

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. R1028

A Bylaw to Provide for
the Regulation of Solid Waste Disposal and Tipping Fees
at the West Coast Landfill

WHEREAS by Supplementary Letters Patent, dated August 10, 1973 as amended, the Regional District of Alberni-Clayoquot was granted the function of Garbage Disposal under Division XIV of its Letters Patent;

AND WHEREAS the Regional District of Alberni-Clayoquot is empowered to establish a scale of charges payable for depositing Municipal Solid Waste at the West Coast Landfill;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot deems it advisable to enact regulations pertaining to solid waste disposal and to establish a charge for depositing Municipal Solid Waste;

NOW THEREFORE, the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. DEFINITIONS

In this bylaw, unless the context otherwise requires:

- 1.1 **“Biomedical Waste”** means solid waste such as soiled sheets, garments and other similar solid waste. Excluded is waste material from pathology, operating rooms, laboratories and other hospital operations, which produce potentially infectious waste considered to be special waste;
- 1.2 **“Controlled Waste”** means certain hazardous waste, liquid waste and Municipal Solid Waste which is approved for disposal at the West Coast Landfill site but which, because of its inherent nature and quantity, may require special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution. Controlled Waste includes, but is not limited to:
 - a. Demolition wastes including:
 - i. roofing materials;
 - ii. Clean construction materials;
 - iii. Drywall/Gypsum board;
 - iv. Stumps, land clearing debris;
 - v. Yard and Garden Waste (branches 2” & under)
 - b. Contaminated soils:
 - i. traces of petroleum products;
 - ii. Catch basin and manhole material;
 - c. Fish shrimp shells, animal carcasses;
 - d. Steel cable;
 - e. Biomedical waste;
 - f. Loads containing fish feed totes
- 1.3 **“Corrugated Cardboard”** means recyclable waste from residential, industrial, commercial, institutional sources which includes, but is not limited to containers or materials used in

containers consisting of 3 or more layers of Kraft paper material and having smooth exterior liners and a corrugated or rippled core, but excluding containers which are impregnated with blood, grease, oil, chemicals, food residue, was; or have polyethylene, foil or other non-paper liners; or are contaminated with a material which will render the corrugated cardboard not marketable;

- 1.4 **“Construction/Demolition Waste”** means waste produced from the construction, renovation, and demolition of buildings, bridges, wharfs, rail lines and other structures, but does not include waste containing or contaminated with asbestos, creosote, PCB treatments, paints or chemicals of any kind;
- 1.5 **“Environmental Management Act”** means the Environmental Management Act (British Columbia), as amended or replaced and any successor legislation and any regulations thereunder;
- 1.6 **“Disposal Site”** means the Alberni Valley Landfill;
- 1.7 **“Gypsum”** includes, but is not necessarily limited to new construction off-cuts or scraps and old wallboard that has been painted, covered in wallpaper, vinyl or ceramic tiles and is removed during renovation, but excluding wallboard from demolition sites or wallboard associated with asbestos;
- 1.8 **“Hazardous Waste”** means gaseous, liquid and solid waste which, because of its inherent nature and quantity, requires special disposal techniques to avoid creating health hazards, nuisances, or environmental pollution. Hazardous Wastes are toxins or poisons, corrosives, irritants, strong sensitizers, flammables, explosives, infectious waste, condemned food, etc. Flammable wastes excluding plastics, paper products and the like;
- 1.9 **“Ignitable”** means having the properties of:
- a. flammable gas,
 - b. flammable liquid, or
 - c. flammable solids, or substances susceptible to spontaneous combustion or substances that on contact with water emit flammable gases as defined in the Special Waste Regulations of the Environmental Management Act;
- 1.10 **“Metal”** means recyclable ferrous and non-ferrous metallic materials which include, but are not limited to: sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive parts, machinery, appliances, garbage cans, metal furniture, tire rims and metal cans. It does not include metal that is incorporated into a product or packaging, such as a couch, that does not compose more than 50% of produce weight and that cannot be readily separated from the non-metallic components.
- 1.11 **“Municipal Solid Waste” (MSW)** means refuse that originates from residential, commercial or institutional, demolition, land clearing or construction sources within the Regional District of Alberni-Clayoquot;
- 1.12 **“Person”** means an individual, a body corporate, a firm, a partnership, association or any other legal entity or an employee or agent thereof.

- 1.13 **“Prohibited Waste”** means a waste prohibited from disposal under Schedule ‘C’ attached to and forming part of this bylaw;
- 1.14 **“Radioactive Waste”** means waste containing a prescribed substance as defined in the Atomic Energy Control Act in sufficient quantity or concentration to require a licence for possession or use under the Act and regulations made under that Act;
- 1.15 **“Reactive Waste”** means waste which is;
- a. explosive, oxidizing, or so unstable that it readily undergoes violent change in the presence of air or water;
 - b. generates toxic gases, vapours, or fumes by itself or when mixed with water; and
 - c. polymerizes in whole or in part by chemical action and causes damage by generating heat or increasing volume; as defined in the Special Waste Regulations of the Environmental Management Act;
- 1.16 **“Refuse”** means discarded or abandoned materials, substances or objects; but does not include Controlled Waste and Prohibited Waste;
- 1.17 **“Regional Board”** means the Board of Directors of the Regional District of Alberni-Clayoquot;
- 1.18 **“Regional District”** means the Regional District of Alberni-Clayoquot;
- 1.19 **“Special Waste”** means any chemical, compound, mixture, substance or article which is defined as such in the Special Waste Regulation of the BC Environmental Management Act.
- 1.20 **“Stewardship Materials”** means any waste or recyclable materials in an approved stewardship plan as defined in the Recycling Regulation of the BC Environmental Management Act;
- 1.21 **“Tires”** means the outer pneumatic rubber covering of wheels of passenger’s vehicles, light service trucks and motorcycles with an inner diameter of less than 43 centimetres.
- 1.22 **“Waste Asbestos”** means a waste containing friable asbestos fibres or asbestos dust in a concentration greater than 1% by weight either at the time of manufacture, or as determined using a method specified in section 40 (1); of the BC Hazardous Waste Regulation;
- 1.23 **“Waste Oil”** means automotive lubricating oil, cutting oil, fuel oil, gear oil, hydraulic oil or any other refined petroleum based oil or synthetic oil where the oils are in the waste in a total concentration greater than 3% by weight and the oils through use, storage or handling have become unsuitable for their original purpose due to the presence of impurities or loss of original properties;
- 1.24 **“Yard and Garden Material”** means uncontaminated organic materials, substances or objects including, but not necessarily limited to, grass, lawn and hedge clippings, grass sod, flowers, leaves, vegetable stalks, shrubs and shrub tree branches less than 2” in diameter, but excluding Scotch Broom.

2. CONDITIONS

- 2.1 No person shall, in depositing Municipal Solid Waste (MSW) at the Disposal Site;
- a. deposit a Prohibited Waste;
 - b. deposit MSW except as directed by regulations for the use of the Disposal Site;

- c. unless permitted by the Regional District, deposit MSW without first having it weighted on the scales at the Disposal Site;
 - d. drive a vehicle anywhere on the Disposal Site except on roads provided by the Regional District for that purpose unless otherwise instructed;
 - e. act in a manner contrary to the posted site regulations.
- 2.2 Controlled Waste will not be accepted for disposal at the Disposal Site without written approval of the Regional District. This requirement may be waived, if the Regional District or its agent determines that special handling and disposal techniques are not required to dispose of the Controlled Waste. Controlled Waste for which special handling and disposal techniques are required are subject to fees as outlined in Schedule "A" attached to and forming part of this bylaw.
- 2.3 No person shall salvage or remove material deposited at the Disposal Site without prior written approval of the Regional District.
- 2.4 No person shall loiter or leave their vehicle unattended at the Disposal Site.
- 2.5 Persons entering the Disposal Site do so at their own risk. The Regional District accepts no liability whatsoever for damage and/or injury to persons or property at the Disposal Site.
- 2.6 Children under 13 and pets shall not be permitted at the Disposal Site except inside a vehicle.
- 2.7 No person shall deposit Municipal Solid Waste at the Disposal Site, which does not originate from within the Regional District. Any person doing so will be in contravention of this bylaw.

3.0 CHARGES

- 3.1 Every person depositing Municipal Solid Waste at the Disposal Site shall pay to the Regional District the applicable charges set out in Schedule "A" hereto.
- 3.2 Where a charge is not paid within the time specified in Schedule "B", attached to and forming part of this bylaw, for its payment the person liable to pay such a charge shall:
- a. In addition to such a charge pay interest thereon at a rate set out in Schedule "A" from the date the charge was due to the date of payment;
 - b. Not deposit any Municipal Solid Waste on or at the Disposal Site until such a charge and interest owing thereon has been paid in full.

4. VIOLATIONS AND PENALTIES

- 4.1 No persons shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 4.2 Every person who contravenes this bylaw, by doing any act which the bylaw forbids, or omits to do any act which the bylaw requires:
- a. is guilty of an offence and is liable, on summary conviction, to a fine of not less than TWO HUNDRED (\$200.00) DOLLARS and not more than TEN THOUSAND (\$10,000.00) dollars for a first offence and for each subsequent offence to a fine of not less than FIVE HUNDRED (\$500.00) and not more than TEN THOUSAND (\$10,000.00) DOLLARS. A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues;

b. may be prohibited from depositing Municipal Solid Waste at the Disposal Site.

5. TITLE

This bylaw may be cited as the “West Coast Landfill Tipping Fee and Regulation Bylaw No. R1028, 2017”

6. EFFECTIVE DATE

Bylaw No. R1028 “West Coast Landfill Tipping Fee and Regulation” comes into effect on July 1, 2017.

7. REPEAL

Bylaw No. R1010, R1010-1, R1010-2, and R1010-3, cited as the “West Coast Landfill Tipping Fee and Regulation Bylaw” is hereby rescinded as of July 1, 2017.

Read a first time this 14th day of , June, 2017

Read a second time this 14th day of , June, 2017

Read a third time this 14th day of , June, 2017

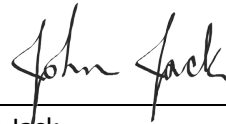
ADOPTED this 14th day of , June, 2017

Certified true and correct copy of **“West Coast Landfill Tipping Fee and Regulation Bylaw No. R1028, 2017”**

The Corporate seal of the Regional District of Alberni-Clayoquot was hereto affixed in the presence of:



Wendy Thomson
Acting Chief Administrative Officer



John Jack
Chair

**Schedule A
Charges**

| Solid Waste, excluding Controlled Waste | Tipping Fee | Other Charges |
|--|--------------------|------------------------|
| Loads of 83 kg or greater | \$120.00 per tonne | \$10.00 minimum |
| Loads under 83 kg (each garbage bag or can) | \$2.00 each | \$8.00 maximum |
| Wrecked recreational vehicle | \$240.00 per tonne | \$300.00 minimum |
| Surcharge for Solid waste containing Prohibited "Recyclable Materials" | \$240.00 per tonne | |
| Surcharge for improperly covered or secured loads | \$240.00 per tonne | |
| Weighing Service | | \$10.00 per occurrence |

| Recyclable Materials | Tipping Fee | Other Charges |
|--|---|----------------------|
| Automotive Batteries – separated and placed in hazardous waste container | No Charge | |
| Corrugated Cardboard – <i>not accepted on site</i> | \$300 per tonne | |
| Fridges and Freezers | \$20 each | |
| Recyclable Metal – if separated into metal bin | No Charge | |
| Recyclable Metal – if mixed with solid waste | \$1,000 per tonne | |
| Stewardship Materials – <i>not accepted on site</i> | \$240.00 per tonne | |
| Tires | \$2.00 each or \$170 per tonne whichever is greater | |

| Controlled Waste | Tipping Fee | Other Charges |
|--|--------------------|--|
| Construction/Demolition Waste | \$160.00 per tonne | |
| Stumps, land clearing debris | \$240.00 per tonne | |
| Yard and Garden Waste (branches 2" & under) | No charge | |
| Catch basin and manhole material | \$160.00 per tonne | |
| Fish, shrimp shells, animal carcasses provided that there will be no charge for animal carcasses removed from public roadways by a public body or their contractor | \$200.00 per tonne | \$100.00 minimum |
| Steel Cable | \$500.00 per tonne | |
| Biomedical waste | \$132.00 per tonne | |
| Loads containing fish feed totes | \$400.00 per tonne | \$160.00 minimum |
| Contaminated Soils: | | |
| Provided that the Ministry of Environment has approved of disposal of the contaminated soil, without treatment, at the WCLF | \$50.00 per tonne | |
| Provided that the Ministry of Environment has approved of the treatment and disposal of the contaminated soil at the WCLF | \$100.00 per tonne | Plus estimated out-of-pocket treatment costs |

Schedule B
Policies and Procedures

1. In the event that the scales provided are not operational, weight shall be estimated by the Scale Clerk employed by the Regional District of Alberni-Clayoquot.
2. All charges payable under this Bylaw shall be paid prior to the deposit of the solid waste for which the charge is made unless it is necessary to weigh the vehicle depositing solid waste loaded and empty to determine the weight of solid waste, in which case the charge shall be paid immediately after weighing the vehicle empty.
3. The person paying a charge shall obtain a receipt for such payment and shall produce such receipt for inspection on request of a person employed for that purpose at a disposal site as a condition of depositing solid waste at a disposal site.
4. Notwithstanding anything to the contrary in this Bylaw, persons depositing solid waste at a disposal site on a regular basis may apply to the Regional District for credit and if credit is granted to that person, then payment of the charge imposed under Schedule A shall be made and the credit extended on condition that:
 - a. Payment in full shall be received by the Regional District within thirty (30) days of the last day of the month for which an invoice has been submitted. The Regional District will invoice monthly for material delivered during the preceding month. The invoice amount will be based on the total quantity of the Municipal Solid Waste delivered during the month, and the posted disposal rates in effect at the time of delivery.
 - b. In order to reflect the additional administration costs associated with accounts in arrears, an overdue charge will be calculated monthly as the greater of:
 - i. \$2.00; or
 - ii. Interest of 2% per month (effective interest rate of 26.824%) on the unpaid balance.
 - c. The Regional District reserves the right to cancel the credit offered herein for late payment, non-payment or other justified cause.

Schedule C Prohibited Waste

The following gaseous liquids and municipal solid wastes are not acceptable for disposal at the Disposal Site and include, but are not limited to:

- i. Liquids, except as permitted herein;
- ii. Ignitable wastes;
- iii. Reactive wastes;
- iv. Radioactive wastes;
- v. Hazardous waste;
- vi. Special Waste, as defined in the *Special Waste Regulation* (British Columbia) except asbestos;
- vii. Medical waste
- viii. Solid Waste that is on fire or smouldering
- ix. Corrugated Cardboard
- x. Metal – including wrecked autos and trucks
- xi. Municipal Solid Waste that does not originate from within the Regional District;
- xii. Stewardship Materials
- xiii. Tires