



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 2108

(As Amended by Bylaw No. 2213, 2314, 2340, 2390, 2438, 2479, 2561, 2658, 2723, 2748, 2893, 3008, 3040, 3114, 3127, 3206, 3229, 3339, 3476, 3591, 3651, 3695, 3719, 3729, 3801 and 3830)

CVRD BYLAW NO. 2108

– SOLID WASTE MANAGEMENT CHARGES AND REGULATIONS BYLAW, 2000

CONSOLIDATED FOR CONVENIENCE ONLY (SEPTEMBER 16, 2014)

The amendment bylaw(s) listed below have been incorporated into enactment Bylaw No. 2108 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 2108 are advised that it is not a legal document and that for the purpose of interpreting and applying the law, the original bylaw(s) must be consulted. Certified copies of original bylaw(s) are available through the Corporate Secretary's Office.

AMENDMENT BYLAW

Bylaw No. 2213
Bylaw No. 2314
Bylaw No. 2340
Bylaw No. 2390
Bylaw No. 2438
Bylaw No. 2479
Bylaw No. 2561
Bylaw No. 2658
Bylaw No. 2723
Bylaw No. 2748
Bylaw No. 2893
Bylaw No. 3008
Bylaw No. 3040
Bylaw No. 3114
Bylaw No. 3127
Bylaw No. 3206
Bylaw No. 3229
Bylaw No. 3339
Bylaw No. 3476
Bylaw No. 3591
Bylaw No. 3651
Bylaw No. 3695
Bylaw No. 3719
Bylaw No. 3729
Bylaw No. 3801
Bylaw No. 3830

EFFECTIVE DATE

March 28, 2001
March 27, 2002
August 28, 2002
January 22, 2003
June 25, 2003
November 26, 2003
July 28, 2004
April 27, 2005
November 9, 2005
December 14, 2005
December 13, 2006
September 12, 2007
December 12, 2007
July 9, 2008
July 9, 2008
November 12, 2008
November 26, 2008
December 9, 2009
April 13, 2011
April 11, 2012
November 14, 2012
April 10, 2013
July 10, 2013
October 9, 2013
May 14, 2014
September 10, 2014



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 2108

Consolidated for convenience with Amending Bylaw No. 2213, 2314, 2340, 2390, 2438, 2479, 2561, 2658, 2723, 2748, 2893, 3008, 3040, 3114, 3127, 3229, 3339, 3476, 3591, 3651, 3695, 3719, 3729, 3801 and 3830)

A bylaw for the purpose of establishing a scale of charges and regulations for depositing solid waste at the Bings Creek Recycling Centre, Peerless Road Recycling Centre, and Meade Creek Recycling Centre

WHEREAS by Bylaw 1758 – CVRD Solid Waste Management Local Service Establishment Bylaw No. 22, 1996, established Solid Waste Management as a local service for the participating member municipalities of the City of Duncan, District of North Cowichan, Town of Ladysmith, Town of Lake Cowichan, Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, D – Cowichan Bay, E – Cowichan Station/Sahtlam/Glenora, F – Cowichan Lake South/Skutz Falls, G – Saltair/Gulf Islands, H – North Oyster/Diamond, and I – Youbou/Meade Creek;

AND WHEREAS the Regional Board of the Cowichan Valley Regional District is empowered to establish a scale of charges payable for depositing solid waste at a disposal facility;

AND WHEREAS the Regional Board of the Cowichan Valley Regional District deems it necessary to enact regulations pertaining to the depositing of solid waste at a disposal facility;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000**".

2. DEFINITIONS

In this bylaw unless the context otherwise requires:

"Aggregate" means reusable or recyclable inert granular based material suitable for processing into construction fill material, including brick, concrete, asphalt, road base, gravel, rock, glass containers, plate glass, porcelain, ceramics, etc.

"Asbestos Containing Material" means the following:

- a) an article or material that would be determined to contain, using a method specified in Section 40 (1) of the provincial Hazardous Waste Regulations (BC Reg. 63/88) at least 0.5% Friable or non-Friable asbestos;

- b) suspect material to contain at least 0.5% Friable or non-Friable asbestos or material that does not have accompanying documentation verifying it is asbestos-free, according to the Manager of the CVRD, or his authorized designate;
- c) Vermiculite insulation.

"Ash & Soot" means the carbonaceous residue created by the thorough combustion of organic matter.

"Asphalt" means a petroleum by-product, mixed with gravel, crushed rock etc., used for paving roadways, driveways, parking areas etc.

"Asphalt Roofing" means **Asphalt**-based roofing materials including: duroid roofing shingles, tarpaper, and tar and gravel roofing, but does NOT include torch-on membrane roofing and shingle wrapping paper.

"Beverage Containers" means a product that falls under the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Bin Area" means that area of the **Disposal facility** that has been designated to receive **Refuse** or **Recyclable materials** brought to the **Disposal facility** in **Small loads**.

"Biomedical Waste" means that which is described as by the provincial *Hazardous Waste Regulation* (BC Reg. 63/88), and further includes materials used in the provision of medicine or medical care, including, but not limited to: materials such as sheets, dressings, cleaning or sanitizing sponges or pads, tubing used for fluids, syringes with or without sharps, and fluids, generated from operating rooms or bedside medical care. **"Biomedical waste"** does NOT include materials generated by the provision of comfort, housing, food services or office administration.

"Bulk Plastic Material" means clean **Plastic material**, but does NOT include items not marked with a Society of Plastic Industries (SPI) code, items marked with a #3 SPI code, or items that are deemed by the **Manager** as too large to fit into the receptacle at the **Disposal facility**.

"Bulk Residential Recyclables originating from Municipal Curbside Collection Programs" means residential **Packaging and Printed Paper** collected by local government curbside collection programs operating within the Cowichan Valley Regional District but does NOT include **Glass Packaging, Polyethylene (PE) Film Packaging,** or **Polystyrene (PS) Foam Packaging**.

"Bulky Waste" means a material over 1.25 metres (4 feet) in any dimension or over 100 kilograms (220 pounds) in weight.

"CFC Appliances" means refrigeration or heating appliances designed to operate with a coolant or refrigerant containing Chlorofluorocarbon (CFC) and also a product that falls under the "Electronic and Electrical Product Category" of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Commercial Quantities of Demolition Waste" means **Loads** of construction or demolition waste not able to be contained in a pick-up sized truck or utility trailer, **Loads** containing **Bulky waste**, or **Loads** containing **Hazardous waste**. **Commercial quantities of demolition waste** does NOT include **Scrap lumber and wood products**.

"Commercial Organic Waste" means commercial or institutional compostable organic waste including, but not limited to: food wastes, including fruits and vegetables, meat, fish, shellfish, poultry, bones, dairy products, cooked foods and other food items; food-soiled paper products, including, but not limited to: paper towels, paper napkins, paper cups and paper plates; waxed paper fibre products; and plant or organic matter; but does NOT include organic material in consumer packaging intended for sale or post-consumer organic waste. **Commercial organic waste** may originate from, but is not limited to: establishments serving food, grocers selling food, and nursery or farming operations.

"Composite Wood Waste" means wood that has been manufactured into dimensional lumber using glue and/or adhesives, such as particleboard, strand board, plywood etc.

"Concrete" means a hardened mixture of cement with sand and gravel.

"Contaminated Mattress" means a **Mattress** that cannot be safely recycled due to contaminations and/or parasites, etc.

"Contaminated Soil" means soil, sediment or fill material containing substances in quantities greater than or equal to those described in Column IV, Schedule 7 of the provincial *Contaminated Sites Regulation* (BC Reg. 375/96).

"Contamination or Contaminated" means, based on the policy of **Zero Tolerance**, the presence of another material in **Source-separated waste**, which includes, but is not limited to: the commingling of different **Recyclable materials** (excluding **Glass containers** and **Non-commercial organic waste**); the commingling of different **Controlled waste** materials; or the commingling of **Refuse** and/or **Recyclable materials** (excluding **Glass containers** and **Non-commercial organic waste**) and/or **Controlled Waste** and/or **Prohibited waste** materials.

"Controlled Waste" means **Source-separated waste** which is approved for acceptance at the **Disposal facility** but which, because of its inherent nature and quantity, may require special handling and storage techniques to avoid creating health hazards, nuisances or environmental pollution, including, but not limited to:

- a) **Asbestos Containing Material**
- b) **CFC appliances**
- c) **Dusty material**
- d) **Electronic and Electrical Products**
- e) **Fibreglass insulation**
- f) **Gasoline**
- g) **Gypsum board or drywall**
- h) **Lead-acid batteries**
- i) **Non-refillable propane tanks**
- j) **Paint products**
- k) **Pesticide products**
- l) **Refillable propane tanks**
- m) **Scrap Tires**
- n) **Sewage screenings**

- o) **Solvents and flammable liquids**
- p) **Used antifreeze**
- q) **Used antifreeze Containers**
- r) **Used oil**
- s) **Used oil containers**
- t) **Used oil filters**
- u) **Waste Sharps**

"Covered Solid Waste" means **Loads** of **Solid waste** secured and covered on the **Vehicle** by a tarpaulin or other overlay used to confine the load to the **Vehicle** so that it cannot blow off or fall off while in transit.

"CVRD" means the Cowichan Valley Regional District.

"Dead Animals and Parts" means any deceased pets, wildlife, livestock or slaughter remains or offal thereof, including: bones, feather, skin, blood and hair.

"Designated Tipping Area" means specified areas at the **Disposal facility** where **Solid waste** is accepted for disposal or recycling.

"Disposal Facility" means the Bings Creek, Peerless Road or Meade Creek Recycling Centres, more particularly described in Appendix "1" attached hereto.

"Dusty Material" means material that can become airborne when being deposited or managed at the **Disposal facility** and subsequently pose a health risk or impair visibility.

"Electronic and Electrical Products" means a product that falls under the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Fibreglass Insulation" means an insulative material made of glass in a fibrous form.

"Friable" means material that is crumbled or powdered or can be crumbled or powdered by hand pressure.

"Gas Cylinders" means a refillable or non-refillable metal container rated at a capacity of less than 46 kilograms (101 pounds) which is used to contain flammable hydrocarbon gases used as fuel.

"Gasoline" means that which falls under the 'gasoline product category' of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Glass Packaging" means all clear and coloured glass bottles and jars used to hold consumer products but does NOT include **Beverage Containers**, window glass, laminated glass, safety or tempered glass, mirrored glass, automotive glass, fibreglass, Plexiglas, light bulbs, fluorescent tubes, kitchenware, ceramics, or containers that have contained **Hazardous Waste**.

"Gypsum Board or Drywall" means waste or material containing any amount of **Gypsum board or drywall** including, but not limited to: off-cuts or scraps from new construction; and old **Gypsum board or drywall** that has been painted, covered in wallpaper, vinyl or ceramic tiles. **Gypsum board or drywall** does NOT include **Gypsum board or drywall** that is **Contaminated**, forms part of a composite material that renders

it unsuitable as a **Recyclable material**, or that contains asbestos.

"Hazardous or Reactive Chemicals" means gaseous, liquid or solid waste that:

- a) is explosive, oxidizing or so unstable that it readily undergoes a violent change in the presence of air or water;
- b) generates toxic gases, vapours or fumes by itself or when mixed with water; or
- c) is polymerized in whole or in part by chemical action and causes damage by generating heat or increasing in volume.

"Hazardous Waste" means gaseous, liquid or solid waste that, because of its inherent nature and quantity, may require special handling and storage techniques to avoid creating health hazards, nuisances or environmental pollution. **Hazardous waste** includes, but is not limited to: toxins, poisons, corrosives, irritants, strong sensitizers, flammables, **Ignitables**, infectious wastes, condemned foods, etc.

"Ignitable" means having the properties of:

- a) flammable gas;
- b) flammable liquid; or
- c) flammable solids, substance liable to spontaneous combustion or substances that on contact with water emit flammable gases.

"Industrial Waste" means any waste originating from an industrial operation including, but not limited to: forestry, pulp and paper, mining, or fisheries.

"Landclearing Debris" means any root mats, branches, brush, logs, vegetation, or other woody debris more than 75 mm (3 inches) in diameter. **Landclearing debris** does NOT include stumps.

"Lead-acid Battery" means an electro-chemical cell contained in a plastic case consisting of lead and lead oxide plates and containing a sulphuric acid, which is used to supply an electric power source and which is defined under the Recycling Regulation (BC 449/2004), and all amending regulations under the BC *Environmental Management Act*.

"Liquids or Sludges" include:

- a) water containing soil, sand, gravel, other non-hazardous solids, trace levels of petroleum products or grease, including:
 - i) pumpings from parking lot drainage sumps
 - ii) pumpings from domestic and municipal sewage treatment plants and sand filters and pump stations
 - iii) pumpings from domestic septic tanks
 - iv) pumpings from laundry lint traps
 - v) pumpings from grease or oil traps
 - vi) pumpings from sumps which collect runoff from **Vehicle** washing facilities as well as pumpings from facilities used for maintenance or lubrication or automobile components or where solvents or sandblasting are employed for removal of paint, grease or oil
 - vii) spent charcoal from water purification plants
- b) waste sludge from sewerage treatment plants and pump stations
- c) condemned foods
- d) food processing wastes
- e) rainwater/natural precipitation

f) fluids originating from or with residential or commercial **Solid waste**

"Load" means **Solid waste** that arrives at the **Disposal facility** in a **Vehicle**.

"Manager" means the General Manager, Engineering Services Department of the **CVRD**, or his authorized designate.

"Marketable" means materials that can be managed through existing recycling programs and for which a commercial market exists.

"Mattress" means innerspring, mattresses, latex foam mattresses, futon mattresses, box springs, hide-a-beds/pull-out beds.

"Non-commercial Organic Waste" means compostable organic material from residential generators that includes, but is not limited to: food wastes, including fruits and vegetables, meat, fish, shellfish, poultry, bones, dairy products, cooked foods and other food items; food-soiled paper products, including, but not limited to: pizza boxes, paper towels, paper napkins, paper cups and paper plates; waxed paper fibre products; and plant or organic matter. **Non-commercial organic waste** does NOT include **Yard and garden waste, Sewage screenings**, septage, sludge or biosolids, or any plastic or metal materials.

"Non-refillable Propane Tanks" means a disposable tank of up to 1 litre capacity, that is typically used for camping purposes and does not allow for refuelling, as it is not equipped with a manual valve.

"Out-of-area Solid Waste" means **Loads**, or a portion thereof, of **Solid waste** that originates from outside the administrative boundaries of the **CVRD**.

"Packaging and Printed Paper" means a product that falls under the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Paint Products" means a product that falls under the 'Paint Product Category' of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Pesticide Products" means that which falls under the 'pesticides' product category of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Petroleum By-products" means **Used lubricating oil** that is **Contaminated** with any other products, and any fluid or **Liquids or sludges** containing fuel or petroleum-based products.

"Pharmaceutical Products" means that which falls under the 'pharmaceuticals' product category of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Polyethylene (PE) Film Packaging" means HDPE Films and LDPE/LLDPE Films, but does NOT include stretch film.

"Polystyrene (PS) Foam Packaging" means PS Clamshells (EPS), PS Trays/Plates (EPS), PS Meat Trays (EPS), PS Hot Drink Cups (EPS), and PS Cushion Packaging

(EPS) but does NOT include foam packaging peanuts.

"Prohibited Waste" means gaseous, liquid or solid waste not accepted at the **Disposal facility** including, but not limited to:

- a) **Beverage containers**
- b) **Biomedical waste**
- c) **Bulky waste**
- d) **Commercial quantities of demolition waste**
- e) **Contaminated soil**
- f) **Dead animals and parts**
- g) **Gas cylinders, except as permitted in this bylaw**
- h) **Hazardous or reactive chemicals**
- i) **Hazardous waste, except as permitted in this bylaw**
- j) **Ignitable materials, except as permitted in this bylaw**
- k) **Industrial waste**
- l) **Landclearing debris**
- m) **Liquids or sludges**
- n) **Loads containing materials that are smoldering or on fire**
- o) **Petroleum by-products**
- p) **Pharmaceuticals**
- q) **Radioactive material**
- r) **Strong, offensive smelling loads**
- s) **Tight-head barrels**
- t) **Waste asbestos**

"Radioactive material" means waste containing a prescribed substance as defined in the *Atomic Energy Control Act* (Canada) in sufficient quantity or concentration to require a license for possession or use under that Act and regulations made under that Act.

"Recyclable Materials" means **Marketable, Source-separated** waste, including, but not limited to:

- a) **Aggregate**
- b) **Asphalt**
- c) **Asphalt roofing**
- d) **Bulk plastic material**
- e) **CFC appliances**
- f) **Commercial organic waste**
- g) **Concrete**
- h) **Electronic and Electrical products**
- i) **Gasoline**
- j) **Glass Packaging**
- k) **Gypsum board or drywall**
- l) **Lead-acid batteries**
- m) **Mattresses**
- n) **Non-commercial organic waste**
- o) **Non-refillable propane tanks**
- p) **Paint Products**
- q) **Pesticide products**
- r) **Polyethylene (PE) Film Packaging**
- s) **Polystyrene (PS) Foam Packaging**
- t) **Refillable propane tanks**
- u) **Scrap lumber and wood products**
- v) **Scrap metal**

- w) **Scrap tires**
- x) **Solvent and flammable liquids**
- y) **Used antifreeze**
- z) **Used oil**
- aa) **Used oil containers**
- bb) **Used oil filters**
- cc) **White goods**
- dd) **Yard and garden waste**

"Recycling Area" means that area of the **Disposal facility** that has been designated to receive **Recyclable materials**.

"Refillable Propane Tanks" means a certified tank with a refuelling valve in place. Such tanks are date stamped with an expiry date after which they cannot be refilled.

"Refuse" includes, but is not limited to: **Non-commercial organic waste; Glass Packaging, Polyethylene (PE) Film Packaging, Polystyrene (PS) Foam Packaging, Unmarketable** combustibles such as plastic, leather, wood and paper; non-combustibles such as crockery, glass dirt, street sweepings; all arising from domestic, commercial, institutional or municipal activities, but does NOT include **Industrial Waste**.

"Regional Board" means the Board of the Cowichan Valley Regional District.

"Scrap Lumber and Wood Products" means any clean wood waste including stumps, dimensional lumber and **Composite** wood waste, that is contained in a pick-up sized truck or utility trailer, but does NOT include treated wood products, wood products treated with lead-based paint, or wood anchored to any non-wood products (excluding laminate) such as arborite, linoleum etc.

"Scrap Metal" means recyclable ferrous and non-ferrous metallic materials, including, but not limited to: sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, garbage cans, metal furniture, tire rims and **White goods**.

"Scrap Tires" means the outer pneumatic rubber covering of wheels of passenger vehicles, light service trucks and motorcycles with an inner diameter of 43 centimeters (17") or less, on or off rims; must also be a product that falls under the **Recycling Regulation** (BC Reg. 449/2004) and all amending regulations under the **Environmental Management Act**.

"Service Personnel" means any persons performing work at the **Disposal facility** under contract with the **CVRD**.

"Sewage Screenings" means the material retained by a preliminary screen at a sewage treatment facility. Generally, this material is made up of non-soluble pieces of paper, plastic, rubber and organic matter and is greater in size than 3 millimetres. **Sewage screening** may contain some fecal matter.

"Site Regulations" means regulations as described in Schedule A attached hereto, which must be adhered to by any person using the **Disposal facility**.

"Small Load" means **Solid waste** that arrives at the **Disposal facility** in a **Vehicle**

having a maximum Gross Vehicle Weight of 5,500 kilograms (12,125 pounds).

"Solid Waste" means **Controlled waste, Recyclable materials** (excluding **Glass Packaging, Non-commercial organic waste, Polyethylene (PE) Film Packaging, Polystyrene (PS) Foam Packaging**) and **Refuse** suitable for depositing at the **Disposal facility** as **Source-separated waste**. **Solid waste** also includes **Out-of-area Solid waste** but does NOT include **Prohibited waste**.

"Solvents and Flammable Liquids" means that which falls under the 'solvents and flammable liquids' product category of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Source-separated Waste" means **Solid waste** that arrives at the **Disposal facility** and which is separated by means of barriers or placement in containers into clearly distinguishable accumulations of individual **Recyclable materials** (excluding **Glass containers** and **Non-commercial organic waste**), **Refuse** and **Controlled waste**, as applicable. The **CVRD** has adopted a policy of **Zero Tolerance** with regard to **Source-separated waste** that is deposited at the **Disposal facility**.

"Tight-head Barrels" means any metal container with a non-removable top.

"Tire Products" means a product that falls under the 'tire' product category of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Treasurer" means the General Manager, Corporate Services Department of the **CVRD** or his authorized designate.

"Unmarketable" means materials that cannot be managed through existing recycling programs.

"Used Antifreeze" means a liquid, such as ethylene glycol or alcohol, that may be mixed with water and has been used as a radiator fluid, but does not contain lubricating oil or petroleum products and is defined under the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the BC *Environmental Management Act*.

"Used Antifreeze Containers" means containers that hold antifreeze and which are defined under the *Recycling Regulation* (BC Reg. 449/2004), and all amending regulations under the BC *Environmental Management Act*.

"Used Oil" means that which falls under the 'lubricating oil' product category as defined in the *Recycling Regulation* (BC Reg. 449/2004)

"Used Oil Containers" means any plastic container, as defined under 'empty oil containers' under the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations, with a capacity of less than 30 litres that was manufactured to hold lubricating oil.

"Used Oil Filters" means that which falls under the 'oil filters' product category of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations.

"Vehicle" means a **Vehicle** as defined by the provincial *Motor Vehicle Act*.

"Visitor" means a person who arrives at the **Disposal facility** for purposes other than

to deposit **Solid waste**.

"Waste Sharps" means needles, syringes, blades or other materials capable of causing punctures or cuts, originating from residential, agricultural or commercial generators.

"White Goods" means metal appliances and fixtures such as residential clothes washers, dishwashers, clothes dryers, ranges, stoves, microwave ovens, hot water tanks, bathtubs and sinks, but does NOT include **CFC appliances** unless properly certified as having refrigerants professionally removed, and also means a product that falls under the "Electronic and Electrical Product Category" of the *Recycling Regulation* (BC Reg. 449/2004) and all amending regulations under the *Environmental Management Act*.

"Yard and Garden Waste" means biodegradable, **Source-separated waste**, including, but not limited to: grass, lawn and hedge clippings, flowers, weeds, leaves, vegetable stalks, shrubs, and shrub and tree branches less than 75 millimetres (3 inches) in diameter, but do NOT include stumps.

"Zero Tolerance" means those materials defined as **Solid waste** must not contain any **Contamination** as judged by and at the discretion of the **Manager**.

3. CONDITIONS

- a) No person shall deposit **Solid waste** at the **Disposal facility** except in accordance with this bylaw and the **Site regulations**.
- b) No person shall deposit **Solid waste** at the **Disposal facility** that does not originate from within the **CVRD** unless:
 - i) such **Solid waste** is identified as **Out-of-area Solid waste**; and
 - ii) the applicable tipping fee is paid as prescribed by Schedule B of this bylaw.
- c) No person shall deposit **Prohibited waste** at the **Disposal facility**.
- d) No person shall deposit **Controlled waste** at the **Disposal facility** unless:
 - i) the **Manager** has determined that the **Controlled waste** can be deposited safely at the **Disposal facility**; or
 - ii) the **Manager** has determined that, Sections 3 (e), (f) and (g) of this bylaw, special handling and disposal techniques are not required.
- e) No person shall deposit **Ash & Soot** at the **Disposal facility** unless the **Ash & Soot** is contained in a double bag system.
- f) No person shall deposit **Dusty material** at the **Disposal facility** unless the **Dusty material** is contained in a double bag system.
- g) No person shall deposit **Fibreglass insulation** at the **Disposal facility** unless the **Fibreglass insulation** is contained in a double bag system.
- h) Despite Section 3 (d) of this bylaw, in case of emergency or hardship the **Manager** may permit the deposit of **Controlled waste** at any time at the **Disposal facility**.
- i) **Controlled Wastes** must be manifested or documented as required by the **CVRD** and by the British Columbia Ministry of Environment.

- j) **“Recyclable Materials”** (excluding **Glass Packaging, Non-commercial organic waste, Polyethylene (PE) Film Packaging, and Polystyrene (PS) Foam Packaging**) brought to the **Disposal facility** in **Small loads** will be accepted at the **Disposal facility** at no charge, unless:
- i) such materials are specified in Schedule B of this Bylaw, in which case those charges will apply, or
 - ii) the **Recyclable materials** (excluding **Glass Packaging, Non-commercial organic waste, Polyethylene (PE) Film Packaging, and Polystyrene (PS) Foam Packaging**) are not **Source-separated wastes** in which case the charges set out in Section 4 of this bylaw shall be payable, or
 - iii) the **Recyclable materials** are listed as **Prohibited waste** in Section 2 of this bylaw.
- k) No person shall deposit **Sewage Screenings** at the disposal facility unless the **Sewage Screenings** are contained in a double bag system.
- l) No person shall deposit **Friable Asbestos Containing Material** or **Vermiculite** at the **Disposal Facility** unless the **Friable Asbestos Containing Material** is contained in a double 6 millimetre plastic bag system.

4. CHARGES

- a) Every person depositing **Solid waste** at the **Disposal facility** shall pay to the **CVRD** the applicable charges at the time and in the amount set out in Schedule B attached hereto.
- b) Where such a charge is not paid within the time specified in Schedule B, the person liable to pay such charge shall:
- i) in addition to such charge, pay interest thereon in accordance with the conditions set out in Schedule B from the date the charge was due to the date of payment;
 - ii) not deposit any **Solid waste** on or at the **Disposal facility** until such charge and interest owing thereon has been paid in full.
- c) Every person wishing to utilize the scales provided at the **Disposal facility** who does not wish to deposit **Solid waste** at the **Disposal facility**, shall pay the fee as described in Schedule C of this bylaw.

5. VIOLATIONS & 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) Any person who contravenes this bylaw and **Site regulations** by doing any act which the bylaw and **Site regulations** forbid, or omits to do any act which this bylaw and **Site regulations** requires to be done, commits an offence and is liable, upon conviction, to penalties prescribed by the *Offence Act*.
- c) Any person who contravenes this bylaw and **Site regulations** by doing any act which the bylaw and **Site regulations** forbid, or omits to do any act which this bylaw and **Site Regulations** requires to be done, may be required, at the discretion of the **Manager**.
- i) to pay double the applicable charge for **Loads**;
 - ii) to pay double the applicable charge for **Loads** considered to be **Contaminated**,

- with the applicable charge being determined as for the **Solid waste** material included in the load either with the highest charge as set out in Schedule B, attached hereto, or that is deemed by the **Manager** to be in the most abundant quantity;
- iii) to remove and properly dispose of the **Contamination** identified in rejected **Loads**.
 - iv) to pay for clean-up charges to remove and properly dispose of the **Contamination** identified in rejected **Loads**, or for clean-up charges to manage **Loads** of **Solid waste** improperly disposed of at the **Disposal facility**. Such charges would be in addition to those charges identified in Section 5(c) (i) and (ii) of this bylaw.
 - v) to pay for any damages or injury to person or to property incurred by the **CVRD** as a result of a contravention of this bylaw. Such charges would be in addition to those charges identified in Section 5 (c) (iv) of this bylaw.
 - vi) to be prohibited from depositing **Solid waste** at the **Disposal facility**.
 - vii) to be prohibited from entering or re-entering the **Disposal facility**.
- d) The penalties imposed under subsection (c) 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.
- e) A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

6. SEVERANCE

- (a) If a section, subsection, sentence, 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.
- (b) Appendix "1" and Schedules A, B and C inclusive of the Bylaw which are attached hereto form part of this Bylaw.

7. REPEAL

CVRD Bylaw No. 2062 is hereby repealed.

READ A FIRST TIME this 23rd day of August, 2000.

READ A SECOND TIME this 23rd day of August, 2000.

READ A THIRD TIME this 23rd day of August, 2000.

ADOPTED this 13th day of September, 2000.

T. Walker
Chairperson

J. A. Forrest
Secretary



APPENDIX 1

TO BYLAW NO. 2108

DISPOSAL FACILITY

- means the **Bings Creek Recycling Centre** site, more particularly described as:
Lot 1, Sections 2 & 3, Range 2, Somenos District, Plan 63727;

- and the **Peerless Road Recycling Centre** site, more particularly described as:
Lot 1 of District Lots 72E&N and 91E&N, Oyster District, Plan 33125, except that part in Plan 43821 and Plan 57994;

- and the **Meade Creek Recycling Centre** site, more particularly described as:
Lot 1, Block 488, Cowichan Lake District, Plan 43751.



SCHEDULE A

To CVRD BYLAW NO. 2108

SITE REGULATIONS

PURPOSE:

To ensure a safe and orderly environment for the staff and public at the *Disposal facility*.

POLICY:

These *Site regulations* shall be observed by any person using the *Disposal facility*.

PROCEDURES:

1. Vehicles

All **Vehicles** entering the *Disposal facility* must:

- a) meet the permitted weight limits set out in the regulations passed pursuant to the *Motor Vehicle Act*, or the *Commercial Transport Act*, and
- b) adhere to the posted speed limits; and
- c) be in good repair so as not to create excessive noise due to improper or poor muffling and braking systems; and
- d) have **Loads** properly secured so as not to be noisy or dangerous; and
- e) be properly insured for the activities in which it is involved.

2. Loads

- a) Subject to Section 2 (b) of this Schedule, all **Loads** and **Small loads** of **Solid waste** entering the *Disposal facility* shall meet the definition of **Covered solid waste**
- b) The following items will be permitted at the *Disposal facility* in a **Vehicle** without cover:
 - i) **CFC Appliances** - strapped on flat bed truck or within confines of truck box;
 - ii) **Lead-acid batteries** - strapped on flat bed truck or within confines of truck box;
 - iii) **Refillable propane tanks** – within confines of truck box;
 - iv) **Refillable propane tanks** - within confines of truck box;
 - v) Tire products, as defined by the provincial *Recycling Regulation* (B.C. Reg. 449/2004)
 - vi) **White goods** - strapped on flat bed truck or within confines of truck box.

3. Disposal Facility

- a) Any person delivering **Solid waste** to the *Disposal facility* shall drive their **Vehicle** only on the roads provided by the **CVRD**.
- b) No person shall deposit **Solid waste** to the *Disposal facility* without:

- i) having the **Solid waste** weighed on the scales provided by the **Disposal facility**;
 - ii) incurring a per unit charge; or
 - iii) notifying the Scale Attendant
- c) Any person delivering **Solid waste** to the **Disposal facility** shall deposit the **Solid waste** in such a place and in such a manner as directed by the **CVRD** staff.
 - d) All **Solid waste** deposited at the **Disposal facility** shall become the property of the **CVRD**.
 - e) Removal of deposited **Solid waste** from the **Disposal facility** is prohibited except as directed by the **Manager**, or with written approval of the **Manager**.
 - f) Loitering is not permitted at the **Disposal facility**; **Vehicles** must proceed directly to the **Designated tipping area** or **Recycling area** then leave the **Disposal facility** as soon as possible after unloading.
 - g) Unauthorized access or access outside of the posted operating hours for the **Disposal facility** is not permitted.
4. **Safety**
- a) Any person entering the **Disposal facility** does so at his or her own risk. The **CVRD** accepts no responsibility or liability for damage or injury to person or to property.
 - b) Children are not permitted at the **Disposal facility** except when they are inside a **Vehicle**.
 - c) Smoking is not permitted within the **Disposal facility**.
 - d) All **Visitors** to the **Disposal facility** must check in at the site office and receive authorization from the **Manager** before proceeding further.
 - e) All **Service Personnel** or customers using the transfer building at the **Disposal facility** must wear appropriate safety clothing, including at minimum high-visibility reflective vests.
 - f) No person shall use threatening, abusive or derogatory language, or make threats of or perform physical violence when communicating with any **CVRD** employee.
5. **General**
- a) These regulations are subject to change from time to time by the **CVRD**.



SCHEDULE B

TO CVRD BYLAW NO. 2108

CHARGES FOR SOLID WASTE, CONTROLLED WASTE AND RECYCLABLE MATERIALS

1. The charge for depositing ***Solid Waste, Controlled Wastes and Recyclable Materials*** at the ***Disposal facility*** is:

ITEM	#	DESCRIPTION	IN-AREA CHARGE	OUT-OF-AREA CHARGE
REFUSE	1a	As measured by weight on the scale provided at the <i>Disposal facility</i> by the <i>CVRD</i> ; or	\$140.00/tonne	\$500.00/tonne
	1b	As a minimum charge for <i>Loads</i> weighing not more than 25 kilograms (55 pounds) and delivered by a <i>Vehicle</i> .	\$5.00/load	\$50.00/load
AGGREGATE, excluding glass packaging	2a	As measured by weight on the scale provided at the <i>Disposal Facility</i> by the <i>CVRD</i>	\$15.00/tonne	Not Accepted
ASBESTOS Containing Material	3a	As measured by weight on the scale provided at the <i>Disposal Facility</i> by the <i>CVRD</i> ;	\$350.00/tonne	Not Accepted
ASBESTOS Containing Material Disposal Bags	3b	Per Piece	\$2/bag	
ASPHALT ROOFING	4	As measured by weight on the scale provided at the Bings Creek Recycling Centre <i>Disposal facility</i> by the <i>CVRD</i> .	\$120.00/tonne	Not Accepted
BULK RESIDENTIAL RECYCLABLES	5	Originating from Local Government Curbside Collection Programs	\$25.00/tonne	Not Accepted
CFC APPLIANCES	6a	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 1 unit.	No Charge	Not Accepted
	6b	No charge for <i>CVRD</i> residents or non-profit groups for quantities greater than 1 unit if the units have had all CFCs removed by a certified professional and have been labelled as such.	No Charge	Not Accepted
	6c	Per unit charge for quantities greater than 1 unit if the units have not had CFCs removed.	\$15.00/unit	Not Accepted
COMMERCIAL ORGANIC WASTE	7	As measured by weight on the scale provided at the Bings Creek Recycling Centre <i>Disposal facility</i> by the <i>CVRD</i> .	\$85.00/tonne	Not Accepted
CONTAMINATED MATTRESSES	8	As measured by weight on the scale provided at the <i>Disposal Facility</i> by the <i>CVRD</i> , plus a surcharge per item.	\$140.00/tonne, plus \$10 surcharge per item	Not Accepted

GYPSUM BOARD OR DRYWALL	9	As measured by weight on the scale provided at the Bings Creek Recycling Centre Disposal facility by the CVRD .	\$200.00/tonne	Not Accepted
MATTRESS	10	As measured by weight on the scale provided at the Disposal Facility by the CVRD .	\$140.00/tonne	Not Accepted
SCRAP LUMBER AND WOOD PRODUCTS	11	As measured by weight on the scale provided at the Bings Creek Recycling Centre Disposal facility by the CVRD .	\$95.00/tonne	Not Accepted
TIRE PRODUCTS	12	No charge for CVRD residents or non-profit groups for quantities up to 4 units, per day, with an inner diameter not exceeding 43 centimetres (17 inches) each.	No Charge	Not Accepted

2. The charge for depositing **Solid waste** that is not **Source-separated waste** at the **Disposal facility** is as outlined in Section 5 of this bylaw.
3. In the event that the scales provided are not operational, or in the event of traffic congestion, or at the discretion of the **Manager**, weights of **Loads** and **Small loads** shall be as estimated by the **Manager** and a fee shall be charged as outlined in Section 1 above.
4. Where the charge for depositing **Solid waste** at the **Disposal facility** is described under Section 4 of this bylaw, the charge payable shall be paid following the weighing of the empty **Vehicle** after the load is deposited and shall be based on the difference in weight between the loaded weight and the weight of the empty **Vehicle**.
5. Notwithstanding Section 5 hereof, any person depositing **Solid waste** at the **Disposal facility** on a regular basis may apply in writing to the **CVRD** for credit and if the **Treasurer** is satisfied of the credit worthiness of the person, he or she may grant credit to that person, in which case payment of the charge imposed under Section 4 shall be made and the credit extended on the conditions of the application.



SCHEDULE C

TO CVRD BYLAW NO. 2108

MISCELLANEOUS CHARGES

1. Miscellaneous charges for use of the *Disposal facility* are as follows:

ITEM	#	DESCRIPTION	IN-AREA CHARGE	OUT-OF-AREA CHARGE
<i>USE OF WEIGH SCALE</i>	1	As a minimum charge for persons wishing to utilize the scales provided at the <i>Disposal facility</i> , but not wishing to deposit <i>Solid waste</i> at the <i>Disposal facility</i> .	\$5.00	\$5.00



SCHEDULE D

TO CVRD BYLAW NO. 2108

FLAT RATE FEES

Item	Description	Flat Rate Charge
<i>REFUSE</i>	Minimum charge – 2 bag or 1 can limit	\$5.00
	Partial pickup truck or utility trailer load (residential only)	\$15.00
	Full pickup truck or utility trailer load (residential only)	\$30.00
<i>SCRAP LUMBER AND WOOD PRODUCTS</i>	Minimum charge – 2 bags or 1 can	\$5.00
	Partial pickup truck or utility trailer load (residential only)	\$10.00
	Full pickup truck or utility trailer (residential only)	\$20.00

Multiple quantities of the above noted descriptions will be assessed by staff on an individual basis and charged accordingly.



SCHEDULE E

TO CVRD BYLAW NO. 2108

FEES FOR ZERO WASTE EVENTS

The charges for Zero Waste Event tote services are:

Item	Description	Fees
1)	Tote Deposit **	\$200.00
2)	Self-hauled Zero Waste Event Stations	Free
3)	First delivery/pick-up service for one Zero Waste Station for each organization in a calendar year	Free
4)	Additional delivery/pick-up service for Zero Waste one station in the same calendar year, by the same organizer	\$40.00
5)	Delivery/pick-up service for Two or Four Zero Waste Stations	\$125.00
6)	Delivery/pick-up service for more than four Zero Waste Stations	\$225.00

Note:

** The \$200.00 mandatory tote deposit or portion thereof may be utilized to cover processing contaminated material collected through this service.