulation organics recycling container 	\$31.80 per year per container \$44.52 per year per container \$89.04 per year per container
Change Regulation Container Size	\$30.00 per request*
Return Regulation Container	\$30.00 per request*
Repair or Replace Lost or Damaged Regulation Container	\$50.00 per container*
Extra Garbage Tickets**	\$3.00 each
Special Pick-up of Garbage or Yard Trimmings***	\$50.00 per cubic metre

* Additions or reductions in fees due to cart size changes and, return, repair or replace fees will be charged on the next available utility bill. Changes will not be prorated retroactively.

** The cost for an extra garbage ticket is \$3.00 per extra bag, which shall not exceed 25kg.

*** Minimum charge for special pick-up of garbage or yard trimmings is \$50.00.