

**REGIONAL DISTRICT OF CENTRAL OKANAGAN  
BYLAW NO. 580**

**Solid Waste Management Regulation Bylaw**

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A bylaw to provide for the regulation of solid waste management facilities.

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WHEREAS the Regional District of Central Okanagan has, pursuant to Bylaw No. 577, cited as the Solid Waste Management Local Service Establishment Bylaw No. 577, established a local service area to provide for the management of solid waste pursuant to Section 788 (1)(c) of the Municipal Act;

AND WHEREAS the Regional District of Central Okanagan has, pursuant to Bylaw No. 579, cited as the Regional District of Central Okanagan Landfill User Rates Bylaw No. 579, repealed Bylaw No. 87, cited as the Regional District of Central Okanagan Westside Garbage Disposal Bylaw, No. 87, 1974 and as amended by Bylaw No. 121, cited as the Regional District of Central Okanagan Westside Garbage Disposal Amendment Bylaw No. 121, 1976.

AND WHEREAS the Regional District of Central Okanagan operates Solid Waste Management Facilities for disposal of garbage and maintains a system to collect, remove and dispose of garbage and compels persons to make use of such system and the Regional District wishes to regulate the Solid Waste Management Facilities.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

**1.0 INTERPRETATION**

In this bylaw, unless the context otherwise requires:

"Approved Disposal Site" means a site for the deposit and disposal of solid waste and/or recyclable materials, which is either owned and operated by the Regional District or authorized by the Regional District as a disposal site for which a permit has been issued under the Waste Management Act.

"Controlled Waste" means solid waste requiring special handling at the Solid Waste Management Facilities, and includes but is not limited to: asbestos, dry or slurry; food processing waste; large dead animals; white goods and biomedical waste. Special handling includes extra excavation, trenching, lining, extra cover and using extraordinary means to cover with other solid waste.

"Director of Engineering" means the person appointed as such by the Regional District and any person delegated to assist them in carrying out their duties under this bylaw.

"Divertible Waste" means source-separated waste collected at an approved disposal site that can be composted or marketed which includes, but is not necessarily limited to mattresses, lead-acid batteries, yard and garden waste, ferrous and non-ferrous metals, white goods and tires.

"Garbage Collection Area" means Electoral Areas A, G, H, and I, excluding areas falling within the boundaries of the City of Kelowna, the District of Peachland, or Indian Reserve Lands.

"Hazardous Waste" means gaseous, liquid and solid waste which, because of its inherent nature, requires special disposal techniques to avoid creating health hazards, nuisances or environmental pollution. Hazardous wastes specifically include toxins or poisons, corrosives, irritants, strong sensitizers, explosives and infectious wastes.

"Mandatory Recyclable Material" means material such as recyclable corrugated cardboard and recyclable newsprint which are required by the Regional District to be source separated for recycling.

"Owner" means the registered owner of any lands and premises situated within the garbage collection area and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises.

"Prohibited Waste" means gaseous, liquid or solid waste not acceptable for disposal at a Solid Waste Management Facility and includes, but is not limited to:

1. At Westside Sanitary Landfill:
  - (i) Liquids, except as permitted herein;
  - (ii) ignitable wastes as defined in the Special Waste Regulations of the Waste Management Act;
  - (iii) reactive wastes as defined in the Special Waste Regulations of the Waste Management Act;
  - (iv) radioactive wastes;
  - (v) hazardous waste;
  - (vi) motor vehicle bodies and farm implements;
  - (vii) special waste, as defined in the Special Waste Regulations of the Waste Management Act;
  - (viii) solid waste that is on fire or smouldering;
  - (ix) recyclable gypsum waste;
  - (x) mandatory recyclable materials;
  
2. At all Transfer Stations:
  - (i) Prohibited Westside Sanitary Landfill waste as defined in section 1 above.
  - (ii) controlled waste;
  - (iii) steel cables;
  - (iv) divertible waste;
  - (v) Rubble, trade waste, wood waste and demolition waste;
  
3. At all Recycling Depots:
  - (i) Prohibited Transfer Station waste as described in section 2 above excluding mandatory recyclable materials;
  - (ii) hazardous waste, except as permitted by the Director of Engineering;
  - (iii) standard municipal waste;
  - (iv) Divertible waste except as permitted by the Director of Engineering.

"Radio Active Waste" means waste containing a prescribed substance as defined in the Atomic Energy Control Act in sufficient quantity or concentration to require a license for possession or use under that Act and regulations made under that Act;

"Residential Dwelling Premise" means the individual dwelling units with direct access to the outdoors which could include single family dwellings, two family dwellings, triplexes, fourplexes, individually serviced units of apartments or condominiums and units in a mobile home park.

"Recyclable Corrugated Cardboard" means a container for goods which is composed of an inner fluting (wave-like) of material and one or two outer liners of material (linerboard) which is not lined with contaminants such as wax, plastic or foam, and is free from contaminants such as oil, grease and food.

"Recyclable Gypsum Waste" means source-separated gypsum board or wall board, including new construction off-cuts or scraps and old wallboard that has been painted, covered in wallpaper, vinyl or ceramic tiles and is removed during renovation, but excluding wallboard from demolition sites or wallboard associated with asbestos.

"Recyclable Waste" means marketable, source-separated waste that includes but is not limited to, newspaper, ledger and computer paper, magazines, telephone directories, corrugated cardboard, boxboard, plastic food and beverage containers, ferrous and non-ferrous metals food and beverage containers, glass food and beverage containers.

"Recyclable Newsprint" means all newspapers and regular inserts as well as unprinted cuttings and sheets of white newsprint paper or other papers of white groundwood quality, free of coated stock.

"Recycling Depot" means a facility for the collection and storage of recyclable waste that is operated by the Regional District as part of its recycling program.

"Regional District" means the Regional District of Central Okanagan as described in the Letters Patent or subsequent amendments incorporating the said Regional District, excluding the City of Kelowna and the District Municipality of Peachland.

"Solid Waste" means standard municipal waste, recyclable waste, yard and garden waste and controlled waste suitable for landfilling at Westside Sanitary Landfill site but excluding Prohibited Waste;

"Solid Waste Management Facilities" means Westside Sanitary Landfill, Traders' Cove Transfer Station, North Westside Road Transfer Station, recycling depots and other facilities the Regional District of Central Okanagan may establish from time to time for collection and disposal of garbage and handling of recyclable materials.

"Standard Garbage Container" (hereafter referred to as "standard container") means non-corrosive, durable receptacles, fitted with secure handles and a water-tight cover or approved plastic bags, which shall contain not more than 95 litres, and must not weigh more than 25 kg when full, used for the collection of garbage from residential dwelling premises.

"Tag-a-Bag Tie" means a tag which must be placed on all garbage bags which exceed the quantity limits for garbage removal outlined in this bylaw, with such ties being made available by the Regional District of Central Okanagan for a fee.

"Transfer Station" means a facility for collecting garbage and/or separated recyclable material in preparation for transportation to a landfill site, processing plant or recycling facility.

"White Goods" means large metal appliances such as refrigerators and freezers containing ozone depleting substances.

## 2.0 CONDITIONS

- 2.1 No person shall deposit solid waste which does not originate from within the regional district at the disposal site except as permitted by the Director of Engineering.
- 2.2 No person shall deposit solid waste at a location other than an approved disposal site.
- 2.3 No person shall deposit solid waste at a Solid Waste Management Facility, except in accordance with the bylaw and any regulations posted at the Solid Waste Management Facility.
- 2.4 No person shall deposit a Prohibited Waste at a Solid Waste Management Facility.
- 2.5 No person within the garbage collection area shall dispose of garbage except in accordance with the provisions of this bylaw.

## 3.0 RESIDENTIAL GARBAGE COLLECTION SYSTEM

- 3.1 Every owner of a residential dwelling premise within the garbage collection area shall use the garbage collection system established by the Regional District pursuant to this bylaw and shall pay the rates and fees set out in the Regional District of Central Okanagan Garbage Collection User Rates Bylaw No. 581, 1993, except those who have been granted a waiver of service by the Regional District Board of Directors.
- 3.2 The Regional District Regional Board reserves the right to exclude or exempt a residential dwelling premise from the garbage collection area if collection costs or access routes are unreasonable.
- 3.3 The Regional District or a contractor acting on behalf of the Regional District shall pick up all garbage set out at residential dwelling premises provided it conforms to the terms of this bylaw and does not exceed the quantity limits outlined in Schedule "A".
- 3.4 Every owner of premises other than residential dwelling premises shall provide for a system of garbage collection, removal, and disposal for their premises consistent with any applicable Federal, Provincial, Regional District, or Municipal regulation that may apply.
- 3.5 No person shall litter garbage or dispose of garbage contrary to the provisions of this bylaw.

**4.0 CONTAINER REQUIREMENTS**

- 4.1 Every owner of residential dwelling premises within the garbage collection area shall provide and maintain in sanitary condition and in good order and repair, standard garbage containers sufficient in number at all times to contain all garbage in a sanitary condition. The Regional District or its contractors shall not be responsible for the replacement of any containers or lids damaged or lost for any reason whatsoever.
- 4.2 Every owner of premises other than residential dwelling premises shall provide containers sufficient in size and number to contain all garbage without spillage and in a sanitary condition at all times. Containers must not be overfilled such that the lid cannot be secured and locked shut.
- 4.3 No person shall place garbage for pick-up with the garbage of others or place garbage in containers owned by others without that owner's permission.
- 4.4 Containers shall be kept on the premises at all times and shall not encroach upon or project over any street, lane or public place except when placed on such street or lane for the purpose of collection under this Bylaw.
- 4.5 All containers shall be kept and maintained at, and readily accessible for emptying, between the hours of 7:00 a.m. and 7:00 p.m. on the day of collection.
- 4.6 For collection purposes, all containers must be placed next to the lane, or the boulevard or at a place designated by the Director of Engineering.
- 4.7 If standing containers are enclosed in a structure, it shall be built with doors opening upon the pick-up side so that the said containers may be readily removed.
- 4.8 All standard containers shall be kept on the ground level or on a platform not more than one foot in height above ground and shall be readily accessible from the street, or lane abutting the premises.
- 4.9 Where arrangements have been made for on-site pick-up, a passageway and ready means of access to standard containers on premises to which no lane has access shall, at all reasonable times, be provided from the street, and such passageway means of access shall be unobstructed, satisfactorily maintained, and of sufficient size and kind to enable any employee or contractor of the Regional District to have access thereto.
- 4.10 Standard containers shall not weigh more than 25 kg per individual container when full. Inert garbage, not placed in containers, must be tied securely in bundles not exceeding a length of one metre or a weight of 25 kg.
- 4.11 All garbage containers shall be kept covered with watertight lids, or fastened in such a manner that they are watertight.
- 4.12 All containers for garbage and any structure used as a cover for such containers shall, at all times, be kept in good repair, clean and accessible for inspection at all reasonable hours. When any standard or special container has been condemned by the Regional District, such container shall be removed by the owner of the premises who shall provide a suitable container in its place.
- 4.13 The Regional District may suspend collection service from properties where containers or location or design of pick-up facilities are contrary to the provisions of this bylaw, but such suspension shall not waive any requirement, or abate or waive any charges or rates under the provision of this bylaw.

**5.0 DISPOSAL REQUIREMENTS WITHIN GARBAGE CONTAINERS**

- 5.1 No liquids shall be put in or be allowed to accumulate in any garbage container.
- 5.2 All table and kitchen garbage, all wet garbage, floor sweepings, ashes and sawdust or other granular materials must be in a garbage bag before being placed within any container.
- 5.3 All solids, gases or liquids which might adhere to any container, shall be separately contained within individual disposable wrappings or containers before being placed within the garbage container.

5.4 Ashes shall be placed in non-combustible containers and separate from other garbage or inflammable material.

6.0 **MATERIALS PROHIBITED IN RESIDENTIAL GARBAGE**

6.1 No person shall place or mix, with any material for removal as garbage any explosive volatile, corrosive materials, dangerous chemicals or any other material dangerous to the health and/or safety of the garbage collection personnel.

6.2 Hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, animal cuttings or wastes, dead animals or oil, fuel, or other equipment lubricant filters shall not be placed for residential garbage collection.

6.3 The Regional District reserves the right to refuse to remove all waste material which is not garbage, as defined by this Bylaw, including any mandatory recyclable materials.

7.0 **SANITARY LANDFILL**

7.1 The Regional District reserves the right to control the type and nature of garbage and waste which is dumped at the Regional District disposal sites.

7.2 Every person depositing garbage or any other materials in the Westside Sanitary Landfill shall pay the rates and fees set out in the Regional District of Central Okanagan Landfill User Rates Bylaw No. 579.

7.3 No person shall, in depositing garbage at a landfill site:

(a) Deposit a Prohibited Waste.

(b) Deposit a Special Waste, except with the approval of the Ministry of Environment when the Special Waste is deposited in those portions of the landfill site assigned and indicated by the Regional District staff in charge thereof.

(c) Deposit mandatory recyclable materials in garbage except with the payment of double the required landfill disposal fee as specified in the Regional District of Central Okanagan Landfill User Rates Bylaw No. 579.

7.4 All loads of wastes delivered to the landfill shall be covered as specified in Schedule "B" of this Bylaw.

7.5 At least 24 hours notice must be given to the Director of Engineering prior to disposal of controlled waste.

8.0 **TRANSFER STATIONS**

8.1 No person shall deposit prohibited transfer station waste at a transfer station intended and posted for garbage only.

8.2 Transfer stations at the Westside Road and North Westside Road sites shall be used only by those residents participating in those local service areas, as defined by the local service area bylaws, notwithstanding Section 3.0 of this Bylaw.

8.3 Transfer stations operating to collect recyclable gypsum waste are prohibited from having more than 100 tonnes of material at any given time.

8.4 All transfer station operators must take sufficient measures to prevent contamination of collected material and to keep the site and surrounding area free from litter or other environmental pollution.

9.0 **RECYCLING DEPOTS**

9.1 No person shall deposit prohibited recycling depot waste at a recycling depot intended and posted for recyclable waste only.

9.2 All recycling depot operators must take sufficient measures to prevent contamination of collected material and to keep the site and surrounding area free from litter or other environmental pollution.

9.3 The Regional District reserves the right to control the type and nature of recyclable waste which is brought to the Regional District recycling depots.

10.0 PENALTY

10.1 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 of any of the provisions of the bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be deemed to be guilty of an infraction hereof and liable to penalties hereby imposed.

10.2 Every person guilty of an infraction of this bylaw shall be liable on summary conviction, to a penalty not less than \$200.00 and not more than \$2000.00 for the first offence and for each subsequent offence to a fine of not less than \$500.00 and not more than \$2000.00 or the maximum penalty provided under the Offence Act. A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

10.0 SCHEDULES

10.1 Schedules "A" and "B" inclusive of this bylaw form part of and are enforceable in the same manner as this bylaw.

11.0 TITLE

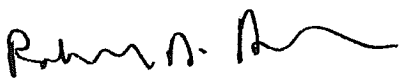
This bylaw may be cited for all purposes as "Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 580."


READ A FIRST TIME THIS 13th DAY OF December, 1993.

READ A SECOND TIME THIS 13th DAY OF December, 1993.

READ A THIRD TIME THIS 13th DAY OF December, 1993.


RECONSIDERED AND ADOPTED THIS 13th DAY OF December, 1993.

  
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CHAIRPERSON

  
\_\_\_\_\_  
SECRETARY


I hereby certify the foregoing to be a true and correct copy of Bylaw No. 580, cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 580, 1993", as read a third time by the Regional Board this 13th day of December, 1993.

Dated at Kelowna, B.C. this  
15th day of December,  
1993.

  
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SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 580, cited as the "Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 580, 1993", as reconsidered and adopted this 13th day of December, 1993.

Dated at Kelowna, B.C. this  
15th day of December,  
1993.

  
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SECRETARY

SCHEDULE "A"

GARBAGE PICK UP LIMITS

The following amounts of garbage may be placed for pick up from residential dwelling premises:

1994 - 3 bags/280 litres maximum per dwelling unit\* per pick-up

1995 - 2 bags/190 litres maximum per dwelling unit\* per pick-up

1996 - 2 bags/190 litres maximum per dwelling unit\* per pick-up

1997 - 1 bag/95 litres maximum per dwelling unit\* per pick-up

\*A maximum of two additional bags (190 litres) will be picked up provided these bags are tagged with a "Tag-a-Bag" Tie. Users of the "Tag-a-Bag" ties shall pay the fees set out in the Regional District of Central Okanagan Garbage Collection User Rates Bylaw No. 581, 1993.

SCHEDULE "B"

SITE REGULATIONS

PURPOSE

To ensure a safe and orderly environment for the staff and public at the Westside Sanitary Landfill.

POLICY

These site regulations shall be observed by anyone using the disposal site.

PROCEDURE

1. Vehicles

No vehicle will be permitted on the landfill site if:

- (a) The vehicle's load exceeds the permitted weight limits set out in the regulations passed pursuant to the Motor Vehicle Act, or the Commercial Transport Act; or
- (b) It exceeds the posted speed limits; or
- (c) It is noisy due to improper or poor muffling and braking systems; or
- (d) The load is poorly secured as to be noisy and/or dangerous.

2. Covered Loads

All loads of solid waste entering the disposal site shall be secured and covered. A cover shall be defined as a tarpaulin or other overlay that is used to confine the load to the vehicle. The following items will be permitted onto the disposal site without covers.

- (a) Stumps - chained on flat bed or within confines of truck box.
- (b) Soil, sand, gravel, rock - within the confines of their box (tailgates closed).
- (c) Bulky Wastes - metal containers or manufactured items with a volume greater than 1.5 cubic metres (53 cubic feet/330 gallons) strapped on flat beds or within confines of truck box. Timbers greater than 2.5 metres in length.

3. Disposal Site

- (a) Persons delivering solid waste to the disposal site shall drive their vehicles only on the roads provided by the Regional District.
- (b) Persons delivering solid waste to the disposal site shall deposit the solid waste in such a place and in such a manner as directed by the Regional District staff and/or the landfill contractor.
- (c) All solid waste deposited on the disposal site shall become the property of the Regional District.
- (d) Salvage and/or removal of deposited solid waste from the disposal site is prohibited unless otherwise approved by the Director of Engineering.
- (e) All persons using the disposal site will act and speak in a courteous manner when dealing with Regional District staff and/or the landfill contractor. Refusal to act in a cooperative manner can result in the suspension of disposal site privileges. In case of dispute, the Director of Engineering or a representative shall make the final decision.