

## **REGIONAL DISTRICT OF COMOX-STRATHCONA**

### **BYLAW NO. 1822**

**Being a Bylaw to establish the local service of collection, removal and disposal of waste, noxious, offensive or unwholesome substances and provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles.**

WHEREAS, the Regional District of Comox-Strathcona, may pursuant to Section 788(1)(c) of the Municipal Act, establish and operate a local service for the collection, removal and disposal of waste and noxious, offensive or unwholesome substances;

AND WHEREAS, pursuant to Section 788(1)(c.i) of the Municipal Act, the Regional District may establish and operate a local service for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters;

AND WHEREAS, pursuant to Section 16(10) of the Waste Management Act, where a waste management plan has been approved by the Minister of Environment Lands and Parks, a Bylaw adopted for the purpose of preparing or implementing the waste management plan does not require the assent of the electors, a petition, an initiative plan or consent on behalf of the electors referred to in the Municipal Act;

AND WHEREAS, the Regional District has prepared a Solid Waste Management Plan approved by the Minister of Environment Lands and Parks on September 15, 1995, that requires the Regional District to establish and operate a local service for the collection, removal and disposal of waste, noxious, offensive or unwholesome substances and to provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters;

AND WHEREAS, the Regional District now wishes to establish a local service to implement the Solid Waste Management Plan;

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

#### **Local Service**

1. The local service hereby established is to provide for:
  - a) the collection, removal and disposal of waste and noxious, offensive or unwholesome substances and,
  - b) the regulation, storage, management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters.

#### **Boundaries**

2. The boundaries of the local service area shall be the boundaries of the participating areas.

#### **Participating Areas**

3. The participating areas for the local service shall be:

The District of Campbell River  
The City of Courtenay  
The Town of Comox  
The Village of Cumberland  
The Village of Gold River  
The Village of Tahsis  
The Village of Sayward  
The Village of Zeballos  
Electoral Areas "A", "B", "C", "D", "G", "H", "I" and "J".

### **Cost Recovery**

4. The annual costs for the local service may be recovered by:

- a) the requisition of money under sections 809 and 809.1 to be collected by a property value tax to be levied and collected under sections 810(1) and 810.1(1);
- b) the requisition of money under sections 809 and 809.1 to be collected by a frontage tax or parcel tax to be imposed in the manner provided by sections 810(2) and 810.1(2);
- c) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.

### **Apportionment**

5. The annual debt costs, if any, and the operating costs shall be apportioned among the participating areas on any one or combination of:

- a) on the basis of the converted value of land and improvements for general municipal purposes in the municipalities and converted value of land and improvements for regional hospital district purposes in the electoral areas;
- b) on the basis of tonnage of municipal solid waste and recyclable material derived from each municipality and electoral area as a percentage of the total municipal solid waste and recyclable material derived from the entire regional district.

### **Maximum Requisition**

6. The maximum amount that may be requisitioned under Section 804(1) of the Municipal Act SBC.1979 for this service is:

- a) the sum of Seven Million Dollars (\$7,000,000.00) per year, or;
- b) the product obtained by multiplying the net taxable value of land and improvements within the service area by property tax value rate of \$1.00 per \$1,000 of assessment; whichever is the greater.

**Local Service Areas Within Electoral Areas**

7. The existing Service Units, Specified Areas and Local Service Areas as set out in Schedule "A" attached hereto, will continue to provide the service created by the respective bylaws until such time as the services provided therein are provided by this Bylaw.

**Citation**

8. This Bylaw may be cited for all purposes as **"REGIONAL SOLID WASTE PLAN LOCAL SERVICE AREA ESTABLISHMENT BYLAW, 1996."**

**READ A FIRST AND SECOND TIME THIS 24TH DAY OF AUGUST 1996.**

**READ A THIRD TIME THIS 24TH DAY OF AUGUST 1996.**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1822 being "Regional Solid Waste Plan Local Service Area Establishment Bylaw, 1996" as read a third time by the Board of the Regional District of Comox-Strathcona the 24th day of August 1996.

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Secretary

**APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 14TH DAY OF MARCH 1997.**

**RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 24TH DAY OF MARCH 1997.**

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Chairperson

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Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1822 being "Regional Solid Waste Plan Local Service Area Establishment Bylaw, 1996" as adopted by the Board of the Regional District of Comox-Strathcona on the 24th day of March, 1997.

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Secretary

**BYLAW NO. 1822****"REGIONAL SOLID WASTE PLAN  
LOCAL SERVICE AREA ESTABLISHMENT BYLAW, 1996"****SCHEDULE "A"**

<b>AREA</b>	<b>SLP SERVICE AREA SPECIFIED AREA</b>	<b>BYLAW NO.</b>	<b>BYLAW NAME</b>
Electoral Area "I"	Specified Area	69	Electoral Area "I" Disposal Grounds Specified Area Establishment Bylaw, 1971
Hornby Island	Specified Area	87	Hornby Island Garbage Disposal and Sundry Services Specified Area Establishment Bylaw, 1972
Denman Island	SLP (Div xxiv)	126	Denman Island Garbage Disposal Special Service Unit Establishment Bylaw, 1974
Comox Valley	SLP (Div xxiv)	162/402	Pidgeon Lake Refuse Disposal Service Unit Function Bylaw, 1975 as amended by Bylaw #402
Quadra island	SLP (Div xxiv)	165	Quadra Island Refuse Disposal Service Unit Function Bylaw, 1975
Sayward Valley	SLP (Div xxiv)	244	Sayward Valley Refuse Disposal Service Unit Function Bylaw, 1977
Campbell River	SLP (Div xxiv)	287	District of Campbell River Refuse Disposal Service Unit Function Bylaw, 1978
Electoral Area "G"	Service Area	1232	Electoral Area "G" Solid Waste Disposal Local Service Area Establishment Bylaw, 1990
Electoral Areas	Service Area	1281	Electoral Areas Recycling and Disposal of Wastes Local Service Area Establishment Bylaw, 1990