

REGIONAL DISTRICT OF BULKLEY-NECHAKO

BYLAW NO. 1258

Being a bylaw to regulate the disposal of, and to implement tipping fees for the disposal of, construction/demolition and land clearing waste within the Regional District of Bulkley-Nechako.

WHEREAS the Regional District of Bulkley-Nechako wishes to regulate and prohibit the deposit of construction / demolition, land clearing and other solid waste;

AND WHEREAS under Section 19(3) of the *Waste Management Act*, a regional district may, among other things, adopt a bylaw regulating, prohibiting or respecting the types, quality or quantities of municipal solid waste that may be brought onto or removed from a site and set fees and charges;

NOW THEREFORE the Board of Directors of the Regional District of Bulkley-Nechako, in open meeting assembled, enacts as follows:

1 DEFINITIONS

"Asbestos" means a material prescribed as Asbestos in the *Waste Management Act*.

"Contaminated Soils" means soils containing contaminants in quantities or concentrations which exceed the criteria, standards or conditions for such substances prescribed in the Contaminated Sites Regulations (B.C. Reg 375/96) under the *Waste Management Act*.

"Construction / Demolition Waste" means residual, non-recycled wastes produced from the construction, renovation or demolition of residential and commercial buildings and other structures and usually includes asphalt, concrete, wood, pipe, electrical wire, drywall, shingles, glass, insulation, plastic packaging and does not include regular household waste, Hazardous Waste, Asbestos, Contaminated Soils, non-contaminated soil or liquid waste.

"Hazardous Waste" means materials including but not limited to household wastes, which carry the poison, fire, compressed gas and/or corrosive warning labels, Special Waste, solvents, batteries, paints, cleaning fluids, biomedical wastes, polychlorinated biphenyls (PCB's) and any other substances, which are hazardous and require special handling.

"Land Clearing Waste" means residual, non-recyclable wastes produced from the clearing of land and usually includes wood stumps, branches, wood chips and non-contaminated soil in amounts greater than two cubic metres per single load and does not include regular household waste, Hazardous Waste, Contaminated Soils, liquid or Asbestos.

“Municipal Solid Waste” means refuse, which originates from residential, commercial and institutional sources, but does not include Construction / Demolition or Land Clearing Waste, Contaminated Soil, Asbestos, Hazardous Waste or liquid waste.

“Person” means an individual, corporation, partnership, association or any other legal entity or an employee or agent thereof.

“Recycled Wastes” means materials, which are properly deposited into storage areas for recycling and are not deposited in the regular garbage disposal area at a Regional District Solid Waste Facility. Recycled wastes include but are not limited to sorted clean wood, sorted metals, sorted clean glass, reusable materials, and sorted concrete without reinforcement.

“Regional District” means the Regional District of Bulkley-Nechako.

“Regional District Landfill” means all landfills upon which the Regional District of Bulkley-Nechako holds an active permit or operational certificate issued by the Ministry of Water, Land and Air Protection.

“Regional District Transfer Station” means all transfer stations within the boundaries of the Regional District of Bulkley-Nechako at which municipal solid waste is received for transport to a Regional District Landfill.

“Solid Waste Facility” means a Regional District Landfill or Transfer Station.

“Special Waste” means a substance prescribed as Special Waste under the *Waste Management Act*.

2 CONSTRUCTION / DEMOLITION AND LAND CLEARING WASTE TIPPING FEES

2.1 The Board of Directors hereby imposes a fee of \$60.00 per tonne for material disposed at a Regional District Landfill where the material being disposed is comprised of Construction / Demolition or Land Clearing Waste in amounts greater than two (2) cubic metres per load.

2.2 In the event that the contents of a haul vehicle arriving at a Regional District Landfill contains Construction / Demolition or Land Clearing Waste mixed with other acceptable materials, tipping fees shall be applied to the entire load in accordance with this bylaw.

3 REGULATIONS

3.1 No Person shall dispose of Construction / Demolition or Land Clearing Waste in amounts greater than two (2) cubic metres at a Regional District Transfer Station.

3.2 No Person shall dispose of Construction / Demolition or Land Clearing Waste in amounts greater than two (2) cubic metres at a Regional District Landfill except under the authority of this bylaw.

- 3.3 No Person shall deposit Special Waste, excluding Asbestos, at any Regional District Landfill or Transfer Station.
- 3.4 No Person shall dispose of Asbestos Waste at any Regional District Solid Waste Facility without authorization of the Director of Environmental Services.
- 3.5 A Person shall dispose of specific Hazardous Waste materials only in areas designated for acceptance of said wastes at Regional District Solid Waste Facilities. Where designated areas do not exist, disposal of Hazardous Waste is prohibited.
- 3.6 The Director of Environmental Services shall, in the event of a dispute, determine the acceptability of a shipment of Construction / Demolition and Land Clearing Waste, and may refuse any shipment of Construction / Demolition or Land Clearing Waste at a Regional District Landfill or Transfer Station in accordance with this bylaw.
- 3.7 The weight (tonnage) of Construction / Demolition and Land Clearing Waste being deposited at a Regional District Landfill, shall be determined by use of weigh scales.
- 3.8 In the event that weigh scales are unavailable, the weight of the load shall be determined by the use of conversion factors as listed in Schedule "A".

4 PAYMENT OF TIPPING FEE

- 4.1 The fee(s) imposed in Section 2.1 shall be paid by the Person depositing the material that comprises Construction / Demolition or Land Clearing Waste.
- 4.2 The tipping fee(s) payable under Section 2.1 shall be paid by the Person depositing the material at the time of disposal unless an approved account has been set up with the Regional District prior to disposal. Acceptable payment options at the time of disposal include cash or cheque.
- 4.3 Where a Person does not pay the amount of the fee payable in accordance with this bylaw, the Regional District is authorized, in addition to any remedy which it may have under the Local Government Act or otherwise, to prohibit that person from depositing further waste, at any Regional District Landfill or Transfer Station.

5 VIOLATIONS AND PENALTIES

- 5.1 No Person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 5.2 A Person who contravenes this bylaw is guilty of an offence and is liable on summary conviction to a penalty not exceeding \$2,000.00.

- 5.3 Despite Section 5.2, a Person who contravenes Section 2 of this bylaw is liable on summary conviction to a penalty not exceeding \$200,000.00 as authorized under Section 19(3) of the *Waste Management Act*.
- 5.4 A Person who deposits Construction / Demolition or Land Clearing Waste in volumes greater than two (2) cubic metres per load at a Regional District Transfer Station shall remove the entire load of deposited waste from the Regional District Transfer Station site immediately with all costs for removal borne by the Person.
- 5.5 Section 5.4 does not apply when the Person is acting on behalf of the Regional District and has been provided with written authorization by the Regional District.
- 5.6 It is a condition of the use of a Solid Waste Facility that the use be carried out in accordance with this bylaw and a Person who contravenes this bylaw may be prohibited from depositing solid waste or recyclables at a Solid Waste Facility.
- 5.7 The penalties imposed under this bylaw shall be in addition to and not in substitution for any other penalty or remedy imposed by any enactment.
- 5.8 If an offence continues for more than one day, separate fines, each not exceeding the maximum amount for that offence, may be imposed for each day during which the contravention occurs or continues.

6 GENERAL

- 6.1 Nothing in this bylaw relieves a Person discharging waste from complying with the Waste Management Act, the Special Waste Regulation, the Contaminated Sites Regulation or any other applicable enactments or orders made under such enactments.
- 6.2 If any provision of this bylaw is found to be invalid by a Court of competent jurisdiction, it is to be severed from the bylaw.
- 6.3 The headings are inserted for convenience of reference only.
- 6.4 Bylaw No. 1203, cited as "Regional District of Bulkley-Nechako Construction and Demolition Waste Tipping Fee Bylaw No. 1203, 2001" is hereby repealed.
- 6.5 Bylaw No. 1209, cited as "Regional District of Bulkley-Nechako Construction and Demolition Waste Tipping Fee Amendment Bylaw No. 1209, 2001" is hereby repealed.

6.6 This bylaw may be cited as "Regional District of Bulkley-Nechako Construction / Demolition and Land Clearing Waste Regulation and Tipping Fee Bylaw No. 1258, 2003".

READ A FIRST TIME this 24th day of April, 2003

READ A SECOND TIME this 24th day of April, 2003

READ A THIRD TIME this 24th day of April, 2003

Certified a true and correct copy of Bylaw No. 1258

Gail Chapman
Corporate Administrator

ADOPTED this 8th day of May 2003

Riley
Chairperson

Gail Chapman
Corporate Administrator

SCHEDULE "A"
Of Bylaw No. 1258

**Table 1: Construction / Demolition and Land Clearing Waste
Volume-to-Weight Material Conversion Factors**

Classification Code	Primary (Sorted and Unsorted) Waste Material Type	Material Conversion Factor
A	Concrete	1.2
B	Asphalt	0.7
C	Wood	0.5
D	Drywall	0.3
E	Roofing	0.5
F	Land Clearing	0.4
G	Mixed (Unsorted) and Other Construction / Demolition Waste	0.6

Note: Measured Loose Volume (m³) x (Material Conversion Factor) = Weight in Tonnes

Table 2: Typical Vehicle Type and Volume Guide

Vehicle Type	Billable Load Volume
pickup truck (filled level) or passenger vehicle	less than 2 m ³ (no charge)
pickup truck, mounded or built-up	4 m ³
single axle truck	6 m ³
tandem axle truck	10 m ³
pup trailer	8 m ³
end dump	18 m ³
other	measurement of box size