

CITY OF PRINCE GEORGE

BYLAW NO. 7661

A bylaw to establish and provide for the operation of a service comprising the collection, removal, storage and disposal of waste material, and to regulate, prohibit and impose requirements in relation to the service.

The Council of the City of Prince George, in open meeting assembled, enacts as follows:

1. **SHORT TITLE**

- 1.1 This Bylaw may be cited as "City of Prince George Garbage Collection Regulation Bylaw No. 7661, 2004".

2. **INTERPRETATION**

- 2.1 In this Bylaw:

City means the City of Prince George.

Collection Cart means a **Garbage Container** supplied by the City that is designed to be moved to and from the collection point by an able-bodied individual and to be emptied by automated machinery.

Commercial Container means a **Garbage Container** with a capacity in excess of 360 litres that is supplied by a private waste collection contractor and designed to be emptied by automated machinery.

Director means the Director of Development Services of the City and any person authorized by the Director to administer this Bylaw.

Fees Bylaw means City of Prince George Consolidated Fees and Charges Bylaw No. 7557, 2004.

Garbage means waste material other than automobile parts, construction, land clearing and demolition waste, animal carcasses and parts, furniture, **Recyclable Material**, **Special Waste**, or any other type of material or substance determined by the **Director** to be hazardous or unacceptable for handling in the City's waste material collection and disposal system.

Garbage Container means a receptacle used to hold waste material, and includes **Collection Carts** and **Commercial Containers**.

Garden Waste means vegetation trimmings from residential premises and other landscaped areas including leaves, grass clippings, plants, and small brush and hedge clippings.

Medical Waste includes sharps, needles, syringes and related apparatus.

Recyclable Material includes paper, cardboard, plastics, glass and metal containers and other materials determined by the **Director** from time to time based on the nature and capacity of the City's recycling facilities.

Special Waste means special waste as defined in the *Environmental Management Act*.

Transfer Station means the Quinn Street Transfer Station at 18th Avenue and Quinn Street, the Vanway Transfer Station adjacent to the Vanway Fire Hall, and such other garbage transfer stations as the City may establish from time to time.

- 2.2 If any section or part of a section of this Bylaw is held to be invalid by a court of competent jurisdiction, that section or part shall be severed and the remainder shall be deemed to have been enacted without the severed portion.

3. **ADMINISTRATION**

- 3.1 Where this Bylaw directs a person to do anything or to comply with regulations, the **Director** and any person authorized by the **Director** to do so, may enter on any land or premises that are subject to the regulations to inspect and determine whether the regulations are being observed.

- 3.2 The **Director** may, where collection vehicle access to any premises is hampered by any circumstance, designate in writing any location for the placement of **Garbage Containers** on those premises, and those locations shall substitute for the locations prescribed for the premises by this Bylaw until the **Director** notifies the occupier of the premises otherwise.

- 3.3 The **Director** may from time to time prescribe the form of applications, certificates and other documents required in the administration of this Bylaw.

4. **CITY COLLECTION SERVICES**

- 4.1 The City by this Bylaw establishes the service of collecting, removing and disposing of **Garbage**.

- 4.2 The service includes the provision of equipment and personnel for the automated and manual collection, removal and disposal of **Garbage** at the times and intervals prescribed by the **Director**, and the operation of **Transfer Stations**.

- 4.3 Every occupier of premises within any of the collection areas shown on Schedule A to this Bylaw must make use of the collection service established by this Bylaw and pay the applicable fees imposed in the **Fees Bylaw**, unless they have contracted for private collection services under section 5.1.
- 4.4 Every occupier making use of the collection service shall obtain and use one or more **Collection Carts** unless the **Director** has determined that the provision of automated collection to the occupier's premises is not feasible, in which case the occupier shall obtain and use one or more **Garbage Containers** complying with section 6.3.
- 4.5 As an exception to section 4.4, the **Director** may issue to an occupier who does not wish to receive a collection service at their premises a certificate in the prescribed form, entitling the occupier to obtain a **Collection Cart** at such future time as the occupier wishes to receive such services.
- 4.6 An occupier of land who is not able to place a **Collection Cart** for collection in accordance with section 6.2(d) due to a physical disability, may apply to the **Director** for assistance in the prescribed form, and the **Director** may, on being satisfied that the no able-bodied person resident in the occupier's household is available to provide assistance and that the occupier is unable to comply with section 6.2(d), approve the provision of such assistance by the City. The **Director** may require the applicant to provide proof of disability by means of a physician's certificate. An occupier receiving such additional service must, if they become able to comply with section 6.2(d) or another household member becomes able to do so, promptly notify the **Director** and the **Director** shall cancel the additional service.
- 4.7 The City may in addition to the service established by section 5.2 provide a one-time collection service in respect of **Garbage** left for collection at a time other than that established by the **Director**, and in quantities in excess of those established by this Bylaw, when an occupier vacates a residential property, and an occupier obtaining such service shall pay the fee imposed for this service in the **Fees Bylaw**.

5. PRIVATE COLLECTION SERVICES

- 5.1 An occupier of premises outside the collection areas shown on Schedule A, and an occupier of non-residential premises within those collection areas, may contract with a private contractor for the provision of **Garbage** collection services in accordance with section 6.1, and must notify the **Director** of such an arrangement forthwith upon entering into the contract.
- 5.2 The **Director** may require the occupiers of premises comprising a mobile home park or strata plan within the collection areas shown on Schedule A to use a

private collection service, and in so doing may require the use of a **Commercial Container** and specify the location at which the container must be placed.

- 5.3 Every person who operates a private garbage collection service must:
- (a) comply with the requirements of this Bylaw;
 - (b) obtain any permit required by this Bylaw;
 - (c) ensure that **Garbage** placed in **Commercial Containers** complies with this Bylaw; and
 - (d) refuse to collect **Garbage** from premises whose occupiers do not comply with the requirements of this Bylaw.

6. GARBAGE CONTAINERS AND LOCATIONS

6.1 Commercial Containers

- (a) Every **Commercial Container** shall:
 - (i) be of a capacity sufficient to contain the **Garbage** generated in the premises for which it is provided during the intervals between collections;
 - (ii) be maintained by its owner in good condition, and be kept in a clean and sanitary condition by the occupier of the premises for which it is provided;
 - (iii) be equipped with a water-shedding cover that is kept in place at all times except when its contents are being placed or removed, unless the **Director** has authorized the use of an uncovered container for the premises; and
 - (iv) if it contains food waste, discarded fruit or vegetables or offal, be securely covered between April 1 and October 31 of every year in such a manner that bears cannot access its contents.
- (b) Every occupier of premises using a **Commercial Container** shall keep the container on a level site, at a location at which it can be accessed by the collection contractor, and so that the container does not encroach on any highway, boulevard, lane or other public place unless the occupier has obtained the approval of the City in writing to so encroach.

6.2 Collection Carts

- (a) Every occupier of premises to which this Bylaw applies shall obtain from the City one or more **Collection Carts** of the capacity the occupier deems suitable for containing all of the **Garbage** generated from the premises on a weekly basis.

- (b) An occupier may request the **Director** to provide a replacement **Collection Cart** of a different capacity, or one or more additional **Collection Carts**, and the service fees for which the occupier is liable under this Bylaw shall be adjusted in accordance with the **Fees Bylaw**.
- (c) The occupier shall maintain all **Collection Carts** supplied by the City in a clean and sanitary condition at all times, and shall notify the **Director** of any lost, stolen or damaged **Collection Carts** and obtain a replacement.
- (d) Where the collection service is provided to their premises from a highway, the occupier shall place the **Collection Carts** for collection adjacent to the boulevard, curb or shoulder of the highway prior to 8:00 am on the collection day specified from time to time by the **Director**, but not earlier than 9:00 p.m. on the previous day.
- (e) In the case of premises adjacent to a lane from which the collection service is provided, the **Collection Carts** must be placed on the occupier's land at a location adjacent to the lane and not separated from it by any fence, gate or other structure, prior to 8:00 am on the collection day specified from time to time by the **Director** but not earlier than 9:00 p.m. on the previous day.
- (f) In the case of premises in a mobile home park or strata plan, the occupier shall place the **Collection Carts** for collection at the curb or shoulder of the highway from which the occupier has access to their mobile home or strata lot, unless the **Director** specifies a different location in which case it shall be placed at the location specified by the **Director**, and all occupiers of mobile homes or strata lots in a mobile home park or strata plan shall place their containers at the same location.
- (g) No **Collection Cart** shall be placed for collection such that it is within one metre of any structure or other object.
- (h) No **Collection Cart** shall, except when placed for collection, be located other than on the occupier's premises, and in particular no **Collection Cart** shall be located so as to encroach on any highway, boulevard, lane or other public place except as expressly required by this Bylaw.
- (i) No person shall place any **Garbage** for collection in any **Garbage Container** intended to be emptied by automated machinery, other than a **Collection Cart** provided by the City.

6.3 Other Containers

- (a) A **Garbage Container** other than a **Commercial Container** or a **Collection Cart** shall:
 - (i) have a capacity of less than 100 litres;
 - (ii) be manufactured of rigid plastic or galvanized iron;
 - (iii) be of tapered design such that the diameter of the top exceeds that of the bottom;
 - (iv) have a height no greater than 0.76 metres;
 - (v) be equipped with lifting handles and a water-shedding cover that is not attached to the container unless designed to be so attached by the manufacturer.
- (b) An occupier may in lieu of containers complying with subsection (a), place **Garbage** for collection in securely tied plastic bags having a minimum thickness of 1 mm and each having a weight of less than 22 kg.
- (c) No occupier of premises not using **Collection Carts** or a **Commercial Container** shall place more than 4 **Garbage Containers** or bags for collection at any one time.
- (d) If an occupier referred to in subsection (b) requires the collection of more than 4 garbage containers or bags weekly, the occupier shall notify the **Director** and the **Director** may increase the number of collections per week from the premises, and the occupier shall pay the fee for increased frequency of collection set out in the **Fees Bylaw**.
- (e) Occupiers not using **Collection Carts** or a **Commercial Container** shall comply with section 6.2(d), (e) and (f), but the containers may, in the case of premises to which the collection service is provided from a lane, be placed in or on a stand or structure designed to accommodate the containers, located on the occupier's land within 1 meter of the lane, and not separated from the lane by any fence, gate or other structure.

6.4 Use of Containers

- (a) No person shall place in any **Garbage Container** any material that is not **Garbage**, or any liquid, ozone-depleting substance, waste asbestos, gypsum board or wall board, sawdust or animal excrement not contained in a sealed container, **Medical Waste**, or any material that exceeds the capacity of the container or has any dimension in excess of 1.25 metres.
- (b) No person shall fail to remove any **Garbage Container** from any highway or lane on which it was placed for collection, by 7:00 pm on the collection day.

- (c) No person other than the occupier of the premises on or adjacent to which the container is placed, shall remove a cover from or disturb the contents of a **Garbage Container**.
- (d) No person shall place in any **Garbage Container** any volume of **Garbage** or other waste material in excess of that which the container was designed to accommodate with its cover closed, or place any such material adjacent to the container.
- (e) If an occupier fails to comply with section 6.4(d) by placing waste material on any highway or lane, the City may without notice to the occupier remove the material and the occupier shall be liable to the charge imposed for such service by the Fees Bylaw.
- (f) No person shall place any **Garbage Container** in any location that, in the opinion of the Fire Chief, creates a fire hazard or endangers the life or safety of persons by impeding access to premises by firefighting apparatus or personnel.
- (g) The City shall be under no obligation to collect or remove **Garbage** or any other waste material from any premises or the highway or lane adjacent to any premises if the occupier has not placed such material for collection in compliance with the requirements of this Bylaw.

7. FEES AND CHARGES

- 7.1 Every occupier of premises required to use collection services under this Bylaw or receiving optional services under this Bylaw shall pay the fee prescribed by the **Fees Bylaw**.
- 7.2 The fees shall be due and payable in full on the date specified in the City's invoice, and on the previous business day if such date is a Saturday, Sunday or statutory holiday, subject to the occupier qualifying for any early payment discount specified in the **Fees Bylaw**.
- 7.3 Every occupier who, having received a **Collection Cart** from the City, requires a replacement **Collection Cart**, or exchanges the container for a container of a different volume, shall pay the replacement or exchange fee specified in the **Fees Bylaw**.
- 7.4 If an occupier or the City recovers in usable condition a **Collection Cart** that has been lost or stolen after the occupier has paid a replacement fee, a credit in the amount of the replacement fee shall be applied to the occupier's account.

- 7.5 Fees imposed for services provided under this Bylaw may be collected in the same manner and with the same remedies as property taxes on the premises in respect of which they are imposed and, if unpaid on December 31 of the year in which they are imposed and due and payable on that date, shall be deemed to be taxes in arrear.

8. TRANSFER STATIONS

- 8.1 An owner or occupier of residential premises in the City may deposit **Garbage or Garden Waste** at a **Transfer Station** upon payment of the fee specified in the **Fees Bylaw**.
- 8.2 No person shall transport on any highway any **Garbage or Garden Waste** that is not secured or covered such that it cannot be blown from the vehicle while in transit.
- 8.3 No person shall deposit at a **Transfer Station** any quantity of **Garbage or Garden Waste** in excess of that which may be transported in a passenger automobile or light truck of up to one-ton capacity.
- 8.4 No person shall deposit or permit to be deposited at a **Transfer Station** any waste material other than **Garbage or Garden Waste**, including any waste the deposit or disposal of which is regulated by provincial or federal law; any appliance containing an ozone-depleting substance including refrigerants; any equipment containing a cathode tube with internal pressure other than atmospheric pressure; or any **Garbage or Garden Waste** that does not originate in residential premises in the City.
- 8.5 No person other than an employee or contractor of the City providing services at that location shall, at a **Transfer Station**,
- (i) park a vehicle in a manner that obstructs the unloading of any other vehicle;
 - (ii) park a vehicle for any purpose other than the unloading of **Garbage or Garden Waste**;
 - (iii) deposit any material at or remove any material from a **Transfer Station** or permit any other person to do so, except as authorized by a sign placed or posted by the City;
 - (iv) deposit any material contrary to the instructions of the attendant in the **Transfer Station**;
 - (v) deposit any material in any area that is not identified by signs placed or posted by the City as a place for the deposit of such material;
 - (vi) remove, damage, deface or alter any sign placed or posted by the City; or
 - (vii) remain on the premises for any purpose other than disposing of or removing **Garbage or Garden Waste**, or for any period of time in

excess of that required to deposit **Garbage** or **Garden Waste** that they have transported to the **Transfer Station** or to remove material the removal of which is expressly authorized by sign placed or posted by the City.

9. **OFFENCES AND PENALTIES**

9.1 Every person who contravenes any provision of this Bylaw is punishable, on summary conviction, by a fine not exceeding \$5000.00 and, in the case of a continuing offence, a fine not exceeding that amount for each day that the offence continues.


10. **REPEAL**

10.1 City of Prince George Garbage Regulation Bylaw No. 6316, 1995 and all amendments thereto are hereby repealed.


READ A FIRST TIME this 4th day of October, 2004.
READ A SECOND TIME this 4th day of October, 2004.
READ A THIRD TIME this 4th day of October, 2004.

All three readings passed by a *unanimous* decision of all members of City Council present and eligible to vote.

ADOPTED THIS THE 18th DAY OF *October*, 2004, BY A *unanimous* DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.



MAYOR



CLERK

SCHEDULE A TO BYLAW NO. 7661, 2004

RESIDENTIAL COLLECTION AREAS

