



## Northern Rockies Regional Municipality Landfill Tipping Fee and Regulations Bylaw No. 69, 2012

A bylaw of the Northern Rockies Regional Municipality (hereinafter called 'the Regional Municipality' to enact regulations pertaining to solid waste disposal and to establish a charge for depositing solid waste at the Northern Rockies Landfill.

WHEREAS the Council of the Northern Rockies Regional Municipality deems it necessary to provide for regulations for the disposal of solid waste,

NOW THEREFORE, the Council of the Regional Municipality, in open meeting assembled, hereby enacts as follows:

### INTERPRETATION

#### 1. Citation

This bylaw may be cited as 'The Northern Rockies Regional Municipality Landfill Tipping Fee and Regulations Bylaw No. 69, 2012'.

#### 2. Authorization

Schedule "A" and "B" are attached hereto and form part of this bylaw.

#### 3. Definitions/interpretations

In this bylaw:

**Active Face** means the current operational area of the Disposal Site where solid waste is being placed, located south of the Transfer-Drop Off Station

**Bulky Waste** means a metal container or other manufactured article with a volume greater than one and one half cubic metres (53 cu.ft./330 gallons) or any item greater than two and one half metres in length

**Commercial Carriers** means a person or company that charges fees from a customer for haulage and/or disposal of waste.

**Contaminated Soils** means the presence in soil of hazardous waste or another substance in quantities or concentrations as specified by the Environmental Management Act or the Contaminated Site Regulation (BC Reg 375/96).

**Controlled Waste** means certain hazardous waste, liquid waste, and refuse which is authorized by permit for recycling, treatment or disposal at the Disposal 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:

- (a) condemned foods
- (b) screenings from municipal sewage treatment plants and pump stations
- (c) waste sludge from municipal sewage treatment plants and pump stations
- (d) food processing waste
- (e) dead animals
- (f) bulky waste
- (g) gypsum board or wallboard
- (h) large tires
- (i) pumpings from:
  - (i) parking lot drainage sumps and street catch basins
  - (ii) laundry lint traps
  - (iii) sumps which collect runoff from vehicle washing facilities only, but not from facilities used for maintenance or lubrication of automobiles or where solvents of sandblasting are employed for removal of paint, grease or oil.
- (j) household appliances containing ozone depleting substances at the time of manufacture

**Covered Solid Waste** means a load of refuse secured and covered on a vehicle so that it cannot blow or fall off while in transit

**Dead Animals** means dead animals or portions thereof equal to or greater than fifty kilograms in weight

**Demolition, Land Clearing and Construction Waste** includes, but is not limited to, waste materials other than controlled waste such as pipe, concrete, asphalt, lumber, stumps, roofing material, masonry and wire arising from domestic, commercial, industrial, institutional or municipal activities

**Director** means the Director of Public Works for the Northern Rockies Regional Municipality or his designate

**Disposal Site** means the Fort Nelson Landfill located south of the Transfer-Drop Off Station

**General Public** means a resident of the Regional Municipality that utilizes the Transfer Drop-Off Station for the purposes of disposing waste generated at home.

**Gypsum Board or Wallboard** includes, but is not 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 containing asbestos

**Hazardous Waste** means any chemical, compound, mixture, substance or article which is defined as such in the Hazardous Waste Regulation

**Hazardous Waste Regulation** means a regulation of the Province of British Columbia under the Environmental Management Act or the Hazardous Waste Regulation issued by the Province of British Columbia

**Ignitable** means having the properties of:

- (i) flammable gas
- (ii) flammable liquid; or
- (iii) flammable solids, substances liable to spontaneous combustion or substances that, on contact with water, emit flammable gases, as described in the Hazardous Waste Regulation

**Large Tires** means the outer pneumatic rubber covering of wheels of trucks and heavy equipment with an inner diameter greater than 42 centimetres

**Load** means that solid waste which arrives at the Disposal Site in a vehicle

**Marketable** means materials that can be disposed of through recognized recycling programs

**Ozone Depleting Substances** means materials identified in the British Columbia Ozone Depleting Substances Regulation (BC Regulation 53-93)

**Prohibited waste** includes:

- (i) liquids
- (ii) slurry; except as permitted herein
- (iii) empty steel and plastic drums, unless they are crushed, shredded or similarly reduced in volume to a condensed mass
- (iv) contaminated soils
- (v) waste asbestos
- (vi) waste oil and lubricants
- (vii) ignitable, reactive and radioactive waste
- (viii) hazardous waste, except as permitted herein
- (ix) refuse that is on fire or smoldering
- (x) explosives
- (xi) industrial chemical waste

- (xii) lead acid batteries
- (xiii) all tires that are mounted on rims
- (xiv) ozone depleting substances except as permitted herein
- (xv) unspecified chemicals and gases

**Radioactive Waste** means waste containing a 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

**Reactive** means waste which:

- (i) is explosive, oxidizing or so unstable that it readily undergoes violent change in the presence of air or water
- (ii) generates toxic gases, vapours or fumes by itself or when mixed with water; or
- (iii) polymerizes in whole or in part by chemical action and causes damage by generating heat or increasing in volume as defined in the Hazardous Waste Regulation

**Recyclable Waste** means marketable, source separate waste that includes, but is not necessarily limited to, newspaper, ledger and computer paper, magazines, telephone directories, corrugated cardboard, boxboard, metal food and beverage containers manufactured of steel, tin and aluminum, #1 and #2 plastic food containers, rinsed glass food containers, glass beverage containers, household batteries and tetra packs.

**Refuse** includes, but is not necessarily limited to, unmarketable food wastes, combustibles such as paper, cardboard, fabric, plastics, leather, furniture, household appliances not containing ozone depleting substances at the time of manufacture, yard trimmings, crockery, rock, ashes from fireplaces and wood stoves, street sweepings

**Regional Municipality** means the Northern Rockies Regional Municipality

**Small Load** means solid waste that arrives at the Disposal Site, via:

- (a) a vehicle having a maximum G.V.W. (gross vehicle weight) rating of 3,400 kilograms or less where the weight of the load on the vehicle is 500 kilograms or less; or
- (b) a vehicle having a maximum G.V.W. (gross vehicle weight) rating of 3,400 kilograms or less, towing a trailer where the weight of the load on the vehicle and trailer combination is 500 kilograms or less

**Small Tires** means the outer pneumatic rubber covering of wheels of passenger vehicles, light service trucks and motorcycles with an inner diameter or 42 cm or less

**Solid Waste** means refuse, recyclable waste, demolition, land clearing and construction waste, yard and garden waste, processed yard and garden waste and controlled waste acceptable for disposal at the Disposal Site, but excluding prohibited waste

**Transfer Drop-Off Station** means the supervised weigh scale primary containment facility located on 55<sup>th</sup> Street, south of 50<sup>th</sup> Avenue South

**Uncovered Solid Waste** means a load, not including the articles listed in Section 2 of Schedule D, which is not secured and covered on the vehicle, so there is nothing to prevent it from blowing or falling off while in transit

**Unmarketable** means materials which cannot be disposed of through existing recycling programs

**Vehicle** means a motorized carrier and/or trailer, as defined in the Motor Vehicle Act of British Columbia

**Yard and Garden Waste** means organic source separate waste that includes grass, lawn and hedge clippings, grass sod, flowers, leaves, weeds, vegetable stocks, shrubs and shrub and tree branches less than 75 millimetres in diameter

## **TERMS AND CONDITIONS**

- 4.1 No person shall deposit solid waste at the Disposal Site or the Transfer Drop-Off Station, which does not originate within the Northern Rockies Regional Municipality.
- 4.2 No person shall deposit a wrecked or derelict vehicle body without first removing the tires, fuel tank, automotive fluids, lubricating oils, ozone depleting substances.
- 4.3 No person shall:
  - (i) deposit solid waste at the Disposal Site or the Transfer Drop-Off Station that may be in contravention of this bylaw; or
  - (ii) act in a manner contrary to the site regulations attached as Schedule "B".
- 4.4 A person may deposit source-separated recyclable waste at the available recycling depot(s).
- 4.5 A person may deposit yard and garden waste and processed yard and garden waste at the Disposal Site or Transfer Drop-Off Station at the rates set out in Section 1 and 2 of Schedule "A".
- 4.6 If the yard and garden waste is not source-separated or contains other than organic matter, then the person bringing the waste to the Disposal Site shall pay the charges set out in Section 1(a) of Schedule "A".

## **CHARGES**

- 5.1 Every person depositing solid waste at the Disposal Site or the Transfer Drop-Off Station shall pay to the Regional Municipality, the applicable charges at the time and in the amount set out in Schedule "A" attached hereto.
- 5.2 Where a charge is not paid within the time specified in Schedule "A" for its payment, the person liable for such charges shall:
  - (i) not deposit any solid waste on or at the Disposal Site or Transfer Drop-Off Station, until such charge owing has been paid in full; and
  - (ii) in addition to such charge, shall pay interest therein at the rate set out in Schedule "A" from the date the charge was due, to the date of payment.

## **VIOLATIONS AND PENALTIES**

- 6.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 6.2 Every person who contravenes this bylaw, by doing any act which the bylaw forbids or failing to do any act which this bylaw requires to be done is guilty of an offense, and is liable on summary conviction, to a fine not less than one hundred dollars (\$100.00) and not more than two thousand dollars (\$2,000.00) and also the cost of prosecution, and each day during which such violation is continued, shall constitute a new and separate violation.
- 6.3 The penalties imposed under Subsection (6.2) hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

## **SEVERANCE**

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

## **REPEALS**

8. The Northern Rockies Regional District Bylaw No.118, 1999 is hereby repealed in its entirety.

**EFFECTIVE DATE**

9. This bylaw shall take effect upon its adoption.

READ a first time this 9<sup>th</sup> day of January, 2012

READ a second time this 9<sup>th</sup> day of January, 2012

READ a third time this 9<sup>th</sup> day of January, 2012

Third Reading rescinded this 23<sup>rd</sup> day of January, 2012

READ a third time as amended this 23<sup>rd</sup> day of January, 2012

Adopted this 13<sup>th</sup> day of February, 2012

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Kim Eglinski, Acting Mayor

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Heather Cosman, Corporate Manager

## SCHEDULE "A"

### CHARGES

1. Effective upon the date of adoption of this bylaw, the charges for depositing covered solid waste delivered to the Transfer Drop-Off Station shall be:
  - (a) General Public: Excepting clause (d) below, a flat fee of \$5.00 shall be charged for all small loads.
  - (b) Commercial Carriers: Excepting clause (d) below, a flat fee of \$10.00 shall be charged for all small loads.
  - (c) Excepting clause (d) below, a fee of \$40.00/Ton shall be charged for loads greater than or equal to 500 kilograms
  - (d) Tipping fees for the following items shall be charged per unit with the rates shown:

Item	Rate Unit
Vehicle Hulks	\$100.00
Vehicle and Light Truck Tires	\$2.00
Large Tires	\$4.00
Appliances once containing ozone depleting substances	\$25.00

2. In the event that the weigh scale is not operational, weights may be estimated by the weigh scale operator and a fee charged as outlined in Sections 1. and 2. above.
3. The fee to be charged for all loads of uncovered solid waste which arrives at the Disposal Site shall be double the normal fee for loads of covered solid waste.
4. All cash charges referred to in Sections 1. and 2. shall be rounded up or down to the nearest quarter of a dollar.



5. The charges payable under Sections 1. and 2. shall be paid immediately following the weighing of the empty vehicle after the load is deposited. The charge shall be based on the difference in weight between the loaded weight and the weight of the unloaded vehicle.
6. Any person depositing solid waste at the Disposal Site on a continual commercial basis may apply to the Regional Municipality for credit. The Treasurer may grant credit to that person in which case payment of the charge imposed under Section 1. shall be made and the credit extended on the following conditions.
  - (a) the person receiving the credit shall pay the Regional Municipality all charges in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The Regional Municipality will invoice monthly for solid waste delivered during the preceding month. The invoice amount will be based on the total quantity of solid waste delivered during the month and the disposal rates in effect at the time of delivery.
  - (b) the Regional Municipality reserves the right to cancel the credit offered herein for late payment, non-payment or other justified causes, as judged solely by the Treasurer.
  - (c) late payment will be subject to an interest penalty charge as established under Section 11(3) of the Taxation (Rural) Act.

## **SCHEDULE “B”**

### **SITE REGULATIONS**

#### **1. Access**

Any persons delivering solid waste to the Disposal Site or the Transfer Drop-Off Station must report to the weigh scale operator. Access beyond the weigh scale site is restricted to the posted hours of operations.

#### **2. Remote Controlled Electric Gates**

The weigh scale operator has the control of the electric gates. The inner electric gate will be in normally closed position and will only be operated by the weigh scale operator.

#### **3. Vehicles**

Any person who operates a vehicle on the Disposal Site or the Transfer Drop-Off Station shall comply with all legislated regulations and requirements.

#### **4. Loads**

All loads of solid waste entering the Disposal Site or the Transfer Drop-Off Station must be secured and covered. A cover shall be defined as a tarpaulin or other overlay that is used to completely define the load to the vehicle. The following items will be permitted onto the Disposal Site without covers:

- (a) Stumps - chained on a flat-bed truck or within the confines of the truck box
- (b) Soil, sand, gravel, rock - within the confines of the truck box (tailgates in place and closed)
- (c) Bulky wastes - strapped on flatbeds or within confines of the truck box.

A double charge will apply to all vehicles and loads not meeting the above requirements.

#### **5. Prohibited Waste**

No person shall deposit a prohibited waste at the Disposal Site or the Transfer Drop-Off Station

#### **6. Disposal Site**

- (a) Any person delivering solid waste to the Disposal Site or the Transfer Drop-Off Station shall drive their vehicle only on the roads provided by the Regional Municipality.

- (b) Any person delivering solid waste to the Disposal Site or the Transfer Drop-Off Station shall deposit the solid waste in such a place and in such a manner as directed by the Regional Municipality staff, landfill operator and/or weigh scale operator.
- (c) All solid waste deposited at the Disposal Site or the Transfer Drop-Off Station shall become the property of the Regional Municipality.
- (d) Salvage and/or removal of deposited solid waste from the Disposal Site or the Transfer Drop-Off Station may only be permitted with the written approval of the Regional Municipality.
- (e) Loitering is not permitted at the Disposal Site or the Transfer Drop-Off Station. Vehicles must proceed directly to the unloading area then leave the Disposal Site or the Transfer Drop-Off Station as soon as possible after unloading.

## 7. Safety

- (a) Any person entering the Disposal Site or the Transfer Drop-Off Station does so at their own risk. The Regional Municipality accepts no responsibility for damage and/or injury to persons or to property.
- (b) All visitors to the Disposal Site or the Transfer Drop-Off Station must check in at the scale office upon arrival and before departure.

## 8. General

- (a) Commercial Carriers must receive pre-approval in the form of a "Permit to Discharge" from the Director of Public Works.
- (b) The Regional Municipality reserves the right to reject or accept any waste originating outside or within the Northern Rockies Regional Municipality.
- (c) Any person who contravenes these regulations and/or fails to comply with posted notices and signs on the Disposal Site or Transfer Drop-Off Station may be refused re-entry onto the Disposal Site or Transfer Drop-Off Station.