



COLUMBIA VALLEY SUBREGION WASTE MANAGEMENT REGULATORY BYLAW NO. 1278, 1996

This is a consolidation of the original Bylaw and adopted Bylaw amendments. The amendments have been combined with the original Bylaw for convenience only. This consolidation is not a legal document.

November 18, 2016

BYLAW AMENDMENTS				
Bylaw No.	Amend. No./Yr.	Adopted	Short Citing	Description
1384	1/98	May 1/98	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 1, 1998	- Repealed by Bylaw No. 1506
1506	2/00	May 5/00	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 2, 2000	- Text amendment: “Clean Wood Waste” is added to Section 3 - Schedule A is repealed and replaced - Bylaw No. 1384 is repealed
1742	3/04	May 7/04	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 3, 2004	- Section 9 is repealed and replaced
1863	4/05	Nov 4/05	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 4, 2005	- Schedule A is repealed and replaced
1978	4/07	May 4/07	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 4, 2007	- Schedule A is repealed and replaced
2052	5/08	Apr 4/08	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 5, 2008	- Schedule A is repealed and replaced
2087	6/08	Jun 6/08	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 6, 2008	- Text amendment: “Special Waste” is repealed and replaced with “Hazardous Waste” - Sections 5 (f), (g), and (v) are repealed and replaced
2266	7/10	Sept 3/10	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 7, 2010	- Section 3(b) is repealed and replaced - Sections 8.3, 8.4, and 8.5 are renumbered - Sections 8.3 and 8.5 are added - Schedule D is repealed
2720	8/16	NPW	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 8, 2016	N/A

BYLAW AMENDMENTS				
Bylaw No.	Amend. No./Yr.	Adopted	Short Citing	Description
2727	9/16	Nov 4/16	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 9, 2016	<ul style="list-style-type: none"> - Section 9 is repealed and Sections 10, 11, and 12 are renumbered accordingly - Text Amendment: "Columbia Valley Subregion is repealed and replaced - Schedule A is repealed and replaced
2868	10/18	Aug 3/18	Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278 – Amendment Bylaw No. 10, 2018	<ul style="list-style-type: none"> - Schedule A is repealed and replaced

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 1278

A bylaw to establish tipping fees and regulations for disposing of solid wastes and liquid wastes consisting of septage and holding tank contents.

WHEREAS the Regional Board of the Regional District of East Kootenay has established a local service (waste management) by Bylaw No. 1095 cited as "Regional District of East Kootenay - Columbia Valley Subregion Waste Management Local Service Establishment Bylaw No. 1095, 1994";

AND WHEREAS it is deemed desirable to regulate, by bylaw, the use of disposal sites operated by the Regional District within the Columbia Valley Subregion Waste Management local service area, and to establish tipping fees for disposing of solid wastes and liquid wastes consisting of septage and holding tank contents;

NOW THEREFORE, the Regional Board of the Regional District of East Kootenay, in open meeting assembled, enacts as follows:

1. TITLE

- (a) This bylaw may be cited as "Regional District of East Kootenay - Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1278, 1996."
- (b) The Administrator of this bylaw shall be the Administrator of the Regional District of East Kootenay or designated person.

2. APPLICATION

- (a) This bylaw shall apply to the Columbia Valley Subregional disposal sites. All or any part of this Bylaw may be applied at the discretion of the Regional District.

3. DEFINITIONS AND SCHEDULES

- (a) In this bylaw, unless the context otherwise requires:

"Agricultural Waste" means waste derived from farming or ranching sources.

"Ashes" means cinders and the remains of any fuel or other inflammable material, after such fuel has been consumed by fire, and are not hot at the time of disposition.

"Biomedical Wastes" means all chemical, pharmaceutical, "sharps" and other such waste generated by institutions such as hospitals, health units, medical and dental clinics, laboratories, animal clinics, etc.

"Clean Fill" means rock, soil or gravel from excavations or other sources, and other material designated as such by the Regional District or by the Superintendent.

BL 1506
May 5/00

"Clean Wood Waste" means wood waste that does not contain asphalt, concrete, plastics, domestic refuse, mixed construction or demolition wastes, or any other waste mixed in with the wood waste.

BL 2727
Nov. 4/16

"Columbia Valley Subregion" means Electoral Areas "F" and "G" including the District of Invermere, Village of Radium Hot Springs, Village of Canal Flats and Jumbo Glacier Mountain Resort Municipality.

"Commercial Refuse" means any refuse produced by or originating from a trade or business premise. It includes refuse produced by or originating from institutional or governmental offices, as well as refuse produced by institutional administrative offices.

"Commercial Refuse Collector" means any person who provides a service of collection and disposal of ashes, refuse and/or trade wastes for the purpose of gain or profit.

"Contractor" means the person hired by the Regional District to maintain the disposal sites and/or to remove wastes from the container sites.

"Corrugated Cardboard" means containers or materials used in containers consisting of 3 or more layers of kraft paper material and having smooth exterior liners and a corrugated or rippled core, but excluding containers which are impregnated with blood, grease, oil, chemicals, food residue, wax; or have polyethylene, polystyrene, foil or other non-paper liners; or are contaminated with a material which will render the corrugated cardboard not marketable.

"Covered Solid Waste" means a load of refuse secured and covered on the vehicle so that it cannot blow or fall off while in transit.

"Derelict Cars or Trucks" means any car or truck which is incapable of being used for the purposes for which it was intended and has been abandoned or discarded.

"Disposal Site" means the Columbia Valley subregional landfill site, Brisco-Spillimacheen transfer station, Fairmont transfer station, Canal Flats transfer station, Radium-Edgewater transfer station, dry landfills, septage dewatering basins, and any other site as may in the future be designated by the Regional District as a disposal site.

"Domestic Refuse" means any refuse produced by or originating from a dwelling unit or from one residential lot, including material resulting from minor landscaping operations or from the demolition of minor accessory buildings.

"Dry Landfill" means a landfill which would receive only wood wastes and construction demolition debris. May be used as a marshaling yard for certain recyclables (auto hulks, scrap metal, white goods, tires) or central composting.

BL 2087
Jun. 6/08

Hazardous Waste will have the meaning as it is defined in the *Environmental Management Act*.

"Holding Tank Effluent" means untreated domestic sewage.

"Industrial Refuse" means any refuse produced by construction, industrial operations or processes, and material generated by land clearing and building demolition or renovation operations.

"Landfill" means the Columbia Valley Subregional Landfill.

"Medical Health Officer" means the Medical Health Officer or a Public Health Inspector employed by the Provincial Government and having authority within the Columbia Valley Subregion.

"Peace Officer" shall have the same meaning as in the "Interpretation Act" being Chapter 206 of the Revised Statutes of British Columbia, 1979, and shall include a person or persons appointed from time to time by the Regional Board to enforce and administer this bylaw.

"Person" means an individual, a corporate body, a firm partnership, association or any other legal entity or an employee or agent thereof.

"Pressurized Containers" means any container which contains or has contained any pressurized liquid, gas or other material.

"Recyclable Materials" means those materials for which the Regional District has provided facilities to accommodate their removal from the refuse waste stream for the purpose of reuse or recycling.

"Refuse or Solid Waste" includes but is not necessarily limited to food waste, market waste, combustibles such as paper, cardboard, plastics, leather, yard trimmings; non-combustibles such as metal cans, glass containers, crockery, dirt ashes from fire places and on-site incinerators, street sweepings; bulky waste such as furniture, appliances, ties and stumps; construction and demolition refuse such as pipe, concrete, lumber, plastic and wire; all arising from domestic, commercial, institutional and municipal activities. Refuse resulting from industrial operations is not included.

"Regional Board" means the Board of Directors, being the governing and executive body of the Regional District of East Kootenay.

"Regional District" means the Regional District of East Kootenay incorporated by Letters Patent dated 30 November 1965.

"Septage" means the sewage effluent treated by anaerobic bacteria within a septic tank.

"Sewage Sludge" means dewatered sludge from sewage treatment plants.

"Site Operator" means the Regional District, the contractor hired to operate the landfill or his designate.

"Superintendent" means the appointed officer of the Regional District or the superintendent's authorized agent.

"Uncontrolled Disposal Site" means a disposal site where there is no attendant on duty.

"Uncovered Solid Waste" means an unsecured load of refuse which could blow or fall off in transit (see Schedule C for exception to the regulation).

BL 266
Sept. 3/10

b) The following schedules are hereby made and declared to be integral parts of this bylaw:

Schedule "A" - Tipping Fee Schedule for Solid Wastes
 Schedule "B" - Tipping Fee Schedule for Septage, Holding Tank Effluent, and Sewage Sludge
 Schedule "C" - Secured Load Policy

4. TIPPING FEES

There is hereby imposed and levied a landfill tipping fee against refuse, septage, holding tank effluent, and sewage sludge arriving at the landfill site as specified on Schedules "A" and "B" to this Bylaw.

5. SITE REGULATIONS

(a) No person shall deposit refuse at a disposal site except in accordance with this bylaw and any regulations posted at the disposal site.

Effective 01 January 1995 no commercial business is permitted to deposit waste at a Regional District transfer station disposal site. Commercial refuse is to be direct hauled to the Columbia Valley Subregional Landfill Site.

(b) Solid or liquid waste originating outside the Columbia Valley Subregion of the Regional District shall not be accepted at a disposal site without prior written permission of the Regional District.

(c) No person shall dispose of refuse at the disposal sites nor enter the disposal sites at any time other than the designated hours of operation, except by special arrangement with the Regional District.

(d) No person shall start any fires at a disposal site unless authorized to do so by the Superintendent.

BL 2087
Jun. 6/08

(e) No person other than the Site Operator shall remove or alter any sign placed or erected at a disposal site.

(f) No person shall discharge any firearm at a disposal site unless there is a reasonable and immediate apprehension of danger to a person or property or authorized by the Regional District and Ministry of Environment.

(g) No person shall deposit at a disposal site, any substance considered a Hazardous Waste.

BL 2087
Jun. 6/08

(h) No person shall scavenge and/or remove deposited solid waste from a disposal site.

(i) Children under 13 and pets are not permitted on a disposal site except when they are inside a vehicle.

(j) No loitering is allowed on a disposal site. Vehicles must proceed directly to the dumping area and then leave the disposal site as soon as possible after unloading.

(k) No person shall place any explosive substance in any disposal site.

(l) No person shall dispose of effluent in any disposal site except where the Regional District has provided facilities for this purpose and is permitted to do so.

(m) No person shall leave any pressurized containers at any disposal site unless facilities are provided for receiving same.

(n) Any person conveying or transporting refuse in a truck, trailer or other means of conveyance shall make sure that such conveyance is equipped with solid sides and a tight cover so as to prevent any loss of material during conveyance to and within any disposal site. Disposal fees will be doubled for loads that are not securely covered. (See Schedule "C" for exemptions.)

(o) No person shall dispose of derelict cars or trucks in any disposal site except where permitted by the Regional District and such material shall be placed in a location as directed by the Superintendent, the site operator, or signs.

(p) No person shall dispose of any steel, tin or other metal objects such as stoves, fridges, washers, dryers, etc. in any disposal site except where directed by the Superintendent, the site operator, or signs.

(q) No person shall dispose of any burnable materials such as building demolition materials, tree trunks and trimmings, or ashes in any disposal site except where directed by the Superintendent, the site operator, or signs.

(r) No person shall dispose of any putrescible waste in any disposal site except in the container or trench provided.

(s) Every commercial refuse collector who disposes, dumps or otherwise discards refuse and other trade wastes in a disposal site shall:

(i) collect and dispose of all refuse and trade waste in a manner satisfactory to the Medical Health Officer, and

(ii) have all collection equipment accessible to the Medical Health Officer at all times.

(t) No person shall dump any clean fill at any disposal site without first obtaining authorization from the Regional District and shall dump the clean fill in a location as directed by the Superintendent or the site operator.

(u) All persons within the boundaries of the Columbia Valley Subregion are required to utilize the Columbia Valley Subregion disposal sites established by the Regional District.

(v) No person shall deposit in any disposal site lead-acid batteries, used motor oil or oil filters, any substances prohibited under the Ozone Depleting Substances Regulation (Province of British Columbia) or any substance considered a Hazardous Waste unless facilities are provided for receiving same.

BL 2087
Jun. 6/08

(w) Commencing August 1, 1996, no commercial generator of refuse shall deposit, or cause to be deposited, corrugated cardboard in any disposal site.

(x) Commencing August 1, 1996, no sewer sludge shall be deposited in any disposal site.

6. CONDITIONS OF USE

(a) The Regional District hereby authorizes the Site Operator to make such rules governing the use of the disposal site operated by the Site Operator or directions to users of the disposal site as are not inconsistent with this bylaw and as are necessary or convenient for the efficient and lawful operation of the disposal site. All such rules must be approved by the Superintendent.

(b) Every person depositing refuse at a disposal site shall comply with and abide by all rules and directions of the Site Operator, whether such rules or directions are in the form of signs or verbal instructions.

(c) Persons entering a disposal site do so at their own risk. The Regional District accepts no responsibility (liability) for damage and/or injury to persons or to property.

(d) Anyone who contravenes these regulations and/or fails to comply with the directions of the Site Operator or with posted notices and signs on a disposal site may be refused (prohibited) entry onto a disposal site.

(e) Any person who fails to pay charges imposed by this bylaw may be refused (prohibited) entry onto a disposal site.

7. PROVISIONS

(a) The Regional Board may, by resolution, establish the hours of operation of each disposal site. The landfill within the Columbia Valley Subregion shall operate within posted hours.

(b) The Regional Board hereby directs that the operation of all disposal sites established by the Regional District is under the direction and supervision of the Superintendent, and all material disposed of at the disposal sites shall be deposited there as directed by the Superintendent.

8. GENERAL

(a) The Regional District and/or its agents are authorized to invoice for fees, administer the regulations, direct the placement of loads within the disposal site, limit the number of bulk load deliveries and require advance notice of bulk load deliveries.

(b) The Regional District hereby establishes and imposes the charges set out in Schedules "A" and "B" to this bylaw. Every person depositing at the disposal site, material outlined in Schedules "A" and "B" to this bylaw, shall pay to the Regional District the applicable charges.

- (c) Any person wishing to be extended credit for the payment of charges as set out in Schedules A and B to this Bylaw apply using the form provided by the RDEK. The RDEK Chief Financial Officer or his designate shall have final approving authority on all credit applications.
- BL 2266
Sept. 3/10
- (d) All invoices for the rates or charges established by Schedules "A" and "B" to this Bylaw shall be rendered monthly.
- (e) The rates and charges imposed and payable under Schedules A and B to this Bylaw and which remain unpaid after the due date shall bear interest at a rate of 2% per month."
- BL 2266
Sept. 3/10
- (f) Money received in payment of rates or charges chargeable under Schedules "A" and "B" to this Bylaw shall be applied to the payment of rates or charges for the then current billing period, until all rates and charges which shall have become due in previous billing periods have been fully paid.
- (g) The rates and charges imposed and payable under Schedules "A" and "B" to this Bylaw and which remain unpaid after the due date shall be a debt due to the Regional District and shall be recoverable by action in any Court of competent jurisdiction.

9. **SEVERABILITY**

If a Court of competent jurisdiction should declare a section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Regional Board to pass the remainder of this Bylaw and it is hereby declared that the remainder of this Bylaw shall be valid and shall remain in force and effect.

10. **ENFORCEMENT/PENALTY**

- (a) A Peace Officer or any person authorized by the Regional Board is hereby authorized to carry out an inspection to ascertain whether the regulations or provisions of this Bylaw are being obeyed, and further, such person is hereby authorized to file the necessary information to lay a charge in a Court of competent jurisdiction against a person in violation of any of the regulations or provisions of this Bylaw.

- (b) Every person who violates any of the regulations or provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the regulations or provisions of this Bylaw, who neglects to do or refrains from doing anything required to be done by any of the regulations or provisions of this Bylaw or who does any act which violates any of the regulations or provisions of this Bylaw, is guilty of an offense against this Bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offense.
- (c) Every person who commits an offense against this Bylaw is liable to a fine and penalty of not more than \$2,000.00 and not less than \$500.00 for each offense, and in default of payment thereof, forthwith or within such time as the presiding Provincial Court Judge shall direct, the fine imposed shall be recoverable under the provisions of the "Offense Act" being Chapter 305 of the Revised Statutes of British Columbia, 1979 and all amendments thereto.
- (d) The penalties imposed shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

11. **REPEAL**

Bylaw No. 1143 cited as "Regional District of East Kootenay - Columbia Valley Subregion Waste Management Regulatory Bylaw No. 1143, 1994" and all amendments thereto, are hereby repealed.

READ A FIRST TIME the 5th day of July, 1996.

READ A SECOND TIME the 5th day of July, 1996.

READ A THIRD TIME the 5th day of July, 1996.

ADOPTED the 5th day of July, 1996.

"Jim Ogilvie"
CHAIRPERSON

"Lee-Ann Crane"
DEPUTY SECRETARY

BL 2868
Aug. 3/18

SCHEDULE "A" TO BYLAW NO. 1278
REGIONAL DISTRICT OF EAST KOOTENAY
TIPPING FEE SCHEDULE FOR SOLID WASTES

REGIONAL DISTRICT OF EAST KOOTENAY
TIPPING FEE SCHEDULE FOR SOLID WASTES

1. The following fees shall be charged for solid wastes delivered to the Columbia Valley Subregional Landfill Site.
 - a) **SOLID WASTE (Commercial & Domestic Refuse) excluding Controlled Waste**
 - i) Municipal Solid Waste (regular household garbage) NO CHARGE
 - b) **CONTROLLED WASTE (Including Industrial Refuse)**
 - i) Animal carcasses - livestock or big game \$ 25.00 each
 - ii) Asbestos, dry or slurry \$ 100.00 per tonne
 - iii) Biomedical Waste - treated only \$ 160.00 per load
 - iv) Construction/Demolition Waste - Mixed \$ 200.00 per tonne
 - v) Construction/Demolition Waste - originating from the clean-up of waste illegally left on public land (where metal and clean wood waste has been sorted for diversion from the Landfill, to the extent determined by the Manager) NO CHARGE
 - vi) Food Processing Waste \$ 60.00 per tonne
 - vii) Land Clearing Waste \$ 40.00 per tonne
 - viii) Mattresses or Box Springs NO CHARGE
 - ix) Soil - contaminated (not classified as special waste) \$ 100.00 per tonne
 - x) Soil - not contaminated NO CHARGE
 - xi) Steel Cables - must be on spool or cut to 1.2m lengths \$ 60.00 per tonne
 - c) **RECYCLABLE MATERIALS**
 - i) Asphalt - not contaminated \$ 40.00 per tonne
 - ii) Asphalt Shingles (at designated Asphalt Shingle areas only) NO CHARGE
 - iii) Auto Batteries NO CHARGE
 - iv) Auto Hulk - including pick up trucks & vans \$ 30.00 per unit
 - v) Chipped Green Wood Waste NO CHARGE
 - vi) Clean Wood Waste NO CHARGE
 - vii) Concrete - not contaminated \$ 40.00 per tonne
 - viii) Mobile Home Hulk \$ 30.00 per unit
 - ix) Propane Cylinders - under 100 lbs. NO CHARGE
 - x) Scrap Metal - excluding white goods NO CHARGE
 - xi) Tires: 1) 17" or smaller \$ 8.00 per tire
2) 17" or smaller with rim \$ 14.00 per tire
3) 18" - 25" \$ 50.00 per tire
4) 18" - 25" with rim \$ 56.00 per tire
5) larger than 25" NOT ACCEPTED
 - xii) Truck or Bus Hulk \$ 30.00 per unit
 - xiii) White Goods - major appliances NO CHARGE
 - xiv) White Goods - requiring freon removal NO CHARGE
 - xv) Yard or Garden Waste - under 6" diameter NO CHARGE
 - d) **CHARGES APPLICABLE TO ALL CATEGORIES**
 - i) Loads containing banned recyclable materials minimum \$100.00 or **DOUBLE CHARGE**
 - ii) Uncovered or Unsecured Loads minimum \$ 25.00 or **DOUBLE CHARGE**
(see Schedule C)
2. These fees may also be imposed at any other Disposal Site established by the Regional Board.
3. All fees payable under this Bylaw must be paid prior to the deposit of the Solid Waste for which the fee is charged unless a credit account has been established with the RDEK.
4. The person paying a fee under this Bylaw shall obtain a receipt for such payment and shall produce such receipt for inspection on request of a person employed for that purpose at a Disposal Site as a condition of depositing Solid Waste at a Disposal Site.
5. There is no minimum general per unit charge on items subject to fees.

SCHEDULE “B” TO BYLAW NO. 1278
REGIONAL DISTRICT OF EAST KOOTENAY
TIPPING FEE SCHEDULE
FOR SEPTAGE AND HOLDING TANK EFFLUENT

Effective 01 January 1995, the following fees plus GST, shall be charged for disposal of septage and holding tank effluent delivered to the Columbia Valley Subregion Landfill site:

Disposal Fee:	\$0.05/imp.gal. (\$11/m ³) in 600 gallon increments
Minimum Flat Rate:	\$30.00
	1-600 gal. \$30; 601-1200 gal. \$60; 1201-1800 gal. \$90; 1801-2400 gal. \$120

Transporters of septage, holding tank effluent and sewage sludge shall be registered with the Regional District. Transporters must provide records of sources of septage, holding tank effluent and sewage sludge delivered to the disposal site.

Transporters of septage, holding tank effluent and sewage sludge shall provide proof of a minimum \$2,000,000 liability coverage.

Transporters who are licenced to move “Special Waste” in the Province of British Columbia shall provide the Regional District with a copy of their current licence.

Sludge from sewage treatment plants must be dewatered prior to arriving at the disposal site.

Fees for dewatered sludge from sewage treatment plants are to be paid on an applicable load basis as described in Schedule “A” to this bylaw.

The Transporter is responsible for any contamination found in discharge and is responsible for clean up of same under *Environmental Protection Act* regulations.

The Site Operator shall be responsible to classify loads of refuse delivered to the site and process invoices on behalf of the Regional District.

The Regional District will invoice once per month for wastes delivered to the disposal site in accordance with Schedules “A” or “B” or as amended.

If charges are not paid in full within 30 days of invoicing, the Treasurer may ask the Superintendent to revoke dumping privileges and proceed with collection by other means.

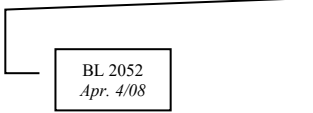
SCHEDULE “C” TO BYLAW NO. 1278
REGIONAL DISTRICT OF EAST KOOTENAY
SECURED LOAD POLICY

Secured and Covered Loads

All loads of solid waste entering a disposal site, with the exception of those identified in this section, shall be secured and covered. A cover shall be defined as a tarpaulin or other overlay that is used to confine the load to the vehicle.

The following items will be permitted without covers, at designated disposal sites:

- (a) Stumps - chained on flat bed or within the confines of a truck box.
- (b) Gravel, rock - within the confines of a truck box (tailgates closed).
- (c) Bulky waste - metal containers or manufactured items with a volume greater than 1.5m³ (53 cubic feet/330 gallons) strapped on flat beds or within the confines of a truck box; timbers greater than 2.5 metres in length.



**SCHEDULE "D" TO BYLAW NO. 1278
IS HEREBY REPEALED**