

VILLAGE OF CHASE

BYLAW NO. 743-2010

A BYLAW IN THE VILLAGE OF CHASE TO PROVIDE  
A SYSTEM FOR THE COLLECTION, REMOVAL AND DISPOSAL OF  
SOLID WASTE AND RECYCLABLES

The Municipal Council of the Village of Chase, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the "Village of Chase Solid Waste and Recyclables Bylaw No. 743-2010".
2. Village of Chase Garbage Collection and Disposal Bylaw No. 704 and any amendments thereof are hereby repealed.
3. Metric units and imperial measurements are used for measurements in this bylaw.
4. This bylaw is divided into the following divisions:

Division One	Definitions and Interpretation
Division Two	Administrative
Division Three	Solid Waste Disposal Requirements
Division Four	Recyclables Disposal Requirements
Division Five	Solid Waste Curb Side Collection Service
Division Six	Recyclables Curb Side Collection Service
Division Seven	Fees, Subsidies and Set Out/Set Back Services
Division Eight	Disposal Sites
Division Nine	Offences and Penalties
Division Ten	Schedule "A"

DIVISION ONE - DEFINITIONS AND INTERPRETATION

1.01 In this bylaw:

"APPROVED GARBAGE BAG" means a garbage bag constructed of 1.5 mil polyethylene and measuring no larger than 66 cm (approximately 26 in.) in diameter by 91 cm (approximately 36 in.) in height, and must not exceed 22.7 kg (approximately 50 lb.) when placed in container for collection.

"AUTHORIZED DISPOSAL FACILITY" means a disposal facility in accordance with the Thompson-Nicola Regional District Regional Solid Waste Management Plan.

"AUTOMATED COLLECTION" means the collection of solid waste and recyclables using a specially designed vehicle with mechanical apparatus which empties a solid waste container or a recycling container directly into a vehicle without requiring manual labour to empty the container.

"BEAR ATTRACTANTS" include any and all food wastes and other putrescible material that may attract bears.

"COLLECTION CREW" means any Village employee or other person authorized by the Village to provide any service under this bylaw.

"CORPORATE OFFICER" means the person assigned by Council for the responsibility of corporate administration for the Village.

"COUNCIL" means Municipal Council for the Village of Chase.

"DWELLING OR DWELLING UNIT" has the same meaning as the current Village of Chase Zoning bylaw.

"GREEN WASTE" means grass and hedge clippings, flowers, leaves, garden waste, and branch and tree prunings.

"HAZARDOUS WASTE" has the meaning assigned in the Hazardous Waste Regulation to the BC Environmental Management Act, as amended from time to time.

"MULTIPLE FAMILY DWELLING" has the same meaning as the current Village of Chase Zoning bylaw.

"NON-RESIDENTIAL PREMISES" means a building or part of a building situated within the Village of Chase that is used or intended to be used for any use other than residential accommodations. For clarity, hotels and motels are considered to be non-residential premises.

"OCCUPIER" means every person who occupies or uses any land or building situated within the Village of Chase, and includes, without limitation, all tenants and lessees of the said lands or buildings.

"OFFENSIVE WASTE" means any matter or thing, natural or manmade, that, on its own or when mixed with any other substance, may be germ or vermin infested, have an offensive odour, be injurious to the health of a person handling it, or that results in the disruption of solid waste collection service by reason of the need to clean equipment, personal, public or private property, and includes, without limitation, acids and other corrosive materials, combustible materials, but does not include hazardous waste.

"PERSON" means any individual, firm, company, association, society, corporation, group, or municipality.

"PRIVATE COLLECTION SERVICE" means any automated collection or semi-automated collection of solid waste and/or recyclables by means other than the Village collection service.

"PROPERTY OWNER" means the registered owner of any lands and buildings situated within the Village of Chase.

"PUBLIC WORKS AND UTILITIES FOREMAN" means the person appointed as such from time to time by the Village of Chase and any person delegated to assist in carrying out his/her duties under this bylaw.

"RECYCLABLES" means those household recyclable materials approved for recycling by the Thompson-Nicola Regional District;

"RECYCLING CONTAINER" means a container with no more than a 360 litre capacity, which has been approved by the Public Works and Utilities Foreman in accordance with this bylaw for use with the recyclables curb side collection service.

"SECONDARY SUITE" has the same meaning as the current Village of Chase Zoning bylaw.

"SOLID WASTE" means waste material, not including hazardous waste, offensive waste, green waste or any other unacceptable materials, as identified by this bylaw and as may be determined by the Public Works and Utilities Foreman.

"SOLID WASTE AND RECYCLABLES COLLECTION SERVICE" means the Village's automated collection of solid waste and recyclables from premises situated within the Village of Chase.

"SOLID WASTE CONTAINER" means a container with no more than a 360 litre capacity, which has been approved by the Public Works and Utilities Foreman in accordance with this bylaw for use with the solid waste curb side collection service.

"SOLID WASTE UTILITY CHARGE" means the utility charge that is imposed, in accordance with the current Village of Chase Fees and Charges bylaw, upon the owners of real property within the boundaries of the Village of Chase on which one or more dwelling units or non-residential premises are situated.

"VILLAGE" means the Village of Chase.

"VILLAGE OFFICE" means the Village of Chase Municipal Office.

- 1.02 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.
- 1.03 Provided that the Thompson-Nicola Regional District does not charge tipping fees or any other fees for the processing of recyclables and to encourage recycling, the Village of Chase shall not impose a fee for the collection of recyclables.

DIVISION TWO - ADMINISTRATIVE

- 2.01 The Village, by this bylaw, is authorized to establish and operate the solid waste and recyclables collection service for the purposes of collecting, removing, and disposing of solid waste and recyclables within the Village, either by contract or by use of Village-owned equipment and Village labour, and such service shall be under the control and subject to the inspection of the Public Works and Utilities Foreman.
- 2.02 Upon providing the property owner or occupier with 24 hours prior written notice, the Public Works and Utilities Foreman and the Bylaw Enforcement Officer are authorized to enter, at all reasonable times and in a reasonable manner, any land and buildings for the purposes of ascertaining whether the provisions of this bylaw are being complied with.
- 2.03 Any person who wishes to appeal a decision of the Public Works and Utilities Foreman under this bylaw may appeal to Council by giving written notice to the Corporate Officer of his or her intention to appeal. Such appeal shall state the grounds upon which the appeal is made. Council shall appoint a time and place for the hearing of the appeal and may confirm or set aside such decisions made by the Public Works and Utilities Foreman.

DIVISION THREE - SOLID WASTE DISPOSAL REQUIREMENTS

- 3.01 Any new owner of a dwelling unit or non-residential premise must register with the Village Office within one week of moving in.
- 3.02 No person within the Village of Chase shall dispose of solid waste, except in accordance with the provisions of this bylaw.
- 3.03 No owner or occupier of real property shall cause or permit the accumulation of solid waste at or near non-residential premises, except where such solid waste is placed in solid waste containers approved by the Public Works and Utilities Foreman for collection and removal.
- 3.04 Every owner or occupier of real property must, at all times, maintain all solid waste containers in a clean and sanitary condition and cover all solid waste containers securely with the lid.
- 3.05 Solid waste must be deposited in an approved solid waste container or in bags outside the approved solid waste container if prior approval is granted by the Public Works and Utilities Foreman.
- 3.06 No person shall cause or permit the contents of a solid waste container for which they are responsible to exceed the manufacturer's rated weight limit. The limit for a 240 litre container is 70 kg. or 164 lbs and the limit for a 360 litre container is 100 kg. or 220 lbs.
- 3.07 No owner or occupier of real property or person shall accumulate, store, or collect any bear attractants unless stored, accumulated, or collected in an enclosed structure or approved container.

- 3.08 The Village may suspend the solid waste collection service or order the solid waste collection service suspended from properties where the solid waste containers, by location or design, are not accessible for pickup according to the provisions of this bylaw, but such suspension shall not waive any requirement, or abate or waive any fees or charges under the provisions of this bylaw.
- 3.09 Hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, semi-solid materials such as mud and sludges, animal cuttings or waste of dead animals, tires, fuel, oil and other equipment lubricant filters will not be picked up by the solid waste collection service.
- 3.10 Hazardous waste and offensive waste will not be picked up by the solid waste collection service.
- 3.11 Green waste and non-residential cardboard will not be picked up by the solid waste curb side collection service or from the Thompson-Nicola Regional District recyclables drop-off depot.
- 3.12 All table and kitchen waste, wet garbage, pet waste, cold ashes, sawdust and other granular materials must be enclosed in approved garbage bags prior to being placed in any solid waste container.
- 3.13 All materials which might adhere to the solid waste container or collection vehicle must be separately wrapped or disposed of within individual disposable wrappings prior to being placed in the solid waste container.
- 3.14 No owner or occupier of real property shall cause or permit to be deposited for pickup by the solid waste collection service any explosive, volatile or corrosive materials, dangerous chemicals or any other material that, on its own or when mixed with another material, may pose a risk to the health and/or safety of the collection crew.
- 3.15 Solid waste must not be compressed into any solid waste container in a manner that will inhibit the waste from falling freely into the vehicle during the regular tipping process.
- 3.16 Solid waste containers may not be decorated, defaced or altered in any way.

#### DIVISION FOUR - RECYCLABLES DISPOSAL REQUIREMENTS

- 4.01 Any new owner of a dwelling unit or non-residential premise must register with the Village Office within one week of moving in.
- 4.02 No person within the Village of Chase shall dispose of recyclables within the Village boundaries, except in accordance with the provisions of this bylaw.
- 4.03 Every owner or occupier must, at all times, maintain all recycling containers in a clean and sanitary condition and cover all recycling containers securely with the lid. Any excess recyclables may be deposited in the Thompson-Nicola Regional District recyclables drop-off depot located in the Arena parking lot.

- 4.04 Only recyclables may be placed in the recyclables container.
- 4.05 No person shall cause or permit the contents of a recycling container for which he or she is responsible to exceed the manufacturer's rated weight limit. The limit for a 240 litre container is 70 kg. or 164 lbs and the limit for a 360 litre container is 100 kg. or 220 lbs.
- 4.06 The Village may suspend the recyclables collection service or order the recyclables collection service suspended from properties where Village owned recycling containers are not utilized; but such suspension shall not waive any requirement of this bylaw.
- 4.07 The Village may suspend the recyclables collection service or order the recyclables collection service suspended from properties when the location of the recycling container is not accessible for pickup according to the provisions of this bylaw; but such suspension shall not waive any requirement under the provisions of this bylaw.
- 4.08 The Village may suspend the recyclables collection service or order the recyclables collection service suspended from properties where items other than those listed in the definition of recyclables have been deposited in a recycling container for pickup according to the provisions of this bylaw; but such suspension shall not waive any requirement under the provisions of this bylaw.
- 4.09 Recyclables must not be compressed into a recycling container in a manner that will inhibit the recyclables from falling freely into the vehicle during the tipping process.
- 4.10 Non-residential cardboard will not be picked up by the recyclables curb side collection service or from the Thompson-Nicola Regional District recyclables drop-off depot located in the Arena parking lot.
- 4.11 Recyclables containers may not be decorated, defaced or altered in any way.

#### DIVISION FIVE - SOLID WASTE CURBSIDE COLLECTION SERVICE

- 5.01 Any new owner of a dwelling unit or non-residential premise must register with the Village Office within one week of moving in.
- 5.02 The Public Works and Utilities Foreman may authorize the provision of its solid waste curb side collection service to any property owner or occupier if the Public Works and Utilities Foreman is satisfied that:
  - a) the premise to which the solid waste curb side collection service will apply is within the boundaries of the Village of Chase;
  - b) the collection vehicle will have convenient and safe access to and from the subject premise in general and to and from the designated collection point in particular; and
  - c) the anticipated amount, frequency and type of solid waste will be compatible with the curb side collection service.

- 5.03 Approved solid waste containers shall be owned and distributed by the Village and are to be used exclusively for the storage and collection of solid waste and must not be used for any other purpose.
- 5.04 Any person wishing to receive solid waste curb side collection service must deposit his or her solid waste in an approved solid waste container, unless otherwise directed by the Public Works and Utilities Foreman.
- 5.05 Approved solid waste containers shall be leased from the Village at the rates set forth in the current Village of Chase Fees and Charges Bylaw.
- 5.08 The solid waste curb side collection service shall consist of one collection per week for residential premises and up to twice per week for non-residential premises, or as may be directed by the Public Works and Utilities Foreman.
- 5.09 On the first collection day after December 25 of each year, up to three additional approved garbage and/or recyclables bags may be placed for collection at no charge.
- 5.10 For collection purposes, every owner or occupier must close all the solid waste container lids and place the solid waste containers next to the lane, on the edge of the roadway, or at a place designated by the Public Works and Utilities Foreman, and placed approximately one meter apart.
- 5.11 Solid waste containers shall be readily accessible for emptying between the hours of 7:00 a.m. and 4:00 p.m. on the day of collection. Solid waste containers must be removed from the collection area by 7:00 pm.
- 5.12 Every owner or occupier of real property must remove all solid waste containers from the lane, roadway, or other collection place designated by the Public Works and Utilities Foreman by 7:00 p.m. on collection day and store all solid waste containers on private property in a safe manner.
- 5.13 Where collection vehicle access to any premises is hampered by any circumstance, the Public Works and Utilities Foreman may designate an alternate location for the placement of the solid waste container.
- 5.14 A parcel of real property containing only one principal single family detached dwelling with a secondary suite shall be treated as a single dwelling unit for the purposes of the solid waste curb side collection service.
- 5.15 All Village-leased solid waste containers that are damaged, lost, or stolen must be reported to the Public Works and Utilities Foreman immediately; there may be a charge to replace the container/s. All Village-leased solid waste containers that are damaged or stolen as a result of neglect or misuse on the part of the property owner or occupier must be replaced at the expense of the property owner; otherwise, the Village-leased solid waste container will be repaired or replaced by the Village at the expense of the property owner. Refer to the current Village of Chase Fees and Charges Bylaw for replacement costs.

- 5.16 Village-leased solid waste containers may be exchanged at the request of the property owner or occupier. Refer to the current Village of Chase Fees and Charges Bylaw for solid waste container exchange rate.
- 5.17 Property owners or occupiers leasing Village solid waste containers must contact the Village Office a minimum of one week prior to moving.
- 5.18 Green waste and non-residential cardboard will not be picked up by the solid waste curb side collection service.

DIVISION SIX – RECYCLABLES CURBSIDE COLLECTION SERVICE

- 6.01 Any new owner of a dwelling unit or non-residential premise must register with the Village Office within one week of moving in.
- 6.02 The Public Works and Utilities Foreman may authorize the provision of its recyclables curb side collection service to any property owner or occupier if the Public Works and Utilities Foreman is satisfied that:
  - a) the premises to which the recyclables curb side collection service will apply is within the boundaries of the Village of Chase;
  - b) the collection vehicle will have convenient and safe access to and from the subject premises in general and to and from the designated collection point in particular; and
  - c) the anticipated amount, frequency and type of recyclables will be compatible with the curb side collection service.
- 6.03 Approved recycling containers shall be owned and distributed by the Village and are to be used exclusively for the storage and collection of recyclables, and must not contain any other material, or be used for any other purpose.
- 6.04 The contents of any recycling container which have been placed out for collection become the property of the Village, provided the contents comply with the requirements of this bylaw.
- 6.05 Any person wishing to receive recyclables curb side collection service must deposit his or her recyclables in an approved recyclables container, unless otherwise directed by the Public Works and Utilities Foreman.
- 6.06 Recyclables curb side collection shall consist of one collection per week for residential premises and up to twice per week for non-residential premises, or as may be otherwise directed by the Public Works and Utilities Foreman.
- 6.07 For collection purposes, every owner or occupier must have all recycling containers lids closed and recycling containers placed next to the lane, on the edge of the roadway, or at a place designated by the Public Works and Utilities Foreman.



- 6.08 Recycling containers shall be readily accessible for emptying between the hours of 7:00 a.m. and 4:00 p.m. on the day of collection. Recycling containers must be removed from the collection area by 7:00 pm.
- 6.09 Every owner or occupier of real property must remove all recycling containers from the lane, roadway, or other collection place designated by the Public Works and Utilities Foreman by 7:00 pm on collection day and store all recycling containers on private property in a safe manner.
- 6.10 Where collection vehicle access to any premises is hampered by any circumstance, the Public Works and Utilities Foreman may designate an alternate location for the placement of the recycling container.
- 6.11 A parcel of real property containing only one principal single family detached dwelling with a secondary suite shall be treated as a single dwelling unit for the purposes of the recyclables curb side collection service.
- 6.12 All Village-leased recycling containers that are damaged, lost, or stolen must be reported to the Public Works and Utilities Foreman immediately; there may be a charge to replace the container/s. All Village-leased recycling containers that are damaged or stolen as a result of neglect or misuse on the part of the property owner or occupier must be replaced at the expense of the property owner; otherwise, the Village-leased recycling container will be repaired or replaced by the Village at the expense of the property owner. Refer to the current Village of Chase Fees and Charges Bylaw for replacement costs.
- 6.13 Property owners or occupiers must contact the Village Office a minimum of one week prior to moving.
- 6.14 Non-residential cardboard will not be picked up by the recyclables curb side collection service or from the Thompson-Nicola Regional District recyclables drop-off depot located in the Arena parking lot.
- 6.15 Village-leased recyclables containers may be exchanged at the request of the property owner or occupier. Refer to the current Village of Chase Fees and Charges Bylaw for recyclables container exchange rate.

#### DIVISION SEVEN - FEES, SUBSIDIES AND SET OUT / SET BACK SERVICES

- 7.01 A solid waste utility charge shall be and is hereby imposed upon the owners of all real property within the boundaries of the Village of Chase on which one or more dwelling units are situated, unless an exemption has been granted by Council in accordance with this bylaw.
- 7.02 The solid waste utility charge imposed herein shall be calculated in accordance with the rates set forth in the current Village of Chase Fees and Charges Bylaw, and is payable whether or not:
  - a) any of the dwelling(s) situated on the real property are used or occupied;
  - b) the property owner makes use of the solid waste curb side collection service; or
  - c) the solid waste curb side collection service is interrupted or altered in any manner.

7.03 Council may exempt a property owner from all or part of the curb side collection service requirements herein, the solid waste utility charge and impose any conditions or requirements deemed necessary, if the Public Works and Utilities Foreman is satisfied that:

- a) the Village is unable or unwilling to provide solid waste curb side collection service or recyclables curb side collection service to all of the dwelling units or non-residential premises situated on the subject property;
- b) having considered all of the surrounding circumstances, the Public Works and Utilities Foreman is satisfied that it would be in the best interests of the Village to exempt the property owner; or
- c) having considered all of the surrounding circumstances, the Public Works and Utilities Foreman is satisfied that it would be just and fair to so exempt the property owner;

provided that, in the case of solid waste utility charge exemption, the property owner has satisfied the Public Works and Utilities Foreman that the property owner has arranged for each of the dwelling units or non-residential premises situated on the subject property to have access to the Village solid waste and recyclables collection service or a private solid waste and recyclables collection service.

#### DIVISION EIGHT - DISPOSAL SITES

- 8.01 In addition to the curb side recyclables service, Village residents may dispose of recyclables at the Thompson-Nicola Regional District recyclables drop-off depot located in the Arena parking lot.
- 8.02 Village residents may dispose of solid waste at any authorized disposal facility within the Thompson-Nicola Regional District.
- 8.03 The Thompson-Nicola Regional District regulates and controls the type and nature of solid waste and recyclables that is disposed of at their authorized disposal facilities in accordance with their Regional Solid Waste Management Plan and associated Bylaws and Policies.

#### DIVISION NINE - OFFENCES AND PENALTIES

- 9.01 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 9.02 Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention 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 the current Village of Chase Municipal Ticket Information Bylaw; or
- b) shall be liable, upon summary conviction, to the penalties provided under the Offence Act; or
- c) shall be required to pay all or part of the costs of remediation, repair and/or replacement of any part of the Solid Waste and Recyclables Collection Service resulting from such contravention; or

any combination of the above.

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

9.04 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.

#### DIVISION TEN - SCHEDULES

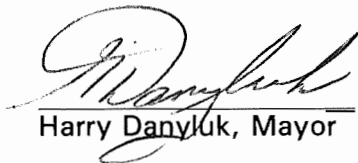
10.01 "Schedule A - Application for Solid Waste and Recyclables Service Change" is attached to and forms part of this bylaw and is enforceable in the same manner as this bylaw.

READ A FIRST TIME the 13<sup>th</sup> day of July, 2010.

READ A SECOND TIME the 13<sup>th</sup> day of July, 2010.

READ A THIRD TIME the 14<sup>th</sup> day of September, 2010.

ADOPTED this 12<sup>th</sup> day of October, 2010.

  
Harry Danyluk, Mayor

  
Larry Randle, Corporate Officer

**Schedule A**  
**The Corporation of the Village of Chase**  
**Application for Solid Waste and Recyclables Collection Service Change**

Date \_\_\_\_\_

Name of Registered Property Owner \_\_\_\_\_

Legal Description of Subject Property \_\_\_\_\_

Street Address of Subject Property \_\_\_\_\_

**Container Replacement**

Type of Container	Number of Containers	Fee	Date Replaced	PW Initial

**Container Exchange**

Type of Container	Number of Containers	From	To	Fee	Date Exchanged	PW Initial

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I, as an Owner of the property described above or acting as their agent, hereby make application for the service change or changes indicated above.

\_\_\_\_\_  
 Applicant Signature

Applicant Name (please print clearly) \_\_\_\_\_

Applicant weekday telephone number \_\_\_\_\_

Applicant mailing address \_\_\_\_\_

Applicant street address \_\_\_\_\_

Approved  Not Approved   
 Not Approved due to \_\_\_\_\_

\_\_\_\_\_  
 Public Works and Utilities Foreman