



Regional District of  
**Kitimat-Stikine**

**Terrace Area Waste Management Facility Regulation  
Bylaw No. 671, 2016**

ADOPTED May 27, 2016

**This Regulation Bylaw is consolidated for convenience only.**

*This Consolidated version includes amendments to August 14, 2020  
up to and including Bylaw No. 737*

<b>List of Amendments to the Terrace Area Waste Management Facility Regulation Bylaw No. 671, 2016</b>		
<b>Bylaw No.</b>	<b>Date of Adoption</b>	<b>Purpose of Amendment</b>
682	September 16, 2016	Section 3.11 is amended by deleting the words "section 8.5" and replacing them with the words "section 8.4"; Section 8.4 is amended by deleting the word "and" from subsection 8.4.1, deleting the period (".") at the end of subsection 8.4.2 and replacing it with a semicolon (";"), adding the word "and" to the end of subsection 8.4.2, and adding a new subsection 8.4.3; Schedule "A" is deleted and replaced with a new Schedule "A"; Schedule "G" is deleted and replaced with a new Schedule "G"; Schedule "H" is deleted and replaced with a new Schedule "H".
697	July 20, 2018	Section 3.3 is amended by deleting "Ministry of Environment" and replacing it with "Ministry of Environment and Climate Change"; Section 3.6 is deleted and replaced; Section 3.8 is deleted and replaced; Section 8.2.1 is deleted and replaced; Schedule "A" amended by Bylaw No. 682 is deleted and replaced with a new Schedule "A"
737	August 14, 2020	Section 2.1 is amended by: 2.1.1 deleting "Assistant Solid Waste Services Coordinator" in its entirety; 2.1.2 inserting the definition "Processed Wood Waste" means woody debris from tree trimming or land clearing activities which has been processed through a wood chipper to an average size of not more than 50 millimeters. 2.1.3 inserting the definition "Clean Wood" means Municipal Solid Waste that comprises solid wood, lumber or pallets: (i) that does not contain any glues or resins; (ii) that is unpainted, unstained and untreated; and (iii) that may or may not be pierced with nails or other metal fasteners; 2.1.4 inserting the definition "Large Appliances" means any household appliance identified under the Major Appliance

		<p>Recycling Roundtable (MARR) Stewardship Plan. 2.1.5 deleting the definition of "Manager" in its entirety. 2.1. inserting the definition "Director of Works and Services" means the Director or Works and Services appointed by the Administrator, or, where that person is absent or unable to act, the Administrator. 2.2 By replacing, wherever it may appear in the Bylaw, the word "Manager" with "Director of Works and Services" 2.3 By deleting, wherever it may appear in the Bylaw, the word "Assistant Solid Waste Services Coordinator"</p> <p>2.4 By adding under section 8 "Any hauler tipping a mixed or contaminated load at any Waste Management Facility may be subject to a separation fee of \$100.00 per hour at a minimum of one hour."2.5 Schedule "A" is deleted and replaced with Schedule "A" attached to this Bylaw. 2.6 Schedule "C" is deleted and replaced with Schedule "C" attached to this Bylaw.2.7 Schedule "F" is deleted and replaced with Schedule "F" attached to this Bylaw</p>

**NOTE:**

Where there is a discrepancy between this consolidated Version and the Amending Bylaw, then the original Bylaw No. 671 and the Amending Bylaws shall be deemed to be the true and correct version.

## REGIONAL DISTRICT OF KITIMAT-STIKINE

### BYLAW NO. 671

A bylaw for the purpose of establishing fees and regulations for the deposit of waste at the Regional District's Terrace Area Waste Management Facilities

**WHEREAS** the Regional District of Kitimat-Stikine has by Kitimat-Stikine Terrace Area Solid Waste and Recyclable Material Management Service Establishment Bylaw No. 658, 2015, established the service of solid waste and recyclable material management for Electoral Areas C and E of the Regional District of Kitimat-Stikine and the City of Terrace;

**AND WHEREAS** the Regional District of Kitimat-Stikine is empowered to establish fees payable for depositing refuse at a disposal site;

**AND WHEREAS** the Board of the Regional District of Kitimat-Stikine deems it advisable to enact regulations pertaining to solid waste disposal and to establish fees for depositing solid waste;

**NOW THEREFORE** the Board of the Regional District of Kitimat-Stikine in open meeting assembled, enacts as follows:

1. **Citation**

1.1 This Bylaw may be cited for all purposes as the "Kitimat-Stikine Terrace Area Waste Management Facility Regulation Bylaw No. 671, 2016".

1.2 Short title - This Bylaw may also be cited as "Waste Regulation Bylaw 671".

2. **Definitions**

In this Bylaw, unless the context requires otherwise, the following words and expressions have the following meanings:

**"Administrator"** means the person appointed to that position pursuant to the Appointment of Officers Bylaw;

**"Appointment of Officers Bylaw"** means the Regional District's Appointment of Officers Bylaw No. 469, 2000, as amended or replaced;

**"Asbestos"** does not include materials with an asbestos content that constitutes Hazardous Waste;

(Deleted by Bylaw No. 737, 2020)

**"Board"** means the Board of Directors of the Regional District;

**"Business Day"** means any day except Saturday, Sunday or a statutory holiday as defined in the *Interpretation Act*;

**“Bylaw”** means this Kitimat-Stikine Terrace Area Waste Management Facility Regulation Bylaw No. 671, 2016;

**“Bylaw Enforcement Officer”** means a person appointed to that position by the Board or the Administrator;

**“Cardboard and Paper Products”** means newspapers and flyers, magazines, catalogues, telephone books, paper gift wrap and greeting cards, writing paper, office paper, envelopes, corrugated cardboard, boxboard, kraft paper, and multi-layer paper bags, but does not include waxed cardboard or plastic coated cardboard, materials that are impregnated with blood, grease, oil, chemicals, or food residue, materials that have polyethylene, polystyrene, foil or other non-paper liners or attachments, or materials that are contaminated with any substance that will render them non-marketable;

**“Class “A” Prohibited Waste”** means those types of waste designated as such in Schedule “E”;

**“Class “B” Prohibited Waste”** means those types of waste designated as such in Schedule “E”;

**“Class “C” Prohibited Waste”** means those types of waste designated as such in Schedule “E”;

**“Clean Soils”** means Soils Suitable for Cover and Soils Not Suitable for Cover;

**“Clean Wood”** means Municipal Solid Waste that comprises solid wood, lumber or pallets:

- (i) that does not contain any glues or resins;
- (ii) that is unpainted, unstained and untreated; and
- (iii) that may or may not be pierced with nails or other metal fasteners;

(Added by Bylaw No. 737, 2020)

**“Commercial Premises”** means businesses and institutional facilities, including educational and health care facilities, classified as commercial premises by the North American Industry Classification System, Canada 2012, as amended or replaced;

**“Construction and Demolition Waste”** means waste produced from the construction, renovation, and demolition of buildings and other structures, but does not include waste containing or contaminated with asbestos, creosote, polychlorinated biphenyls (PCBs) or any other Hazardous Waste;

**“Contaminated Soils”** means soils, sediments or materials containing substances in quantities or concentrations equal to or greater than those specified in Schedule 10, Column III of the *Contaminated Sites Regulation*, B.C. Reg. 375/96, but does not include Hazardous Waste;

**“Controlled Waste”** means those types of waste listed in Schedule “C” which may be disposed of if special handling and techniques are used to avoid creating health hazards, nuisances or environmental pollution, but does not include Hazardous Waste;

**“Controlled Waste Permit”** means a permit, in the form established by the Manager, issued by the Manager for the deposit of Controlled Waste;

**“Controlled Waste Permit Application”** means an application to deposit Controlled Waste in the form established by the Manager, which shall require disclosure of the type of Controlled Waste, the address or legal description of its source, and the name and contact information of the person depositing it, along with any other information considered necessary or desirable by the Manager;

**“Director of Works and Services”** means the Director or Works and Services appointed by the Administrator, or, where that person is absent or unable to act, the Administrator; (Added by Bylaw No. 737, 2020)

**“Designated Recycling Facility”** means a facility within the Service Area operated by or on behalf of the Regional District for the purpose of accepting recyclable materials;

**“Extended Producer Responsibility Materials”** or **“EPR Materials”** means materials regulated under the *Recycling Regulation*, B.C. Reg. 449/2004;

**“Forceman Ridge Waste Management Facility”** means the facility located at 3112 Highway 37;

**“Garbage”** means discarded or abandoned materials, substances or objects, but does not include Controlled Waste, Restricted Waste or Prohibited Waste;

**“Hazardous Waste”** means waste defined as hazardous waste in the *Hazardous Waste Regulation*, B.C. Reg. 63/88;

**“Industrial Work Camp”** means a building or collection of buildings used or intended for use for the purpose of residential accommodations and supports for industrial construction project workers, where residents are provided with individual sleeping accommodation units, with individual or communal bathroom facilities, and where residents are provided meals in communal dining areas;

**“Land Clearing Waste”** means wood waste produced from the clearing of land for development, other than Organic Materials, and includes trunks, stumps, tree branches 75 millimetres in diameter or greater, tops and whole trees;

**“Large Appliances”** Appliances” means any household appliance identified under the Major Appliance Recycling Roundtable (MARR) Stewardship Plan. (Added by Bylaw No. 737, 2020)

(Deleted by Bylaw No. 737, 2020)

**“Operational Certificate”** means an operational certificate issued pursuant to the *Environmental Management Act*;

**“Organic Materials”** means vegetative matter, food processing waste, garden waste, kitchen scraps and other organic wastes that can be composted, and includes food, tissues, paper towels, food soiled paper, waxed cardboard, leaves, grass, small twigs, chipped tree waste, tree branches less than 75 millimetres in diameter, and compostable structural wood waste;

**“Other Sewage Waste”** means any wastewater, sewage or slurry, including pumpage from catch basins, oil-water separators and shop floor drains, but does not include Septage;

**“Poultry Processing Industry”** has the meaning given in the *Code of Practice for the Slaughter and Poultry Processing Industries*, B.C. Reg. 246/2007;

**“Processed Wood Waste”** means woody debris from tree trimming or land clearing activities which has been processed through a wood chipper to an average size of not more than 50 millimeters. (Added by Bylaw No. 737, 2020)

**“Prohibited Waste”** means Class “A” Prohibited Waste, Class “B” Prohibited Waste and Class “C” Prohibited Waste;

**“Qualified Professional”** means an applied scientist or technologist specializing in a particular applied science or technology, including agrolgy, biology, chemistry, engineering, geology or hydrogeology,

- (a) who is registered in British Columbia with the professional organization responsible for his or her area of expertise, acting under that professional association’s code of ethics and subject to disciplinary action by that association, and
- (b) who, through suitable education, experience, accreditation and knowledge, may be reasonably relied on to provide advice within his or her area of expertise as it relates to this Bylaw;

**“Regional District”** means the Regional District of Kitimat-Stikine;

**“Residential Premises”** includes houses, apartments, condominiums, townhouses, manufactured homes whether located within manufactured home parks or otherwise, vacant lots zoned for residential use, and other premises in which persons reside, but does not include institutional or commercial accommodations;

**“Restricted Waste”** means those types of waste listed in Schedule “D”;

**“Rosswood Community”** means the area within a radius of 28.0 kilometres from the Rosswood Landfill;

**“Rosswood Landfill”** means the landfill located at 4648 Kalum Lake Road;

**“Septage”** means septic tank pumpage and treated sewage sludge, but does not include Other Sewage Waste;

**“Service Area”** means Electoral Areas “C” and “E” of the Regional District of Kitimat-Stikine, and the City of Terrace;

**“Site Operator”** means a person employed by or having a contract with the Regional District for supervision or maintenance duties at a Waste Management Facility;

**“Site Personnel”** means the Site Operator and any person performing duties at a Waste Management Facility under the employment or supervision of a Site Operator, or

any other person authorized by the Regional District to perform duties at a Waste Management Facility from time to time;

**“Slaughter Industry”** has the meaning given in the *Code of Practice for the Slaughter and Poultry Processing Industries*, B.C. Reg. 246/2007;

**“Slaughter Waste”** includes waste from the Slaughter Industry and the Poultry Processing Industry;

**“Soils Not Suitable for Cover”** means clean soils other than Soils Suitable for Cover, and includes clay and organic soils, but does not include Contaminated Soils;

**“Soils Suitable for Cover”** means clean mineral soils that are free-draining and comprised of sand, sand and gravel or sandy loam, but does not include clay or organic soils, or Contaminated Soils;

**“Solid Waste”** means Garbage, Restricted Waste, and Controlled Waste, but does not include Prohibited Waste;

**“Solid Waste Services Coordinator”** means the person appointed to that position by the Administrator and, unless specifically provided otherwise, includes the Assistant Solid Waste Services Coordinator, or, where those persons are absent or unable to act, the Manager;

**“Thornhill Transfer Station”** means the facility located at 3016 Old Lakelse Lake Road;

**“Treasurer”** means the person appointed to that position pursuant to the Appointment of Officers Bylaw, or, where that person is absent or unable to act, the Administrator;

**“Waste Management Facility”** means any of the following:

- (a) Forceman Ridge Waste Management Facility;
- (b) Rosswood Landfill; and
- (c) Thornhill Transfer Station.

### 3. **General Regulations**

3.1 No person shall deposit Solid Waste at a Waste Management Facility except in accordance with this Bylaw.

3.2 All Solid Waste deposited at a Waste Management Facility shall become the property of the Regional District, except where such Solid Waste is deposited contrary to the provisions of this Bylaw, in which case the Regional District may refuse to accept ownership.

3.3 No person shall dispose of Solid Waste within the Service Area other than at one of the following:

- (a) a Waste Management Facility;

- (b) a site, other than a Waste Management Facility, designated for the collection of Solid Waste by the Regional District;
    - (c) a facility authorized by the British Columbia Ministry of Environment and Climate Change to receive Solid Waste. (Amended by Bylaw No. 697, 2017)
  - 3.4 Subject to section 3.6, Solid Waste may only be deposited at a Waste Management Facility where such Solid Waste is permitted in accordance with Schedule "F".
  - 3.5 No person shall deposit Solid Waste at the Rosswood Landfill unless such person is a resident of the Rosswood Community.
  - 3.6 As an exception to section 3.4, and subject to sections 3.8 and 8.4:
    - (a) the Director of Works and Services may authorize a person to deposit Solid Waste at a Waste Management Facility not otherwise permitted under Schedule "F" upon request where: (Amended by Bylaw No. 737, 2020)
      - (i) the deposit will result in greater operational efficiency;
      - (ii) the deposit of such Solid Waste is consistent with the operational certificate for the Waste Management Facility;
      - (iii) the Director of Works and Services considers that there is sufficient space for the deposit at the Waste Management Facility; and (Amended by Bylaw No. 737, 2020)
      - (iv) the deposit is made in accordance with such terms and conditions as the Director of Works and Services considers appropriate in relation to such deposit. (Amended by Bylaw No. 737, 2020)
- (Amended by Bylaw No. 697, 2017)
- 3.7 Subject to section 3.8, no person shall deposit Solid Waste which originated outside the Service Area at a Waste Management Facility.
- 3.8 As an exception to section 3.7, and subject to section 8.4:
  - (a) the Director of Works and Services may authorize a person to deposit Solid Waste from outside the Service Area at a Waste Management Facility upon request where: (Amended by Bylaw No. 737, 2020)
    - (i) the deposit of such Solid Waste is consistent with the operational certificate for the Waste Management Facility;
    - (ii) the Director of Works and Services considers that there is sufficient space for the deposit at the Waste Management Facility; (Amended by Bylaw No. 737, 2020)
    - (iii) the Solid Waste:



(A) originates within the boundaries of a public authority that is not a member of the Waste Management Service; or

(B) is controlled waste that originates within the boundaries of a public authority that does not provide a service of management of controlled waste or provide service to an industrial facility that generates such waste; and

(iv) the deposit is made in accordance with such terms and conditions as the Director of Works and Services considers appropriate in relation to such deposit, (Amended by Bylaw No. 737, 2020)

b) Section 2.3(a)(iii) does not apply where the Board has entered into a service contract with another public authority for the deposit of Solid Waste from outside the Service Area at a Waste Management Facility.

(Amended by Bylaw No. 697, 2017)

3.9 Sections 3.4 and 3.5 do not apply to the deposit of Solid Waste by the Regional District.

3.10 No person shall dispose of Cardboard and Paper Products in the Service Area except at a recycling facility where Cardboard and Paper Products are accepted. Without limiting the foregoing, no person shall dispose of Cardboard and Paper Products at a Waste Management Facility, or at any other landfill in the Service Area, including the Terrace Landfill operated by the City of Terrace.

3.11 Subject to section 8.4, Cardboard and Paper Products may be disposed of at a Designated Recycling Facility. (Amended by Bylaw No. 682, 2016)

#### 4. **Facility Use Regulations**

4.1 All persons entering a Waste Management Facility do so at their own risk. The Regional District accepts no responsibility or liability for damage or injury to persons or property that occurs during or as a result of entry to a Waste Management Facility.

4.2 Solid Waste transported to a Waste Management Facility shall be adequately covered or secured to prevent the materials from blowing or falling off the vehicle while in transit.

4.3 Any person intending to deposit animal carcasses at a Waste Management Facility, other than animal carcasses that are defined as Controlled Waste, must declare that intention to Site Personnel at the time of deposit.

4.4 Any person operating a vehicle within a Waste Management Facility must do so in a safe and prudent fashion, and in accordance with the posted speed limit.

4.5 No person shall leave a vehicle unattended at a Waste Management Facility.

4.6 No person shall loiter at a Waste Management Facility.

- 4.7 No person at a Waste Management Facility shall engage in conduct that is disorderly or offensive including but not limited to loud or excessive use of offensive language or intoxication.
- 4.8 Children under 13 years of age and pets are not permitted at a Waste Management Facility except when they remain within the confines of a vehicle.
- 4.9 No person, other than Site Personnel acting in the course of their duties, shall ignite a fire or cause a fire to be ignited, or bring any burning materials or hot ashes, or light or smoke any cigarette, cigar, pipe or similar thing within a Waste Management Facility.
- 4.10 No person shall remove, scavenge or salvage Solid Waste from a Waste Management Facility except with the prior written approval of the Solid Waste Services Coordinator.
- 4.11 Every person who deposits Solid Waste at a Waste Management Facility shall comply with all directions of Site Personnel, whether such directions are given in the form of signage or verbal or written instructions.

5. **Controlled Waste**

- 5.1 Controlled Waste is subject to the regulations set out in Schedule "C".

6. **Restricted Waste**

- 6.1 Restricted Waste is subject to the regulations set out in Schedule "D".

7. **Prohibited Waste**

- 7.1 Prohibited Waste is subject to the regulations set out in Schedule "E".

8. **Fees**

- 8.1 Every person who deposits Solid Waste at a Waste Management Facility shall:

- 8.1.1 pay the applicable fees prescribed in Schedule "A"; and
- 8.1.2 pay the fees at the time of deposit.

- 8.2 Section 8.1, and the fees prescribed in Schedule "A" shall not apply to the deposit of Solid Waste at a Waste Management Facility in the following circumstances:

- 8.2.1 Where the Solid Waste is collected by the Regional District or a municipality or First Nation within the Service Area that pays a service fee to the Regional District, or by a contractor on behalf of them, for purposes of a residential curbside collection service.

(Amended by Bylaw No. 671, 2016)

- 8.2.2 Where the Board has authorized the deposit, without charge, of Solid Waste for purposes of encouraging the voluntary clean-up of unsightly premises;

- 8.2.3 Where Solid Waste is transferred from one Waste Management Facility to another.
- 8.3 The following persons shall, in addition to paying the applicable fees prescribed in Schedule "A", pay the Regional District a surcharge equal to twenty-five percent (25%) of the applicable fees prescribed in Schedule "A" when depositing Solid Waste at a Waste Management Facility:
- 8.3.1 Any person depositing Solid Waste from outside the Service Area;
- 8.3.2 Any person depositing Solid Waste from an Industrial Work Camp.
- 8.4 Every person who deposits Cardboard and Paper Products at a Designated Recycling Facility shall:
- 8.4.1 pay the applicable fees prescribed in Schedule "H"; (Amended by Bylaw No. 682, 2016)
- 8.4.2 pay the fees at the time of deposit; and (Amended by Bylaw No. 682, 2016)
- 8.4.3 comply with the regulations set out in Schedule "H". (Added by Bylaw No. 682, 2016)
- 8.5 Notwithstanding sections 8.1.2 and 8.4.2, customer charge accounts may be established in accordance with the policies and procedures in Schedule "B".
- 8.6 Any hauler tipping a mixed or contaminated load at any Waste Management Facility may be subject to a separation fee of \$100.00 per hour at a minimum of one hour." (Added by Bylaw No. 637, 2020)

## 9. **Administration**

- 9.1 The Director of Works and Services and the Solid Waste Services Coordinator are authorized to administer this Bylaw. (Amended by Bylaw No. 737, 2020)
- 9.2 Without limiting the generality of section 9.1, the Director of Works and Services is hereby authorized to do the following: (Amended by Bylaw No. 737, 2020)
- 9.2.1 Authorize the deposit of Solid Waste where not otherwise permitted at a Waste Management Facility in accordance with section 3.6;
- 9.2.2 Establish forms for the Controlled Waste Permit Application and Controlled Waste Permit; and
- 9.2.3 Prohibit the deposit of Solid Waste at Waste Management Facilities by persons with overdue accounts in accordance with Schedule "B".
- 9.3 Without limiting the generality of section 9.1, the Solid Waste Services Coordinator is hereby authorized to do the following:
- 9.3.1 Process Controlled Waste Permit Applications, and where appropriate issue and cancel Controlled Waste Permits in accordance with Schedule "C"; and
- 9.3.2 Authorize persons to remove, scavenge or salvage Solid Waste from a Waste Management Facility under section 4.10.

10. **Appeal**

- 10.1 A person directly affected by a decision made under this Bylaw by the Solid Waste Services Coordinator, Site Operator or Site Personnel may file a written notice of appeal with the Director of Works and Services (Amended by Bylaw No. 737, 2020)
- 10.2 A notice of appeal under section 10.1 must be filed with the Director of Works & Services within thirty (30) days of the date of the decision being appealed. (Amended by Bylaw No. 737, 2020)
- 10.3 Upon considering a decision under appeal, the Director of Works and Services may: (Amended by Bylaw No. 737, 2020)
- 10.3.1 Confirm, reverse or vary the decision under appeal; or
- 10.3.2 Make any decision that the Director of Works and Services considers appropriate. (Amended by Bylaw No. 737, 2020)
- 10.4 A person directly affected by a decision made under this Bylaw by the Director of Works and Services may file a written notice of appeal with the Administrator. (Amended by Bylaw No. 737, 2020)
- 10.5 A notice of appeal under section 10.4 must be filed with the Administrator within thirty (30) days of the date of the decision being appealed.
- 10.6 Upon considering a decision under appeal, the Administrator may:
- 10.6.1 Confirm, reverse or vary the decision under appeal; or
- 10.6.2 Make any decision that the Administrator considers appropriate.
- 10.7 A person for whom an appeal decision has been made under section 10.6 may further appeal the Administrator's appeal decision to the Board by filing a written notice of appeal with the Board.
- 10.8 A notice of appeal under section 10.7 must be filed with the Board within thirty (30) days of the date of the appeal decision being appealed.
- 10.9 Upon considering a matter under appeal, the Board may:
- 10.9.1 Confirm, reverse or vary the decision under appeal; or
- 10.9.2 Make any decision that the Board considers appropriate.
- 10.10 An appeal under this Bylaw does not operate as a stay or suspend the operation of the decision being appealed unless the authority that has jurisdiction under this Bylaw to consider appeal of the decision decides otherwise.
- 10.11 Where a decision of the Administrator under section 10.6 is under appeal to the Board, the Board shall, at the request of the Administrator, permit the Administrator to have full party status at the appeal.

11. **Violations and Penalties**

- 11.1 A person who contravenes the provisions of this Bylaw may be refused or prohibited re-entry to a Waste Management Facility.
- 11.2 A person who contravenes this Bylaw shall, in addition to any other penalty imposed, pay any costs incurred by the Regional District to remediate or rectify that person's act or omission.
- 11.3 A person who contravenes this Bylaw, or who permits any act or thing to be done in contravention of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00), the costs of prosecution and any other penalty or order imposed pursuant to the *Local Government Act* or the *Offence Act*. Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

12. **Enforcement by Ticket Information**

- 12.1 This Bylaw may be enforced by means of a ticket information in the form prescribed for purpose of Division 3 of Part 8 of the *Community Charter*.
- 12.2 The following persons are designated as bylaw enforcement officers for the purpose of enforcing this Bylaw:
  - 12.2.1 A Bylaw Enforcement Officer;
  - 12.2.2 The Director of Works & Services; (Amended by Bylaw No. 737, 2020)
  - 12.2.3 The Solid Waste Services Coordinator;
  - 12.2.4 The Assistant Solid Waste Services Coordinator.
- 12.3 The words or expressions set forth in Column I of Schedule "G" designate the offence committed under the Bylaw section number appearing in Column II, opposite the respective words or expressions.
- 12.4 The amounts appearing in Columns III and IV of Schedule "G" are fines set pursuant to section 265 of the *Community Charter* for the corresponding offences designated in Column I.

13. **Interpretation**

- 13.1 The schedules annexed to this Bylaw shall be deemed to be an integral part of this Bylaw.
- 13.2 The headings in this Bylaw are inserted for convenience only, and shall not affect the interpretation of any provision in it.

14. **Severability**

- 14.1 If any provision of this Bylaw is found to be invalid by a court of competent

jurisdiction it may be severed from the Bylaw, and the remainder of the Bylaw shall continue in full force and effect.

15. **Effective Date**

15.1 This Bylaw shall take effect on November 1, 2016.

16. **Repeal**

16.1 Landfill Tipping Fee and Regulation Bylaw No. 410, 1996 is repealed as of November 1, 2016.

16.2 Kitimat-Stikine Terrace Area Packaging and Printed Paper Disposal Regulation and Fee Establishment Bylaw No. 670, 2016 is repealed as of November 1, 2016.

## **SCHEDULE "A"**

(Amended by Bylaw No. 682, 2016, Bylaw No. 697, 2017 and Bylaw No. 737, 2020)

### **Fees**

1. Tables A1 sets out the fees for deposit of Solid Waste at Thornhill Transfer Station, and Table A2 sets out the fees for deposit of Solid Waste at Forceman Ridge Waste Management Facility. Each row in Column I sets out the type of Solid Waste, and the corresponding row in Column II indicates the fee payable for deposit.
2. Except as provided in section 6 of this Schedule "A", the minimum charge for deposit of Solid Waste at Thornhill Transfer Station or Forceman Ridge Waste Management Facility, regardless of quantity, is \$10.00.
3. The fee for use of the scale at Thornhill Transfer Station, where a person does not deposit Solid Waste, is \$10.00 per use.
4. A pair of asterisks ("\*\*") next to a type of Solid Waste in Table A2 indicates that the fee is only applicable where the Solid Waste Services Coordinator has permitted the deposit of that type of Solid Waste at Forceman Ridge Waste Management Facility in accordance with section 3.6 of the Bylaw.
5. Any person submitting a Controlled Waste Permit Application shall pay an application fee of \$25.00 at the time of application.
6. Despite Table A2, the minimum charge for depositing:
  - a. animal carcasses are \$110.00; and
  - b. asbestos is \$165.00.

**Table A1 – Thornhill Transfer Station**

<b>Column I</b>	<b>Column II</b>
Garbage	\$110.00 per tonne
Construction and Demolition Waste (Loads of 5 cubic metres or less)	\$110.00 per tonne
Land Clearing Waste (Loads of 5 cubic metres or less)	\$110.00 per tonne
Metal	\$55.00 per tonne
Organic Materials	\$99.00 per tonne
Animal Carcasses (Loads of 50 kilograms or less)	\$110.00 per tonne
Residential Asbestos	\$165.00 per tonne
Large Appliances	\$0.00



**Table A2 – Forceman Ridge Waste Management Facility**

Column I	Column II
Garbage **	\$110.00 per tonne
Construction and Demolition Waste (Loads of 5 cubic metres or less)**	\$110.00 per tonne
Construction and Demolition Waste (Loads in excess of 5 cubic metres)	\$110.00 per tonne
Land Clearing Waste (Loads of 5 cubic metres or less)**	\$110.00 per tonne
Land Clearing Waste (Loads in excess of 5 cubic metres)	\$110.00 per tonne
Processed Woody Debris	\$55.00 per tonne
Metal**	\$55.00 per tonne
Organic Materials**	\$99.00 per tonne
Animal Carcasses (Loads of 50 kilograms or less)**	\$110.00 per tonne
Animal Carcasses (Loads in excess of 50 kilograms)	\$110.00 per tonne
Asbestos	\$165.00 per tonne
Contaminated Soils with concentrations of contaminants below the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	\$65.00 per tonne
Contaminated Soils with concentrations of contaminants equal to or greater than the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	\$78.00 per tonne
Septage	\$50.00 per tonne

**Table A2 – Forceman Ridge Waste Management Facility (continued)**

Soils Suitable for Cover	\$5.50 per tonne
Soils Not Suitable for Cover	\$11.00 per tonne
Broken concrete free of rebar	\$55.00 per tonne
Broken concrete with rebar	\$110.00 per tonne
Broken asphalt	\$55.00 per tonne
Waste ash from incinerators	\$110.00 per tonne

## SCHEDULE "B"

### Charge Accounts

1. In this Schedule "B", unless the context requires otherwise, the following words and expressions have the following meanings:
  - 1.1. **"Account Holder"** means a person that holds a Charge Account;
  - 1.2. **"Applicant"** means a person who has submitted an Application for Credit;
  - 1.3. **"Application for Credit"** means an application for a Charge Account in the form established by the Manager;
  - 1.4. **"Arrears"** with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) days after the date of invoice;
  - 1.5. **"Billing Address"** has the meaning assigned in section 6;
  - 1.6. **"Charge Account"** means an account held by a user of Waste Management Facilities with the Regional District whereby the user is permitted to pay disposal fees on a monthly basis instead of paying at the time of disposal;
  - 1.7. **"Delinquent"** with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) after the date of a Notice of Arrears;
  - 1.8. **"Notice of Arrears"** means a written notice from the Regional District to an Account Holder indicating that a Charge Account is in arrears.
2. A person wishing to establish a Charge Account must submit a completed Application for Credit to the Treasurer.
3. The Treasurer shall examine and verify the references and credit history of the Applicant, and shall advise the Manager of the creditworthiness of the Applicant.
4. Upon receipt of the report of the Treasurer under section 3, the Manager may approve or deny an Application for Credit. The Director Works and Services may deny an Application for Credit in any of the following circumstances: (Amended by Bylaw No. 737, 2020)
  - 4.1. Where the Treasurer has advised that the Applicant is not creditworthy;
  - 4.2. Where the Director of Works and Services has reasonable grounds to believe the Applicant intends to deposit Prohibited Waste at a Waste Management Facility, or to deposit Solid Waste at a Waste Management Facility in a manner contrary to this Bylaw; or (Amended by Bylaw No. 737, 2020)

- 4.3. Where the Applicant, or any principal, partner, director or officer of the Applicant has had a Charge Account cancelled within the previous five (5) years.
5. Invoices for amounts owing on Charge Accounts will be generated by the Regional District on a monthly basis and delivered to the address provided by the Account Holder on the Application for Credit, or to such address as the Account Holder may from time to time furnish for that purpose (the “**Billing Address**”). The onus is upon the Account Holder to notify the Regional District of any change in Billing Address.
6. The total amount owing on any invoice must be paid in full by the Account Holder to the Regional District within thirty (30) days of the date of the invoice.
7. Any amount not paid to the Regional District within thirty (30) days of the date of the invoice is in arrears and must be paid immediately, along with interest pursuant to section 14.
8. Where a Charge Account is in arrears the Regional District shall deliver a Notice of Arrears to the Account Holder at the Billing Address.
9. Any amount not paid to the Regional District within thirty (30) days of the date of a Notice of Arrears is delinquent and must be paid immediately, along with interest pursuant to section 14.
10. Any Charge Account that is delinquent shall be suspended until such time as all amounts owing, including interest, are paid in full. During the period of suspension, the Account Holder must pay all disposal fees at the time of disposal.
11. Any Charge Account that becomes delinquent more than once shall be subject to immediate cancellation.
12. The Regional District may refer any delinquent Charge Account to a third party collection agency at any time.
13. In addition to any other penalty imposed under this Bylaw, any amount owing on a Charge Account that is not paid within thirty (30) days of the date of invoice shall bear interest at the rate of eighteen percent (18%) per year, calculated and accruing daily, from and including the first date upon which the account falls into arrears, and such interest shall form part of the amount in arrears.
14. The Director of Works and Services may, in addition to any other penalty imposed under this Bylaw, cancel a Charge Account where the Account Holder has deposited Prohibited Waste at a Waste Management Facility, or has deposited Solid Waste at a Waste Management Facility in a manner contrary to this Bylaw. (Amended by Bylaw No. 737, 2020)

**SCHEDULE "C"**  
(Amended by Bylaw No. 737, 2020)  
**Controlled Waste**

**1. Definition**

The following types of waste are classified as Controlled Waste:

- (a) Any load of animal carcasses weighing more than 50 kilograms in total;
- (b) Asbestos;
- (c) Residential Asbestos;
- (d) Contaminated Soils;
- (e) Any load of Land Clearing Waste or Construction and Demolition Waste in excess of five (5) cubic metres;
- (f) Processed Woody Debris;
- (g) Clean Soils;
- (h) Broken concrete;
- (i) Broken asphalt;
- (j) Waste ash from incinerators;
- (k) Septage.

**2. General Regulations**

The following requirements apply to any deposit of Controlled Waste:

- 2.1. Controlled Waste must only be deposited at the Forceman Ridge Waste Management Facility;
- 2.2. The person who is to deposit the Controlled Waste must complete a Controlled Waste Permit Application and submit it to the Solid Waste Services Coordinator for approval within the time prescribed in this Schedule "C";
- 2.3. Controlled Waste must not be deposited unless the Solid Waste Services Coordinator has issued a Controlled Waste Permit, which may include any terms and conditions of deposit the Solid Waste Services Coordinator deems necessary or desirable to ensure compliance with this Bylaw, the operational certificate for the Forceman Ridge Waste Management Facility, and any other applicable law;

- 2.4. Subject to the terms and conditions of the applicable Controlled Waste Permit, an appointment for deposit must be made with the Solid Waste Services Coordinator a minimum of twenty-four (24) hours prior to deposit of Controlled Waste;
- 2.5. The person depositing Controlled Waste must produce the applicable Controlled Waste Permit to Site Personnel upon arrival at the Forceman Ridge Waste Management Facility.
- 2.6. Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;
- 2.7. Loads of Controlled Waste must be of one type only and from no more than one source unless the Controlled Waste Permit specifies otherwise;
- 2.8. Controlled Waste must be kept separate from any other type of Solid Waste;
- 2.9. If the terms and conditions of a Controlled Waste Permit are not met, Site Personnel may refuse to allow deposit;
- 2.10. Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;
- 2.11. The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Forceman Ridge Waste Management Facility, and the Director of Works and Services may refuse to issue a Controlled Waste permit where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the operational certificate for the Forceman Ridge Waste Management Facility;
- 2.12. Despite subsections (b) and (d) above, in cases of an emergency or hardship, the Solid Waste Services Coordinator may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of twenty-four (24) hours' notice, and outside regular appointment hours.

### **3. Animal Carcasses Over 50kg**

- 3.1. An Application for a Controlled Waste Permit in relation to a load of animal carcasses weighing more than 50 kilograms in total must be submitted to the Solid Waste Services Coordinator at least two (2) business days before the requested deposit date.

### **4. Asbestos**

- 4.1. An Application for a Controlled Waste Permit in relation to asbestos must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **5. Residential Asbestos**

- 5.1. Residents may dispose of a maximum of 50 bags or 10 m<sup>3</sup> of asbestos waste per year at the Thornhill Transfer Station.
- 5.2. Material must be double bagged in 6 mil poly contractor style trash bags with the top "goosenecked" and secured with duct tape.
- 5.3. An Application for a Controlled Waste Permit in relation to residential asbestos must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **6. Contaminated Soils**

- 6.1. An Application for a Controlled Waste Permit in relation to hydrocarbon contaminated soils must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested deposit date.
- 6.2. Any person submitting an Application for a Controlled Waste Permit in relation to hydrocarbon contaminated soils must include with it a report certified by a Qualified Professional detailing the types and levels of contamination in the hydrocarbon contaminated soils, as well as all data and analyses supporting the report's conclusions.

## **7. Land Clearing Waste or Construction and Demolition Waste Over 5 Cubic Metres**

- 7.1. An Application for a Controlled Waste Permit in relation to a load of Land Clearing Waste or a load of Construction and Demolition Waste in excess of five (5) cubic metres must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **8. Processed Woody Debris**

- 8.1. An Application for a Controlled Waste Permit in relation to a load of Processed Woody Debris must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **9. Clean Soils**

- 9.1. An Application for a Controlled Waste Permit in relation to Clean Soils must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **10. Broken Concrete**

- 10.1. An Application for a Controlled Waste Permit in relation to broken concrete must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **11. Broken Asphalt**

- 11.1. An Application for a Controlled Waste Permit in relation to broken asphalt must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

## **12. Waste Ash from Incinerators**

- 12.1. An Application for a Controlled Waste Permit in relation to waste ash from incinerators must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested deposit date.
- 12.2. Any person submitting an Application for a Controlled Waste Permit in relation to waste ash from incinerators must include with it a report certified by a Qualified Professional detailing the types and levels of contamination in the waste ash, as well as all data and analyses supporting the report's conclusions.

## **13. Septage**

- 13.1. An Application for a Controlled Waste Permit in relation to Septage must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested date of initial deposit.
- 13.2. A Controlled Waste Permit for Septage may be issued for a period of up to one (1) year.
- 13.3. During the term of a Controlled Waste Permit for Septage, the permit holder may deposit Septage from time to time without an appointment, provided the permit holder also holds an active Charge Account pursuant to Schedule "B" of this Bylaw.
- 13.4. The Solid Waste Services Coordinator may cancel a Controlled Waste Permit for Septage if the holder of the Permit fails to comply with the terms and conditions of the Controlled Waste Permit or the provisions of this Bylaw.



## **SCHEDULE "D"**

### **Restricted Waste**

#### **Definition**

1. The following types of waste are classified as Restricted Waste:
  - (a) Metal;
  - (b) Organic Materials.

#### **Restricted Waste Regulations**

2. Restricted Waste is recyclable or compostable and must be kept separate from other types of Solid Waste when deposited at a Waste Management Facility, and must be deposited in the designated location at the Waste Management Facility.

## **SCHEDULE "E"**

### **Prohibited Waste**

#### **Definition**

1. The following types of waste are classified as Class "A" Prohibited Waste:
  - (a) Hazardous Waste;
  - (b) Radioactive waste;
  - (c) Slaughter Waste;
  - (d) Waste that is on fire or smoldering, or any waste material capable of starting fires, and highly flammable material;
  - (e) Explosive or highly combustible materials;
  - (f) Other Sewage Waste.
2. The following types of waste are classified as Class "B" Prohibited Waste:
  - (a) Auto hulks;
  - (b) Broken concrete 300 millimetres in diameter or greater;
  - (b) Broken Asphalt 300 millimetres in diameter or greater.
3. The following types of waste are classified as Class "C" Prohibited Waste:
  - (a) Extended Producer Responsibility Materials;
  - (b) Tires, whether or not they fall within the definition of "Extended Producer Responsibility Materials";
  - (c) Cardboard and Paper Products, whether or not they fall within the definition of "Extended Producer Responsibility Materials".

#### **Prohibited Waste Regulations**

4. No person shall deposit or attempt to deposit Prohibited Waste at a Waste Management Facility.

**SCHEDULE “F”**  
(Amended by Bylaw No. 737, 2020)  
**Permitted Waste**

1. Tables F1, F2 and F3 set out the types of waste accepted for deposit at each Waste Management Facility. Each row in Column I sets out the type of waste, and the corresponding row in Column II indicates whether that type of waste is accepted for deposit at that Waste Management Facility, with “Yes” meaning the waste is accepted for deposit, and “No” meaning it is not.
2. \* Asbestos material accepted at Thornhill Transfer Station is limited to Residential asbestos only as described under Schedule “C” of this Bylaw.

**Table F1 – Thornhill Transfer Station**

Column I	Column II
Garbage	Yes
Construction and Demolition Waste (Loads of 5 cubic metres or less)	Yes
Construction and Demolition Waste (Loads in excess of 5 cubic metres)	No
Land Clearing Waste (Loads of 5 cubic metres or less)	Yes
Land Clearing Waste (Loads in excess of 5 cubic metres)	No
Metal	Yes
Organic Materials	Yes
Animal Carcasses (Loads of 50 kilograms or less)	Yes
Animal Carcasses (Loads in excess of 50 kilograms)	No
Asbestos*	No
Contaminated Soils	No
Septage	No
Broken concrete	No
Broken asphalt	No
Clean Soils	No
Waste ash from incinerators	No

**Table F2 – Forceman Ridge Waste Management Facility**

Column I	Column II
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Garbage	No
Construction and Demolition Waste (Loads of 5 cubic metres or less)	No
Construction and Demolition Waste (Loads in excess of 5 cubic metres)	Yes
Land Clearing Waste (Loads of 5 cubic metres or less)	No
Land Clearing Waste (Loads in excess of 5 cubic metres)	Yes
Processed Woody Debris	Yes
Metal	Yes
Organic Materials	Yes
Animal Carcasses (Loads of 50 kilograms or less)	No
Animal Carcasses (Loads in excess of 50 kilograms)	Yes
Asbestos	Yes
Contaminated Soils	Yes
Septage	Yes
Broken concrete	Yes
Broken asphalt	Yes
Clean Soils	Yes
Waste ash from incinerators	Yes

**Table F3 – Rosswood Landfill (Rosswood Residents Only)**

Column I	Column II
Garbage	Yes
Construction and Demolition Waste (Loads of 5 cubic metres or less)	Yes
Construction and Demolition Waste (Loads in excess of 5 cubic metres)	No
Land Clearing Waste (Loads of 5 cubic metres or less)	Yes
Land Clearing Waste (Loads in excess of 5 cubic metres)	No
Metal	Yes
Organic Materials	Yes
Animal Carcasses (Loads of 50 kilograms or less)	Yes
Animal Carcasses (Loads in excess of 50 kilograms)	No
Asbestos	No
Contaminated Soils	No
Septage	No
Broken concrete	No
Broken asphalt	No
Clean Soils	No
Waste ash from incinerators	No

**SCHEDULE "G"**  
(Amended by Bylaw No. 682, 2016)

**Ticket Information Offences and Penalties**

<b>Column I</b>	<b>Column II</b>	<b>Column III</b>	<b>Column IV</b>
<b>Designated Offence</b>	<b>Section</b>	<b>Fine if paid within 30 days</b>	<b>Fine if paid after 30 days</b>
Non-resident deposit Solid Waste at Rosswood Landfill	3.5	\$100.00	\$125.00
Deposit Solid Waste from outside Service Area	3.7	\$100.00	\$125.00
Fail to cover or secure a load	4.2	\$100.00	\$125.00
Fail to declare animal carcasses	4.3	\$100.00	\$125.00
Drive in unsafe manner at Waste Management Facility	4.4	\$100.00	\$125.00
Disorderly or offensive conduct	4.7	\$100.00	\$125.00
Ignite or cause fire to be ignited	4.9	\$100.00	\$125.00
Smoking at Waste Management Facility	4.9	\$100.00	\$125.00
Remove, scavenge or salvage Solid Waste without permission	4.10	\$100.00	\$125.00
Deposit Controlled Waste not accepted by Site Personnel	Schedule "C", section 2(f)	\$100.00	\$125.00
Deposit load contaminated with Controlled Waste	Schedule "C", section 2(h)	\$500.00	\$625.00

**Ticket Information Offences and Penalties (continued)**

Deposit load contaminated with Restricted Waste	Schedule "D", section 2	\$100.00	\$125.00
Deposit Class "A" Prohibited Waste	Schedule "E", section 4	\$1,000.00	\$1,000.00
Deposit Class "B" Prohibited Waste	Schedule "E", section 4	\$200.00	\$250.00
Deposit Class "C" Prohibited Waste	Schedule "E", section 4	\$100.00	\$125.00
Deposit contaminated load of Cardboard and Paper Products	Schedule "H", section 2	\$100.00	\$125.00

## **SCHEDULE "H"**

(Amended by Bylaw No. 682, 2016)

### **Designated Recycling Facility Fees**

1. The fee for deposit of Cardboard and Paper Products at a Designated Recycling Facility is \$99.00 per tonne.
2. No person shall deposit at a Designated Recycling Facility a load of Cardboard and Paper Products that contains any Solid Waste or any Prohibited Waste other than Cardboard and Paper Products.