

DISTRICT OF SUMMERLAND

BYLAW NO. 2000-309

SOLID WASTE MANAGEMENT REGULATION BYLAW

Consolidated for Convenience to include Bylaws 2000-346, 2000-443 (effective July 1, 2011) and 2012-003 (effective March 1st, 2012).

Bylaw 2012-003 replaced the following paragraph (March 1st, 2012):

“WHEREAS under the *Local Government Act*, the Council of the District of Summerland may, by bylaw, require persons to use a waste disposal or recycling service and require owners or occupiers of real property to remove trade waste, garbage, rubbish and other matter from their property and take it to a specified place; may operate any service that the Council considers necessary or desirable for all or part of the District of Summerland; may, by bylaw, regulate and prohibit the use of District of Summerland works and facilities; may, by bylaw, impose a fee or charge payable in respect of a service of the District of Summerland; and may base the fee or charge on any factor specified in the bylaw.”

AND WHEREAS the District of Summerland considers that it is necessary to provide regulations for the management of solid waste and these collection programs;

NOW THEREFORE the Council of the District of Summerland in open meeting assembled enacts as follows:

1 INTRODUCTION

1.1 TITLE

This bylaw may be cited for all purposes as the “Solid Waste Management Regulation Bylaw No. 2000-309”.

1.2 INTERPRETATION

Bylaw 2012-003 added the following definitions (March 1st, 2012):

In this bylaw, unless the context otherwise requires:

“**Active Face**” means the area of the site where the placing, spreading, compacting and covering of REFUSE is actively taking place.

“**Agricultural Organic Material**” means suitably prepared and separated plant derived organic materials from agricultural operations including but not limited to orchards, nurseries, vineyards and silviculture operations.

“Agricultural Plastic” means suitably prepared and separated waste plastic used in agricultural applications, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film.

“Agricultural Tree Stumps/Organic Material” means suitably prepared and separated plant derived organic material that originates from agricultural operations including but limited to orchards, nurseries, vineyards and silviculture operations but does not include organics that do not originate from the agricultural operation.

“Animal Carcasses” means all deceased animals and their parts.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Ash” means powdery, whitish grey residue of a substance that has been burned.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Biomedical Waste” means waste that is defined as such in the document *“Guidelines for the Management of Biomedical Waste in Canada” (CCME, February 1992).*

“Blue Bag” means a transparent blue tinted or *Clear Bag* with a maximum capacity of ninety-five (95) litres when used for the collection of *Curbside Recyclable Materials*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Bulky Waste” means articles with a volume greater than one and one half (1.5) cubic meters, and materials greater than two and one-half (2.5) meters in length; and articles that the *Manager* determines require special handling and *disposal* techniques.

“Burned Materials” means any material that is or has been on fire, is smoldering or has recently been on fire.

“Carcasses” means dead animals, or portions thereof, that are not a renderable product.

“Category of Recyclable Materials” means the identifier of a number of similar acceptable materials included under a single marketing price. Examples include but are not limited to:

- *Mixed Waste Paper (MWP);*
- *Old Corrugated Cardboard (OCC);*
- *Old Newspaper (ONP);*
- *Metal Food or Beverage Containers; and*
- *Recyclable Plastics.*

“Clear Bag” means a transparent and untinted plastic bag with a maximum capacity of ninety-five (95) litres.

“Clinical/Laboratory Waste” means non-anatomical waste, including sharps, that is generated by institutions including but not limited to, hospitals, laboratories, doctors’ offices, medical clinics, and veterinary clinics, and has been sterilized such that all micro-organisms including bacteria, viruses, spores, and fungi are killed.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Commercial Solid Waste” means garbage resulting from the operation and maintenance of a business, and materials discarded from commercial enterprises.

“Compost” means the finished product which is derived from organic matter and is used as a soil amendment that meets the British Columbia Organic Matter Recycling Regulation, Section 12(1) Class “A” Compost.

“Compostable Waste” means marketable organic waste including but not limited to:

- a. Prunings;
- b. Wood Waste;
- c. Processed organics;
- d. Yard and Garden Waste; and
- e. Agricultural organic material.

“Concrete” means a construction material that consists of cement, commonly cement, aggregate (generally gravel and sand) and water. It is used to make pavements, architectural structures, foundations, motorways/roads, overpasses, parking structures, brick/block walls and footings. Recyclable concrete must not contain asbestos, large amounts of metal protruding or be a bulky waste.

“Construction Waste” means *Solid Waste*, largely inert, resulting from the construction, remodelling, and repair of structures and infrastructure, and may include, but is not limited to:

- Asphalt;
- Bricks;
- Concrete and other masonry materials;
- Roofing materials;
- Wood and wood products;
- Covering for interior and exterior walls, floors, and ceilings;
- Plaster;
- Gypsum board or wallboard;
- Plumbing fixtures;
- Electrical wiring;
- Electrical components containing no *Hazardous Waste*; and
- Insulation that does not contain asbestos.

“Container” means a portable receptacle, in which *Solid Waste* is stored, transported, treated, disposed of, or otherwise handled and includes, but is not limited to, cans, bags, bundles and totes and bins.

“Contaminant” means a material not included, by definition, in a *Category of Recyclable Materials*.

“Contaminated Sites Regulation” means the Contaminated Sites Regulation, British Columbia Reg. 375/96 under the *Environmental Management Act*.

“Contaminated Soil” means soil with organic and inorganic contaminants that exceed the levels for the Residential/Urban Park Quality Standard, as set out in Schedule 4, Column III and Schedule 5, Column III of the Contaminated Sites Regulation, BC Reg. 375/96 of the *Environmental Management Act*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Controlled Waste” means waste that is approved by the *Director* for disposal at the *Landfill*, but which, because of its inherent nature and quantity, may require special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution, and includes, but is not limited to:

- *Ash*
- *Biomedical Waste*
- *Bulky Waste*
- *Animal Carcasses*

- *Contaminated Soil*
- *Infested Vegetation*
- *Noxious Weeds*
- Preserved Wood
- Septage
- Tree stumps over 1 m in diameter
- Sludge and screenings from municipal sewage treatment plants, pump stations and domestic septic systems
- Condemned foods
- Clinical/laboratory waste
- Renderable products
- Foundry dust
- Food processing waste; and
- *Waste Asbestos*.

“Corrugated Cardboard” means containers or materials used in containers consisting of three or more layers of kraft paper materials and having smooth exterior liners and a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise contaminated with a material that will render the material not marketable.

“Council” means the Mayor and Council of the Corporation of the District of Summerland.

“Curbside Residential Waste” means *Solid Waste* that is collectable within the garbage component of the local *Service Area* curbside collection program.

Bylaw 2000-346 replaced the following two definitions:

“Curbside Collection” means the collection of bags or the collection of the contents of *Containers* from a location immediately adjacent to the edge of a road, street, or lane that is adjacent to the property or grounds surrounding *Single-Family Dwellings* or *Multi-Family Dwellings*.

“Curbside Program Material” means *Garbage, Curbside Recyclable Material, Yard and Garden Waste*, and other materials as designated by the *Director* to be collected at the curb from *Single-Family Dwellings*, or *Curbside Recyclable Material* and other materials as designated by the *Director* to be collected from *Multi-Family Dwellings*, for disposal or recycling.

“DLC” means *Demolition, Land Clearing and Construction*.

“Deconstruction” means the dismantling of a human-made structure in a manner that enables maximum salvage of reusable building of reusable building components and recycling of the remaining building components.

“Demolition, Renovation and, Construction (DRC) Waste” means co-mingled *Solid Waste*, resulting from the construction, remodelling, repair and *Demolition* of structures, roads, sidewalks and utilities, utility maintenance, and seasonal or storm-related cleanup. DRC waste may include, but is not limited to, asphalt, bricks, concrete and other masonry materials, roofing materials, wood, wood products, wall covering, plaster, gypsum board or wallboard, plumbing fixtures, electrical wiring, electrical components containing no hazardous materials and insulation or any material that does not contain asbestos.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Demolition Waste” means *Construction Waste* resulting from the demolition or deconstruction of structures and infrastructure and means the ‘mixed load solid waste’ materials produced through machine reduction of a human-made structure.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Director” means the official appointed to that position by the *Council* of the District of Summerland responsible for *Solid Waste* Management and includes any *Person* appointed or designated by the *Director* to act on his or her behalf.

“Director of Finance” means the Director of Finance, as appointed by the Council of the *District*, and includes his duly authorized representatives.

“Disposal” means the introduction of *Solid Waste* into the environment.

“District” means the Corporation of the District of Summerland or the land lying within its corporate boundaries.

Bylaw 2000-346 added the following definition:

“Dwelling” means a residence providing sleeping quarters, washrooms and a kitchen intended for domestic use by a household. A *Dwelling* shall not include more than one room or area which, due to its design, plumbing or wiring, equipment and furnishings, may be used as a kitchen. This does not include rooms in a hotel or Institutional residences such as care homes.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Electronic Waste” (or “E-Waste”) means various types of waste containing mainly electronic components, made of essentially durable products, used for data processing, telecommunications, or entertainment, and appliance devices in households and businesses. Such wastes may include, but are not limited to, computers and accessories, fax machines, televisions, radios, stereos, DVD & VCR players, telephones, answering machines, uninterruptible power supplies, and microwaves.

“Extended Producer Responsibility Programs” means programs, operated under the Recycling Regulation, BC Reg. No. 449/2004, under the Environmental Management Act, which impose responsibility for management of end-of-life products and their packaging on the manufacturer or producer of those products, which include but are not limited to:

- Beverage Containers
- *Electronic Waste*
- Lead-Acid Batteries
- Lubricating Oil, Containers, and Filters
- Medications
- Paint
- Solvents/Flammable Liquids, Gasoline, and Pesticides
- Tires

“Extra Bag Tag” means a tag that must be placed on all *Garbage* bags that exceed the quantity limits for *Garbage* removal as outlined in this bylaw.

“Fiberglass” means fiberglass trimmings, cuttings, moulds or structures including boat hulls.

“Food Processing Waste” means any organic waste and/or waste by-product that may be produced from a commercial food processing operation, and that is unsuitable for composting within existing programs.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Garbage” means and includes all rubbish, non-recyclable materials, trade waste, ashes, household waste, discarded matter, rejected or discarded matter, rejected or discarded waste or vegetable or animal food, and other materials deemed non-recyclable.

Bylaw 2000-346 replaced the following definition (March 1st, 2012):

“Garbage Container” means a non-corrosive, durable receptacle, fitted with secure handles and a water-tight cover or durable dark-coloured plastic bags, which shall contain not more than 95 litres, and must not weigh more than 25 kg when full, used for the collection of *Garbage* through the *District’s Program*.

“Glass” means any food container made of silica glass including jars and bottles but does not include light bulbs, optical lenses, window glass, windshield glass, mirrors, china, cook-ware, dishes, drinking glasses, or refundable beverage containers.

“Green Wood Waste” means clean organic material including;

- Branches, purnings and tree trunks greater than 12.5 millimeters (1/2 inch) in diameter and a max of 1.8m (6 feet in length).
- Tree stumps provided such material is free of *Preserved Wood*, rocks, metals other than nails and screws, heavy coats of paint, wire, fiberglass, asphalt roofing material, and other non-wood materials.

“Halogenated Organic Compound” means an organic chemical compound with covalently bonded halogen atoms, and includes PCBs, Dioxins and DDT.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Hazardous Waste” means any material defined as such in the *Hazardous Waste Regulation* and any *Solid Waste* which, because of its inherent nature and quantity requires special *Disposal* techniques to avoid creating health hazards, nuisances or environmental pollution, and includes, but is not limited to, toxins or poisons, corrosives, irritants, strong sensitizers, flammables (excluding plastics, paper, paper products and the like), explosives, and infectious wastes.

“Household Hazardous Waste (HHW)” means hazardous *Residential Solid Waste* materials including but not limited to: antifreeze, oil filters, used motor oil, waste plastic oil containers, gasoline & fuels, mixed fuels, paint thinner, solvent, paint & related products, pesticides, pesticide containers, corrosive liquid (inorganic acids & caustics), aerosol cans, inorganic oxidizers, organic solids (toxic solids), flammable/toxic liquids, mercury or materials containing mercury, cyanide, reactive chemicals (to air and water), and organic peroxides.

“ICI” means industrial, commercial or *Institutional*.

“Ignitable” has the meaning prescribed in the *Hazardous Waste Regulation*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Infested Vegetation” means trees, shrubs, herbaceous plants or associated fruit that show the presence of plant disease, noxious insects, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Institutional Solid Waste” means *Garbage* materials discarded from institutional enterprises such as social, charitable, educational and government services.

“Land Clearing Waste” means all earth, debris, rocks, trees, stumps and anything else originating from clearing property and landscaping or outdoor renovation activities.

“Landfill” means the Summerland Landfill, located at 17202 Bathfield Road, in the *District*.

“Landfill Operator” means the *District*, which is authorized and permitted to operate a sanitary landfill by the Province of British Columbia with the authority to levy tipping fee charges for disposal of solid waste to the *Landfill*, and its duly authorized representatives, including the employee or contractor responsible for landfill and scale house operations at the *Landfill*.

“Lead Acid Battery” means an electro-chemical cell contained in a plastic case consisting of lead and lead oxide plates and containing a mixture of acids, which is used to supply an electric power source.

“Marketable” means capable of being disposed of through an existing *Service Area* program or a commercial market.

“Mattress, Box Spring” means mattresses and box springs that contain metal suspension components.

“Metal Food or Beverage Containers” means any container made of ferrous or non-ferrous metal originally containing a food or a beverage, but for the purposes of this bylaw, does not include beverage containers whose recycling costs are already accommodated by an existing *Extended Producer Responsibility Program*.

“Mixed Load” means a load of *Refuse* for deposit at the *Landfill* containing two or more of the waste categories, as designated in Sections 1.1 and 1.2 of Schedule ‘L’ of the District of Summerland Municipal Fees and Charges Bylaw.

“Mixed Waste Paper” includes, but is not limited to:

- white and coloured ledger paper;
- computer paper;
- *Old Newspaper (ONP)*
- envelopes with or without windows;
- third class mail;
- magazines;
- catalogues;
- books;
- telephone books;
- wrapping paper;
- paper shopping bags;
- sticky notes;
- boxboard;
- paper egg cartons;
- paper towel and toilet paper cores;

and any other 100% paper fibre products, but excludes carbon paper and paper that is combined, contaminated or treated with food, oil, wax, plastic, fabric, foil or other substances.

Bylaw 2000-346 replaced the following definition:

“Multi-Family Dwelling” means a single development consisting of three or more *Dwellings* which share a common exterior access to the outside, or in which each unit’s primary entrance to the outdoors faces a private driveway, and could include:

- apartments;
- condominiums;
- townhouses;
- multiplexes;

and others so deemed by the *Director*. Where a *Single Family Dwelling* occurs on the same property as a *Multi-Family Dwelling*, for the purposes of the *Curbside Collection Program* it may be treated as a *Multi-Family Dwelling*.

“Non-Recyclable Material” includes but is not limited to garbage and may include items that previously were recyclable but no longer have recyclable value or purpose.

“Noxious Insects” including but not limited to, Codling moth (*Cydia pomonella*) Western cherry fruit fly (*Rhagoletis indifferens*), Black cherry fruit fly (*Rhagoletis fausta*), San Jose scale (*Quadraspidiotus perniciosus*), European fruit scale (*Quadraspidiotus ostreaeformis*), Peach twig borer (*Anarsia lineatella*), Peach Tree Boer (*synanthedon exitiosa*), Pear psylla (*Cacopsylla pyricola*), Fruittree leafroller (*Archips argyrospilus*), European leafroller (*Archips rosanus*), Obliquebanded leafroller (*Choristoneura rosaceana*), Threelined leafroller (*Pandemis limitata*), Apple-and-thorn skeletonizer (*Choreutis pariana*), Apple mealybug (*Phenacoccus aceris*), Apple ermine moth (*Yponomeuta malinella*), Gypsy moth (*Lymantria dispar*), Apple Maggot (*Rhagoletis pomonella*), Oriental fruit moth (*Grapholitha molesta*), Cherry bark tortrix (*Enarmonia formosana*), Cherry ermine moth (*Yponomeuta padellus*), Eyespotted budmoth (*Spilonota ocellala*), Vinegar Fruit Fly (*Spotted wing drosophila*).

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Noxious Weeds” means all weeds designated within the Provincial and Regional Noxious Weed lists of the Weed Control Act Regulation BC Reg. 66/85 including, but not limited to, Annual Sow Thistle (*Sonchus oleraceus*), Canada Thistle (*Cirsium arvense*), Common Crupina (*Crupina vlugaris*), Common Toadflax (*Linaria vulgaris*), Dalmatian Toadflax (*Linaria dalmatica*), Diffuse Knapweed (*Centaurea diffusa*), dodder (*Cuscuta spp.*), Gorse (*Ulex europaeus*), Hound’s-tongue (*Cynoglossum officinale*), Jointed Goatgrass (*Aegliops cylindrical*), Leafy Spurge (*Euphorbia esula*), Perennial Sow Thistle (*Sonchus arvensis*), Purple Nutsedge (*Cyperus rotundus*), Rush Skeletonweed (*Chondrilla juncea*), Scentless Chamomile (*Matricaria maritime*), Spotted Knapweed (*Centaurea maculosa*), Tansy Ragwort (*Senecio jacobea*), Velvetleaf (*Abutilon theophrasti*), Wild Oats (*Avena fatua*), Yellow Nutsedge (*Cyperus esculentus*), Yellow Starthistle (*Centaurea solstitialis*), Blueweed (*Echium vulgare*), Burdock (*Arctium spp.*), Puncturevine (*Tribulus terrestris*), and Sulphur Cinquefoil (*Potentilla recta*).

“Old Corrugated Cardboard (OCC)” means a paper fibre product, often used in the construction of lightweight shipping containers, consisting of three or more layers of kraft paper material and having smooth exterior liners and a corrugated or rippled core. OCC shall be virtually free from wax, plastic, foil, or foam and should be virtually free from absorbed materials such as blood, grease, oil, chemicals, and food residue.

“Old Newspaper (ONP)” means all grades of loose newspapers including inserts, flyers, ad mail, and unprinted cuttings and sheets.

“Overloaded” in respect of a vehicle used for transporting *Waste* to the *site* means carrying more than twice the volume of the vehicle itself, as originally constructed.

“Oversize Tire” means assorted agricultural, industrial and OTR (Off the Road) *tires*, specifically *tires* with tread codes C, E, G, L, IND & NHS as defined by Tire Stewardship B.C., Schedule “A”.

"Owner" means the registered owner of any lands and premises situated within the *District* and shall, where applicable, include the agent, executor, or administrator of such *owner* or the lessee or occupier of the premises.

"Ozone Depleting Substance (ODS)" means a substance as defined as such in the Ozone Depleting Substances and other Halocarbons Regulation, British Columbia Reg. 387/99 under the *Environmental Management Act*.

"Participant" means any *Person* or entity to which *Curbside Collection* service is provided.

"Person" means an *Owner*, *Participant*, individual, corporation, partnership, association, or any other legal entity, or an employee or agent thereof.

"Plant Disease" means a condition that exists in a plant or seed as the result of the action of virus, fungus, bacterium, or any other similar or allied organism and that injures or may injure the plant or any part thereof, and that may be spread to another plant or plants with economic, ornamental or aesthetic value, including, but not limited to Apple Scab (*Venturia inaequalis*), Anthracnose or Perennial Canker (*Cryptosporiopsis curvispora*; *C. perennans*), Bacterial Canker (*Pseudomonas syringae* pv. *Syringae*; *P. syringae* pv. *Morsprunorum*), Blister spot (*Pseudomonas syringae* ipv. *Papulans*), Brown Rot (*Monilinia fructicola*), Coryneum Blight (*Wilsonomyces carpophilus*), Crown Gall, Root Gall and Hairy Root (*Agrobacterium tumefaciens*), Crown Rot (*Phytophthora cactorum*), Cytospora Canker (*Leucostoma cincta*), European Canker (*Nectria galligena*), Fire Blight (*Erwinia amylovora*), Little Cherry Virus, Powdery Mildew (*Podosphaera leucotricha*; *P. clandestine*; *Sphaerotheca pannosa*), Peach Leaf Curl (*Taphrina deformans*), and Verticillium wilt (*Verticillium dahlia*).

"Preserved Wood" means wood products which have been treated with preservatives such as *chromated copper arsenate* (CCA), aromatic hydrocarbons (PAHs), and *ammonium copper arsenate* (ACA) to prevent rotting.

"Processed Organics" means *Wood Waste* or *Yard and Garden Waste* that has been chipped to less than 50 mm (2 inches) in any dimension.

"Program" means the *District*-mandated program for the *Curbside Collection of Curbside Program Materials*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

"Prohibited Waste" means:

- Liquids or semi-solid wastes, except as permitted in this bylaw;
- Waste materials which contain free liquids
- Empty waste containers unless they are crushed, shredded or similarly reduced in volume to the maximum practical extent
- Ignitable waste
- Reactive waste
- Radioactive waste
- Hazardous waste, except as permitted in this bylaw
- Special waste, excluding *Waste Asbestos* and those specifically authorized in the *Special Waste Regulation*
- *Solid Waste* that is on fire or smoldering
- Slaughterhouse, fish hatchery, and cannery wastes and by-products
- *Biomedical Waste*, and
- Such other materials as are designated by the *Manager* from time to time to be inappropriate for *Disposal* at the *Site* for environmental reasons or reasons related to the safe or efficient operation of the *Site*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Propane Tank” means a refillable or non-refillable metal container which is used to contain flammable hydrocarbon gases used as fuel.

“Prunings” means hedge clippings and shrub and tree branches that are less than 12.5 millimeters (1/2 inch) in diameter.

“Radioactive Waste” means a “nuclear substance” as defined in the *Nuclear Safety and Control Act* (Canada), in sufficient quantity or concentration to require a license for possession or use under that Act and regulations made under that Act.

“Reactive Waste” means waste that is defined as such in the *Special Waste Regulation*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Recyclable Gypsum Board and Wallboard” means construction off-cuts and scraps of gypsum board or wallboard, and used gypsum board or wallboard that is uncontaminated by materials other than paint or wallpaper and removed during renovation or deconstruction.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Recyclable Materials” means all materials recognized and accepted for recycling at the landfill or approved recyclable depot within the *Service Area* including but not limited to:

- Corrugated cardboard
- Glass bottles and jars
- Mixed paper
- Newsprint
- Box board
- Scrap metal
- White goods
- Propane tanks
- Lead acid batteries
- Tires
- Refrigeration units
- Clean soil
- Recyclable gypsum board and wallboard
- Plastics acceptable for recycling
- Refundable beverage containers
- Compostable waste
- Tires
- E-waste
- Asphalt shingles, and
- Concrete, asphalt and masonry

“Recyclable Metal” means any item composed of metal or composed of at least 70% metal, by volume.

“Recyclable Plastic” means all plastic items over the size of four (4) inches including household plastic containers, plastic film, shopping bags, shrink wrap, bubble wrap, and clear or blue bags, but does not include Styrofoam, items over 60 cm in their largest dimension, items having plastics from

different resin bases joined together, items having plastic fused to another material, containers originally holding substances considered to be *Hazardous Waste* when disposed, and containers whose recycling costs are already accommodated by existing *Extended Producer Responsibility Programs*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Recycling Area” means a facility for the receiving, collection, sorting and temporary storage of *Recyclable Materials* whose operation is the responsibility of the *District* as part of its recycling program.

“Refrigeration Units” means refrigerators, freezers, air conditioners or any other item that may contain an *Ozone Depleting Substance*.

“Refuse” means any discarded matter that originates from residential, *ICI*, or *DLC* sources that is designated for landfilling.

“Refuse Bins” means the large bins at the *Site* that have been provided to receive *Refuse* from self-haul residential customers.

“Remediable Soil” means contaminated soil containing substances in quantities or concentrations greater than those prescribed in Column III of Schedules 4 & 5 to the *Contaminated Sites Regulation* but proven to the District of Summerland.

“Renderable Product” means dead animals, animal parts and animal by-products accepted for rendering or recycling into other products (eg dog food) at any approved animal bone, meat, and fat rendering facility, that were generated at such establishments as slaughter houses, butcheries, retail and wholesale stores, farms, and veterinary clinics.

“Residential Solid Waste” means garbage discarded from single and multi-family dwellings.

“Scale” means the calibrated measuring instrument that weighs materials coming and going to or from the *Landfill Site*.

“Scale Operator” means the contractor or a representative of who conducts the daily Scale Operations and provides Site Supervision to the public.

“Scavenge” means to salvage, without approval from the *Director*, materials at the *Landfill*, or *Solid Waste* that has been put out for collection.

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

“Septage Waste” means liquid waste including:

- Pumping’s from parking lot drainage sumps
- Pumping’s from domestic septic tanks
- Pumping’s from laundry lint traps
- Pumping’s from sumps which collect runoff from motor vehicle washing facilities containing oil separation units only, but not from facilities used for maintenance or lubrication of automobile components or where solvents or sandblasting are employed for removal of paint, grease, or oil, and
- Water containing soil, sand, gravel, or non-hazardous solids

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Service Area” means the service area of the Solid Waste Management Plan, District of Summerland as established by the *“Regional District Okanagan Similkameen Solid Waste Management Service Plan”*.

“Sharps” means clinical and laboratory materials consisting of needles, syringes, blades or laboratory glass.

Bylaw 2000-346 replaced the following definition:

“Single Family Dwelling” means a *Dwelling* with direct access to and from the outdoors which could include:

- detached homes;
- duplexes, triplexes or fourplexes;
- strata-titled sites;
- townhouses;
- manufactured homes;
- mobile homes;
- individually serviced units of apartments or condominiums; or
- others so deemed by the *Director*.

“Site” means the Summerland Sanitary Landfill, located at 17202 Bathville Road, Lot Plan B4629 DL 3756 and Lot A Plan 22447 DL 3756.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Solid Waste” includes *Refuse, Recyclable Waste, Compostable Waste, DLC Waste, Controlled Waste, and authorized Prohibited Waste that is suitable for Disposal at the Site.*

“Source-Separated” means *Solid Waste* separated by *Person* other than a *Site Attendant* or *Landfill Operator*, by means of barriers or placement in containers into clearly distinguishable accumulations of *Refuse, Recyclable Waste, Compostable Waste, Controlled Waste* and authorized *Prohibited Waste*.

“Timber Waste” means *Wood Waste* generated from processing of harvested trees by sawmills and the pulp and paper industry.

“Tire” means the outer pneumatic rubber covering of wheels including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and large off road tires.

“Tree Stumps” means non-agriculturally derived part of a tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20cm (8 inches) in diameter.

“Visitor” means an unauthorized *Person* who is present at the *Site* for purposes other than to deposit *Solid Waste*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Waste Asbestos” has the meaning prescribed in the *Special Waste Regulation*.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“White Goods” means large metal consumer appliances such as clothes washers, dishwashers, clothes dryers, ranges, stoves, hot water tanks and *Refrigeration Units*, including those that contain ozone depleting substances.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Wood Waste” means clean, organic material including, but not necessarily limited to:

- Kiln dried dimensional lumber such as wood pallets, and demolition wood waste
- Branches or prunings greater than 12.5 millimetres (1/2 inch) in diameter and a maximum of 1.8 meters (6 feet) in length
- Plywood
- Particle board
- Pressed board or MDF (Medium Density Fibreboard), and
- Tree stumps provided such material is free of *Preserved Wood*, rocks, metals other than nails and screws, heavy coats of paint, wire, fiberglass, asphalt roofing material, and other non-wood materials.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

“Yard and Garden Waste” means green waste including but not limited to:

Grass and hedge clippings
Leaves
Weeds
Grass
Flowers
Vegetable stalks
Fruit and vegetable waste
Prunings to a maximum diameter of 7.5cm; and
Other woody or herbaceous plant waste

But does not include:

Kitchen waste
Land Clearing Waste
Soil or rocks
Garbage
Noxious Weeds
Excrement
Liquids, or
Other unacceptable *Solid Waste* as identified by the *Director*.

2 SOLID WASTE MANAGEMENT

Bylaw 2012-003 replaced the following heading (March 1st, 2012):

2.1 GENERAL SOLID WASTE PROHIBITIONS AND SITE REGULATIONS

2.1.1 No *Person* shall:

- a) litter, dump or dispose of *Solid Waste* contrary to the provisions of this bylaw;
- b) place *Solid Waste*, or allow *Solid Waste* to be placed, in such a way that it is not contained within an approved *Container*;
- c) place *Solid Waste* for collection with the *Solid Waste* of others or place *Solid Waste* in containers owned or leased by others;
- d) deposit *Solid Waste* that does not originate from within the *District* at any location within the *District* unless approved by the *Director*;
- e) dispose of *Garbage* any place other than:
 - i. a *Garbage Container* for collection as part of the *District's Program*;
 - ii. in another *Container* scheduled for collection and delivery to the *Landfill*; or
 - iii. at the *Landfill*;
- f) place any material other than *Garbage* in a *Garbage Container*;
- g) dispose of *Recyclable Material* any place other than:
 - i. a *Blue Bag* for collection as part of the *District's Program*;
 - ii. in another *Container* scheduled for collection and delivery to a *Recycling Depot* or sorting facility; or
 - iii. a *Recycling Depot*, or at a place designated for the deposit of the designated *Recyclable Material* at the *Landfill*;
- h) intentionally contaminate *Recyclable Materials* so as to make them non-recyclable; or
- i) dispose of *Yard and Garden Waste*, any place other than:
 - i. an approved *Container* for collection as part of the *District's Program*;
 - ii. in a *Container* scheduled for collection and delivery to the *Landfill* for composting;
 - iii. in the designated location at the *Landfill*;
 - iv. on the property on which it was generated; or
 - v. on another property with the permission of the *Owner*, for the *Owner's* use.

Bylaw 2012-003 adding the following definitions (March 1st, 2012):

- "j) deposit *Prohibited Waste* at the *Site* unless the deposit of such waste is specifically authorized by both the District of Summerland and the Regional Waste Manager of the Ministry of Environment.
- k) deposit *Controlled Waste* at the *Site* unless the *Manager* determines that special handling and *Disposal* techniques are not required, or where special handling and *Disposal* techniques are required, the *Manager* has determined that the *Controlled Waste* can be disposed of safely at the *Site* and has given written permission and directions for such *Disposal* (see 4.2).
- l) deposit contaminated soil without prior consent of the *Manager*. The *Manager* may determine that quantities of contaminated soil that do not exceed Special Waste are acceptable for deposit.
- m) deposit any *Garbage* at the *Site* in a manner and in a location contrary to the signage or written or verbal direction and designation of the *Scale House Operator*, *Site Attendant* or *Landfill Operator*.
- n) deposit any *Recyclable Materials* any place other than that designated for such deposit, and

not at the *active face* of the *landfill* or in the transfer bins.

- o) enter the *Site* or deposit any material at the *Site* at any time other than the designated hours of operation, except by prior arrangement with the District of Summerland.
- p) discharge any firearm at the *Site*, except as permitted under any applicable enactment.
- q) remove, alter, or deface any sign placed or erected at the *Site*.
- r) ignite a fire, cause a fire to be ignited, or deposit at the *Site* materials that are on fire, are smoldering or were recently on fire. All materials that were recently on fire shall require that the District of Summerland receive (7) seven days notification prior to deposit.
- s) cause the release of an *Ozone Depleting Substance* at the *Site*.
- t) remain at the *Site* for longer than is required to proceed directly to the designated deposit area, unload and immediately leave the *Site*.
- u) without authorization drive any motor vehicle on the *Site* except on designated roads.
- v) act in a manner contrary to any posted *Site* regulations.
- w) act at the *Site* in a manner that is intolerant, impatient, intemperate, discourteous, disruptive, threatening or willfully negligent.
- x) deposit any material at the *Site* without first having the material checked by the *Scale House Operator* or *Site Attendant* and weighed on the scale.
- y) deposit any material at the *Site* except in accordance with this bylaw and any regulations posted at the *Site*.
- z) deposit *Institutional, Commercial or Industrial* quantities of *Corrugated Cardboard, Hazardous Waste* or *E-Waste* in depots established for these materials at the *Site*.
- aa) salvage or remove anything from the *Site* without the express written permission of the *Manager*.
- bb) deposit any material at the *Site* that does not originate from within the *Service Area*, unless the *Director* approves otherwise.
- cc) *Controlled Waste* must be manifested as required by the District of Summerland and by the British Columbia Ministry of Environment. In addition, twenty-four (24) hour notice to the District of Summerland is required prior to deposit of *Controlled Waste* at the *Site*.
- dd) All material deposited at the *Site* shall become the property of the District of Summerland, except where such material is deposited contrary to the provisions of this Bylaw.
- ee) All *Refuse* generated with the *Service Area* shall be reused, recycled, composted and disposed of in a manner and location that is approved by the Ministry of Environment when such approval is required, and in compliance with this Bylaw.
- ff) Any *Person* who contravenes these regulations or fails to comply with the posted notices or signs at the *Site* or the verbal instructions of the *Scale House Operator, Site Attendant* or *Landfill Operator* may be refused or prohibited re-entry to the *Site*.

- 2.1.2 No *Person* shall *Scavenge Solid Waste* set out for collection through the *Program*, or deposited at a *Recycling Depot* or the *Landfill*, unless approved by the *Director*.

3 CURBSIDE COLLECTION PROGRAM

3.1 PROGRAM OVERVIEW

Bylaw 2000-346 replaced the following paragraph:

- 3.1.1 Every *Participant* shall use the *Curbside Collection Program* established by the *District* pursuant to this bylaw and shall pay the rates and fees set out in the *District of Summerland Municipal Fees and Charges Bylaw 98-001*.
- 3.1.2 The *District*, or a contractor acting on behalf of the *District*, shall pick up all *Curbside Program Material* set out by *Participants* within the *Service Area* on the designated day of collection, provided it conforms to the terms of this bylaw and does not exceed the *Garbage* quantity limits.
- 3.1.3 Exclusions from the *Program* shall be the exception, however the *Director* may exclude a *Participant* from the *Program* if:
- a) there is no habitable residence on the property;
 - b) the property is not located on a maintained road; or
 - c) the *Director* deems that access routes are detrimental to the *Program* and no alternative collection location can be agreed upon.
- 3.1.4 *Participants* who have been excluded from the *Program* due to access-related reasons may make special arrangements with the *District*, whereby the *Participant* may deposit *Curbside Program Materials* at a prearranged location for collection on the *Participant's* regular collection day.
- 3.1.5 The *District* will not remove any material that is not *Curbside Program Material*.

Bylaw 2000-346 replaced the following paragraph:

- 3.1.6 *Garbage, Curbside Recyclable Materials, and Yard and Garden Waste* collection shall occur on a consistent day of the week at each serviced address.
- 3.1.7 The collection day may be changed with the prior approval of the *Director* if it falls on Christmas Day or New Years Day.

3.2 DISPOSAL REQUIREMENTS

- 3.2.1 All *Curbside Program Materials* shall be made readily accessible for emptying or collection between the hours of 7:00 a.m. and 7:00 p.m. on the designated day of collection.
- 3.2.2 *Extended Producer Responsibility Program* products, *Controlled Waste*, and *Prohibited Waste* shall not be set out for *Curbside Collection*.

3.3 CONTAINER REQUIREMENTS

- 3.3.1 Every *Participant* shall provide approved *Containers* sufficient in number to contain all *Solid Waste* at all times.
- 3.3.2 Every *Participant* within the *Service Area* shall provide and maintain in sanitary condition and in good order and repair, *Containers* sufficient in number to contain all *Curbside Program Material* without spillage at all times.
- 3.3.3 The *District* and its contractors shall not be responsible for the replacement of any *Containers* or lids damaged or lost for any reason.
- 3.3.4 All *Containers* shall be kept covered with watertight lids or fastened in such a manner that they are watertight.
- 3.3.5 No liquids shall be put in or be allowed to accumulate in any container for *Curbside Program Material*.
- 3.3.6 No *Container* shall be filled above the top of the *Container* in such a manner that the material does not remain contained.
- 3.3.7 When the *Container* is a plastic bag, it shall not be filled in such a way that the bag cannot be securely closed.
- 3.3.8 No *Container*, including contents, set out for *Curbside Collection* shall exceed 25 kg.
- 3.3.9 All *Containers* shall be kept on the *Participant's* premises at all times except on the scheduled day for collection.

Bylaw 2000-346 replaced the following paragraph:

- 3.3.10 a) For *Single Family Dwellings*, all *Containers* must be placed within one metre of the travelled portion of the lane or road, or if there is a sidewalk, within one metre of the back of the sidewalk (private property side), adjacent to the *Owner's Residential Dwelling Premises*, or at a place designated by the *Director*.
- b) For *Multi-Family Dwellings*, all *Containers* for *Recyclable Materials* must be placed in a location that is accessible to the collection vehicle as approved by the *Director*.
- 3.3.11 All *Containers* shall be made accessible for collection on the scheduled day of collection, without obstruction, either physical or visual.
- 3.3.12 If *Containers* are enclosed in a structure, the structure shall be built with doors opening upon the side on which the collection vehicle stops.
- 3.3.13 All *Containers* shall be kept on the ground level or on a platform not more than 0.3 metres in height above ground level.
- 3.3.14 All *Containers* and any structure used as a cover for such containers shall, at all times, be kept in good repair, clean and accessible for inspection at all reasonable hours.
- 3.3.15 All *Containers* deemed unsuitable by the *Director* shall be removed immediately by the *Participant*, and a suitable *Container* shall be provided in its place.

- 3.3.16 All *Curbside Program Materials* must be set out for Collection in a way that will not injure *Persons* handling them.
- 3.3.17 The *District* may suspend collection service from properties where *Containers* or location or design of pick-up facilities are contrary to the provisions of this bylaw.
- 3.3.18 Suspension of collection service shall not waive any requirement, or abate or waive any charges or rates under the provision of this bylaw.

3.4 SINGLE FAMILY CURBSIDE GARBAGE COLLECTION PROGRAM

- 3.4.1 *Garbage* shall be placed in *Garbage Containers* for collection.
- 3.4.2 A maximum of two *Garbage Containers* will be collected from each *Participant* per week; however additional bags will be collected if tagged with an *Extra Bag Tag*.
- 3.4.3 Extra Bag Tags may be purchased at the following Summerland locations:
- Municipal Hall;
 - Engineering and Public Works Office;
 - *Landfill*; and
 - any other location as identified by the *District*.
- 3.4.4 No *Garbage Container* shall exceed a size such that the collection contractor must reach a distance greater than 50 cm into the container to grasp a plastic bag enclosed therein.
- 3.4.5 *Garbage Containers* containing *Curbside Recyclable Material* or *Yard and Garden Waste*, or otherwise contrary to the provisions of this bylaw will not be collected.
- 3.4.6 *Garbage* must not be compressed into any *Container* in a manner that will inhibit the *Garbage* from falling freely into a *Garbage* collection vehicle during the regular tipping process.
- 3.4.7 All *Garbage* must be in a closed garbage bag before being placed within any rigid *Garbage Container*.
- 3.4.8 *Ashes* shall be completely cooled and shall be placed in non-combustible *Containers* and separate from other *Garbage* or other flammable material.
- 3.4.9 Furniture not exceeding 25 kg and 0.5 cubic metres in size will be considered as one *Garbage Container* for collection.
- 3.4.10 Dry solid *Garbage* of appropriate configuration may be tied securely in bundles not exceeding a length of one metre and a weight of 25 kg, and will be considered as one *Garbage Container* for collection.

3.5 SINGLE FAMILY CURBSIDE BLUE BAG RECYCLING COLLECTION PROGRAM

- 3.5.1 *Curbside Recyclable Materials* shall be set out in *Blue Bags* for collection.
- 3.5.2 Each *Participant* shall be permitted to place unlimited quantities of *Curbside Recyclable Material* at the curb for collection on their scheduled *Blue Bag* collection day.

- 3.5.3 All *Curbside Recyclable Materials* are to be placed loosely in the *Blue Bag*.
- 3.5.4 Bundling of *Curbside Recyclable Materials* with string, ties or tape is not permitted except for *Old Corrugated Cardboard* which may be flattened, bundled, and tied with string and placed with the *Blue Bag* on top, provided that the *OCC* remains clean and dry and that no litter is created.
- 3.5.5 All *Recyclable Plastics* and all *Metal Food and Beverage Containers* must be rinsed out prior to placement in *Blue Bags* for collection, or deposit at a *Recycling Depot*.
- 3.5.6 *Blue Bags* containing *Garbage, Yard and Garden Waste, Contaminants*, or otherwise contrary to the provisions of this bylaw will not be collected.

3.6 SINGLE FAMILY CURBSIDE YARD WASTE COLLECTION PROGRAM

Bylaw 2000-443 adopted June 27, 2011 amended section 3.6.1 to read as follows:

- 3.6.1 *Yard and Garden Waste* shall be set out in either plastic or metal containers marked 'YARD WASTE ONLY' or in *Yard Waste Kraft paper bags* or bundles for collection.
- 3.6.2 *Participants* within the *Service Area* may prepare tree and shrub prunings for collection by securely tying in bundles of no more than 1 metre long and 0.5 metres in diameter, fastened with biodegradable string or twine, and with no individual branch having a diameter of greater than 7.5 cm.
- 3.6.3 *Participants* are permitted to place unlimited quantities of *Yard and Garden Waste* at the Curb on scheduled collection days.
- 3.6.4 *Noxious Weeds* and *Infested Vegetation* will not be accepted as *Yard and Garden Waste*, but will be accepted free of charge at the *Landfill*, provided they are deposited as *Refuse* for burial.
- 3.6.5 *Yard and Garden Waste Containers* containing *Garbage, Recyclable Materials*, contaminants or otherwise contrary to the provisions of this bylaw will not be collected.

Bylaw 2000-346 added the following section:

3.7 MULTI-FAMILY RESIDENTIAL RECYCLING COLLECTION PROGRAM

- 3.7.1 *Curbside Recyclable Materials* shall be set out in *Blue Bags* for collection.
- 3.7.2. Each *Participant* shall be permitted to place unlimited quantities of *Curbside Recyclable Material* at a prearranged location for collection on their biweekly scheduled *Recyclable Materials* collection day.
- 3.7.3 All *Curbside Recyclable Materials* are to be placed loosely in the *Blue Bag*.
- 3.7.4 Bundling of *Curbside Recyclable Materials* with string, ties or tape is not permitted except for *Old Corrugated Cardboard* which may be flattened, bundled, and tied with string and placed with the *Blue Bag* on top, provided that the *OCC* remains clean and dry and that no litter is created.
- 3.7.5 All *Recyclable Plastics* and all *Metal Food and Beverage Containers* must be rinsed free of contaminants prior to placement for collection.

- 3.7.6 *Blue Bags* containing *Garbage, Yard and Garden Waste, Contaminants* or otherwise contrary to the provisions of this bylaw will not be collected.

4 SANITARY LANDFILL AND RECYCLING DEPOTS

4.1 SITE REGULATIONS

- 4.1.1 The *District* reserves the right to control the type and nature of *Solid Waste* that is deposited at the *Landfill* or *Recycling Depot*.
- 4.1.2 All *Solid Waste* delivered to the *Landfill* or *Recycling Depot* shall be deposited in accordance with the provisions of this bylaw, and the applicable *Landfill Operating Certificate*.
- 4.1.3 All *Solid Waste* deposited at the *Landfill* or at a *Recycling Depot* shall become the property of the *District*, except where such materials are deposited contrary to the provisions of this bylaw.
- 4.1.4 All *Recyclable Material* delivered to a *Recycling Depot* must be uncontaminated and sorted into the applicable categories of *Recyclable Materials* prior to deposit.
- 4.1.5 No *Person* shall:
- a) deposit *Solid Waste* at the *Landfill* in a manner or in a location contrary to the direction of site signage or the *Landfill Operator*;
 - b) deposit *Solid Waste* at the *Landfill* without first having the *Garbage* or *Landfill Recyclable Materials* checked by the *Landfill Operator* for the purpose of determining compliance with this bylaw and weighed on the scale to assess the applicable fee;
 - c) enter, or deposit *Solid Waste* at, a *Landfill* or *Recycling Depot*, at any time other than during regularly scheduled operating hours unless they are approved to do so by the *Director*;
 - d) remove *Solid Waste* from the *Landfill* without the approval of the *Director*;
 - e) deposit *Recyclable Materials* any place other than those designated for *Recyclable Materials*;
 - f) deposit anything other than *Curbside Recyclable Material* or *Glass* at a *Recycling Depot*;
 - g) remove, alter, or deface any sign placed or erected by the *Operator* at the *Landfill*;
 - h) ignite a fire or cause a fire to be ignited at the *Landfill*, or deposit at the *Landfill* materials that are on fire, smouldering, or were recently on fire;
 - i) cause the release of an *Ozone Depleting Substance* at the *Landfill*;
 - j) discharge any firearm at the *Landfill* unless approved by the *Director*;
 - k) loiter at the *Landfill*; all vehicles must proceed directly to the designated dumping area and leave the *Landfill* immediately upon unloading;

- l) drive a vehicle anywhere at the *Landfill* except on designated roads or driveways; or
- m) behave at the *Landfill* in a manner which is discourteous, disruptive, threatening, or wilfully negligent.

Bylaw 2012-003 adding the following definition (March 1st, 2012):

- n) enter the *Site* without checking in at the *Scale House* office and completing the appropriate waiver.

4.2 LANDFILL SAFETY

- 4.2.1 The *District* accepts no responsibility or liability for damage or injury to person or to property occurring on the *Landfill* property.
- 4.2.2 Any *Person* entering the *Landfill* does so at his or her own risk.
- 4.2.3 Children under sixteen years shall remain under the supervision of an adult at all times while at the *Landfill*, and may be requested to remain inside a vehicle for safety reasons.
- 4.2.4 No *Person* shall:
 - a) Allow a pet outside of a motor vehicle at any time while at the *Landfill*;
 - b) Smoke within the boundaries of the *Landfill*; or
 - c) Drive a motor vehicle in excess of posted speed limits while at the *Landfill*.

4.3 SECURE LOAD REQUIREMENTS

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

- 4.3.1 Motor vehicles entering the *Site* shall have their loads adequately covered and secured to prevent materials from blowing, bouncing or falling off the vehicle while in transit according to the following criteria:
 - a) an adequate cover is a tarpaulin, other overlay, or container that is used to confine the material to the vehicle; or all materials must be contained within intact secured closed garbage bags or containers.
 - b) the cover and/or container must be securely and tightly fastened so that it is not, and cannot become, a hazard.
 - c) *Bulky Waste, White Goods, tree stumps, and Refrigeration Units* shall be securely chained or strapped to flat beds or truck boxes as required by section.

4.4 CONTROLLED AND PROHIBITED WASTE

- 4.4.1 *Persons* who have obtained approval from the *Director* to deposit *Controlled Waste* or *Prohibited Waste* at the *Landfill* shall be responsible for any and all costs associated with the disposal of their waste, including but not limited to manipulation, treatment, burial, consulting and legal costs.
- 4.4.2 *Prohibited Waste* shall not be disposed of at the *Landfill* unless approved by the *Director*.
- 4.4.3 *Controlled Waste* must be manifested as required by the *District* and by the BC Ministry of Environment, and will not be accepted at the *Landfill* unless the *District* is provided with forty eight hours' notice.

Bylaw 2012-003 replaced the following definition (March 1st, 2012):

- 4.4.4 Protocol for Disposal of Treated Biomedical Waste: Treated Biomedical Wastes are permitted for disposal at the *Landfill* subject to the following provisions:
 1. Small Generators of Biomedical Waste – small generators of needles and sharps (eg home, medical, dental, veterinary, or pharmacy) who are using or collecting syringes and sharps must disinfect the needles and sharps and dispose into garbage in a rigid container. The containers must be autoclaved or contain industrial strength bleach (11%) for disinfecting or certified disinfected by another method prior to disposal at the *Landfill* or certified through an authorized waste disposal contractor.

Syringes that were used for withdrawing blood, other sharps and non-treated biomedical waste must be autoclaved prior to disposal at the *Landfill* or through an authorized waste disposal contractor.
 2. Large Generators of Biomedical Waste – Large generators of needles, sharps and other non-treated biomedical waste (eg hospitals) are required to autoclave prior to disposal at the *Landfill* or through an authorized waste disposal contractor.
 3. Home Use – Sharps for disposal from home should be returned to the place of purchase, or disposed in accordance with Protocol #1 (Small Generators of Biomedical Waste) above.

APPROVED MANAGEMENT OF BIOMEDICAL WASTE DISPOSAL	
WASTE TYPE	LANDFILL DISPOSAL CRITERIA
Human Anatomical	A
Micro-biology (laboratory)	B ¹
Human Blood and Body Fluid	B ¹
Waste Sharps	B ¹
Animal	C

Legend:

- A – Not Acceptable
- B – Regulatory Approved or Additional Treatment Required
- C – Acceptable only to the extent permitted under the *Landfill* Operating Certificate, issued by the Province of British Columbia, and under the *Environmental Management Act* of British Columbia.

Notes: ¹Only accepted if waste first treated and/or decontaminated by an approved treatment process.

- 4.4.5 Clean fill may be accepted by the *Landfill*, provided it has the prior approval of the *Director*.
- 4.4.6 Tree stumps will be accepted provided there is no dirt, rocks or other foreign material adhering to the stump that would interfere with operation of grinding equipment.

4.5 FEES AND CHARGES

- 4.5.1 Every *Person* depositing *Solid Waste* at the *Landfill* or at a *Recycling Depot* shall pay the rates and fees set out in the District of Summerland Municipal Fees and Charges Bylaw No 98-001.
- 4.5.2 On approval of the *Director*, such rates and fees may be reduced or waived where the particular item to be deposited can be demonstrated to be of benefit to the operations of the *Landfill* or *Recycling Depot*.

Bylaw 2012-003 added the following (March 1st, 2012):

- 4.5.3 Every *Person* delivered *Controlled Waste* or authorized *Prohibited Waste* to the *Site* shall pay the applicable fee set out in the District of Summerland Fees and Charges Bylaw No. 98-001 – Schedule “L”. The fees set out in the District of Summerland Fees and Charges Bylaw No. 98-001 in respect of *Controlled Waste* is applicable regardless of whether the waste requires special handling and *Disposal*.
- 4.5.4 Any fee that must be paid pursuant to this Bylaw shall be paid in cash to the *Scale House Attendant* upon leaving the *Site*. The *Scale House Attendant* shall not accept as payment for assessed fees cash in the form of bills of a fifty dollar denomination (\$50.00) or greater where the change is greater than twenty dollars (\$20.00). Payment by credit and/or debit card may also be accepted if such payment options are available at the *Site*.

5 OFFENCES AND PENALTIES

5.1 OFFENCES AND PENALTIES

- 5.1.1 No *Person* shall carry out, suffer, or permit any act or thing to be done in contravention of this bylaw.
- 5.1.2 Every *Person* who violates any provision of this bylaw, or who permits any act or thing to be done in violation of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:
 - a) Shall be liable to a fine set out in District of Summerland Municipal Ticket Information Bylaw No. 95-030; or
 - b) Shall be liable, upon summary conviction, to the penalties provided under the Offence Act;
 - c) May be prohibited from entering and depositing *Garbage* or *Recyclable Material* at the *Landfill*; or
 - d) Any combination of the above.

5.1.3 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.

5.1.4 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

6 GENERAL

6.1 APPROVALS

6.1.1 Any approvals required by the *Director* in accordance with this bylaw shall be in writing.

6.2 SEVERENCE

6.2.1 If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and such decision shall not affect the validity of the remaining portions of this bylaw.

6.3 EFFECTIVE DATE

6.3.1 This bylaw shall come into full force and effect as and from the first day of May, 2008.

6.4 REPEAL

6.4.1 District of Summerland Landfill Bylaw Number 92-064 and all amendments thereto, are hereby repealed.

Read a first, second and third time by the Municipal Council this 14th day of April, 2008.

Adopted by the Municipal Council of the District of Summerland this 28th day of April, 2008.

'David Gregory'

Mayor

'Gillian Matthews'

Corporate Officer