

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 2810**

(As amended by Bylaw No. 3600)

**Consolidated version authorized in accordance with Bylaw No. 3014,
*CRD Consolidation Authorization Bylaw No. 1, 2002***

**SALT SPRING ISLAND TRANSFER STATION
REGULATION BYLAW NO. 1, 2001**

*A bylaw to regulate the operation of transfer stations
on Salt Spring Island*

For reference to original bylaws and amendments, or for further details,
please contact the Environmental Services Department, Capital Regional District,
625 Fisgard Street, PO Box 1000, Victoria, B.C., V8W 2S6

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2810

**A BYLAW TO REGULATE THE OPERATION OF TRANSFER STATIONS
ON SALT SPRING ISLAND**

WHEREAS:

- A. The Board of the Capital Regional District established a service to manage municipal solid waste and recyclable material, by Bylaw No. 2654, "Solid Waste Disposal Local Service Establishment Bylaw No. 1, 1991, Amendment Bylaw No. 1, 1999";
- B. Under Section 25 (3) of the *Environmental Management Act*, the Capital Regional District may make bylaws regulating the operation of a site, works or facility, including those identified specifically or by class in a Waste Management Plan, that is used for the management of municipal solid waste or recyclable material;
- C. The Capital Regional District has undertaken consultations with affected stakeholders, has indicated its intention to adopt this bylaw in its Waste Management Plan and has obtained the written consent of the Minister of Water, Land and Air Protection to the adoption of this bylaw;

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

SECTION 1 - DEFINITIONS

The following terms, words and phrases when used in this bylaw shall have the meanings set forth in this section, whether appearing in capital or lower case form.

"application" means a request for one of the following:

- a) an operator licence (Class 1, 2 or 3);
- b) to amend, add or delete a term or condition of an operator licence;
- c) to change the activity that is the subject of an operator licence;
- d) to renew an operator licence. **(Bylaw 3600)**

"Board" means the Board of the Capital Regional District.

"bylaw enforcement officer" means the chief bylaw enforcement officer or a bylaw enforcement officer or an assistant bylaw enforcement officer of the CRD.

"chippable wood waste" means either or both clean wood waste or land clearing waste. **(Bylaw 3600)**

"Class 1 operator licence" means a licence to operate a Class 1 transfer station.

"Class 2 operator licence" means a licence to operate a Class 2 transfer station.

"Class 3 operator licence" means a licence to operate a Class 3 transfer station. **(Bylaw 3600)**

"Class 1 transfer station" means a site, works or facility that is used for the management of municipal solid waste or recyclable material and includes any land, buildings and related improvements at which municipal solid waste or recyclable material is managed for subsequent transfer off-site for further processing or final disposal.

"Class 2 transfer station" means a site, works or facility that is used by the operator to store municipal solid waste or recyclable material for subsequent transfer off-site for further processing or final disposal. A Class 2 transfer station does not include a site, works or facility that accepts or receives municipal solid waste or recyclable material from the general public.

"Class 3 transfer station" means a site, works or facility that is used for either or both the management and chipping of chippable wood waste and includes any land, buildings and related improvements at which chippable wood waste is either or both managed and chipped for subsequent transfer off-site for reuse. **(Bylaw 3600)**

"clean wood waste" means wood from demolition or construction activities suitable for chipping and reuse. **(Bylaw 3600)**

"construction waste" means off-cuts or scraps of building materials left over from the construction or renovation of any structure.

"containers" means glass bottles and jars, ferrous and non-ferrous metal cans, tins, aluminum foil and pie plates, plastic containers or polycoated cartons.

"CRD" means the Capital Regional District.

"demolition waste" means any material resulting from or produced by the complete or partial destruction or tearing down of any structure.

"discharge" means to directly or indirectly introduce a substance into the environment by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying or by any other means.

"drywall" means gypsum board or wallboard.

"Environmental Management Act" means the *Environmental Management Act*, SBC, 2003 C.53 of the Province of British Columbia or any legislation that replaces the *Environmental Management Act*. **(Bylaw 3600)**

"fibres" means newspaper, mixed waste paper or corrugated cardboard.

"food waste" means any residual food from residences, institutions or commercial facilities including unused portions of cooked or uncooked fruit, animal or vegetable material resulting from food production but not including animal excreta or manure.

"general manager" means the general manager of the CRD's Environmental Services department.

"holiday" means:

- a) New Years Day, Good Friday, Easter Monday, Victoria Day, Canada Day, British Columbia Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.
- b) a day set by the parliament of Canada or by the legislature, or appointed by the proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning sovereign, or as a public holiday.

- c) In the event a holiday falls on a Saturday or Sunday, the following Monday will be considered the holiday. **(Bylaw 3600)**

"impermeable surface" means a surface which:

- a) has a permeability rating of no greater than 1×10^{-7} cm per second; and
b) has been designed by a qualified professional to ensure that there is no onsite discharge of leachate to the environment and the designs are sealed by the qualified professional. **(Bylaw 3600)**

"land clearing waste" means wood from land clearing or land maintenance activities and includes tree stumps, slash, branches and prunings. **(Bylaw 3600)**

"leachate" means liquid which has come into contact with, percolated through, or condensed out of municipal solid waste or recyclable material and has extracted dissolved and suspended materials.

"licensee" means a person who holds an operator licence.

"litter and garbage" means loose refuse deposited, discarded or stored in an open place other than in a container."

"manage" means to receive, sort, compact, rearrange or store municipal solid waste or recyclable material.

"metals and white goods" means ferrous and non-ferrous metals or metal appliances.

"municipal solid waste" means refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources.

"noise" means a sound that disturbs or tends to disturb the quiet, peace, comfort and enjoyment of the neighbours.

"odour" means smells which are ill-smelling, disgusting, offensive, nauseous or obnoxious.

"operator licence" means a licence to operate a Class 1, Class 2 or Class 3 transfer station and includes a waste stream management licence and a recycler licence, as those terms are defined in the *Environmental Management Act*. **(Bylaw 3600)**

"order" means an order issued by the solid waste manager.

"owner" means any person who is registered under the *Land Title Act* as the owner of land, who is in possession of land or who is in possession or occupancy of any buildings situated on the land.

"premises" means any land or building or both or any part thereof.

"qualified professional" means an applied scientist or technologist with education, experience, accreditation and knowledge in a particular applied science or technology including, but not necessarily limited to, agronomy, biology, chemistry, engineering, geology or hydrogeology; and who is a member of the appropriate professional organization to practise in British Columbia.

"recyclable material" means a product or substance that has been diverted from disposal, has no reuse value in its present form and satisfies at least one of the following criteria:

- (a) is organic material that has been diverted from residential, commercial or institutional sources and is capable of being composted, or is being composted, at a site;

- (b) is managed as a marketable commodity with an established market by the owner or operator of a site;
- (c) is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process; and
- (d) has been identified as a recyclable material in the Regional District's Solid Waste Management Plan.

"refuse" means discarded or abandoned materials, substances or objects.

"site" means any premises, works or facility that is used in the operation of a transfer station.

"solid waste manager" means the manager of solid waste appointed by the general manager, or his or her deputy.

"solid waste officer" means an officer appointed by the general manager.

"tires" means the outer pneumatic rubber covering of wheels of passenger vehicles, trucks, buses or motorcycles.

"vector" means a rodent, cat, dog, bird, fly or mosquito or other animal or insect carrier that ingests or conveys garbage, odour, micro-organisms and/or pathogens from one location to another.

"yard and garden waste" means clean and untreated wood waste, or non-food vegetative matter resulting from gardening operations, landscaping and land clearing but does not include wood waste derived from construction or demolition. For certainty, neither human nor animal food waste that is diverted from residential, commercial or institutional sources, nor manure, is yard waste.

SECTION 2 - OPERATOR LICENCE

- a) Every person who commences operation of a:
 - (i) Class 1 transfer station shall first obtain a Class 1 operator licence;
 - (ii) Class 2 transfer station shall first obtain a Class 2 operator licence; and
 - (iii) Class 3 transfer station shall first obtain a Class 3 operator licence. **(Bylaw 3600)**
- b) A person operating a transfer station as of the date that this bylaw comes into effect, shall obtain a Class 1 or Class 2 operator licence, as applicable, within six months of the adoption of this bylaw.
- c) Despite subparagraphs a) and b), an operator licence is not required for:
 - (i) premises that receive only empty food or beverage containers or other recyclables under the *BC Recycling Regulation (Schedule 1, Beverage Container Product Category)* or other legislated programs; and **(Bylaw 3600)**
 - (ii) premises that store municipal solid waste or recyclable material generated within the premises.

SECTION 3 - LICENCE APPLICATION

- a) Required Information

An applicant for an operator licence shall provide to the solid waste manager, on initial licence application, the following information as outlined in Schedule A of this bylaw:

- (i) types and estimated quantities of municipal solid waste and recyclable material to be managed at a site, works or facility per year;
- (ii) an odour management plan;
- (iii) a leachate management plan;
- (iv) a vector, litter and dust management plan;
- (v) a noise abatement plan; and
- (vi) a site plan and layout of facilities.

b) Licence Fee

The applicant for an operator licence shall pay to the CRD the applicable application fee set out in Section 7.

c) Odour Management

An odour management plan provided under Section 3 a) (ii) shall show to the satisfaction of the solid waste manager how the generation of odours detectable beyond the site boundary will be prevented.

d) Leachate Management

A leachate management plan provided under Section 3 a) (iii) shall:

- (i) show how leachate or surface run-off will be managed to ensure that there is no on-site or off-site discharge to the environment; and
- (ii) be approved by a qualified professional who has experience with leachate management systems.

e) Vector, Litter and Dust Management

A vector, litter and dust management plan provided under Section 3 a) (iv) shall show to the satisfaction of the solid waste manager how municipal solid waste and recyclable material will be managed:

- (i) to control vectors;
- (ii) to keep the site free of litter and garbage; and
- (iii) to prevent the emission of dust from the site in such a manner as to create a nuisance.

f) Noise Abatement Plan

A noise abatement plan provided under Section 3 a) (v) shall show, to the satisfaction of the solid waste manager, how noise will be abated to comply with applicable CRD noise bylaws.

g) Performance Security

- (i) An applicant for an operator licence shall submit to the solid waste manager, at the time of application, security in the form of a letter of credit, or a combination of a letter of credit and surety bond, in an amount calculated in accordance with the amounts set out in Schedule B of this bylaw which may be used by the CRD in accordance with Schedule B of this bylaw to provide security that:

- (A) in the event that the licensee fails to comply with the terms and conditions of the operator licence or this bylaw, the default may be corrected; and
 - (B) in the event of closure, the site will be cleared of any municipal solid waste and recyclable material.
- (ii) Where the security is provided by way of a combination of a letter of credit and a surety bond, the amount of the letter of credit shall not be less than 50% of the total security required under subparagraph (i).
 - (iii) If, at any time, a licensee's surety bond is withdrawn or cancelled, the licensee shall immediately provide alternative financial security in accordance with Schedule B of this bylaw.
 - (iv) If, at any time, notice is provided by the surety provider that an licensee's letter of credit will be withdrawn, the CRD may cash the letter of credit, with proper notification, if the licensee fails to replace it at least seven days before the proposed cancellation date.
 - (v) The solid waste manager may suspend or cancel an operator licence if a licensee fails to comply with the requirements of this subsection.
- h) Licence Amendments
- (i) A licensee who proposes to implement a substantial operational change to the operation of a transfer station as described in Schedule C, part 1.3 (a) of this bylaw shall apply for an amendment to the operator licence in the form attached to this bylaw as Schedule A, and shall provide such information, drawings and specifications as may be required under Schedule A of this bylaw.
 - (ii) A licensee must obtain the amendment to the operating licence prior to implementing the changes referred to in paragraph (i).

SECTION 4 - ISSUANCE OF AN OPERATOR LICENCE

- a) Issuance
- Operator licences will be issued by the solid waste manager.
- b) Term of Licence and Renewal
- (i) The term of an operator licence is three (3) years from the date of issuance.
 - (ii) A licensee may apply to the solid waste manager for renewal of an operator licence upon payment of the fees set out in Schedule C of this bylaw.
- c) Refusal to Issue
- (i) The solid waste manager will not issue an operator licence if the premises do not meet the requirements of the Islands Trust. The solid waste manager will not issue an operator licence if the operation of the proposed transfer station site, works or facility would contravene a regulation or requirement of the Salt Spring Island Local Trust Committee or an enactment or code enforceable by the local Fire Department.
 - (ii) The solid waste manager will not issue an operator licence for a transfer station which does not comply with local applicable land use, zoning, fire prevention and suppression

and other bylaws or Federal or Provincial enactments or codes if applicable to the operation of a transfer station.

- (iii) The solid waste manager will not issue an operator licence for a transfer station which does not comply with the terms and conditions of this bylaw.
- (iv) Despite Section 4 c) (iii), the solid waste manager may issue one renewal extension for an operator licence for up to three (3) months to allow a licensee sufficient time to complete actions to correct a violation of this bylaw. **(Bylaw 3600)**

d) Suspension or Cancellation

The solid waste manager may suspend or cancel an operator licence for any violation of, or non-compliance with, the terms and conditions of the operator licence or this bylaw, or where the transfer station does not comply with local applicable land use, zoning and other bylaws or Federal or Provincial enactments or codes applicable to the operation of the transfer station..

(Bylaw 3600)

e) Licence Transfer

An operator licence may not be assigned or transferred during the term of the licence.

f) No Representation

The issuance of an operator licence under this bylaw is not a warranty or representation by the CRD that the transfer station is in compliance with this bylaw or other bylaws or Federal or Provincial enactments or codes, nor that the licensee will not cause harm to the environment.

(Bylaw 3600)

SECTION 5 – OPERATING REGULATIONS

- a) Every Class 1 transfer station or Class 2 transfer station or Class 3 transfer station shall operate in accordance with the operating regulations as set out in Schedule D of this bylaw and with the odour management, leachate management, vector, litter and dust management and noise abatement plans submitted in accordance with Section 3 of this bylaw. If the odour management, leachate management, vector, litter and dust management or noise abatement plans contain any provision that conflicts with Schedule D of this bylaw, that provision of the plan does not apply. **(Bylaw 3600)**

SECTION 6 - ENFORCEMENT

- a) The general manager, the solid waste manager, a solid waste officer or a bylaw enforcement officer may enforce the provisions of this bylaw.
- b) The solid waste manager, a solid waste officer or a bylaw enforcement officer, may, at any reasonable time and upon presentation of proof of his or her identity, enter upon property to ascertain whether the terms of an operator licence have been or are being complied with or the regulations of this bylaw are being observed.
- c) Nothing in this bylaw shall be interpreted as restricting the powers of a bylaw enforcement officer, a solid waste officer or the solid waste manager under the *Environmental Management Act* of British Columbia and regulations. **(Bylaw 3600)**

SECTION 7 - FEES AND CHARGES

- a) The Board hereby imposes the fees set out in Schedule C of this bylaw.
- b) Every person who applies for or who holds an operator licence issued under this bylaw shall pay the applicable fee or fees set out in Schedule C of this bylaw.
- c) Every person who applies for a licence renewal shall pay a licence renewal fee as set out in Schedule C of this bylaw.
- d) Every person who applies for a licence amendment shall pay a licence amendment fee as set out in Schedule C of this bylaw.

SECTION 8 - OFFENCES AND PENALTIES

- a) No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- b) A person who contravenes this bylaw, an operator licence issued under this bylaw, or other requirement made or imposed under this bylaw is guilty of an offence and is liable to a fine up to a maximum of \$50,000.
- c) The penalties imposed under subsection b) 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.
- d) Nothing in this bylaw shall limit the CRD from pursuing any other remedy that would otherwise be available to the CRD at law.
- e) A separate offence shall be deemed to be committed upon each day during and on which the contravention occurs or continues.

SECTION 9 - APPEAL

- a) A person affected by a decision of the solid waste manager under Sections 4 c) and d) or the setting of maximum storage limits under Schedule B of this bylaw may appeal the decision to the general manager by advising the general manager in writing of the order or requirement being appealed from and setting out the reason for the appeal and attaching any relevant documents.
- b) The written notice of appeal under paragraph a) must be delivered to the general manager within 30 days of the decision from which the appeal is made.
- c) The matter will be reviewed by the general manager pursuant to Section 9 d).
- d) Upon considering the matter under appeal, the general manager may:
 - (i) confirm, reverse or vary the decision under appeal; and
 - (ii) make any decision that the general manager considers appropriate.
- e) An appeal under this section does not operate as a stay or suspend the operation of the decision being reviewed unless the general manager orders otherwise.

SECTION 10 - GENERAL

- a) No person shall hinder or prevent the general manager, the solid waste manager, a solid waste officer or a bylaw enforcement officer from entering any premises or from carrying out his or her duties with respect to the administration of this bylaw.
- b) Where the Board has authority to direct that a matter or thing be done by a person, the Board may also direct that, if the person fails to take the required action, the matter or thing shall be done at the expense of the person in default in accordance with Section 269 of the *Local Government Act*. If action in default is taken, the Board may recover the expense from the person, together with costs and interest at the rate prescribed under Section 11(3) of the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.
- c) The schedules annexed to this bylaw are an integral part of this bylaw.
- d) If any provision of this bylaw is found to be invalid by a court of competent jurisdiction it may be severed from the bylaw.
- e) The headings in this bylaw are inserted for convenience of reference only.
- f) This bylaw may be cited for all purposes as "Salt Spring Island Transfer Station Regulation Bylaw No. 1, 2001."

READ A FIRST TIME THIS	10 th	day of	October	2001
READ A SECOND TIME THIS	10 th	day of	October	2001
READ A THIRD TIME THIS	10 th	day of	October	2001
APPROVED BY THE MINISTER OF WATER, LAND AND AIR PROTECTION THIS	28 th	day of	March	2002
ADOPTED THIS	8 th	day of	May	2002

Christopher Causton
CHAIR

Carmen Thiel
SECRETARY

This Bylaw is a copy of Salt Spring Island Transfer Station Regulation Bylaw No. 1, 2001, consolidated under section 139 of the Community Charter and is printed on the authority of the Corporate Secretary of the CRD.



Carmen I. Thiel, Corporate Secretary

BYLAW NO. 2810

SCHEDULE A

OPERATOR LICENCE APPLICATION

Please ✓ relevant boxes:

<input type="checkbox"/> New Application	<input type="checkbox"/> Class 1 Licence
<input type="checkbox"/> Renewal of Operator Licence	<input type="checkbox"/> Class 2 Licence
<input type="checkbox"/> Amendment of Operator Licence	<input type="checkbox"/> Class 3 Licence

LICENSEE DATA

Name of Applicant: _____

Address of Applicant: _____

City, Province: _____

Postal Code: _____ Applicant Phone: _____

Contact Person: _____ Contact Phone: _____

FACILITY DATA

Name of Facility: _____

Legal Description of Facility Location: _____

Address of Facility: _____

Facility Mailing Address: same as above OR _____

Facility Phone: _____ Facility Fax: _____

Registered Owner of Premises (Property): _____

Registered Owner Authorization YES (attached documentation) NO

Meet Islands Trust regulations or requirements? *(See Section 4(c)(i) and 4(c)(ii)).*

Zoning	<input type="checkbox"/> YES (attached documentation)	<input type="checkbox"/> NO
Siting	<input type="checkbox"/> YES (attached documentation)	<input type="checkbox"/> NO
Building	<input type="checkbox"/> YES (attached documentation)	<input type="checkbox"/> NO
Other _____ (specify)	<input type="checkbox"/> YES (attached documentation)	<input type="checkbox"/> NO

Meet local fire department enactments or codes? *(See Section 4(c)(i) and 4(c)(ii)).*

YES (attached documentation) NO

Business Year (financial) _____ to _____
 (day) (month) (day) (month)

OPERATING DATA

Proposed Materials:

<u>Type</u>	<u>Maximum Quantity Expected to be Received</u>	<u>Maximum Tonnage Expected to be Stored</u>
MUNICIPAL SOLID WASTE		
<input type="checkbox"/> Refuse	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Yard & Garden Waste	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Food Waste	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Demolition & Construction Waste	_____ tonnes/year	_____ tonnes
RECYCLABLE MATERIAL		
<input type="checkbox"/> Fibres	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Containers	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Drywall	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Metals / White Goods	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Tires	_____ tonnes/year	_____ tonnes
<input type="checkbox"/> Misc. _____ (specify)	_____ tonnes/year	_____ tonnes
CHIPPABLE WOOD WASTE		
<input type="checkbox"/> Clean Wood Waste	_____ tonnes/year	_____ tonnes ⁽¹⁾
<input type="checkbox"/> Land Clearing Waste	_____ tonnes/year	_____ tonnes ⁽¹⁾
Odour Management Plan Attached	<input type="checkbox"/> YES	
Leachate Management Plan Attached	<input type="checkbox"/> YES	
Vector, Litter & Dust Management Plan Attached	<input type="checkbox"/> YES	
Noise Abatement Plan Attached	<input type="checkbox"/> YES	
Site Plan Attached	<input type="checkbox"/> YES	
Performance Bond	<input type="checkbox"/> YES	Amount \$ _____
Letter of Credit	<input type="checkbox"/> YES	Amount \$ _____

Note ⁽¹⁾ The maximum tonnage of any combination of chipped and unchipped clean wood waste or land clearing waste, whichever category is applicable.

APPLICANT'S SIGNATURE:

I, _____, declare that the information given on this application form is correct to the best of my knowledge.

Date

Signature of Applicant or Agent

Title

Phone Number

The collection of this information is authorized under the Capital Regional District Salt Spring Island Transfer Station Regulation Bylaw and Section 25 of the *Environmental Management Act* and will be used for the purpose of administration, including enforcement, of the Operation of Transfer Station Bylaw. This information is collected under/subject to the *Freedom of Information and Protection of Privacy Act*. For further information, you may contact the freedom of information and protection of privacy coordinator for CRD Environmental Services, at 250-360-3000.

Application should be sent to the Manager, Solid Waste, Capital Regional District, PO Box 1000, 625 Fisgard Street, Victoria, BC, V8W 2S6.

BYLAW NO. 2810

SCHEDULE B

REQUIREMENTS FOR THE STORAGE OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIAL

1. The formula for the determination of the amount of security to be provided under Section 3 g) (ii) of this bylaw is set out in Table 1 below. Where the applicant for an operator licence indicates a tonnage maximum which is less than the amount shown in Column 2 of Table 1, the amount of security to be provided under Section 3 g) (ii) of this bylaw shall be calculated under Column 4 of Table 1 using the tonnage amount specified in the application.
2. The CRD may draw down on or use the security provided by the operator under this bylaw where the operator:
 - (a) fails to comply with the terms and conditions of the bylaw or of the operator licence; or
 - (b) abandons the operation, as shown by a discontinuance of activity related to the management of municipal solid waste or recyclable material on the site for 6 months, leaving materials on the site to be cleaned up, removed or disposed.
3. Without limiting Section 2, the CRD may draw down or use the security provided by the operator to clean up, remove and dispose of materials which have been stored at a transfer station in excess of the times specified in Column 5 of Table 1 of this Schedule.
4. Tonnages and/or volumes shown are estimated quantities only and the letter of credit/bonding requirements will be assessed on a case by case basis using the applicant's actual quantities.

Table 1

	Column 1 Material	Maximum Storage Limit		Column 4 Minimum Letter of Credit and Surety Bond ⁽²⁾	Column 5 Maximum Storage Time Limit ⁽⁴⁾
		Column 2 Tonnage (tonnes)	Column 3 Equivalent Volume (m ³)		
MUNICIPAL SOLID WASTE	Refuse	15 ⁽¹⁾	30	\$200.00/tonne ⁽³⁾	72 hours
	Yard & Garden Waste	15 ⁽¹⁾	30	\$170.00/tonne ⁽³⁾	2 weeks
	Food Waste	10 ⁽¹⁾	15	\$200.00/tonne ⁽³⁾	72 hours
	Demolition & Construction Waste	15 ⁽¹⁾	30	\$200.00/tonne ⁽³⁾	⁽⁵⁾
RECYCLABLE MATERIAL	Fibres	15 ⁽¹⁾	30	\$70.00/tonne ⁽³⁾	⁽⁵⁾
	Containers	10 ⁽¹⁾	30	\$230.00/tonne ⁽³⁾	⁽⁵⁾
	Drywall	10 ⁽¹⁾	10	\$250.00/tonne ⁽³⁾	⁽⁵⁾
	Metals/White Goods	10 ⁽¹⁾	20	\$180.00/tonne ⁽³⁾	⁽⁵⁾
	Tires	10 ⁽¹⁾	20	\$240.00/tonne ⁽³⁾	⁽⁵⁾
CHIPPABLE WOOD WASTE	Clean Wood Waste	100 ⁽⁶⁾	500 ⁽⁶⁾	\$200.00/tonne ⁽³⁾	120 days ⁽⁷⁾
	Land Clearing Waste	100 ⁽⁶⁾	300 ⁽⁶⁾	\$170.00/tonne ⁽³⁾	120 days ⁽⁷⁾

⁽¹⁾ Received tonnage includes total tonnage that would require removal; i.e., if 5 tonnes of food waste are mixed with 5 tonnes of yard waste, it is considered as 10 tonnes of food waste.

⁽²⁾ Minimum 50% secured as letter of credit; balance in letter of credit or surety bond.

⁽³⁾ Costs to clean up, remove and dispose of the material at an approved off-site facility identified by the solid waste manager for further processing or final disposal.

⁽⁴⁾ Storage time limit for any amount. The solid waste manager may extend the maximum storage time in the event of: disruptions to public transportation or processing and disposal sites; or public emergencies that are beyond the licensee's control.

⁽⁵⁾ Storage time will be established and included in the operator licence.

⁽⁶⁾ The maximum amount of any combination of chipped or unchipped clean wood waste or land clearing waste, whichever category is applicable.

⁽⁷⁾ The total maximum storage time, whether in chipped or unchipped form, for clean wood waste or land clearing waste, whichever category is applicable.

BYLAW NO. 2810

SCHEDULE C

FEES

The application, administration and amendment fees payable to the Capital Regional District under this bylaw shall be as follows:

Application, Amendment and Administration/Monitoring Fees

Column 1	Column 2	Column 3	Column 4	Column 5
	Licence Application Fee (one time only)	Licence Renewal Fee (once every 3 years)	Licence Amendment Fee (per amendment)	Annual Licence Administration/ Monitoring Fee
Class 1 Operator licence	\$500	\$250	\$250	\$1,000
Class 2 Operator licence	\$500	\$250	\$250	\$500
Class 3 Operator licence	\$500	\$250	\$250	\$500

FEES

1.0 LICENCE APPLICATION, RENEWAL, AMENDMENT AND ADMINISTRATION/MONITORING FEES

1.1 Licence Application Fee

- a) Every person who applies for an operator licence shall pay a licence application fee as set out in Column 2 above.
- b) The application fee is payable on submission to the solid waste manager of a completed application form as provided in Schedule A attached to this bylaw.
- c) The Capital Regional District will not process an application amendment for an operator licence until the application fee has been paid.
- d) The application fee is not refundable.

1.2 Licence Renewal Fee

- a) Every person who applies for a licence renewal shall pay a licence renewal fee as set out in Column 3 above. Licence renewal is required every three years.
- b) The licence renewal fee is payable on submission to the solid waste manager of a completed application form as provided in Schedule A attached to this bylaw.

- c) The Capital Regional District will not process an application for a licence renewal until the renewal fee has been paid.
- d) The renewal fee will not be refunded if the solid waste manager does not re-issue an operator licence.

1.3 Licence Amendment Fee

- a) Each time a request is made for an amendment to the operator licence, the holder of the licence shall pay a licence amendment fee as set out in Column 4 above. A licence amendment is required whenever there is a change in any of the following parts of a transfer station's operation:
 - (i) method of receiving and storing;
 - (ii) estimated quantities of municipal solid waste and recyclable material per year;
 - (iii) an odour management plan;
 - (iv) a leachate management plan;
 - (v) a vector, litter and dust management plan;
 - (vi) a noise abatement plan; and
 - (vii) a site plan and layout of facilities.
- b) The licence amendment fee is payable on submission to the solid waste manager of a completed application form as provided in Schedule A attached to this bylaw.
- c) The Capital Regional District will not process an amendment for an operator licence until the amendment fee has been paid.
- d) The amendment fee will not be refunded if the solid waste manager does not amend the licence.

1.4 Annual Licence Administration/Monitoring Fee

- a) A person to whom an operator licence Class 1, Class 2 or Class 3 is issued shall pay the corresponding annual administration/monitoring fee as set out in Column 5 above.
- b) The first administration/monitoring fee shall be paid upon issuance of the operator licence.
- c) The annual administration/monitoring fee will be invoiced once per year on the anniversary date of the issuance of the licence.
- d) The Capital Regional District may suspend or cancel an operator licence if the administration/ monitoring fee is not paid within 60 days following the anniversary date of the issuance of the licence.

BYLAW NO. 2810

SCHEDULE D

OPERATING REGULATIONS

Every transfer station shall operate in accordance with the following requirements:

a) Class 1 Transfer Station

An operator of a Class 1 transfer station shall:

- i) Receive, sort, compact and rearrange municipal solid waste or recyclable material on an impermeable surface.
- ii) Store municipal solid waste in a container or truck that is watertight with a mechanism to cover the waste when not in use.
- iii) Store fibre material in a covered container, truck or covered structure.

b) Class 2 Transfer Station

An operator of a Class 2 transfer station shall:

- i) Store municipal solid waste in a container or truck that is watertight with a mechanism to cover the waste when not in use.
- ii) Store fibre material in a covered container, truck or covered structure.
- iii) Not open the facility to the general public.

c) Class 3 Transfer Station

An operator of a Class 3 transfer station shall:

- i) Receive, sort, store and chip chippable wood waste on an impermeable surface, provided that clean wood waste and land clearing waste are kept separate for these purposes.
- ii) Once it has been chipped, store chippable wood waste on an impermeable surface.
- iii) Contain all transfer station activities on the site not less than:
 - 100 metres from public roads
 - 60 metres from property boundaries of the site
 - 50 metres from water courses.
- iv) Receive chippable wood waste only within the following days and hours:
 - Monday to Friday 8 a.m. to 5 p.m.
 - Saturday 10 a.m. to 4 p.m.
 - Closed Sundays and Holidays.

- v) Chip chippable wood waste a maximum of three (3) events per year, each consisting of a maximum of three (3) consecutive days per event, only within the following days and hours:

Tuesday to Friday 8 a.m. to 4 p.m.
- vi) Be provided an extra three (3) consecutive day event for the purpose of chipping chippable wood waste in the event that the wood chipping equipment breaks down or malfunctions, provided that the solid waste manager is advised of the malfunction or breakdown and approves this added time for chipping chippable wood waste.
- d) An operator of a transfer station shall maintain the facility in a clean, sanitary, quiet and orderly manner at all times.
- e) An operator of a transfer station shall not receive any materials other than those set out in the licence.
- f) An operator of a transfer station shall not permit the escape of any odour which is detectable at the site boundary on which the transfer station is situated.
- g) In the event that odour is detectable beyond the site boundary, the operator shall, within seven (7) days of a written request by the solid waste manager, submit and operate in accordance with an odour management plan approved by a qualified professional experienced with odour management systems.
- h) An operator of a transfer station shall not discharge or permit the discharge of leachate to the environment.
- i) An operator of a transfer station shall not deposit or permit the deposit of litter and garbage at the site or adjacent to the site.
- j) Municipal solid waste and recyclable material shall not be stored in excess of the maximum storage limits set out in or established under Column 5 of Table 1 of Schedule B of this bylaw.