

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 8663

**TO PROVIDE FOR THE REGULATION, COLLECTION
AND REMOVAL OF GARBAGE**

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 “**CORRUGATED CARDBOARD**” means cardboard consisting of three or more layers of kraft paper material and having smooth exterior liners and a corrugated or rippled core, but excludes cardboard impregnated with blood, grease, oil, chemicals, food residue or wax, or which has polyethylene, polystyrene, foil or other non-paper liners.
- 1.03 “**DIRECTORIES**” means paper books containing, but not limited to, alphabetical or classified lists by name, address, telephone number or location, which are used and distributed primarily by telephone companies and real estate boards.
- 1.04 “**DWELLING UNIT**” means any single family dwelling and any self-contained living unit but shall not include hotel, motel, auto court, guest house or other living units operated for transient occupancy.
- 1.05 “**GARBAGE**” means and includes all waste, rubbish and any noxious, offensive, unwholesome or discarded matter excepting however, human or animal excreta or any object that is too large to be enclosed in a regulation garbage receptacle as hereinafter defined.
- 1.06 “**GARBAGE COLLECTOR**” or “**COLLECTOR**” means any person or persons appointed from time to time by Council or designated by the Director of Engineering to collect and remove garbage.
- 1.07 “**GARDEN WASTE**” means any clippings, prunings, leaves or other parts of plants, shrubs or trees.

1.08 “**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 and rodenticides;
- (b) Oil-based paints, lacquers, paint thinners, resins and paint strippers;
- (c) A product containing a corrosive chemical including:
 - i) hydrochloric acid, sulphuric acid, nitric acid, phosphoric acid, sodium hydrogen sulphate, acetic acid, trichloroacetic acid, formic acid, lactic acid, hydroxides of alkali metals, carbonates of alkali metals, ammonium hydroxide or ammonia, and
 - ii) oxalic acids, salts of oxalic acid, phenol, o-cresol, m-cresol, p-cresol, silver nitrite, zinc chloride, iodine or sodium peroxide;
- (d) Petroleum distillates or products containing petroleum distillates including naphtha, mineral spirits, Stoddard solvent, kerosene, gasoline, mineral seal oil and other related distillates of petroleum;
- (e) Adhesives, cleaning solvents, thinning agents and dyes containing toluene or acetone;
- (f) Fire extinguishing fluids composed of or containing any halogenated aliphatic hydrocarbons;
- (g) Antifreeze preparations containing ethylene glycol or diethylene glycol;
- (h) Turpentine or products containing turpentine including gum turpentine, steam distilled wood turpentine, sulphate wood turpentine and destructively distilled wood turpentine;
- (i) Methyl alcohol or products containing methyl alcohol;
- (j) Alkyl cyanocrylate adhesives;
- (k) Products used in polishing, cleaning or plating metal that contain hydrocyanic acid or salts of hydrocyanic acid;
- (l) Automotive oils and batteries;
- (m) Alkaline batteries;

- (n) Fluorescent ballasts containing PCB=s;
- (o) Mothballs;
- (p) Radioactive materials;
- (q) Dead animals;
- (r) Explosives;
- (s) Human and animal excrement;
- (t) Gypsum Board or drywall;
- (u) Hypodermic needles unless in puncture proof containers.

1.09 “**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.

1.10 “**OCCUPIER**” shall have the meaning assigned to it in the *Community Charter*, S.B.C. 2003, C.26.

1.11 “**OWNER**” shall have the meaning assigned to it in the *Community Charter*, S.B.C. 2003, C.26.

1.12 “**RECYCLING MATERIALS**” means used newspapers, cans, glass items and any other material intended to be recycled.

1.13 “**REGULATION GARBAGE RECEPTACLE**” means a watertight galvanized iron or rigid plastic receptacle, circular in design, in good repair, equipped with two handles set opposite to each other on the receptacle, and having a capacity of not more than 130 litres (28.6 imperial gallons).

1.14 “**RESIDENTIAL**” means the use of a building or a part thereof as a dwelling unit or dwelling units.

1.15 “**TIRES**” means the outer pneumatic rubber covering of wheels of passenger vehicles, light service trucks and motorcycles with an inner diameter of less than 42 centimetres.

1.16 “**TRADE PREMISES**” means any premises occupied and used as other than dwelling unit.

1.17 **“WHITE GOODS”** means metal appliances and includes refrigerators, freezers, clothes washers, dishwashers, clothes dryers, ranges, stoves, air conditioners and hot water tanks.

2. PROVISION OF GARBAGE RECEPTACLES

2.1 Every occupier of a dwelling unit, every occupier or licensee of a trade premises, every owner of an apartment building and every owner of a hotel, motel, auto court, guest house or other living units operated for transient occupancy shall provide a sufficient number of garbage receptacles to contain all garbage from such dwelling unit, trade premises, apartment house or hotel, motel, auto court, guest house or other living units operated for transient occupancy.

3. GARBAGE COLLECTION FROM DWELLING UNITS IN REGULATION GARBAGE RECEPTACLES

3.1 Each dwelling unit in a single family dwelling, duplex, triplex or fourplex shall be entitled to the collection of two regulation garbage receptacles every fourteen days.

3.2 Statutory holidays shall not be counted in calculating the fourteen day interval provided in Section 3.1.

3.3 The owner 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 garbage 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.

3.4 Except as provided in Section 6 hereof, garbage shall only be collected from regulation garbage receptacles.

4. COLLECTION FEES FOR RESIDENTIAL PROPERTIES USING REGULATION GARBAGE RECEPTACLES

4.1 There shall be imposed upon the owners of each parcel of land upon which a single family dwelling, duplex, triplex, or fourplex is located, a garbage collection fee in the amount of \$127.75 per dwelling unit per year.

4.2 An owner who does not require garbage collection service may apply to the Council for a waiver and if so granted, there shall be no charge levied against such property under this section.

- 4.3 There shall be imposed upon the owner of a residential development, other than a single family dwelling, duplex, triplex or fourplex, obtaining service under Section 3 hereof, a garbage collection fee in the amount of \$127.75 per dwelling unit per year.
- 4.4 Garbage collection fees imposed under this section shall be a charge on the parcel of land on which the fee is imposed and shall be collected in the same manner and with the like remedies as ordinary taxes on the land.

5. EXTRA PICKUPS AND DROP OFFS

- 5.1 A maximum of two extra garbage receptacles will be collected from each residential dwelling unit in addition to the number set forth in Section 3 hereof on each collection date at a charge of \$2.50 per receptacle.
- 5.2 Extra receptacles shall not be collected unless there is a proof of payment sticker, issued by the Corporation, affixed to the receptacle.
- 5.3 Owners or occupiers of single family dwellings or duplexes may request a special pickup of garbage in excess of that provided for under Section 3 hereof and the charge for so doing shall be \$30.00 per cubic metre of garbage collected with a minimum charge of \$30.00.
- 5.4 Owners or occupiers of single family dwellings or duplexes may drop off garbage in excess of that provided for under Section 3 hereof at 1040 McKenzie Avenue every Saturday between the hours of 9:00 a.m. and 1:00 p.m. and the charge for so doing shall be:
 - § for up to 2 regulation garbage receptacles, containers or bags each having a capacity of not more than 130 litres - \$5.00;
 - § for 3 or more regulation garbage receptacles, containers or bags each having a capacity of not more than 130 litres - \$2.50 each up to a maximum charge of \$15.00 for each cubic metre of garbage.

6. GARBAGE COLLECTION FROM NON-RESIDENTIAL DEVELOPMENTS USING REGULATION GARBAGE RECEPTACLES

- 6.1 An owner or occupier of non-residential premises may obtain upon request to the Corporation garbage collection service to the property using regulation garbage receptacles.
- 6.2 Each collection unit in a non-residential development as set out in the following table, shall be entitled to the collection of 4 regulation garbage receptacles at the collection interval set out in Section 3 hereof.

Collection Units

<u>Type of Occupancy</u>	<u>Collection Unit</u>
Commercial	For each separately licensed self-contained premises.
Industrial	For each separate lot containing such premises.
Hospital, School or other Institution	For each separate institution.
Office Building	For each separate lot containing an office building or buildings.
Hotels, Auto Courts, Motels or other occupancy not specified above.	For each separate lot containing a building or buildings so occupied.

6.3 The fee payable for the collection of each regulation garbage receptacle from a non-residential development shall be \$2.50 per receptacle.

6.4 Receptacles shall not be collected from a non-residential development unless there is a proof of payment sticker, issued by the Corporation, affixed to the receptacle.

7. LOCATION OF RECEPTACLES

7.1 All regulation garbage receptacles shall at all times, be kept on the premises, on the ground level, and conveniently accessible to the Collector without the necessity of going up or down 3 or more stairs, opening doors from the street, lane side or rear entrances of the premises, provided, however, that the distance of the regulation garbage receptacles from the highway, shall not exceed 150 m (500 ft.), and from an all-weather driveway adequate for collection vehicles to pass over, shall not exceed 15 m (50 ft.).

8. AVAILABILITY OF GARBAGE RECEPTACLES

8.1 All regulation receptacles shall be accessible to the Collector between the hours of 7:00 a.m. and 8:00 p.m. every day except Sundays and statutory holidays.

- 8.2 No person shall, at any time, place their own garbage into a municipal vehicle without the authorization of the Collector.

9. FILLING OF GARBAGE RECEPTACLES

- 9.1 No regulation garbage receptacle shall be filled beyond a point 5 cm (2") from the top thereof or so that its gross weight exceeds 25 kg (55 lbs.).

10. LIQUIDS IN GARBAGE RECEPTACLES

- 10.1 No liquids or free water shall be put, placed in, allowed to run into, or accumulate in any regulation garbage receptacle and all regulation garbage receptacles shall, at all times, be kept securely covered.

11. HOUSEHOLD HAZARDOUS WASTE

- 11.1 No person shall put household hazardous waste in a regulation garbage receptacle placed out for collection by the Collector.
- 11.2 Garbage will not be collected from any regulation garbage receptacle containing household hazardous waste.

12. PROHIBITED WASTE

- 12.1 No person shall put garden waste, corrugated cardboard, directories, tires, or white goods or any part thereof, in a regulation garbage receptacle placed out for collection by the Collector.
- 12.2 Garbage will not be collected from any regulation garbage receptacle containing garden waste, corrugated cardboard, directories, tires, or white goods.

13. WRAPPING OF GARBAGE

- 13.1 All discarded vegetable or animal matter, and other garbage capable of putrefying, shall be drained and wrapped before being deposited in a regulation garbage receptacle or bulk container.

14. MAINTENANCE OF REGULATION GARBAGE RECEPTACLES

- 14.1 All persons required to provide regulation garbage receptacles under the terms of this bylaw shall maintain the said receptacles in a clean and sanitary condition at all times and in good repair and shall replace the same when they become unserviceable.

15. DISCONTINUED GARBAGE COLLECTION

- 15.1 Where a condition exists on any property which prevents the Garbage 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.
- 15.2 Responsibility for disposal of garbage during discontinuance of service as aforesaid shall rest with the owner or occupier.

16. ACCUMULATION OF OBJECTIONABLE GARBAGE PROHIBITED

- 16.1 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 occupier of real property or their agents shall remove therefrom 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.

17. RECYCLING MATERIAL

- 17.1 No person shall remove, take or convert to his/her own use any recycling materials placed on a road allowance, including the sidewalk or boulevard, unless he/she is:
- (a) the person who initially placed the recycling 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 recycling materials in the Municipality.
- 17.2 No person shall place any recycling materials in a regulation garbage receptacle.

17.3 Section 17.2 shall not apply to newspapers which are being used in the household so as to be unfit for recycling.

18. PENALTY FOR VIOLATION

18.1 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 \$50.00 and not more than \$500.00. A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

18.2 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.

19. INSPECTION

19.1 The Director of Engineering may enter, at all reasonable times, upon any property in order to ascertain whether the regulations set out in this bylaw are being obeyed.

19.2 No person shall prevent or obstruct, or attempt to prevent or obstruct, the entry of the Director of Engineering upon any property as authorized under Section 19.1 of this bylaw.

20. Bylaw No. 7181, being the “Garbage Collection and Disposal Bylaw, 1993”, is hereby repealed except insofar as it repeals any other bylaw.

21. This Bylaw may be cited for all purposes as the “**GARBAGE COLLECTION AND DISPOSAL BYLAW, 2005, NO. 8663**”.

Includes Bylaw Amendment No. 8764, 8852 and 8926