

BYLAW NO. 469

A BYLAW TO IMPOSE RATES AND REGULATE USE OF THE CORTES ISLAND SOLID WASTE AND RECYCLABLE MATERIALS COLLECTION SYSTEM

WHEREAS the Strathcona Regional District has, by supplementary letters patent, been authorized to operate a service for the collection and disposal of solid waste and recyclable materials for Cortes Island;

AND WHEREAS the Regional District may, by bylaw, regulate the use of the solid waste and recyclable material collection service including the requirement that persons 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 with a capacity not exceeding 80 (eighty) litres and having a secure, watertight cover or lid.

"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 Engineering Services Manager appointed from time to time 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.

“recyclable materials” means any materials accepted at the Comox Strathcona Waste Management Depot on Cortes Island, including dry newsprint/newspaper, dry corrugated cardboard, boxboard, dry mixed waste paper, washed metal food and beverage containers and plastic containers #1-7.

“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 portion of Electoral Area B comprising Cortes Island.

PART 2 – COLLECTION SERVICE

Provision of Collection Service

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

Recycling System Established

3. A recycling system is hereby established to collect recyclable materials from all residential units within the service area.

Requirement to Use Service

4. Every improved property and dwelling unit within the service area shall be required 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

5. 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 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 or garden refuse

PART 3 – SOLID WASTE

Solid Waste May be Refused

6. In addition to the restrictions set out in section 5, 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

7. 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.

Recyclables to be Separated

8. Recyclable materials are exempt from the volume and weight limitations of this bylaw but must be placed in designated containers identified as recycling containers.

Approved Receptacles

9. (1) All Approved Receptacles must be kept on the Improved Property.
- (2) Residential Refuse will only be collected from Approved Receptacles which are placed at the point of access to the property from the public road right of way considered to be frontage.
- (3) Residential Refuse will only be collected from Approved Receptacles within which the Residential Refuse is securely contained with either a plastic bag or sturdy paper bag.
- (4) Approved Receptacles must be easily accessible to the Regional District.
- (5) Receptacles must be covered with watertight lids, and no water or other liquid shall be placed or allowed to accumulate within them.

PART 4 – CONDITIONS OF SERVICE

Owner Responsibilities

10. (1) It is the responsibility of the owner to ensure:
- (a) that receptacles used for the collection of solid waste or recyclable materials are maintained in a safe, sanitary and usable condition in accordance with the standards set out in this bylaw;
- (b) that the Regional District is notified if additional Dwelling Units are added to an Improved Property;
- (c) that all garbage is placed in an approved container;
- (d) that recycling containers are capable of confining and keeping dry the recyclable materials set out for collection and used only for recyclable materials;

- (e) that plastic bags containing garbage are properly tied or sealed before being placed for collection;
- (f) that wet garbage is wrapped in waterproof material and excess moisture is drained before a garbage container is placed for collection;
- (g) that no liquid is deposited in or allowed to accumulate in any garbage container;
- (h) that garbage containers are covered with a waterproof lid before being placed for collection;
- (i) that garbage containers and recyclable containers are placed at the edge of the street adjoining the premises from which they originate; and
- (j) that garbage and recyclable containers are returned to the originating property following collection of their contents.

Suspension of Service

11. The Regional District may suspend service to any premise where the design, location or contents of the receptacles or the collection facilities do not comply with the provisions of this bylaw.

Non-Waiver of Fees

12. In the event service is suspended in accordance with section 11 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**

13. The use of the solid waste collection service shall be subject the fees shown on Schedule 'A', attached to and forming part of this bylaw.

Billing Frequency

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

PART 6 – GENERAL**Right of Entry**

15. 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

16. Any person who violates a provision of this bylaw or who 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

- 17. 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

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

Repeal

- 19. Bylaw No. 1903, being Cortes Island Solid Waste Local Service Area Regulation and Rates Bylaw 1997, as adopted by the Comox-Strathcona Regional District on December 12, 1996 and subsequently amended is repealed in its entirety.

Citation

- 20. This bylaw may be cited for all purposes as Bylaw No. 469, being Cortes Island Solid Waste Collection Rates and Regulations Bylaw 2022.

READ A FIRST TIME ON THE 13TH DAY OF JULY, 2022

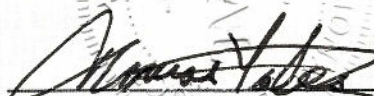
READ A SECOND TIME ON THE 13TH DAY OF JULY, 2022

READ A THIRD TIME ON THE 13TH DAY OF JULY, 2022

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 13TH DAY OF JULY, 2022



Chair



Corporate Officer

Schedule 'A'

Fees for collection of residential refuse and recyclable materials for approved receptacles

	Collection Date	Annual Rate
Two (2) approved solid waste receptacles and unlimited recycling in designated containers per dwelling unit.	2022	\$97.00
	2023	\$99.00
	2024	\$102.00
	2025	\$105.00