

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2328

### (Consolidated for Convenience Only – Refer to Original Bylaw)

A bylaw to set fees for the recycling and disposal of solid waste at  
Regional District of North Okanagan Recycling and Disposal Facilities

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**WHEREAS** Section 796(1) [*General authority for services*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, states that the Board of the Regional District of North Okanagan may operate any service that the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS**, the Regional District has established a local service to regulate, store and manage municipal solid waste and recyclable material by Bylaw 1352, being "*Solid Waste Management Local Service Establishment Bylaw No. 1352, 1996*";

**AND WHEREAS** the Regional District has an approved *Solid Waste Management Plan*;

**AND WHEREAS** Section 803(1) [*Options for cost recovery*] of the *Local Government Act*, states that Section 363 [*Imposition of fees and charges*] of the *Local Government Act* applies to Regional Districts in relation to their services;

**AND WHEREAS** Section 363 [*Imposition of fees and charges*] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

**AND WHEREAS**, the Regional District is empowered to charge collection and disposal fees under the provisions of Section 19.1 of the *Waste Management Act*, and by Bylaw 1352;

**NOW THEREFORE**, the Board of the Regional District of North Okanagan, in open meeting assembled ENACTS AS FOLLOWS:

#### CITATION

1. This bylaw may be cited as "***Solid Waste Recycling and Disposal Fee Bylaw No. 2328, 2008***".

#### DEFINITIONS

2. In this bylaw:

**"Approved Nuisance Waste"** means Solid Waste that, due to its nature, is very difficult to handle, such as dusty, large bulky, and extremely odorous waste, and therefore requires the Manager of Environmental Services or their designate's pre-approval before disposal at any Regional District of North Okanagan Recycling and Disposal Facility.

**“Approved Special Waste”** means dangerous goods as defined in the Transportation of Dangerous Goods Regulations of Canada, which require pre-approval of the Manager of Solid Waste and the Ministry of Water, Land, and Air Protection Regional Manager, or their designate before disposal at any Regional District of North Okanagan Recycling and Disposal Facility. The term Special Waste is frequently used interchangeably with the term Hazardous Waste.

**“Board”** means the Regional Board of the Regional District of North Okanagan.

**“Recycling and Disposal Facility”** means a designated site owned or operated by or for the Regional District of North Okanagan for the disposal and recycling of Solid Waste. The term is frequently used interchangeably with the term Landfill.

**“Regional District of North Okanagan”** means the Corporation of the City of Vernon, the Corporation of the District of Coldstream, the Corporation of the Township of Spallumcheen, the Corporation of the City of Armstrong, the Corporation of the Village of Lumby, the Corporation of the City of Enderby and Electoral Areas “B”, “C”, “D”, “E”, and “F”, all within the Regional District of North Okanagan.

**“Solid Waste”** means refuse, which originates from residential, commercial, institutional, demolition, land clearing, or construction sources or refuse specified by the Province of British Columbia Regional Waste Manager to be included in a waste management plan.

## GENERAL

3. No person may recycle or dispose Solid Waste at a Recycling and Disposal Facility within the Regional District of North Okanagan unless they have paid the appropriate fee as set out in Schedule “A” as attached to and forming a part of this bylaw.
4. All loads of refuse entering a Recycling and Disposal Facility will be assessed the highest applicable fee. Loads may be sorted on site and reweighed in order to reduce the fees were applicable.
5. The payment of fees for the delivery of Solid Waste to a Recycling and Disposal Facility (RDF) shall be applicable at the following Facilities, all located within the Regional District of North Okanagan:
  - (1) Greater Vernon RDF
  - (2) Armstrong/Spallumcheen RDF
  - (3) Kingfisher (Hupel) RDF
  - (4) Lumby and Area “D” RDF
  - (5) Cherryville RDF.

## EXEMPTIONS

- ~~6. Notwithstanding Section 3 of this Bylaw, the Board may by resolution:~~
  - ~~(1) In the case of an extraordinary circumstance and upon written request, reduce fees for persons delivering Solid Waste to a Recycling and Disposal Facility;~~
  - ~~(2) Designate times during which no disposal fee is payable under this bylaw at any recycling and disposal facility for wastes generated as part of an approved Regional District clean-up event; or~~
  - ~~(3) Increase fees for Solid Waste delivered to a Recycling and Disposal Facility that require special handling.~~

**6. Notwithstanding Section 3 of this Bylaw, the Board may by resolution:**

- (1) In the case of an extraordinary circumstance and upon written request, reduce fees for persons delivering Solid Waste to a Recycling and Disposal Facility;**
- (2) Designate times during which no disposal fee is payable under this bylaw at any recycling and disposal facility for wastes generated as part of an approved Regional District clean-up event;**
- (3) Increase fees for Solid Waste delivered to a Recycling and Disposal Facility that require special handling; or**
- (4) Extend a period of time for free residential yard waste tipping at a Recycling and Disposal Facility for one or more member municipalities.**

(B/L 2386, 2009)<sup>A</sup>

7. The Manager of Environmental Services, the Director of Engineering, the Corporate Officer, or the Administrator may designate times during which no disposal fee is payable under this bylaw at a specific recycling and disposal facility on a specified date for wastes generated as part of a clean-up event initiated by a non-profit and/or community group targeting clean-up on public lands.

8. The Manager of Environmental Services, the Director of Engineering, the Corporate Officer, or the Administrator may designate times during which no disposal fee is payable under this bylaw by member municipalities or the Regional District of North Okanagan to accommodate the clean-up of illegally dumped waste on public lands, and is applicable to local government vehicles or vehicles engaged by a municipality for a specific clean-up event.

**OFFENCE AND PENALTIES**

9. (1) It shall be an offence for any person to recycle or dispose Solid Waste at any Recycling and Disposal Facility without paying the appropriate fee as set out in this bylaw.
- (2) Any person who violates any provisions of this bylaw shall, upon Summary Conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000.00).

**EFFECTIVE DATE**

10. This Bylaw shall take effect July 1, 2008.

**REPEAL**

11. Bylaw No. 2311 cited as "**Solid Waste Recycling and Disposal Fee Bylaw No. 2311, 2008**" is hereby repealed.

**Read a FIRST, SECOND and THIRD TIME**            this 9th day of April , 2008.

**Reconsidered and ADOPTED**                    this 9th day of April , 2008.

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"J. Oglow"  
Chair

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"J. Anderson"  
Corporate Officer

<sup>A</sup> Solid Waste Recycling and Disposal Fee Amendment Bylaw No. 2386, 2009  
– adopted April 15, 2009

**REGIONAL DISTRICT OF NORTH OKANAGAN**

**SCHEDULE "A"**

**TIPPING FEES**

	<b>Tipping Fee (prorated)</b>
<b>Materials for Disposal</b>	
<b>Refuse: Bags and Cans</b> - regular size (maximum 5 units) - oversized (maximum 4 units) - undersized (maximum 10 units)	\$1 per unit \$2 per unit \$0.50 per unit
<b>Refuse: Bulk – Minimum – 0 kg to 130 kg (130 kg / m<sup>3</sup>)</b>	\$3 flat rate
<b>Refuse: Bulk – Loose – more than 300 kg (130 kg / m<sup>3</sup>)</b>	\$62/tonne
<b>Refuse: Bulk – Compacted – (390 kg / m<sup>3</sup>)</b>	\$62/tonne
<b>Gypsum Wallboard/Drywall containing asbestos, vinyl, mesh, and/or stucco (can be mixed with other refuse)</b>	\$130/tonne
<b>Gypsum Wallboard/Drywall: more than 10% by volume per load that is recyclable and mixed with other refuse</b>	\$192/tonne
<b>Loads containing Greater than 10% Recyclable Material as defined in RDNO Bylaw No. 1598 (e.g. metal, fibre, plastic, glass, tires, batteries)</b>	\$88.50/tonne
<b>Fibreglass Manufacturing Waste from Spallumcheen delivered in roll off containers to the Greater Vernon RDF – effective October 15, 2007 – August 30, 2008</b>	\$47/tonne
<b>Cover Material – impacted soils requiring Manager approval</b>	\$5/tonne
<b>Nuisance Waste:</b> e.g. odorous, dusty, wet, bulky, etc. requiring extra handling	\$70/load plus regular tipping fee
<b>Animal By-products and Carcasses – as defined in RDNO Bylaw No. 1913, 2004 – Armstrong/Spallumcheen RDF only</b>	\$70/load plus regular tipping fee

<b>Materials Banned from Disposal</b>	
Dead animals and slaughter house, fish hatchery and farming wastes or cannery wastes and by-products unless pre-approved	
Special Wastes other than those specifically authorized in the "Special Waste Regulation"	
Biomedical waste as defined in "Guidelines for the Management of Biomedical Waste in Canada" (CCME, February 1992)	
Bulk liquids and semisolid sludges containing free liquid	
Liquid or semisolid wastes including septage, black water, sewage treatment sludges, etc.	
Product Care Items as defined in the "BC Recycling Regulation" (e.g. paint, flammables, pesticides, and gasoline)	

	<b>Tipping Fee (prorated)</b>
<b>Materials for Recycling and Reuse</b>	
<b>Organic Material (for composting):</b>	
Brush and Yard Waste: including trimmings and prunings (<20 cm diameter), leaves, wood chips, tree trunks and stumps (<20 cm diameter) (no bags, no limit) Brush and Yard Waste Anti-Burning Campaign – households only, [commercial and agricultural material at regular tipping fee] (no bags, no limit)	\$20/tonne or \$0.50/bag  Mar 15 – Apr 30 Free Oct 15 – Nov 30 Free
Clean dimensional wood	\$20/tonne
Logs and Stumps (>20 cm diameter) – non treated	\$35/tonne
<b>Organic Material (for onsite use):</b>	
Dimensional Wood – treated, pre-used	\$20/tonne
<b>Metal:</b> all items made of metal except refrigeration appliances: items must contain at least 75% metal	\$20/tonne
<b>Concrete:</b> crushable – less than 1 m diameter and 0.5 m thick (some rebar okay)	\$7/tonne
<b>Asphalt, Masonry, and Bricks, crushed:</b> for on site use, must weigh (Manager approval not required)	\$7/tonne
<b>Soil or Other Fill Material:</b> stockpiled at Greater Vernon RDF (not used immediately for daily cover)	\$10/single truck \$20/truck/pup
<b>Batteries:</b> dry and wet cell	No Charge
<b>Propane Tanks:</b> all sizes	\$1 per unit
<b>Tires:</b> <16 inch diameter (with or without rims) >16 inch diameter (without rims) >16 inch diameter (with rims) Off-Road (with or without rims)	No Charge \$2/unit \$20/unit \$100/tonne
<b>Refrigeration Appliances:</b> including air conditioners, fridges and freezers	\$10/unit
<b>Gypsum Wallboard/Drywall:</b> segregated, new and used (not containing asbestos, vinyl, mesh and/or stucco)	\$130/tonne
<b>Auto Hulks:</b> Cherryville RDF only until December 31, 2007	\$45/unit with air conditioner \$35/unit without air conditioner
<b>Blue Bag Program Materials</b>	No Charge