

THE CORPORATION OF THE DISTRICT OF BURNABY

BYLAW NO. 7646

A BYLAW to provide for the establishment, maintenance and operation of public incinerators, disposal areas and a system for collection and disposal of solid wastes.

The Council of the Corporation of the District of Burnaby

ENACTS as follows:

1. This Bylaw may be cited as the "BURNABY SOLID WASTE BYLAW, 1981".
2. In this Bylaw, unless the context otherwise requires,
 - (1) "commercial premises" means any building or structure that is used or occupied for the purpose of a business, industrial or commercial undertaking and includes a school, kindergarten, rest home, hotel, motel, apartment building and boarding or rooming house;
 - (2) "commercial receptacle" means a galvanized iron, rust resisting metal or plastic container having
 - (a) overall dimensions that facilitate handling by one person,
 - (b) a shape and opening that permits emptying with minimum effort,
 - (c) handles or handling devices that enable the container to be lifted and emptied safely by one person,
 - (d) when full, a gross weight not exceeding 45 kg,
 - (e) a watertight, removable cover;
 - (3) "construction and demolition refuse" means all debris and rejected, abandoned or discarded material from the construction of or the partial or total demolition of a building or structure and includes earth, rocks, trees, stumps and debris from an excavation;

- (4) "disposal area" means an area, within or without the Municipality, designated by the Corporation as a place where solid waste and obnoxious matter may be deposited or disposed of;
- (5) "dwelling" means a building occupied or used as a residence for not more than two families, or a residential condominium;
- (6) "Engineer" means the Director Engineering or his delegate;
- (7) "garbage" means discarded animal or vegetable matter or food;
- (8) "garden refuse" means weeds, leaves, grass and plant or shrubbery cuttings;
- (9) "household receptacle" means a plastic bag that
 - (a) is strong enough to withstand normal handling and lifting,
 - (b) when full, has a gross weight not exceeding 33 kg.,
 - (c) is closed and sealed,
 - (d) contains no glassware, bottles or sharp pieces of wood or metal that might tear the bag, or a galvanized iron, rust resisting metal container having
 - (e) overall dimensions that facilitate handling by one person,
 - (f) a shape and opening that permits emptying with minimum effort,
 - (g) handles or handling devices that enable the container to be lifted and emptied safely by one person,
 - (h) when full, a gross weight not exceeding 33 kg.,
 - (i) a watertight, removable cover;
- (10) "landscape refuse" means earth, rocks, trees, stumps and debris, but does not include earth, rocks, trees, stumps and debris from an excavation;

- (11) "municipal receptacle" means a receptacle provided by the Corporation that can be emptied mechanically by the Corporation's refuse collection vehicles;
- (12) "obnoxious matter" means any offensive or unwholesome matter that may be germ or vermin infested, have an offensive odour, or be injurious to the health of a person handling it, and without limiting the generality of the foregoing includes acids, combustible material and similar matter;
- (13) "occupier" does not include the occupier of a unit in an apartment building;
- (14) "receptacle" means a household, commercial, municipal or special receptacle;
- (15) "refuse" means ashes, garbage, rubbish and garden refuse;
- (16) "remover" means any person authorized by the Engineer to remove solid waste;
- (17) "rubbish" means any waste and abandoned material, paper, glass and metal containers, cases, wrapping material, floor sweepings, magazines and similar things;
- (18) "solid waste" means construction and demolition refuse, landscape refuse and refuse;
- (19) "special receptacle" means a receptacle approved in writing by the Engineer for use by the owner or occupier of commercial premises.

COLLECTION AND DISPOSAL SYSTEM

- 3. (1) The Engineer shall operate a system of collecting and disposing of solid waste, and a municipal receptacle service for commercial premises.
- (2) The Corporation may establish, maintain and operate disposal areas and public incinerators.

DUTIES OF OWNERS OR OCCUPIERS

4. (1) Every owner or occupier of a dwelling or commercial premises shall

- (a) provide and maintain in good order and repair at all times, in the case of a dwelling, a sufficient number of household receptacles, and in the case of commercial premises, a sufficient number of commercial, municipal or special receptacles to contain all refuse from the dwelling or premises;
- (b) deposit all refuse from that dwelling or premises in a receptacle mentioned in paragraph (a);
- (c) at least once a week cause to be removed from that dwelling or premises all solid waste; and
- (d) keep the receptacles used for that dwelling or premises securely covered with a watertight cover and ensure that no liquids, semi-liquids, free water or obnoxious matter is placed in or allowed to run into, accumulate in or remain in any receptacle.

(2) No person shall deposit garbage in a refuse receptacle until the garbage has been drained of all liquid and wrapped in paper, plastic or similar material.

- (3) No person shall deposit in any receptacle
 - (a) explosive or obnoxious matter,
 - (b) construction or demolition refuse,
 - (c) landscape refuse, or
 - (d) liquids, semi-liquids or free water.

MUNICIPAL RECEPTACLE SERVICE

5. The Engineer may supply a municipal receptacle to a residential condominium or commercial premises at the request of the owner or occupier.

ACCESS TO RECEPTACLES

6. No person other than an owner, occupier or remover shall remove a cover from a receptacle or remove or disturb the contents thereof or remove or disturb any solid waste.

7. (1) Every owner or occupier of a dwelling or of commercial premises shall

- (a) keep on the property at all times the receptacles used for that dwelling or premises,
- (b) place the receptacles used for that dwelling or premises so that the receptacles may be conveniently handled from ground level and readily accessible to the remover from the front, sides or rear entrance, without the necessity of opening gates, climbing or descending stairs or lifting a receptacle over a fence, and
- (c) place the receptacles used for that dwelling or premises so that they do not rest on, encroach upon nor project over a street, lane or public place, nor in any way impede or endanger pedestrian or vehicular traffic.

(2) No remover shall, unless specifically authorized in writing by the Engineer, enter any dwelling or commercial premises for the purpose of collecting or returning a receptacle.

8. The owner or occupier of a dwelling or commercial premises

- (a) that abuts on a lane shall place the receptacles at the property line at lane level for collection,
- (b) that does not abut on a lane shall place the receptacles on the driveway and as near as possible to but not on the travelled portion of the roadway.
- (c) where a receptacle is enclosed in a separate shed or housing, shall ensure that the shed or housing is at ground level and has an opening through which the receptacle may be conveniently and quickly removed by the remover.

MAINTENANCE OF RECEPTACLES

9. (1) The Engineer may condemn a receptacle that in his opinion is not maintained in good order and repair and properly cleaned, or does not conform to the specifications for receptacles.

(2) Where the Engineer has condemned a receptacle, he shall give notice in writing to the owner or occupier of the dwelling or commercial premises where the condemned receptacle is located, and the notice shall instruct the owner or occupier to replace or clean the receptacle, as the case may be, within one week.

(3) The Corporation will not collect refuse from a condemned receptacle that has not been replaced or cleaned one week after the mailing of notice under subsection (2).

UNUSUAL REFUSE

10. Rubbish and garden refuse that cannot fit into a household receptacle or a commercial receptacle shall be securely tied in bundles or put into waterproof containers and deposited next to the receptacles for collection, and the bundles or containers shall have no side greater than one metre.

11. Where refuse from commercial premises cannot, due to the volume or nature of the refuse, be deposited in commercial receptacles, the owner or occupier of the commercial premises may deposit such refuse in special receptacles or on the premises in an area approved in writing by the Engineer, but the Engineer shall not issue such approval until he is satisfied that the said area is properly covered, of a sufficient size and accessible to the remover from the front, side or rear.

12. Construction and demolition refuse and landscape refuse that by reason of its volume does not fit the category of normal collection will not be collected by the Corporation.

13. Refuse that cannot, in the opinion of the Engineer, be reasonably handled will not be collected by the remover.

CHARGES FOR SERVICE

14. (1) A user of the municipal receptacle service, the commercial receptacle collection service, special receptacle service or specially authorized service shall pay the charges set out in Schedule "A" hereof for the service supplied.

(2) A charge for service under this Bylaw is payable immediately upon the collection of the solid waste and is a debt due to the Corporation recoverable by action in any court of competent jurisdiction together with interest thereon and costs.

(3) Any charge under this Bylaw that is unpaid on the 31st day of December in any year shall be deemed to be taxes in arrears on the property to which the service was supplied and the Collector shall enter the amount owed on the real property tax roll as taxes in arrears.

OFFENCE

15. (1) Every person who contravenes a provision of this Bylaw, suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence.

(2) Every violation shall be deemed to be a continuing, new and separate offence for each day during which the offence continues.

(3) Any person guilty of an offence under this Bylaw shall be liable, upon summary conviction, to a fine not exceeding \$500.00 and costs.

REPEAL

16. The Burnaby Refuse Bylaw, 1967 being Bylaw No. 5174, and all Bylaws amending the said Bylaw are repealed.

Read a first time this 4th day of January , 1982
Read a second time this 4th day of January , 1982
Read a third time this 4th day of January , 1982
Reconsidered and adopted this 11th day of January , 1982

William A. Levesque

M A Y O R

James Hudson
C L E R K

SCHEDULE "A"

SOLID WASTE COLLECTION CHARGES

1. MUNICIPAL RECEPTACLE SERVICE

<u>Municipal Receptacle</u>	<u>Type</u>	<u>Rent/Month</u>	<u>Pick-Up Charge</u>	<u>Non-Scheduled Pick-Ups</u>
6 cu. yd.	Skids Only	\$16.00	\$17.75	\$18.75
4 cu. yd.	Castors	13.00	13.00	14.00
	Skids	13.00	13.00	14.00
3 cu. yd.	Castors	12.00	10.50	11.50
	Skids	12.00	10.50	11.50
3 cu. yd.	Compacted Container		22.00	25.00
2. (1)	One collection a week for each commercial receptacle			\$.80
(2)	For every cubic yard or part thereof of solid waste in special receptacles or not in receptacles			4.00
(3)	For every container pick-up requested for a residential condominium in excess of the normal schedule			11.00 for each container of 3 or 4 cu. yd. capacity

James Hudson