

BY-LAW NO.

**A By-law to amend Solid Waste and Recycling By-law No. 8417
regarding 2006 fee increases and housekeeping amendments**

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

1. This By-law amends the indicated provisions and schedules of the Solid Waste and Recycling By-law.
2. From section 1, Council strikes out "and Recycling".
3. To section 2, after the definition of "dwelling unit", Council adds:
 - ' "excess producer" refers to that class of residential property, the owners or occupiers of which at any time require more solid waste collection services than the garbage cart service or garbage can service, as the case may be, provided by the city,
 - "garbage" means solid waste that is not recyclable material or yard waste,
 - "garbage bag" means a plastic bag supplied by the owner or occupier of property for the deposit of garbage,
 - "garbage can" means a container supplied by the owner or occupier of property for the deposit of garbage,
 - "garbage cart" means a wheeled container supplied by the city for the deposit of garbage,'.
4. Council repeals the contents of section 3.1, and substitutes:
 - "Council authorizes the City Engineer to collect solid waste from any premises in the city."
5. From section 3.2(a), Council strikes out "solid waste", and substitutes "garbage and yard trimmings".
6. Council repeals the contents of section 3.3, and substitutes:
 - "Council authorizes the City Engineer to operate and administer the city's solid waste facilities."
7. From section 3.4(a), Council strikes out "disposal and recyclable material" and "and recycling".
8. From section 3.4(b), Council strikes out "disposal and recyclable material".

9. From section 3.4(b)(i), Council strikes out "and recyclable".
10. From the title to Part IV, Council strikes out "CITY".
11. Council repeals sections 4.1 to 4.8, and substitutes:

"4.1 General Garbage Service

An owner of a non-residential property may request in writing that the City Engineer provide garbage collection service at the applicable rates set out in Part I, II, or III of Schedule B to this By-law.

4.2 Garbage Cart Service

(1) *Service Conditional on Compliance*

The city will collect solid waste only from owners and occupiers who have complied with section 4.2(5), 4.2(6), 7.2, 7.3, 7.4, and 7.6.

(2) *Service Allocation to Residential Dwellings*

(a) Minimum Service

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

(b) Strata Duplexes

Despite section 4.2(2)(a) but subject to 4.2(3), each dwelling unit in a strata duplex will be allocated a minimum of one 75 litre cart per dwelling unit. A change in the allocation will be made upon request by the dwelling unit owner to any size above the minimum allocation set out in Part I of Schedule B to this By-law.

(c) Rowhouses

Despite section 4.2(2)(a) but subject to 4.2(3), each dwelling unit in a rowhouse will be allocated a minimum of one 75 litre cart per dwelling unit. A change in the allocation will be made upon request by the dwelling unit owner to any size above the minimum allocation. Owners or occupiers of rowhouses may consolidate garbage cart service to the calculated minimum volume set out in Part I of Schedule B to this By-law.

(3) *Additional Garbage Cart Service*

Despite sections 4.2(2)(a), (b), and (c):

- (a) an owner may request in writing that the City Engineer provide additional garbage cart service or any other additional service under this By-law;
- (b) the City Engineer may allocate to an excess producer garbage carts in sufficient size and number to make up the deficiency between solid waste produced and garbage cart collection services purchased;
- (c) additional garbage carts, either purchased or allocated, will not include service for yard waste collection; and
- (d) if the request referred to in clause (a) is approved by the City Engineer, the rates for such services will be entered by the Director of Finance on the real property tax rolls for that owner's parcel.

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

Subject to the minimum allocations set out in sections 4.2(2)(a), (b), and (c):

- (a) an owner may request a reduction in the number or volume of garbage carts purchased by the owner or allocated to an excess producer under section 4.2(3); and
- (b) the City Engineer may approve the request if the City Engineer is satisfied that a reduction will not cause the property to become an excess producer.

(5) *Permitted Type of Garbage Cart*

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

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

Garbage carts must not be filled:

(a) so that the gross weight exceeds the following limits:

Rated Capacity of Garbage Cart	Weight Limit
75 litres	32.0 kg
120 litres	50.8 kg
180 litres	76.3 kg
240 litres	101.6 kg
360 litres	151.9 kg

(b) in such a manner that:

(i) the contents cannot be easily emptied, or

(ii) the lid does not close.

(7) *Garbage Cart Service Conditions of Use*

Each owner or occupier to whom a garbage cart is issued must keep the garbage cart in good condition, and not noxious, offensive or dangerous to public health, and return it to the city upon request.

4.3 **Garbage Can Service**

(1) *Service Conditional on Compliance*

The city will collect solid waste only from owners and occupiers who have complied with sections 4.3(6), 4.3(7), 7.2, 7.3, 7.4, and 7.6.

(2) *Service Allocation to Residential Dwellings*

(a) Minimum Service

Subject to section 4.3(3), each residential property that does not receive garbage cart service will be allocated garbage can service at the applicable number of garbage cans and the applicable rate or rates set out in Part II of Schedule B to this By-law.

(b) Strata Duplexes

Despite section 4.3(2)(a) but subject to section 4.3(3), each dwelling unit in a strata duplex will be allocated two garbage cans of service each collection period at the applicable rate or rates set out in Part II of Schedule B to this By-law.

(c) Rowhouses

Despite section 4.3(2)(a) but subject to section 4.3(3), each dwelling unit in a rowhouse will be allocated two garbage cans of service each collection period at the applicable rate or rates set out in Part II of Schedule B to this By-law.

(3) *Additional Garbage Can Service*

Despite sections 4.3(2)(a), (b), and (c), but subject to section 4.3(4):

- (a) an owner may request in writing that the City Engineer provide additional garbage can service or any other additional service under this By-law;
- (b) the City Engineer may allocate a sufficient number of additional garbage cans to an excess producer to make up the deficiency between solid waste produced and collection services purchased;
- (c) additional garbage cans, either purchased or allocated, will not include service for yard waste collection; and
- (d) if the request referred to in clause (a) is approved by the City Engineer, the rates for such services will be entered by the Director of Finance on the real property tax rolls for that owner's parcel.

(4) *Maximum Limit of Garbage Cans*

Despite section 4.3(3):

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

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

Subject to the minimum allocations set out in sections 4.3(2)(a), (b), and (c):

- (a) an owner may request a reduction in the number of garbage cans purchased by the owner or allocated to an excess producer under section 4.3(3); and
- (b) the City Engineer may approve the request if the City Engineer is satisfied that a reduction will not cause the property to become an excess producer.

(6) *Permitted Types of Garbage Cans*

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

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

Instead of the types of garbage cans described in this section 4.3(6), an owner or occupier may provide any other shape, nature, capacity, or design of garbage can as the City Engineer may approve.

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

Garbage cans must not be filled:

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

12. From each of sections 5.2, 5.5, and 5.7, Council strikes out "Part II", and substitutes "Part IV".

13. From section 6.2, Council strikes out "Part III, and substitutes "Part V".

14. Council repeals the title to Part VII, and substitutes:

"SOLID WASTE SERVICE".

15. From section 7.2, Council repeals the title, and substitutes:

"Inspection/Replacement of Garbage Carts/Garbage Cans/Blue Box Recycling Containers/ Recycling Carts".

16. From section 7.2(1), and from subsections (1), (2), (3), (4), and (5) of section 7.3, Council strikes out "cans", and substitutes "garbage cans, garbage carts,".

17. Council repeals section 7.3(5), and substitutes:

"(5) A person who uses a garbage cart must place the cart for solid waste collection in a location free from obstructions at least one metre horizontally on all sides of the cart and three metres vertically above the cart.

(6) Where circumstances peculiar to any premises do not permit compliance with sections 7.3(1), 7.3(2), 7.3(3), and 7.3(5), the City Engineer may approve an alternate location for the placing of garbage cans, garbage carts, and blue box recycling containers."

18. To Part VII, after section 7.4, Council adds:

“7.5 Exclusions

Subject to sections 4.2(3) and 4.3(3), each rental apartment, apartment, or rowhouse which receives garbage removal service by way of a commercial container will not be allocated any service.

7.6 Restricted Material

No garbage bag, garbage can, or garbage cart from which the City Engineer collects garbage may contain more than 10% paper or cardboard or both by volume.

7.7 Requirement for Solid Waste Service

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

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

19. To the title to Part VIII, after “SERVICES”, Council adds “AND CONDITIONS”.

20. From section 8.2, Council strikes out “and recyclable material”.

21. Council repeals the contents of section 8.3, and substitutes:

“Any person who wishes to drop off solid waste acceptable to the city at the Vancouver Landfill on Benson Road, Delta, British Columbia or at the Vancouver South Transfer Station at 377 West Kent Avenue North in the city must pay the rates set out in Schedule A.”

22. After section 8.3, Council adds:

“8.4 Prohibited Materials

A person must not dispose of anything described in Schedule E to this By-law at the Vancouver Landfill or Vancouver South Transfer Station, referred to in section 8.3.

8.5 Costs of Clean-up and Remediation

A person who disposes of any prohibited material described in Schedule E to this By-law at the Vancouver Landfill or Vancouver South Transfer Station, referred to in section 8.3, must pay to the city on demand the city’s direct and indirect costs of clean-up and remediation resulting from such disposal.

8.6 City Stickers - Special Conditions

The following additional terms and conditions apply to city stickers:

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

8.7 Additional Bags of Garbage

Additional bags of garbage will be collected, provided that:

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

23. Council repeals section 9.4.

24. In section 10.1, Council:

- (a) strikes out “and recycling”; and
- (b) after “4.2”, adds “4.3,”.

25. To section 10.1(2)(a), after “yard waste”, Council adds “, or the number or volume of garbage carts,”.

26. From section 6 of Schedule A, Council strikes out "\$410", and substitutes "\$430".
27. From section 7 of Schedule A, Council strikes out "\$495", and substitutes "\$520".
28. Council repeals Schedule B, and substitutes Schedule B set out in the Schedule attached to this By-law.
29. To Schedule C, Council adds:
 - "20. Aluminum Trays and Foil".
30. From Schedule D, Council repeals:
 - (a) section 1, and substitutes:
 - "1. Pathogenic, radioactive, toxic and biomedical waste, including sharps";
 - (b) section 14, and substitutes:
 - "14. Any soil with contaminant levels exceeding those defined for Urban Park Land by the Contaminated Sites Regulation of the Environmental Management Act of British Columbia"; and
 - (c) section 17, and substitutes:
 - "17. Any material or substance defined as 'Hazardous Waste' under the Environmental Management Act of British Columbia."
31. Council repeals the list of prohibited materials set out in Schedule E, and substitutes:
 - "1. Pathogenic, radioactive, toxic and biomedical waste, including sharps.
 2. Any material or substance defined as 'Hazardous Waste' under the Environmental Management Act of British Columbia.
 3. Liquid wastes and sludges.
 4. Explosive substances.
 5. Chemicals or other materials which may create hazardous working conditions.
 6. Inflammable materials.
 7. Materials hot enough to start combustion.

8. Automobile bodies or boat hulls.
9. Waste oil, petroleum by-products or used oil filters.
10. Dead animals and animal parts (including bones, feathers, skin, hair, nails and teeth).
11. All forms of excrement.
12. Barrels, drums, pails and other large liquid containers, whether full or empty.
13. Lumber, timber, logs, etc., longer than 3.6 metres.
14. Solid objects larger in cross section than 3500 cm if longer than 2.5 metres.
15. Fabricated objects wider or thicker than 1.2 metres and longer than 2.5 metres.
16. Any soil with contaminant levels exceeding those defined for Urban Park Land by the Contaminated Sites Regulation of the Environmental Management Act of British Columbia.
17. Coated or uncoated wire or cable in excess of 1% by weight of any load.
18. Tires.
19. Commercial loads of dry cell batteries.
20. Any other material deemed by the City Engineer as unacceptable for disposal at the Vancouver Landfill or Vancouver South Transfer Station."

32. This By-law is to come into force and take effect on January 1, 2006.

ENACTED by Council this day of , 2005

Mayor

City Clerk

SCHEDULE TO BY-LAW

“SCHEDULE B

RATES FOR COLLECTION SERVICES

I. Garbage Cart Collection Service

A. Residential Property

The following allocation applies to residential properties:

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

B. Garbage Cart Rates

For those properties which receive garbage cart collection service under Part IV - Garbage Service, per calendar year, payable concurrently with each year's real property taxes

Size of Garbage Cart	Rate
75 litres	\$70
120 litres	\$82
180 litres	\$99
240 litres	\$115
360 litres	\$147

..... \$2.00

II. Garbage Can Collection Service

A. Residential Property

The following allocation applies to residential properties.

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

B. Garbage Can Rates

For those properties which receive garbage can collection service under Part IV – Garbage Service, per calendar year, payable concurrently with each year’s real property taxes \$50.00

except for rowhouses which have one or more common collection points, at locations agreed to by the City Engineer, for each collection point where service is provided \$50.00

plus for each garbage can allocated or purchased, per calendar year, payable concurrently with each year’s real property taxes \$27.00

III. Miscellaneous Service

A. City Sticker Service

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

B. Purchase of Additional Garbage Service

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

IV. Recycling Collection Service

A. Basic Recycling Rates

For each dwelling unit (recycling cart located within 50 m pursuant to section 5.7(1) of this By-law \$ 20.00
except where one or more common collection points, at locations agreed to by the City Engineer are serviced the rate shall be, for each dwelling unit \$ 10.00
plus for each collection point where service is provided..... \$10.00

B. Additional Carryout Charges

For buildings which receive recycling cart service the following additional charges apply for each collection involving a carryout:

for distances greater than 50 m but less than 100 m	\$1.45 per cart
for distances of 100 m or greater but less than 150 m	\$3.45 per cart
for distances of 150 m or greater	\$6.00 per cart

V. Yard Waste Collection Service

For properties which receive yard waste collection service under Part VI – Yard Waste Service, for each property \$40.00

except for rowhouses which have one or more common collection points at locations agreed to by the City Engineer, for each collection point where service is provided. \$40.00”

EXPLANATION

A By-law to amend the Solid Waste and Recycling By-law regarding 2006 fee increases and housekeeping amendments

The attached by-law will implement Council's resolution of December 15, 2005 to amend certain utility fees from and after January 1, 2006.

Director of Legal Services
December 15, 2005