

THE CITY OF TRAIL

BYLAW NO. 2662

A BYLAW TO REGULATE THE RATES, CONDITIONS AND TERMS FOR SOLID WASTE DISPOSAL

WHEREAS it is deemed expedient to make provisions for regulating the rates, conditions and terms under or upon which waste removal services may be supplied to and used by the inhabitants of the City of Trail;

NOW THEREFORE, Council, in open meeting assembled, ENACTS AS FOLLOWS:

1. That this Bylaw may be cited for all purposes as the “**Garbage and Waste Bylaw No. 2662, 2007**”.

2. **Definitions**

In this Bylaw:

“City” means the City of Trail.

“Council” means the Municipal Council of the City of Trail.

“Garbage” means any and all rubbish, household waste, ashes, trade waste, discarded matter, and discarded waste or vegetable or animal food; but does not include recyclable materials and yard and garden waste.

“Garbage Collection Area” means the area within the boundaries of the City of Trail.

“Garbage Collector” means any person who is under contract to the City, or is an employee of a person or business under contract to the City, to collect garbage within the City.

“Garbage Disposal” means the collection of garbage under the provisions of this bylaw.

“Landfill Site” means any solid waste sanitary landfill site operated by the Regional District of Kootenay Boundary to service the City.

“Owner” includes the agent, executor or administrator of an owner.

“Public Works Manager” means the person appointed as such by the Council of the City and any person delegated to assist him in carrying out his duties under this bylaw.

“Recyclable Materials” means any and all clean paper products, newspaper, cardboard, glass, tin cans and acceptable rigid plastic containers.

“Recycling Service” means the collection of recyclable materials as administered by the Regional District of Kootenay Boundary to service the City.

“Residential Dwelling Premises” means the individual dwelling units and for single family dwellings means one unit, for two family dwellings means two units, for triplexes means three units, and for fourplexes means four units.

“Standard Garbage Container” (hereafter referred to as “container”) means a non-corrosive, durable receptacle, fitted with secure handles and a water-tight cover or approved plastic bag of not less than 1.5 millimeters in thickness, which shall contain not more than 95 litres, and must not weigh more than 25 kg when full used for the collection of garbage from residential dwelling premises.

General Provisions

3. No person within the garbage collection area shall dispose of garbage except in accordance with the provisions of this bylaw.
4. No person shall dump or dispose of any garbage, building waste, or any other noxious, offensive, unwholesome or discarded matter in any place, land or grounds other than the landfill site.
5. No person shall place garbage for pick up with the garbage of others or place garbage in containers owned by others without that owner's permission.

6. No Garbage Collector shall enter any building for the purpose of carrying out or returning thereto any container, nor shall he demand or receive any gratuity, gift, payment or consideration for services rendered in connection with garbage collection beyond his regular remuneration.

Collection – General

7. Every owner of residential dwelling premises within the garbage collection area shall use the garbage disposal system established by the City pursuant to this bylaw and pay the fee set out in Schedule “A” for each dwelling unit on the premises.
8. The City or a Garbage Collector shall pick up all garbage set out at residential dwelling premises provided the garbage conforms to the terms of this bylaw and does not exceed the quantity limits outlined in Schedule "A". Payment of the rates specified in Schedule “A” entitles the property owner to pick up of the specified quantity limits per dwelling unit. Any additional containers must be in the form of approved residential garbage bags purchased from the City.
9. Amounts of garbage in excess of that provided for in Schedule “A”, or garbage that is otherwise not collected, removed and disposed of by the City, shall be removed and disposed of by the owner of the residential dwelling premises in accordance with this bylaw. Owners and occupiers of residential dwelling premises shall not allow garbage to accumulate on the premises.
10. Every owner of premises other than residential dwelling premises shall provide for a system of garbage collection, removal, and disposal for their premises consistent with any applicable Federal, Provincial, Regional District, or Municipal regulations that may apply and shall not allow garbage to accumulate on the premises.

Container Requirements

11. Every owner of residential dwelling premises within the garbage collection area shall provide and maintain in sanitary condition and in good order and repair, standard garbage containers sufficient in number at all times to contain all garbage generated on the residential dwelling premises in a sanitary condition.
12. Every owner of premises other than residential dwelling premises shall provide containers sufficient in size and number to contain all garbage generated on the premises without spillage and in a sanitary condition at all times.
13. The City or its Garbage Collector shall not be responsible for the replacement of any containers or lids damaged or lost for any reason whatsoever.
14. Containers shall be kept on the premises at all times and shall not encroach upon or project over any street, lane or public place except when placed on a street or lane for the purpose of collection under this bylaw.
15. For collection purposes, all containers must be placed next to the lane or the boulevard or at a place designated by the Public Works Manager no earlier than 5:00 a.m. but before 8:00 a.m. on the day of collection indicated by the City.
16. If containers are enclosed in a structure, the structure shall be built with doors opening upon the collection side so that said containers may be readily removed.
17. All containers shall be kept on the ground level or on a platform not more than 0.3 m in height above ground and shall be readily accessible from the street, or lane abutting the premises.
18. Each container shall not weigh more than 25 kg when full.
19. All containers shall be kept covered with watertight lids or fastened in such a manner that they are watertight.

20. All containers and any structure used as a cover for such containers shall, at all times, be kept in good repair, clean and accessible for inspection at all reasonable hours. When any container has been identified by the Public Works Manager as a container that is contrary to this bylaw and written notice has been provided to the owner of the premises, such container shall be removed by the owner who shall provide a suitable container in its place.
21. The City may, after providing the owner with at least 7 days written notice and an opportunity to be heard before Council, suspend or discontinue collection service from any residential premises where containers or location or design of pick up facilities are contrary to the provisions of this bylaw, but such suspension shall not waive any requirement, or abate or waive any charges or rates under the provisions of this bylaw.

Disposal Requirements

22. No liquids shall be put in or allowed to accumulate in any container.
23. All table and kitchen garbage, all wet garbage, floor sweepings and sawdust or other granular materials must be placed in a bag before being placed within a container.
24. No garbage which might adhere to or stick to any container shall be placed within a container unless the garbage is first placed inside a separate receptacle.
25. Ashes shall be placed in non-combustible receptacles separate from other garbage or inflammable material before being placed within any container.

Prohibited Materials

26. Recyclable materials and yard and garden waste shall not be placed in a container for residential garbage collection.
27. No person shall place or mix with any material for removal as garbage any explosive, volatile, or corrosive materials, dangerous chemicals or any other material dangerous to the health or safety of the garbage collection personnel or other members of the public.
28. No person shall place in any container for residential garbage collection hot ashes from incinerators or burning barrels, liquid wastes, bulk chemical composition waste, building materials, building material waste, animal cuttings or wastes, dead animals, or oil, fuel, or other equipment lubricant filters.

Recyclable Materials

29. Recyclable materials shall be sorted and placed for collection in accordance with the guidelines and schedule established by the Regional District of Kootenay Boundary.

Yard and Garden Waste Clean Up Services

30. From time to time, the City may designate days when the City will provide special yard and garden waste collection, pertaining only to leaves, grass, garden waste and branches up to six inches in diameter. Said materials must be bagged, bundled and placed for collection in accordance with City guidelines.
31. If the City designates days for yard and garden waste collection, the City will collect a maximum of one cubic yard of yard and garden refuse from each residential dwelling premise.

Rates and Charges

32. Property owners shall be responsible for payment of all rates for garbage and recycling services for properties owned by them.
33. The user rates and charges specified in Schedule "A" of this Bylaw are hereby imposed and levied for garbage and recycling services supplied by the City. All such rates shall be due and payable from the first day of January in each year.

- 34. For any garbage and recycling service started after the 1st of January, the user account will be billed for an amount equal to the annual rate prorated for the number of days remaining in the year.
- 35. All rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.

Enforcement

- 36. The City may refuse to remove all waste material which is not garbage, as defined by this bylaw.
- 37. Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$2,000.00, and not less than \$500.00.

Enactment

- 38. The City of Trail Garbage and Waste Bylaw No. 1932, 1982 and all amendments thereto are hereby repealed.

READ the **FIRST, SECOND** and **THIRD** time the 26th day of November, 2007.

ADOPTED the 17th day of December, 2007.

MAYOR

CORPORATE ADMINISTRATOR

Certified a true copy of
Bylaw No. 2662, 2007.

CORPORATE ADMINISTRATOR

GARBAGE AND WASTE BYLAW NO. 2662, 2007
SCHEDULE "A"

Quantity Limits	Two (2) standard garbage containers per individual dwelling unit per week
Annual Rates	\$80.00 per individual dwelling unit

THE CITY OF TRAIL

BYLAW NO. 2665

A BYLAW TO AMEND THE CITY OF TRAIL GARBAGE AND WASTE BYLAW NO. 2662, 2007

WHEREAS Council deems it expedient to increase the fee for refuse collection in the City;

NOW THEREFORE, Council, in open meeting assembled, ENACTS AS FOLLOWS:

1. That this Bylaw may be cited for all purposes as the "**Garbage and Waste Bylaw Amendment Bylaw No. 2665, 2007**".
2. That the Annual Rates specified in Schedule "A" of the Garbage and Waste Bylaw be amended by deleting the number "\$80.00" and substituting the number "\$95.00".
3. That this bylaw be effective January 1, 2008.

READ the **FIRST, SECOND** and **THIRD** time the 17th day of December, 2007.

ADOPTED the 14th day of January, 2008.

MAYOR

CORPORATE ADMINISTRATOR

Certified a true copy of
Bylaw No. 2665, 2007.

CORPORATE ADMINISTRATOR