

## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

### BYLAW NO. R1033

A Bylaw to Provide for  
the Regulation of Recycling, 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 **"Asbestos Containing Materials"** means waste that falls under one or more of the following categories: Waste containing friable asbestos fibers or asbestos dust as defined in the *Hazardous Waste Regulation*;
- 1.2 **"Gypsum"** that meets one of the following conditions: manufactured prior to December 31, 1990 and has no analytical results that confirm it is non-Asbestos containing; or manufactured on or after January 1, 1991 without one of the following identifiers to qualify as recyclable **Gypsum**: barcode, date stamp or webaddress;
- 1.3 **"Medical Facility Waste"** means municipal solid waste originating from a hospital or health care facility 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;
- 1.4 **"Biomedical Waste"** means waste as defined in the *Hazardous Waste Regulation* as Biomedical Waste;
- 1.5 **"Bio Solids"** means stabilized, dewatered treatment plant sludge resulting from the treatment of municipal liquid waste;
- 1.6 **"Clean Soil"** means soil with concentrations of contaminants less than those listed in the *Contaminated Sites Regulation* and soils not containing other waste materials;
- 1.7 **"Contaminated Sites Regulation"** means the Contaminated Sites Regulation, B.C. Regulation 395/96, enacted under the *Environmental Management Act*;
- 1.8 **"Contaminated Soil"** means soil with concentrations of contaminants greater than those listed in the *Contaminated Sites Regulation* or soils containing waste material;
- 1.9 **"Commercial"** means originating from businesses or institutional facilities, or multi-family residences
- 1.10 **"Controlled Waste"** means a material, substance or object listed in Schedule 'A' which may create health hazards, nuisances or environmental pollution and may or may not be disposed of through *Special Handling*;

- 1.11 **“Corrugated Cardboard”** means recyclable 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;
- 1.12 **“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 *Hazardous Waste* or *Recyclable Material*
- 1.13 **“Environmental Management Act”** means the Environmental Management Act (British Columbia), as amended or replaced and any successor legislation and any regulations thereunder;
- 1.14 **“Disposal Site”** means the West Coast Landfill;
- 1.15 **“Fish Rope and Netting”** means plastic based end-of life fishing nets and rope.
- 1.16 **“Fish Tote”** means a container approximately 40 inches by 48 inches by 80 inches made of high density polyethylene material.
- 1.17 **“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;
- 1.18 **“Hazardous Waste”** means any chemical compound, mixture, substance or article defined as Hazardous Waste in the *Hazardous Waste Regulation*;
- 1.19 **“Hazardous Waste Regulation”** means Hazardous Waste Regulation, BC Reg. 63/88 enacted under the *Environmental Management Act*;
- 1.20 **“Invasive Plant Species”** means *Yard and Garden Waste* which may require special handling including but not limited to Scotch Broom
- 1.21 **“Ignitable”** means having the properties of: flammable gas, flammable liquid, or 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;
- 1.22 **“Land Clearing Debris”** means stumps, tops, limbs and whole trees generated from the clearing of land and the small scale harvesting of merchantable timber but does not include *Yard and Garden Waste*.
- 1.23 **“Mattress”** means a large, rectangular pad used as a bed or on a bed frame and include all sizes of mattresses, box-springs or foam sleeping pads;
- 1.24 **“Metal”** means recyclable ferrous and non-ferrous metallic materials
- 1.25 **“Municipal Solid Waste” (MSW)** means refuse that originates from residential, commercial or institutional, sources within the Regional District of Alberni-Clayoquot;
- 1.26 **“Person”** means an individual, a body corporate, a firm, a partnership, association or any other legal entity or an employee or agent thereof.
- 1.27 **“Prohibited Waste”** means a waste prohibited from disposal under Schedule ‘C’ attached to and forming part of this bylaw;
- 1.28 **“Radioactive Waste”** means waste containing a prescribed substance as defined in the Atomic Energy Control Act in sufficient quantity or concentration to require a license for possession or use under the Act and regulations made under that Act;
- 1.29 **“Reactive Waste”** means waste which is; explosive, oxidizing, or so unstable that it readily undergoes violent change in the presence of air or water; generates toxic gases, vapours, or fumes by itself or when mixed with water; and 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;
- 1.30 **“Recreational Vehicle”** means a motor vehicle or trailer which includes living quarters designed for accommodations. Any recreational vehicle to be disposed of must have all

- metal and other recyclable materials removed otherwise will be charged as a load containing recyclable materials.
- 1.31 **“Recyclable Material”** means materials that can be managed through existing recycling or stewardship programs and for which a commercial market exists
  - 1.32 **“Refuse”** means discarded or abandoned materials, substances or objects; but does not include Controlled Waste and Prohibited Waste;
  - 1.33 **“Regional Board”** means the Board of Directors of the Regional District of Alberni-Clayoquot;
  - 1.34 **“Regional District”** means the Regional District of Alberni-Clayoquot;
  - 1.35 **“Special Handling”** means material handling that includes but is not limited to unloading assistance, review of test results, extra excavation, trenching, grinding, chipping, lining, extra cover or materials that pose an increased exposure risk;
  - 1.36 **“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.
  - 1.37 **“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;
  - 1.38 **“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.
  - 1.39 **“Unsecured Load”** means that a load that is not properly secured, either with a tarpaulin cover or tie-down apparatus to prevent any of the load escaping, or falling off of the haul vehicle.
  - 1.40 **“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;
  - 1.41 **“Wood Waste”** means wood products such as dimensional lumber, plywood, particle board, fiber board, oriented strand board, pallets, crating, wood fencing, wood shingles or wooden doors and may be contaminated with coatings or other materials that has been separated from other **Construction/Demolition Waste**;
  - 1.42 **“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 1” in diameter, but excluding **Invasive Plant Species**.

## 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 that 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. R1033, 2019"

### **6. REPEAL**

Bylaw No. R1028 and all amendment bylaws, cited as the "West Coast Landfill Tipping Fee and Regulation Bylaw No. R1028, 2015" is hereby rescinded.

**7. EFFECTIVE DATE**

This bylaw will come into effect on November 1, 2019.

Read a first time this	28 <sup>th</sup>	day of August,	2019.
Read a second time this	28 <sup>th</sup>	day of August,	2019.
Read a third time this	28 <sup>th</sup>	day of August,	2019.
ADOPTED this	28 <sup>th</sup>	day of August,	2019.

Certified true and correct copy of **“West Coast Landfill Tipping Fee and Regulation Bylaw No. R1033, 2019”**

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



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Wendy Thomson  
Manager of Administrative Services



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John Jack  
Chair

**Schedule A  
Charges**

<b>Solid Waste</b>	<b>Tipping Fee</b>	<b>Other Charges</b>
Loads of 83 kg or greater	\$130.00 per tonne	\$12.00 minimum
Loads under 83 kg (each garbage bag or can)	\$3.00 each	\$6.00 minimum \$12.00 maximum
Recreational Vehicle	\$240.00 per tonne	\$300.00 minimum
Surcharge for loads containing Recyclable Materials or Controlled Waste	Double the standard tipping fee	
Surcharge for Unsecured loads	\$240.00 per tonne	
Weighing service		\$10.00 each occurrence

<b>Recyclable Materials</b>	<b>Tipping Fee</b>	<b>Other Charges</b>
Corrugated Cardboard	\$200.00 per tonne	\$15.00 minimum
Metal, including appliances	No Charge	
Clean wood waste	\$120.00 per tonne	\$10.00 minimum
Car batteries	No Charge	
Tires	\$170 per tonne	\$2.00 each tire minimum
Residential Yard and Garden Waste	No charge	
Fish Nets and Rope	\$120.00 per tonne	\$12.00 minimum

<b>Controlled Waste</b>	<b>Tipping Fee</b>	<b>Other Charges</b>
Construction/Demolition Waste	\$160.00 per tonne	\$15.00 minimum
Land clearing debris	\$240.00 per tonne	\$15.00 minimum
Pumpings from domestic septic tanks	\$160.00 per tonne	
Catch basin and manhole material	\$160.00 per tonne	\$150.00 minimum
Fish, shrimp shells, and animal carcasses	\$200.00 per tonne	\$100.00 minimum
Medical Facility Waste	\$132.00 per tonne	
Loads containing fish feed totes	\$400.00 per tonne	\$160.00 minimum
<b>Contaminated Soils:</b>		
Provided that the Ministry of Environment has approved of disposal of the contaminated soil, without treatment, at the Alberni Landfill	\$50.00 per tonne	
Provided that the Ministry of Environment has approved of the treatment and disposal of the contaminated soil at the Alberni landfill	\$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 landfilling at the Disposal Site and include, but are not limited to:

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