

PEACE RIVER REGIONAL DISTRICT
By-Law No. 1899, 2010

A by-law for the purpose of establishing Regulations
for the disposal of Solid Waste within the Peace River Regional District

WHEREAS the Province of British Columbia has mandated that the Peace River Regional District undertake Regional Solid Waste Management;

AND WHEREAS the Peace River Regional District has, by by-law, established regional solid waste management as a local service pursuant to the *Local Government Act*, R.S.B.C. 1996, c. 323;

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

PART I -- INTERPRETATION

Definitions

2. In this by-law:

"Asbestos"

means solid waste containing friable asbestos fibres or dust as defined in the Special Waste Regulation (British Columbia).

"Authorized Landfill Site"

means a landfill site which is authorized by permit under the Waste Management Act (British Columbia) for the disposal of controlled waste;

"Bulky Waste"

means a solid waste article having a volume greater than 1.0 cubic metres (10.76 cubic feet) or a length greater than 1.0 metre (39.6 inches);

"Condemned Foods"

means any food or other edible matter that has been deemed to be a health hazard pursuant to the Health Act (British Columbia);

"Contaminated Soils"

means soils not satisfying the standard for Industrial Land (IL) use under the Contaminated Sites Regulation (British Columbia) but not classified as a special waste;

"Controlled Waste" means:

- a) empty steel and plastic drums, not crushed and not previously used for the transport or storage of prohibited waste;
- b) bulky waste;
- c) household furniture and large appliances;
- d) treated seed, weed, cereal, oil, legume and grass seed, and screenings;
- e) nuisance agricultural waste including, but not limited to, wire, twine and plastic materials;
- f) food processing waste;



"Controlled Waste" (continued):

- g) medium duty equipment and truck tires;
- h) heavy duty equipment and truck tires;
- i) demolition, land clearing, and construction waste, excluding materials designated as restricted waste in this by-law;
- j) solids from parking lot drainage sumps, street catch basins, commercial laundry lint traps, and sumps from vehicle washing facilities only;
- k) soils and slurries from what are known as soft digs;
- l) yard and garden waste; and
- m) stripped or unstripped vehicle hulks.

"Disposal"

means final deposit at a transfer site or landfill site;

"General Manager"

means the "General Manager of Environmental Services" for the Regional District;

"Heavy Duty Equipment and Truck Tires"

means the outer pneumatic rubber covering of heavy duty equipment and truck wheels having an inner diameter greater than 62 centimetres (24.5 inches);

"Household Waste"

includes, but is not limited to, domestic rubbish, waste, and discarded materials including ashes, floor sweepings, crockery, discarded animal or vegetable foods, plastics, metals, containers,

but does not include other forms of solid waste;

"Landfill Site"

means a landfill site owned and operated by, or on behalf of, the Regional District;

"Medium Duty Equipment and Truck Tires"

means the outer pneumatic rubber covering of medium duty equipment and truck wheels having an inner diameter greater than 42 centimetres (16.5 inches) and less than 62 centimetres (24.5 inches);

"Ozone Depleting Substances"

means any and all chemical agents that, upon release into the atmosphere, have a detrimental effect on stratospheric ozone levels, and includes those chemicals identified as such in the Ozone Depleting Substances Regulation (British Columbia);

"Passenger Vehicle and Light Truck Tires"

means the outer pneumatic rubber covering of passenger vehicle and truck wheels having an inner diameter of 42 centimetres (16.5 inches) or less;



"Prohibited Waste" includes, but is not limited to:

- a) liquids;
- b) slurries, except as otherwise specifically provided for in this by-law;
- c) ignitable waste;
- d) reactive waste;
- e) radioactive waste;
- f) industrial chemical waste;
- g) tires on rims;
- h) special waste;
- i) paint as regulated under the Post Consumer Paint Stewardship Program Regulation (British Columbia);
- j) herbicides and pesticides as regulated under the Post Consumer Residual Stewardship Program Regulation;
- k) explosives;
- l) smouldering ashes;
- m) containers used for the storage or transport of any of the foregoing;
- n) coated steel pipe ("yellow jacket" or insulated pipe);
- o) wire rope in excess of 1.2 metres (4 feet) in length; and
- p) used lubricating oil, oil filters and oil containers as regulated under the British Columbia Used Oil Management Association Stewardship Program.

"Recyclable Material"

means marketable solid waste that includes, but is not limited to, newspaper, paper, cardboard, and metal and glass containers;

"Regular Waste" means:

- a) household waste;
- b) passenger vehicle and light truck tires not on rims;
- c) crushed steel or plastic drums not previously used for the transport or storage of prohibited waste; and
- d) animal carcasses not listed in the Wildlife Act or the Livestock Act, but does not include non-domestic recyclable material;

"Restricted Waste"

means those types of solid waste which, by reason of their inherent nature, may require special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution, and for which an authorized landfill site is operated in the Regional District, and include:

- a) condemned foods;
- b) lead acid batteries;
- c) gypsum board and byproducts;
- d) contaminated soils;
- e) asbestos;
- f) animal carcasses listed in the Livestock Act or the Wildlife Act; and
- g) commercial grade cardboard.



"Soils"

means soils satisfying the standard for Industrial Land (IL) use or better under the Contaminated Sites Regulation (British Columbia);

"Solid Waste"

means any discarded matter, including, but not limited to:

- a) regular waste;
 - b) controlled waste; and,
 - c) restricted waste,
- but does not include non-domestic recyclable material or prohibited waste;

"Special Waste"

has the meaning given to it in the Waste Management Act (British Columbia);

"Stripped Vehicle Hulk"

means a vehicle hulk that has had its tires, automotive fluids, lubricating oils, shocks, ozone depleting substances, batteries, fuel tanks, and other similar materials removed;

"Transfer Station"

means a transfer station operated by, or on behalf of, the Regional District;

"Vehicle Hulk"

means a wrecked or derelict vehicle body.

PART II -- GENERAL PROVISIONS

Requirement to Comply with by-law

3. Every person in the Regional District having solid waste or carrying out activities that generate solid waste shall dispose of such solid waste in accordance with the regulations set out in this by-law.

Disposal of Solid Waste Within Regional District

4. Every person in the Regional District disposing of solid waste, other than restricted waste or recyclable material, at a transfer station or landfill site shall do so in accordance with the regulations set out in this by-law.
5. Every person in the Regional District may dispose of restricted waste at a landfill site in accordance with the regulations set out in this by-law.
6. No person shall transport solid waste for disposal anywhere within the Regional District other than to a transfer station or landfill site. In the case of restricted waste, such restricted waste may be disposed of at a facility authorized under the Waste Management Act (British Columbia) for the storage, handling, and disposal of such restricted waste.



Transportation of Solid Waste

7. No person shall transport solid waste in the Regional District unless such solid waste is properly secured to ensure that it does not escape from the vehicle.

Solid Waste Originating Outside the Regional District

8. No Commercial or Industrial operation shall dispose of solid waste which originated from outside the Regional District within the Regional District except with the written permission of the General Manager.

Prohibited Waste - Exclusion

9. No person shall dispose of prohibited waste at any transfer station, landfill site or other place within the Regional District, except at a facility authorized under the Waste Management Act (British Columbia) or other regulation, for the storage, handling, and disposal of prohibited waste.

Non-Domestic Recyclable Material - Exclusion

10. Persons disposing of non-domestic recyclable materials shall do so if at all possible at a facility authorized under the Waste Management Act (British Columbia) or other regulation, for the storage, handling, and disposal of non-domestic recyclable material. The General Manager may make directions from time to time as needed in the handling of non-domestic recyclable material.

PART III -- TRANSFER STATIONS

Establishment of Transfer Stations

11. The Regional District may establish transfer stations for the purpose of collecting household waste for subsequent transport to a landfill site.

Transfer Station Regulations

12. Every person disposing of solid waste at a transfer station shall deposit such solid waste in accordance with the provisions of this by-law.
13. Every person disposing of household waste at a transfer station shall deposit the household waste in the appropriate receptacles.
14. Every person disposing of household waste at a transfer station shall do so in accordance with all posted signage.
15. No person depositing household waste at a transfer station shall do so in such a manner as to create a safety hazard for Regional District employees or contractors or the public at large.



Exclusion of Other Types of Solid Waste

16. No person shall dispose of solid waste, other than household waste, at a transfer station except as otherwise provided by the Regional District from time to time.

PART IV -- LANDFILL SITES

General Landfill Site Regulations

17. Every person disposing of solid waste at a landfill site shall deposit such solid waste in such a place, and in such a manner, as directed by a landfill site attendant.
18. Every person disposing of solid waste at a landfill site shall sort and separate all such solid waste prior to entering the landfill site. Where such solid waste is not sorted and separated prior to entering the landfill site, the Regional District may refuse to accept the solid waste for disposal.
19. Every person depositing solid waste at a landfill site shall proceed directly to the unloading area upon being directed to do so by a landfill attendant or landfill contractor, unload such solid waste from their vehicle in an expeditious manner, and leave the unloading area immediately after unloading their vehicle.
20. Every person depositing solid waste at a landfill site shall, within the landfill site, only travel along signed and designated landfill roads.
21. No person shall operate a vehicle at a landfill site in such a manner as to exceed the posted speed limits, create excessive noise, or create a hazardous condition.
22. No person shall loiter at a landfill site.
23. All solid waste disposed of at a landfill site is the property of the Regional District and no person shall salvage or remove any solid waste from a landfill site without the prior permission of the Regional District.
24. Every person disposing of solid waste at a landfill site shall do so in accordance with all posted signage at the landfill site.

Regulations for Regular Waste

25. Every person in the Regional District shall dispose of regular waste at a landfill site in accordance with the provisions of this by-law.
26. Every person in the Regional District shall dispose of household waste at a transfer station or landfill site in accordance with the provisions of this by-law.



Regulations for Controlled Waste

27. Every person in the Regional District shall dispose of controlled waste at a landfill site in accordance with the provisions of this by-law.
28. Every person disposing of controlled waste at a landfill site shall deposit such controlled waste in such a place, and in such a manner, as directed by the General Manager or a landfill site attendant.

Regulations for Restricted Waste

29. Every person in the Regional District may, with the permission of the General Manager, dispose of restricted waste at an authorized landfill site in accordance with the provisions of this by-law.
30. No person shall deposit restricted waste at an authorized landfill site without first obtaining permission from the General Manager to do so. In determining whether to grant a person permission to deposit restricted waste at an authorized landfill site, the General Manager shall, among other things, consider the nature and quantity of restricted waste sought to be deposited and the ability of the authorized landfill site to accept and process the restricted material.
31. In granting a person permission to deposit restricted waste at an authorized landfill site, the General Manager may impose conditions regarding the time, place, and manner in which such restricted wastes are to be deposited at the landfill site.
32. Every person disposing of restricted waste at an authorized landfill site shall deposit such restricted waste in accordance with the conditions imposed by the General Manager in relation to the deposit of such restricted waste at the authorized landfill site.

PART V – CHARGES

Charges

33. The fees and other charges applicable in relation to the disposal of solid waste at a landfill or specified transfer site shall be paid immediately after the weight or volume of the solid waste to be disposed of is determined.
34. The weight of solid waste to be disposed of at a landfill site or transfer station shall be determined by the difference between the weight of the loaded vehicle and the weight of the unloaded vehicle.
35. Where fees are collected, at a landfill site or transfer station, for the appropriate waste disposed, the fees shall be established by "Solid Waste Disposal Fee By-law No. 1900, 2010."



Charges (continued)

36. Where solid waste transported to a landfill site or transfer station for disposal is not sorted and separated in accordance with the provisions of this by-law, the applicable fees and other charges for the disposal of such solid waste shall be calculated on the basis of the highest fee per unit measure which would have been applicable had the solid waste been sorted and separated.
37. Any person depositing solid waste at a landfill site on a regular basis may apply to the Regional District for credit and, if credit is granted to that person, payment of the applicable fees and other charges imposed by the provisions of this by-law shall be made, and the credit extended, on the following conditions:
- a) The Regional District may require a deposit from businesses not resident in the Regional District;
 - b) The person receiving credit shall pay the Regional District all outstanding fees and other charges in full on receipt of invoice. The Regional District will invoice monthly for solid waste delivered during the preceding month. The invoice amount will be based on the total quantity of solid waste delivered during the month, and the disposal rates in effect at the time of delivery;
 - c) Late payment by the person receiving credit shall be subject to an interest penalty charge of 1.5% per month; and,
 - d) The Regional District reserves the right to cancel, upon five (5) days notice, the credit offered herein for late payment, non-payment, or other justified cause judged solely by the Regional District.

PART VI -- ENFORCEMENT

Offences and Penalties

38. Every person who:
- a) does an act in contravention of this by-law;
 - b) suffers or permits any act or thing to be done in contravention of this by-law; or,
 - c) neglects or refrains to do any act required to be done by this by-law
- is guilty of an offence and, upon summary conviction, is liable to a fine of not less than \$500.00 and not more than \$2,000.00.

PART VII -- MISCELLANEOUS PROVISIONS

Severability

39. If, for any reason whatsoever, any section, subsection, sentence, clause, or phrase in this by-law is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this by-law.



Repeal

40. "Solid Waste Regulations and Fees By-law No. 1255, 1999", as amended, is hereby repealed.

Title

41. This by-law may be cited for all purposes as the "Solid Waste Regulation By-law No. 1899, 2010."

READ A FIRST TIME this 10th day of June, 2010.

READ A SECOND TIME this 10th day of June, 2010.

READ A THIRD TIME this 10th day of June, 2010.

ADOPTED this 10th day of June, 2010.

CERTIFIED a true and correct copy of
"Solid Waste Regulation By-law
No. 1899, 2010."

THE CORPORATE SEAL of the Peace River
Regional District was hereto affixed in the
presence of:


Fred Banham, Chief Administrator Officer


Karen Goodings, Chair


Fred Banham, Chief Administrator Officer