



City of Vernon

***REFUSE
COLLECTION
BYLAW***

#3148

Consolidated for Convenience

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AMENDMENTS

3186	June 30/83	Section 503 and 903 (bulk containers)
3368	Feb 6/86	Section 903, 904, 908, Div. 9 – Fees and Charges
3515	March 14/88	Section 900, 901, 903, 908 Div. 9 – Fees and Charges
3599	March 28/89	Section 900, 901, 903, 908 Div 9 – Fees and Charges
3668	April 9/90	Section 900, 901, 903, Div. 9 – Fees and Charges
3730	March 11/91	Section 900, 901, 903, 908, Div. 9 – Fees and Charges
3817	March 23/92	Section 900, 901, 903, 908, Div. 9
3826	Nov. 16/92	Section 413, 900
3946	June 14/93	Section 900, 901, 903, 908, Div. 9
3959	July 12/93	Section 7 – Compulsion
4123	March 20/95	Section 900, 903, 908
4200	Feb 19/96	Section 800
4153	June 12/95	Sections 100,300, 413, 502, 502, 503, 504, 701, 702, 801, Appendix A & B
4336	March 17/97	Div. 1, 2, 4, 9, 10, 13
4373	July 7/97	Section 900 a & b
4443	July 6/98	Div 5, 9
4524	July 5/99	Div 9 Fees and Charges
4658	May 22/01	Div 9 Fees and Charges
4690	March 11/02	Div 2, Sec 900, 901, 902, 903
4797	Sept. 29/03	Div 9, Fees and Charges
4843	March 29/04	Div 9, Fees and Charges – 900, 902, 903, 906
4919	March 14, 2005	Div 9, Fees and Charges, 900, 902, 903 (effective March 30, 2005)
5008	March 27, 2006	Div 9, Fees and Charges, 900, 902, 903 (effective March 30, 2006)
5068	March 26, 2007	Div 9, Fees and Charges, 902 (a) (effective March 30, 2007)
5142	May 26, 2008	Div 9, Fees and Charges, 900, 902 (effective July 14, 2008)
5141	June 23, 2008	Section 501(a) & title of “Gen. Mgr. – Comm. Services” to “Mgr., Operation Services” (effective Sept. 1, 2008)
5162	October 14, 2008	<ul style="list-style-type: none"> Section 501& 501(a) - Regulations for Commercial Bins

		<ul style="list-style-type: none"> • Section 501& 501(a) – New Regulations effective April 6, 2009 (dumpster removal)
5190	April 14, 2009	<ul style="list-style-type: none"> • Delete Section 501 Amended – Effective April 6, 2009
5200	May 11, 2009	<ul style="list-style-type: none"> • Bylaw comes into effect May 31, 2009 • Incorporate Commercial Recycling Program into the bylaw • Note: Commercial bins servicing restaurants allowed in city lanes until December 31, 2009
5257	June 28, 2010	<ul style="list-style-type: none"> • Div 9, Fees and Charges, 900, 902
5357	February 27, 2012	<ul style="list-style-type: none"> • Div 9, Fees and Charges, 900, 902

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A bylaw to provide for and to regulate
the collection and disposal of refuse
and to establish a scale of fees and
charges therefore.

CONSOLIDATED for convenience only

The Council of The Corporation of the City of Vernon in open meeting assembled enacts as follows:

1. "The Corporation of the City of Vernon Refuse Collection Bylaw Number 2958, 1981" and all amendments thereto are hereby repealed.
2. This bylaw may be cited as "The Corporation of the City of Vernon Refuse Collection Bylaw Number 3148, 1982".

DIVISION ONE - PREAMBLE

100 Short Title

This Bylaw may be referred to as the Refuse Bylaw of The Corporation of the City of Vernon.

101 Purpose:

The purpose of this Bylaw is:

- (a) To establish and maintain a system to collect, remove and dispose of garbage, both household and commercial.
- (b) To compel persons to make use of a system established herein to dispose of garbage and recyclable products and prescribe the terms and conditions in which persons make use of the system.
- (c) To establish a scale of charges payable by owners of real property for the removal to a disposal ground or grounds of garbage, and recyclable products and for compelling payment of the charges so fixed, and for imposing penalties when neglecting to remove garbage.

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- (d) To enter contracts with a person or persons for all or part of the collection, removal, and disposal of garbage, recyclable products and other waste on terms and conditions prescribed herein.

- (e) To generally provide for the health and safety of those persons residing within the Corporation of the City of Vernon.

- (f) To minimize the cost of the above to the citizens of the City of Vernon.

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DIVISION TWO - GENERAL DEFINITIONS

200 All words and phrases shall have their normal or common meaning except where the same is changed, modified, or expanded by the definitions as set forth in the Waste Management Act, R.S.B.C. 1982, Ch. 41 and the Local Government Act, and as set forth in division 2 of this bylaw.

"City" shall mean The Corporation of the City of Vernon.

"Collector" means the person appointed to such position by the Council to receive revenues due to the City.

"Commercial" means all premises not residential as defined herein.

"Council" shall mean the Council of The Corporation of the City of Vernon.

"Disposal Grounds" means the site or sites designated by the City for the purpose of disposing or dumping of all household refuse, trade waste, and any other form of refuse.

"Fill Material" means the site or sites designated by the City for the purpose of disposing or dumping of all household refuse, trade waste, and any other form of refuse.

"Household Refuse" means and includes any and all rejected, abandoned or discarded waste or vegetable or animal food, floor sweeping, crockery, glass or metal ware having contained food, including grass, hedge clippings, or other garden refuse or rubbish, but does not include special waste or offal.

"Manager, Operation Services" shall mean the Manager, Operation Services of The Corporation of the City of Vernon, or any other official of the City for the time being authorized to carry out the duties ascribed to the said Manager, Operation Services, under the provision of this bylaw or any other bylaw.

"Offal" includes dead animals.

"Owner" means owner as defined in the Municipal Act and any apparent occupier of premises both commercial and residential but does not include a tenant in a commercial premises which contains more than four residential units or a boarder or lodger in a boarding house.

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“Person” shall in addition to its ordinary meaning, include a firm or partnership, company or corporation, and the singular shall be held to mean and include the plural and the masculine, the feminine or body corporate, where the context requires.

“Recyclable Products” means and includes any such products as determined under the Regional District of North Okanagan approved Solid Waste Management Plan and as directed from time to time by the said Regional District.

“Residential Premises” means residential single family, two family, three family and four family dwellings.

“Sanitary Inspector” shall mean the Sanitary Inspector employed by the Corporation of the City of Vernon and/or by the Ministry of Public Health, having authority within the Municipal limits of the City of Vernon.

“Special Waste” is as defined in the *Waste Management Act* S.B.C. 1982.

“Trade Waste” means refuse and accumulation of waste and abandoned materials resulting from the operation of trade or business, including papers, boxes and packing cases, wrapping materials, sweepings, tires, tubes, small metal parts of the like nature other than automobile bodies and chassis and special waste or offal.

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DIVISION FOUR - COLLECTION SYSTEM (RESIDENTIAL)

- 400 The City hereby establishes a system to collect, remove and dispose of garbage that is household refuse and recyclable products.
- 401 The City may have delivered by hand or ordinary mail to every residential premises in the City an annual schedule of household collection from those premises not less than seven days prior to the commencement of the aforesaid schedule.
- 402 If the owner of any residential premises has not received the aforesaid schedule prior to the start of the schedule date, the owner may obtain from the City a schedule at City Hall at 3400 - 30th Street in the City as well as other locations designated by the City from time to time.
- 403 The owner of each residential premises shall place or cause to be placed on the scheduled collection day in a location hereinafter defined all receptacles and parcels of household refuse no earlier than 5:00 P.M. on the day before the collection date and no later than 7:00 A.M. on the collection date.
- 404 When the receptacles have been emptied by the City, the owner shall return them to his own property no later than the expiry of the collection date.
- 405 The placement of receptacles and/or parcels of refuse shall be as follows:
- (a) Where premises are serviced by street collection, receptacles and/or parcels of refuse shall be set out not more than one meter (3.281 feet) back from the curb or traveled portion, whichever is applicable, of the collection roadway.
 - (b) Where premises are served by a lane collection, receptacles and/or parcels of refuse must be easily accessible at the lane.

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- 406 In the event there is more than one possible access for collection, the Manager, Operation Services or authorized designate shall determine the location of collection.
- 407 (a) Except as otherwise provided, collection personnel are not permitted to enter upon private property by opening gates, climbing or descending stairs, or to lift receptacles or parcels of refuse over fences, etc., for emptying.
- (b) Where special circumstances exist, the Manager, Operation Services or authorized designate may grant extended service onto private property at the rate as stipulated in this bylaw in paragraph 901.
- 408 Receptacles for household refuse for residential premises shall be as follows and provided by the owner:
- (a) A metal or plastic garbage container;
- (b) Must be in good condition;
- (c) Have a watertight animal and insect proof lid;
- (d) Have rigid handles which permit ease in handling;
- (e) Have a total of weight of each when full not to exceed 22.68 kilograms (50 pounds);
- (f) the size of each not to be more than .099 cubic meters (3 ½ cubic feet).
- 409 Plastic bags for household refuse when used outside a metal or plastic garbage container must:
- (a) Be sturdy and strong enough to withstand normal handling;
- (b) Be properly sealed;
- (c) Not contain any sharp objects which may tear the bag and/or injure refuse collection personnel;
- (d) Not contain any organic matter that will attract dogs, cats or omnivorous or carnivorous feral animals;
- (e) When full, not exceed a weight of 22.68 kilograms (50 pounds);
- (f) When full, not exceed .914 meters (3 feet) in any dimension.

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- 410 A bundle of brush or similar material must:
- (a) Be tied in such a manner so as to permit easy handling without breaking apart;
 - (b) Not weigh more than 22.68 kilograms (50 pounds);
 - (c) Not exceed a dimension of .914 meters (3 feet) in any direction.
- 411 Except where a metal or plastic garbage container as described in Section 408 is used, all containers for household refuse will be considered as waste and will be removed along with the refuse set out for disposal.
- 412 Each household shall be allowed a maximum of two (2) receptacles or parcels of refuse at each regular pick up for the fee set out in paragraph 900 herein. A sticker in the form attached as Appendix "A" shall be affixed for each container, parcel or bag of refuse beyond the two permitted herein.
- 413 On the collection date for each residential premises the City will collect the household refuse for the residential premises.
- 414 The City shall dispose of household refuse it has collected and removed by disposing the same at the disposal grounds.
- 415 Recyclable Products will be contained within a plastic bag which will allow the recyclable products to be visible to the collection personnel.
- 416 For multi-family residential properties alternate collection containers and locations are permissible at the discretion of the Manager, Operation Services or authorized designate.

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DIVISION FIVE - COLLECTIONS (COMMERCIAL)

- 500 All trade waste shall be disposed of by each owner of commercial premises either through the City's collection system or through the use of a private contractor in the case of the use of commercial bins.
- 501 All Commercial bins with the exception of those servicing restaurants are to be placed on private property, except as outlined below. Bins should be in an enclosure or behind screening.
- a) In the C1 and C-1A zones where bins cannot be reasonably placed on private property they shall be permitted in the lanes. Bins in lanes must be tight to walls, long side to wall to permit maximum room for passage of vehicles. Bins may be ordered relocated or removed by the Manager, Operation Services, or authorized designate. Refuse may only be placed in lanes in the Downtown Vernon Business improvement Area for daily collection during the hours of 10am to 2pm.
 - b) Temporary bins for the purpose of demolition or construction may be placed on the street or in lanes upon receipt of a Hoarding Permit from the City of Vernon.
 - c) **Commercial bins servicing restaurants will be allowed in City lanes until December 31, 2009.**
- 502 All companies placing bins within the City of Vernon rights-of-way, with an approved hoarding permit or servicing a restaurant must have a minimum of \$2,000,000 public liability insurance with the City of Vernon named as co-insured.

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503 All bins are to be kept in good condition. Exteriors are to be clean and painted with company name and telephone number clearly displayed. Bins are to be cleaned periodically inside and out to prevent odour buildup. Recycling bins are to be kept in a like manner and clearly labeled to indicate recycling.

Bins which do not meet an acceptable standard may be ordered removed by the Manager, Operation Services. Failure to remove bin shall result in further action as outlined in Section 1100 of this bylaw.

504 Blue Bag Recycling Services will be offered to Commercial Properties within the City of Vernon through the City's contractor. Cardboard pickup will remain the responsibility of the business owner.

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DIVISION SIX - COLLECTION OF SPECIAL WASTES

- 600 Every person shall deal with special waste with regard to its collection, storage, removal, or disposal according to the Waste Management Act. No person shall place materials or substances in the waste collected by the City or its contractors that is banned to be placed in the landfill site operated by the North Okanagan Regional District.
- 601 The City shall not be responsible for special waste other than special waste generated by itself, its servants, employees or agents.

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DIVISION SEVEN - COMPULSION

- 700 Every owner of residential property shall use the system established in this bylaw to dispose of household refuse.
- 701 Every personal shall dispose of special wastes according to the Waste Management Act.

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DIVISION EIGHT - GENERAL

- 800 No person shall throw, pile, place or cause to be thrown, placed or piled any refuse upon any street, lane or alley within the City or upon private property within the City without the permission of the owner thereof and a permit from the Manager, Operation Services or authorized designate.
- 801 No person shall place garbage for pick-up with the garbage of others or place garbage in containers owned by others without the owner's permission.

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DIVISION NINE - FEES AND CHARGES

- 900 a) The City will charge and each owner of residential premises shall pay **\$26.59** per quarter for the collection of household refuse.
- b) The City will charge and each owner of residential premises shall pay **\$8.61** per quarter for the collection of residential recyclable products.
- c) The City will charge and each owner of commercial industrial properties, excluding Blue Jay, Predator Ridge, Foothills, Turtle Mountain and Okanagan Landing past the Yacht Club shall pay **\$66.03** per quarter for the collection of recyclable products (blue bag).
- 901 The City shall render its account for garbage collection for residential premises on a quarterly basis.
- 902 The City will charge each owner of commercial premises where bulk containers are not used:
- a) For one pickup per week **\$75.59** per quarter.
- b) For more than one pickup per week, an addition **\$170.21** per quarter for each additional pickup per week.
- c) Where an owner is not utilizing bulk containers and deposits trade waste in an amount which is excessive for the number of weekly pickups authorized, additional pickups will be made at the discretion of the Manager, Operation Services or authorized designate. The fee for each such additional pickup shall be **\$35.05** and the owner shall pay for such extra service.

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- 903 All fees and charges in this section shall be subject to the same system, of billing and collecting as provided in the City of Sanitary Sewer Rates Bylaw, and that any such charges unpaid by the due dates set by the collector, shall be subject to an interest charge at the rate of 12% per annum starting on the date after the due date; provided however, that when premises become vacant the charges therefore shall be due and payable forthwith.
- 904 No monies received by the City in payment of fees and charges under this Bylaw shall be applied to the payment of the charges for the then current months, unless all charges which shall have become due in previous months have been fully paid.
- 905 No person shall be discharged or relieved from liability in respect of such fees and charges or from the penalties attached to non-payment hereby imposed by reason of non-receipt of any statement of account thereof
- 906 The fees and charges imposed and payable under the provisions of this Bylaw and which remain unpaid after the due date specified for payment of the same shall be a debt due to the City, and be recoverable under Section **258** of the Community Charter.

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DIVISION TEN - CONTRACTS FOR COLLECTION

1000 The City may enter into a contract or contracts with a person or persons for the collection, removal, or disposal of household refuse, recyclable products and trade waste or part of the household waste, recyclable products and/or trade waste generated within the City.

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DIVISION ELEVEN - OFFENCES AND PENALTIES

- 1100 Every person who violates 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, or who does any act which violates any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction thereof, and liable to the penalties hereby imposed.
- 1101 Every person guilty of an infraction of this Bylaw shall upon summary conviction in a Court of competent jurisdiction be liable to a penalty not exceeding five hundred dollars (\$500.00) for each infraction.

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DIVISION TWELVE – EXEMPTIONS

- 1200 Any person who does not require the services provided under this Bylaw may apply to Council to have the charges waived as imposed by this Bylaw and Council may allow the application or set limits as to the period of time they will allow a waiver of the charges imposed under this Bylaw.
- 1201 Nothing in this Bylaw makes it unlawful for any person who is licenced by the City of Vernon to collect and remove for a fee from any person, construction or demolition debris within the City.

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DIVISION THIRTEEN - RECYCLING

- 1300 Notwithstanding any provision of this Bylaw with regard to the collection, removal and disposal of household refuse and trade waste, all residential properties are to be provided a collection service as determined by agreement between the City and the Regional District of North Okanagan from time to time. The City of Vernon will provide recycling services to commercial and industrial properties excluding Blue Jay, Predator Ridge, Foothills, Turtle Mountain and Okanagan Landing past the Yacht Club.
- 1301 The Regional District of North Okanagan will collect and remove residential recyclables and may dispose of same according to conventional recycling practices.
- 1302 The Regional District of North Okanagan may collect and remove recyclables according to a system approved by the Manager, Operation Services or authorized designate.
- 1303 All commercial and industrial properties within the City of Vernon, with the exception of Blue Jay, Predator Ridge, Foothills, Turtle Mountain and Okanagan Landing past the Yacht Club will be serviced by blue bag recycling program. The program will be mandatory provided by the City of Vernon. Costs of the program will be charged back to the benefiting properties through quarterly billings.

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DIVISION FOURTEEN - AUTHORIZATION

- 1400 READ A FIRST TIME this 4th day of January, 1983.
- 1401 READ A SECOND TIME this 4th day of January, 1983.
- 1402 READ A THIRD TIME this 4th day of January, 1983.
- 1403 RECONSIDERED, FINALLY PASSED AND ADOPTED this 17th day of January, 1983.

"LYALL HANSON"

Mayor:

"M. McCAIG"

City Clerk:

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APPENDIX "A"

CITY OF VERNON

Residential Garbage
Collection Ticket

Peel off half of backing and
stick ticket to container.