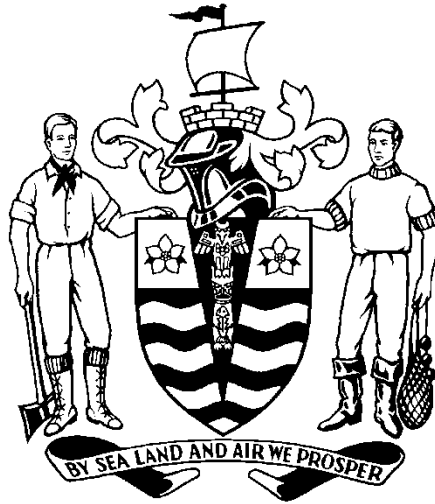


CITY OF VANCOUVER BRITISH COLUMBIA



SOLID WASTE BY-LAW NO. 8417

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to December 10, 2020)

BY-LAW NO. 8417

**A By-law respecting the collection,
disposal, transfer and recycling of solid waste**

**[Consolidated for convenience only,
amended to include By-law No. 12849,
effective January 1, 2021]**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**PART I
SHORT TITLE**

1. The name of this By-law is the "Solid Waste By-law".

**PART II
INTERPRETATION**

2. In this By-law, unless the context otherwise requires:

"apartment" includes any residential property which is classified on the most recent assessment roll as "strata lot residence (condominium)", "stratified rental apartment B frame construction - all units rented out under one ownership", or "stratified rental apartment - hi-rise construction - all units rented out under one ownership", or strata or co-op residential property which is classified on the most recent assessment roll as "multi-family conversion", but does not include houses, strata duplexes, rowhouses and rental apartments,

"Asbestos Policy" means the Vancouver South Transfer Station & Vancouver Landfill Asbestos Policy in place to meet the requirements of Hazardous Waste Regulation (B.C. Reg. 63/88) and Occupational Health and Safety Regulation (B.C. Reg. 296/97),

"asbestos waste" means any waste or discarded material, which contains 0.5% or more asbestos by weight,

"Assessment Roll" has the meaning set out in the Assessment Act,

"authorized agent, acting on behalf of an owner" includes a person who represents to the City in writing that he or she is a member of the board of directors, strata council, management company or other entity reasonably likely to have control and administrative responsibility for solid waste and recyclable material on behalf of the owner,

"banned materials" means the Hazardous and Operational Impact Materials set out in Schedule D and Schedule E, recyclable materials set out in Schedule F, and the Product Stewardship Program Materials set out in Schedule G,

"blue box recycling container" means a container supplied by the City of Vancouver for the deposit of recyclable material,

"carryout" means any situation where the solid waste or recyclable material to be collected is somewhere other than at the street or lane allowance,

"City Engineer" means the City Engineer or an authorized representative of the City Engineer,

"city sticker" means a sticker issued by the City as a receipt for the prepayment of the services provided under Part IV,

"clean wood waste" means solid wood, lumber or pallets, that does not contain any glues or resins, that is not painted, stained or treated with chemicals, and may be pierced with nails or other metal fasteners,

"collection point" means a location where one or more garbage cans are placed for collection by the City of Vancouver,

"Collector" means the Director of Finance or an authorized representative of the Director of Finance,

"commercial-size container" means any container (having at least 1 cubic yard of capacity) constructed so that it can be emptied mechanically by and into a motor vehicle used for the transportation of solid waste,

"converted single family dwelling" means any non-strata, non-co-op residential property classified as "multi-family - conversion" on the most recent assessment roll,

"construction and demolition processing residual waste" means the residual waste that remains after solid waste generated from construction and demolition activities has been processed and recyclable materials have been removed for recovery,

"co-op" means that a parcel is owned or leased by a company or society and all the shares of the company are owned by residents of the parcel or all of the members of the society are residents of the parcel, and "non-co-op" means that a parcel is not a co-op,

"Drywall Policy" means the Vancouver South Transfer Station & Vancouver Landfill Drywall Policy in place to meet the requirements of Hazardous Waste Regulation (B.C. Reg. 63/88) and Occupational Health and Safety Regulation (B.C. Reg. 296/97),

"dwelling unit" means,

- (a) with respect to a strata property, each strata lot utilized for living accommodation and not for parking, storage or some other ancillary use, and
- (b) with respect to a co-op property, each unit into which the building has been subdivided for the provision of living accommodation for each member or shareholder of the co-op and which, if the co-op were a strata, would likely be a strata lot within the meaning of (a) above, and

- (c) with respect to any non-strata or non-co-op property, each unit of living accommodation which, if the property were a strata, would likely be a strata lot within the meaning of (a) above,

"excess producer" means an owner or occupier who produces more garbage than can be accommodated in the garbage can or cart which the owner has requested or pays for,

"expanded polystyrene packaging" means white expanded polystyrene used for protection and distributing products, but excluding:

- (a) food and beverage containers;
- (b) packaging 'peanuts'; and
- (c) expanded polystyrene that has been painted, soiled or treated,

"flocked tree" means a natural tree that has been treated or coated with a chemical substance,

"food waste" means waste from residential sources that consists of food, including meat, fish, fat, dairy products, bread, baking products, fruits and vegetables, whether cooked or uncooked and packaged or unpackaged,

"garbage" means solid waste that is not recyclable material, source-separated organic waste, or materials listed in Schedules F and G to this By-law,

"garbage bag" means a plastic bag supplied by the owner or occupier of property for the deposit of garbage,

"garbage can" means a container supplied by the owner or occupier of property for the deposit of garbage,

"garbage cart" means a wheeled container supplied by the city for the deposit of garbage,

"green cart" means a wheeled container supplied by the city for the deposit of source-separated organic waste,

"green cart service" means the collection of source-separated organic waste by the city,

"house" means any single family dwelling, non-strata duplex or converted single family dwelling but does not include any other category of residential property,

"leaf bag" means a biodegradable paper bag supplied by the owner or occupier of property for the deposit of leaves,

"leaf can" means a container supplied by the owner or occupier of property for the deposit of leaves,

"Material Recovery Facility" means an approved materials recovery facility that receives solid waste and separates and prepares recyclable materials for marketing to end-user manufacturers,

"mattress" means a case of canvas, plastic or other heavy cloth filled with wool, cotton, foam, other fibres or similar material, with or without springs or wooden slats, that is designed for use as a bed,

"Medical Health Officer" means the Medical Health Officer appointed for the City of Vancouver and includes any officer, official, or employee acting in the place of or for the Medical Health Officer,

"municipal garbage" means solid waste collected from single family residences by local government, their contractors or by entities contracting directly with individual households where such collection occurs on a scheduled basis and solid waste collected by local government staff from local government owned premises, such as parks, streets and public buildings,

"new gypsum (drywall)" means gypsum that is date stamped 1990 or later, has not been previously installed, and does not contain tape, paint or drywall mud,

"night shift area" means that area between Burrard Inlet and False Creek and bounded on the east by the west property line of Gore Avenue from Burrard Inlet to Prior Street, the north property line of Prior Street from Gore Avenue to Station Street, the west property line of Station Street from Prior Street to National Avenue, the north property line of National Avenue produced from Station Street to False Creek, and bounded on the west by the east property line of Burrard Street from False Creek to Robson Street, the north property line of Robson Street from Burrard Street to Bute Street, the east property line of Bute Street, from Robson Street to Burrard Inlet,

"non-residential property" means any property which is not residential property,

"non-residential recyclable materials" means all materials listed in Schedules G and H of this By-law,

"non-residential recyclable materials diversion program" means a program to divert non-residential recyclable material from disposal at a landfill or incinerator site, and includes:

- (a) producing no non-residential recyclable materials;
- (b) use of a licensed hauler who lawfully brings the non-residential recyclable material to a Material Recovery Facility or otherwise disposes of the non-residential recyclables in accordance with this By-law; and
- (c) disposing of the non-residential recyclable materials directly at an approved private or public recycling facility in accordance with this By-law; or
- (d) any combination of the above,

"non-strata duplex" means any non-strata, non-co-op residential property classified as "duplex", "duplex up and down", or "SFD/Duplex on Acreage" on the most recent assessment roll,

"noxious weeds" means the weeds designated as noxious weeds in Part I and Part II of Schedule A of the *Weed Control Regulation*, B.C. Reg. 143/2011 but excludes Giant Hogweed (*Heracleum Mantegazzianum*) and Spurge Laurel (*Daphne Laureola*),

"occupier" means a person who, if a trespass has occurred, is entitled to maintain an action for trespass and includes a person in possession of land, owned by or on behalf of the City or any other person who is exempt from tax and that is held by the occupier under a lease, licence, agreement for sale, accepted application to purchase, easement or other record from the City or any other person who is exempt from tax,

"organic waste diversion plan" means a plan describing the methods to be used to divert food waste, yard waste and clean wood waste from disposal at a landfill or incinerator site, and includes:

- (a) producing no food waste, yard waste or clean wood waste;
- (b) use of the City's green cart service;
- (c) use of a licensed hauler who lawfully brings the material to a Material Recovery Facility or otherwise disposes of the food waste, yard waste or clean wood waste in accordance with this By-law;
- (d) composting or anaerobic digestion; and
- (e) dropping off material directly at an approved private facility or at a regional disposal facility in accordance with this By-law; or
- (f) any combination of the above,

"owner" of land means the registered owner of an estate in fee simple, and also includes

- (a) the tenant for life under a registered life estate,
- (b) the registered holder of the last registered agreement for sale,
- (c) the registered tenant of land under a strata lot lease pursuant to Part 3 of the *Strata Property Act*, and
- (d) a strata corporation or cooperative association, and

in dealings with the City, also means the authorized agent, acting on behalf of an owner,

"personal hygiene products" means personal care products, including but not limited to diapers, feminine hygiene products and incontinence products,

“PPP cart” means a wheeled recycling container used for the purposes of the Packaging and Printed Paper Product Stewardship Program approved pursuant to the Environmental Management Act,

"premises" means land composed of one or more parcels upon which any building or group of buildings may be located and includes buildings located on land under common ownership or management,

“private container” means a solid waste container used by a private contractor in the course of business,

“private contractor” means a provider of private solid waste services,

"private solid waste services" means the removal, collection, transfer, recycling, processing and disposing of solid waste by a person other than the city,

“public garbage receptacle” means any garbage receptacle placed in a public place by the City or another public body,”

“public recycling receptacle” means any recycling receptacle placed in a public place by the City or another public body,

"rates" includes any levy, charge or other fee or tax authorized by Section 303 of the *Vancouver Charter*,

"recyclable material" means that class of solid waste designated as recyclable by the City Engineer,

"recyclable paper" includes newspapers and inserts, flyers, magazines, catalogues, telephone directories, paper gift wrap and greeting cards, writing paper, computer paper, mail, envelopes, paper bags, boxboard, corrugated cardboard, composite paper products such as tetrapak containers, and gable-top paper containers such as milk cartons, but excludes photographic paper, tissue paper, paper napkins and towels, carbon paper, and paper that is adhered to plastic or metal,

"recycling cart" means a wheeled container supplied by the City of Vancouver for the deposit of recyclable material,

"rental apartment" means any residential property classified on the most recent assessment roll as "triplex", "fourplex", "multi-family - apartment block", "multi-family Bgarden apartment & row housing", "multi-family - high-rise", "stores and living quarters" or "stores and offices with apartments",

"residential asbestos waste" means asbestos waste transported from a residence by the owner or occupant of that residence,

"residential property" means a parcel which is "Class 1" (Residential) property as defined by the Prescribed Classes of Property Regulation (B.C. Reg. 438/81) of the Assessment Act,

“residential recyclable materials” means all materials listed in Schedules C and G to this By-law,” and

“residential recyclable materials diversion program” means a program to divert residential recyclable material from disposal at a landfill or incinerator site, and includes:

- (a) producing no residential recyclable materials,
- (b) use of a licensed hauler who lawfully brings the material to a Material Recovery Facility or otherwise disposes of the residential recyclables in accordance with this By-law, and
- (c) disposing of the residential recyclable materials directly at an approved private or public recycling facility in accordance with this By-law, or
- (d) any combination of the above,

“residential used gypsum (drywall)” means used gypsum (drywall) transported from a residence by the owner or occupant of that residence,

"rowhouse" means any strata or co-op residential property classified on the most recent assessment roll as "row housing - single unit ownership" or "stratified rental townhouse Ball units rented out under one ownership", but excludes houses, strata duplexes, apartments and rental apartments,

“seniors licensed care and group homes” means any commercial property classified as “seniors licensed care” or “group home” on the most recent assessment roll,

"single family dwelling" means any residential property classified as:

- (a) a single family dwelling,
- (b) a single family dwelling with basement suite,
- (c) any residential property subject to section 26(4), or successor section, of the Assessment Act on the most recent assessment roll, or
- (d) a laneway house as defined under section 2 of the Zoning and Development By-law.

"solid waste" includes garbage, recyclable material, source-separated organic waste, and materials listed in Schedules F and G of this By-law,

"source separated organic waste" means food waste, yard waste, clean wood waste not pierced with nails or other metal fasteners, tissue paper, paper napkins and towels, carbon paper, paper that is covered or infused with wax, food soiled recyclable paper, or any combination thereof,

"strata" means a parcel that

- (a) is held by strata lot lease under Part 3 (Leasehold Strata Plans) of the *Strata Property Act*, or
- (b) is a strata lot as defined in section 1 of the *Strata Property Act*, or
- (c) is a strata lot created by a "bare land strata plan" as defined in section 1 of the *Strata Property Act*,

and "non-strata" means a parcel that is not a strata,

"strata duplex" means a strata or co-op residential property classified as "duplex B single unit ownership" on the most recent assessment roll,

"surcharge" means the amount charged in addition to the applicable disposal rates for having a load that is not secured as per the requirements of the *Motor Vehicle Act*, or for disposing of banned material as set out in Part II of Schedule A of this By-law,

"tax roll" means the real-property tax roll described in Section 400 of the *Vancouver Charter* as revised and updated from time to time pursuant to Sections 401 and 401A of the *Vancouver Charter*,

"toxic plants" means Devil's Club (*Oplopanax Horridus*), Giant Hogweed (*Heracleum Mantegazzianum*) and Spurge Laurel (*Daphne Laureola*),

"used gypsum (drywall)" means gypsum that is without a date stamp or is date stamped before 1990, or contains tape, paint or drywall mud,

"Wood waste" includes clean wood waste in addition to solid wood, lumber or pallets that contain glues or resins, paint, stain, or a chemical treatment other than creosote, and may be pierced with nails or other fasteners, and

"yard waste" includes vegetative trimmings from flowers, house plants, yards, or other landscaped areas consisting only of leaves, grass clipping, plants, small brush, hedge clippings, Christmas Trees, small limbs and dry seed pods but excludes flocked trees, noxious weeds and toxic plants.

PART III AUTHORITY OF CITY ENGINEER

3.1 Authority of City Engineer

- (1) The City Engineer may provide solid waste services in the city.
- (2) The City Engineer may refuse to provide:
 - (i) solid waste services, or
 - (ii) access to the city's solid waste facilities,to any person who fails to comply with the provisions of this By-law.

- (3) The City Engineer may determine the type and frequency of solid waste services and may provide different levels and types of service for different classes of premises and for different areas of the city.
- (4) The City Engineer may require that the delivery of solid waste services to a property be increased if, in the opinion of the City Engineer, the owner or occupier of a property is an excess producer of solid waste.
- (5) Despite the provisions of subsection (1), the City Engineer may provide solid waste services to certain residential and non-residential properties or areas within city boundaries or beyond city boundaries, by separate agreement, subject to Council approval.
- (6) The City Engineer may stipulate the materials that are unsuitable and prohibited from any receptacles or other containers used in the provision of any service under this By-law.

3.2 Private solid waste services

Despite section 3.1, a person who is the holder of a business license to provide private solid waste services in the city, may engage in the business of removing, collecting, transferring, recycling, processing and disposing of solid waste in the city, subject to compliance with all applicable by-laws, provincial and federal legislation.

3.3 Authority over City Facilities

Council authorizes the City Engineer to operate and administer the city's solid waste facilities.

PART IV GARBAGE SERVICE

4.1 General Garbage Service

(1) *Mandatory Garbage Service*

The owner or occupier of a house or strata duplex must use the garbage collection service provided by the city.

(2) *Optional Garbage Service*

The owner of a residential property other than a house or strata duplex, or the owner of a non-residential property, may request that the City Engineer provide garbage collection service at the applicable rates provided for in this by-law, and the City Engineer may provide such services if, in the opinion of the City Engineer, such services are compatible with the operation of existing city garbage services.

4.2 Garbage Cart Service

(1) *Service Allocation to Residential Dwellings*

(a) Minimum Service

Each residential property will be allocated garbage cart service at the applicable number and size of carts, and at the applicable rates, set out in Part I of Schedule B to this By-law.

(b) Strata Duplexes

Each dwelling unit in a strata duplex will be allocated a minimum of one 75 litre cart per dwelling unit. A change in the allocation will be made upon request by the dwelling unit owner to any size above the minimum allocation set out in Part I of Schedule B to this By-law.

(c) Rowhouses

Each dwelling unit in a rowhouse will be allocated a minimum of one 75 litre cart per dwelling unit. A change in the allocation will be made upon request by the dwelling unit owner to any size above the minimum allocation. Owners or occupiers of rowhouses may consolidate garbage cart service to the calculated minimum volume set out in Part I of Schedule B to this By-law.

(2) *Additional Garbage Cart Service*

(a) Additional garbage service requested by owner

The owner of residential or non-residential property may apply in writing to the City Engineer for additional garbage cart service or for other additional solid waste services, and the City Engineer may provide such services if, in the opinion of the City Engineer, such services are compatible with the operation of existing city garbage services.

(b) Additional garbage service required by the City Engineer

The City Engineer may require the owner of residential or non-residential property to use additional garbage cart service or other additional solid waste services if, in the opinion of the City Engineer, the owner or occupier is an excess producer.

(c) Rates for Additional Service added to Tax Roll

If additional garbage cart service or other additional solid waste services are provided, either at the request of an owner, or as required by the City Engineer, the Collector shall enter the additional rates on the real property tax roll for the property to which the rates apply.

(3) *Requesting a Reduction in Garbage Cart Service*

Subject to the minimum requirements in this By-law:

- (a) an owner may request a reduction in the number or volume of garbage carts purchased by the owner or allocated to an excess producer; and
- (b) the City Engineer may approve the request if the City Engineer is satisfied that a reduction will not cause the property to become an excess producer.

(4) *Permitted Type of Garbage Cart*

Subject to sections 8.6 and 8.7, where the city provides garbage cart service, the owner or occupier must place all the solid waste intended for collection in the appropriate garbage cart supplied to that owner or occupier.

(5) *Responsibilities of owner or occupier*

The owner or occupier of premises to which the City provides garbage cart service:

- (a) must maintain garbage carts in a clean and sanitary condition;
- (b) deleted;
- (c) must ensure that the cover of a garbage cart remains completely closed at all times, except when it is necessary to open the cover to dispose of solid waste;
- (d) must not fill a garbage cart to a gross weight greater than the applicable weight on the following table:

Garbage cart size	Maximum gross weight
75 litres	30 kg
120 litres	50 kg
180 litres	75 kg
240 litres	100 kg
360 litres	150 kg

- (e) must not cause, permit, suffer or allow a garbage cart to be filled so that the cover cannot be completely closed;
- (f) must not cause, permit, suffer or allow a garbage cart to be filled so that the contents cannot be completely emptied;
- (g) must not cause, permit, suffer or allow the contents to overflow, fall out of or leak from a garbage cart;
- (h) must return a garbage cart to the city upon request; and

- (i) must not cause, permit, suffer or allow any garbage produced or resulting from their property to be deposited into a garbage cart located on any other property unless the owner or occupier:
 - i. has the permission of the owner or occupier of the real property where a different garbage container is located; or
 - ii. otherwise directly disposes of the garbage generated on their property at a transfer station in accordance with this by-law.
- (6) Service to Strata Corporation or Cooperative Association

The city will provide garbage cart service for apartments and rowhouses to the strata corporation or cooperative association.

4.3 Garbage Can Service

- (1) *Service Allocation to Residential Dwellings*
 - (a) Minimum Service

Each residential property that does not receive garbage cart service will be allocated garbage can service at the applicable number of garbage cans and the applicable rate or rates set out in Part II of Schedule B to this By-law.

- (b) Strata Duplexes

Each dwelling unit in a strata duplex will be allocated two garbage cans of service each collection period at the applicable rate or rates set out in Part II of Schedule B to this By-law.

- (c) Rowhouses

Each dwelling unit in a rowhouse will be allocated two garbage cans of service each collection period at the applicable rate or rates set out in Part II of Schedule B to this By-law.

- (2) *Additional Garbage Can Service*

In addition to the minimum garbage can service:

- (a) an owner may request in writing that the City Engineer provide additional garbage can service or any other additional service under this By-law;
- (b) the City Engineer may allocate a sufficient number of additional garbage cans to an excess producer to make up the deficiency between solid waste produced and collection services purchased; and

- (c) if the request referred to in clause (a) is approved by the City Engineer, the rates for such services will be entered by the Collector on the real property tax rolls for that owner's parcel.

(3) **Maximum Limit of Garbage Cans**

Despite the provisions of this By-law:

- (a) the maximum number of garbage cans for houses, apartments, and rental apartments is 10 garbage cans per building; and
- (b) the maximum number of garbage cans for rowhouses and strata duplexes is 6 garbage cans per dwelling unit.

(4) ***Requesting a Reduction in Garbage Can Service***

Subject to the minimum requirements in this By-law:

- (a) an owner may request a reduction in the number of garbage cans purchased by the owner or allocated to an excess producer; and
- (b) the City Engineer may approve the request if the City Engineer is satisfied that a reduction will not cause the property to become an excess producer.

(5) ***Permitted Types of Garbage Cans***

Where the city provides garbage can collection service, the owner or occupier must place all the solid waste intended for collection in the appropriate garbage can supplied by that owner or occupier, which garbage can must be:

- (a) rigid with fixed handles, a smooth rim, and a metal or plastic cover;
- (b) no greater than 60 centimetres in diameter or width at the top, tapered down towards the bottom, having an overall height of not more than 80 centimetres and having a capacity of not more than 100 litres;
- (c) maintained at all times in good repair and watertight condition; and
- (d) kept in a condition and not noxious, offensive, or dangerous to public health.

Instead of the types of garbage cans described in this By-law, an owner or occupier may provide any other shape, nature, capacity, or design of garbage can as the City Engineer may approve.

(6) ***Garbage Cans - Weight and Content Limits***

Garbage cans must not be filled:

- (a) so that the gross weight exceeds 20 kilograms; or
- (b) in such a manner that:
 - (i) the contents cannot be easily emptied, or
 - (ii) the cover cannot be properly fitted.

PART V RECYCLING SERVICE

5.1 Recycling Service

- (1) The owner or occupier of a non-residential property may request that the City Engineer provide recycling collection service at the rates provided for in this By-law, and the City Engineer may provide such services if, in the opinion of the City Engineer, such services are compatible with the operation of the City's existing recycling services.
- (2) The owner or occupier of non-residential premises which receive recycling collection service from the City must pay the applicable rates for service set out in Part IV of Schedule B to this By-law.

5.2 Recycling Service and Conditions of Use

- (1) Where the City provides recycling service, the owner or occupier must place all the material intended for collection in a blue box recycling container or the appropriate recycling cart.
- (2) The blue box recycling containers and recycling carts are and will remain the property of the City at all times.
- (3) Each owner or occupier to whom a blue box recycling container or recycling cart is issued will keep the container in good condition and return it to the City upon request.

5.3 Containers B Weight and Contents Limits

- (1) Blue boxes must not exceed a gross weight of 20 kg when full.
- (2) Blue boxes and recycling carts must only be filled with clean, recyclable material.
- (3) Blue boxes and recycling carts must be filled in such a manner as to be easily emptied.

5.4 Deleted

5.5 Recycling Carts - Storage Location

- (1) All recycling carts must be stored completely on the property in a space conforming to the Fire By-law, Building By-law, and any other applicable by-laws. Where, in the opinion of the City Engineer, it is not possible to store the recycling containers on the property, the owner or occupier may apply to the City Engineer for permission to store the recycling containers on the street or lane.
- (2) Where recycling carts are stored on a street or lane, an owner or occupier must maintain each cart and area adjacent to each cart in a condition that is clean and sanitary, and not noxious, offensive, or dangerous to the public health.

- (3) Any recycling cart stored on a street or lane will be subject to the additional charges set out in Part IV of Schedule B to this By-law.

5.6 Recycling Carts - Access Requirements

- (1) Subject to subsection 2, the City will service recycling carts that are located within 50 metres of the nearest point that the collection vehicle can safely access.
- (2) The use of stairs or elevators will not be used to access the recycling carts for service.

5.7 Acceptable Materials

The items listed in Schedule C to this By-law are acceptable for deposit in a blue box recycling container or recycling cart.

5.8 Removal of Recycling Container or Recycling Cart /Material Prohibited

- (1) No person except the City Engineer is permitted to remove any blue box recycling container or recycling cart from the premises for which the City Engineer intended it to be used.
- (2) Where recyclable material has been deposited in a blue box recycling container or recycling cart by the owner or occupier, no person is permitted to remove
 - (a) any recyclable material from the premises of that owner or occupier, or
 - (b) any recyclable material from the blue box recycling container or recycling cart,

except the City Engineer or a person previously authorized in writing by the City Engineer. Despite any other bylaw, the issuance of a business license or any other type of license by the City to a person is not authorization to collect recyclable material in violation of this section 5.8. The City=s license-issuing official must expressly refer to this section 5.8 in order to validly authorize a person to collect recyclable material.

5.9 Public recycling containers

No person shall deposit into a public recycling receptacle anything other than the recyclable materials set out in Schedule C that are stipulated on the receptacle by the City Engineer.

5.10 Residential recyclable materials

Every owner or occupier of residential premises where residential recyclable materials are produced or results must not cause, permit, suffer or allow that recyclable material to be unlawfully disposed of:

- (1) at a landfill site;

- (2) at an incinerator; or
- (3) in a garbage can or commercial-size garbage container, unless the contents of the garbage can or commercial-size garbage container will be lawfully disposed of by a licensed hauler.

5.11 Non-residential recyclable materials

Every owner or occupier of non-residential premises where non-residential recyclable materials are produced or results must not cause, permit, suffer or allow the non-residential recyclable material to be unlawfully disposed of:

- (1) at a landfill site;
- (2) at an incinerator; or
- (3) in a garbage can or commercial-size garbage container, unless the contents of the garbage can or commercial-size garbage container will be lawfully disposed of by a licensed hauler.

Recyclable Material Diversion Programs

5.12 (1) Every owner or occupier of non-residential property where non-residential recyclable material is produced or results must have a non-residential recyclable materials diversion program for non-residential recyclable materials produced or resulting on the property.

(2) Every owner or occupier of non-residential property where non-residential recyclable material is produced or results must not cause, permit, suffer or allow the non-residential recyclable material to be disposed in any manner other than in accordance with their non-residential recyclable materials diversion program.

(3) If the owner or occupier of non-residential property required to have a non-residential recyclable material diversion program under s. 5.12 (1) is a member of a strata corporation, then members of the associated strata corporation may develop a common non-residential recyclable materials diversion program.

5.13 (1) Every owner or occupier of residential property must have a residential recyclable materials diversion program for residential recyclable materials produced or resulting on the property.

(2) Every owner or occupier of residential property must not cause, permit, suffer or allow any residential recyclable material produced or resulting on the property to be disposed in any manner other than in accordance with their residential recyclable materials diversion program.

(3) If the owner or occupier of residential property required to have a residential recyclable materials diversion program plan under s. 5.13(1) is a member of a strata corporation, then members of the associated strata corporation may develop a common residential recyclable materials diversion program.

(4) If the owner or occupier of residential property required to have a residential recyclable materials diversion program under s. 5.13(1) is the owner or occupier

of a rental apartment, then the owner of the rental apartment may develop a common residential recyclable materials diversion program for all occupants.

- 5.14** (1) Any owner or occupier of premises or property required to have a residential or non-residential recyclable materials diversion program by this By-law must provide details of the recyclable materials diversion program to the City Engineer within 7 days of being requested, in writing, to do so.
- (2) If requested to provide details of a residential or non-residential recyclable materials diversion program under section 5.14 (1), the owner or occupier must provide the details of the recyclable materials diversion program that complies with this By-law to the City Engineer.”
- 5.15** Any owner or occupier of premises or property, other than a one family dwelling, required to have a residential or non-residential recyclable materials diversion program by this By-law, or a strata corporation that adopts a common recyclable materials diversion program, must:
- (a) provide to new residents and new occupants, and at least annually to all existing residents or occupants, written information on recyclable materials disposal practices for any such waste produced on the premises; and
- (b) post information regarding the recyclable materials disposal practices for any such waste produced on the premises.

PART VI GREEN CART SERVICE

6.1 General green cart service

(1) *Mandatory green cart service*

The owner or occupier of a house or strata duplex must use the green cart service provided by the city.

(2) *Additional green cart service*

The owner of a residential property other than a house or strata duplex, or the owner of a non-residential property, may request that the City Engineer provide green cart service at the applicable rates set out in this by-law, and the City Engineer may provide such services if, in the opinion of the City Engineer, such services are compatible with the operation of existing city green cart services.

6.2 Minimum cart size for green cart service

- (1) The owner or occupier of residential premises which receive green cart service from the city must:
- (a) obtain from the city the minimum number of green carts required by this by-law; and

- (b) pay the applicable rates for green carts as set out in Schedule B.
- (2) The owner or occupier of residential premises which receive green cart service from the city must obtain and provide:
 - (a) for houses, rowhouses, apartments, and rental apartments, a minimum of one 120 litre green cart per property; and
 - (a) for strata duplexes, a minimum of one 120 litre green cart per dwelling unit.

6.3 Additional Green Cart Service

(1) *Request for Service*

An owner may request the City Engineer, in writing, to provide green cart service additional to that referred to in section 6.2.

(2) *Entry on Tax Roll*

If the City Engineer approves additional green cart service, the Collector will enter the appropriate rate set out in Part V of Schedule B of this By-law on the property tax roll for that owner's parcel.

6.4 Green cart service to apartments and rowhouses

- (1) The city may provide full or limited green cart service to apartments, rental apartments and rowhouses if, in the opinion of the City Engineer, such services are compatible with the operation of existing city green cart services.
- (2) Green cart service for apartments, rental apartments and rowhouses will be provided by the city to the strata corporation or cooperative association.

6.5 Green cart service to non-residential premises

The city may provide full or limited green cart service to non-residential premises if, in the opinion of the City Engineer, such services are compatible with the operation of existing city green cart services.

6.6 Responsibilities of owner or occupier

The owner or occupier of premises to which the city provides green cart service:

- (a) must maintain green carts in a clean and sanitary condition;
- (b) must only dispose of source-separated organic waste in a green cart, except for fall leaves disposed of in accordance with section 6.8;
- (c) must ensure that the cover of a green cart remains completely closed at all times, except when it is necessary to open the cover to dispose of source-separated organic waste;

- (d) deleted;
- (e) must not fill a green cart to a gross weight greater than the applicable weight listed in the following table:

Green cart size	Maximum gross weight
120 litres	50 kg
180 litres	75 kg
240 litres	100 kg
360 litres	150 kg

- (f) must not cause, permit, suffer or allow a green cart to be filled so that the cover cannot be completely closed;
- (g) must not cause, permit, suffer or allow a green cart to be filled so that the contents cannot be completely emptied;
- (h) must not place tree limbs larger than 10 cm in diameter and 0.5 m in length in a green cart; and
- (i) must return a green cart to the city upon request.

6.7 Every owner or occupier of premises where food waste, yard waste, or clean wood waste is produced or results must not cause, permit, suffer or allow that food waste, yard waste, or clean wood waste to be unlawfully disposed of:

- (a) at a landfill site;
- (b) at an incinerator; or
- (c) in a garbage can or commercial-size garbage container, unless the contents of the garbage can or commercial-size garbage container will be lawfully disposed of by a licenced hauler.

Organic waste diversion plan

- 6.7A.1 (1) Every owner or occupier of a non-residential property where food waste, yard waste, or clean wood waste is produced must have an organic waste diversion plan for any food waste, yard waste, or clean wood waste produced on the property.
- (2) Every owner or occupier of non-residential property where food waste, yard waste or clean wood waste is produced must not cause, permit, suffer or allow the food waste, yard waste, or clean wood waste to be

disposed in any other manner than in accordance with their organic waste diversion plan.

- (3) If the owner or occupier of non-residential property required to have an organic waste diversion plan under s. 6.7A.1 (1) is a member of a strata corporation, then members of the associated strata corporation may develop a common organic waste diversion plan.

6.7A.2 (1) Every owner or occupier of a residential property where food waste, yard waste, or clean wood waste is produced must have an organic waste diversion plan for any food waste, yard waste, or clean wood waste produced on the property.

- (2) Every owner or occupier of residential property where food waste, yard waste or clean wood waste is produced must not cause, permit, suffer or allow the food waste, yard waste, or clean wood waste to be disposed in any other manner than in accordance with their organic waste diversion plan.

- (3) If the owner or occupier of residential property required to have an organic waste diversion plan under s. 6.7A.2 (1) is a member of a strata corporation, then members of the associated strata corporation may develop a common organic waste diversion plan.

- (4) If the owner or occupier of residential property required to have an organic waste diversion plan under s. 6.7A.2 (1) is the owner or occupier of a rental apartment, then the owner of the rental apartment may develop a common organic waste diversion plan for all occupants.

6.7A.3 (1) Any owner or occupier of premises or property required to have an organic waste diversion plan by this By-law must provide details of the organic waste diversion plan to the City Engineer within 7 days of being requested, in writing, to do so.

- (2) If requested to provide details of an organic waste diversion plan under section 6.7A.3 (1), the owner or occupier must provide details to the City Engineer of an organic waste diversion plan that complies with this By-law.

6.7A.4 Any owner or occupier of premises or property, other than a one family dwelling, required to have a organic waste diversion program by this By-law, or a strata corporation that adopts a common organic waste diversion program, must:

- (a) provide to new residents and new occupants, and at least annually to all existing residents or occupants, written information on food waste, yard waste and clean wood waste disposal practices for any such waste produced on the premises; and
- (b) post information regarding food waste, yard waste or clean wood waste materials disposal practices for any such waste produced on the premises.

6.8 Fall Leaf Collection

(1) Additional Cans and Bags of Leaves

From October 1 to January 31, the city will collect excess leaves that:

- (a) do not fit in a green cart; and
- (b) the owner or occupier has placed in leaf cans or in standard biodegradable paper bags, the weight of which does not exceed 20 kilograms.

(2) Permitted Types of Leaf Cans

Where the City provides leaf can collection service, all leaves intended for collection and disposal must be placed in cans provided by the owner or occupier, which cans must be:

- (a) rigid with fixed handles, a smooth rim and a metal or plastic cover,
- (b) no greater than 60 centimetres in diameter or width at the top, tapered down towards the bottom, having an overall height of not more than 80 centimetres and having a capacity of not more than 100 litres,
- (c) maintained at all times in good repair and watertight condition, and
- (d) kept in a condition not noxious, offensive or dangerous to public health.

Instead of the types of cans described in this By-law, an owner or occupier may provide any other shape, nature, capacity or design of cans as the City Engineer may approve.

(3) Leaf Cans - Weight and Content Limits

Leaf cans must not be filled,

- (a) so that the gross weight exceeds 20 kilograms, or
- (b) in such a manner that
 - (i) the contents cannot be easily emptied, or
 - (ii) that the cover cannot be properly fitted.

PART VII SOLID WASTE SERVICE

7.1 General Conditions of Service

The following additional terms and conditions apply to all service provided under Part IV, V and VI:

- (1) The City will not be liable for any damages suffered or costs incurred by any person by reason of the failure of the City to supply service.
- (2) No person will be relieved of the obligation to observe the requirements of all federal, provincial and municipal laws by reason of the services provided by the City.
- (3) Except for manifest errors, the records of the City of services performed by the City will be conclusive.

7.2 Inspection/Replacement of Garbage Carts/Garbage Cans/Green Carts/Leaf Cans/Blue Box Recycling Containers/Recycling Carts

- (1) All garbage cans, garbage carts, green carts, leaf cans, blue box recycling containers and recycling carts must be made accessible for inspection upon the request of the City Engineer.
- (2) Where the City Engineer determines that a container is unfit for use within the City=s solid waste system, the owner or occupier of the premises will stop using the container for this purpose and, in the case of a can, the City Engineer may elect not to collect solid waste from the premises unless and until a suitable replacement is provided by the owner or occupier of the premises.
- (3) The City Engineer may enter onto any real property at any reasonable time for the purposes of inspecting garbage cans, garbage carts, green carts, leaf cans, blue box recycling containers, and recycling carts.

7.3 Containers - Location and Access Requirement

- (1) Unless exempted by the City Engineer for reasons of physical disability, every owner or occupier must place all garbage cans, garbage carts, garbage bags, green carts, leaf cans, leaf bags and blue box recycling containers intended for collection in the lane abutting the premises before 7 a.m. on the day scheduled for the collection of solid waste (but free of the travelled portion).
- (2) Where the premises are not serviced by a lane or where the City Engineer is of the opinion that premises cannot be adequately serviced by a lane because of configuration or insufficient width, the garbage cans, garbage carts, garbage bags, green carts, leaf cans, leaf bags and blue box recycling containers must instead be placed on the boulevard in front of the premises and as close to the curb, or where no curb is present, the roadway, as possible without creating an obstruction to traffic, or in another location designated by the City Engineer.
- (3) Where the premises are serviced by a lane, the garbage cans, garbage carts, garbage bags, green carts, leaf cans, leaf bags and blue box recycling containers must be kept at ground level at the lane and readily accessible from the lane.

- (4) All garbage cans, garbage carts, garbage bags, green carts, leaf cans, leaf bags and blue box recycling containers must be placed so as not to interfere in any way with the ordinary travel of vehicles and pedestrians and must not, except as specified in sections 7.3(1), 7.3(2) and 7.3(3), be placed so as to encroach on any street, lane or public place.
- (5) A person who uses a garbage cart or green cart must place the cart for solid waste collection in a location free from obstructions at least one metre horizontally on all sides of the cart and three metres vertically above the cart.
- (6) Where circumstances peculiar to any premises do not permit compliance with sections 7.3(1), 7.3(2), 7.3(3), and 7.3(5), the City Engineer may approve an alternate location for the placing of garbage cans, garbage carts, garbage bags, green carts, leaf cans, leaf bags and blue box recycling containers.

7.4 Materials Banned from Garbage Containers

Every owner or occupier of premises to which the City provides garbage collection service shall not cause, permit, or allow to be placed in a garbage cart or garbage can any food waste, clean wood waste or yard waste and anything described in Schedules C, D and G of this By-law.

7.5 Requirement for Solid Waste Service

At least twice each month, each owner or occupier of non-residential property must dispose of all solid waste such owner or occupier, or any employee, agent, contractor, tenant, or other licensee or invitee of such owner or occupier, produces or collects on such property by the following means:

- (a) using, if available, the city's solid waste collection and disposal services;
- (b) contracting with a private contractor who operates a solid waste collection and disposal service; or
- (c) removing, or arranging for the removal of, such solid waste to a transfer station operated by the city.

7.6 General street cleaning service levy

- (1) The city provides general street cleaning service to remove leaves, litter, solid waste and other discarded items in streets and lanes in residential areas.
- (2) The owner or occupier of a house, strata duplex, rowhouse, apartment or rental apartment must pay the applicable levy for service set out in Part VI of Schedule B to this By-law.

**PART VIII
OTHER SOLID WASTE SERVICES AND CONDITIONS**

8.1 Special and Unscheduled Collections

All solid waste which is otherwise acceptable to the City, but cannot be conveniently placed in a can or other container as required by this By-law must be deposited

- (a) in some other container, or
- (b) in a way and place,

approved by the City Engineer.

8.2 Hours of Collection in Night-Shift Area

In the night-shift area the City may, on each working day, collect solid waste between the hours of 10:00 p.m. and 7:00 a.m., provided that arrangements may be made for collection at such other times as the City Engineer may approve.

8.3 Transfer Station and Landfill

- (1) Any person who wishes to drop off solid waste acceptable to the city at the Vancouver Landfill on 72nd Street, Delta, British Columbia or at the Vancouver South Transfer Station at 377 West Kent Avenue North in the city must pay the rates set out in Schedule A.
- (2) Despite section 8.3(1), the City Engineer may, at the discretion of the City Engineer, waive the rates set out in Schedule A, in writing, in advance, in the case of solid waste that the City Engineer determines:
 - (a) has been collected:
 - (i) by a non-profit or community group,
 - (ii) during a community clean-up project,
 - (iii) from a from a publicly owned area such as a park, street or beach;
and
 - (b) is not recyclable or hazardous materials.
- (3) No person shall scavenge or salvage any solid waste from the Transfer Station or Landfill.

8.4 Materials Banned from the Vancouver Landfill and Transfer Station

No person shall dispose of:

- (a) anything described in Schedule E and Schedule G to this By-law; and

- (b) a solid waste load that contains more than 5% by weight or by volume of materials listed in Schedule F.

at either the Vancouver Landfill or the Vancouver South Transfer Station.

8.5 Costs of Clean-up and Remediation

A person who disposes of any banned material, as described in Schedule E and G or referred to in section 8.4 of this By-law, at the Vancouver Landfill or Vancouver South Transfer Station must pay to the city on demand the city's direct and indirect costs, including lost revenues, of clean-up and remediation resulting from such disposal.

8.6 City Stickers - Special Conditions

The following additional terms and conditions apply to city stickers:

- (a) the city will not be obligated to supply service unless the city sticker is affixed to the garbage bag containing solid waste set out for collection; and
- (b) the city sticker must be affixed so that it is visible to the City Engineer.

8.7 Additional Bags of Garbage

Additional bags of garbage will be collected, provided that:

- (a) the garbage is set out in a standard garbage bag that is 100 litres or less in volume; and
- (b) each additional garbage bag has a city sticker attached.

Public garbage receptacles

8.8 No person shall cause, permit, suffer or allow any garbage to be placed in a public garbage receptacle other than garbage generated in a public place.

8.9 No owner or occupier of real property shall cause, permit, suffer or allow any solid waste generated on that property to be placed in a public garbage receptacle.

PART IX RULES FOR PRIVATE SOLID WASTE COLLECTION

9.1 Private Containers

- (1) Every owner or occupier of real property who uses private solid waste services must only use the private container supplied by the private contractor to dispose of garbage generated on that property unless the owner or occupier has the permission of the owner or occupier of real property where a different private container is located, or otherwise directly disposes of garbage generated on that property at a transfer station in accordance with this By-law.

- (2) If an owner or occupier of real property uses a private solid waste service involving a private container, the owner or occupier must:
- (a) maintain the private container and the area within 1.5 meters of the container in a clean and sanitary condition and in a condition that is not noxious, offensive or dangerous to public health ;
 - (b) not cause, permit, suffer or allow the private container to overflow onto the street or lane, or otherwise cause a nuisance;
 - (c) keep each private container that is visible from a street or lane and is greater than one cubic yard in size locked, except for the purposes of putting solid waste into the container, and
 - (d) at all times and in letters and numbers at least 5 centimeters in height, display on all private containers visible from a street or lane, the address or addresses of the property the private contractor serves.

9.2 Remedies for non-compliance with order

- (1) If an owner of occupier or real property fails to comply with an order issued under section 11.1 of this By-law concerning a violation of sections 9.1(2), 9.2A(1)(d) or 9.2A(5) within the time stipulated in the order or, if the order does not stipulate a time, within 48 hours of receipt of the order, then the city, by its workers or others may:
- (a) if the order is issued for a breach of 9.1(2) or 9.2A (1)(d), remedy the default at the cost of the person so defaulting; and
 - (b) if the order is issued for a breach of 9.1(2) or 9.2A (1)(d) or 9.2A(5), remove the container from the street in accordance with the Impounding By-law, and the charges imposed by that By-law..

9.2A Responsibilities of Private Contractors

- (1) All private contractors must:
- (a) not cause, permit, suffer or allow liquids to escape or leak from any private container during the storage, collection or transport of solid waste;
 - (b) not cause, permit, suffer or allow rain or pests to enter a private container;
 - (c) maintain every private container in good condition;
 - (d) if the container is located on a street or lane, maintain the private container in a clean and sanitary condition that is not noxious, offensive or dangerous to public health;
 - (e) at all times and in letters and numbers at least 5 centimeters in height , display on all private containers visible from a street or lane the name and telephone number of the private contractor;

- (f) if the container is located on a street or lane, at all times and in letters and numbers at least 5 centimeters in height, display the address or addresses of the property the private contractor serves; and
 - (g) provide each private container that is visible from a street or lane and greater than one cubic yard in size with a secure, functioning lockable lid and lock maintained in working order and capable of preventing access to any contents within the container.
- (2) All private contractors must not cause, permit, suffer or allow any vehicles used in the course of business to allow liquids to escape or leak from the vehicle during the collection or transport of solid waste.
 - (3) All collecting, transporting, processing, converting or salvaging of any solid waste, must be carried out so as not to be offensive or objectionable.
 - (4) Any solid waste which will not immediately be processed, converted or salvaged must be removed as directly as possible on the day of collection to a place of disposal.
 - (5) No private contractor may cause, permit, suffer or allow a private container to be placed on a lane or street unless authorized to do so pursuant to a license agreement with the City.

**PART X
RATES, BILLING AND COLLECTION**

10.1 Rates

(1) *Payment Due as Allocated*

The rates set out in Schedule B to this By-law for solid waste services are due and payable by the owner and occupier whether or not:

- (a) the dwelling units are occupied,
 - (b) the owner or occupier makes use of the service, or
 - (c) the service is interrupted or altered in any manner.
- (2) Billing and Collections
- (a) The rates for solid waste service will be entered by the Collector on the tax roll of the City for each year against each property. Where the number of parcels does not equal the number of cans of garbage or the number or volume of garbage carts or green carts collection service allocated, the rates for service may be divided into the number of parcels comprising the property, and the resulting fraction of each rate may be added by the Collector to the tax roll of each parcel.

- (b) Where a parcel is by law exempt from tax, the rates will be due and payable by the occupier of the exempt parcel.

(3) *Additions/Reductions to Tax Roll*

Upon receipt of a written direction from the City Engineer, the Collector may enter the appropriate adjustment on the tax roll of the City for the affected premises.

10.2 Due Date

All rates set out in Schedule A and Schedule B to this By-law, except where otherwise indicated in this By-law, are payable in advance of receiving the service to which the rate applies or, at the Collector's option, upon invoice.

10.3 Adjustment of Charges for Change in Use

(1) *Responsibility of owner*

An owner shall notify the Collector in writing of any change of use of the premises or any other matter which affects the rates payable under this By-law.

(2) *Timing of rate reduction for change in use*

A reduction in rates resulting from a change in use of the premises or any other matter will commence on the later of the date of receipt by the Collector of written notice from the owner, or the date on which the change actually occurs, as determined by the Collector.

(3) *Timing of rate increase for change in use*

An increase in rates resulting from a change in use of the premises or any other matter will commence on the date on which the change actually occurs, as determined by the Collector.

(4) *Limits on refund or credit of overpayments for reduced rates due to change in use*

The Collector may refund or credit overpayments resulting from reduction of rates due to a change in use of the premises, subject to the following provisions:

- (a) the Collector must calculate the credit or refund from the later of the date of receipt of notice or the actual change, as determined by the Collector;
- (b) the Collector must refund or credit any overpayment for the current year and may refund overpayments for a maximum of two years prior to the current year; and
- (c) no interest shall be paid on refunds or credits.

(5) *Limits on back billing for increased rates due to change in use*

Where an increase in rates results from a change in use of the premises or any other matter the Collector must issue an invoice to a customer, subject to the following provisions:

- (a) the Collector must calculate the increase from the date on which the change actually occurs; and
- (b) despite (a), the Collector must not back bill for a period greater than the current year, plus one year prior to the current year.”; and

10.4 Adjustment of Charges for Partial Period

Where any rate, charge or fee is prescribed by the month, year or other period, the amount payable for a partial period will be calculated on the basis that the service is provided daily and the amount payable will be proportioned accordingly, unless otherwise provided in this By-law or any contract made by the City under this By-law.

10.5 Reimbursement during construction

Despite section 10.1, if:

- (a) the owner of a residential dwelling demolishes it and constructs a new residential dwelling in its place,
- (b) gives the City Engineer a copy of the demolition permit for the existing dwelling and of the occupancy permit for the new dwelling, and
- (c) the period between the dates of the two permits is more than 12 months,

the City Engineer will reimburse the solid waste utility rates paid by the owner, under Schedule B for the number of whole calendar months that occur during that period, by way of billing credit.

10.6 Interest, Penalties and Costs

Rates entered on the tax roll of the City in accordance with this By-law are subject to the same interest, penalties and other costs as any other tax lawfully entered on the tax roll of the City as set out in further detail in the *Tax Penalty By-law* and the *Real Property Tax Interest By-law*, as amended or replaced from time to time.

10.7 Scheduled Rates Apply

The rates set out in Schedule A and Schedule B to this By-law form an integral part of this By-law, and every person will promptly pay to the City the amounts specified for the service allocated or rendered to that person.

10.8 Collection of Unpaid Rates

The rates and other amounts payable under this By-law,

- (1) are a debt due and payable by the owner and occupier to the City and may be recovered by the City in any Court of competent jurisdiction, and
- (2) with respect to solid waste collection service, will form a charge on the land to which service is allocated or to which service is provided.

Any rates or other amounts not paid when due and not already entered on the tax roll of the City under this By-law may be certified by the Collector, and the amount so certified may be entered by the Collector on the tax roll of the City. All amounts, once entered on the tax roll of the City, will form a charge on the land to which they relate and may be collected in the same manner as taxes.

PART XI OFFENCES

11.1 Requirement to discontinue or carry out work

Council empowers any inspector or other employee of the city to order or direct any person to:

- (a) discontinue or refrain from proceeding with any work or doing anything that is in contravention of this By-law; and
- (b) carry out any work or do anything required by this By-law or any permit.

11.2 Failure to comply with order

No person shall fail to comply with an order or direction issued pursuant to section 11.1(a) or (b).

11.3 Service of Orders

A notice or order issued under this by-law is sufficiently served if:

- (a) the order or notice is delivered by hand, by ordinary prepaid mail or by registered mail, to the owner or occupier at the applicable address as shown on the assessment roll; or
- (b) in the case of an owner or occupier that is a corporation, the order or notice is delivered by hand, by ordinary prepaid mail, or by registered mail, to the registered and records office of the corporation; or
- (c) the order or notice is delivered by hand, by ordinary prepaid mail or by registered mail, to the address of the user shown on the container as required by section 9.1(2); or
- (d) the order or notice is delivered by hand, ordinary prepaid mail or by registered mail, to the private contractor; or

- (e) in any case, the order or notice is delivered by electronic mail to the electronic mail address of the user or private contractor as shown in a lane permit application for commercial waste or recycling container; or
- (f) if a container is on a street or lane, by posting the notice on the container.

11.4 Deemed Receipt of Order

Notices and orders issued in accordance with this by-law are deemed to have been received:

- (a) seven days after mailing, if sent by ordinary prepaid mail, to the mailing address of the owner, occupier, user or private contractor;
- (b) on the date of delivery as noted in the Canada Post tracking system, if sent by registered mail;
- (c) 24 hours after sending, if sent by electronic mail to the electronic mail address of the user or private contractor as shown in a lane permit application for commercial waste or recycling container;
- (d) immediately upon receipt, if handed to the user, private contractor, owner or occupier or to a representative of the user, private contractor, owner or occupier, or delivered to the registered and records office for the owner; and
- (e) immediately upon posting on the container.

11.5 Offence under By-law

A person who:

- (a) contravenes any provision of this By-law, or does any act or thing which contravenes any provision of this By-law, or suffers or allows any other person to do any act or thing which contravenes any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this By-law; or
- (c) fails to comply with an order, direction, or notice given under any provision of this By-law, or suffers or allows any other person to fail to comply with an order, direction, or notice given under any provision of this By-law;

is guilty of an offence against this By-law, and liable to the penalties imposed under this Section 11.

11.6 Fine for offence

Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$250.00 and not more than \$10,000.00 for each offence except that a person who commits an offence against section 11.3(c) is punishable on conviction by a fine of not less than \$500.00 for each offence.

11.7 Fine for continuing offence

Every person who commits an offence of a continuing nature against this By-law is liable to a fine not less than \$250.00 and not more than \$10,000.00 for each day such offence continues.

**PART XII
GENERAL**

12.1 Repeal

Solid Waste and Recycling By-law No. 7832 is hereby repealed.

12.2 Effective Date

This By-law is to come into force and take effect on January 1, 2002.

ENACTED by Council this 13th day of December, 2001

(Signed) _____ "Philip W. Owen"
Mayor

(Signed) _____ "Syd Baxter"
City Clerk

**SCHEDULE A
RATES FOR LANDFILL AND TRANSFER STATION**

I. Drop-off Rates

The following rates apply to solid waste, construction and demolition processing residual waste, yard waste, wood waste, food waste, and new gypsum (drywall) dropped off at the Vancouver Landfill (5400 72nd Street, City of Delta) and the Vancouver South Transfer Station (377 West Kent Avenue North, Vancouver).

Type of Waste	Rate	Peak hours minimum charge (from 10:00 a.m. to 2:00 p.m. Monday to Friday, excluding Statutory Holidays)	Non peak hours minimum charge (other than from 10:00 a.m. to 2:00 p.m. Monday to Friday)
Solid waste, other than municipal garbage	\$151/tonne for 0 to 0.99 tonnes to a maximum of \$129 per load \$129/tonne for 1.00 to 8.99 tonnes to a maximum of \$927 per load \$103/tonne for 9.00 or more tonnes	\$20	\$10
Municipal garbage	\$117/tonne	\$20	\$10
Construction and demolition processing residual waste	\$103/tonne	\$20	\$10
Yard waste and/or wood waste	\$80/tonne	\$10	\$10
Food waste	\$100/tonne	\$10	\$10
Yard and/or wood waste mixed with food waste	\$100/tonne	\$10	\$10
New gypsum (drywall), at the Transfer Station	\$5 for up to ½ a sheet (4'x4')	\$5	\$5

New gypsum (drywall), at the Landfill	\$150/tonne for up to 0.5 tonne	\$10	\$10
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All charge rates based on weight are determined by rounding the weight of a load up to the nearest 0.01 tonnes.

All non-account charge rates are rounded to the nearest dollar.

Mattresses deposited for recycling \$15 per piece

Where any portion of a load consists of recyclable materials which are deposited separately for recycling, and for which there is no drop off rate, for that portion.....No Charge

A load that contains any combination of materials subject to different disposal rates and the customer chooses not to weigh-out after dropping off each material, the entire load will be subject to the highest rate payable for any part of the load.

The following rates apply to solid waste dropped off at the Vancouver Landfill (5400 72nd Street, City of Delta).

Residential used gypsum (drywall)\$200 per tonne
(\$10 minimum)

Solid waste from Delta Farms that contains less than 5% by weight or by volume of materials listed in Schedule F, and does not contain any materials listed in Schedules E and G \$19 per load for up to 3 tonnes, for up to 5 loads per year

Special handle waste (nuisance waste) requiring burial, as determined by the City Engineer\$250 per tonne
(\$50 minimum)

Burial fee for non-recyclable residuals from regional wastewater treatment plants, in addition to the Burns Bog Rate as defined by the Burns Bog Landfill Agreement between Greater Vancouver Sewerage and Drainage District, City of Vancouver and The City of Delta\$280 per load

Demolition materials meeting the City Engineer's specifications for road and infrastructure construction arriving in loads that are greater than 50 cubic metres in volume\$90 per tonne

Demolition hog materials meeting the City Engineer's specifications for coarse demolition hog for surfacing tipping pads and temporary access roads.....\$45 per tonne

Demolition hog materials meeting the City Engineer's specifications for regular (fine) demolition hog for surfacing tipping pads and temporary access roads.....\$15 per tonne

Asphalt and concrete meeting the City Engineer's specificationsNo Charge

Residential asbestos waste.....	\$200 per tonne (\$10 minimum)
All other asbestos waste	\$250 per tonne (\$50 minimum)

II. Surcharge Rates

Where any solid waste load disposed of at the Vancouver Landfill or the Vancouver South Transfer Station contains:

- (a) more than 5% by weight or by volume of recyclable materials listed in Schedule F other than food waste and expanded polystyrene packaging, a 50% surcharge will be applied to the load;
- (b) more than 25% by weight or by volume of food waste, a 50% surcharge will be applied to the load; and
- (c) more than 20% by weight or by volume of expanded polystyrene packaging, a 100% surcharge will be applied to the load.

The surcharge rates above will be waived for loads of special handle waste received at the Vancouver Landfill.

Where any solid waste load disposed of at the Vancouver Landfill or the Vancouver South Transfer Station contains one or more materials listed in Schedules E and G, a \$65.00 surcharge will be applied to the load plus removal and remediation costs where applicable.

Where any load of solid waste, yard waste, clean wood waste, wood waste and/or recyclable materials is not secured as per the requirements of the *Motor Vehicle Act*, a 50% surcharge shall be applied to the load to a maximum surcharge value of \$50.

Where a single load is subject to multiple surcharges, the surcharge with the highest value will apply for the weight of the entire load.

III. Compost Rates

The following rates apply to the sale of compost produced from yard waste at the Vancouver Landfill Composting Facility at 5400 72nd Street in the City of Delta.

Compost rate	\$8 per cubic meter (\$5 minimum)
Compost rate, for Delta Farmers	\$1 per cubic meter

IV. Transaction fee

In addition to all other charges, a \$5 fee is imposed on all Solid Waste transactions, including mixed loads, nuisance waste loads, asbestos waste loads, and new and residential used gypsum (drywall).

SCHEDULE B

RATES FOR COLLECTION SERVICES

I. Garbage Cart Collection Service

A. Residential Property

The following allocation applies to residential properties:

Number of Dwelling Units	Minimum Allocated Garbage Volume (per collection period)	Minimum Allocated Garbage Carts (per collection period)
1 unit	50 litres	75 litre
2 units	100 litres	120 litre
3 units	150 litres	180 litre
4 units	200 litres	240 litre
5 units	250 litres	360 litre
6 units	300 litres	360 litre
7 units	350 litres	360 litre
8 units	400 litres	240 litre, 180 litre
9 units	450 litres	240 litre, 240 litre
10 units	500 litres	360 litre, 180 litre
11 units	550 litres	360 litre, 240 litre
12 units	600 litres	360 litre, 240 litre
13 units	650 litres	360 litre, 360 litre
14 units	700 litres	360 litre, 360 litre
15 units	750 litres	360 litre, 240 litre, 180 litre
16 units	800 litres	360 litre, 240 litre, 240 litre
16 units	800 litres	360 litre, 240 litre, 240 litre
17 units	850 litres	360 litre, 360 litre, 180 litre
18 units	900 litres	360 litre, 360 litre, 180 litre
19 units	950 litres	360 litre, 360 litre, 240 litre
20 units	1000 litres	360 litre, 360 litre, 360 litre
21 units	1050 litres	360 litre, 360 litre, 360 litre

B. Garbage Cart Rates

For those properties which receive garbage cart collection service under Part IV – Garbage Service, per calendar year, the following rates are payable concurrently with each year’s real property taxes:

Garbage Cart Size	Biweekly Collection Rate	Weekly Collection Rate
75 litres	\$88	\$111
120 litres	\$102	\$126
180 litres	\$119	\$146
240 litres	\$137	\$166
360 litres	\$172	\$205

II. Garbage Can Collection Service

A. Residential Property

The following allocation applies to residential properties:

Number of Dwelling Units	Allocated Garbage (per collection period)
1 unit	2 garbage cans
2 units	2 garbage cans
3 units	3 garbage cans
4 units	3 garbage cans
5 units	4 garbage cans
6 units	4 garbage cans
7 units	5 garbage cans
8 units	5 garbage cans
9 units	6 garbage cans
10 units	6 garbage cans
11 units	7 garbage cans
12 units	7 garbage cans
13 units	8 garbage cans
14 units	8 garbage cans
15 units	9 garbage cans
16 units	9 garbage cans
17 or more units	10 garbage cans

B. Garbage Can Rates

For those properties which receive garbage can collection service under Part IV Garbage Service, per calendar year, the following rates are payable concurrently with each year's real property taxes:

biweekly collection	\$66.00
weekly collection	\$87.00

except for rowhouses which have one or more common collection points, at locations agreed to by the City Engineer, for each collection point where service is provided the following rates are payable:

biweekly collection	\$66.00
weekly collection	\$87.00

plus for each garbage can allocated or purchased, per calendar year, the following rates are payable concurrently with each years real property taxes:

biweekly collection	\$29.00
weekly collection	\$33.00

III. Miscellaneous Service

A. City Sticker Service

Each additional garbage bag with a city sticker affixed to the contents\$2.00

B. Purchase of Additional Garbage Service

Each property owner will be allowed one change per calendar year in the level of service under sections 4.1, 4.2 and 4.3 at no charge. A fee of \$25.00 will be charged for each additional change in that calendar year.

IV. Recycling Collection Service

A. Basic Recycling Rates

For those properties which receive recycling collection service under Part V - Recycling Service, except for seniors licensed care and group homes, per calendar year, the following rates are payable concurrently with each year's real property taxes.....\$200.00 per recycling cart

For seniors licensed care and group homes which receive recycling collection service under Part V - Recycling Service, per calendar year, the following rates are payable concurrently with each year's real property taxes\$67.00 per recycling cart

B. Additional Storage Charges

For those properties which store recycling carts or PPP carts on streets or lanes\$200.00 per cart

V. Green Cart Collection Service

A. Green Cart Rates

For properties which receive green cart collection service under **PART VI – GREEN CART SERVICE**, per calendar year, the following rates are payable concurrently with each year's property taxes

Size of green cart	Rate
120 litres	\$148
180 litres	\$174
240 litres	\$200
360 litres	\$252

B. Purchase of Additional Green Cart Service

Each property owner will be allowed one change per calendar year in the level of service under this By-law, without charge. A fee of \$25.00 will be charged for any additional change in that calendar year.

VI. Street Cleaning Services Levy

For each dwelling unit\$22.00

SCHEDULE C

MATERIALS ACCEPTED IN BLUE BOX RECYCLING CONTAINERS AND RECYCLING CARTS

1. Printed Papers, including:
 - i) Newspapers, inserts and flyers,
 - ii) Magazines and catalogues,
 - iii) Telephone directories,
 - iv) Paper gift wrap and greeting cards, and
 - v) Household paper (including junk mail, envelopes, writing paper and computer paper).
2. Corrugated Cardboard.
3. Paper Packaging (containing dry items when sold), including:
 - i) Boxboard,
 - ii) Moulded pulp, and
 - iii) Paper bags.
4. Paper Packaging (containing liquids when sold), including:
 - i) Paper cups and lids,
 - ii) Polycoated cartons and aseptic containers for milk, milk substitutes, cream and soup, and
 - iii) Multi-laminated paper packaging (including frozen dessert boxes and microwaveable bowls and cups).
5. Plastic Packaging, including:

Rigid plastic bottles (non-beverage), jugs, jars, clamshells, trays, pails, tubs, cold drink cups and planter pots, identified by the SPI Code #1 (Polyethylene Terephthalate or PET) or SPI Code #2 (High Density Polyethylene or HDPE) or SPI Code #3 (Polyvinyl Chloride or PVC) or SPI Code #4 (Low Density Polyethylene or LDPE) or SPI Code #5 (Polypropylene or PP) or SPI Code #6 (Polystyrene or PS) or SPI Code #7 (Other) or without a SPI resin code.
6. Metal Packaging:
 - i) Ferrous and non-ferrous metal cans (non-beverage),
 - ii) Spiral wound paper cans and lids (metal ends),
 - iii) Aluminum foil and foil containers, and
 - iv) Aluminum aerosol cans (including food spray cans, air fresheners, deodorant and hairspray).
7. Glass Packaging, including:
 - i) Glass bottles and jars (non-deposit).

SCHEDULE D

HAZARDOUS AND OPERATIONAL IMPACT MATERIALS BANNED FROM GARBAGE CONTAINERS

1. Refuse that is on fire, smoldering, flammable or explosive.
2. Hazardous Waste as defined in the Hazardous Waste Regulation (B.C. Reg. 63/88), with the exception of asbestos waste delivered to the Vancouver Landfill in accordance with the Asbestos Policy.
3. Propane tanks.
4. Liquids or sludge.
5. Coated or uncoated wire and cable that exceeds either 1% of the total weight of the load or 1% of the total volume of the load.
6. Dead animals.
7. Excrement, other than amounts of pet excrement that are double bagged and discarded with garbage and that do not exceed either 5% of the total weight of the container or 5% of the total volume of the container.
8. Barrels, drums, pails or other large (205 litre or greater) liquid containers, whether full or empty.
9. New or used gypsum (drywall).
10. Mattresses.
11. Any material that would cause undue risk of injury or occupational disease to any person at the Vancouver Landfill and Transfer Station or that would otherwise contravene the Occupational Health and Safety Regulation (B.C. Reg. 296/97) enacted pursuant to the Workers Compensation Act, as amended or replaced from time to time.
12. Any other material which the City Engineer or Medical Health Officer considers hazardous or unsuitable to handle.

SCHEDULE E

HAZARDOUS AND OPERATIONAL IMPACT MATERIALS BANNED FROM THE VANCOUVER LANDFILL AND TRANSFER STATION

The following wastes are prohibited from disposal as garbage at the Vancouver Landfill and Vancouver South Transfer Station:

1. Automobile bodies.
2. Refuse that is on fire, smoldering, flammable or explosive.
3. Hazardous Waste as defined in the Hazardous Waste Regulation (B.C. Reg. 63/88), with the exception of asbestos waste delivered to the Vancouver Landfill in accordance with the Asbestos Policy.
4. Propane tanks, with the exception of Propane Tanks delivered as recyclable materials.
5. Liquids or sludge.
6. Coated or uncoated wire and cable that exceeds either 1% of the total weight of the load or 1% of the total volume of the load.
7. Dead animals from personal or business activities.
8. Inert fill material including soil, sod, gravel, concrete and asphalt exceeding 0.5 cubic metres per load, with the exception of those materials meeting the City Engineer's specifications for landfill cover, road building, and closure.
9. Excrement, other than amounts of pet excrement that are double bagged and discarded with Municipal Solid Waste and that do not exceed either 5% of the total weight of the load or 5% of the total volume of the load.
10. Barrels, drums, pails or other large (205 litre or greater) liquid containers.
11. New or used gypsum (drywall), with the exception of residential used gypsum (drywall) delivered to the Vancouver Landfill in accordance with the Drywall Policy.
12. Mattresses, with the exception of Mattresses that are delivered in dedicated loads to the Vancouver Landfill for management as special handle waste requiring burial.
13. Railroad ties or creosote treated wood.
14. Toxic Plants, with the exception of Toxic Plants that are double bagged and delivered in dedicated loads to the Vancouver Landfill for management as special handle waste requiring burial.
15. Personal hygiene products where the personal hygiene products make up more than 10% of the total weight of the load unless the personal hygiene products are double bagged in sealed plastic bags that are sufficiently durable to resist leaking or breaking during collection and disposal.
16. Any material that would cause undue risk of injury or occupational disease to any person at the Vancouver Landfill and Transfer Station or that would otherwise contravene the Occupational Health and Safety Regulation (B.C. Reg. 296/97)

enacted pursuant to the Workers Compensation Act, as amended or replaced from time to time.

17. Any other material deemed by the City Engineer as unacceptable for disposal at the Vancouver Landfill or Vancouver South Transfer Station.

SCHEDULE F

RECYCLABLE MATERIALS

1. Beverage containers identified in "Schedule 1 — Beverage Container Product Category" to the *Recycling Regulation* (B.C. Reg. 449/2004) of the *Environmental Management Act*.
2. Containers other than beverage containers made of:
 - i) Metal,
 - ii) Glass,
 - iii) Plastic identified by the SPI Code #1 (Polyethylene Terephthalate or PET) or SPI Code #2 (High Density Polyethylene or HDPE) or SPI Code #4 (Low Density Polyethylene or LDPE) or SPI Code #5 (Polypropylene or PP), or
 - iv) Composite materials to create rigid packaging consisting of paper and polyethylene (gable top cartons, frozen food boxes, ice cream cartons, and microwaveable dinner cartons) or paper, polyethylene and aluminum (aseptic cartons).
3. Recyclable Paper.
4. Corrugated Cardboard.
5. Yard Waste.
6. Food Waste.
7. Clean Wood Waste.
8. Expanded Polystyrene Packaging.

SCHEDULE G
PRODUCT STEWARDSHIP MATERIALS

The following materials included in the effective Product Stewardship Program product categories of the *Recycling Regulation* of the *Environmental Management Act*, are banned from garbage containers, and from disposal as garbage at the Vancouver South Transfer Station, and Vancouver Landfill:

1. The following materials pursuant to Schedule 2 – Residual Product Category to the *Recycling Regulation*:
 - i) Solvents and flammable liquids,
 - ii) Pesticides,
 - iii) Gasoline,
 - iv) Pharmaceutical products and medications,
 - v) Oil, oil filters and oil containers,
 - vi) Paint and paint containers,
 - vii) Lead-acid batteries, and
 - viii) Antifreeze and antifreeze containers.
2. Electronics and electrical products, including metal household and commercial appliance, as identified in Schedule 3 – Electronics and Electrical Products Category to the *Recycling Regulation*.
3. Tires pursuant to Schedule 4 – Tire Product Category to the *Recycling Regulation*.

SCHEDULE H

NON-RESIDENTIAL RECYCLABLE MATERIALS

Recyclable

1. Recyclable Paper
2. Corrugated Cardboard.
3. Plastic Packaging including:
Rigid plastic bottles (non-beverage), jugs, jars, clamshells, trays, pails, tubs, cold drink cups and planter pots, identified by the SPI Code #1 (Polyethylene Terephthalate or PET) or SPI Code #2 (High Density Polyethylene or HDPE) or SPI Code #4 (Low Density Polyethylene or LDPE) or SPI Code #5 (Polypropylene or PP).
4. Metal Packaging including:
 - i) Ferrous and non-ferrous metal cans (non-beverage), and
 - ii) Aluminum foil and foil containers.
5. Glass Packaging including:
 - i) Glass bottles and jars (non-deposit).
6. Beverage containers identified in "Schedule 1 — Beverage Container Product Category" to the Recycling Regulation (B.C. Reg. 449/2004) of the Environmental Management Act."