



## VILLAGE OF HARRISON HOT SPRINGS BYLAW NO. 1172

### **A bylaw for the collection and disposal of household waste, recyclables, glass packaging and organics/green waste and to establish a fee payable for services provided.**

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**WHEREAS** the Village of Harrison Hot Springs has deemed it advisable to establish a bylaw to provide a system for Residential Waste Collection Services and to establish fees for these services;

**NOW THEREFORE** in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

#### **1. CITATION**

This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Waste Collection and Disposal Bylaw No. 1172, 2021".

#### **2. INTERPRETATION**

"Container" means a waste receptacle constructed of non-corrosive durable metal or plastic, equipped with an odour resistant and animal resistant tight-fitting cover, having a maximum capacity of up to 121 litres weighing no more than 25 kgs and capable of being manually emptied;

"Contaminated Waste" means waste with the presence of hazardous waste or prohibited material, or mixing of any two or more of the following items or materials: a) Household Waste, b) Recyclable Materials, c) Glass Packaging, (d) Organics and (e) Green Waste;

"Contractor's Representative" means the representative of the Contractor designated to perform collection and disposal services;

"Environmental Law" means all federal, provincial, municipal or local laws, statutes or ordinances relating to environmental matters, including all rules, regulations, policies, guidelines, criteria or the like promulgated under or pursuant to any such laws;

"Flexible Plastic" means stand-up and zipper lock pouches, crinkly wrappers and bags, flexible packaging with plastic seal, non-food protective wrap like bubble wrap or plastic envelopes, and net bags;

"Glass Packaging Container" means any Container clearly marked "Glass Recycling", used for temporary storage of Glass Packaging at curbside weighing no more than 25 kgs and capable of being manually emptied;

“Glass Packaging” means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, lead based glass such as crystal, TV tubes, light bulbs, insulators, construction or demolition waste or other similar products;

“Green Waste” means plants, landscape vegetation, lawn trimmings;

“Green Waste Container” means an unlined paper bag weighing no more than 25 kgs and capable of being manually emptied;

“Hazardous Waste” as defined under the Hazardous Waste Regulation BC;

“Household Waste” means refuse that originates from residential sources and excludes organics, green waste, recyclable materials, glass packaging, prohibited waste and waste generated by non-residential activities;

“Implementation Day” means January 1, 2022;

“Organics” means Food Waste, food scraps, fruit, paper towel/napkins, compostable food waste containers, food soiled paper and pizza delivery boxes, compostable paper plates/cups, single use wooden cutlery;

“Organics Container” means a waste receptacle constructed of non-corrosive durable metal or plastic, equipped with an odour and animal resistant tight-fitting cover, having a maximum capacity of up to 121 litres weighing no more than 25 kgs and capable of being manually emptied;

“Prohibited Waste” means liquid waste, ignitable or flammable waste, car batteries, oil and oil filters, gypsum/drywall, building/demolition, paints, pesticides, electronic waste and Hazardous Waste as defined by the Hazardous Waste Regulation BC;

“Recyclables” means newspaper, cardboard, any paper, clean and dry household plastic containers coded 1 through 7, Flexible Plastic, milk jugs, tetra-paks, flyers, wax cardboard, books or other products accepted by the Contractor for disposal at a licensed facility;

“Recycling Container” means any Container clearly marked “Recycling”, used for the temporary storage of Recyclables at curbside, having a maximum capacity of up to 121 litres weighing no more than 25 kgs and capable of being manually emptied;

“Residence” means a single family dwelling unit or each dwelling unit of a duplex; or residential units of a multi-family dwelling which contracts the Village for Waste Collection Services;

“Service area” means the area within the municipal boundaries of the Village of Harrison Hot Springs;

“Tag Sticker” means the sticker required to be used for the pickup of extra Household Waste;

“Village” means the Village of Harrison Hot Springs;

“Waste Collection Day” means the day established by the Village for the curbside collection of waste;

“Waste Collection Service” means the solid waste service established by the Village of Harrison Hot Springs for the collection of Household Waste, Recyclables, Glass Packaging, Organics and Green Waste;

### **3. GENERAL CONDITIONS**

- (a) No person shall dump or dispose of any waste except in accordance with the provisions of this bylaw or by direct authorization of the Village.
- (b) No person shall deposit or use waste for lot filling or leveling purposes.
- (c) No person shall allow waste of any kind whatsoever to leak, spill, blow or drop from any vehicle or container onto any street within the Village.
- (d) No Person shall place or cause to be placed any waste upon any street or public land other than in accordance with the Residential Waste Collection Service provisions.
- (e) No person shall dispose of waste into a Container belonging to another person unless given the authority to do so by the owner of the Container.
- (f) No person shall open any Container, add anything thereto or in any way disturb or tamper with the contents thereof, nor shall any Person handle, interfere with, disturb or tamper with any Container placed for collection other than the Residence owner/occupier, Waste Collector or a Bylaw Enforcement Officer.

### **4. RESIDENTIAL WASTE COLLECTION SERVICE**

- (a) The Village is authorized to establish, maintain, and implement through a contract service agreement, a Residential Waste Collection Service within the Village, and impose public regulations, and billing procedures for said system.
- (b) The Residential Waste Collection Service shall include but may not be limited to the systematic and regularly scheduled emptying of Containers placed by Residents upon their frontage, and the disposal of the contents of Household Waste, Recyclables, Glass Packaging, Organics and Green Waste.
- (c) Every owner of a residence within the Village shall pay the applicable fees for this service as set out in Schedule “A” attached hereto this Bylaw
- (d) On their Waste Collection Day, each Resident requiring service shall:
  - i) Place a Container(s) for collection upon their frontage in a location that easily identifies the Container as belonging to the Resident, is clearly visible to the Waste Collector, as close as possible to the travelled portion of an adjacent

street, level with the surface of the lane, but not on a sidewalk or in such a location as to interfere with or impede with vehicular or pedestrian traffic.

- ii) Place a Container(s) for collection no later than 7:00 a.m. on each Waste Collection Day. Container(s) put out for collection after 7:00 am may not be collected.
  - iii) Remove their Container(s) from the property frontage to a site not visible from the frontage within 24 hours regardless of it being emptied or not by the Waste Collector pursuant to section 4(d)ii).
  - iv) Place allowable containers of:
    - a) Household waste – one (1) container
    - b) Recyclable waste - may consist of a collection of container(s) with unlimited commingled recyclables, clearly identified as a Recycling Container
    - c) Glass Packaging waste – may consist of a collection of container(s) with unlimited glass packaging, clearly identified as a Glass Recycling Container
    - d) Organics – may consist of one (1) container clearly identified as an Organics Container containing Organics
    - e) Green Waste – may consist of up to (10) Green Waste Containers containing only Green Waste
- (e) On the Waste Collection Day, each residence requiring service shall not:
- i) Place more than one (1) Container of household waste category for Waste Collection pick-up unless otherwise issued an extra tag sticker from the Village to do so.
  - ii) Place Household Waste for Waste Collection pick-up unless inside a sealed Container.
  - iii) Place any Container with a filled weight of over 25 kgs
  - iv) Place a Container that does not meet the definitions in this bylaw.
  - v) Place any other Waste other than Household Waste, Recyclables, Glass Packaging, Organics or Green Waste into a Container to be collected.
  - vi) Place Prohibited Waste or Contaminated Waste in any Container.

## 5. FEEES AND CHARGES

- (a) The Annual Fee applicable under this Bylaw for residences shall be as described in Schedule "A" attached hereto to this Bylaw as amended from time to time.
- (b) A Person shall be deemed to have received notification of fees if said notification was mailed to the address maintained in the Village's property tax database and no Person shall be discharged or relieved from liability in respect of such fees or from penalties attached to non-payment hereby imposed by reason of non-receipt of any statement of account thereof.
- (c) All accounts shall be rendered to the owner of lands and premises to which the Residential Waste Collection Service is being provided on the basis that every tenant or occupier of said lands or premises shall be jointly liable with the owner for the same.

## 6. RIGHT TO REFUSE

- (a) The Village or Contractor has the right to refuse collection of Household Waste, Recyclable Waste, Glass Packaging, Organics or Green Waste if it contains Contaminated Waste or Prohibited Waste.
- (b) The Village or Contractor has the right to refuse collection of Household Waste if it contains Recyclable Waste, Glass Packaging, or Organics/Green Waste.

## 7. ENFORCEMENT AND IMPLEMENTATION PROVISIONS

- (a) This Bylaw is designated under the provisions of Section 260 of the Community Charter as a Bylaw that may be enforced by means of a ticket issued under the provisions of the Bylaw Notice Enforcement Bylaw.
- (b) Any person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw commits an offence is subject to enforcement penalties under the Bylaw Notice Enforcement Bylaw.
- (c) Recurring non-compliance of any provision of this bylaw that may affect the integrity of the Waste Collection System may result in suspension of the service pursuant to section 18(1) of the *Community Charter*.
- (d) Persons deemed to be in non-compliance will be provided reasonable notice of the suspension and will have opportunity to make representation to Council pursuant to section 18(2) of the *Community Charter*.
- (e) Each day that a contravention or violation of or failure to perform any provision of this bylaw continues to exist will be deemed to be a separate offence.

- (f) If any portion of this bylaw is found invalid by a decision of a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

**8. GENDER NEUTRAL**

- (a) This bylaw is gender neutral and accordingly, any reference or phrase to one gender includes the other.
- (b) Words in the singular include the plural and words in the plural include the singular.

**9. SCHEDULES**

- (a) Schedule "A" Annual Fee is attached hereto and forming part of this bylaw.
- (b) Waste Collection and Disposal Bylaw No. 1172, Schedule "A" Annual Fee will come into effect January 1, 2022 or as otherwise specified in the Schedule.

**10. REPEAL**

- (a) "The Village of Harrison Hot Springs Bylaw No. 1100, 2017" and any amendments thereto are hereby repealed in their entirety.

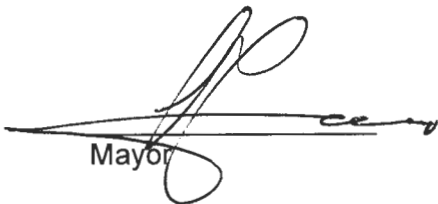
**READINGS AND ADOPTION**

READ AND FIRST TIME THIS 4<sup>th</sup> DAY OF OCTOBER, 2021

READ AND SECOND TIME THIS 4<sup>th</sup> DAY OF OCTOBER, 2021

READ A THIRD TIME THIS 4<sup>th</sup> DAY OF OCTOBER, 2021

ADOPTED THIS 18<sup>TH</sup> DAY OF OCTOBER, 2021

  
Mayor

  
Corporate Officer

**SCHEDULE 'A'**  
Waste Collection and Disposal Bylaw No. 1172, 2021

**Annual Fee**

1.	Collection Fee per residence	January 1, 2022	\$207.00
		January 1, 2023	\$224.48
		January 1, 2024	\$239.16
2.	Sticker Tags (each)		\$ 2.50