

Municipal Bylaws Review

Community	Bylaw
Calgary	<p>Waste Bylaw</p> <ul style="list-style-type: none"> • Part 7.1 – Wildlife Affected Areas • Designated administrative staff designate geographic areas as “Wildlife Affected Areas” based on criteria set out in the bylaw • Regulations in place for those designated areas regarding collection & storage of waste
Canmore	<p>Fruit Tree Removal Incentive Program</p> <ul style="list-style-type: none"> • Cash back for removing fruit trees from your property (Reimbursement program) <p>Community Standards Bylaw</p> <ul style="list-style-type: none"> • Property Maintenance Section includes wildlife attractants • Wildlife Attractants Part 4 – regulates wildlife attractants; include prohibition from the planting of any new or transplanted fruit-bearing vegetation
Coquitlam	<p>Solid Waste Management Bylaw</p> <ul style="list-style-type: none"> • Separate compost cart from garbage cart – requirement to separate recycling, compost and household waste • Offers the option for resident to purchase a wildlife resistant garbage cart to use instead of the regular garbage cart for \$140 for a 120L, \$150 for 240L, \$160 for a 360L • Regulate wildlife resistant enclosures
Gibsons	<p>Wildlife Attractant Bylaw</p> <ul style="list-style-type: none"> • Storage of refuse that could be deemed a wildlife attractant • Guidelines on wildlife resistant container within their Garbage Collection & Disposal Bylaw
New Denver	<p>Solid Waste Management Bylaw</p> <ul style="list-style-type: none"> • Regulates food waste disposal (time to put out for collection, secure) • Regulate wildlife attractants outdoors
Prince George	<p>Garbage Collection Regulation</p> <ul style="list-style-type: none"> • Requires use of city’s collection carts • Regulates times the cart is put out on collection day

	<p>Property Maintenance Bylaw</p> <ul style="list-style-type: none"> • Restricts feeding wildlife and requires control of wildlife attractants (i.e.: bird feeder, tree or bush fruits)
Revelstoke	<p>Garbage Collection & Wildlife Attractant Bylaw</p> <ul style="list-style-type: none"> • Regulate removal of fallen fruit • Storage of refuse or other attractants • Composting • Section regarding wildlife attractants
Squamish-Lillooet RD	<p>Wildlife Attractant Bylaw</p> <ul style="list-style-type: none"> • Storage of solid waste or other attractants • Removal of fallen fruit • Bird feeders • Similar to Tofino
Tofino	<p>Wildlife Attractant Bylaw</p> <ul style="list-style-type: none"> • Bylaw to store and secure refuse and food sources securely to prevent wildlife from accessing and becoming conditioned to, or dependent on, food sources generated or controlled by human activity • Provides guidance/criteria for wildlife resistant container/enclosure • Requirements regarding wildlife attractants • Order to remove wildlife attractants
Whistler	<p>Solid Waste Bylaw</p> <ul style="list-style-type: none"> • Includes provisions to minimize human-wildlife conflicts by reducing, to the greatest extent possible, the likelihood of Solid Waste being stored or disposed of in a manner that might reasonably be expected to attract Dangerous Wildlife. • Defines wildlife proof containers & enclosure • Addresses “wildlife attractants”

OFFICE CONSOLIDATION

BYLAW NUMBER 4M2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE AND MANAGE WASTE**

(Amended by: 40M2020, 62M2021, 72M2021, 31M2022, 40M2023, 45M2023)

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, empowers Council to pass bylaws for municipal purposes respecting the safety, health and welfare of people, the protection of people and property, nuisances, services provided by or on behalf of the municipality, and the enforcement of bylaws; and

WHEREAS it is desirable to regulate and control the storage, collection and disposal of waste within the City of Calgary;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART 1 – INTERPRETATION

SHORT TITLE

1. This *Bylaw* may be referred to as the “Waste Bylaw”.

DEFINITIONS AND INTERPRETATION

2. (1) In this *Bylaw*, the term:
- (a) “*alley*” means a lane intended primarily for access to the rear yard of adjacent premises;
 - (b) “*animal waste*” means all forms of *waste* from animals or the treatment of animals except animal carcasses or parts;
 - (c) “*automated collection*” means the *collection* of *waste* by means of a mechanical system into vehicles specially designed for such purposes;
 - (d) “*automated collection container*” means a container approved and provided by the *City* for *automated collection* of *waste* and includes a *black cart, blue cart, and green cart*;
 - (e) “*biomedical waste*” means *medical waste* that requires proper handling and disposal because of environmental, aesthetic, or health and safety concerns and includes:
 - (i) human anatomical *waste*;
 - (ii) infectious human *waste*;

- (iii) infectious *animal waste*;
 - (iv) microbiological *waste*;
 - (v) blood and body fluid *waste*; and
 - (vi) *medical sharps*;
- (f) “*black cart*” means a black *automated collection container* provided for the *collection of garbage*;
- (g) “*blue cart*” means a blue *automated collection container* provided for the *collection of residential recyclable material*;
- (h) “*Bylaw*” means this Bylaw as it may be amended from time to time and includes all Schedules attached to this Bylaw;
- (i) “*City*” means the municipal corporation of The City of Calgary or the area located within the boundaries of the city of Calgary, as the context requires;
- (j) “*Chief Administrative Officer*” means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (k) “*collection*” means picking up and gathering *waste*, including transport of the *waste* to a *disposal site*, *material recovery facility*, or a *food and yard waste material recovery facility*, as applicable;
- (l) “*collector*” means a *person* employed to collect *waste*;
- (m) “*commercial hauler*” means a *person* engaged in the business of collecting *waste* from premises for transport to a *disposal site* or *material recovery facility*;
- (n) “*community recycling depot*” means an area maintained by the *City* and accessible to the public that contains bins set aside for the *collection of recyclable material* by the *City*;
- (o) “*compostable bag*” means:
- (i) a plastic bag, independently certified as compostable based on standards established by the American Society for Testing and Materials Standard Specification for Compostable Plastics (ASTM D6400);
 - (ii) a compostable paper bag; or

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- (iii) another acceptable bag as designated by the *Director, Waste & Recycling Services*;
- (p) “*construction and demolition waste*” means materials generated in the course of construction, demolition or renovation on a parcel;
- (q) “*Director, Waste & Recycling Services*” means the *Chief Administrative Officer*,
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (r) “*disposal site*” means any premises designated by the *Director, Waste & Recycling Services* for the disposal of *waste* or any other premises which is approved by Alberta Environment for the disposal of *waste*;
- (s) “*dwelling unit*” means a residence of one or more persons that contains kitchen, living, sleeping and sanitary facilities;
- (t) “*food and yard waste material*” means the materials designated in Schedule E;
- (u) “*food and yard waste material recovery facility*” means one of the following:
 - (i) a facility that receives edible food donation;
 - (ii) a facility that receives agricultural food donation;
 - (iii) a composting facility;
 - (iv) an aerobic digestion facility;
 - (v) an anaerobic digestion facility;
 - (vi) a rendering plant facility;
 - (vii) a mulching facility;
 - (viii) a drying/pelletizing facility; or
 - (ix) any other facility that reuses, repurposes or processes *food and yard waste material* and is approved by the *Director, Waste & Recycling Services*;
- (v) “*garbage*” means material set out for *collection*, but does not include *recyclable material* or *food and yard waste material*;
- (w) “*garbage tag*” means a tag issued by the *City* to mark *plastic garbage bags* containing extra *garbage*;

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- (x) “*general medical waste*” means non-hazardous medical waste and includes soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubings, filters, towels and disposable sheets, but excludes *biomedical waste*;
- (y) “*green cart*” means a green *automated collection container* provided for the *collection of food and yard waste material*;
- (z) “*hazardous waste*” means waste that is generated from any premises and has one or more hazardous properties as described in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and *Waste Control Regulation*, AR 192/1996, Schedule 1;
- (aa) “*household hazardous waste depot*” means an area maintained by the City and accessible to the public that contains bins set aside for the *collection of hazardous waste*;
- (bb) “*industrial waste*” means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulfur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes *hazardous waste* and *biomedical waste*;
- (cc) “*material recovery facility*” means a facility that receives and prepares *recyclable material* for marketing;
- (dd) “*medical sharp*” means a needle device or any non-needle sharp used for withdrawing body fluids, accessing an artery or vein, administering medications or other fluids, or any other device that can reasonably be expected to penetrate the skin or any other part of the body;
- (ee) “*multi-residential development*” means a group of five or more *dwelling units* that:
 - (i) share a common parcel of land, whether or not any premises on the parcel are used for commercial purposes; or
 - (ii) share a private roadway that provides access to the *dwelling units*, notwithstanding that some of the *dwelling units* may be located adjacent to a public street; or
 - (iii) both (i) and (ii);
- (ff) “*non-residential parcel*” means a parcel of land that does not contain a *dwelling unit*;
- (gg) “*non-residential recyclable material*” means the material designated in Schedule D, but does not include *construction and demolition waste*;

(gg.1) “*Officer*” means a Bylaw Enforcement Officer appointed under the Bylaw Enforcement Officers Appointment Bylaw 60M86, or an officer appointed under the Peace Officer Act, S.A. 2006, c. P-3.5 or under the Police Act, R.S.A. 2000, c. P-17;

(72M2021, 2022 January 01)

(hh) “*owner*” includes the *person* shown as the owner on the land title for a property, the occupant of a premises, the lessee or tenant of a premises, the condominium board of a condominium property, or the property management company that holds itself out as responsible for the maintenance of a premises, as applicable;

(ii) “*person*” means an individual or a body corporate and includes a partnership, a group of *persons* acting in concert or an association unless the context explicitly or by necessary implication otherwise requires;

(jj) “*plastic garbage bag*” means a plastic bag specifically marketed to store *garbage* for *collection*, and excludes plastic bags that are intended for other purposes;

(kk) “*recyclable material*” means *residential recyclable material* and *non-residential recyclable material*;

(ll) “*residential dwelling*” means any building containing four or fewer *dwelling units*;

(mm) “*residential recyclable material*” means the materials designated in Schedule C;

(nn) “*waste*” means anything that is set out for *collection* and includes *garbage*, *recyclable material*, and *food and yard waste material*.

(oo) “*wildlife*” includes but is not limited to:

(i) any animal that is “*wildlife*” as that term is used in the Wildlife Act, R.S.A. 2000, c. W-10; and

(ii) any animal that is an “endangered animal” as that term is used in the Wildlife Act, R.S.A. 2000, c. W-10;

(40M2023, 2023 September 12)

(2) All schedules attached to this *Bylaw* form part of this *Bylaw*.

(3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this *Bylaw*.

(4) Where this *Bylaw* cites or refers to any act, regulation, code or other *Bylaw*, the citation or reference is to the act, regulation, code or other *Bylaw* as amended,

whether amended before or after the commencement of this *Bylaw*, and includes reference to any act, regulation, code or other *Bylaw* that may be substituted in its place.

- (5) Each provision of this *Bylaw* is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this *Bylaw* remain valid and enforceable.
- (6) Nothing in this *Bylaw* relieves a *person* from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or licence.

PART 2 – GENERAL

AUTHORITY OF THE DIRECTOR, WASTE & RECYCLING SERVICES

- 3. The *Director, Waste & Recycling Services* is authorized to:
 - (a) approve or set specifications for *automated collection containers, compostable bags and plastic garbage bags*;
 - (b) specify the types of *waste* accepted at a *City disposal site, City material recovery facility, City composting facility, community recycling depot or household hazardous waste depot*;
 - (c) specify the quantities and types of *waste* eligible for *collection*;
 - (d) designate *City* premises to be used as *City disposal sites* and establish rules and procedures to be followed at these sites;
 - (e) determine the time and frequency of the *collection of waste*;
 - (f) make and execute agreements on behalf of the *City* for the *collection of waste* and disposal services, including *collection at a multi-residential development or non-residential parcel*;
 - (g) issue *industrial waste* permits for the disposal of *industrial waste*;
 - (h) grant approvals and permissions as set out in this *Bylaw*;
 - (i) establish systems for billing and collecting rates and fees; and
 - (j) establish guidelines regarding:
 - (i) clear signage for the purposes of subsections 14(7), 14(8)(d) and 15(6)(a); and
 - (ii) adequate containers for the purposes of subsections 14(2), 14(3), 14(8)(a), 15(1) and 15(2).

RATES AND FEES

4. (1) Council shall set the following:
 - (a) the basic sanitary *waste* rate and the rate charged to Waste Management Facility account customers for *waste* disposed of at a *City disposal site*;
 - (b) the minimum charge for loads less than 250 kg disposed of at a *City disposal site*;
 - (c) the *black cart* program rate;
 - (d) the *blue cart* program rate;
 - (e) the *green cart* program rate; and
 - (f) the *garbage tag* fee.

- (2) Where *black cart* program services, *blue cart* program services and *green cart* program services are supplied by the *City* or its agent, the *owner* of a *residential dwelling* must pay to the *City* a monthly charge as set out in Schedule "B". *Black cart* program services, *blue cart* program services and *green cart* program services supplied by the *City* cannot be suspended at the request of an *owner*.

- (3) Rates for residential *black cart* program, the residential *blue cart* program and the residential *green cart* program will apply even where no material is set out for *collection*.

- (4) The *Director, Waste & Recycling Services*, may:
 - (a) establish fees for products and services provided with respect to the *collection* and disposal of *waste* including the provision, delivery, maintenance, and replacement of *City-owned automated collection containers*;
 - (b) except for the basic sanitary *waste* rate and the minimum charge for loads less than 250 kg as set by Council pursuant to subsection (1), set different rates for different types of *waste* disposed of at a *City disposal site*;
 - (c) set temporary rates for basic sanitary *waste* and other types of *waste* that are generated in connection with an emergency or natural disaster and that are disposed of at a *City disposal site*; and
 - (d) despite subsection (1)(a), enter into agreements with customers specifying rates and discounted rates for *waste* disposed of at a *City disposal site*;
 - (e) despite subsection (1)(f), enter into agreements with *persons* for the consignment of *garbage tags* for re-sale to the public and may set a commission to be paid to such *persons*.

GENERAL RULES

5. A *person* must not scavenge *waste* from an *automated collection container*, waste container, *plastic garbage bag*, *compostable bag*, *community recycling depot* or *household hazardous waste depot*.
6. The *owner* of any premises must store *waste* on the premises from which it is generated, unless it is stored on other premises with the consent of the *owner* and occupant of those other premises.
7.
 - (1) A *person* must not deposit *waste* in or next to an *automated collection container* or waste container without the consent of:
 - (a) the *owner* of the container;
 - (b) the *owner* of the property where the container is located; or
 - (c) the occupant of the property where the container is located.
 - (2) A *person* may consent to the deposit of *waste* that has been generated off-site in an *automated collection container* only where it does not cause extra *waste* to be deposited outside the *automated collection container*.
8. An *owner* must ensure that *waste* stored or set out for *collection* on or adjacent to that *owner's* premises does not:
 - (a) create offensive odours; or
 - (b) become untidy.

PART 3 – RESIDENTIAL COLLECTION

WASTE COLLECTION

9.
 - (1) *Waste collection* service is provided by the *City* to all *residential dwellings*.
 - (2) Despite subsection (1), the *Director, Waste & Recycling Services* may direct that *collection* services not be provided to any *residential dwelling* if it is operationally impractical to do so.

AUTOMATED COLLECTION CONTAINERS

10.
 - (1) *Residential dwellings* will be assigned and delivered *automated collection containers*.

- (2) The number and size of the *automated collection containers* required at a residential dwelling will be determined by the *Director, Waste & Recycling Services*.
- (3) The *Director, Waste & Recycling Services* is authorized to determine where *automated collection containers* are to be placed for *collection*.
- (4) Where an *automated collection container* has been assigned to a *residential dwelling*, a *person* must not remove the container or allow the container to be removed from the *residential dwelling*.
- (5) *Automated collection containers* remain the property of the *City* and may be removed by the *City*, its contractors or agents at the direction of the *Director, Waste & Recycling Services*.
- (6) *Owners of residential dwellings* are responsible for all *automated collection containers* assigned to the *residential dwelling* and must ensure that the containers are:
 - (a) kept clean;
 - (b) secured against loss or theft;
 - (c) maintained in good condition;
 - (d) not altered in any way, including any alteration of the exterior; and
 - (e) available to the *City*, its contractors or agents within a reasonable time frame for the purposes of inspection or maintenance.
- (7) An *owner* of a *residential dwelling* is responsible for all fees related to *automated collection containers* issued for the *owner's* premises including fees for the provision, delivery, maintenance or replacement of the *automated collection container*.

COLLECTION OF WASTE IN AUTOMATED COLLECTION CONTAINERS

11. (1) *Waste* set out for *collection* must be sorted as follows:
 - (a) all *garbage* must be placed in a *black cart* with the lid closed;
 - (b) all *residential recyclable material* must be placed in a *blue cart* with the lid closed; and
 - (c) all *food and yard waste material* must be placed in a *green cart* with the lid closed.
- (2) An *owner* must ensure that any *automated collection containers* for *waste* used at the *owner's* premises are filled so that the total weight of the container and its contents does not exceed 60 kilograms.

- (3) Unless an *owner* has written approval from the *Director, Waste & Recycling Services* to set an *automated collection container* for *waste* out for *collection* at a specific location, the *owner* must ensure that an *automated collection container* filled with *waste*:
- (a) is located at least 1 metre from any object on either side of the container;
 - (b) is located at least 50 centimetres from any object behind the container;
 - (c) has an overhead clearance above the top of the *automated collection container* of 3 metres;
 - (d) for front street *collection*, is:
 - (i) located in front of the *residential dwelling* that generated the *waste* materials;
 - (ii) located on the street at the curb; or on the driveway at the street; and
 - (iii) placed in an upright position and the front of the container facing the street;
 - (e) for *alley collection*, is:
 - (i) located behind the *residential dwelling* that generated the *waste* materials;
 - (ii) located adjacent to the *alley* on level ground and not on a step or raised platform of any kind;
 - (iii) placed in an upright position and the front of the container facing the *alley*;
 - (f) is not obstructing traffic in the street or *alley*.
- (4) Where more than one *automated collection container* is set out for *automated collection*, the minimum amount of space between individual *automated collection containers* or extra *waste* must be 50 centimetres.
- (5) Despite section 18 and section 18.1 of the Street Bylaw 20M88, as amended, an *owner* may set out one or more *automated collection containers* for *waste* on the street or *alley* for *automated collection* in accordance with the requirements of subsections (3) and (4) of this section.
- (6) An *owner* must ensure that *waste* from the *owner's* premises is set out for *collection* no later than 7:00 a.m. on the day of *collection*.
- (7) An *owner* with front street *collection* must:

- (a) set *waste* out for *collection* no earlier than 7:00 p.m. on the day before *collection*; and
- (b) remove *automated collection containers* from the *collection* location before 7:00 p.m. on *collection* day.

EXTRA WASTE

- 12. (1) Despite subsection 11(1), extra *waste* may be set out in accordance with this section.
- (2) If a *black cart* is full, extra *garbage* may be set out for *collection* if it is contained in one or more *plastic garbage bags*:
 - (a) which measure no more than 66 centimetres wide and 90 centimetres long;
 - (b) which contain no more than 20 kilograms of *garbage* per bag;
 - (c) which are securely closed or tied at the top of the bag;
 - (d) which are placed adjacent to the *black cart* no closer than 50 centimetres from the *black cart*; and
 - (e) to which a *garbage tag* is attached in plain sight.
- (3) Extra *garbage* not set out in accordance with subsection (2) will not be collected.
- (4) *Recyclable material* and *food and yard waste material* must not be placed in a *plastic garbage bag* to which a *garbage tag* is attached.
- (5) *Residential recyclable material* not placed in a *blue cart* will not be collected.
- (6) If the *green cart* is full, extra *food and yard waste material* may be set out for *collection* if it is contained in one or more *compostable bags*:
 - (a) which contain no more than 20 kilograms of *food and yard waste material* per bag;
 - (b) which are securely closed or tied at the top of the bag; and
 - (c) which are placed adjacent to the *green cart* no closer than 50 centimetres from the *green cart*.
- (7) Extra *food and yard waste* not set out in accordance with subsection (6) will not be collected.

RESTRICTIONS ON WASTE

13. (1) Except as otherwise provided in this section, an *owner* must ensure that the following types of *waste* are not set out for *collection* by the *City* from the *owner's* premises:
- (a) industrial or *hazardous waste*;
 - (b) *biomedical waste*;
 - (c) *general medical waste*;
 - (d) sharp objects such as glass, nails, knives, or metal;
 - (e) *animal waste*, dead animals or animal parts;
 - (f) sawdust and powdered materials;
 - (g) automobile *waste* including automobile parts, tires, and batteries;
 - (h) individual items that are larger than 1 metre in any dimension or items that weigh more than 20 kilograms;
 - (i) liquids; and
 - (j) *waste* that is unsafe for the *collector* to access or handle.
- (2) An *owner* may set *medical sharps* out for *collection* if the *medical sharps* are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for *collection*.
- (3) An *owner* may set sharp objects out for *collection* if the sharp objects are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for *collection*.
- (4) An *owner* may set *general medical waste*, *animal waste* and powdered materials out for *collection* if it is packaged in securely tied, double *plastic garbage bags*.
- (5) An *owner* may set out *animal waste* for *collection* in a *green cart* if the *animal waste* is secured in a *compostable bag* so as to ensure that the *animal waste* cannot be exposed when being collected.
- (6) An *owner* may set out sawdust for *collection* in:
- (a) a *black cart*, if the sawdust is from finished or treated wood and secured in a suitable container or packaging so as to ensure that the sawdust cannot be exposed when being collected; or

- (b) a *green cart*, if the sawdust is from unfinished or untreated wood and secured in a *compostable bag* so as to ensure that the sawdust cannot be exposed when being collected.
- (7) A *person* may set out liquid food waste for collection in a *green cart*, as long as it is sufficiently contained or absorbed so as not to spill when being collected.

PART 4 – MULTI-RESIDENTIAL DEVELOPMENTS

GARBAGE, RECYCLING AND DIVERSION OF FOOD AND YARD WASTE MATERIAL AT MULTI-RESIDENTIAL DEVELOPMENTS

14. (1) In this section, “*owner*” means:
- (a) the *person* shown as the *owner* on a land title for *multi-residential development*;
 - (b) the condominium corporation, in the case of a *multi-residential development* registered under the *Condominium Property Act*, RSA 2000, c C-22; or
 - (c) the housing association, in the case of a *multi-residential development* operated by a housing association registered under the *Cooperatives Act*, SA 2001, c C-28.1.
- (2) The *owner* of a *multi-residential development* must ensure adequate containers are available for the separate storage of:
- (a) *garbage*;
 - (b) *residential recyclable material*;
 - (c) *food and yard waste material*;
- generated on-site.
- (3) For the purposes of subsections (2) and (8)(a), “adequate containers” means one or more containers which are:
- (a) maintained in good condition; and
 - (b) provided in:
 - (i) sufficient numbers and locations; and
 - (ii) of sufficient capacity;
- to contain the volume of *garbage*, *residential recyclable material* and *food and yard waste material* generated at the *multi-residential development*.

- (4) The occupants of a *multi-residential development* must deposit garbage, *residential recyclable material* and *food and yard waste material* generated at their *dwelling unit* in the containers provided pursuant to subsection (2).
- (5) The *owner of a multi-residential development* must ensure that the containers provided pursuant to subsection (2) are emptied as necessary and that:
 - (a) *garbage* on the parcel is taken to a *waste disposal site*;
 - (b) *residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and
 - (c) *food and yard waste material* generated on the parcel is taken to a *food and yard waste material recovery facility*.
- (6) Despite subsections (5)(a) and (8)(c)(ii), occupants of a *multi-residential development* may conduct their own on-site composting of *food and yard waste material* generated at the parcel.
- (7) The *owner of a multi-residential development* must:
 - (a) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste* materials can be disposed of in each *collection* container; and
 - (b) on an annual basis, and on commencement of a new tenancy, provide information as prescribed by the *Director, Waste & Recycling Services*, to all occupants detailing what *waste* materials can be collected and the proper method for preparing and sorting *waste* materials for *collection*.
- (8) The occupant of a premises, within a *multi-residential development*, that is used for commercial purposes must:
 - (a) provide adequate containers for the separate storage of:
 - (i) *garbage*;
 - (ii) *non-residential recyclable material*; and
 - (iii) *food and yard waste material*;generated on-site.
 - (b) deposit *non-residential recyclable material* and *food and yard waste material* in the containers provided pursuant to subsection (a);
 - (c) ensure that the containers provided pursuant to subsection (a) are emptied as necessary and that:
 - (i) *garbage* on the parcel is taken to a *waste disposal site*;

- (ii) *non-residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and
- (iii) *food and yard waste material* generated on the parcel is taken to and deposited at a *food and yard waste material recovery facility*;

and

- (d) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste materials* can be disposed of in each *collection* container.

PART 5 – NON-RESIDENTIAL PROPERTIES

GARBAGE, RECYCLING AND DIVERSION OF FOOD AND YARD WASTE MATERIAL AT NON-RESIDENTIAL PARCELS

15. (1) The *owner* of a *non-residential parcel* must ensure adequate containers are available for the separate storage of:
- (a) *garbage*;
 - (b) *non-residential recyclable material*;
 - (c) *food and yard waste material*;
- generated on-site.
- (2) For the purposes of subsection (1), “adequate containers” means one or more containers which are:
- (a) maintained in good condition; and
 - (b) provided in:
 - (i) sufficient number and locations; and
 - (ii) of sufficient capacity;
- to contain the volume of *garbage*, *non-residential recyclable material* and *food and yard waste material* generated at the *non-residential parcel*.
- (3) The occupants of a *non-residential parcel* must deposit *non-residential recyclable material* and *food and yard waste material* generated on-site in the containers provided pursuant to subsection (1).
- (4) The *owner* of a *non-residential parcel* must ensure that the containers provided pursuant to subsection (1) are emptied as necessary and that:
- (a) *garbage* on the parcel is taken to a *waste disposal site*;

- (b) *non-residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and
 - (c) *food and yard waste material* generated on the parcel is taken to and deposited at a *food and yard waste material recovery facility*.
- (5) Despite subsection 4(b), occupants of a *non-residential parcel* may conduct their own on-site composting of *food and yard waste material* generated at the parcel.
- (6) The *owner* of a *non-residential parcel* must:
- (a) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste* materials can be disposed of in each *collection* container; and
 - (b) on an annual basis, and on commencement of a new tenancy, provide information as prescribed by the *Director, Waste & Recycling Services*, to all occupants detailing what *waste* materials can be collected and the proper method for preparing and sorting *waste* materials for *collection*.
16. (1) An *owner* or occupant of a *non-residential parcel* may apply to the *Director, Waste & Recycling Services* to be exempted from the requirements of section 15 with respect to *non-residential recyclable material, food and yard waste material*, or both.
- (2) The *Director* may grant an exemption pursuant to subsection (1) if the *Director* is satisfied that the parcel does not routinely generate:
- (a) *non-residential recyclable material*;
 - (b) *food and yard waste material*;
- or both.

PART 6 – WASTE DISPOSAL AT CITY DISPOSAL SITES

17. A *person* must not:
- (a) dispose of any *waste* at a *City disposal site* other than the types of *waste* specified by the *Director, Waste & Recycling Services*;
 - (b) dispose of *waste* at a *City disposal site* unless it is packaged to prevent litter once deposited; or
 - (c) scavenge at a *City disposal site*.
18. A *person* must not dispose of *industrial waste* at a *City disposal site* without an *industrial waste* permit issued by the *Director, Waste & Recycling Services*.

19. A *person* to whom an *industrial waste* permit has been issued must comply with all conditions of that permit.

PART 7 – OTHER

COMMUNITY RECYCLING DEPOTS

20. (1) A *person* must not deposit or dispose of materials at a *community recycling depot* other than those materials described as permitted materials by signage located at the depot.
- (2) A *person* must not deposit materials of any kind at a *community recycling depot* except in the receptacles or bins provided.
- (3) A *person* must not deposit permitted materials in a receptacle or bin at a *community recycling depot* except via the openings provided for that purpose.
- (4) A *person* must not tamper with, interfere with or damage a receptacle or bin at a *community recycling depot*.
- (5) A *commercial hauler* must not deposit at a *community recycling depot*:
- (a) *garbage*;
 - (b) *recyclable material*; or
 - (c) *food and yard waste material*;
- that were collected in the course of the *commercial hauler's* business.

HOUSEHOLD HAZARDOUS WASTE DEPOTS

21. (1) A *person* must not deposit materials at a *household hazardous waste depot* other than those materials described as permitted materials by signage located at a depot.
- (2) A *person* must not deposit at a *household hazardous waste depot* any *hazardous waste* that was generated from a commercial business.

PART 7.1 – WILDLIFE AFFECTED AREAS

SECURE ENCLOSURES

- 21.1 In this Part, the term “secure enclosure” means, for an *owner* of a *residential dwelling*, a fully enclosed structure consisting of walls, roof and door(s) of sufficient design and strength so as to prevent access by *wildlife*, and for clarity, includes a garage, shed, or other structure that is inaccessible to *wildlife*.

(40M2023, 2023 September 12)

AUTHORITY OF DIRECTOR

- 21.2 (1) The *Director, Waste & Recycling Services* is authorized to designate geographic areas in the *City* as Wildlife Affected Areas based on one or more of the following criteria:
- (a) reports of problem *wildlife* in the area;
 - (b) signs of *wildlife* interacting with waste in the area; or
 - (c) the advice of provincial Wildlife Officers.
- (2) The *Director, Waste & Recycling Services* must publish a map of any area of the *City* designated as a Wildlife Affected Area on the *City's* website.
- (3) A designation made under subsection (1) must be done annually and is in effect in the year it is made during the time period that:
- (a) starts on April 15th, or the date the designation was made if done after April 15th, and
 - (b) ends on November 15th of that year.

(40M2023, 2023 September 12)

RESIDENTIAL COLLECTION & STORAGE

- 21.3 (1) The *owner of a residential dwelling* within a Wildlife Affected Area must:
- (a) despite subsection 11(7)(a), set out an *automated collection container* for *collection* no earlier than 5:00 a.m. on *collection day*;
 - (b) set out any extra waste under section 12 for *collection* no earlier than 5:00 a.m. on *collection day*; and
 - (c) remove the *automated collection container* from the *collection* location before 7:00 p.m. on *collection day*.
- (2) The *owner of a residential dwelling* within a Wildlife Affected Area must keep all *automated collection containers* and all *waste* in:
- (a) the garage of a *residential dwelling*; or
 - (b) another secure enclosure.
- (3) Subsection (2) above applies at all times except for the day determined by the *Director* under this Bylaw to be the *collection day* for that *residential dwelling*, and on such date subsection (1) applies.

(40M2023, 2023 September 12)

PART 8 – ENFORCEMENT

ENFORCEMENT

22. The *Director, Waste & Recycling Services*, may suspend the *collection of waste* if the *owner of a residential dwelling*:
- (a) contravenes a provision of this *Bylaw*; or
 - (b) engages in harassing, abusive or threatening conduct towards a *City collector*.
23. The owner of a vehicle involved in an offence set out in this *Bylaw* is guilty of the offence, unless that vehicle *owner* satisfies the Court that the vehicle was:
- (a) not being operated by the owner; and
 - (b) that the *person* operating the vehicle at the time of the offence did so without the vehicle owner’s express or implied consent.
24. Where an Officer, believes a *person* has contravened any provision of this *Bylaw*, an Officer may:
- (a) issue to the *person* an order in accordance with section 545 of the *Municipal Government Act* to remedy the contravention;
 - (b) issue to the *person* a violation ticket in accordance with the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34; or
 - (c) do both (a) and (b) above.
- (72M2021, 2022 January 01)
25. If the *person* to whom an order has been issued pursuant to section 24 fails to comply with the order within the time specified in the order:
- (a) that *person* commits an offence under this section and an Officer may issue a violation ticket pursuant to the *Provincial Offences Procedures Act*; and
 - (b) the *City* may take whatever steps are necessary to remedy the breach of this *Bylaw* and the cost of doing so becomes a debt owing to the *City* by the *person* to whom the order was issued in accordance with the *Municipal Government Act*.
- (72M2021, 2022 January 01)
26. Any *person* who contravenes a provision of this *Bylaw* is guilty of an offence and is liable on conviction:
- (a) for a first offence, to the specified penalty shown in Schedule “A” of this *Bylaw* in respect of that provision; and
 - (b) for a second offence of the same provision within a twenty-four month period, to a fine of twice the amount of the specified penalty shown in Schedule “A” of this *Bylaw* in respect of that provision.

27. Where, on a prosecution of an offence pursuant to this *Bylaw*, a *person* believes a written approval or permission of the *Director, Waste & Recycling Services* provides that *person* with a defence, the onus of proving that approval or permission was given rests with the *person* relying on the permission or approval.
28. The levying and payment of any fine or the imprisonment for any period provided in the *Bylaw* does not relieve a *person* from the necessity of paying any fees, charges or costs for which he or she is liable under the provisions of this *Bylaw*.

REPEAL

29. Bylaw 20M2001 is hereby repealed.

EFFECTIVE DATE

30. (1) This *Bylaw* comes into force on the day it is passed.
- (2) Despite subsection (1), section 12 comes into force on June 1, 2020.

READ A FIRST TIME ON FEBRUARY 24, 2020

READ A SECOND TIME ON FEBRUARY 24, 2020

READ A THIRD TIME ON FEBRUARY 24, 2020

(Sgd.) N. Nenshi
MAYOR

(Sgd.) T. Mowrey
ACTING CITY CLERK

SCHEDULE "A"

SPECIFIED PENALTIES

<u>Section</u>	<u>Offence</u>	<u>Specified Penalty</u>
5	Scavenge <i>waste</i>	\$125.00
6	Store <i>waste</i> on other's premises	\$250.00
7(1)	Deposit <i>waste</i> without consent	\$250.00
8	Allow offensive odours or untidy <i>waste</i>	\$125.00
10(4)	Remove <i>automated collection containers</i> from <i>residential dwelling</i>	\$125.00
11(1)	Fail to appropriately sort <i>waste materials</i> set out for <i>collection</i>	\$125.00
11(2)	Filled <i>automated collection container</i> exceeds 60 kilograms	\$125.00
11(3)	Fail to properly place <i>automated collection containers</i> for <i>collection</i>	\$125.00
11(4)	Fail to properly separate <i>automated collection containers</i> for <i>collection</i>	\$125.00
11(7)(a)	Set <i>automated collection containers</i> out before 7:00 p.m. on the day before <i>collection</i>	\$125.00
11(7)(b)	Fail to remove <i>automated collection containers</i> from front street by 7:00 p.m. on <i>collection day</i>	\$125.00
13(1)	Set out restricted <i>waste</i> for <i>collection</i>	\$250.00
14(2)	Fail to provide adequate containers at a <i>multi-residential development</i>	\$250.00
14(4)	Fail to deposit <i>residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>multi-residential development</i>	\$250.00

BYLAW NUMBER 4M2020

14(5)	Fail to empty containers at <i>multi-residential development</i>	\$250.00
14(7)(a)	Fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
14(7)(b)	Fail to provide information to residents and occupants on proper preparation and storage of <i>waste</i>	\$250.00
14(8)(a)	Occupant of commercial premises fail to provide adequate containers at a <i>multi-residential development</i>	\$250.00
14(8)(b)	Occupant of commercial premises fail to deposit <i>non-residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>multi-residential development</i>	\$250.00
14(8)(c)	Occupant of commercial premises fail to empty containers at <i>multi-residential development</i> or to ensure <i>recyclable material</i> and <i>food and yard waste material</i> taken to and deposited at designated facility	\$250.00
14(8)(d)	Occupant of commercial premises fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
15(1)	Fail to provide adequate containers at a <i>non-residential parcel</i>	\$250.00
15(3)	Fail to deposit <i>non-residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>non-residential parcel</i>	\$250.00
15(4)	Fail to empty containers at <i>non-residential parcel</i> or fail to ensure <i>non-residential recyclable material</i> and <i>food and yard waste material</i> taken to and deposited at designated facility	\$250.00

BYLAW NUMBER 4M2020

15(6)(a)	Fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
15(6)(b)	Fail to provide information to occupants on proper preparation and storage of <i>waste</i>	\$250.00
17(a)	Dispose of improper <i>waste</i> at <i>City disposal site</i>	\$250.00
17(b)	Dispose of improperly packaged <i>waste</i> at <i>City disposal site</i>	\$125.00
17(c)	Scavenge <i>waste</i> at <i>City disposal site</i>	\$125.00
18	Dispose of <i>industrial waste</i> without a permit	\$400.00
19	Fail to comply with permit	\$400.00
20(1)	Deposit improper materials at <i>community recycling depot</i>	\$250.00
20(2)	Deposit material beside or around bins at <i>community recycling depot</i>	\$250.00
20(3)	Improperly deposit permitted material at <i>community recycling depot</i>	\$250.00
20(4)	Tamper with, interfere with or damage receptacle or bin at <i>community recycling depot</i>	\$250.00
20(5)	<i>Commercial hauler</i> deposit <i>waste</i> at <i>community recycling depot</i>	\$250.00
21(1)	Deposit improper materials at <i>household hazardous waste depot</i>	\$250.00
21(2)	Deposit <i>hazardous waste</i> generated from a commercial business at <i>household hazardous waste depot</i>	\$1000.00

BYLAW NUMBER 4M2020

21.3(1)(a)	Set <i>automated collection container</i> out before 5:00 a.m. on <i>collection</i> day in a Wildlife Affected Area	\$250.00
21.3(1)(b)	Set extra <i>waste</i> out for <i>collection</i> before 5:00 a.m. in a Wildlife Affected Area	\$250.00
21.3(1)(c)	Leave out <i>automated collection container</i> after 7:00 p.m. on <i>collection</i> day in a Wildlife Affected Area	\$250.00
21.3.(2)	Fail to secure <i>automated collection container</i> or <i>waste</i> in a Wildlife Affected Area	\$250.00
25	Fail to comply with order	\$1000.00

(40M2023, 2023 September 12)

SCHEDULE “B”

WASTE RATES

The rates and charges described in this Schedule are shown for the years 2023, 2024, 2025 and 2026, and shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

TABLE 1 DISPOSAL RATES AND CHARGES
(Sections 4(1)(a) and (b))

For waste disposed at a City disposal site	2023	2024	2025	2026
Basic Sanitary Waste	\$113/tonne	\$113/tonne	\$113/tonne	\$113/tonne
Minimum charge for loads less than 250 kilograms	\$25/load	\$25/load	\$25/load	\$25/load

TABLE 2 DISPOSAL RATES FOR WASTE MANAGEMENT FACILITY ACCOUNT CUSTOMERS
(Section 4(1)(a))

For waste disposed at a City disposal site (Waste Management Facility)	2023	2024	2025	2026
For less than 1,000 tonnes per month	\$108/tonne	\$108/tonne	\$108/tonne	\$108/tonne
For 1,000 tonnes or more per month	\$100/tonne	\$100/tonne	\$100/tonne	\$100/tonne
For 2,000 tonnes or more per month	\$90/tonne	\$90/tonne	\$90/tonne	\$90/tonne
For 3,500 tonnes or more per month	\$80/tonne	\$80/tonne	\$80/tonne	\$80/tonne

TABLE 3 BLACK CART PROGRAM RATE
(Section 4(1)(c))

Monthly rates described in Table 3 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2023	2024	2025	2026
Residential <i>Black Cart</i> Program (\$ per 30 days)	\$6.99	\$7.13	\$7.27	\$7.41

TABLE 4 BLUE CART PROGRAM RATE
(Section 4(1)(d))

Monthly rates described in Table 4 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2023	2024	2025	2026
Residential <i>Blue Cart</i> Program (\$ per 30 days)	\$8.98	\$9.16	\$9.34	\$9.52

TABLE 5 GREEN CART PROGRAM RATE
(Section 4(1)(e))

Monthly rates described in Table 5 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2023	2024	2025	2026
Residential <i>Green Cart</i> Program	\$9.03	\$9.41	\$9.79	\$10.17

TABLE 6 GARBAGE TAG FEE
(Section 4(1)(d))

	2023	2024	2025	2026
<i>Garbage Tag fee</i>	\$3.00	\$3.00	\$3.00	\$3.00

(31M2022, 2023 January 01)

SCHEDULE "C"

RESIDENTIAL RECYCLABLE MATERIAL

The following materials are designated as *residential recyclable material*:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic bags
13. Polycoat and aseptic containers (including Tetra Pak®).

SCHEDULE "D"

NON-RESIDENTIAL RECYCLABLE MATERIAL

The following materials are designated as *non-residential recyclable material*:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic bags
13. Polycoat and aseptic containers (including Tetra Pak®)
14. Ferrous and non-ferrous scrap metals
15. Clear polyethylene film
16. Dimensional lumber, wooden pallets and other items made of raw and unprocessed wood

SCHEDULE "E"

FOOD AND YARD WASTE MATERIAL

The following materials are designated as *food and yard waste material*:

FOOD WASTE

1. Fruits and vegetables
2. Meat, fish, shellfish, poultry, bones
3. Dairy products (cheese, sour cream)
4. Eggs and egg shells
5. Bread, cereal, crackers and grains
6. Pasta, beans, rice, couscous
7. Cookies, cakes, muffins and pastries
8. Salad dressing, mayonnaise, sauces, dips, gravy
9. Jams, marmalades, chutneys and peanut butter
10. Cooking oils, lard, shortening, butter
11. Coffee grounds, filters and tea bags
12. Chips, popcorn and candy
13. Seeds, pits, nuts and shells

FOOD SOILED PAPER

1. Food-soiled paper towels, napkins and tissues
2. Paper plates

YARD WASTE

1. Plants, flowers and weeds
2. Leaves
3. Grass clippings
4. Branches (up to 15 cm in diameter), twigs and hedge trimmings

5. Sod
6. Household plants, including soil

BYLAW 2022-16

Office Consolidation Current as of June 4, 2024

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
ESTABLISH COMMUNITY STANDARDS**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as the “Community Standards Bylaw.”

INTERPRETATION

- 2 In this bylaw,
 - a) “Concrete Mixer” means a machine that is capable of carrying concrete in a mixed or partially mixed form and pouring it at the location where it is to be used and which is mounted onto a trailer or the chassis of a Truck as defined herein;
 - a.1) “Commercial Premises” includes any building, structure or premises which is not used for residential purposes, and for greater certainty, but not to be restricted to the generality of the foregoing, any building, structure, or premises which is used by any business or non-profit-organization, or for any professional, institution, industrial, commercial, retail, or restaurant operation;
2023-25
 - b) “Construction” means the temporary process of building, constructing, repairing, deconstructing or demolishing any Structure, including landscaping, home repair, home renovations, property improvements, and any work in connection with those processes;
 - c) “Dangerous Wildlife” means species or individual animals that could cause serious bodily injury in the event of an aggressive encounter, including, but not limited to, bear, elk, cougar, coyote, wolf, or any wildlife species or individual animal deemed dangerous by a Peace Officer, fish and wildlife officer, or conservation officer;
 - d) “Daytime” means the period
 - i) beginning at 7:00 a.m. and ending at 10:00 p.m. of the same day on Weekdays, or
 - ii) beginning at 9:00 a.m. and ending at 10:00 p.m. of the same day on a Weekend;
 - e) Enforcement Appeals Review Committee means the committee that reviews Orders issued under sections 545 and 546 of the *Municipal Government Act* for the purpose of section 547 of the *Municipal Government Act*, and which performs other municipal enforcement review functions as provided by Enforcement Appeal Review Committee Bylaw 2022-11;

- f) “Fruit” means the fleshy, seed-bearing structure of a flowering plant species and includes fruit and berries;
- g) “Fruit Bearing Vegetation” means any vegetation that bears Fruit and is a Wildlife Attractant, including but not limited to
 - i) mountain ash trees,
 - ii) crabapple trees,
 - iii) chokecherry, and
 - iv) buffalo berry;
- h) “Garbage Truck” means any vehicle equipped for transporting waste, refuse, or recyclable materials or any vehicle equipped to load, unload, and transport containers for handling waste, refuse, or recyclable materials;
- i) “Good Repair” means a condition where something is free from
 - i) broken, damaged, missing, detached, or fallen parts,
 - ii) rot or other physical deterioration,
 - iii) openings which are not secured against trespassers, and
 - iv) openings which are not secured against the infiltration of air or precipitation.
- j) “Graffiti” means words, figures, letters, drawings, or stickers applied, scribbled, scratched, etched, sprayed, or attached on or to the surface of any Premises, Structure, or other property, without the owner’s consent, but does not include words, figures, letters, drawings, or stickers applied, scribbled, scratched, etched, sprayed, or attached on or to the surface of any vehicle;
- k) “Motorized Garden Tool” means any tool used for gardening or horticulture that is powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity, or a fossil fuel;
- l) “Motor Vehicle Parts” includes, but is not limited to, any motor vehicle part or collection of motor vehicle parts, or one or more vehicles that are dilapidated, derelict, or not in operable condition;
- m) “Non-Residential District” has the same meaning as in Land Use Bylaw 2018-22;
- n) “Nighttime” means the period
 - i) beginning at 10:00 p.m. and ending at 7:00 a.m. on Weekdays, or

- ii) beginning at 10:00 p.m. and ending at 9:00 a.m. on a Weekend;
- o) “Occupant” means the Person residing in or in apparent possession or control of Premises;
- p) “Outdoor Speaker System” means any sound amplification device that converts electrical impulses into sound, whether the device is independent or incorporated into a musical instrument amplifier, radio, stereo, television, public address system, or other system which is positioned
 - i) outside of a building,
 - ii) inside a building and within 2 metres of any opening in the building including a window or doorway, where it is directed outside of the building, or
 - iii) in a tent;
- q) “Owner” means
 - i) in the case of land registered under the *Land Titles Act*, the owner of a fee simple estate or registered leasehold interest in a parcel of land,
 - ii) in the case of personal property, the registered owner,
 - iii) in the case of unregistered personal property, any person with lawful possession and control over the property;
- r) “Order” means an order issued pursuant to section 545 or section 546 of the *Municipal Government Act*;
- s) “Peace Officer” means
 - i) a person appointed as a bylaw enforcement officer pursuant to the *Municipal Government Act*,
 - ii) a person appointed as a peace officer pursuant to the *Peace Officer Act* or
 - iii) a police officer;
- t) “Person” means any individual, firm, partnership, association, corporation, or other legal entity;
- u) “Point of Reception” means any location, be it a place of work or residence, where noise or Sound Levels are heard by an individual;
- v) “Power Tool” includes any tool powered by an engine or motor, regardless of whether that mechanism is powered by compressed air, electricity, or a fossil fuel;

- w) “Premises” includes any real property that may be owned, occupied, managed, or controlled by an Owner or Occupier, including parcels of land, any subdivisions of land or units of real property, and any Structures that may owned, occupied managed or controlled by an Owner or Occupier;
- x) “Public Place” means any Property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation, whether on payment of any fee or not;
- y) “Residential Area” or “Residential Areas” means any area, location, or parcel of land, that is zoned as a Residential Land Use District, a Direct Control District that lists residential use among its uses, or is otherwise zoned for a primary purpose of residential use under Land Use Bylaw 2018-22;
- z) “Sidewalk” means that part of a street, road, or highway that is adapted or designated for the use of pedestrians, including that part of a street, road, or highway between the curb line and the adjacent properties or, where there is no curb line, that piece of land between the edge of the street, road, or highway and the adjacent property line;
- aa) “Signaling Device” means any device that produces an audible sound used for the purpose of drawing an individual’s attention, including a horn, gong, bell, klaxon, or public address system;
- bb) “Sound Level”, unless otherwise defined in this bylaw, means the sound pressure measured in decibels using the “A” weighted network of a Sound Level Meter with fast response;
- cc) “Sound Level Meter” means any Type 2 or better integrating instrument that measures Sound Levels;
- dd) “Structure” means any building, extension from a building, garage, shed, shelter, fence, or other thing erected or placed in, on, over, or under land, whether or not it is movable or affixed to the land;
- ee) “Truck” means any vehicle that has a gross allowable maximum vehicle weight in excess of 5450 kilograms as listed on the government issued registration, regardless of the vehicle’s actual weight at a specific time, and includes a truck-tractor and tractor-trailer;
- ff) “Violation Tag” means a municipal tag or similar document issued by a Peace Officer in relation to an offence under this bylaw;
- gg) “Violation Ticket” means a ticket issued pursuant to the *Provincial Offences Procedures Act*, and the regulations thereunder;
- hh) “Weekday” means Monday, Tuesday, Wednesday, Thursday, and Friday;
- ii) “Weekend” means Saturday and Sunday;

- jj) "Wildlife" means any free-living species of vertebrate animal that is not a domesticated, escaped, or stray domestic animal;
 - kk) "Wildlife Attractant" means any substance that could reasonably be expected to attract Wildlife, including, but not limited to, Fruit, garbage, refuse, food, food waste, and compost.
- 3 Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.

PART 1 REGULATION OF NOISE

- 4 This Part does not purport to regulate the cumulative effect of noise created by vehicular traffic on roads or aeronautical related activities of aircraft.

GENERAL PROHIBITIONS

- 5 Except as authorized by this bylaw, no Person shall make, cause, continue, or allow to be made, caused, or continued, any noise which is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.
- 6 Except as authorized by this bylaw, no Owner or Occupier of a Premises shall make, cause, continue, or allow to be made, caused, or continued, any noise which emanates from the Premises and which is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.
- 7 No Person shall permit a vehicle located on a Premises to emit noise which would disturb the peace, enjoyment, comfort, or convenience of another individual, including, but not limited to, noise from excessive engine revving and music or amplification equipment in the vehicle.
- 8 No Owner or Occupier of a Premises shall permit a vehicle located on the Premises to emit noise which emanates from that Premises, including noise from excessive engine revving and music or amplification equipment in the vehicle, is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.
- 9 A person may be found guilty of a contravention of sections 5 to 8 whether or not the noise
- a) is measured, or
 - b) if measured, exceeds any Sound Level limit prescribed by this bylaw.
- 10 In determining if a noise is likely to disturb the peace, enjoyment, comfort, or convenience of another individual, the following criteria may be considered:
- a) the type, volume, and duration of the noise,
 - b) the time of day and day of week,

- c) the nature and use of the surrounding area,
 - d) the Sound Level in decibels, if measured, and
 - e) any other relevant factor.
- 11 A Person shall not cause or permit any noise exceeding a Sound Level of 60 decibels (dBA) as measured at the property line of a property in a Residential Area between the hours of 10:00 p.m. and 7:00 a.m.
- 12 An Owner or Occupier shall not allow a property that they own or occupy to be used in a manner that results in noise coming from the property to exceed a Sound Level of 60 decibels (dBA) as measured at the property line of a property in a Residential Area between the hours of 10:00 p.m. and 7:00 a.m.

ACTIVITIES IN RESIDENTIAL AREAS

- 13 No Person in a Residential Area during the Nighttime shall operate or use
- a) a lawn mower,
 - b) a Motorized Garden Tool,
 - c) a Power Tool outside of any building or Structure,
 - d) a snow clearing device powered by an engine of any kind, or
 - e) a motorized snow or leaf blowing device.
- 14 No Person shall load or unload a Truck, Concrete Mixer, or Garbage Truck in a Residential Area or within 150 metres of a Residential Area during the Nighttime.
- 15 Notwithstanding section 14, a Person may, at any time, unload a vehicle containing
- a) fresh produce and perishable merchandise including milk products and baked goods, or
 - b) daily or weekly newspapers being delivered to vendors.
- 16 Notwithstanding section 14, a Person may load a Garbage Truck between 6:00 a.m. and 10:00 p.m. on any day.
- 17 A Person must not use a Signaling Device in a Residential Area during the Nighttime.
- 18 Notwithstanding section 13(a), (b), and (c), it is not an offence to use a Motorized Garden Tool, lawn mower, or other grass cutting device on a golf course between the hours of 5:30 a.m. and 9:00 a.m. on any day of the week.

- 19 Notwithstanding section 13(d) and (e), a person may operate a snow clearing device powered by an engine for the purpose of commercial and non-commercial removal of snow and ice from streets, parking lots and Sidewalks during the forty-eight-hour period following a snowfall, rain or freezing rain, subject to the authority of the chief administrative officer, in their sole discretion, to withdraw this exception on a site-specific basis.

CONSTRUCTION ACTIVITY

- 20 A Person shall not cause or permit any Construction activity on property they own or occupy
 - a) between the hours of 10 p.m. and 7 a.m. on any Weekday and Weekend,
 - b) at any time on Sunday or statutory holiday, or
 - c) at any time contrary to a written notice issued by the chief administrative officer pursuant to section 22.
- 21 Notwithstanding section 20, a Person may on Sundays and statutory holidays conduct construction, alterations, or renovations on their own home and property, or by persons assisting them if the persons assisting do not receive financial compensation or any other compensation for their labour.
- 22 Subject to section 20, the chief administrative officer may, by written notice, direct that a person shall not cause or permit any Construction activity or certain types of Construction activity on property they own or occupy during the time specified in the written notice.
- 23 Prior to issuing a written notice pursuant to section 22, the chief administrative officer must consider
 - a) the proximity of the Construction activity to adjacent properties,
 - b) the nature of the Construction activity occurring on the property,
 - c) the nature and use of adjacent properties,
 - d) the number and nature of previous complaints regarding the Construction activity occurring on the property received by the chief administration officer,
 - e) the intended schedule for completion of the Construction activity occurring on the property, including the potential impact of noise-restricted hours on the completion of the Construction activity, and
 - f) any other factor deemed relevant by the chief administrative officer related to the Construction activity occurring on the property.

OUTDOOR SPEAKER SYSTEMS

- 24 No Person shall operate an Outdoor Speaker System during the Nighttime on a parcel where the property line of the parcel is within 150 metres of a Residential Area.
- 25 Regardless of the time of day, an Outdoor Speaker System must always comply with the Sound Levels established in this bylaw.

EXEMPTIONS AND SCOPE

- 26 The prohibitions on noise in Part 1 of this bylaw do not apply to
 - a) emergency vehicles,
 - b) Construction in Residential Areas during the Daytime, except for Sundays, whether or not the Construction requires any Town permits,
 - c) the use of Motorized Garden Tools in Residential Areas where the tool is used during the Daytime and for less than three (3) hours during any given day,
 - d) work on a Town street or on a public utility carried out by the owner or operator of the public utility, or its contractors,
 - e) any activity within the jurisdiction of the Government of Canada or the Government of Alberta, and
 - f) the operation of air conditioning units and heat pumps in Good Repair.
- 27 Notwithstanding section 26, the chief administrative officer may apply any other provision of Part 1 to the activities in sections 13 to 25 on a site-specific basis in the chief administrative officer's sole discretion.
- 28 The provisions contained in Part 1 shall not be interpreted to prevent
 - a) the ringing of bells in churches, religious establishments, and schools,
 - b) the sounding of any alarm or warning to announce a fire or other emergency,
 - c) the playing of a band in connection with a parade or special event allowed pursuant to any Town permit, or
 - d) the use of Signaling Devices on vehicles in their normal operation for the purpose of giving warnings to other vehicles or Persons.

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PERMITS FOR EXEMPTIONS TO NOISE REGULATIONS

- 29 A Person may make a written application to the chief administrative officer for a noise exemption permit allowing for noise or Sound Levels that would otherwise violate this bylaw.

- 30 Applications made pursuant to section 29 must be made in writing in a form approved by the chief administrative officer.
- 31 The chief administrative officer may in their sole discretion
- a) issue a noise exemption permit where the chief administrative officer determines that circumstances make it impractical for the applicant to comply with this bylaw,
 - b) revoke any noise exemption permit where the chief administrative officer determines that the permit holder has not met the terms or conditions of the permit or taken sufficient measures to minimize noise or Sound Levels, and
 - c) impose any conditions on the issuance or the use of the Noise Exemption Permit the chief administrative officer considers appropriate.

**PART 2
CLEARING OF SIDEWALKS**

- 32 The Owner or Occupant of any land adjacent to a Sidewalk shall remove, or cause to be removed, any ice or snow from all adjacent Sidewalks within forty-eight hours after the ice or snow was formed or deposited.
- 33 Whenever snow or ice is deposited or formed on a Sidewalk adjacent to a parcel of land that is the subject of a condominium plan, the condominium corporation associated with the parcel of land shall remove, or cause to be removed, the snow or ice from the Sidewalk within forty-eight hours after the ice or snow was formed or deposited.
- 34 In the event that the Owner or Occupant of land adjacent to a Sidewalk or a condominium corporation associated with land adjacent to a Sidewalk fails or neglects to remove and clear away all snow or ice from a Sidewalk within forty-eight hours, the chief administrative officer may cause the snow or ice to be removed from such Sidewalk, with all costs and expenses plus a 10% administration fee charged to the Owner, Occupant, or condominium corporation responsible for the removal of the snow or ice, and any unpaid costs or expenses shall be added to the tax roll for the land to be recovered in the same manner as other taxes pursuant to the provisions of the *Municipal Government Act*.
- 35 Any Person who has an awning, canopy, marquee, roof drainage controlled by eaves troughing, or other Structure extending from a portion of their Premises over a Sidewalk or other portion of a roadway shall keep the said awning, canopy, marquee, eaves troughing, or other Structure free from snow or ice so that it will not drip or fall upon the Sidewalk or roadway below.
- 36 The Owner or Occupant of Premises with an awning, canopy, marquee, roof drainage controlled by eaves troughing, or other Structure extending from the Premises, shall cause to be cleaned up any water from melting snow or ice that could otherwise drip onto the Sidewalk or roadway below, and

take all necessary precautions to ensure that an icy or dangerous situation is not allowed to exist on the Sidewalk or roadway.

- 37 No Person operating a business Premises, to which entry or exit for vehicles is made by a crossing located between the curb and the private property line, shall allow mud, water, slush, ice, or icy frozen snow to remain on the public Sidewalk or roadway portion of the said crossing; but shall keep the same clean and clear of all such materials, liquids or substances as may be or become a hazard to pedestrians.
- 38 A Person may use a power-driven device to remove snow and ice from any portion of a Sidewalk for which that person is responsible for removing snow and ice under this bylaw, provided that the power-driven device is used in a way that will not injure or unduly interfere with any other person lawfully using the Sidewalk or injure the surface of the Sidewalk.
- 39 A Person who removes snow or ice from Sidewalks and or any public or private property shall not deposit the said snow or ice upon any roadway or Public Place without permission from the chief administrative officer to deposit the snow or ice upon the roadway or Public Place.
- 40 A Person who removes snow or ice from public or private Sidewalks and or public or private property shall not deposit said snow or ice
 - a) in a manner that impedes storm sewer run off or blocks access to any storm sewer grate,
 - b) in the entranceway, ramps, or gated access to any fire hall, ambulance station, emergency vehicle lane, marked fire laned or in any other manner that interferes with the proper operation of and access of emergency vehicles,
 - c) in any area of the Sidewalk where the curb is depressed to allow for the passage of mobility aids,
 - d) on any physical infrastructure or amenity owned by the Town of Canmore including, but not limited, to bicycle racks and transit stops, or
 - e) generally upon any public street, road, highway or any Public Place unless expressly permitted by the chief administrative officer.

PART 3 PROPERTY MAINTENANCE

SCOPE

- 41 Part 3 applies to all Premises except for those located in industrial areas where outdoor storage has been approved under Land Use Bylaw 2018-22 for materials the accumulation of which would otherwise be prohibited under this Part.

ACCUMULATION OF MATERIALS

- 42 No Owner or Occupier of a Premises shall allow on the Premises, the accumulation of
- a) any material that creates unpleasant odors,
 - b) any material likely to attract pests or animals, whether or not defined as Wildlife, or
 - c) animal remains, parts of dead animals, or animal feces.
- 43 No Owner or Occupier of a Premises shall allow the outdoor storage of any toxic or hazardous substance, including but not limited to industrial fluids, automotive fluids, petroleum products, paints, and solvents in a manner that is open, exposed, or accessible by other Persons or animals.
- 44 No Owner or Occupier of a Premises shall allow the following to accumulate on the Premises in a manner that is visible to a Person viewing from outside the property:
- a) loose litter, garbage, or refuse,
 - b) bottles, cans, boxes, recyclable materials, or packaging materials,
 - c) household furniture or other household goods,
 - d) Motor Vehicle Parts,
 - e) parts of or disassembled machinery, equipment, or appliances,
 - f) yard waste, including grass, tree and hedge cuttings, leaves and other refuse,
 - g) any tree, shrub, other type of vegetation or any Structure, or
 - i) that interferes or could interfere with any public work or utility,
 - ii) that obstructs any Sidewalk adjacent to the Land,
 - iii) that impairs the visibility required for safe traffic flow at any intersection or roadway adjacent to the Land, or
 - iv) that reasonably interferes with the use and enjoyment of a neighbouring Premises or Public Place.
- 45 No Owner or Occupier of a Premises shall allow on the Premises the accumulation of building or landscaping materials, whether new or used, unless that Owner or Occupier can establish that a Construction activity on the Premises is actively underway or that the beginning of the Construction activity is imminent.

- 46 An Owner or Occupant of a Premises shall ensure that all building and landscaping materials stored on a Premises, are stacked or stored in an orderly manner.

EQUIPMENT IN OUTDOOR LOCATIONS

- 47 No Owner or Occupant of a Premises shall place, cause, or permit the placement of a refrigerator, freezer, or other similar appliance in an outdoor location on Premises that they own or occupy unless effective measures have been taken to prevent the opening and closing of the appliance.
- 48 Without limiting the generality of section 47, effective measures for preventing the opening and closing of an appliance include, but are not limited to, the following:
- a) the removal of the door from the appliance,
 - b) the removal of the door handle mechanism if this prevents opening and closing of the door,
 - c) the removal of the door hinges,
 - d) the locking of the appliance, or
 - e) otherwise wrapping or containing the appliance so that the interior is inaccessible.
- 49 No Owner or Occupant of a Premises shall place, cause, or permit a refrigerator, freezer or other similar appliance to be placed in an outdoor location on the Premises where the appliance is visible to a Person viewing from outside the Premises.
- 50 No Owner or Occupant of a Premises shall place, cause, or permit the placement of Power Tools or other potentially dangerous equipment in an outdoor location on the Premises except during active use for their intended purposes unless secured so as to not be potentially dangerous.

MAINTENANCE OF EXTERIOR STRUCTURES

- 51 Any Structure shall be maintained in Good Repair and in a manner that does not contribute to health, safety, and fire hazards.
- 52 Every Person, Owner, or Occupant of a Premises shall ensure the following Structures are maintained in Good Repair:
- a) fences,
 - b) retaining walls, terraces, patios, and other hardscaping,
 - c) foundations and foundation walls,
 - d) exterior walls and exterior wall components,
 - e) windows and window casings,

- f) roofs and roof components,
 - g) doors and door frames,
 - h) exterior stairs, landings, porches, balconies, and decks, and
 - i) the protective and decorative finishes of all exterior surfaces of Structures.
- 53 If an Owner or Occupant fails to keep a Structure in Good Repair, the chief administrative officer may direct the Owner of the subject Premises to repair, rehabilitate, or replace or remove that portion of the Structure. Failure by the Owner to adhere to the direction of the chief administrative officer shall constitute an offence under this bylaw.

**PART 4
WILDLIFE ATTRACTANTS**

- 54 No Person or Owner, other than a Peace Officer or a Person appointed by the chief administrative officer who is acting in the course of their duties shall store, collect, handle, or dispose of Wildlife Attractants in such a way that the Wildlife Attractants are accessible to or may attract Wildlife.
- 55 No Person or Owner shall permit a Wildlife Attractant to be placed or remain in an outdoor location where the Wildlife Attractant is accessible to Wildlife. 2024-15
- 55.1 No Person or Owner shall permit or allow a Wildlife Attractant to be placed or remain in an outdoor location where it attracts Dangerous Wildlife. 2024-15
- 56 Except for Fruit-Bearing Vegetation located on any premises at the time of coming into effect of this bylaw, no Owner or Occupant shall plant, install, place, or allow or cause to be planted, installed, or placed, any Fruit-Bearing Vegetation on any Premises under the ownership or occupation of the Owner or Occupier.
- 57 No Person shall feed, attempt to feed, or permit the feeding of Wildlife.
- 58 No Person shall feed any animal, whether domestic or wild, in a manner that is likely to attract Dangerous Wildlife.
- 59 Notwithstanding sections 56 and 57, a Person may place or permit the placement of an outdoor bird feeder containing bird feed, seeds, suet, nectar, or any other bird attractant between the dates of December 1 and March 31, provided that
- a) the bird feeder is suspended on a cable or other device in such a manner that it is inaccessible to Wildlife other than birds, and
 - b) the area below any bird feeder is kept free of accumulations of any Wildlife Attractants.

- 60 No Person shall place or permit the placement of outdoor bird feeders containing bird feed, seeds, suet, nectar, or any other attractant between April 1 and November 30 of each year.
- 61 Notwithstanding section 58, no Person or Owner shall place, or cause to be placed, on or near the property of that Person or Owner, any material or substance which has the effect of attracting pigeons.

**PART 5
GRAFFITI PREVENTION AND ABATEMENT**

- 62 No Person shall create or apply Graffiti on or to any
- a) Premises,
 - b) Structure, or
 - c) other property which is owned or occupied by another Person.
- 63 Every Owner or Occupant of a Premises shall ensure that Graffiti placed on their Premises is removed, painted over, or otherwise blocked from public view.

**PART 6
HUMAN WASTE**

- 64 No Person shall urinate, defecate, or deposit any human waste in any Public Place, other than a washroom.

**PART 6.1
OPEN DOORS**

- 64.1 No Owner or Occupier of a Commercial Premises shall allow a door permitting entrance or exit from the Commercial Premises to the outdoors to be held, secured, or propped open between the Tuesday after Thanksgiving Day and until the last Friday in April except when temperatures rise above +10°C, as noted by the Environment Canada weather forecast for Canmore.

2023-25

- 64.2 The provisions of section 64.1 shall not be construed to prevent
- a) Persons from entering or exiting a Commercial Premises through a door in the normal course of events,
 - b) a door into a Commercial Premises being held open by a Person to provide another Person ease of entrance or exit,

- c) a door into a Commercial Premises which is equipped with a handicapped control from being used in the normal course of events to enable entrance or exit,
- d) Persons from holding, securing, or propping a door open for the purpose of allowing Persons to exit a Commercial Premises during an emergency,
- e) Persons from holding, securing, or propping a door open for the purpose of allowing deliveries to a Commercial Premises, while the delivery is taking place, and
- f) Persons from holding, securing, or propping a door open for the purpose of allowing construction and construction related activities on the Premises, while such construction is taking place.

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PART 7 ORDERS, ENFORCEMENT AND PENALTIES

ORDERS

65 Every Order issued with respect to a contravention of this bylaw must

- a) indicate the Person to whom the Order is directed,
- b) identify the property or Premises to which the Order relates by municipal address or legal description,
- c) identify the date that it is issued,
- d) identify how the property or Premises fails to comply with this bylaw,
- e) identify the specific provisions of this bylaw that the property or Premises contravenes,
- f) identify the nature of the remedial action required to be taken to bring the property or Premises into compliance with this bylaw or the *Municipal Government Act*, as applicable,
- g) identify the time within which the remedial action required by the Order must be completed,
- h) indicate that if the required remedial action is not completed within the time specified, the chief administrative officer may take whatever action or measures are necessary to remedy the contravention,
- i) indicate that the expenses and costs of any action or measures taken by the chief administrative officer under this Section are an amount owing to the Town by the Person to whom the Order is directed,
- j) indicate that the expenses and costs referred to in this section may be attached to the tax roll of the property if such costs are not paid by a specified time, and

- k) indicate that a review of the Order lies with the Enforcement Appeal Review Committee if an application for review is filed in writing with the municipal clerk within fourteen days of the receipt of the Order.

66 An Order issued pursuant to this bylaw may be served

- a) where the Person to whom the Order is directed is an individual,
 - i) by delivering it personally to the individual,
 - ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age,
 - iii) by delivering it by registered mail to the individual at the place of residence listed on the tax roll for the individual, or
 - iv) by delivering it by registered mail to the last address of the individual who is to be served as shown on the records of the Registrar of Motor Vehicle Services in Alberta;
- b) where the Person to whom the Order is directed is a corporation,
 - i) by delivering it personally to a director or officer of the corporation,
 - ii) by delivering it personally to any person apparently in charge of an office of the corporation at the address held out by the corporation to be its address, or
 - iii) by delivering it by registered mail addressed to the registered office of the corporation;
- c) where the Person to whom the Order is directed is a partnership or association,
 - i) through service on Persons who are partners in the partnership or members in the association;
- d) if, in the opinion of a person serving a Order, service of the Order cannot be reasonably effected, or if the person serving the Order believes that the Person subject to the Order is evading service, the person serving the Order may post the Order
 - i) at a conspicuous place on the Premises to which the Order relates,
 - ii) at the private dwelling place of the Person to whom the Order is directed, as shown on a certificate of the title pursuant to the *Land Titles Act* or on the municipal tax roll,
 - iii) at any other property owned by the Person to whom the Order is directed, as shown on a certificate of title pursuant to the *Land Titles Act* or shown on the municipal tax roll, or

- iv) at any other Premises occupied by the Person to whom the Order is directed, and
- v) the Order shall be deemed to be served upon the expiry of 3 days after the Order is posted.

REVIEW BY COMMITTEE

- 67 The Person to whom an Order is directed or the Owner of a Premises to which an Order relates may request the Enforcement Appeals Review Committee to review the Order by making a written application for review within fourteen days of the date the Order is received.
- 68 Every Person who fails to comply with an Order issued pursuant to this bylaw which has not been rescinded or overturned by the Enforcement Appeals Review Committee commits an offence.

ENFORCEMENT AND PENALTIES

- 69 Any Person who contravenes any provision of this bylaw is guilty of an offence and upon conviction shall be liable for a minimum penalty in accordance with Schedule A of this bylaw, and not exceeding \$10,000.
 - 70 Any Person who contravenes any provision of this bylaw for which a penalty is not set out in Schedule A of this bylaw is liable to a minimum penalty of \$250 for the first offence, \$500 for the second offence and \$1,000 for third and subsequent offences.
- 2024-15
- 71 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person who a Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
 - 72 A Violation Tag may be issued to such person
 - a) either personally, or
 - b) by mailing a copy to such Person at their last known or registered address.
 - 73 The Person to whom a Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.
 - 74 If the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
 - 75 Notwithstanding section 70 of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
 - 76 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an

offence is liable to a fine in an amount not less than that established by this bylaw.

**PART 8
ENACTMENT/TRANSITION**

- 77 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 78 Schedule A forms part of this bylaw.
- 79 Section 4 of Enforcement Appeal Review Committee Bylaw 2022-11 is amended
- a) in subsection ii) by striking out “and”,
 - b) in subsection iii) by adding “and” at the end of the section, and
 - c) by adding the following after subsection iii):
 - iv) Community Standards Bylaw 2022-16.
- 80 Noise Bylaw 11-97 is repealed.
- 81 Wildlife Attractant Bylaw 2017-10 and Wildlife Amending Bylaw 2019-23 – Fruit Trees are repealed.
- 82 Sections 87 – 97 of Traffic and Road Use Bylaw 2020-03 are repealed.
- 83 This bylaw comes into force on the date it is passed.

FIRST READING: August 16, 2022

SECOND READING: August 16, 2022

THIRD READING: August 16, 2022

OFFICE CONSOLIDATION

This document is a consolidation of a bylaw with one or more amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

2022-16	Community Standards Bylaw
2023-25	Amendment – Open Doors
2024-15	Amendment – Human Wildlife Co-Existence

SCHEDULE A**PENALTIES**

Section	Description	Penalty
55.1	Person or Owner permit or allow a Wildlife Attractant to be placed or remain in an outdoor location where it attracts Dangerous Wildlife	\$1,000 – first offence \$5,000 – second offence \$10,000 – third and subsequent offences
57	Person feed Wildlife	\$1,000 – first offence \$5,000 – second offence \$10,000 – third and subsequent offences

2024-15



Incentive Programs

Fruit Tree Removal Incentive Program

Get cash back for removing fruit trees from your yard!

Fruit trees attract bears into our neighbourhoods which puts people and wildlife at risk. Bears accessing fruit trees is the one of the main causes of bears needing to be relocated or killed in the Bow Valley.

We are making Canmore safer for people and wildlife by reducing financial barriers to remove fruit trees. **See application and eligibility details below.**

Program Details



- Eligibility: Individuals who own a home or property located within the Town of Canmore.
- Funding: 100% of the pre-tax cost of removal of the fruit tree(s) or bush(es) by an arborist or tree removal service up to \$500/property.
- New this year! Condos or commercial properties with five or more trees for removal may be eligible for additional support (up to \$1000/property) for 2024 only.
- Program is first-come first-served while funds are available.

How to Apply



Applications are now open!

Thank you for your interest in removing fruit trees from your property to advance wildlife coexistence in our community. To apply for the incentive program:

1. Send an email to sustainability@canmore.ca with the subject line: *fruit tree incentive program* and indicate you are interested in the program.

2. Once you receive a reply, contract an arborist or tree removal service to remove the fruit tree(s) and/or bush(es) from your property.
3. Once the fruit tree(s) or bush(es) have been removed, email a copy of your paid invoice to sustainability@canmore.ca.
4. We will then reimburse you for the cost of removal up to \$500/property, and for 2024 only, up to \$1000 per property for condos or commercial properties with five or more trees for removal.

Timeframe: Annually, while funds remain available

Clean Energy Improvement Program

Over half of Canmore's greenhouse gas (GHG) emissions are from existing buildings. Homeowners can now apply for the [Clean Energy Improvement Program \(CEIP\)](#) – an innovative financing tool for property owners to reduce GHG emissions by investing in energy efficient and renewable energy upgrades without an upfront cost.

CEIP provides a low interest financing option for loans related to energy efficiency upgrades (solar, insulation, windows, etc.). You then make repayments through your annual property tax bills. CEIP repayment is tied to the property, not the property owner. If the home is sold, the new owner assumes responsibility for repayment, while also enjoying the energy savings and other benefits of the upgrade(s).

The CEIP can be combined with the Residential Solar Incentive if the timelines align. If you are selected to receive a Solar Incentive the funding will be applied to the CEIP financing instead of being paid directly to you.

How the Program Works



How to Apply



Climate Action Incentives

Our mountain environment is important to our community. This year, we were proud to offer five incentive programs to help residents and businesses reduce energy and fuel costs while also reducing our community's impact on our environment.

Our Climate Action Incentives accelerate our climate action targets. They are funded by the Sustainability Reserve, which comes from a portion of franchise fees paid to the Town by ATCO and Fortis.

These programs were offered in addition to the existing Clean Energy Improvement Program, an innovative financing tool for Canmore residents to make your homes more energy efficient and invest in renewable technologies without an upfront cost.

Two of our programs this year, the E-Bike Discount and the Home Upgrades Program, were specifically targeted at members of our Affordable Services Program to reduce barriers to Canmore residents with the highest financial need. [See if you qualify for the Affordable Services program!](#)

The 2024 Climate Action Incentive Program is now closed. Check back early next year for details on our 2025 program.

Electric Vehicle Readiness Research Pilot

The 2024 program is now closed. Successful candidates were contacted directly.

We are offering an incentive to existing and under-construction multi-family buildings to make resident parking stalls Electric Vehicle (EV) Ready. In 2024, in exchange for the incentive, recipients must work closely with the Town to provide information on approach, material selection, challenges, and all costs. This is a research-based pilot designed to help inform a long-term EV charger incentive program.

An EV Ready parking stall has a conduit installed connecting the appropriate electrical supply to the parking space, so that a Level 2 EV Charger (240 volt) can be easily installed at a later date.

How the Program Works



How to Apply



Solar Incentive Program - Now Closed

The 2024 program is now closed. Successful candidates were contacted directly.

Investing in solar energy can be a great way to reduce emissions while reducing energy costs; however, the upfront cost can be a financial barrier. That is why we are proud to offer an annual incentive to help offset the cost of a rooftop solar photovoltaic (PV) system for Canmore residents and businesses.

How the Residential Solar Incentive Program Works



How the Commercial and Multi-Family Solar Program Works



Home Upgrades Program - Now Closed

The 2024 program is now closed. Successful candidates were contacted directly.

The program is designed to help qualified homeowners lower their energy bills by installing free home upgrades that reduce energy consumption and create a more comfortable and affordable home. It is delivered by Kambo Energy Group and Alberta Ecotrust, in partnership with the Town of Canmore.

For qualified applicants (must be a Canmore resident on the Town of Canmore's Affordable Services Program), the Home Upgrades Program delivery team identifies and installs energy-efficient upgrades based on each household's unique needs and may include the installation of a high-efficiency furnace, new insulation, and air sealing measures.

Thanks to a coalition of funders committed to supporting lower-income Albertans, there are no costs or hidden fees passed on to homeowners who receive upgrades.

How the Program Works



E-Bike Discount - Now Closed

The 2024 program is now closed. Successful candidates were contacted directly.

Information about the 2024 program:

We are offering a e-bike discount to make sustainable transportation options more accessible. The program is open exclusively to Canmore residents in the Affordable Services Program to reduce barriers to e-bike ownership for Canmore residents with the highest financial need. This program is being offered in 2024 only.

How the Program Works



BYLAW NO. 4679, 2016

Consolidated with amendments in Bylaws:

(1) 4733, 2016; (2) 4827, 2017; (3) 5023, 2019; (4) 5089 2020; (5) 5180, 2021; (6) 5284, 2022;
(7) 5358, 2023

NOTE: This is a consolidation for convenience purposes only and does not have the force of law.

A Bylaw to establish a solid waste management system within the City of Coquitlam

WHEREAS:

- A. The *Community Charter*, S.B.C. 2003, c. 26 authorizes the City of Coquitlam to operate a solid waste management system as a municipal service;
- B. It is necessary to establish fees and charges for the provision of solid waste management services; and
- C. Council of the City of Coquitlam considers it desirable to adopt a new bylaw respecting solid waste management within the City,

NOW THEREFORE, the Council of the City of Coquitlam, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

1. Name of Bylaw

This Bylaw may be cited for all purposes as the “Solid Waste Management Bylaw No. 4679, 2016.”

2. Definitions

2.1 In this Bylaw, the following words have the following meanings:

AUTOMATED COLLECTION SYSTEM means the collection of solid waste using a specially designed vehicle with a mechanical apparatus to empty waste receptacles directly into the vehicle without requiring manual labour;

BANNED MATERIALS means any material defined as “Banned Material” in the Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 293, 2015, as amended or replaced from time to time;

CITY means the City of Coquitlam;

COLLECTOR means any person appointed or otherwise authorized by the Engineer to collect and remove solid waste and recyclable material;

CONSTRUCTION AND DEMOLITION WASTE means any and all debris and rubbish that originates and is rejected, discarded or abandoned from any construction or partial or total demolition site and includes, without limitation, earth, rocks, trees, stumps and debris removed from excavations;

CO-MINGLING means the mixing of any two or more of the following items or materials:

- (a) *recyclable material,*
- (b) *household waste, or*
- (c) *landscape waste and food scraps;*

ENGINEER means the General Manager of Engineering and Public Works for the *City*, or his or her designate;

FOOD SCRAPS includes meats, fish, bones, seafood shells, vegetable peelings and seeds, fruit peelings and seeds, eggshells, pasta, rice, baked goods, desserts, dairy, butter, sauces, food-soiled papers including pizza boxes, paper plates and napkins, coffee grounds and coffee filters, tea bags and tea leaves, but does not include liquids and grease;

GARBAGE CART means a container provided to a *residential dwelling* by the *City* to be a receptacle for *household waste*;

GREEN CART means a container provided to a *residential dwelling* by the *City* to be a receptacle for *food scraps* and *landscape waste*;

GREEN WASTE means *food scraps* and *landscape waste*;

HOUSEHOLD WASTE means any and all accumulations of general rubbish, waste or discarded materials normally associated with *residential use*, but specifically excludes liquids and semi-fluids, *recyclable material*, *food scraps*, *landscape waste*, *construction and demolition waste*, and *banned materials*;

LANDSCAPE WASTE includes weeds, leaves, grass and tree, plant or shrubbery cuttings less than 7.5 centimeters in diameter and less than 1 meter in length;

OCCUPIER in respect of a *residential dwelling* has the meaning ascribed to it in the *Community Charter*, S.B.C. 2003, c. 26;

ONE-FAMILY RESIDENTIAL has the same meaning as in the *Zoning Bylaw*;

OWNER in respect of a *residential dwelling* or apartment has the meaning ascribed to it in the *Community Charter*, S.B.C. 2003, c. 26;

RECYCLING CONTAINER means a container, bag or other receptacle approved by the *Engineer* for the set-out of *recyclable material*;

RECYCLABLE MATERIAL means packaging and printed paper as defined in Schedule 5 of the Recycling Regulation, B.C. Reg. 449/2004, as amended or replaced from time to time;

RESIDENTIAL DWELLING means:

- (a) a *one-family residential* building; or
- (b) a *two-family dwelling* or *two family residential* building and includes, without limitation, a strata created in accordance with the *Strata Property Act* and intended as a residence for not more than two families; or
- (c) a building on a parcel approved by the *Engineer* pursuant to section 3.3 to receive *solid waste* collection services from the *City*.

RESIDENTIAL DWELLING CHARGE means the annual charge to be levied in respect of each residential dwelling for the collection and removal of waste from a *garbage cart* and *green cart* as set out in Schedule "A";

RESIDENTIAL USE has the same meaning as in the *Zoning Bylaw*;

RESIDENTIAL WASTE CONTAINER means a *garbage cart* and a *green cart*;

SCHEDULE "A" means the schedule attached to this Bylaw and labeled Schedule "A" and the same is incorporated into and forms part of this Bylaw;

SOLID WASTE means *household waste*, *food scraps*, *landscape waste*, and *recyclable materials*;

TWO-FAMILY RESIDENTIAL has the same meaning as in the *Zoning Bylaw*;

WILDLIFE means birds and any mammal not normally domesticated, including but not limited to bears, bobcats, cougars, coyotes, foxes, raccoons and skunks;

WILDLIFE RESISTANT ENCLOSURE means a fully enclosed structure consisting of wall, roof and door of sufficient design and strength so as to be capable of keeping its contents inaccessible to *wildlife*;

ZONING BYLAW means Zoning Bylaw No. 3000, 1996, as amended or replaced from time to time.

3. Collection and Removal System

- 3.1 The *Engineer* is authorized to establish and regulate, by the *City* directly or through contractors, a system of collecting and removing *solid waste*, by way of an *automated collection system* or manual labour, or a combination thereof, from *residential dwellings* at the frequency set out in Schedule “A”.
- 3.2 Every *residential dwelling* shall be included within the *solid waste* collection and disposal system provided by the *City*.
- 3.3 Notwithstanding section 3.1, the *Engineer* may, on application from an *owner* or *occupier*, and on terms and conditions prescribed by the *Engineer*, provide *solid waste* collection and disposal services to any parcel used for a *residential use* in the *City*.
- 3.4 Notwithstanding section 3.2, if the *Engineer* considers that a parcel cannot be safely and efficiently serviced, the *Engineer* may exclude that parcel from servicing under this Bylaw and, upon notice to the *owner* and *occupier* of the parcel, the parcel will not be permitted or required to receive the *City’s solid waste* collection and removal services.

4. Collection and Removal Procedures

- 4.1 Every *owner* or *occupier* of a *residential dwelling* that wishes to have their waste collected must:
- 4.1.1 where the property on which a *residential dwelling* is located abuts a lane, place the *residential waste containers* and *recycling containers* at the property line, level with the surface of the lane, no earlier than 5:30 a.m. and not later than 7:30 a.m., on each day designated for collection and removal of *solid waste* and *recyclable material*; or
- 4.1.2 where the property on which a *residential dwelling* is located does not abut a lane, place the *residential waste containers* and *recycling containers* on the street, as near as possible to the driveway of the property, without obstructing vehicle or pedestrian traffic, no earlier than 5:30 a.m. and not later than 7:30 a.m., on each day designated for collection and removal of *solid waste* and *recyclable material*.

- 4.2 Every owner and occupier must ensure that, when placing *residential waste containers* and *recycling containers* for collection under section 4.1, the *residential waste containers* and *recycling containers* are placed:
- 4.2.1 with at least 1 metre of clearance space on all sides of each *residential waste container* and *recycling container*,
 - 4.2.2 with at least 3 metres of open space above, and
 - 4.2.3 at least 1.5 metres away from parked vehicles.
- 4.3 Notwithstanding section 4.1, the *Engineer* may provide notice to the owner or occupier of any *residential dwelling* specifying the placement of a *garbage cart*, a *green cart* or a *recycling container*, which may be different than the requirements established in sections 4.1 and 4.2.

5. Duties of Owners or Occupiers

- 5.1 Every owner or occupier of a *residential dwelling* must ensure that:
- 5.1.1 all *household waste* is deposited and contained in a *garbage cart*;
 - 5.1.2 all *food scraps* and *landscape waste* are deposited and contained in a *green cart*;
 - 5.1.3 all *recyclable material* is deposited and contained in a *recycling container*;
 - 5.1.4 there is no *co-mingling*;
 - 5.1.5 there is no *construction and demolition waste* or *banned materials* in a *residential waste container* or a *recycling container*;
 - 5.1.6 no *residential waste container* contains *solid waste* weighing, in the aggregate, more than:
 - 5.1.6.1 50 kilograms in a 120 litre container;
 - 5.1.6.2 100 kilograms in a 240 litre container; or
 - 5.1.6.3 150 kilograms in a 360 litre container;
 - 5.1.7 when a *residential waste container* or *recycling container* is not set out for collection in accordance with section 4.1, they are stored on the property in such a manner that they do not rest on, encroach upon or project over and, wherever

reasonably feasible, are not visible from, any street (which includes sidewalks, boulevards and lanes) or other public place and do not in any manner impede or endanger vehicle or pedestrian traffic on any street or other public place.

- 5.2 Notwithstanding section 5.1.2, the *Engineer* may, on providing notice in a form and manner acceptable to the *Engineer*, designate dates and times during which *landscape waste* may be set-out for collection other than in a *green cart*, and may prescribe terms and conditions for set-out under this section.
- 5.3 No person shall place any waste into a *residential waste container* or *recycling container* other than those provided to that person's *residential dwelling*.
- 5.4 The *Engineer* may issue a notice requiring all *owners* and *occupiers* of a *residential dwelling* to place any *solid waste* specified in the notice in a *wildlife resistant enclosure* until such *solid waste* is are placed out for collection pursuant to the provision of this Bylaw. Any *owner* or *occupier* who has been given a notice under this section must comply with the conditions as specified by the *Engineer*.

6. Residential Dwelling Charge

- 6.1 Every *residential dwelling* will be subject to the *residential dwelling charge* and such charge will be recorded on the municipal utility billing for the property on which the residential dwelling is located and payable by the owner of such property in accordance with the provisions for payment of municipal utilities taxes. Charges unpaid on the thirty-first of December in the year in which it is levied shall be deemed taxes in arrears in respect of the property and shall forthwith be entered on the Real Property Tax Roll as taxes in arrears.

7. Provision of Residential Waste Containers

- 7.1 The *City* retains ownership of the *residential waste containers* provided to the *owner* or *occupier* of a *residential dwelling*, except for a *residential waste container* purchased by an *owner* or *occupier* of a *residential dwelling* as allowed in Schedule "A" to this Bylaw.
- 7.2 The *City* may charge a fee for the provision or exchange of any *residential waste container* in accordance with the fee schedule set out in Schedule "A" to this Bylaw.
- 7.3 For a newly constructed *residential dwelling*, the *City* is not obligated to provide a *residential waste container* to such *residential dwelling* until construction has been completed and the *owners* or *occupiers* are residing in the *residential dwelling*.

8. Maintenance of Residential Waste Containers

- 8.1 The *owner* or *occupier* of a *residential dwelling* is responsible for maintaining a *residential waste container* assigned to them in good condition.
- 8.2 An *owner* or *occupier* of a *residential dwelling* may request the *City* to repair or replace a *residential waste container* that has been damaged. The *City* may charge the *owner* or *occupier* requesting the repair or replacement of a *residential waste container* the fee set out in Schedule “A”.

9. Collection of Other Wastes

- 9.1 The *City* will not provide for the collection and disposition of any wastes other than *solid waste*. It is the responsibility of any *owner* or *occupier* of property to provide for the legal collection and disposition of all other waste products, including, without limitation, *banned materials* and *construction and demolition waste*.

10. Offences and Penalties

- 10.1 It is an offence:
- 10.1.1 to contravene any provision of this Bylaw, including, without limitation, to fail to comply with any notice or order issued under this Bylaw;
 - 10.1.2 for any person other than an *owner*, *occupier* or *collector* to open the cover of any *residential waste container* or to interfere with or disturb the contents of any *residential waste container* or *recycling container*; and
 - 10.1.3 to interfere with or otherwise impede the ability of any *collector* to carry out the collection and removal functions authorized by this Bylaw.
- 10.2 Every person who violates a provision of this Bylaw, or who causes, permits, or allows an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding the maximum set out in the *Offence Act*, as amended.

11. Repeal

City of Coquitlam Solid Waste Management Bylaw No. 2512, 1992 is hereby repealed.

12. Severability

If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

READ A FIRST TIME this 4th day of July, 2016.

READ A SECOND TIME this 4th day of July, 2016.

READ A THIRD TIME this 4th day of July, 2016.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 18th day of July, 2016.

_____ MAYOR

_____ CLERK

SOLID WASTE MANAGEMENT BYLAW NO. 4679, 2016

SCHEDULE "A"

This is Schedule "A" to the City of Coquitlam Solid Waste Management Bylaw No. 4679, 2016. Each of the terms used in this Schedule has the meaning ascribed to it in the Bylaw.

The *residential dwelling charge* in respect of a newly constructed *residential dwelling* will commence on the earlier of the date the City issues cart(s) in respect of that *residential dwelling* or one year after final building permit inspection.

1. Changes to be levied pursuant to the Bylaw are detailed in the following table:

<u>Name of Charge</u>	<u>Cost of Charge</u>
(a) <i>residential dwelling charge</i>	<p>\$281.00 per annum for collection and removal of waste from a maximum of one 120 litre residential <i>garbage cart</i> collected every other week, plus collection and removal of <i>green waste</i> on a weekly basis; or</p> <p>\$371.00 per annum for collection and removal of waste from a maximum of one 240 litre residential <i>garbage cart</i> collected every other week, plus collection and removal of <i>green waste</i> on a weekly basis; or</p> <p>\$524.00 per annum for collection and removal of waste from a maximum of one 360 litre residential <i>garbage cart</i> collected every other week, plus collection and removal of <i>green waste</i> on a weekly basis.</p>
(b) Cart exchange fee	\$50.00 per cart to exchange a cart at a <i>residential dwelling</i> for another <i>garbage cart</i> or <i>green cart</i> of a different size.
(c) Additional <i>green carts</i>	Residents may purchase additional <i>green carts</i> at a cost of \$140.00 for each additional 120 litre <i>green cart</i> ; or \$150.00 for each additional 240 litre <i>green cart</i> ; or

\$160.00 for each additional 360 litre *green cart*.

(d) Wildlife resistant *garbage cart*

Residents may purchase a *wildlife* resistant *garbage cart* to use instead of their regular *garbage cart* at a cost of \$140.00 for a 120 litre cart; or \$150.00 for a 240 litre cart; or \$160.00 for a 360 litre cart.

(e) Residential Waste Container repair / replacement

Actual Cost

TOWN OF GIBSONS

BYLAW NO. 1252-04, 2021

A Bylaw to amend *Town of Gibsons Garbage Collection and Disposal Bylaw No. 1252, 2018*;

WHEREAS the Council of the Town of Gibsons has adopted *Garbage Collection and Disposal Bylaw No. 1252, 2018*;

AND WHEREAS the Council of the Town of Gibsons deems it desirable to amend Bylaw No. 1252, 2018;

NOW THEREFORE the Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

PART A – CITATION

1. This Bylaw may be cited for all purposes as “Garbage Collection and Disposal Amendment Bylaw No. 1252-04, 2021”.

PART B – AMENDMENT

2. Town of Gibsons Garbage Collection and Disposal Amendment Bylaw No. 1252, 2018 as hereby amended as follows:

- a) By altering Section 4 “Definitions” with the following:

- i. the definition for *Wildlife Resistant Enclosure* be deleted and replaced with the following:

WILDLIFE RESISTANT ENCLOSURE	means a structure which has four enclosed sides, a roof, doors, and a latching device of sufficient design and strength to prevent access by dangerous wildlife, and for clarity, includes a garage, shed, or other structure that is inaccessible to wildlife and that is designed and constructed in accordance with the specifications set out in Schedule C
---	---

- ii. the definition for *Commercial Refuse Container* be added:

COMMERCIAL REFUSE CONTAINER	means a metal receptacle that is designed or intended to dispose of waste by automated means and is wildlife proof
--	--

- b) By deleting Section 5.2.1 and replacing with the following:

5.2.1 Provide and maintain in good and sufficient order and repair:

- 5.2.1.1 a Commercial Refuse Container that meets the criteria established in Schedule B; or

5.2.1.2 a container enclosed within a Wildlife Resistant Enclosure that is designed and constructed in accordance with the criteria established in Schedule C.

- c) By deleting Section 5.2.3;
- d) By adding Schedule B – Commercial Refuse Container, attached to and forming part of this bylaw;
- e) By adding Schedule C – Solid Waste Wildlife Resistant Enclosure, attached to and forming part of this bylaw; and
- f) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of the Bylaw.

PART C – ADOPTION

READ A FIRST TIME this	20 th	DAY OF APRIL,	2021
READ A SECOND TIME this	####	DAY OF MONTH ,	202x
READ A THIRD TIME this	####	DAY OF MONTH ,	202x
ADOPTED this	####	DAY OF MONTH ,	202x

William Beamish, Mayor

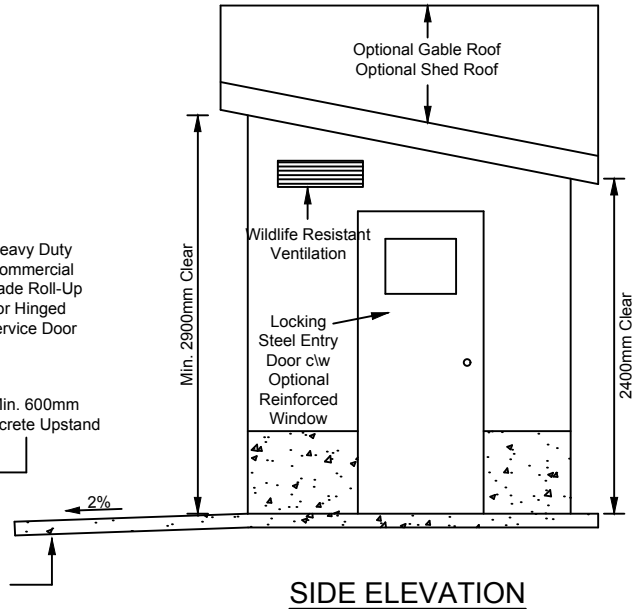
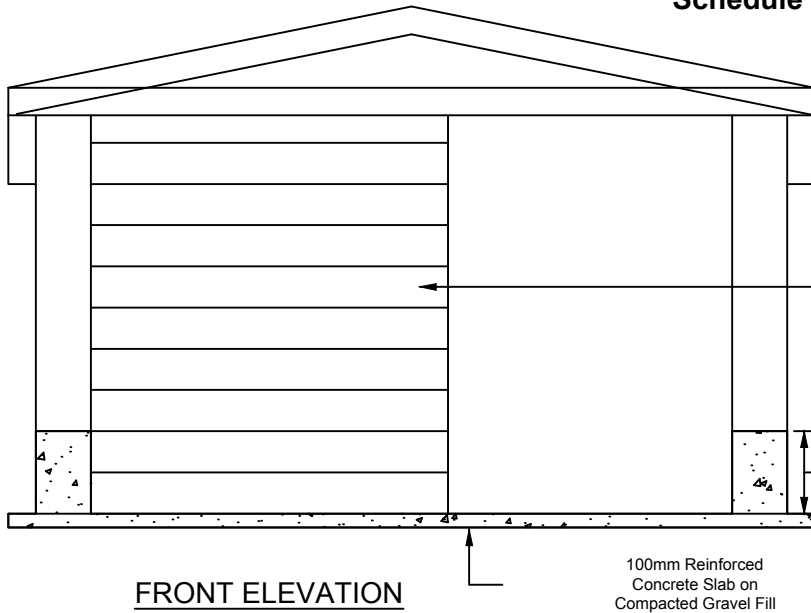
Rebecca Anderson, Corporate Officer

Schedule B
Commercial Refuse Container

The following criteria applies to a commercial refuse container:

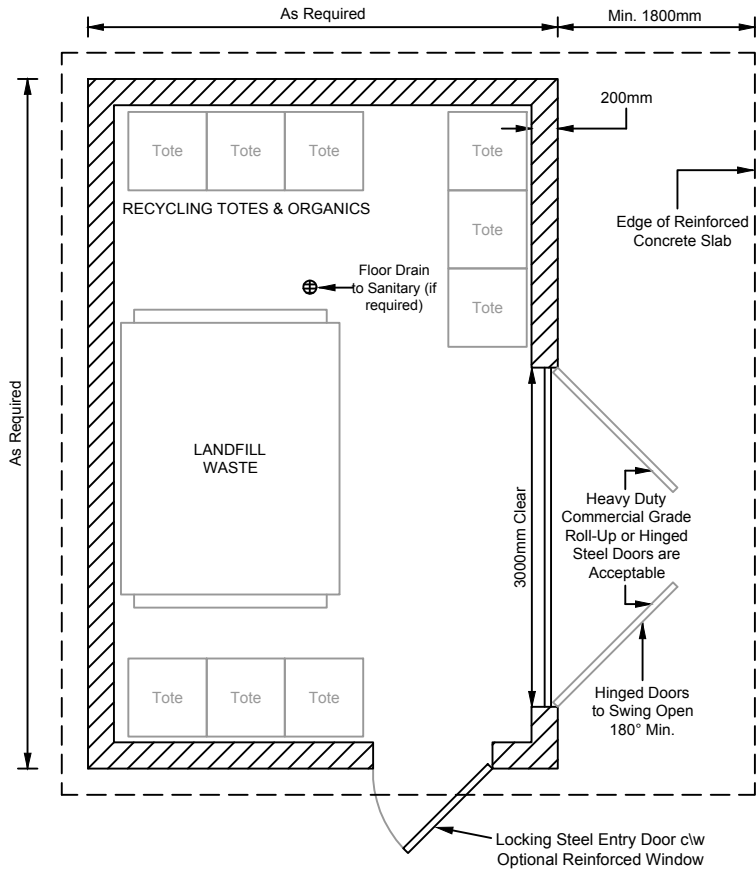
1. The lid or lids, and any man doors, must close tightly to prevent access by Wildlife and/or Dangerous Wildlife.
2. The lid or lids, and any man doors, must be:
 - a) self-closing; or
 - b) self-latching; or
 - c) capable of being completely closed and secured with a latching device.
3. The latches for the lid or lids and bag removal must be such that an adult bear using its claws will be unlikely to reach the latch trigger mechanism.
4. Hinges and latches for lids must be sufficiently strong, and sufficiently affixed to the container, that they cannot be pried open by an adult bear using its claws. As a guideline, a lid that can be dismantled using a crowbar is not sufficient.
5. The container must be sufficiently stable or capable of being so anchored as to prevent tipping by a bear.
6. Container material must be of sufficient strength to prevent Wildlife and/or Dangerous Wildlife from chewing, battering or crushing the container.

Schedule C



NOTES:

1. Enclosure architecture (materials, etc) is to conform to Municipal Building and Development Permit requirements (as required).
2. Design concept only. Alternative designs meeting the intent of these requirements are invited.
3. Structures are to be constructed in accordance with the BC Building Code. Enclosures are to be designed to withstand snow loading, vehicular damage, operational damage, and bears.
4. Roofs should be designed to avoid snow shed in front of service and entry doors.
5. Service door(s) are to have dual locking mechanisms. Hinged doors require a heavy-duty cane bolt at the bottom and a slide bolt at the top of the stationary door. Roll-up doors require slide bolt locking mechanisms on the bottom of the door, each side. All locking mechanisms to be located on the interior; no hardware should be located on the service door(s) exterior.
6. Steel entry door is to be 36" wide (915mm) and be equipped with a self-closing mechanism. Door may have a round turning knob complete with a covered keyed knob guard on the exterior for access and panic hardware on interior for egress. Alternatively a push button lock with a turning knob is acceptable.
7. Adequate motion activated interior and exterior lighting is to be provided (if required).
8. Bear proof vent and steel entry door window openings should be sized such that a bear could not gain access in the case of breakage.
9. Units in mm unless otherwise noted.
10. Roll-up doors are preferable in areas that may have ice and snow build up but hinged doors are acceptable.
11. Separate enclosures for Commercial & Residential uses on the same property are strongly recommended.



Dimensions shown serve as a guideline only, the ultimate size and configuration of the garbage enclosure will be dependant on the owners preference and services being provided.



Thank you to RMOW for the copy of the original design drawings

TOWN OF GIBSONS

SOLID WASTE WILDLIFE-PROOF ENCLOSURE

DRAWN BY: BL

DATE: JULY 2017

SCALE: N.T.S.

DWG. NO.: G11

TOWN OF GIBSONS



**Wildlife Attractant
BYLAW No. 1294, 2021**

Adopted: JULY 20th, 2021

TOWN OF GIBSONS

Bylaw No. 1294, 2021

A Bylaw to establish a Wildlife Attractant Bylaw in the Town of Gibsons

WHEREAS Council for the Town of Gibsons desires to prevent bears and other wildlife from accessing food sources under the control of human activity.

THEREFORE, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

This Bylaw may be cited for all purposes as " Wildlife Attractant Bylaw No.1294, 2021".

SECTION 2 DEFINITIONS

2.1 DEFINITIONS

In this Bylaw;

“DANGEROUS WILDLIFE” means a bear, cougar, coyote or wolf as any animal prescribed as such under the BC Wildlife Act.

“REFUSE” means any discarded or abandoned food, substance, material, or object, whether from domestic/household, commercial, industrial, institutional or other use.

“SPECIAL EVENT” means a temporary, outdoor gathering or concert; a sporting event; a wedding; or a convention, parade, public display, festival or similar gathering.

“WILDLIFE” means dangerous wildlife, raccoons, members of the family Cervidae (deer), birds and rodents.

“WILDLIFE ATTRACTANT” means any substance or material, with or without an odour, that attracts or is likely to attract wildlife, including food or other edible products—whether intended for humans, animals or birds—grease and compost other than grass clippings, leaves or branches.

“WILDLIFE RESISTANT CONTAINER” means a fully enclosed waterproof container with a lid and a latching device of sufficient design and strength to prevent access by dangerous wildlife, rodents, racoons, birds and other pests.

“WILDLIFE RESISTANT ENCLOSURE” means a structure which has four enclosed sides, a roof, doors, and a latching device of sufficient design and strength to prevent access by dangerous wildlife.

SECTION 3 GENERAL REGULATIONS

- 3.1 Except as permitted in this bylaw, a person must not cause or allow any refuse that is a wildlife attractant to be stored, deposited or placed on any parcel or highway within the Town in such a manner that it is accessible to wildlife.
- 3.2 A person must not store, deposit or place outdoors any refuse that is a wildlife attractant except in a wildlife resistant container or enclosure in accordance with Garbage and Organics Collection and Disposal Bylaw No. 1252, 2018.
- 3.3 any person responsible for a site that is used for active construction, a special event, a catered event or filming is exempt from sections 3.1 and 3.2 but must ensure that any wildlife attractants are disposed of in a designated wildlife resistant container or wildlife resistant enclosure at the end of the event each day.
- 3.4 A person must not feed wildlife, except for birds away from roadways and sidewalks.
- 3.5 Every owner or occupier of real property must ensure that:
 - 3.5.1 any fruit or nuts from a tree, bush or shrub on a parcel is maintained and stored in such a manner so as not to attract wildlife;
 - 3.5.2 any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to wildlife, other than birds., and the area below any bird feeding devices or activity is kept free of accumulated of seeds and similar Wildlife Attractants;
 - 3.5.3 any composting activity is carried out and any composting device or equipment is maintained in such a manner so as not to attract wildlife;
 - 3.5.4 barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;
 - 3.5.5 no refrigerator, freezer, storage container or similar appliance, device or apparatus that contains wildlife attractants of any type shall be located outside;
 - 3.5.6 any grease or petroleum product is stored in such a manner that it is inaccessible to wildlife;
 - 3.5.7 No poultry or beehives are to be kept on the property as per Zoning Bylaw 1065;
 - 3.5.8 Any home delivery items that are left outdoors are stored in such a manner so as to not attract wildlife.

SECTION 4 RIGHT OF ENTRY

4.1 A Bylaw Enforcement Officer or any Town employee may enter onto a property or premises at a reasonable time and a reasonable manner to ascertain whether the provisions of this Bylaw are being observed.

SECTION 5 PENALTY

5.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a section of this bylaw commits an offence and each day a violation continues or is allowed to continue constitutes a separate offence.

5.2 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding the maximum allowed by the Offence act.

5.3 Every person who commits an offence under this bylaw shall be liable for fines and penalties established in the Town of Gibsons Bylaw Notice Enforcement Bylaw No.1125, 2010 as amended from time to time.

SECTION 6 SEVERABILITY

6.1 If any provision of this bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of this bylaw.

Read a First time this	20 TH	day of	APRIL,	2021
Read a Second time as amended this	13 TH	day of	JULY,	2021
Read a Third time this	13 TH	day of	JULY,	2021
Adopted this	20 TH	day of	JULY	2021

Bill Beamish
Mayor

Rebecca Anderson LL.B
Corporate Officer

THE CORPORATION OF THE VILLAGE OF NEW DENVER
BYLAW 742, 2022

A bylaw to provide for the collection and
removal of solid waste within the Village of New Denver

WHEREAS Section 64 of the Community Charter provides that Council may, by bylaw:

- a) Require persons to use a waste disposal or recycling service, including requiring persons to use a waste disposal or recycling service provided by or on behalf of the municipality;
- b) Require owners or occupiers of real property to remove trade waste, garbage, rubbish or other matter from their property and take it to a specified place;
- c) Require the emptying, cleaning and disinfecting of private drains, cesspools, septic tanks and outhouses, and the removal and disposal of refuse from them;

AND WHEREAS the Council wishes to encourage waste reduction, reuse, composting and recycling to reduce the volume of waste being deposited in the landfill;

NOW THEREFORE the Council of the Corporation of the Village of New Denver, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Village of New Denver Solid Waste Management Bylaw No. 742, 2022."

DEFINITIONS

2. In this bylaw, unless the context otherwise requires,

"bear proof container" means, in the case of residential garbage, a cylindrical metal or rectangular wooden container with a secure lid, not exceeding 75 cm in height or 50cm in diameter, which is inaccessible to bears.

"collection day" means the day or days during each week on which waste is scheduled to be collected from a specific premises;

"container or non-bear proof container" means a receptacle constructed of non-corrosive durable metal or plastic equipped with a tight fitting cover constructed of the same or similar material and handles for lifting, having a capacity not greater than 79.56 litres (17.5 gallons) and fully lined with a plastic bag of the type designed for the disposal of domestic waste 76 x 90 cm (30"x 36") and constructed of material not less than 1.5 mil thickness;

"Council" means the Council of the Corporation of Village of New Denver;

"dangerous wildlife" means any animal prescribed as such by the BC Wildlife Act. This includes bears, cougars, coyotes, wolves, and any other species prescribed by that Act

"industrial waste" means material from excavations; material from lot clearing or building construction, repairs, alterations, or maintenance; debris from any building removed or damaged or destroyed by fire or any other cause; material from airy manufacturing processes; dead animals; condemned or contaminated matter from any premises; (and any similar material other than human or animal excrement);

"landfill" means an area designated and established for the use of residents of the Village for the disposal of waste;

"non-residential container" means a metal bin, having a capacity of 3.06 cubic metres (4 cubic yards), used or intended to be used at a commercial, industrial, institutional, or other non-residential premises, supplied by the Village;

"stand" means a wooden or metal enclosure designed to hold all containers required by the premises on which the stand is provided, and which shall be so designed as to keep all containers a

THE CORPORATION OF THE VILLAGE OF NEW DENVER
BYLAW 742, 2022

minimum of 250 mm (10 inches) and a maximum of 750 mm (29.5 inches) from ground level, in a closed position at all times and protected from interference from animals;

"**waste**" means discarded or rejected material but does not include human or animal excrement, industrial waste, compostable matter or recyclable material;

"**waste collection area**" means an area or areas established by Council within which waste will be collected by the Village as frequently as is considered necessary by Council;

"**wildlife attractant**" means food products and by-products, household garbage, food waste, pet food, bird food, fallen fruit, antifreeze, paint and other edible products or waste that could attract Dangerous Wildlife

"**wildlife resistant enclosure**" means a fully enclosed structure consisting of walls, roof, and door(s), capable of being securely latched and of sufficient strength and design to prevent access to the contents by wildlife

"**village**" means the Village of New Denver.

RESPONSIBILITIES OF OWNERS AND OCCUPANTS

3. (1) No person shall dispose of waste or industrial waste except in accordance with this bylaw.

(2) No person shall dump or dispose of any waste or industrial waste, or any noxious, offensive, unwholesome or discarded matter in any place other than the designated landfill unless directed to do so by the Village.
4. The owner or occupant of every premises shall provide sufficient containers to hold the normal waste generated from that premises during the period between collection days.
5. No person shall place or keep any container or receptacle for industrial/residential waste upon any street or public land in the Village except as specifically provided in this bylaw.
6. The owner or occupant of every premises shall provide, and maintain in good and sanitary condition, sufficient containers for all waste upon the premises owned or occupied by him, and shall ensure that the mouth of each container is closed or securely covered except when the container is actually being filled or emptied.
7. Every person shall dispose of waste upon the premises owned or occupied by him/her by placing or causing the same to be placed in a container maintained for that purpose, but not elsewhere.
8. The owner or occupant of premises from which waste is to be collected shall ensure that all wet or granular material is separately wrapped or put into a plastic bag before being placed in a container for pick-up.
9. All non-residential containers shall be located in an area as directed by the Village. It shall be the responsibility of the occupant to ensure that all waste containers are kept, at all times before collection, in a fashion that keeps same inaccessible to animals and impervious to weather.

GENERAL REGULATIONS

10. Food waste generated at a property may be disposed of on the property by composting so long as it does not attract dangerous wildlife
11. No person shall leave wildlife attractants outdoors where dangerous wildlife may be attracted, or where there is a reasonable possibility of dangerous wildlife being attracted, unless the attractants are kept in a wildlife-resistant enclosure. There is an exception for waste that has

THE CORPORATION OF THE VILLAGE OF NEW DENVER
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been placed in a container and put out for pickup during the designated times on collection day(s)

12. Failure to comply with Section 12 herein may result in the Village by its own employees or authorized agents, cleaning up and removing such wildlife attractant. The cost of such cleaning and removal shall be charged to the Owner of the property, and where such charges are unpaid on the thirty-first of December in the same year, the costs shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears
13. Notwithstanding any other provisions of this bylaw, where a recycling program is in effect and storage or other recycling facilities are available, either within the Village or elsewhere, the following shall be either recycled or otherwise disposed of in accordance with this bylaw:
 - (a) aluminum and tin cans
 - (b) corrugated cardboard
 - (c) glass bottles and jars
 - (d) motor oil
 - (e) paper
 - (f) magazines and catalogues
 - (g) plastic milk jugs
 - (h) all other material as may, from time to time, be accepted for recycling
14. The Village shall be responsible for removing up to two bags of residential garbage per household on collection day. Each bag will have a maximum weight limit of up to 50 lbs. Removal and disposal of any additional bags or overweight bags shall be the sole responsibility of the owner or occupier of the premises which produced the waste.
15. All waste placed in containers constructed of metal or plastic, for collection, must first be placed inside a plastic bag.
16. Garden waste is collected twice per year, dates to be determined and advertised annually. Branches must be bundled or tied together in lengths not more than 4 feet and weight not more than 50 pounds. Leaves or other garden waste can be bagged in bags in any color other than black, weighing no more than 50 pounds, and placed at the curb for collection on these dates.
17. When a stand is used for the storage of waste as provided for in this Bylaw, and while the stand is on his/her premises the owner or occupant of the premises shall be responsible for maintaining the stand in a condition which is not offensive or dangerous to the public health.
18. Where Council considers it in the public interest to do so, the Village may temporarily place one or more stands on public or private lands to accommodate waste expected to be generated at a special event or function. Council may, at its discretion, establish a charge for the temporary placement, use, and removal of stands under this subsection.
19. The owner or occupant of any premises shall at all times ensure that waste or industrial waste is kept within the containers or stand provided for that purpose, and not allowed to spill onto, or accumulate on, any street or adjoining public or private property.
20. No water or other liquid shall be kept in, or be permitted to remain or accumulate in, any container or stand and no person shall keep or place any explosive, toxic, hot or highly flammable substance in any container or stand.
21. Where any premises is served by a lane, all waste from such premises shall be placed in containers for collection at a location with two (2) meters of such lane, but not in the lane.

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BYLAW 742, 2022

22. Where containers are placed for collection within any structure, fence, or other enclosure, direct access to the containers from a street or lane shall be provided.
23. Where any premises is not served by a lane, all waste from such premises shall be placed in containers for collection at a location as close as possible to the traveled portion of an adjacent street but not on a sidewalk or in such a location as to interfere with vehicular or pedestrian traffic.
24. Except on collection day, all containers shall be kept and maintained on the premises of the owner or occupant, and any can located on any street or other public land in the Village other than on collection day may be removed and disposed of at the discretion of the Village without compensation to the owner thereof.
25. Collectors designated by Council for the collection and removal of waste shall have the right to enter at all reasonable times all premises and yards to the extent necessary for the performance of his/her duties in accordance with this bylaw.
26. No person other than a lawful user thereof, or an authorized collector of the Village, shall open any container or stand, remove anything there from, add anything thereto, or in any way disturb the contents thereof; nor shall any other person handle, interfere with or in any manner disturb any container put out for collection.
27. When any can is in a condition that presents a hazard to the collector or has been condemned by the Village for any other reason, and written notice to that effect has been given to the owner or occupant, the condemned can may be removed and disposed of along with the waste from that premises.
28. No person shall operate a vehicle in the Village while it is carrying waste or industrial waste unless the portion of the vehicle in which the material is being carried is securely covered or the material is secured to prevent any part of such material from falling off or out of the vehicle while it is in transit.
29. The removal of industrial waste from any premises and the full cost thereof shall be the sole responsibility of the owner or occupant of such premises.
30. The Village may suspend collection service from properties where stands or their locations for pick-up do not comply with the requirements of this Bylaw, but such suspension shall not relieve the owners or occupants of such premises from their responsibilities under this Bylaw.
31. Collectors shall not enter any building for the purpose of carrying from or returning thereto any container, except when in the judgement of the Village it is impractical to store the container outside the building.
32. Collectors shall not pick, sort over, or remove for their own use any waste or other discarded materials on any premises or on the collection vehicle.

FEES AND PAYMENTS

33. All fees and charges, commencing in the calendar year 2022 shall be as per Schedule "A" attached and forming part of this Bylaw.

THE CORPORATION OF THE VILLAGE OF NEW DENVER
BYLAW 742, 2022

OFFENSES AND PENALTIES

34. Every person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of the bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, shall be deemed to be guilty of an offence under this Bylaw and shall be liable on summary conviction to a fine of not less than \$50.00 nor more than \$2,000.00.

REPEAL

35. Village of New Denver Garbage Collection Bylaw No. 581, 2004 and all amendments thereto are hereby repealed in their entirety.

EFFECTIVE DATE

36. This Bylaw shall come into full force and effect upon final adoption.

READ A FIRST TIME this ____th day of _____ 2022.

READ A SECOND TIME this ____th day of _____ 2022.

READ A THIRD TIME this ____th day of _____ 2022.

RECONSIDERED AND FINALLY ADOPTED this ____th day of _____ 2022.

MAYOR

ADMINISTRATOR

Certified to be a true copy of Bylaw 742, 2022

Corporate Officer

THE CORPORATION OF THE VILLAGE OF NEW DENVER
BYLAW 742, 2022

Village of New Denver Bylaw No. 742, 2022

SCHEDULE "A"

Solid Waste Management Fees

Annual Garbage Rates

	<u>2022</u>
Residential	\$164
Hospital	\$4,262
School	\$2,623
Seniors Citizens Housing Complex	\$1,639
Municipal Buildings	NO CHARGE
Sandwich Shops	\$355
Hotel, Motel	\$601
Restaurant, Café	\$546
Beverage Room	\$219
Grocery Store, Supermarket	\$820
Convenience Store	\$273
Auto Repair Service with Gas Station	\$328
Auto Repair Service	\$273
Post Office	\$372
Car Wash	\$219
All other businesses (once weekly pick-up)	\$219

5% penalty will be applied to all amounts that have not been paid by February 15th

5% additional penalty will be applied to all amounts that have not been paid by October 1st



Last Update: March 2012

GARBAGE COLLECTION REGULATION

Bylaw No. 7661, 2004

AMENDING BYLAWS TO
CITY OF PRINCE GEORGE GARBAGE COLLECTION REGULATORY
BYLAW NO. 7661, 2004

Amending Bylaws:

7661 Adopted: October 18, 2004

7719 Adopted: March 21, 2005

7890 Adopted: August 28, 2006

8366 Adopted: March 5, 2012

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.

Amended by BL8366

- (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 4:00 am on the collection day.

Amended by BL8366

- (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 4:00 am on the collection 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 (Refer to Section A-6 of the “Comprehensive Fees and Charges Bylaw No. 7557, 2004”)**

- 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.**

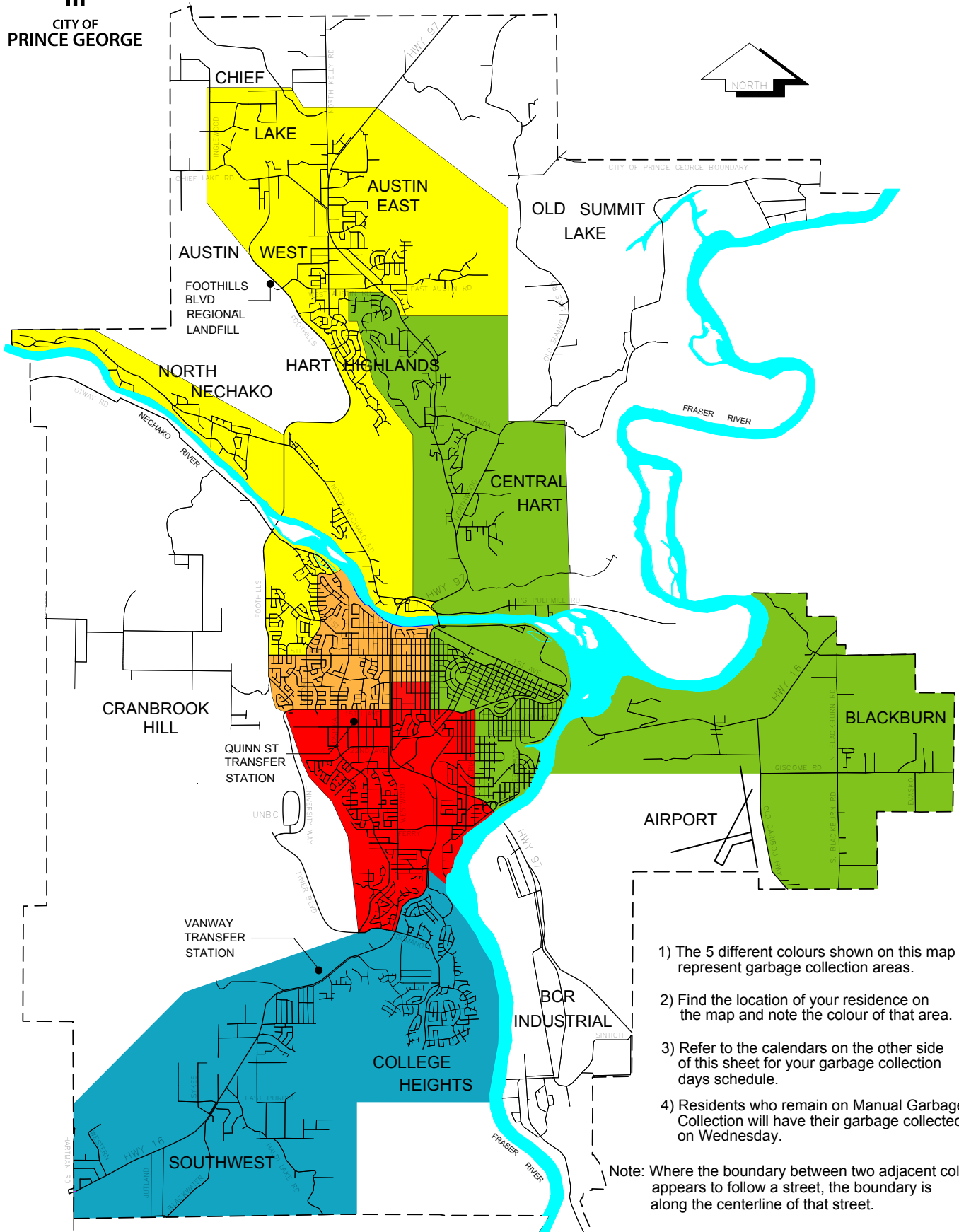
All three readings passed by a **unanimous** decision of all members of City Council present and eligible to vote.

ADOPTED THIS THE **18TH** DAY OF **OCTOBER**, **2004**, BY A **UNANIMOUS** DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

C. Kinsley
MAYOR

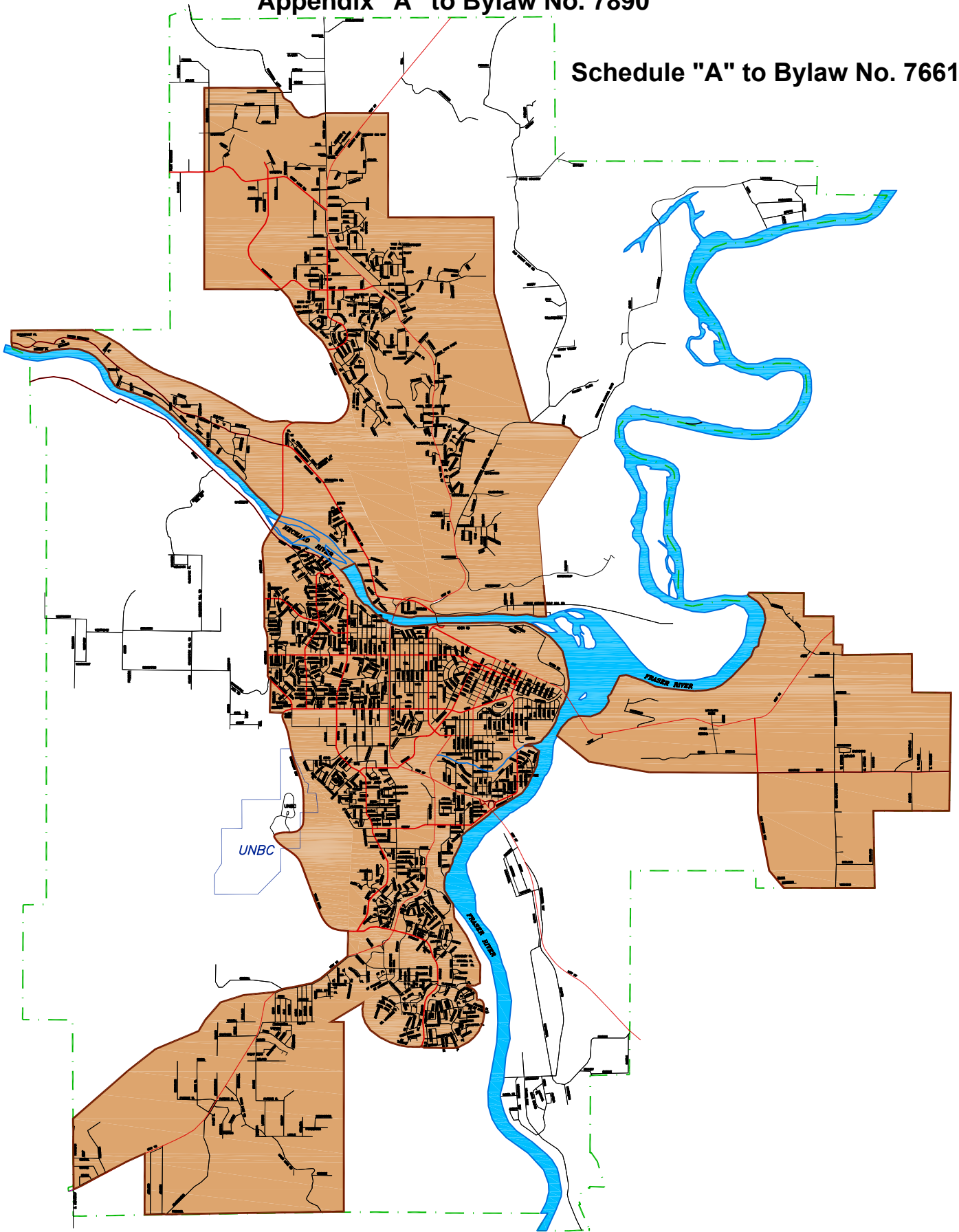
D. Schaffer
CLERK

Appendix A to Bylaw 7661 Automated Garbage Collection Areas



- 1) The 5 different colours shown on this map represent garbage collection areas.
- 2) Find the location of your residence on the map and note the colour of that area.
- 3) Refer to the calendars on the other side of this sheet for your garbage collection days schedule.
- 4) Residents who remain on Manual Garbage Collection will have their garbage collected on Wednesday.

Note: Where the boundary between two adjacent colours appears to follow a street, the boundary is along the centerline of that street.



Garbage Collection Boundary





Last Update: February 2017

Property Maintenance Bylaw

Bylaw No. 8425, 2012

CONSOLIDATED VERSION
CITY OF PRINCE GEORGE PROPERTY MAINTENANCE BYLAW NO. 8425, 2012

This is a consolidation of the bylaws listed below and includes amendments up to the date noted on the cover page. This document is for convenience only and is not the legal or official version. Certified copies of the original bylaws should be consulted for all interpretations and applications of the subject bylaw. Copies can be obtained through the Legislative Services Division at City Hall.

AMENDING BYLAW	EFFECTIVE DATE	AMENDMENTS
8819, 2017	February 6, 2017	<i>(Sections 19, 20, 21, 22, 23, 24, 25, 26, Schedules A and B)</i>

CITY OF PRINCE GEORGE
BYLAW NO. 8425, 2012

A Bylaw of the City of Prince George to regulate the Standard for the Maintenance of Property (Land & Buildings) within the City of Prince George.

WHEREAS the property values and the general welfare of the community are founded, in part, upon the appearance and maintenance of property in the City;

AND WHEREAS unsightly conditions have been found to exist from place to place throughout the City;

AND WHEREAS the existence of such conditions is detrimental to the welfare of the residents of the City and contributes substantially and increasingly to the deterioration of neighbourhoods;

AND WHEREAS the abatement of such conditions will improve the general welfare and image of the City;

AND WHEREAS pursuant to the City of Prince George's statutory powers, including Sections 7, 8, 9, 12, 15, 16, 17, 39, 154 and 155 of the *Community Charter*, Council may, by bylaw, regulate, prohibit and impose requirements with respect to this statutory authority; and

AND WHEREAS the intent of the Property Maintenance Bylaw is to protect the community from unsightly, hazardous and blighting conditions that contribute to the deterioration of neighbourhoods; to provide for the abatement of such conditions; and to prescribe standards for the maintenance of property.

NOW THEREFORE the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

Amending
Bylaw

CITATION

1. (1) That this Bylaw may be cited for all purposes as the "City of Prince George Property Maintenance Bylaw No. 8425, 2012".
- (2) That the "City of Prince George Maintenance Bylaw No. 3302, 1978" is hereby repealed.

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

"Accessory Building" means a building, the use or intended use of which is ancillary to that of the principal building situated on the same lot.

"Alien Invasive Species" means the species of animals listed in Schedule 1 of the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation B.C. Reg. 144/2004.

“**Authorized Person**” means the person employed as the Manager, Bylaw Services, or a person or persons designated in writing by the Manager, Bylaw Services to carry out any act or function under this bylaw;

“**Building**” means any structure used or intended for supporting or sheltering any use or occupancy.

“**Bylaw Enforcement Officer**” means the Manager, Bylaw Services for the City, and every Bylaw Enforcement Officer employed to inspect and enforce any bylaw of the City.

“**City**” means the City of Prince George.

“**Council**” means the council of the City of Prince George.

“**Community Charter**” means the *Community Charter*, SBC 2003, c. 26.

“**Dangerous Wildlife**” means bear, cougar, coyote or wolf, or a species of wildlife that is prescribed as dangerous under the *Wildlife Act*, R.S.B.C. 1996, c.488.

“**Derelict Vehicle**” means a Vehicle which is any one or more of the following:

- (a) physically wrecked or disabled;
- (b) not capable of operating under its own power;
- (c) not displaying a current and valid licence plate in accordance with the Motor Vehicle Act.

“**Graffiti**” means one or more letters, initials, symbols, marks, slogans, designs or drawings howsoever made, on any sidewalk, wall, building, fence, sign or any other structure or surface but does not include marks made accidentally, or any of the following:

- (a) a sign, public notice or traffic control mark authorized by the head of the Operations Department;
- (b) a sign authorized pursuant to the City’s applicable bylaw provisions regulating signs;
- (c) a public notice authorized by a City bylaw or by provincial or federal legislation; and
- (d) in the case of private property, a letter, symbol or mark authorized by the owner or occupant of the property on which the letter, symbol or mark appears.

“**Land**” means any lot, block or other area in which land is held or into which it is subdivided and includes any improvement on a parcel but excludes streets, lanes, and city-owned parks and open spaces.

“**Motor Vehicle Act**” means the *Motor Vehicle Act*, RSBC, 1996, c.318.

“**Noxious Weeds**” means the plants designated as weeds in the Weed Control Act, R.S.B.C. 1996, c.487 and Regulations as amended from time to time.

“**Occupier**” means any person who occupies Land, or who is qualified to maintain an action for trespass in respect of the Land, or who is in possession of the land under a lease, licence, agreement for sale or other agreement with the Owner of the Land.

"Owner" means any person in relation to the Land who is the registered owner of an estate in fee simple, the tenant for life under a registered life estate, or the registered holder of the last registered agreement for sale. In the case of Crown or municipal owned Lands, Owner shall mean the Occupier of the Land.

"RCMP" means the police force retained by the City.

"Refuse" means all manner of rubbish or garbage, discarded or disused items, junk, filth, unused or dismantled aircraft, electronic devices, trailers, boats, vessels, machinery, old, discarded or unused mechanical or metal parts, glass or plastic bottles or objects, tin cans or other metal containers, paper, glass, pipes, dilapidated furniture, inoperative appliances and other similar things, unused wood or wood products excluding seasoned untreated wood or manufactured products cut in lengths for use as fuel in solid fuel burning appliances.

"Unightly Property" includes Land that displays any one or more of the following characteristics to such an extent that as a whole it looks unkempt, unmaintained, dilapidated or in disrepair:

- (a) the accumulation of Refuse, garbage, Graffiti, discarded materials, filth or Derelict Vehicles;
- (b) fencing materials that are broken, rotting, contain holes or cracks, or are rusted or covered with peeling paint;
- (c) landscaping plants, bushes and trees that are dead or are demonstrating uncontrolled growth;
- (d) building or structure or parts thereof that contains holes, breaks, rot or that is crumbling or cracking, or is covered with rust or peeling paint or any other evidence of physical decay or neglect or excessive use or lack of maintenance; or
- (e) any other similar conditions or disrepair and deterioration regardless of the condition of other properties in the neighbourhood.

"Vacant" in relation to a Building means a Building that is not being used for its approved purpose or not occupied.

"Vehicle" means any vehicle as defined in the *Motor Vehicle Act* and shall include, but not be limited to, snowmobiles, dirt bikes and all-terrain vehicles.

"Wildlife" has the meaning prescribed in the *Wildlife Act*.

"Wildlife Attractant" means any substance that could be reasonably expected to attract Dangerous Wildlife including, but not limited to, food products, pet food, seed, restaurant grease, or glass or metal ware or other item having contained food, but does not include game meat or the carcass of an animal defined as wildlife in the *Wildlife Act* and its Regulations as amended from time to time.

"Wildlife Act" means the *Wildlife Act*, R.S.B.C., 1996, c.488.

“Zoning Bylaw” means the City of Prince George Zoning Bylaw No. 7850, 2007, as amended or re-enacted from time to time.

APPLICATION

3. The provisions of this Bylaw apply to all Land in the boundaries of the City, and, the Owner or Occupier of the Land shall be responsible for carrying out or causing to be carried out the work required under this Bylaw in accordance with the provisions of this Bylaw.

UNSIGHTLINESS, UNSANITARY CONDITIONS AND GRAFFITI

4.
 - (1) No Owner or Occupier shall cause or permit Refuse, garbage or noxious, offensive or unwholesome objects or materials from collecting or accumulating on or around the Land of that Owner or Occupier.
 - (2) No Owner or Occupier shall cause or permit the Land of the Owner or Occupier to become or remain an untidy or Unsightly Property.
 - (3) No Owner or Occupiers of Land shall cause or permit unsanitary conditions to exist on the Land of that Owner or Occupier.
 - (4) No person shall place Graffiti in such a manner as to be visible from a highway, public place or other Lands.

LITTERING

5. No Person shall deposit or throw Refuse, garbage or noxious, offensive or unwholesome objects or materials, on a highway, public place or Land without Buildings or structures.

NOXIOUS WEEDS AND LAWN OVERGROWTH

6.
 - (1) No Owner or Occupier shall cause or permit Noxious Weeds to grow or accumulate on the Land of that Owner or Occupier.
 - (2) No Owner or Occupier shall cause or permit the lawn on the Land of that Owner or Occupier to grow in height beyond the prevailing standard in the neighbourhood but in any event, not beyond 10 (ten) inches in height.
 - (3) No Owner or Occupier shall cause or permit any trees, hedges, bushes or shrubs or other growths that are a hazard to the safety of persons, likely to damage public property or seriously inconvenience the public to remain on the Land of that Owner or Occupier.

DERELICT VEHICLES

7. No Owner or Occupier shall cause or permit the storage or accumulation on the Land of the Owner or Occupier of a Derelict Vehicle or parts of a Derelict Vehicle or of a wrecked, broken or dismantled trailer, boat or mechanical equipment unless the Zoning Bylaw permits the principle use of wholesaling or retailing, storing or parking of wrecked, broken or dismantled materials or equipment or Derelict Vehicles and only provided that they are stored in a manner so as not to be visible from another property, highway or other public place.

DRIVEWAYS, SIDEWALKS AND BOULEVARDS

8. (1) Every Owner or Occupier shall maintain driveways, walkways, steps, and parking spaces on the Land of the Owner or Occupier in a clean, fit and safe condition free from the accumulation of Refuse, garbage or noxious, offensive or unwholesome objects or materials so as to ensure safe passage under normal use and weather conditions.
- (2) Every Owner or Occupier shall remove all accumulations of snow and ice from all footpaths and sidewalks on and adjoining the Land of that Owner or Occupier within 4 days of the snow or ice accumulating.
- (3) Every Owner or Occupier shall maintain outdoor lighting equipment and its supports shall be kept in safe and proper working condition.
- (4) Every Owner or Occupier shall maintain any fence on the Land of that Owner or Occupier that abuts a highway in good condition and repair.
- (5) Every Owner or Occupier shall immediately repair any fence on the Land of that Owner or Occupier that abuts a highway if the fence falls into a state of disrepair.
- (6) Where the Zoning Bylaw permits the keeping of livestock on Land, every Owner or Occupier of Land that abuts upon a highway is required to erect fences on the boundary of that part of the Land that abuts the highway for the purposes of preventing livestock from straying on the highway.

PEST INFESTATIONS

9. Every Owner or Occupier of Land must prevent or cause to be prevented the infestation of the Land of the Owner or Occupier by vermin or other noxious or destructive insects or animals except Wildlife unless the Wildlife is an Alien Invasive Species or listed in Schedule B or C of the Designation and Exemption Regulation, B.C. Reg. 168/90 enacted under the *Wildlife Act*.

WATER PONDING

10. (1) No Owner or Occupier shall cause or permit water to accumulate or pond on the Land of the Owner or Occupier, unless the ponding is a natural occurrence or approval to retain water on the Land was granted by an authority having jurisdiction and the water is being retained in accordance with that approval.
- (2) No Owner or Occupier shall cause or permit any excavation or basement area left after a Building or structure is demolished to become or remain filled with water.

FEEDING WILDLIFE AND CONTROL OF WILDLIFE ATTRACTANTS

11. (1) No person shall store, handle or dispose of Wildlife Attractants in such a way that they are accessible to Dangerous Wildlife or members of the family *Cervidae*.
- (2) No person shall feed or attempt to feed Dangerous Wildlife, or deposit Wildlife Attractants in a place or manner that attracts Dangerous Wildlife or members of the family *Cervidae*.
- (3) No person shall place or allow a bird feeder on Land so that the bird feeder is accessible to Dangerous Wildlife. Every Owner or Occupier must keep the area below a bird feeder free of the accumulation of seed and debris from the bird feeder at all times.
- (4) No Owner or Occupier shall permit or allow fruit from a tree or bush to fall on the ground and accumulate in such a manner that it attracts or is likely to attract Dangerous Wildlife.
- (5) The regulations, prohibitions and requirements in sections 11(1)-(4) do not apply in the circumstances set out in section 2(3)(a)-(c) of the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation 144/2004.

DEMOLITION SITES

12. Every Owner or Occupier shall remove or cause to be removed from the Land of the Owner or Occupier all debris and material from a demolition of any Building or structure on the Land within two (2) weeks of the demolition having taken place.

VACANT/UNSECURED BUILDINGS

13. (1) Every owner of a vacant Building must ensure that the Building is secure from unauthorized entry.

- (2) Every owner of a vacant Building that is open and unsecure shall secure the Building to the satisfaction of the Authorized Person or Bylaw Enforcement Officer within 24 hours of written notice from the Authorized Person delivered to the Owner's address as indicated in the City's Property Tax records or within 72 hours of the notice being posted on or near the front entrance to the vacant Building subject to the notice.
- (3) If the Owner or Occupier fails to comply with an order of the Authorized Person issued under paragraph 13 (2) of this Bylaw, the City, by its employees, contractors and agents may take action in accordance with section 17 of the *Community Charter, S.B.C., 2003, c.26* to fulfill the requirements of the order of the Authorized Person and to recover the costs, including the administrative costs provided in Schedule A to this bylaw, from the Owner or Occupier of the Land which is subject to the order without further notification to the Owner or Occupier.
- (4) Every Owner or Occupier of a vacant Building secured against unauthorized entry by the City shall be issued an invoice for the costs incurred by the City to secure the Building within a reasonable time period after the work was completed and given an opportunity to appeal to Council regarding the amount of the invoice, provided the Owner or Occupier of the Land submits a written appeal to the Authorized Person with 14 days of the date of the invoice.
- (5) The appeal process provided in Paragraph 22 of this bylaw does not apply to this section. The appeal process for action taken pursuant to paragraph 13 (3) by the City to secure a Vacant/unsecured Building is provided in paragraph 13 (4).

MAINTENANCE OF PROPERTY

14. (1) Nothing in this Part shall be deemed to prevent the lawful storage and keeping of material in or on any non-residential Land, if a lawful use requiring that material is conducted on the Land and the materials are stored in a neat and orderly fashion.
- (2) All Land shall be kept clean and free from accumulations of Refuse, junk, rubbish, brush, litter, garbage and other debris, and any conditions that are health, fire or other hazards.
- (3) All Land shall be kept clean and free from dilapidated, collapsed or unfinished structures.
- (4) All construction conducted on Land shall be carried out in a tidy and orderly fashion, and all construction materials and equipment shall be properly stored when not in use.

ACCESSORY BUILDINGS

15. Every accessory Building on Land shall be constructed and maintained with suitable and uniform materials, kept in good repair, free from hazards, and protected by paint, preservatives or other weather-resistant material.

RETAINING WALLS

16. Retaining walls on Land shall be structurally sound and plumb, unless specifically designed to be other than vertical, and shall be maintained in good repair and free from hazard.

EXTERIOR WALLS, COLUMNS AND BEAMS

17. (1) On all Land the following shall apply:
- (a) exterior columns, walls and their components shall be maintained in good repair, weather-tight and free from loose or unsecure objects and materials;
 - (b) the protective or decorative finishes of all exterior surfaces shall be maintained in good repair so as to prevent deterioration that affects the appearance of the Building or structure;
 - (c) markings, stains, Graffiti, painted slogans, smoke damage or other markings or defacement appearing on any exterior surface shall be removed, and, if necessary to maintain the exterior surface, the surface of these areas shall be restored, resurfaced and co-ordinated to the exterior finish of the Building or structure; and
 - (d) all canopies, marquees, signs, awnings, screens, grilles, stairways, pipes, ducts, standpipes, air conditioners and all similar equipment, attachments and their supporting members shall be maintained in good repair, properly anchored and protected from the elements, so as to prevent decay and rust, by paint or other protective coating.

ENTRY ON PROPERTY

18. (1) The authority of the RCMP to enter on Land and property in relation to this Bylaw contained in section 16 of the *Community Charter* is authorized by Council.
- (2) For the purposes of carrying out an action referred to in sections 13.(3) and 21 of this Bylaw, Council delegates to the Manager, Bylaw Services, the power to authorize a person, as the City's Contractor, to enter on property in accordance with section 16 of the *Community Charter*.

Bylaw 8819 ENFORCEMENT AND PENALTIES

19. This Bylaw may be enforced,
 - a) by an Information laid in accordance with the *Offence Act*;
 - b) by means of a ticket under the *Community Charter*;
 - c) by Bylaw Notice in accordance with the "*Local Government Bylaw Notice Enforcement Act*"; or
 - d) by a combination of the above noted methods in (a), (b) and (c).
20. With respect to enforcement further to a ticket issued pursuant to the *Community Charter*, the fines outlined in the "City of Prince George Ticket Information Utilization Bylaw No. 5422, 1990", as amended or replaced from time to time, shall apply.
21. With respect to enforcement further to a Bylaw Notice issued pursuant to the *Local Government Bylaw Notice Enforcement Act*, the fines outlined in Schedule "B" of the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", as amended from time to time, shall apply.
22. Except as otherwise provided in this Bylaw or the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", and amendments thereto, any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carryout or perform any duty or obligation imposed by the Bylaw shall be liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000.00), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter, S.B.C., 2003, c.26* or the *Offence Act, R.S.B.C., 1996, c.338*. Each day that an offence against the Bylaw continues or exists shall be deemed to be a separate and distinct offence.
23. If a Bylaw Enforcement Officer determines that the regulations, prohibitions, and requirements of this Bylaw are not being met with respect to the Lands of an Owner or Occupier, the Bylaw Enforcement Officer may, by Bylaw notice, require the Owner or Occupier of the Land to comply with this Bylaw within the time period stated in the notice.
24. If an Owner or Occupier fails to comply with the direction from the Bylaw Enforcement Officer given under section 23 of this Bylaw, the Authorized Person may issue a written order directing that the Owner or Occupier comply within a time specified in the Authorized Person's order, with the specific regulations, prohibitions and requirements of this Bylaw that are not being met in respect of the Land of the Owner or Occupier.

25. If the Owner or Occupier fails to comply with an order of the Authorized Person issued under paragraph 24 of this Bylaw, the City, by its employees, contractors and agents may take action in accordance with section 17 of the *Community Charter, S.B.C., 2003, c.26* to fulfill the requirements of the order of the Authorized Person and to recover the costs, including the administrative costs provided in Schedule "A" to this bylaw, from the Owner or Occupier of the Land which is subject to the order.

Bylaw 8819 TICKETING

26. Pursuant to section 264(1)(b) of the *Community Charter*, a Bylaw Enforcement Officer, and the RCMP are designated to enforce this Bylaw; and any Conservation Officer, employed by the Province of British Columbia are designated to enforce Section 11 of this bylaw only.

Bylaw 8819 SCHEDULE

27. "Schedule "A" as attached forms part of this Bylaw.

Bylaw 8819 SEVERABILITY

28. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion may be severed and such invalidity shall not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME THIS THE **17th** DAY OF **DECEMBER** , 2012.

READ A SECOND TIME THIS THE **17th** DAY OF **DECEMBER** , 2012.

READ A THIRD TIME THIS THE **17th** DAY OF **DECEMBER** , 2012.

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

ADOPTED THIS THE **7th** DAY OF **JANUARY** , 2013, BY A **UNANIMOUS** DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

MAYOR

CORPORATE OFFICER

SCHEDULE "A"
PROPERTY MAINTENANCE BYLAW

ADMINISTRATIVE COSTS FOR TAKING ACTION AT THE DEFAULTER'S EXPENSE

Description	Section #	Cost (\$)
Administrative Cost to secure a vacant Building	13 (3)	200.00
Administrative Cost to obtain compliance at defaulter's expense	21	200.00

CITY OF REVELSTOKE

BYLAW NO. 2178

A Bylaw to Provide a System for the Collection, Removal and Disposal of Garbage and to Control Wildlife Attractants

WHEREAS under the provisions of the *Community Charter*, Council may establish services for the collection, removal and disposal of garbage for community benefit;

AND WHEREAS the City of Revelstoke has established a service to provide for the management of garbage;

AND WHEREAS it is deemed advisable to discourage and prevent wildlife from accessing and becoming conditioned to, or dependent on food sources generated or controlled by human activity.

NOW THEREFORE the Municipal Council of the City of Revelstoke, Province of British Columbia, in open meeting assembled **ENACTS AS FOLLOWS:**

1. Citation

This Bylaw may be cited for all purposes as the "*Garbage Collection and Wildlife Attractant Bylaw No. 2178*".

2. Repeal

That the *Garbage Collection and Disposal Bylaw No. 2080* is hereby repealed in its entirety.

3. Definitions

In this Bylaw:

"Attractant" – means any substance which could reasonably be expected to attract wildlife including but not limited to food products, garbage, kitchen waste, offal, unclean barbeques, pet food, bird feed, grain, livestock feed, restaurant grease, used food packaging, game meat, fruit, seed, nuts, honey, salt, oil, antifreeze or other petroleum product, and unmanaged compost other than grass clippings, leaves or branches.

"Bylaw" means the *Garbage Collection and Wildlife Attractant Bylaw No. 2178* and amendments thereto from time-to-time.

"Bylaw Enforcement Officer" means the person hired or appointed by Council by resolution as a Bylaw Enforcement Officer and includes the appointment provided under Section 36 of the *Police Act R.S.B.C. 1996, Chapter 367*.

"City" means the City of Revelstoke.

"Collection Calendar" means a day scheduled each week for garbage collection service on an annual basis.

"Commercial Collection Area" means the area shown on the drawing attached to and forming part of this Bylaw as Schedule 'A'.

"Commercial Dumpsters" means a private bin company.

"Commercial Premise" means any building or self-contained part thereof, used or intended to be used for any type of business on a commercial, professional or non-profit undertaking, other than a dwelling, located in the Commercial Collection Area and is unable to use a Commercial Dumpster.

“Composting” means a technique used to promote the decomposition of plant matter.

“Director of Finance” means the person appointed as such by the City and includes his or her lawful delegate.

“Garbage” means and includes all rubbish, ashes, household waste, cat litter/waste must be in a small plastic bag securely tied, vegetable food, animal food, floor sweepings, and rejected, abandoned and discarded matter other than items considered unacceptable by the Operations Manager and Prohibited Materials.

“Garbage Bag” means a plastic garbage bag having dimensions not greater than 60 cm by 90 cm (24 inches by 36 inches) securely tied and of sufficient strength not to rip or tear when handled.

“Garbage Collection Service” means the City’s weekly collection of garbage from a Residential Dwelling Premise and a Commercial Premise where the Owner is expected to deliver Garbage to the curb or lane for collection and disposal.

“Garbage Container” means a non-corrosive, durable receptacle fitted with secure handles and a water-tight cover and no more than 77 litres (17 imperial gallons) in size; or alternatively, a garbage bag.

“Multi-Family Dwelling” means a building or part of a building used or intended to be used for five or more dwelling units.

“Operations Manager” means the person appointed as such by the City and includes his or her lawful delegate.

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

“Prohibited Materials” means recyclables, dog waste, yard waste, land clearing, construction and demolition waste including gypsum or products containing gypsum, noxious matter, biomedical waste, hot ashes, all liquid wastes including paint, petroleum and oil products, bulk chemical composition waste or hazardous waste, animal cuttings, excrement or animal bodies, offal, auto parts, tires, batteries, scrap iron or metal, concrete, soil, rocks or sod, furniture, appliances, pressurized containers, trade waste (commercial and industrial), pesticides, herbicides or insecticides, explosive, volatile or corrosive materials or dangerous chemicals.

“Recyclables” means printed paper and packaging, which includes paper fibre, cardboard, rigid container plastics, plastic film and other marketable wastes as defined in the Recycling Regulations, B.C. Reg. 449/2004.

“Residential Dwelling Premise” means a self-contained dwelling unit providing accommodation to one or more people, including single-family dwellings and buildings with up to four suites.

“Revelstoke Refuse Disposal Site” means the scaled transfer station and refuse disposal site operated by the Columbia Shuswap Regional District and located at 330 Westside Road, Revelstoke, BC.

“Tag a Bag Sticker” means a self-adhesive tag, sold by the City, to be affixed to a Garbage Bag in accordance with this Bylaw.

“Wildlife” means a bear, cougar, wolf, coyote, deer, moose, skunk, raccoon, crow or raven.

4. Administration

- 4.1 The City is authorized to establish and operate the Garbage Collection Service for the purposes of collecting, removing and disposing of Garbage within the City and such service shall be under the control of the Operations Manager.
- 4.2 Each Owner of a Residential Dwelling Premise shall utilize the Garbage Collection Service in accordance with the provisions of this Bylaw.
- 4.3 Each Owner of a Commercial Premise may utilize the Garbage Collection Services in accordance with the provisions of this Bylaw.
- 4.4 A Collection Calendar for Garbage will be made available by the City.
- 4.5 The Collection Calendar may be amended by the Operations Manager and the City will provide reasonable notice of such amendments to the users of the Garbage Collection Service.

5. Regulations for Garbage Containers

- 5.1 All Owners of a Residential Dwelling Premise shall provide and keep in good order and repair one Garbage Container.
- 5.2 The Operations Manager may authorize the use of a Commercial Dumpster for Garbage at a Residential Dwelling Premise.

6. Regulations for Garbage Collection

- 6.1 A Garbage Container must, at all times, be maintained in a clean, dry, odour free and sanitary condition and receptacle must be covered securely with the lid.
- 6.2 A Garbage Container shall be kept on the Owner's premises at all times and stored in a location not accessible by wildlife, except when placed on such curb or lane for the purpose of collection under this Bylaw.
- 6.3 A Garbage Container shall be made readily accessible for emptying, between the hours of 7:00 am and 5:00 p.m. on the day of collection.
- 6.4 A Garbage Container shall be set out no earlier than 6:00 am on the day of collection.
- 6.5 A Garbage Container shall be removed from the curb or the lane no later than 8:00 p.m. on the day of collection.
- 6.6 An Owner shall not cause or permit the contents of a Garbage Container to exceed 25 kg when placed out for collection.
- 6.7 Additional Garbage in excess of one Garbage Container may be set out in a Garbage Bag affixed with a Tag a Bag Sticker.
- 6.8 An Owner shall place only Garbage in a Garbage Container.
- 6.9 An Owner shall not place Prohibited Materials in a Garbage Container.
- 6.10 An Owner shall clean up any Garbage spilled from the Garbage Container.
- 6.11 The Owner of a Multi-Family Dwelling shall arrange to have the collection service done by a private removal company or dispose of Garbage at the Revelstoke Refuse Disposal Site.
- 6.12 The Operations Manager reserves the right to alter or exclude Owners from Garbage Collection Services if collection costs, access routes or location are unsafe or unreasonable.

6.13 The City reserves the right to refuse or suspend to collect or remove all or any Garbage for disposal that does not comply with any of the provisions of this Bylaw, but such suspension shall not waive any requirement, or abate any charges or rates under the provision of Schedule 'F' of the Fees and Charges Bylaw.

6.14 During such suspension of service the Owner shall be responsible for removing Garbage to the Revelstoke Refuse Disposal Site, which includes the cost for such removal and deposit of tipping fee and the City will not be rendered liable for any such costs or damages arising from the suspension of service to the Owner or any third party.

7. Disposal of Garbage

7.1 The City shall dispose of Garbage under its Garbage Collection Service at the Revelstoke Refuse Disposal Site and shall pay for the tipping fees as imposed by the Columbia Shuswap Regional District.

7.2 No person shall litter or dispose of litter in any way contrary to the provisions of this Bylaw.

7.3 No person shall dispose of Garbage in any place other than a Garbage Container. This includes disposal of Garbage into a Container belonging to another person unless given the authority to do so by the Owner.

8. Other Wildlife Attractants

8.1 Except as permitted in this Bylaw, an Owner must not accumulate, place, store or collect any Attractants in such a manner that it is accessible to Wildlife.

8.2 Every Owner must ensure that:

8.2.1 any fruit and/or nuts that have fallen from a tree or bush is removed from the ground and properly disposed of within two days;

8.2.2 any refrigerator, freezer or similar appliance, device or apparatus that contains food or Attractants, is located and equipped in such a manner that it is inaccessible to Wildlife;

8.2.3 barbeque equipment and tools that remain out of doors must be clean and free of residual food or grease;

8.2.4 a bird feeder containing bird feed is suspended on a cable or other device in such a manner that it is inaccessible to Wildlife and that bird feed fallen from a bird feeder is removed from the ground and properly disposed of within two days; and

8.2.5 composting activity is maintained in such a manner that avoids odours. Meat or fish products or large amounts of fruit shall never be placed in the compost. Any composting device or equipment is maintained in such a manner that it is inaccessible to wildlife.

9. Fees and Charges

9.1 The City is authorized to establish a billing and collection system under the control and inspection of the Director of Finance.

9.2 The Owner to which Garbage Collection Service is provided shall pay to the City the rates established in accordance with Schedule 'F' of the Fees and Charges Bylaw.

9.3 The fees applicable for the Commercial Collection Area shall be prepaid using Tag-a-Bag stickers issued by the City.

9.4 The fees applicable for a Residential Dwelling Premise shall be added to the tax notices for the applicable calendar year and if remain unpaid by the due date of

payment for such notice shall be penalized the same as overdue property taxes. In the alternative, the City may choose to invoice separately for this service.

- 9.5 The fees imposed and payable under the provisions of this Bylaw and which remain unpaid after December 31 shall be deemed to be taxes in arrears and shall be forthwith entered on the real property tax roll by the Director of Finance as taxes in arrears.
- 9.6 The Owner shall be deemed to have received notification of garbage charges if said notification was mailed or otherwise delivered to the address contained in the City's tax notices and no person shall be discharged or relieved from liability in respect of such fees and charges or from penalties attached to non-payment hereby imposed by reason of non-receipt of any notice or statement of account thereof.
- 9.7 Application for new or reinstatement of or alteration in Garbage Collection Service fees may be prorated to the end of the year.
- 9.8 In the event that the city has made an error in its calculation of fees to an Owner, it may, upon written application providing full details and the amount claimed, refund the overcharge to that Owner for a period up to but not exceeding six years.

10. Failure to Comply

- 10.1 Failure to comply with Sections 6.10, 7.2 and 8.2.1 herein may result in the City by its own employees or authorized agents, cleaning up and removing such Attractant and the cost of such cleaning and removal shall be charged to the Owner of the property and where such charges are unpaid on the thirty-first of December in the same year, they shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

11. Inspection and Enforcement

- 11.1 The Operations Manager, Parks/Arena Foreman and Bylaw Enforcement Officer may enter, at all reasonable times, upon any property in order to ascertain whether the regulations set out in this Bylaw are being obeyed.
- 11.2 No person shall prevent or obstruct, or attempt to prevent or obstruct, the entry of the Operations Manager, Parks/Arena Forman and Bylaw Enforcement Officer upon any property as authorized under Section 11.1 of this Bylaw
- 11.3 No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 11.4. 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 Municipal Ticket Information System Bylaw, as amended from time-to-time; or
 - b) shall be liable, upon summary conviction to the penalties provided under the Offence Act.
- 11.5 Each day that an Offence against this Bylaw continues it shall be deemed a separate and distinct offence.

12. Severability

- 12.1 If any section of this Bylaw is held to be invalid by a Court of competent jurisdiction, then such invalid portion shall be served and such decision shall not affect the validity of the remainder of the Bylaw.

READ A FIRST TIME THE 9th DAY OF MAY, 2017.

READ A SECOND TIME THE 9th DAY OF MAY, 2017.

READ A THIRD TIME THE 9th DAY OF MAY, 2017.

ADOPTED THIS 23rd DAY OF MAY, 2017.

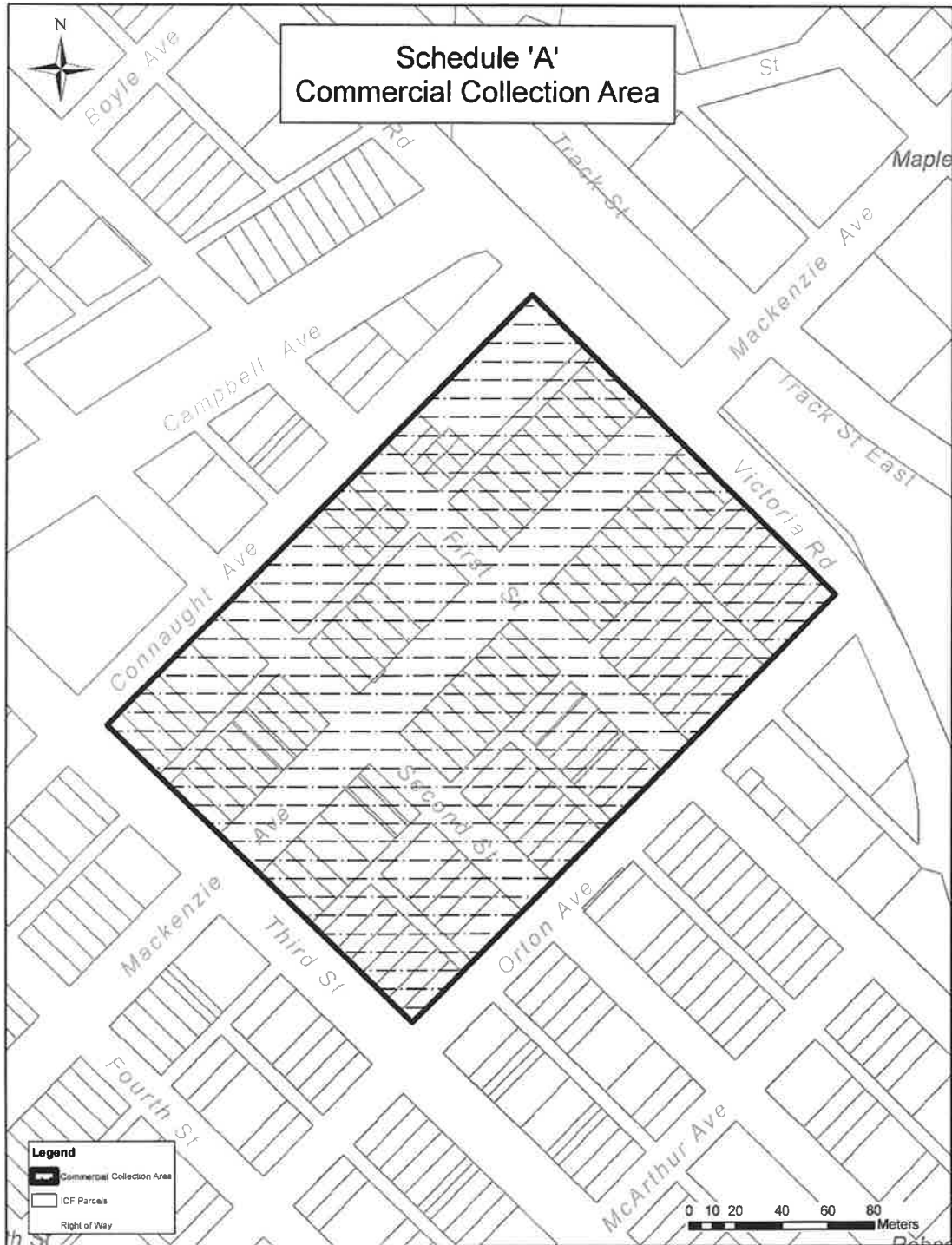


Director of Corporate Administration



Mayor

Certified a true copy, this _____ day of _____.



**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1551-2018**

A bylaw of the Squamish-Lillooet Regional District to provide for the regulation of wildlife attractants in Electoral Area B, Electoral Area C and Electoral Area D

WHEREAS pursuant to section 323 of the *Local Government Act*, the Squamish-Lillooet Regional District has established in respect of the electoral areas set out below, services for the purpose of controlling noise, nuisances and other disturbances, specifically:

(a) in respect of Electoral Area B:

- *Squamish-Lillooet Regional District Electoral Area B Noise, Nuisance and Disturbance Control Service Establishment Bylaw No. 1495-2016;*

(b) in respect of Electoral Area C:

- *Squamish-Lillooet Regional District Electoral Area C Nuisance and Disturbance Control Service Establishment Bylaw No. 1437-2015;* and

(c) In respect of Electoral Area D:

- *Electoral Area D Nuisance and Disturbance Control Regulatory Service Establishment Bylaw No. 954-2005.*

AND WHEREAS in respect of Electoral Area B, Electoral Area C and Electoral Area D, the Squamish-Lillooet Regional District wishes to enact a bylaw that regulates nuisances pursuant to section 325 of the *Local Government Act* as they relate to the storing and securing of refuse and food sources so as to reduce the likelihood of refuse and food sources generated or controlled by human activity from becoming wildlife attractants,

NOW THEREFORE, the Board of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

1. CITATION

- 1.1 This bylaw may be cited for all purposes as the “Squamish-Lillooet Regional District Wildlife Attractant Bylaw No. 1551-2018”

2. GEOGRAPHIC AREA

- 2.1 This bylaw applies to Electoral Area B, Electoral Area C and Electoral Area D of the Squamish-Lillooet Regional District.

3. DEFINITIONS

- 3.1 In this Bylaw, unless the context otherwise requires:

“Administrator”	means the Chief Administrative Officer of the Squamish-Lillooet Regional District, or his or her designate.
“Animal”	means domestic animals, birds, mammals, reptiles, amphibians, fish and, without limitation, Wildlife.
“Attractant”	means any substance or material, with or without an odour, which attracts or is likely to attract Animals; and without limitation includes food or other edible products (whether intended for humans, animals, or birds), grease, oil, antifreeze, paint, petroleum products, and compost other than garden and yard waste.
“Bees”	means any insect of the genus <i>Apis</i> .
“Beehive”	means a structure that houses Bees.
“Compost”	means a product which is a stabilized earthy matter having the properties and structure of humus, beneficial to plant growth when used as a soil amendment, produced by composting, and only derived from organic matter.
“Coop”	means a fully enclosed structure to shelter Hens.
“Hen”	means a domesticated female chicken that is at least four months old.
“Pen”	means an outdoor space for Hens enclosed on all four sides.
“Regional District”	means the Squamish-Lillooet Regional District.
“Solid Waste”	means municipal solid waste as defined under the <i>Environmental Management Act</i> (S.B.C. 2003 c.53) and includes refuse that originates from residential, commercial, institutional, demolition, land clearing and/or construction sources.
“Special Event”	means a temporary outdoor gathering, sporting event, wedding, convention, parade, public display, festival, or other gathering.
“Wildlife”	means wildlife as defined under the <i>Wildlife Act</i> (R.S.B.C. 1996 c.488), and includes bears, coyotes, cougars, wolves, and all other vertebrates native to British Columbia.
“Wildlife Resistant Container”	means a refuse container that is sufficient to accommodate normal uses of the property, is designed to discourage and prevent access by Wildlife, and: (a) has a sturdy cover capable of being completely closed and secured with a latching device; and (b) if intended for use other than residential, is made of metal and is self latching.
“Wildlife Resistant Enclosure”	means a fully enclosed structure having four enclosed sides, a roof, doors and a latching device, designed to discourage and prevent access by Wildlife.

4. SOLID WASTE

- 4.1 Except as permitted in this bylaw, a person must not store any Solid Waste that is an Attractant in such a manner that it is accessible to Wildlife.
- 4.2 Without limiting section 4.1, a person must not leave, place or store outdoors any Solid Waste that is an Attractant unless such Solid Waste that is an Attractant is left, placed or stored in both of the following:
- (a) in a Wildlife Resistant Container; and
 - (b) in a Wildlife Resistant Enclosure.

- 4.3 The requirements of sections 4.1 and 4.2 do not apply with respect to a parcel of real property:
- (a) between the hours of 6:00 a.m. and 7:00 p.m. on a day that is designated by the Regional District for Solid Waste collection from that parcel; or
 - (b) outside the hours of 6:00 a.m. and 7:00 p.m. on a day that is designated by the Regional District for Solid Waste collection from that parcel with the written approval of the Administrator; or
 - (c) during a Special Event on the real property if refuse that is generated by that event:
 - (i) is kept in containers as required by any permit issued for that event; or
 - (ii) if no permit is required, is kept in containers that are sufficient in size and number for that event; and
 - (iii) the containers used for Solid Waste are emptied into a container in accordance with section 4.2 by midnight on each day of the Special Event.
- 4.4 Every owner and occupier of real property must ensure that a Wildlife Resistant Container or a Wildlife Resistant Enclosure located on the property is of a size that is suitable for the amount of refuse generated and is kept and maintained:
- (a) in a clean and sanitary condition;
 - (b) in a closed and secure manner when refuse is not being deposited or emptied; and
 - (c) in a good and working condition.
- 4.5 If a Wildlife Resistant Container or a Wildlife Resistant Enclosure is damaged, the owner or occupier of the real property on which it is located must ensure that it is repaired within 10 business days of the damage occurring. In circumstances of adverse weather, material or labour shortages, or similar hardship beyond the control of the owner or occupier, the 10-day period may be extended by the Administrator in writing and in accordance with any specified time limits, conditions, or requirements that the Administrator may determine as being appropriate.

5. GENERAL REQUIREMENTS

- 5.1 A person must not feed Wildlife, and must not feed Animals in a manner that is likely to attract Wildlife.
- 5.2 Every owner or occupier of real property must ensure that:
- (a) any fruit that has fallen from a tree is removed from the ground within 3 days and if stored outdoors, only in a Wildlife Resistant Container or Wildlife Resistant Enclosure;
 - (b) any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to Wildlife and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar Attractants;

- (c) any Composting activity is carried out and any composting device or equipment is maintained in such a manner so as not to attract Wildlife;
- (d) barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;
- (e) any refrigerator, freezer, storage container or similar appliance, device or apparatus that contains Attractants of any type, if placed or located outdoors, is located and equipped in such a manner that it is inaccessible to Wildlife;
- (f) any grease, antifreeze, paint or petroleum product is stored in such a manner that it is inaccessible to Wildlife;
- (g) Bees and Beehives are kept in such a manner so as not to attract Wildlife;
- (h) Bees and Beehives are kept in such a manner so that they are reasonably inaccessible to Wildlife. Beehives must be enclosed by electric fencing; and
- (i) Hens are kept in such a manner so as not to attract Wildlife.
- (j) Coops and Pens must be enclosed by electric fencing.

5.3 Without limiting any other provision of this bylaw, any person responsible for a site that is used for filming, a Special Event, or a construction site must ensure that any Attractants are disposed of in a Wildlife Resistant Container or Wildlife Resistant Enclosure that is located on that site.

6. OFFENCES

6.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.

6.2 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and

(a) pursuant to the Local Government Act or the Offence Act or both shall be liable on summary conviction to:

- (i) a fine not exceeding two thousand dollars (\$2,000), imprisonment of not more than 6 months, or both;
- (ii) the costs of prosecution; and
- (iii) any other penalty or remedy imposed or permissible pursuant to an enactment.

(b) the penalties and remedies imposed under subsection (a) shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this bylaw or any other enactment; and

(c) each day that a violation is caused or allowed to continue constitutes a separate offence under this bylaw.

7. MISCELLANEOUS

- 7.1 The headings in this bylaw are inserted for convenience and reference only and in no way define, limit or enlarge the scope of this bylaw or any portion thereof.
- 7.2 If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion may be severed and such invalidity shall not affect the validity of the remaining portions of the bylaw.
- 7.3 In this bylaw, wherever the singular is used, it is to be construed as if the plural had been used where the context of the bylaw so requires.
- 7.4 In this bylaw, references to statutes, regulations, bylaws or policies and to positions, titles or ministries include the same as they may be, from time to time, amended, replaced or succeeded by.

READ A FIRST TIME this	28 th	day of	February, 2018.
READ A SECOND TIME this	28 th	day of	February, 2018.
READ A THIRD TIME this	28 th	day of	February, 2018.
ADOPTED this	28 th	day of	February, 2018.

"ORIGINAL SIGNED BY"

Jack Crompton
Chair

"ORIGINAL SIGNED BY"

Kristen Clark
Corporate Officer



CORPORATION OF THE
DISTRICT OF TOFINO

**District of Tofino Wildlife Attractant Bylaw
No. 1317, 2022**

Effective Date – April 23, 2024

DISTRICT OF TOFINO

BYLAW NO. 1317, 2022

A bylaw to prevent refuse and other materials becoming wildlife attractants

WHEREAS in accordance with the *Community Charter*, and in the interests of public health, Council may establish services for the collection, removal, and disposal of garbage and to regulate the use of those services to prevent animals from accessing waste disposal containers;

WHEREAS the Council of the District of Tofino may regulate in relation to animals and nuisance prevention;

AND WHEREAS the Council of the District of Tofino wishes to enact a bylaw to store and secure refuse and food sources securely to prevent bears, cougars, wolves, coyotes, and deer from accessing and becoming conditioned to, or dependent on, food sources generated or controlled by human activity to protect public safety and help conserve local wildlife populations;

NOW THEREFORE the Council of the District of Tofino, in open meeting, enacts as follows:

1. CITATION

The name of this Bylaw for citation purposes is "District of Tofino Wildlife Attractant Bylaw No. 1317, 2022."

2. DEFINITIONS

In this Bylaw:

Collection Contractor means the person, agent or contractor who collects and disposes of Municipal Solid Waste as part of the residential curbside collection service under the District of Tofino Garbage and Recyclable Materials Collection and Regulation Bylaw No. 1070, 2008 as amended from time to time;

Commercial Refuse Container means a metal receptacle that is designed or intended to dispose of waste by automated means and is wildlife resistant; and includes small bins for disposal on commercial properties, landscaped areas, or public spaces;

Council means the Council of the District of Tofino;

Deer means members of the family Cervidae;

District means the Corporation of the District of Tofino;

Domestic animal means an animal that is tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for people, or any animal prescribed as such under the Province of British Columbia's *Community Charter*;

Enforcement Officer means the Fire Chief, any person employed by the District as a Bylaw Enforcement Officer, any member of the Royal Canadian Mounted Police or any member of the BC Conservation Officer Service;

Dangerous Wildlife means a bear, cougar, coyote, wolf or any animal prescribed as such under the Province of British Columbia's *Wildlife Act*;

Feed means providing, leaving or placing in, on or about land or premises, food, food waste or any other substance that is a Wildlife Attractant;

Livestock includes chickens, goats, pigs, turkeys, ducks, geese and rabbits.

Order to Remove means an order issued under section 5, and which may be issued in the form shown in Schedule B of this Bylaw, that requires a person to:

- (a) remove any Wildlife Attractant; or
- (b) remove any type of container that is used to store Refuse;

from outside on a property within 24 hours or such longer period as specified in the order.

Pen means a fully or partially enclosed outdoor space for the keeping of animals;

Refuse means any discarded or abandoned food, grease, substance, material or other object;

Wildlife Attractant means any substance or material, with or without an odour, which attracts or is likely to attract Dangerous Wildlife or Deer; and without limitation includes:

- (a) food or other ingestible products, whether intended for humans, animals, or birds;
- (b) grease, oil, antifreeze, paint, unclean barbecues, pet food, livestock and livestock feed;
- (c) beehives, bird feeders, offal, improperly maintained composts, restaurant grease barrels; and
- (d) fruit whether in containers or fallen fruit;

Wildlife Resistant Container means a refuse container that is sufficient to accommodate normal uses of the property, is designed to discourage and prevent access by wildlife, and has a sturdy cover capable of being completely closed and secured with a latch or locking device;

Wildlife Resistant Enclosure means a fully enclosed structure having four sides, a roof, doors, and a locking device, designed to discourage and prevent access by wildlife, and includes a garage or shed.

3. TREATMENT OF REFUSE

1. Except as permitted in this bylaw, a person must not cause or allow any Refuse that is a Wildlife Attractant to be stored, deposited, or placed on any parcel or highway within the District in such a manner that it is accessible to Dangerous Wildlife or Deer.
2. Without limiting Section 3.1, a person must not store, deposit or place outdoors any Refuse that is a Wildlife Attractant except:
 - a) in a Wildlife Resistant Container provided by the Collection Contractor; or

- b) in a Commercial Refuse Container that meets the criteria established in Schedule A; or
 - c) in a Wildlife Resistant Container enclosed within a Wildlife Resistant Enclosure that is designed and constructed in accordance with the criteria established in Schedule B; or
 - d) in a metal grease collection bin with a secured metal lid, when pertaining to cooking fat/grease refuse; or
 - e) enclosed by electric fencing designed and maintained in accordance with the electric fencing guidelines of the WildSafeBC program developed by the British Columbia Conservation Foundation.
3. Without limiting any other provisions of this bylaw, any person responsible for a site that is used for a temporary outdoor gathering, filming, construction, a catered event, a sporting event, a wedding, a convention, parade, public display, festival or similar gathering must ensure that any Wildlife Attractant is disposed of in a designated Wildlife Resistant Container, Commercial Refuse Container or Wildlife Resistant Enclosure.
 4. Every owner or occupier of real property must ensure that a Wildlife Resistant Container provided by the Collection Contractor be:
 - a) set out for collection only on the designated day of collection between 6:00 AM and 08:00 AM;
 - b) unlocked only on the designated day of collection between 6:00 AM and 10:00 PM;
 - c) removed from the collection location by 10:00 PM on the designated day of collection;
 - d) kept locked at all times, except as described in section 3(4)(b); and
 - e) except when taken out to street for pickup, kept secured in such a way that wildlife cannot drag or move the container.
 5. Every owner or occupier of real property must ensure that a Wildlife Resistant Container, a Commercial Refuse Container, or a Wildlife Resistant Enclosure located on the property is of a size that is suitable for the amount of Refuse generated on the Property and is kept and maintained:
 - a) in a closed and locked manner when Refuse is not being deposited or emptied; and
 - b) in a good, workable condition and in good repair.
 6. If a Wildlife Resistant Container is damaged or defective, the owner or occupier of the real property on which it is located must immediately, upon noticing any damage or defects, contact the Collection Contractor to arrange for a repair.
 7. If a Commercial Refuse Container or Wildlife Resistant Enclosure is damaged, the owner or occupier of the real property on which it is located must ensure that it is repaired within 5 business days of the damage occurring or within 5 business days of being notified by the Collection Contractor.

4. GENERAL REQUIREMENTS

1. A person must not feed domestic animals or wildlife in a manner that is likely to attract Dangerous Wildlife or Deer.
2. Every owner or occupier of real property must ensure that on the property:

- a) any fruit or nuts picked or fallen from a tree, bush or shrub on a parcel are collected and stored in such a manner so as not to attract Dangerous Wildlife or Deer;
- b) any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to wildlife, other than birds; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and similar Wildlife Attractants;
- c) no food is provided to songbirds between April and November, except food supplied by liquid feeders;
- d) any composting activity is properly carried out and any composting device or equipment is maintained in such a manner so as not to attract Dangerous Wildlife or Deer;
- e) barbecue equipment and tools that remain out of doors are clean and free of residual food or grease;
- f) no refrigerator, freezer, storage container or similar appliance, device or apparatus located outdoors contains a Wildlife Attractant;
- g) all grease, antifreeze, paint or petroleum products are stored in such a manner that it is inaccessible to domestic animals and wildlife;
- h) bees and beehives are kept in such a manner so as not to attract Dangerous Wildlife;
- i) bees and beehives are kept in such a manner so that they are reasonably inaccessible to Dangerous Wildlife;
- j) bees and beehives are enclosed by electric fencing designed and maintained in accordance with the electric fencing guidelines of the WildSafeBC program developed by the British Columbia Conservation Foundation;
- k) chickens, chicken coops, and Pens are kept in such a manner so that they are reasonably inaccessible to Dangerous Wildlife;
- l) chicken coops and Pens are enclosed by electric fencing designed and maintained in accordance with the electric fencing guidelines of the WildSafeBC program developed by the British Columbia Conservation Foundation; and
- m) all home food delivery items that are left outdoors are stored in such a manner so as to not attract Dangerous Wildlife.

5. ORDER TO REMOVE WILDLIFE ATTRACTANT

1. Where an owner or occupant of property has contravened section 3 this Bylaw, an Enforcement Officer may deliver an Order to Remove to the owner or occupant of the property.
2. The Bylaw Enforcement Officer shall serve the Order to Remove on the owner or the occupier of the real property either personally or by posting the Order to Remove on the Property.
3. A person who has been issued an Order to Remove must comply with the requirements of that notice within the time specified in the notice.
4. Where a person has been issued an Order to Remove and that person has not removed the Refuse that is a Wildlife Attractant or the contravening container by the time noted on the Order to Remove, the District may, by its employees, agents or contractors:
 - (a) enter onto the property owned or occupied by that person;
 - (b) remove and promptly dispose of the Refuse and/or remove and store the container for 30 days if the container is not claimed earlier;

- (c) charge the owner or occupier a Refuse/Container Removal Fee in the amount prescribed by the District of Tofino Fees and Charges Bylaw No. 1271, 2019; and
- (d) if the fee remains unpaid after December 31st of the year in which it is invoiced, add the unpaid fee to the taxes for the property from which the Refuse or container was removed as taxes in arrears.

6. AUTHORITY TO ENTER ONTO PROPERTY

- 1. An Enforcement Officer for the District may enter onto any property in accordance with section 16 of the *Community Charter*, S.B.C. c. 26, 2003.
- 2. A person must not obstruct or interfere with a Enforcement Officer or assistant who has entered onto property pursuant to section 6(2).

6. EXEMPTIONS

- 1. With the exception of sections 3(4) to 3(7) of this Bylaw, this Bylaw does not apply to:
 - (a) a person who is engaging in hunting or trapping wildlife in accordance with the Province of British Columbia's *Wildlife Act* and its regulations;
 - (b) a person who has been authorized, by issuance of a permit, in accordance with the Province of British Columbia's *Wildlife Act* and its regulations;
 - (c) a farm operation, as defined in section 1 of the *Farm Practices Protection (Right to Farm) Act*, that is conducted within the District and meets the requirements set out in section 2 (2) (a) and (c) of that Act; or
 - (d) a waste disposal facility operated by the District or a regional district.

7. OFFENCE, PENALTY & ENFORCEMENT

- 1. Any person who contravenes or violates any part of this Bylaw, who fails or omits to do anything required under this Bylaw, or who permits, suffers or allows any act or thing to be done or omitted to be done in contravention or violation of this Bylaw, commits an offence punishable by a fine of up to \$50,000.00; and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

8. SCHEDULES

Schedules A and B are attached to and form part of this Bylaw.

9. SEVERABILITY


If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of the Bylaw.

READ A FIRST TIME on June 13, 2023

READ A SECOND TIME on June 13, 2023

READ A THIRD TIME on June 13, 2023

This is a certified true copy of "District of Tofino Wildlife Attractant Bylaw No. 1317, 2022", certified by Nyla Attiana, Deputy Corporate Officer, on the 21st day of February, 2024.



Nyla Attiana, Deputy Corporate Officer

APPROVAL FROM MINISTRY OF LAND, WATER, AND RESOURCE STEWARDSHIP on April 9, 2024.



Nathan Cullen, Minister of Water, Land and Resource Stewardship

ADOPTED on April 23, 2024.

Daniel Law, Mayor

Keegan McColl, Corporate Officer

SCHEDULE A
WILDLIFE ATTRACTANT BYLAW NO. 1317, 2022

Commercial Refuse Container Requirements

The following criteria applies to a Commercial Refuse Container:

1. The lid or lids, and any doors, must close tightly to prevent access by Wildlife.
2. The lid or lids, and any doors, must be:
 - (a) self-closing; or
 - (b) self-latching;
3. The latches for the lid or lids and bag removal must be such that an adult bear using its claws will be unlikely to reach the latch trigger mechanism.
4. Hinges and latches for lids must be sufficiently strong, and sufficiently affixed to the container, that they cannot be pried open by an adult bear using its claws. As a guideline, a lid that can be dismantled using a crowbar is not sufficient.
5. The container must be sufficiently stable or capable of being so anchored as to prevent tipping by an adult bear.
6. Container material must be of sufficient strength to prevent Dangerous Wildlife from chewing, battering or crushing the container.

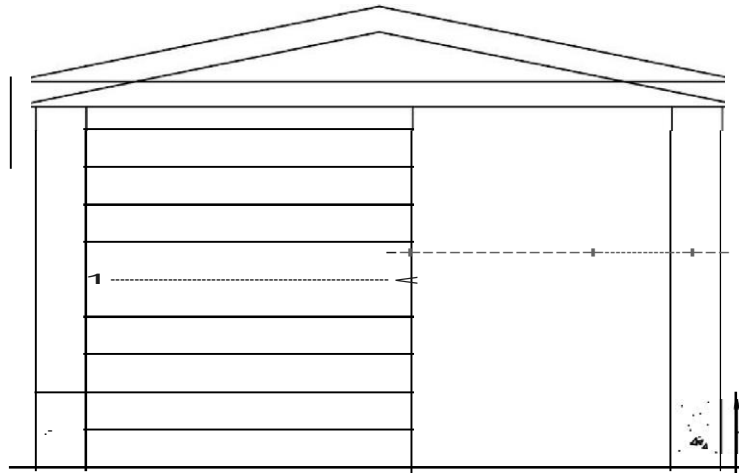
**SCHEDULE B
WILDLIFE ATTRACTANT BYLAW NO. 1317, 2022**

Wildlife Resistant Enclosure for Containers

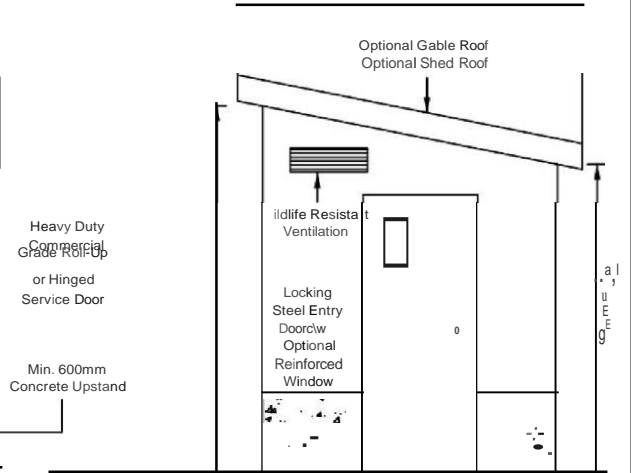
A Wildlife Resistant Enclosure containing a Wildlife Resistant Container must have all of the following, or be of a substantially similar design that has both superior strength and the approval of the District's building inspector as being an acceptable alternative:

1. sufficient size to allow for placement of containers for refuse, composting and recycling and for removal and emptying of those containers;
2. a concrete up stand of at least 600 mm with a 100 mm reinforced concrete slab on compacted gravel fill;
3. containers larger than 10m² must contain a floor drain connected to the sanitary sewer in accordance with the *British Columbia Building Code*;
4. an exterior made of split face block or hardy plank nailed to 3 ¼ inch plywood backing with 3 ¼ inch nails with a minimum gap between door and foundation;
5. two separate entrances, one for personnel to enter and exit, and one larger service door;
6. doors installed with a minimum gap on tracks and latches on both side and must close tightly to prevent access by bears;
7. a service door constructed using heavy-duty commercial grade steel;
8. all personnel doors constructed using 18-gauge steel, with open outwards hinge design and exterior doorknobs of such design that is accessible to persons with disabilities, in accordance with the *British Columbia Building Code*, but still resistant to interference by bears; and
9. venting designed to prevent access by bears and other wildlife located either on the roof or in the top of the wall near the roof.

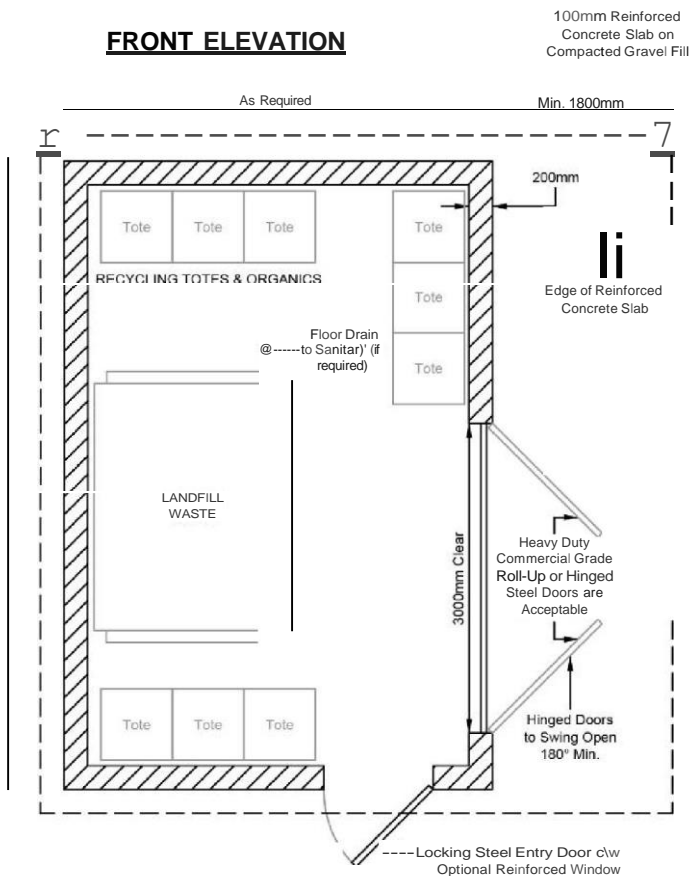
Example Wildlife Resistant Enclosure



FRONT ELEVATION



SIDE ELEVATION



PLAN VIEW

All structures must comply with applicable Municipal Bylaws

NOTES:

1. Enclosure architecture (materials, etc) is to conform to Municipal Building and Development Permi1 requirements (as required).
2. Design concept only. Alternative designs meeting the intent of these requirements are invited.
3. Structures are to be constructed in accordance with the BC Building Code. Enclosures are to be designed to withstand snow loading, vehicular damage, operational damage, and bears.
4. Roofs should be designed to avoid snow shed in front of service and entry doors.
5. Service door(s) are to have dual locking mechanisms. Hinged doors require a heavy-duty cane bolt at the bottom and a slide bolt at the top of the stationary door. Roll-up doors require slide bolt locking mechanisms on the bottom of the door, each side. All locking mechanisms to be located on the interior; no hardware should be located on the service door(s) exterior.
6. Steel entry door is to be 36" wide (915mm) and be equipped with a self-closing mechanism. Door may have a round turning knob complete with a covered keyed knob guard on the exterior for access and panic hardware on interior for egress. Alternatively a push button lock with a turning knob is acceptable.
7. Adequate motion activated interior and exterior lighting is to be provided (if required).
8. Bear-resistant vent and steel entry door window openings should be sized such that a bear could not gain access in the case of breakage.
9. Units in mm unless otherwise noted.
10. Roll-up doors are preferable in areas that may have ice and snow build up but hinged doors are acceptable.
11. Separate enclosures for Commercial & Residential uses on the same property are strongly recommended.

Dimensions shown serve as a guideline only, the ultimate size and configuration of the garbage enclosure will be dependant on the owners preference and services being provided.



RESORT MUNICIPALITY OF WHISTLER

CONSOLIDATED "SOLID WASTE BYLAW NO. 2139, 2017"

This document has been produced for convenience of reference and is a consolidation of the following Bylaws:

Bylaw No.	Bylaw Name	Date Adopted
2139	Solid Waste Bylaw No. 2139, 2017	September 19, 2017
2175	Solid Waste Amendment Bylaw No. 2175, 2018	June 5, 2018
2229	Solid Waste Amendment Bylaw No. 2229, 2019	April 30, 2019
2267	Solid Waste Amendment Bylaw No. 2267, 2019	January 7, 2020
2305	Solid Waste Amendment Bylaw (Tipping Fees) No. 2305, 2020	April 20, 2021
2338	Solid Waste Amendment Bylaw (Tipping Fees) No. 2338, 2021	November 16, 2021
2360	Solid Waste Amendment Bylaw No. 2360, 2022	May 10, 2022

Individual copies of any of the above bylaws are available from the Resort Municipality of Whistler.

This copy of "Solid Waste Bylaw No. 2139, 2017" has been consolidated and printed by the authority of the Corporate Officer of the Resort Municipality of Whistler pursuant to Section 139 of the *Community Charter* and "Bylaw Consolidation and Revision Bylaw No. 1957, 2010".

Dated this 23rd day of August, 2022

RESORT MUNICIPALITY OF WHISTLER

SOLID WASTE BYLAW NO. 2139, 2017

**A BYLAW TO REGULATE THE STORAGE AND DISPOSAL OF SOLID WASTE, AND TO ESTABLISH
A PARCEL TAX AND FEES AND CHARGES IN RELATION TO MUNICIPAL SOLID WASTE
SERVICES**

WHEREAS Council wishes to minimize the cost and environmental impact of Solid Waste management by requiring Solid Waste to be separated before disposal;

AND WHEREAS Council wishes to minimize human – wildlife conflicts by reducing, to the greatest extent possible, the likelihood of Solid Waste being stored or disposed of in a manner that might reasonably be expected to attract Dangerous Wildlife;

NOW THEREFORE the Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS:**

TITLE

1. This Bylaw may be cited for all purposes as “Solid Waste Bylaw No. 2139, 2017”.

GENERAL DEFINITIONS AND INTERPRETATION RULES

2. The provisions of this Bylaw are intended to be severable. If any section or lesser portion of this Bylaw is held to be invalid the invalid portion should, to the greatest extent possible, be severed and the rest of the Bylaw saved.
3. In this Bylaw, the terms defined in Schedule A shall have the meanings ascribed to them in that Schedule, and the following terms shall have the following meanings:

“composting” means the controlled biological oxidation and decomposition of organic matter;

“dangerous wildlife” wildlife that is prescribed as dangerous under the BC *Wildlife Act*;

“dwelling unit” means a self-contained set of habitable rooms in a building, including one set of cooking facilities;

“detached dwelling” means a residential building containing not more than one principal dwelling unit;

“industrial/commercial/institutional (ICI)” means businesses, industries, or commercial operations including restaurants, stores, offices, hospitals, schools, and other similar operations, and specifically excludes residential premises;

“multi-family residential complex” means a building or collection of buildings comprising more than two Dwelling Units;

“municipal depot” means a waste and recycling depot operated by the Resort Municipality of Whistler (RMOW) or municipally approved leasehold, which as of the date of adoption of this Bylaw are located on Nesters Road and on Lynham Road in Function Junction;

“municipal transfer station” means the waste transfer station located on the Brandywine Forest Service Road 15 km south of Whistler;

"parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

“solid waste” is any discarded or abandoned material. Solid wastes can be solid or semi-solid in nature and includes Recyclables, Organics and Landfill Waste;

“solid waste management plan” means a plan:

Bylaw No.
2175, 2018

- i. prepared in accordance with the RMOW “A Solutions Guide: Reducing Food Waste in Commercial Properties” published for the RMOW and updated from time to time;
 - ii. including measures to reduce the generation of Solid Waste that cannot be recycled or composted; and
 - iii. describing how the Solid Waste generated on a Parcel or group of Parcels, or by a business or a Special Event, will be separated, stored and disposed of in accordance with this Bylaw; and
- prepared using the RMOW Special Event Solid Waste Management Plan template.

“special event” includes a sporting, cultural, business or other type of unique activity, occurring for a limited or fixed duration (one-time, annual) and presented to a live audience;

“waste hauler” means an individual or business that collects and disposes of Solid Waste and carries out related duties, in exchange for a fee or other consideration;

“wildlife attractant” means any substance that could reasonably be expected to attract wildlife;

“wildlife proof container” means a fully enclosed container, of sufficient design and strength to prevent access by Dangerous Wildlife, that is securely affixed to the ground or to an immovable object or fixture; and

“wildlife proof enclosure” means a structure which has enclosed sides, a roof, doors and a self-latching mechanism of sufficient design and strength to prevent access by Dangerous Wildlife, that is designed and constructed in accordance with specifications for a RMOW standard Solid Waste Wildlife Proof Enclosure.

ADMINISTRATION AND ENFORCEMENT

4. The RMOW Infrastructure Services Staff is authorized to enter on any Parcel, at all reasonable times to ascertain whether the regulations and directions of this Bylaw are being observed.
5. Any Bylaw Officer is authorized to enter on any Parcel, at all reasonable times to ascertain whether the regulations and directions of this Bylaw are being observed.
6. Every person who violates or fails to comply with a provision of this Bylaw, or an order, direction or notice given under this Bylaw, commits an offence and is liable on summary conviction to a fine not exceeding \$2,000.

7. Each day during which an offence under this Bylaw continues is a new and separate offence.

SOLID WASTE MANAGEMENT PLANS

8. Every business that provides food services or generates waste as a Special Event shall submit a Solid Waste Management Plan when applying for a business license.

SOLID WASTE STORAGE, SIGNAGE AND TRANSPORT

9. Every Multi-Family Residential Complex greater than 11 Dwelling Units in size and every ICI Parcel must separately collect Food Scraps, Organics, Recyclables and Landfill Waste for disposal.
10. Every Multi-Family Residential Complex greater than 11 Dwelling Units in size and every ICI Parcel, must be equipped with a Wildlife Proof Enclosure of a size that is suitable for the amount of Solid Waste management reasonably expected on the Parcel.
11. Every Multi-Family Residential Complex with less than 12 Dwelling Units in size, must either be equipped with a Wildlife Proof Enclosure of a size that is suitable for the amount of Solid Waste management reasonably expected on the Parcel, or must pay the annual Solid Waste Depot Operations Fee found in Schedule C of this Bylaw.
12. Every owner or occupant of a Parcel shall ensure that any Wildlife Proof Container or a Wildlife Proof Enclosure located on the Parcel is kept and maintained:
 - a) in a clean and sanitary condition;
 - b) in a closed and secure manner when Solid Waste is not being deposited or removed; and
 - c) in good working order.
13. Every Multi-Family Residential Complex greater than 11 Dwelling Units in size and every ICI Parcel subject to this Bylaw shall install and maintain signage, consistent with standardized signage guidelines adopted and published by the Squamish Lillooet Regional District (SLRD), for all Solid Waste containers and receptacles, and any other components of the Solid Waste management system, on the Parcel.
14. A vehicle entering the Municipal Transfer Station with an Unsecured Load can, at the discretion of a municipal employee or the Municipal Transfer Station scale attendant be charged an additional pecuniary fee, as per Schedule D of this Bylaw for conveying an Unsecured Load. This fee will be added to the total cost charged to dispose of the load.

WILDLIFE ATTRACTANTS

15. No person shall cause, permit or allow any wildlife attractant that may attract Dangerous Wildlife to be stored, kept or otherwise to remain on land or premises except in a Wildlife Proof Container or Wildlife Proof Enclosure.
16. No person shall provide, leave, dispose of, or place an attractant in, on or about any land or premises in a manner that may attract or be accessible to Dangerous Wildlife.
17. No person shall install or keep a bird feeder on a Parcel unless the bird feeder is inaccessible to any wildlife other than birds (*aves*).

18. No person shall feed Dangerous Wildlife.

DISPOSAL OF SOLID WASTE

GENERAL REGULATIONS

Bylaw No.
2175, 2018

19. Without limiting any other provision of this Bylaw, any person responsible for a site that is used for filming, a catered event or a construction site must ensure that wildlife attractants are disposed of in a designated Wildlife Proof Container or Wildlife Proof Enclosure that is located on that site. Events operating under Section 8 of this Bylaw are exempt from this provision.
20. No person shall dispose of Solid Waste, unless it originates from within the geographic area of the RMOW (except as may be authorized from time to time by the General Manager of Infrastructure Services).
21. No person shall dispose of Recyclable Material except in a container, receptacle or other location labelled and designated for the material in question, or in the case of product stewardship material, in the manner prescribed by the stewardship program.
22. No person shall dispose of Food Scraps material except by:
- a) depositing the material in a container labelled or otherwise designated for the collection of food scraps or inside a Wildlife Proof Enclosure; or
 - b) delivering the material to a designated Composting facility within the SLRD.
23. No person shall dispose of Hazardous Waste, except in accordance with the applicable provincial regulations or as per an Extended Producer Responsibility (EPR) program.
24. No person shall deposit Landfill Waste into any container or receptacle labelled or otherwise designated for the collection or disposal of Recyclables, Organics, or Hazardous Waste.
25. No person shall deposit Solid Waste originating from a residential or ICI Parcel into a Solid Waste receptacle or recycling container that is owned or operated by the RMOW, and located on or in a public place other than:
- a) for residential waste - Municipal Depots;
 - b) for ICI or residential waste – Municipal Transfer Station; or
 - c) for EPR material - to the stewardship program locations.
26. Municipal Depots will only accept waste generated in Whistler, from a Detached Dwelling or from a Multi-Family Residential Complex with 11 or less Dwelling Units that pays the Solid Waste Depot Operations Fee outlined in Schedule C of this Bylaw.
27. Any load deemed to be mixed waste due to contamination shall be charged at the “mixed waste” tipping fee.
28. Except as may be authorized from time to time by the General Manager of Infrastructure Services, no Waste Hauler shall dispose of Solid Waste at Municipal Depots or into municipal compactors or bins.

DISPOSAL OF SPECIFIC MATERIALS

29. No person shall dispose of large, bulky items that do not compact efficiently (such as furniture) except at the Municipal Transfer Station, or at a location approved by the General Manager of Infrastructure Services.

Amended by
Bylaw No.
2338, 2021

30. Except as may be authorized from time to time by the General Manager of Infrastructure Services, no person shall dispose of Construction and Demolition Waste, Clean or Dirty Wood, or other material except at an approved facility within the SLRD.

31. No person shall dispose of Gypsum Board other than at the Municipal Transfer Station, and all Gypsum Board to be disposed of must be accompanied by documentation certifying either that it was manufactured after 1990, or that it has been properly tested for asbestos and does not contain asbestos.

Bylaw No.
2175, 2018

32. No person shall dispose of mattresses except by deliver to the Municipal Transfer Station, to a maximum of five mattresses per property per day or to a mattress recycling facility.

33. No person shall dispose of Mixed Containers or Refundable Beverage Containers except into a receptacle labelled or designated for the particular type of container being disposed of, and which is either:

- a) a Wildlife Proof Container;
- b) within a Wildlife Proof Enclosure; or,
- c) located at a Municipal Depot or Municipal Transfer Station or another facility that receives Mixed Containers or Refundable Beverage Containers.

34. No person shall dispose of Mixed Containers or glass containers unless the containers are empty and rinsed, and the lids have been removed.

SOLID WASTE DISPOSAL FEES AND CHARGES

35. Parcels will be charged appropriate Biosolids Processing and Solid Waste Depot Operations Fees as prescribed in Schedule C to this Bylaw.

Deliveries of Solid Waste to the Municipal Transfer Station or to the Municipal Waste Water Treatment Plant will be charged tipping fees as prescribed in Schedule D of this Bylaw.

REPEAL

36. The Resort Municipality of Whistler "Disposal and Wildlife Attractants Bylaw No. 1861, 2008" as amended, is repealed.

Given FIRST, SECOND and THIRD READINGS this 15th day of August, 2017.

ADOPTED by Council this 19th day of September, 2017.

Nancy Wilhelm-Morden,
Mayor

Brooke Browning,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of the "Solid Waste Bylaw No. 2139, 2017".

SCHEDULE A

ADDITIONAL DEFINITIONS

1. In this Bylaw:

“biosolids” means waste resulting from the treatment of wastewater which removes the solids (sludge) from the liquid effluent supernatant;

Amended by
Bylaw No. 2338

“construction and demolition waste (C&D waste)” means Waste materials generated at construction, renovation and demolition projects. This includes decks, fences and all other building related appendages and includes but is not limited to: dimensional lumber, electrical wiring, Gypsum Board (drywall), metal, nails, screws, roof materials, plumbing fixtures and other wood types;

Added by Bylaw
No. 2267

“clean land clearing wood waste” means:

- i. material produced from the removal of trees, including stumps and large branches and does not contain dirt or rocks from an area, required due to site alterations or land clearing project, but may not include material generated by RMOW community forest management programs.

“clean wood” means wood, including dimensional lumber, that is not pressure treated, painted, stained, glued or soiled;

Amended by
Bylaw No. 2267

“clean yard waste” means:

- i. plant matter that is generated from landscape maintenance and is finally disposed at the municipal compost facility and does not include invasive species;

“contamination” means unwanted constituents within a specified waste stream;

“dirty wood” means wood other than Clean Wood, and does not include or contain contaminants or Recyclables;

“extended producer responsibility” (EPR) means a stewardship program supported by product manufacturers and governed by the BC Recycling Regulation. The product list provided below is updated under that Regulation from time to time, but which includes the following materials:

- Beverage Containers
- Electronics:
 - Batteries (household)
 - Cell Phones
 - Electronic Equipment and Devices
 - Information, Technology and Telecommunications Equipment
 - Lamp and Lighting Equipment
 - Large Appliances
 - Outdoor Power Equipment
 - Small Appliances, Tools, Sports and Hobby Equipment
 - Smoke and Carbon Monoxide Alarms
 - Thermostats
- Lead-acid Batteries
- Packaging and Printed Paper (household)

- Paints, Solvents, Pesticides and Gasoline
- Pharmaceuticals
- Tires
- Used Oil and Antifreeze

Specific products details can be found at: (<http://www2.gov.bc.ca/gov/content/environment/waste-management/recycling/product-stewardship>);

“food scraps” means bits or pieces of food, especially of prepared leftovers or discarded food;

“gypsum board” (commonly known as drywall) means a panel made of calcium sulfate dihydrate with or without additives and normally pressed between a facer and a backer, normally used to make interior walls and ceilings;

“hazardous waste” is defined in the BC *Environmental Management Act* Hazardous Waste Regulation as amended from time to time and includes Gypsum Board manufactured before 1990, or removed during demolition or renovation and contaminated with asbestos as this is considered Hazardous Waste;

“invasive plant species” means plant species defined as invasive by the Invasive Species Council of BC;

“landfill waste” means Solid Waste that is not organic, recyclable or hazardous material;

“mixed containers” includes: plastic containers, metal containers, cartons, non-compostable hot and cold beverage cups, aluminum foil, empty aerosol cans;

“mixed waste” means any load, collection or other volume of Solid Waste which includes materials from more than one of the following waste streams: Recyclables, Organics, Landfill Waste, and in which material from one category makes up less than 75% of the total load amount;

“organic” or “organic material” means compostable material derived from living plants and animals, and includes, without limitation, the materials listed in column 3 of the table that appears as Schedule B to this Bylaw, but specifically excludes fats, oils and greases;

“plastic bags and plastic film” means packaging made of thin flexible plastic material;

“recyclable” or “recyclable material” means raw or processed material that can be recovered from a waste stream for further use, and includes, without limitation, the materials listed in column 2 of the table that appears as Schedule B to this Bylaw;

“refundable beverage container” means any beverage container which may be returned for a refund stipulated under the BC Recycling Regulation;

“unsecured load” a load that is not securely covered or tied down, or otherwise contained, to prevent the loss of any waste from the vehicle during transport; and

“wood chips” means Clean Wood waste that has been processed through a chipper or mill. Wood Chips can include bark, sawdust, planer shavings, wood chunks and fines.

SCHEDULE B

TABLE OF MATERIALS

Landfill Waste	Recyclable material	Organic material	Hazardous waste
<ul style="list-style-type: none"> • Construction or demolition waste that cannot be recycled or composted • Invasive species • Residential plastics that cannot be recycled by a EPR program • Residential and ICI waste for which no recycling or Composting solution exists 	<ul style="list-style-type: none"> • Cardboard and box board • Clean, dry mattresses • EPR materials listed under the BC Recycling Regulation • Glass • Gypsum Board manufactured after 1990 and not containing any asbestos • Metal • Newsprint • Paper 	<ul style="list-style-type: none"> • ASTM D6400 certified compostable bags and packaging • Biosolids • Clean Wood waste • Clean Yard Waste • Food scraps, including: meat, fish and bones, coffee grounds and tea bags, wood stir sticks and chopsticks, houseplants and flowers (with soil removed), paper napkins and paper towel, food-soiled cardboard • Pet waste 	<ul style="list-style-type: none"> • Asbestos, including any asbestos-containing material • Gypsum Board older than 1990 • Materials considered under the BC Hazardous Waste Regulation

SCHEDULE C

SOLID WASTE AMENDMENT BYLAW NO. 2360, 2022

BIOSOLIDS PROCESSING AND SOLID WASTE DEPOT OPERATIONS FEES/PARCEL TAX

1. Each parcel, with the exception of parcels designated by BC Assessment as class 1818 Float – Light Duty, with an assessed improvement value greater than zero shall be charged a Biosolids Processing Fee of one hundred and seventeen dollars and ninety-nine cents (\$117.99) per parcel. The fee shall be charged on the annual municipal tax notice and shall be paid by the same due date and subject to the same penalty and penalty dates as the property taxes.
2. Each residential or tourist accommodation parcel, with the exception of parcels designated by BC Assessment as class 1818 Float – Light Duty, that does not possess on its property (and utilize on a regular basis throughout the current year) commercially serviced organics, recyclables and landfill waste containers, shall be charged a Solid Waste Depot Operations Fee of two hundred and twenty-four dollars and forty-one cents (\$224.41) per parcel. The fee shall be charged on the annual municipal tax notice and shall be paid by the same due date and subject to the same penalty and penalty dates as the property taxes.

Schedule D Tipping Fees

- The minimum charge for Solid Waste disposal at the Municipal Transfer Station is \$5/Load (with the exception of any material or item indicated as FREE).
- A maximum of five (5) mattresses can tipped at any one time.
- Maximum length for materials received at the transfer station is 2.5 metres.

Solid Waste Type	Tip Fee
Minimum Charge at the Transfer Station	\$5 per vehicle
Biosolids	\$215 per tonne
Clean Land Clearing Wood Waste: Unchipped Chipped	\$110 per tonne Free
Clean Yard Waste: Unchipped Chipped	\$30 per tonne Free
Dirty Wood Waste	\$160 per tonne
Bulky Items	\$210 per tonne
EPR Recyclable Materials (except tires)	Free
Landfill Waste	\$210 per tonne
Construction and Demolition Waste	\$210 per tonne
Banned Materials Surcharge (waste stream with more than 25% recyclables)	\$475 per tonne
Organics food scraps or food waste	\$80 per tonne
Mattresses	\$20 each
Recyclables	Free
Large Appliances	Free
Passenger and Light Truck Tires	\$10 per tire \$25 per tire with rim
Bike Tires and Bike Tubes	Free
Gypsum Board	\$360 per tonne
Invasive Species and Noxious Plant matter	\$40 per tonne
Hazardous Waste	Not Accepted
Unsecured Loads	\$30 per load
Septage A – All liquid waste delivered via meter at the WWTP except as identified in “B” and “C” below	\$30.00 per cubic meter
B – Septage delivered from residential septic tanks within the RMOW	\$2.75 per cubic meter
C – Aerated holding tanks within the RMOW as approved under RMOW Bylaw No. 551, Septage from RMOW Transfer Station and Whistler Compost Plant	\$1.50 per cubic meter