



## BYLAW NO. 313

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### A BYLAW TO REGULATE THE USE OF THE SAYWARD VALLEY SOLID WASTE COLLECTION SYSTEM AND TO PROVIDE FOR THE IMPOSITION OF RATES

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**WHEREAS** the Strathcona Regional District is, by Bylaw No. 1639, authorized to operate a service for the collection and disposal of solid waste for the Sayward Valley;

**AND WHEREAS** the Regional District may, by bylaw, regulate the use of the solid waste service including the requirement that property owners use the service in accordance with the standards set out in the bylaw;

**AND WHEREAS** the Regional District may, by bylaw, impose fees and charges payable in respect of a service and, for that purpose, establish different rates for different classes of property, businesses and activities;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

#### PART 1 - INTERPRETATION

##### Definitions

1. In this bylaw, unless the context otherwise requires:

**“approved receptacle”** means a metal, plastic or composite container, cylindrical in design, with volume capacity not exceeding 110 (one hundred and ten) litres and having a secure, watertight cover or lid; or such other container as may be approved by the Manager.

**“collection area”** means that part of the service area shown outlined in bold on Appendix ‘A’, attached to and forming part of this bylaw.

**“dwelling unit”** means a self-contained unit consisting of one or more rooms designed, occupied or intended for occupancy as a separate household with sleeping, sanitary and cooking facilities including single family residences, condominiums, townhouses, duplex units, apartments, guest homes, garden cottages and strata units but excluding recreational vehicles and mobile homes within mobile home parks.

**“improved property”** means a parcel upon which a building or buildings have been constructed, placed or erected, or which is occupied for industrial, commercial or residential use.

**“Manager”** means the Community Services Manager appointed by the Regional District.

“**owner**” means the person or persons registered under the *Land Title Act* as the owner of the parcel or any other person who is in lawful possession of the parcel or who is in lawful possession or occupancy of any dwelling or other building situated on the parcel.

“**premises**” means any land or building or both or any part thereof.

“**prohibited waste**” means materials or substances deemed corrosive, toxic, volatile, explosive or dangerous, or which may present a threat to the health or safety of persons.

“**Regional District**” means the Strathcona Regional District.

“**residential waste**” means rejected, abandoned, discarded or waste materials normally used in a dwelling, and shall specifically include waste food, containers used for food, drink or other household items, packaging, floor sweepings, crockery, ashes and cinders, but does not include grass, trees, hedge clippings or any other garden refuse.

“**service area**” means the area defined in Bylaw No. 1639, being Solid Waste Local Service Bylaw for Sayward Valley, 1994.

## PART 2 – COLLECTION SERVICE

### Provision of Collection Service

2. The Regional District may provide or cause to be provided a solid waste collection service within the collection area upon such terms as it considers appropriate.

### Requirement to Use Service

3. Every improved property within the collection area shall be entitled to use the collection service and, for the purposes of this bylaw, shall be deemed to be a user of the collection service.

### Refusal to Collect Solid Waste

4. The Regional District may refuse to collect solid waste from a user of the solid waste collection service that:
  - (a) is not stored for collection in a receptacle or in an approved receptacle,
  - (b) is placed for collection at a location other than the point of access to a property from the public road right of way,
  - (c) exceeds the volume or weight limitations set out in this bylaw, or
  - (d) includes prohibited waste.

## PART 3 – SOLID WASTE

### Solid Waste May be Refused

5. In addition to the restrictions set out in section 4, the Regional District may refuse to accept solid waste that contains, includes or comprises packing cases, wood or scrap material from building activity, scrap iron or other scrap metal, waste oil or other petroleum products, hot ashes, liquid waste, bulk chemical composition waste, dead animals, animal cuttings or wastes.

**Volume of Waste**

6. Each dwelling unit shall be permitted to have collected each week an amount of residential waste that can be easily contained within 2 approved receptacles and which does not exceed a weight of 25 kilograms per receptacle.

**Receptacles to be Secured**

7. Receptacles must be covered with water-tight lids and no water or other liquid shall be placed or allowed to accumulate within them.

**PART 4 – CONDITIONS OF SERVICE**

**Owner Responsibilities**

8. It is the responsibility of the owner to ensure compliance with the provisions of this bylaw and to maintain any receptacles used for the collection of solid waste and the access to such receptacles in accordance with the standards set out in this bylaw.

**Suspension of Service**

9. The Regional District may suspend service to any premise where the design, location or contents of the receptacles or the collection facilities are contrary to the provisions of this bylaw.

**Non-Waiver of Fees**

10. In the event service is suspended in accordance with section 9 such suspension shall not be deemed as a waiver or abatement of any fees, charges or other requirements of this bylaw.

**PART 5 – SERVICE FEES**

**Fees for Collection Service**

11. The use of the solid waste collection service shall be subject to payment of such fees as may be prescribed by the Regional District and shown on Schedule 'B', attached to and forming part of this bylaw.

**Charges Prorated**

12. Where applicable, the fees charged for use of the solid waste collection system shall be prorated to the beginning of the month following the commencement or termination of service.

**Billing Frequency**

13. Fees charged in accordance with this bylaw shall be billed to users of the service on an annual or quarterly basis at the discretion of the Regional District.

**PART 6 – GENERAL**

**Right of Entry**

- 14. The Manager or Bylaw Enforcement Officer of the Regional District may enter, at all reasonable times, upon any property subject to this bylaw to ascertain whether the provisions of this bylaw are being contravened.

**Penalty**

- 15. Any person who violates a provision of this bylaw or permits any act or thing to be done in contravention of this bylaw commits an offense and is liable on summary conviction to a penalty not exceeding the sum of two thousand dollars (\$2,000.00).

**Severability**

- 16. If any part of this bylaw is held to be invalid by a court of competent jurisdiction, that part of the bylaw may be severed from the remainder of the bylaw without affecting the validity or enforceability of the remainder.

**PART 7 – REPEAL AND TRANSITION**

**Effective Date**

- 17. This bylaw becomes effective on the date of its adoption.

**Repeal**

- 18. Bylaw No. 1685, being Sayward Valley Solid Waste Local Service Area Collection Regulations and Rates Bylaw 1994, as adopted by the Comox-Strathcona Regional District on June 27, 1994 is repealed in its entirety.

**Citation**


- 19. This bylaw may be cited for all purposes as Bylaw No. 313, being Sayward Valley Solid Waste Collection Rates and Regulations Bylaw 2018.

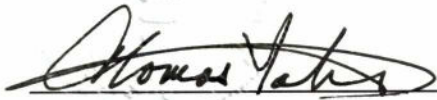
**READ A FIRST TIME ON THE 24<sup>TH</sup> DAY OF MAY, 2018**

**READ A SECOND TIME ON THE 24<sup>TH</sup> DAY OF MAY, 2018**

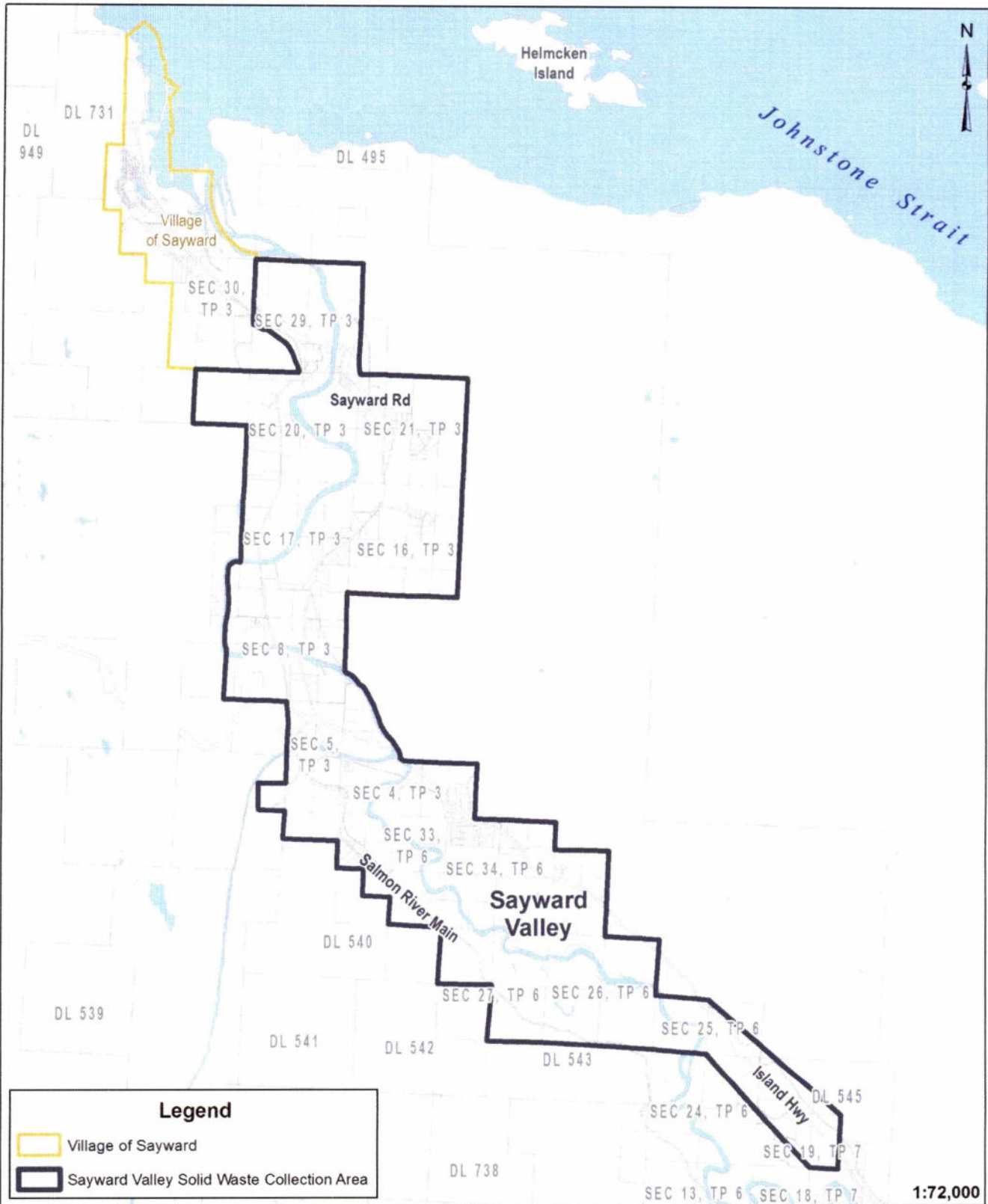
**READ A THIRD TIME ON THE 24<sup>TH</sup> DAY OF MAY, 2018**

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 24<sup>TH</sup> DAY OF MAY, 2018

  
Chair

  
Corporate Officer

SCHEDULE 'A'



**Legend**

- Village of Sayward
- Sayward Valley Solid Waste Collection Area

1:72,000



**SAYWARD VALLEY  
SOLID WASTE COLLECTION AREA**



5/4/2018

**SCHEDULE "B"**

Collection Fees and Charges

**Solid Waste Collection Fees**

**Annual Charge**

**Residential Users**

Each dwelling unit (up to 2 receptacles per week) \$135.00

Each receptacle over 2 receptacles \$1.50

**Solid Waste Disposal Fees**

**Annual Charge**

**Residential Users**

Each dwelling unit (up to 2 receptacles per week) \$85.00

Each receptacle over 2 receptacles \$1.50