

## THE CORPORATION OF THE VILLAGE OF TELKWA

### GARBAGE RATES AND REGULATIONS BYLAW NO. 529, 2002

A bylaw relating to the removal and collection of garbage in the Village of Telkwa, fixing the scale of charges therefore, and the penalties for violation thereof.

#### 1. **CITATION**

- 1.1 This bylaw may be cited for all purposes as "Garbage Rates and Regulations Bylaw No. 529, 2002".
- 1.2 This bylaw is effective and in force on all persons upon adoption.
- 1.3 "Village of Telkwa Garbage Rates and Regulations Bylaw No. 496, 2001 and all amendments thereto are hereby repealed.

The Council of the Corporation of the Village of Telkwa in open meeting assembled enacts as follows:

#### 2. **INTERPRETATION**

In this Bylaw, unless the context otherwise requires:

"Apartment House" shall mean a building which is, or is intended to be occupied as a habitation or place of residence by more than one tenant living independently of each other upon the same premises in the same building and having a common entrance to two or more suites, any business block which is, or is intended to be, occupied by more than one tenant, and shall also include hotel, tenement houses, lodging house, and any habitation or place of residence where more than one tenant lives, abides, dwells or carries on any business.

"Clerk" means the Clerk duly appointed from time to time by the Council, pursuant to the Local Government Act.

“Corporate Administrator” means the Corporate Administrator duly appointed from time to time by the Council, pursuant to the Local Government Act.

“Collector” means the Collector duly appointed from time to time by the Council, pursuant to the Local Government Act.

“Container” means a watertight plastic or sheet metal, raised bottom container not exceeding one hundred (100) litres in capacity, weighing not over twenty-five (25) kilograms when filled, fitted with two (2) sturdy handles, one (1) on each side, and a tight fitting cover equipped with a handle. The term shall also apply to containers of other material of similar size and weight when approved by the Village.

“Disposable Plastic Bag” means a bag made from plastic and being no larger than twenty four inches by thirty six inches.

“Dwelling” shall mean any building or place occupied or used by one or more tenants, but does not mean or include any building where there is a store, apartment house or a building in which more than one family lives, abides or dwells.

“Financial Administrator” means the Financial Administrator duly appointed from time to time by the Council, pursuant to the Local Government Act.

“Garbage” includes, but is not necessarily limited to food wastes, market wastes, paper, plastics, leather, metal cans, glass containers, crockery, dirt, ashes from fireplaces and on-site incinerators, street sweepings, but does not include grass, trees, hedge clippings, or other garden or recyclable refuse. Refuse resulting from industrial operations is not included.

“Householder” shall mean any person occupying any dwelling, habitation or place of residence in the District; but shall not include any person who is merely a boarder, roomer or lodger therein.

“Owner” shall mean and include the agent, heir, executor or administrator of such owner or the lessee or occupier of any premises.

“Person” shall have the meaning as defined in the Interpretation Act which includes a corporation, partnership, or party, and a personal or other legal representatives of a person to whom the contacts can apply according to law.

“Recyclable Cardboard” shall mean a container for goods composed of corrugated cardboard or flat cardboard which is free from contaminants such as wax, plastic or foam, oil, grease and food.

“Trade Premises” shall mean any warehouse, factory, shop, café, restaurant, eating house, club, drive-in lunch counter, wholesale or retail business place, or office block, and any building other than a dwelling or apartment house as above defined.

“Village” shall mean The Corporation of the Village of Telkwa, Its Officers or persons duly authorized by Council.

Wherever the singular or masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs, executors, administrators, successors and assigns.

### **ESTABLISHMENT OF GARBAGE COLLECTION SYSTEM**

3. It shall be lawful for the Village of Telkwa to inaugurate, equip, maintain and operate a system of "Garbage Collection" within the Village under the control and direction of the Village. Except as provided in this bylaw, all persons within the Village shall make use of the system established and provided by the Village for the collection, removal and disposal of garbage, and other noxious, offensive, unwholesome and discarded matter.

### **GARBAGE CONTAINER REQUIREMENTS**

4. **Receptacles to be provided and maintained by owner or tenant**  
Every person who occupies any dwelling, apartment house, and trade and office premises where refuse is disposed of shall provide and maintain, in good order and repair, a suitable garbage container sufficient in number at all times to contain all garbage.
5. **Allowable Weight**  
Disposable garbage bags and refuse containers weighing individually less than forty (40) pounds shall be picked up by the Village; disposable garbage bags and refuse containers over the forty pound limit shall not be picked up by the Village.
6. **Containers to be used**  
Every householder, owner and occupant of premises with the Village shall deposit all garbage in the containers as required in this bylaw. Disposable plastic bags designed for garbage may be used, however, the user is responsible for any cleanup required caused by bag failure, whether caused by material failure, animals or birds.
7. **Disposable Bag Limit**  
No more than 5 disposable plastic bags per household per garbage pick up is permitted. Homeowners will be responsible to dispose of garbage over this limit.
8. **Containers kept in good and clean repair**  
All containers and any separate shed or housing used as a cover for such containers shall, at all times, be kept in a good and clean condition.
9. **Containers kept on property**  
Containers shall at all times be kept on the property of such dwelling, apartment house, business office unit or trade premises and shall at no time be kept or put or encroach upon or project over any street, lane or public place.
10. **Containers placed on property line for pick-up**  
Refuse containers for pick-up on collection day set by Council are to be placed on the property line adjoining the road allowance prior to 8:00 am.
11. **Containers to be kept on ground level**  
All containers shall be kept not more than one metre above the ground level and readily accessible from the street, side or rear entrance of such dwelling, apartment house or trade premises.

12. **Separate housing containers**

In the case where containers are enclosed in a separate shed or housing, then the shed or housing, if there be a lane, shall be built flush with the land and have doors opening outward upon the lane, whereby such containers may be emptied from the lane and containing a lift door on the opposite side of such shed or housing through which refuse may be deposited in such containers.

→ 13. **Out Buildings requirements**

In case there is no such lane and where such containers are enclosed in a separate shed or housing as aforesaid, then such shed or housing shall contain doors opening from side thereof whereby the containers may be conveniently emptied, and a lift door at the top through which refuse may be deposited in such containers.

14. **Clear passageway to containers**

A passageway and ready means of access to such containers shall at all times be provided from the street and such passageway and means of access shall be unobstructed and of sufficient size and kind to enable any employee of the Village to carry containers through to the street.

15. **Extra garbage**

If any garbage is of a nature it cannot be placed in a container then such garbage shall be deposited in a careful manner convenient for handling at the place where the containers for garbage is usually placed.

16. **Trade Premises**

The Garbage rate for trade premises shall include the rate for one (1) residence which is combined or adjacent to the trade premises

**PROHIBITIONS**

17. **Noxious, offensive, unwholesome material to be removed by owner**

No person shall place or mix with any material for removal as garbage, any explosive matter. Wet garbage or kitchen waste shall be wrapped in paper before being deposited in containers. Any noxious, offensive or unwholesome matter or substance (not herein before mentioned) upon any private premises shall be immediately removed by the owner or occupant of such premises to the landfill site/transfer station.

18. **Removal of Garbage**

Every householder, owner of an apartment house and every occupier of trade premises, shall at least once in every seven days cause to be removed to the landfill site/transfer station and no other place, all garbage from all premises owned or occupied by him.

19. **Use of disposal system**

Every owner within the municipality may be compelled to make use of any disposal system established by the Village and shall pay a fee for the collection of garbage from the premises as herein provided in Schedule "A" of this bylaw and for the use of the landfill site/transfer station facilities as may be made available by the Village from time to time.

20. **Construction and Demolition**

No person carrying out building construction, renovation or demolition with the Village shall;

- (a) Place or dump the waste accumulating from such construction or operations on any lane, street, walkway, sidewalk or any public place, or
- (b) Accumulate such waste on the land or about the premises where such construction or operation is being carried out without disposing of the waste within such time as the Village, by written notice, may deem reasonable.
- ©) Use the Village garbage collection system for the removal of such waste.

21. **Disposal of Recyclable Cardboard**

When there are facilities in place for the receiving of recyclable cardboard within the Village, the owner shall not place recyclable cardboard at the curb for disposal, but shall transport it to the receiving facility.

**GENERAL**

22. **Enter premises**

For the purposes of collection, removal and disposal of garbage and other noxious, offensive, unwholesome and discarded matter and ascertaining whether the provisions of this bylaw are observed, authorized garbage collectors and officials employed by the Village shall have the right to enter upon any private land in the Village at any reasonable time.

23. **Littering**

No person shall throw, sweep or place noxious, offensive, unwholesome or discarded matter or other rubbish onto any land, street, walkway, sidewalk or any public place in the Village. No person shall throw, sweep or place noxious, offensive, unwholesome or discarded matter or other rubbish from any walkway or building into a street or gutter.

24. **Quantities and classes**

The decision of the Village or his authorized representative shall be conclusive with respect to the quantities and classes of garbage and other matter collected from any premises by the Village.

25. **Garbage Collection Option for Commercial, Industrial and Business Entities**  
Any commercial, industrial or business entity that requires more than one garbage pick up per week may choose to opt out of the municipal garbage pick up service provided the entity in question is disposing of their garbage at a designated landfill site.

### **FEES**

26. **Schedule "A"**  
For the collection of garbage from premises as herein before provided, the rates set in Schedule "A" which is hereto attached and forms a part of this bylaw, is hereby imposed and levied by the Village.
27. **Payment of Accounts**
- (a) Garbage collection rates shall be levied annually for the period of January to December and shall be payable, at the office of the Collector or Financial Administrator, by 4:30 pm, March 31<sup>st</sup> of the same year.
  - (b) The Collector or Financial Administrator shall apply a ten percent (10%) discount to all garbage collection bills which are fully paid by the March 31<sup>st</sup> due date.
  - ©) Fees and charges unpaid on the 31<sup>st</sup> day of December in any year shall be added to and form part of unpaid taxes in accordance with Section 636, Local Government Act.
28. **Trade premise service**  
Any owner or operator of a Trade Premise may choose to have no village service (opt out) or 1 pick-up per week or 2 pick-ups per week.
29. **Failure to receive mail**  
Failure to receive mail will not be recognized as a valid excuse for failure to pay rates or interest charges when due.

### **PENALTIES**

30. Every person who contravenes this bylaw or who neglects to do or refrains from doing anything required by this bylaw shall be deemed to be guilty of an infraction thereof and liable to the penalties hereby imposed.

31. Any person who contravenes this bylaw or who neglects to do or refrains from doing anything required by this bylaw shall be guilty of an offence and shall, on summary conviction, be liable to a penalty not exceeding Two Thousand Dollars (\$2,000.00), and costs of the conviction.

READ a first time this 30<sup>th</sup> day of October , 2002

READ a second time this 12<sup>th</sup> day of November, 2002

READ a third time this 9<sup>th</sup> day of December, 2002

ADOPTED THIS 17<sup>th</sup> day of December , 2002

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Sharon L. Hartwell  
Mayor

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Gary McIntyre  
Clerk

Certified a true copy of "Village of Telkwa  
Garbage Rates and Regulations Bylaw No. 529, 2002"

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Gary McIntyre  
Clerk

THE CORPORATION OF THE VILLAGE OF TELKWA  
 BYLAW NO. 529, 2002  
 SCHEDULE A

**SCHEDULE OF GARBAGE USER RATES**

	<u>Per Month</u>	<u>Per Year</u>
1. Single Family	\$ 8.25	\$ 99.00
2. Apartment/Suite Per Unit	\$ 8.25	\$ 99.00
3. Pubs and similar licensed premises	\$ 58.00	\$ 696.00
4. Motels/Residence	\$ 41.00	\$ 492.00
5. Restaurant/Bakery	\$ 41.00	\$ 492.00
6. Restaurant	\$ 41.00	\$ 492.00
7. Restaurant with Residence	\$ 41.00	\$ 492.00
8. Garage/Restaurant/Laundromats	\$ 41.00	\$ 492.00
9. Autobody	\$ 16.50	\$ 198.00
10. Car Wash	\$ 41.00	\$ 492.00
11. Retail/Wholesale - 250 square feet	\$ 16.50	\$ 198.00
12. Retail/Wholesale - 251-500 square feet	\$ 22.50	\$ 270.00
13. Retail/Wholesale - 501 square feet	\$ 40.00	\$ 480.00
14. Retail/Laundromat	\$ 50.00	\$ 600.00
15. Retail/Home Based Business	\$ 9.67	\$ 116.00
16. Milk Producing Plant & Retail	\$ 127.50	\$1,530.00
17. Cement Plant	\$ 102.00	\$1,224.00
18. School - 82.00 Per Classroom	\$ 68.50	\$ 822.00
19. Lumberyard or Feed Centre	\$ 102.00	\$1,224.00
20. Business Office/Suite/Residence - 500 sq. ft.	\$ 16.50	\$ 198.00
21. Business Office/Suite/Residence - over 500 sq. ft.	\$ 16.50	\$ 198.00
22. Residence/Hairdresser	\$ 9.50	\$ 114.00
23. Seniors' Centre	\$ 16.50	\$ 198.00