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CONSOLIDATED FOR CONVENIENCE TO INCLUDE
BYLAW NO. 1271-2010; 1298-2011; 1377-2015; 1383-2016; 1409-2018; 1451-2020; 1490-
2021; 1493-2021 and 1541, 2023.

REGIONAL DISTRICT OF CENTRAL OKANAGAN
BYLAW NO. 1253 – CONSOLIDATED

A bylaw to provide for the regulation of solid waste.

WHEREAS the Regional District of Central Okanagan has established a service to provide for the management of solid waste;

AND WHEREAS the Regional District of Central Okanagan considers that it is necessary to provide regulations for the management of solid waste;

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

1. INTRODUCTION

1.1 TITLE

This bylaw may be cited for all purposes as the "Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 1253, 2009".

Bylaw 1409

1.2 INTERPRETATION

In this bylaw, unless the context otherwise requires:

Bylaw 1490

"Additional Cart Fee" means the fee for acquiring each additional yard waste cart.

Bylaw 1490

"Asphalt shingles" means source separated asphalt and fiberglass shingles; *and*

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

“Biosolids” means stabilized municipal sewage sludge resulting from a municipal waste water treatment process or septage treatment process which has been sufficiently treated to be deemed non-hazardous and passes the Paint Filter Test (US EPA SW-846 Test Method 9095B: Paint Filter Liquids Test or other methodology approved by the BC Ministry of Environment).

“Change Out” means change out of cart to a larger size or another cart for additional service.

“Change Out Fee” means the fee charged for the *Change Out*.

“Collection and Solid Waste Reduction Services Fee” means fee for the curbside collection of *Yard Waste, Garbage and Mandatory Recyclable Material* plus the fee for *Solid Waste Reduction Services*.

“Collection Area” means the area shown on the drawing attached to this bylaw as Schedule “A”.

“Collection Fee” means the fee for the curbside collection of *Yard Waste, Garbage and Mandatory Recyclable Material* from each *Residential Dwelling Premise*.

“Collection Point” means a location where one or more *Garbage, Recyclables* or *Yard Waste Carts* and/or *Garbage* bags with *Tag-a-Bag Tags* are placed for collection by the Regional District.

Bylaw 1490

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

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Bylaw 1490

“Director of Engineering Services” means the person appointed as such by the *Regional District* and includes his or her lawful delegate.

Bylaw 1490

“Director of Financial Services” means the person appointed as such by the *Regional District* and includes his or her lawful delegate.

“Excess Producer” refers to *Owners* which at any time require more *Garbage* and/or *Mandatory Recyclable Material* collection services than the *Garbage* and/or *Recyclables Cart* service provided by the *Regional District*.

“Garbage” means and includes all rubbish, non-recyclable materials, trade waste, ashes, household waste, discarded matter, rejected abandoned or discarded waste or vegetable or animal food, and other materials deemed non-recyclable.

“Garbage Cart” means a wheeled container owned and supplied by the Regional District and used for the collection of *Garbage* from *Residential Dwelling Premises*.

Bylaw 1409
Bylaw 1490

“International Waste” means vegetative, food and other refuse left at the Kelowna International Airport which may or may not contain pests or diseases detrimental to local agriculture.

Bylaw 1409

“Landfill” means the Glenmore Landfill, located at 2720 John Hindle Drive, in the City of Kelowna.”

“Large Cart” means a cart larger than the designated size for the service the cart is provided for.

“Large Cart Fee” means the fee for the *Large Cart*.

“Mandatory Recyclable Material” includes:

(a) **“Mandatory Residential Recyclable Material”**, being materials such as *Co-mingled Containers, Recyclable Corrugated Cardboard, Mixed Waste Paper*, and other materials approved for pick-up as part of the *Regional District’s* recyclables collection system; and

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

“Mixed Waste Paper” includes, but is not limited to, co-mingled boxboard, paper shopping bags, white and coloured ledger paper, wrapping paper, envelopes with or without windows, sticky notes, computer paper, third class mail, flyers, magazines, catalogues, telephone books, paper egg cartons, newspapers and any other 100% paper fibre products.

“Non-Recyclable Material” includes but is not limited to *Garbage* and may include items that previously were recyclable but no longer have any recyclable value or purpose.

“Owner” means the registered owner of any lands and premises situated within the *Regional District* and shall, where applicable, include the agent, executor or administrator of such *Owner* or the lessee or occupier of the premises.

“Recyclables Cart” means a wheeled container owned and supplied by the *Regional District*, and used for the collection of *Mandatory Residential Recyclable Material* from *Residential Dwelling Premises*.

Bylaw 1409

“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” means source-separated gypsum board or wallboard, including new construction off-cuts or scraps, and old wallboard that has been painted or covered in wallpaper, and is removed during renovation, but excluding lathe masonry gypsum wallboard, wallboard associated with asbestos and wallboard contaminated with any other waste.

“Recyclable Materials” means all *Mandatory Recyclable Materials*, plus any other materials accepted for recycling at an approved *Recycling Depot* or at the *Landfill*.

“Recycling Depot” means a facility for the receiving, collection, sorting and temporary storage of *Recyclable Materials* whose operation is the responsibility of the *Regional District* or its designate as part of its recycling program.

Bylaw 1298

“Regional District” means the Regional District of Central Okanagan.

“Residential Dwelling Premise” means an individual dwelling unit with direct access to and from the outdoors, which could include single-family dwellings, two family dwellings, residential triplexes or fourplexes, manufactured homes, or individually serviced units of apartments or condominiums. For clarification, *Residential Dwelling Premise* does not include, for the purposes of this bylaw, stratified properties to which access to each individual unit is only available via common strata property.

“Site Designate” means the employee or contractor responsible for landfill and scale house operations at the *Landfill* or Westside Residential Waste Disposal and Recycling Centre.

“Solid Waste Reduction Services” means landfill disposal costs, waste reduction activities and transfer station, waste disposal/recycling centre, recycling depot and recycling processing services.

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“Solid Waste Reduction Services Fee” means the fee for *Solid Waste Reduction Services*.

Bylaw 1298

“Standard Garbage Bag” means durable plastic bags, which shall contain not more than 95 litres, and must not weigh more than 23 kg when full, used for the collection of *Garbage* when tagged with *Tag-a-Bag Tags* from *Residential Dwelling Premises*.

“Stumps” means the woody part of the root system of a tree or large shrub, cut at the ground level and without attached granular soil material.

Bylaw 1298

“Tag-a-Bag Tag” means a tag that must be placed on all *Garbage* bags that exceed the quantity limits for *Garbage* removal outlined in this bylaw, with such tags being made available by the *Regional District* for a fee.

Bylaw 1409

“Transfer Station” means a facility for collecting *Garbage* and/or *Mandatory Residential Recyclable Material* in preparation for transportation to a *Landfill* site or a processing facility including facilities along Westside Road and the Westside Residential Waste Disposal and Recycling Centre.

Bylaw 1490

“Westside Residential Waste Disposal and Recycling Centre” means transfer station located at the Westside Landfill on Asquith Road in West Kelowna.

“White Goods” means large metal appliances such as washers, dryers, stoves, hot water tanks, air conditioners, refrigerators and freezers, including those containing ozone-depleting substances.

Bylaw 1490

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

Bylaw 1490

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

- Branches greater than 5 centimetres in diameter

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

“Yard Waste Cart” means a wheeled container owned and supplied by the *Regional District* and used for the collection of *Yard Waste* from *Residential Dwelling Premises*.

2. COLLECTION SYSTEMS

2.1 GARBAGE, YARD WASTE AND MANDATORY RESIDENTIAL RECYCLABLE MATERIAL COLLECTION SYSTEMS

Bylaw 1271

2.1.1 Every *Owner* of a *Residential Dwelling Premise* within the *Collection Area* shall use the *Garbage*, *Yard Waste* and *Mandatory Residential Recyclable Material* collection systems established by the *Regional District* pursuant to this bylaw and

shall pay the rates and fees set out in Schedule “C” to this bylaw, except those who have been granted a waiver of service by the *Regional District*.

- 2.1.2 The *Regional District*, or a contractor acting on behalf of the *Regional District*, shall pick up all *Garbage, Yard Waste and Mandatory Residential Recyclable Material* set out at *Residential Dwelling Premises* within the *Collection Area* on the designated day of collection, provided it conforms to the terms of this bylaw and meets the *Garbage, Yard Waste and Mandatory Residential Recyclable Materials Cart* size limits and rates outlined in Schedule “C”.
- 2.1.3 Notwithstanding Sections 2.1.1 and 2.1.2 of this bylaw, the *Regional District* reserves the right to alter or exclude a *Residential Dwelling Premise* from the *Garbage, Yard Waste and Mandatory Residential Recycling* collection systems if collection costs, access routes or location are unsafe or unreasonable.
- 2.1.4 The *Regional District* reserves the right to refuse to remove all material that is not *Garbage, Yard Waste or Mandatory Residential Recyclable Material*, as defined by this bylaw.
- 2.1.5 *Recyclables Carts* containing materials not identifiable as *Mandatory Residential Recyclable Material* will not be collected.
- 2.1.6 Residents of stratified residential properties to which access to each individual unit is only available via common strata property (for example, bare land strata or ordinary strata developments) may utilize the *Garbage, Yard Waste and Mandatory Residential Recyclable Material* collection systems established by the *Regional District* pursuant to this bylaw, upon application to and approval by the *Director of Environmental Services*. Applications will only be accepted from the strata corporation, and only on behalf of the entire development. Applicants must demonstrate the suitability of the proposed pick-up location and access thereto, such that the *Regional District* or its contractor shall be able to collect materials set out for collection pursuant to the terms of this bylaw. Such properties shall participate in the system, and shall pay all respective fees and charges, as if each strata lot were a *Residential Dwelling Premise* as defined by this bylaw.

2.2 CONTAINER REQUIREMENTS - RESIDENTIAL

- 2.2.1 Every *Owner of Residential Dwelling Premises* within the *Collection Area* shall maintain in sanitary condition and in good order and repair the *Garbage, Yard Waste and Recyclables Carts*.
- 2.2.2 *Garbage, Yard Waste and Recyclables Carts* shall be kept on the *Owner's Residential Dwelling 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.
- 2.2.3 Unless exempted by the *Director of Environmental Services* for reasons of physical disability, all *Garbage, Yard Waste and Recyclables Carts* shall be made readily accessible and with lids unlocked, pursuant to the provisions of Section 2.2.4 of this bylaw, for emptying, between the hours of 7:00 a.m. and 7:00 p.m. on the day of collection only.
- 2.2.4 For collection purposes, all *Garbage, Yard Waste and Recyclables Carts* must be placed within one metre and with wheels positioned away from the travelled portion of the lane, or the boulevard, adjacent to the *Owner's Residential Dwelling Premise*, or at a place designated by the *Director of Environmental*

Services. Carts must also be placed one half (0.5) meter from one another or another obstacle.

- 2.2.5** If *Garbage, Yard Waste and Recyclables Carts* are enclosed in a structure, it shall be built with doors opening upon the pick-up side so said containers can be readily removed.
- 2.2.6** All *Garbage, Yard Waste and Recyclables Carts* shall be kept on the ground level and shall be readily accessible from the street, or lane abutting the *Owner's Residential Dwelling Premises*.
- 2.2.7** Where collection of *Garbage or Mandatory Residential Recyclable Material* from a stratified residential development has been approved by the *Director of Environmental Services* pursuant to Section 2.1.6 of this bylaw, a ready means of access shall, on the day of collection, be provided from the public street to the location of the *Garbage, Yard Waste and Recyclables Carts* placed out for collection. The access shall be unobstructed, satisfactorily maintained, and of sufficient size and kind to enable any authorized employee or contractor of the *Regional District* to collect using normal collection efforts and procedures.
- 2.2.8** All *Garbage, Yard Waste and Recyclables Carts'* lids shall be kept closed.
- 2.2.9** All *Garbage, Yard Waste and Recyclables Carts* 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.
- 2.2.10** All *Mandatory Residential Recyclable Material* are to be placed loosely in the *Recyclables Cart*, and bagging or bundling of *Mandatory Residential Recyclable Material* with string, ties or tape is not permitted.
- 2.2.11** All *Co-mingled Containers* must be washed out prior to placement in *Recyclables Cart* for collection, or deposit at a *Recycling Depot*.
- 2.2.12** All *Yard Waste* is to be placed loosely in the *Yard Waste Cart*, and bagging or bundling of *Yard Waste* with string, ties or tape is not permitted.
- 2.2.13** From the beginning of March to the end of October on designated collection days each *Residential Dwelling Premise* shall be permitted to place a *Yard Waste Cart* at the curb for collection.
- 2.2.14** The *Regional District* may suspend collection service from properties where 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 changes or rates under the provision of this bylaw.
- 2.2.15** Additional *Garbage, Yard Waste and Recyclables Cart Service*
- 2.2.15.1** An Owner may request in writing that the *Regional District* provide a *Large Cart* for *Garbage, Mandatory Recyclable Material* and/or *Yard Waste* service and/or up to two additional 360 litre *Yard Waste Carts* (see Schedule 'C' for fees).
- 2.2.15.2** The *Regional District* may allocate to an *Excess Producer, Garbage* and/or *Recyclables Carts* in sufficient size and number to make up the deficiency between *Garbage* and/or *Mandatory Residential Recyclable Material* produced and *Garbage and Recyclables Cart* collection services purchased;

2.2.15.3 If the request referred to in Subsection 2.2.15.1 is approved by the *Director of Environmental Services*, the rates for such services (*Large Cart Fee*) will be entered by the *Treasurer* on the utility bill.

2.2.16 Requesting a Reduction in *Yard Waste* and/or *Recyclables Cart Service*

2.2.16.1 An *Owner* may request a reduction in the number or volume of *Yard Waste* and/or *Recyclables Carts*; and

2.2.16.2 The *Regional District* may approve the request if the *Director of Environmental Services* is satisfied that a reduction will not cause the property to become an *Excess Producer*; and

2.2.16.3 The *Owner* will not receive any reduction in the mandatory service rates (Schedule “C”) per Section 2.1.1 of this bylaw.

2.3 CONTAINER REQUIREMENTS – NON-RESIDENTIAL

2.3.1 Every *Owner* of premises other than *Residential Dwelling Premises* shall provide containers sufficient in size and number to contain all *Garbage* and *Recyclable Materials* without spillage and in a sanitary condition at all times, and all such containers shall meet zoning and other applicable requirements for size, location and access.

2.4 DISPOSAL REQUIREMENTS WITHIN GARBAGE CONTAINERS – RESIDENTIAL AND NON-RESIDENTIAL

2.4.1 No liquids shall be put in or be allowed to accumulate in any *Garbage, Yard Waste* and *Recyclables Carts* or in any container for *Garbage* provided by the *Owner* of premises other than a *Residential Dwelling Premise*.

2.4.2 All materials that might adhere to any container shall be separately contained within individual disposable wrappings or containers before being placed in a *Garbage Cart*, or in any containers for *Garbage* provided by the *Owner* of premises other than *Residential Dwelling Premises*.

2.4.3 Ashes shall be completely cooled and shall be placed in non-combustible containers and separate from other *Garbage* or inflammable material. Hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, animal cuttings or wastes or oil, fuel, or other equipment lubricant filters shall not be placed for residential *Garbage* collection.

2.4.4 Treated Biomedical Waste shall be disposed of in accordance with Schedule “D” attached to and forming part of this bylaw.

2.5 MANAGING ATTRACTANTS

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

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

2.5.1.2 any bird feeder containing bird feed, suet or nectar is suspended on a

cable or other device in such a manner that it is inaccessible to Wildlife; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar Animal Attractants;

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

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

Bylaw 1490

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

Bylaw 1490

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

Bylaw 1490

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

3. LANDFILL, RECYCLING DEPOTS AND TRANSFER STATIONS

3.1 SANITARY LANDFILL, RECYCLING DEPOTS AND TRANSFER STATIONS

3.1.1 The *Regional District* reserves the right to control the type and nature of *Garbage, Recyclable Materials*, or other material that is deposited at the *Landfill, Transfer Station* or a *Recycling Depot*.

3.1.2 All *Garbage, Recyclable Materials* or other material delivered to the *Landfill, Transfer Station* or a *Recycling Depot* shall be deposited only as specified in Schedule "E" of this bylaw and in accordance with the provisions of this bylaw.

3.1.3 All *Garbage, or Recyclable Materials* deposited at the *Landfill, Transfer Station* or at a *Recycling Depot* shall become the property of the *Regional District*, except where such materials are deposited contrary to the provisions of this bylaw.

3.1.4 *Recyclable Material* delivered to a *Recycling Depot* or *Transfer Station* must be uncontaminated and sorted as indicated.

3.1.5 Every person depositing *Garbage, Recyclable Materials* or any other material at the *Landfill, Transfer Station* or at a *Recycling Depot* shall pay the rates and fees set out in Schedule "B" to this bylaw. Notwithstanding this requirement, such rates and fees may be reduced or waived where the particular item to be deposited can be demonstrated to be a benefit to the operations of the *Landfill, Transfer Station* or *Recycling Depot*.

3.1.6 Any fee that must be paid pursuant to this bylaw shall be paid to the attendant prior to leaving the *Landfill, Transfer Station, or Recycling Depot*. Payment by credit and/or debit card may be accepted if such payment options are available at the site.

- 3.1.7** *Garbage* and other materials being transported to the *Landfill, Transfer Station or Recycling Depot* shall be adequately covered and secured to prevent the materials from blowing or falling off the vehicle while in transit according to the following criteria:
- a) An adequate cover shall be used, such as a tarpaulin, other overlay, or container that confines the materials to the vehicle or trailer.
 - b) Bulky waste, metal containers and manufactured items with a volume greater than 1.5 cubic metres (53 cubic feet/330 gallons), *White Goods*, and stumps shall be securely chained or strapped to flat beds, the vehicle trunk or truck box, or the trailer.
 - c) Soil, sand, gravel, and rock shall be confined within the truck box or trailer, with the tailgates closed.
- 3.1.8** *Transfer Stations* at the Westside Road, North Westside Road and Asquith Road sites shall be used only by those residents participating in those local service areas.
- 3.1.9** No person authorized to use the Westside Road, North Westside Road and Asquith Road *Transfer Stations* shall dispose of *Garbage or Household Recyclable Material* contrary to the provisions of this bylaw.

4. PROHIBITIONS, OFFENCES AND PENALTIES

4.1 PROHIBITIONS

- 4.1.1** No person shall litter or dispose of *Garbage, Yard Waste or Recyclable Material* contrary to the provisions of this bylaw.
- 4.1.2** No person shall deposit *Garbage, Yard Waste, Mandatory Recyclable Material*, or any other material at the *Landfill, Transfer Station* or a *Recycling Depot*, except in accordance with this bylaw, and with the applicable landfill operating certificate for the facility issued by the Province of British Columbia.
- 4.1.3** No person shall dispose of *Garbage* any place other than a *Garbage Cart* or *Transfer Station* for collection as part of the *Regional District's* collection system provided for pursuant to this bylaw, another container scheduled for collection and delivery to the *Landfill* or at the *Landfill*.
- 4.1.4** No person shall dispose of *Mandatory Recyclable Material* any place other than:
- a) a *Recyclables Cart*, for collection as part of the *Regional District's* collection system provided for pursuant to this bylaw;
 - b) another container scheduled for collection and delivery to a *Recycling Depot, Transfer Station* or a place designated for the deposit of such at the *Landfill*; or
 - c) directly at a *Recycling Depot or Transfer Station*, or at a place designated for the deposit of such at the *Landfill*.
- 4.1.5** No person shall deposit *Garbage or Yard Waste* to a *Recycling Depot*.
- 4.1.6** No person shall place *Garbage* for pick-up with the *Garbage* of others or place *Garbage* in *Garbage Carts* owned by others without that *Owner's* permission.

- 4.1.7 No person shall deposit *Garbage or Recyclable Materials* that do not originate from within the *Regional District* at the *Landfill*, *Transfer Station* or a *Recycling Depot* unless permitted to do so by the *Director of Environmental Services*.
- 4.1.8 No person, other than an authorized *Regional District* employee, contractor, or designate shall enter or deposit *Garbage or Recyclable Material* at, a *Landfill*, *Transfer Station* or *Recycling Depot* other than during operating hours.
- 4.1.9 No person shall transport *Garbage or Recyclable Material* from a location other than a *Residential Dwelling Premise*, to a *Residential Dwelling Premise* for collection pursuant to the *Regional District's* collection systems.
- 4.1.10 No person shall scavenge *Garbage or Recyclable Materials*, whether placed out for collection at *Residential Dwelling Premises* or deposited at a *Recycling Depot*, *Transfer Station* or the *Landfill*.
- 4.1.11 No person shall place *Mandatory Recyclable Material* in a *Garbage* or *Yard Waste Cart* or a container for *Garbage* provided by the *Owner* of the premises.
- 4.1.12 No person shall place *Garbage* in a *Recyclables* or *Yard Waste Cart* or a container for *Mandatory Recyclables Material* or *Yard Waste* provided by the *Owner* of the premises.
- 4.1.13 No person shall place *Yard Waste* in a *Garbage* or *Recyclables Cart* or a container for *Garbage* or *Mandatory Recyclables Material* provided by the *Owner* of the premises.
- 4.1.14 No person shall intentionally contaminate *Recyclable Materials* so as to make them non-recyclable.

4.2 OFFENCES AND PENALTIES

- 4.2.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 4.2.2 Every person who violates any provision of this bylaw, or who permits any act or thing to be done in violation of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:

Bylaw 1541

- 4.2.2.1 Shall be liable to a fine as set out in the *Regional District of Central Okanagan Ticket Information Utilization Bylaw*; or
- 4.2.2.2 Shall be liable, upon summary conviction, to the penalties provided under the *Offence Act*; or
- 4.2.2.3 May be prohibited from entering and depositing *Garbage or Recyclable Material* at the *Landfill*, *Transfer Station* or at any *Regional District Approved Waste Management Facility*; or

any combination of these.

- 4.2.3 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
- 4.2.4 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

5. GENERAL

5.1 SEVERANCE

5.1.1 If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and such decision shall not affect the validity of the remaining portions of this bylaw.

5.2 SCHEDULES

5.2.1 Schedules "A", "B", "C", "D", and "E" of this bylaw form part of, and are enforceable in the same manner as, this bylaw.

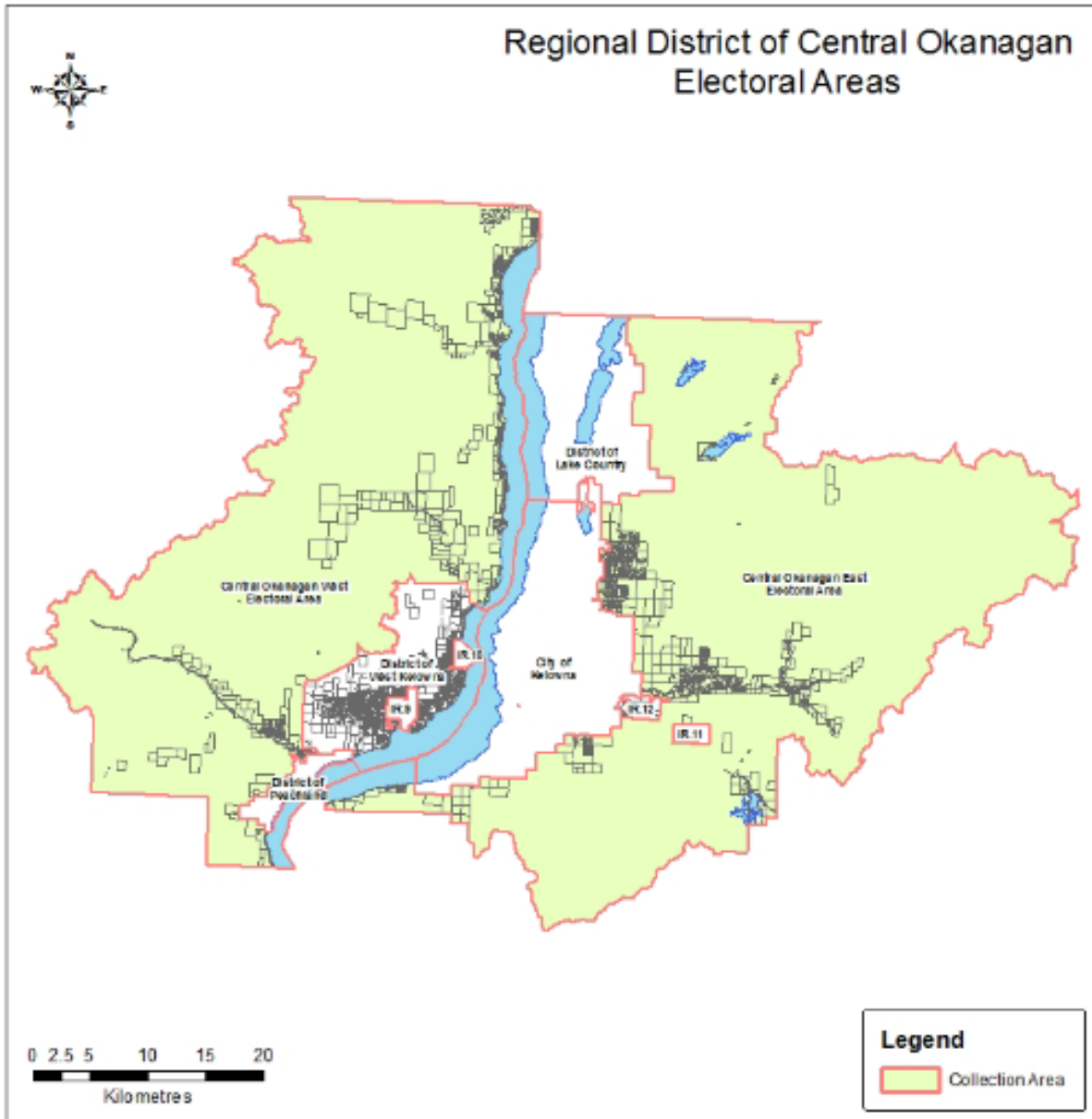
5.3 EFFECTIVE DATE

5.3.1 This bylaw shall come into full force and effect as and from the date of adoption.

5.4 REPEAL

5.4.1 This bylaw repeals the Regional District of Central Okanagan Solid Waste Management Regulation Bylaw No. 1162, as amended.

SCHEDULE "A" COLLECTION AREA



SCHEDULE "B"

**SANITARY LANDFILL / WESTSIDE RESIDENTIAL WASTE DISPOSAL
 AND RECYCLING CENTRE FEES**

1. The following rates shall be paid for all material delivered to the Glenmore *Landfill* at all times when the Glenmore *Landfill* scale is operating:
 - a. Demolition, construction, and land clearing waste material:
 - i. source-separated recyclables \$10.00 per metric tonne
 - ii. asphalt and concrete \$25.00 per metric tonne
 - iii. gypsum drywall \$175.00 per metric tonne
 - b. Wood Waste \$10.00 per metric tonne
 - i. Lumber \$10.00 per metric tonne
 - c. *Recyclable Gypsum* in loads of one metric tonne or less \$175.00 per metric tonne (or portion thereof)
 - d. Useable clean fill, batteries, propane tanks No Charge
 - e. *Yard Waste*:
 - i. Yard waste \$40.00 per metric tonne
 - ii. Stumps \$90.00 per metric tonne
 - f. Tires – Passenger vehicle, light and medium duty tires
 - i. up to 22.5" with no rim Free
 - ii. up to 22.5" on rims \$20.00 per tire
 - iii. Heavy duty and tires larger than 22.5" Not accepted
 - g. Asbestos (friable) \$250.00 per metric tonne
 - h. Hydrocarbon Contaminated Soils \$8.00 per metric tonne
 - i. deleted
 - j. Ash \$100.00 per tandem axle load
 - k. Carcasses weighing under 100 kg

\$100.00	Effective January 1, 2020
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 - l. Carcasses weighing over 100 kg \$200.00 per carcass
 - m. All other residential *Garbage* not included above

\$100.00 per metric tonne	Effective January 1, 2020
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 - n. Any material determined by the City of Kelowna, to require above burial in an area away from the active face. \$50.00 per metric tonne
 - o. Any *Mandatory Recyclable Material* included in \$150.00 per metric tonne

mixed waste	surcharge, over and above any other required fee
p. Culled Cherries	\$16.57 per metric tonne
q. Handling Fee for Contaminated Mandatory Recyclables Loads	\$50.00 per metric tonne
r. Handling Fee for immediate burial of International waste	\$150.00 surcharge (plus applicable weight-based fees)
s. Requiring sorting	\$125.00 per metric tonne
t. Stumps (no soil or rock attached)	\$90.00 per metric tonne
u. Mattresses	\$15.00 each or \$15.00 plus weight (as Garbage) when in co-mingled load
v. Biosolids (only accepted on a short term emergency basis and with prior written approval from the City)	\$250.00 per metric tonne

2. At all times when the scales are not operating, all material delivered to the *Landfill* shall be subject to the following charges, according to the type of vehicle delivering the material and without taking into consideration the volume or weight of the material contained in the vehicle:

Vehicle Type – Yard waste and Wood waste

	Fee
Utility Trailer, car or pick up trucks (<2 yards)	Free
Two to five yard container	\$10.00
Container greater than five yards	\$25.00

Vehicle Type – All other wastes

	Fee
Utility Trailer, car or pick up trucks	\$10.00
Tandem Axle Trailer	\$60.00
Side Dump Collector Truck, less than 50m ³	\$150.00
Side Dump Collector Truck, equal to or greater than 50m ³	\$200.00
Curbster	\$300.00
Roll-off Open Container, 15 yard bin	\$100.00
Roll-off Open Container, 20 yard bin	\$150.00
Roll-off Open Container, 30 yard bin	\$200.00
Roll-off Open Container, 40 yard bin	\$300.00
Roll-off Closed Compactor Unit, up to 40 yard	\$400.00

Large Compactor, greater than 40 yard	\$450.00
Single Axle Truck (1 ton)	\$75.00
Single Axle Truck (2 ton)	\$125.00
Single Axle Truck (3 ton)	\$150.00
Single Axle Truck (5 ton)	\$225.00
Single Axle Truck (dump)	\$250.00
Tandem Axle Truck (dump)	\$350.00
Tractor Trailer Unit	\$400.00

3. All *Garbage* hauled directly to the *Landfill* site by customers qualifying or authorized for pick-up through the *Regional District's* residential collection systems established pursuant to this bylaw shall be subject to the following minimum charges:

- \$ 5.00 per load of *Wood Waste* or *Yard Waste* for loads weighing up to and including 250kg, and as per the table below for *Garbage* or other billable waste streams for loads weighing up to and including 250kg:

\$12 per load	Effective January 1, 2019
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\$100.00 per metric tonne	Effective January 1, 2020
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4. The following rates shall be paid for all material delivered to the Westside Residential Waste Disposal and Recycling Centre

Waste Type	\$ / Load Type	\$ / Load Type	\$ / Load Type
		Effective until Dec 31, 2021	Effective Jan 1, 2022
Garbage	Small (Must be Bagged, up to 2 max)	\$ 4.50 each	\$ 5.00 each
	Medium	\$18.00	\$20.00
	Large	\$50.00	\$50.00
	Extra Large	\$80.00	\$80.00
Yard Waste	Small	\$ 1.00	\$1.00
	Medium	\$ 5.00	\$ 5.00
	Large	\$15.00	\$15.00
	Extra Large	\$20.00	\$20.00
Clean Wood Waste	Small	\$ 1.00	\$5.00 minimum
	Medium	\$ 6.00	\$ 5.00
	Large	\$10.00	\$10.00
	Extra Large	\$15.00	\$15.00
Mattresses		\$14 each	\$20 each
Cooling Appliances (fridge, freezer, water cooler, AC)		Free	Free
White Goods and other Metal		Free	Free
Automotive Batteries, Propane Tanks		Free	Free
Tires – up to 22.5” no rim		Free	Free
Tires – up to 22.5” on rim		\$3 each	\$3 each
Tires larger than 22.5”		Not accepted	Not accepted
Gypsum/Drywall		Not accepted	Not accepted
Mixed loads of garbage, yard waste or wood will be charged the highest \$/load rate included in the mixed load. User will still be required to sort as directed by site operator.			
Load type	Description		
Small	Bagged		
Medium	Vehicle or utility trailer with a hauling bed capacity up to 4' x 8' x 2'		
Large	Vehicles or trailer with a hauling bed capacity over 4' x 8' x 2'		
Extra Large	Tandem axle trailer		
Item	Per unit		
Load	Flat charge per load		

SCHEDULE "C"

Bylaw 1490

COLLECTION LIMITS AND FEES

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

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

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

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

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

1.4.1 a gross weight that exceeds:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE “D”

PROTOCOL FOR DISPOSAL OF TREATED BIOMEDICAL WASTE

Treated Biomedical Wastes are permitted for disposal at the *Landfill* subject to the following provisions.

1. Small Generators of Biomedical Waste – Small generators of needles and sharps (e.g. home, medical, dental, veterinary, or pharmacy) who are using or collecting syringes and sharps must disinfect the needles and sharps and dispose into garbage in a rigid container. The containers must be autoclaved or contain industrial strength bleach (11%) for disinfecting or certified disinfected by another method prior to disposal at the *Landfill* or certified through an authorized waste disposal contractor.

Syringes that were used for withdrawing blood, other sharps and non-treated biomedical waste must be autoclaved prior to disposal at the *Landfill* or through an authorized waste disposal contractor.

2. Large Generators of Biomedical Waste – Large generators of needles, sharps and other non-treated biomedical waste (e.g. hospitals) are required to autoclave prior to disposal at the *Landfill* or through an authorized waste disposal contractor.
3. Home Use – Sharps for disposal from home should be returned to the place of purchase, or disposed in accordance with Protocol #1 (Small Generators of Biomedical Waste) above.

APPROVED MANAGEMENT OF BIOMEDICAL WASTE DISPOSAL	
WASTE TYPE	LANDFILL DISPOSAL CRITERIA
Human Anatomical	A
Micro-biology (laboratory)	B ¹
Human Blood and Body Fluid	B ¹
Waste Sharps	B ¹
Animal	C

Legend:

A – Not Acceptable

B – Regulatory Approved or Additional Treatment Required

C – Acceptable only to the extent permitted under the *Landfill* Operating Certificate, issued by the Province of British Columbia, and under the *Environmental Management Act* of British Columbia

Notes:

¹ Only accepted if waste first treated and/or decontaminated by an approved treatment process.

SCHEDULE "E"**LANDFILL AND TRANSFER STATION SITE REGULATIONS****1.0 No person shall:**

- a) Deposit *Recyclable Materials* any place other than that designated for such deposit, and not at the active face of the *Landfill* or in the transfer bins;
- b) Deposit *Garbage* or *Recyclable Materials* at the *Landfill* or *Transfer Station* in a manner or in a location contrary to the written or verbal direction of the *Site Designate*;
- c) Remove, alter, or deface any sign placed or erected at the *Landfill* or *Transfer Station*;
- d) Ignite or cause to be ignited fires at the *Landfill* or *Transfer Station*;
- e) Loiter at the *Landfill*. All vehicles must proceed directly to the designated dumping area and leave the *Landfill* or *Transfer Station* immediately upon unloading;
- f) Drive a vehicle anywhere at the *Landfill* or *Transfer Station* except on designated roads or driveways;
- g) Deposit *Garbage* or *Recyclable Materials* at the *Landfill* or *Transfer Station* without first having the *Garbage* or *Mandatory Recyclables Material* checked by the *Site Designate* for the purpose of determining compliance with this bylaw and weighed on the scale to assess the applicable fee; or
- h) Remove deposited *Garbage* or *Recyclable Materials* from the *Landfill* or *Transfer Station* without the express written permission of the *Regional District*.

2.0 SAFETY

- 2.1 Any person entering the *Landfill* or *Transfer Station* does so at his or her own risk. The *Regional District* accepts no responsibility or liability for damage or injury to person or to property.
- 2.2 Children under sixteen (16) years shall remain under the supervision of an adult at all times while at the *Landfill* or *Transfer Station*, and may be requested to remain inside a vehicle for safety reasons.
- 2.3 Pets must remain in a vehicle at all times while at the *Landfill* or *Transfer Station*.
- 2.4 Smoking is not permitted within the boundaries of the *Landfill* or *Transfer Station*.
- 2.5 Vehicles shall not exceed posted speed limits while at the *Landfill* or *Transfer Station*.