

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1490

Being a bylaw to amend the Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 1253, 2009

WHEREAS the Regional District of Central Okanagan has enacted the Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 1253, 2009;

AND WHEREAS the Regional District of Central Okanagan considers that it is necessary to amend the Solid Waste Management Regulation Bylaw;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. The Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 1253, 2009 is hereby amended by:

- a. Adding to **Section 1 Introduction 1.2 Interpretation**, the following definitions:

“**Asphalt shingles**” means source separated asphalt and fiberglass shingles; *and*

“**Animal Attractant**” means any substance which could reasonably be expected to attract wildlife or does attract wildlife including but not limited to household refuse, kitchen waste, food products, beverage containers, barbecue grills, pet food, bird feed, diapers, grease barrels, fruit, salt, oil and other petroleum products and chemical products; *and*

“**Wildlife**” any mammals not normally domesticated, including but not limited to bears, cougars, coyotes, wolves, foxes, raccoons, feral rabbits and skunks;

- b. Replacing in **Section 1 Introduction 1.2 Interpretation**,

- i. the definition “**Co-mingled Containers**” with the new definition:

“**Co-mingled Containers**” means metal food and beverage containers, and all household plastic containers but does not include beverage containers under deposit and part of the Provincial container deposit and refund system;

- ii. the title “**Director of Environmental Services**” with the new title:
Director of Engineering Services and all references therein;

- iii. the title “**Treasurer**” with “**Director of Financial Services**” and all references therein;

- iv. The definition “**Wood Waste**” with a new definition:

“**Wood Waste**” means clean, organic, source-separated material including, but not necessarily limited to:

- Branches great than 5 centimetres in diameter

- v. the definition “**Yard Waste**” with a new definition:

“**Yard Waste**” means green waste including but not necessarily limited to grass, hedge clippings, leaves, flowers, vegetable stalks, wood or herbaceous waste, and pruning's up to 5 centimetres in diameter.

- c. Deleting in its entirety **Section 1 Introduction 1.2 Interpretation** the definition,

“Mandatory Recyclable Material”

(b) Mandatory Landfill or Recycling Depot Recyclable Material being all *Mandatory Residential Recyclable Material*, plus lead-acid batteries, *White Goods*, tires, asphalt, concrete, asphalt shingles, *Recyclable Gypsum*, and includes all products listed in the Provincial Environmental Management Act's Recycling Regulation (Product Stewardship Program).

and replacing with:

“Mandatory Recyclable Material”

(b) Mandatory Landfill or Recycling Depot Recyclable Material, being all *Mandatory Residential Recyclable Material*, plus lead-acid batteries, *White Goods*, scrap metal, tires, asphalt, concrete, asphalt shingles, *Recyclable Gypsum* and includes all products listed in the Provincial Environmental Management Act's Recycling Regulation (Product Stewardship Program).

- d. Deleting in its entirety **Section 2 Collection Systems 2.2 Container Requirements - Residential**,

2.2.13 From the beginning of March to the end of November on designated collection days each *Residential Dwelling Premise* shall be permitted to place a *Yard Waste Cart* at the curb for collection.

and replacing with:

2.2.13 From the beginning of March to the end of October on designated collection days each *Residential Dwelling Premise* shall be permitted to place a *Yard Waste Cart* at the curb for collection.

- e. Adding a new Section 2 Collection Systems in its appropriate place:

2.5 MANAGING ATTRACTANTS

2.5.1 A person must not feed *Wildlife*, and must not feed animals in a manner that is likely to attract *Wildlife*. Every *Owner* or occupier of a

Residential Dwelling Premise must ensure that:

2.5.1.1 any fruit or nuts from a tree, bush or shrub is maintained and stored in such a manner so as not to attract *Wildlife*;

2.5.1.2 any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to *Wildlife*; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar Animal Attractants;

2.5.1.3 any composting activity is carried out and any composting device or equipment is maintained in such a manner that it is inaccessible to *Wildlife*;

2.5.1.4 barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;

2.5.1.5 any refrigerator, freezer, storage container or similar appliance, device or apparatus that contains animal attractants of any type, if placed or located outdoors, is located and equipped in such a manner that it is inaccessible to *Wildlife*; and

2.5.1.6 any grease, antifreeze, paint or petroleum product is stored in such a manner that it is inaccessible to *Wildlife*.

2.5.1.7 Except as permitted in this bylaw, a person must not store any refuse that is an *Animal Attractant* in such a manner that it is accessible to *Wildlife*.

- f. deleting SCHEDULE "C" – Collection Limits and Fees in its entirety, and replacing it with a new **SCHEDULE "C"– Collection Limits and Fees**, as attached to and forming part of this bylaw.
2. This bylaw may be cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Amendment Bylaw No. 1490, 2021".

READ A FIRST, SECOND and THIRD TIME THIS _____ DAY OF _____ 2021.

ADOPTED THIS _____ DAY OF _____ 2021.

CHAIR

CORPORATE OFFICER

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1490, 2021 cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Amendment Bylaw No. 1490, 2021, as read a third time and adopted by the Regional Board on the day of

Dated at Kelowna, B.C.

this day of

2021.

CORPORATE OFFICER

SCHEDULE "C"

COLLECTION LIMITS AND FEES

1.0 The following amounts of *Garbage, Yard Waste and Mandatory Residential Recyclable Material* may be placed for pick up from *Residential Dwelling Premises*:

1.1 One (1) 120 litre *Garbage Cart* or one (1) 240 litre *Garbage Cart* of *Garbage* per *Residential Dwelling Premise* per weekly pick-up.

1.2 Furniture that fit within the *Garbage Cart* or not exceeding 23 kg and 0.5 cubic metres in size, tagged with a *Tag-a-Bag Tag* and which are not prohibited by this bylaw, may be considered for collection.

1.3 Notwithstanding Section 1.1 above, a maximum of two (2) additional *Garbage Bags* will be picked up provided each of these bags are tagged with *Tag-a-Bag Tags*.

1.4 An owner must not fill a *Garbage, Yard Waste and Recyclables Cart* in its possession to:

1.4.1 a gross weight that exceeds:

Cart Size	Weight Limit
120 litres	50 kg
240 litres	100 kg
360 litres	113.5 kg

1.4.2 To the extent that the lid does not close; or

1.4.3 To the extent that the collector cannot easily empty the contents.

2.0 The following fees and charges shall be paid in relation to the removal of *Garbage, Mandatory Residential Recyclable Material* and *Yard Waste* pursuant to the residential collection systems established under this bylaw:

\$167.06 per year, commencing January 1, 2010, for each individual *Residential Dwelling Premise* for basic *Garbage, Yard Waste and Mandatory Recyclable Material Collection/Transfer Station Fee* and an additional \$72.00 per year *Large Cart Fee* for each individual *Residential Dwelling Premise* with a 240 litre *Garbage* cart and an additional \$30.00 per year and \$60.00 *Additional Cart Fee* for each individual *Residential Dwelling Premise* with an additional *Yard Waste Cart* and an additional \$10.00 per year *Large Cart Fee* for each individual *Residential Dwelling Premise* that has upgraded a 240 litre *Yard Waste Cart* to a 360 litre *Yard Waste Cart*, as per Section 2.2.15."

2.1 \$2.50 per tag, for a *Tag-a-Bag Tag*.

2.2 Each individual *Residential Dwelling Premise* will receive one free *Garbage, Yard Waste and Recyclables Cart Change Out* for different cart sizes as per Sections 2.2.15 and 2.2.16. Additional cart size *Change Outs* will be assessed a *Change Out Fee* of \$25.00 per *Change Out* exchange and will be invoiced to the *Owner* of the *Residential Dwelling Premise*.

2.3 If *Garbage, Yard Waste and Recyclables Carts* become damaged, upon approval by the *Director of Engineering Services*, costs of the repairs may be charged to the *Owner* of the *Residential Dwelling Premise*.

2.4 The following fees and charges shall be paid in relation to those residences serviced by a transfer station in lieu of curbside pickup:

\$167.06 per year, commencing January 1, 2010, for each individual Residential Dwelling Premise for basic *Garbage, Yard Waste and Mandatory Recyclable Material Collection/Transfer Station Fee* for each individual *Residential Dwelling Premise*.

Notwithstanding this provision, where a waiver of service has been approved pursuant to Section 2.1.1 of this bylaw, or who have been excluded pursuant to Section 2.1.3 of this bylaw a *Collection Fee* shall not be levied, however, a *Solid Waste Reduction Services Fee* shall be levied for *Solid Waste Services*. This *Solid Waste Reduction Services Fee* shall be levied annually as a parcel tax. This fee for *Solid Waste Reduction Services* shall not exceed the amount defined in Regional District of Central Okanagan Solid Waste Management Local Service Area Establishment Bylaw No. 577, 1993.

Residential Dwelling Premises shall be invoiced with a utility bill sent at a minimum of twice yearly by the Regional District to cover the costs of the Garbage, Yard Waste and Mandatory Recyclable Material Collection Fee. Payments received are applied firstly to arrears, then to current charges. New accounts are billed from the date of request for final inspection of the applicable building permit works (or two months after insulation inspection if final inspection is not requested in a timely manner), on a pro-rated basis.

2.5 *Owners* of all parcels of land, including *Owners* of property who have been granted a waiver of service, pursuant to Section 2.1.1 of this bylaw, or who have been excluded pursuant to Section 2.1.3 of this bylaw, from the Regional District's residential collection systems, will be levied annually on their property tax notice a fee to cover *Solid Waste Reduction Services*. New accounts will be billed from the date of request for final inspection on a pro-rated basis. This *Solid Waste Reduction Services Fee* shall be levied annually as a parcel tax. This fee for *Solid Waste Reduction Services* shall not exceed the amount defined in Regional District of Central Okanagan Solid Waste Management Local Service Area Establishment Bylaw No. 577, 1993.

3.0 The following terms, conditions, and penalties of payment apply to participants of the solid waste management collection systems and transfer stations:

3.1 Fees will be billed quarterly or other established interval and all fees and charges shall be due and payable 30 days after the billing date.

3.2 A late payment penalty of four percent (4%) will be assessed each quarter (compounded quarterly 16.99% per annum) on all outstanding balances accrued under this Bylaw or its predecessors and not paid by the due date.

3.2 (1) In consideration of the COVID-19 Pandemic in 2020, outstanding balances not paid by the due date shall not be assessed the late payment penalty for the 2nd, 3rd and 4th Quarters. The penalty charges will resume in 2021.

3.3 The costs, rates, charges, fees and/or penalties required to be paid by this Bylaw shall form a charge against the parcel serviced, and if such costs, rates, charges, fees and/or penalties are unpaid on December 31st of the year in which they become payable, they shall be entered by the Regional District's Collector in the Collector's Roll next prepared, and transferred to the tax roll in the next succeeding year as arrears of taxes against the parcel from which they arose, and such amount may be recovered with interest at such rate as may be authorized from time to time by the Local Government Act, in like manner as municipal taxes. Payments must be received by December 15th to ensure adequate processing time at year end.