



City of Vernon

**SOLID WASTE
MANAGEMENT
BYLAW
5911**

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THE CORPORATION OF THE CITY OF VERNON

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A bylaw to establish and provide for the operation of a service comprising the collection, removal, storage and disposal of solid waste, and to regulate, prohibit and impose requirements in relation to the service

Pursuant to the *Community Charter and the Local Government Act* which authorize **Council** to regulate and prohibit the collection, removal, storage and disposal of solid waste within the **City**, the Municipal **Council** of the **City** of Vernon, in open meeting assembled, enacts as follows:

1 CITATION, INTERPRETATION AND APPLICABILITY

Citation

- 1.1 This Bylaw may be cited for all purposes as "**Solid Waste Management Bylaw 5911, 2023**".

Interpretation

- 1.2 Unless otherwise defined in this Bylaw, words and phrases shall have the meaning established in the *Community Charter*, the *Environmental Management Act*, the *Local Government Act*, and the *Interpretation Act*, as applicable. Any reference to a statute or regulation refers to an enactment of British Columbia, and any reference to a bylaw refers to a bylaw of the **City**, as amended, revised, consolidated or replaced from time to time. Headings in this Bylaw are only for convenience of reference and do not limit the scope or intent of any provisions herein.

Definitions

- 1.3 Schedule A of this Bylaw contains terms and definitions used in this Bylaw.

Severability

- 1.4 If any part, section, subsection, paragraph or clause of this Bylaw is held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to continue as valid and enforceable.

Applicability

- 1.5 Except as otherwise provided, this Bylaw applies to all **persons** within the boundaries of the **City**.

No Obstruction

- 1.6 A **person** must not obstruct a **Bylaw Officer** or the **Director** in the performance of their duties, or refuse to comply or delay in complying with any direction by such officer.

Exemptions

- 1.7 The provisions of this Bylaw do not apply to:
- (a) The Predator Ridge Neighborhood Plan Area with respect to the provision of **City** provided Leaf Collection; and
 - (b) Commercial property owners or **occupiers** within the neighborhood areas known as Blue Jay, Predator Ridge, Foothills, Turtle Mountain and Okanagan Landing past 7919 Okanagan Landing Road (the Yacht Club) with respect to the provision of **City** provided Commercial Recyclable Material Collection Service.
- 1.8 Any **person** who does not require the services provided under this Bylaw may apply to the **Director** to have the fees and charges imposed waived and the **Director** may allow the application or set limits as to the period of time they will allow a waiver of the charges imposed under this Bylaw.
- 1.9 Nothing in this Bylaw makes it unlawful for any **person** who holds a valid **business license** from the **City** to operate a **municipal solid waste collection service** within the **City** boundaries.

2 AUTHORITY OF DIRECTOR AND OFFICERS

Director

- 2.1 Council authorizes the **Director** to:
- (a) provide solid waste services in the **City**;
 - (b) refuse solid waste services and/or access to the **City's** solid waste services to any **person** who fails to comply with the provisions of this Bylaw;
 - (c) determine the type and frequency of solid waste services and may provide different levels and types of service for different classes of premises and properties and for different areas of the **City**;
 - (d) require that the delivery of solid waste services to a property be increased if, in the opinion of the **Director**, the **owner** or **occupier** of a property is an excess producer of solid waste;

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- (e) despite the provisions of subsection 2.1(a), provide solid waste services to certain residential and non-residential properties or areas within the **City** boundaries or beyond the **City** boundaries, by separate agreement, subject to **Council** approval;
 - (f) exclude any **single detached housing, semi-detached housing, multiple housing** or commercial business from **City** provided collection service if the **Director** determined that the collection vehicle will not have convenient and safe access from the subject premises in general and to and from the designated collection point in particular;
 - (g) stipulate the materials that are unsuitable and prohibited from any receptacles or other containers used in the provision of any service under this Bylaw.
- 2.2 Permits and orders made by the **Director** shall be in writing and a copy of each permit and order shall be filed with the **Municipal Clerk**.
- 2.3 No compensation is payable to any **person** for loss or damage resulting from an order made by the **Director** pursuant to this Bylaw.

Private Solid Waste Services

- 2.4 Despite section 2.1, a **person** who is the holder of a **business license** to provide private solid waste services within the boundaries of the **City** of Vernon, may engage in the business of removing, collecting, transferring, recycling, processing and disposing of solid waste in the municipality, subject to compliance with all applicable bylaws, provincial and federal legislation.

Authority over City Services

- 2.5 **Council** authorizes the **Director** to operate and administer the **City's** solid waste services.

3 RESIDENTIAL COLLECTION SERVICE

- 3.1 The **City** hereby establishes a system to collect, remove, process and dispose of **municipal solid waste** from **single detached housing, semi-detached housing, and multiple housing** units within **City** boundaries.

Mandatory Service

- 3.2 The **owner** or **occupier** of a **residential property** listed in section 3.1 must use the **municipal solid waste collection service** provided by the **City** and established in this Bylaw except as otherwise exempted by this Bylaw.

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- 3.3 A **cart** for the purpose of **garbage** and/or **residential organics** collection for residential properties shall be provided by the **City** to each **single detached housing, semi-detached housing**, or approved **multiple housing** unit and the **City** will collect the **municipal solid waste** on the **scheduled collection date** and dispose of such at a **diversion and disposal facility**.
- 3.4 Where applicable and with the approval of the **Director**, the **City** will provide **cart** service for residential properties that are governed by a **strata** corporation or cooperative association.
- 3.5 A **cart** delivered by the **City** to a premises remains the property of the **City**.
- 3.6 Where the **City** provides a **cart** collection service, the **owner** or **occupier** must place all of their **municipal solid waste** intended for collection in the appropriate **cart** supplied to that **owner** or **occupier** subject to the provisions with respect to **extra garbage**.
- 3.7 Except as permitted in paragraph 3.3, garbage and/or residential organics in containers of any design that are not provided by the **City** will not be collected.
- 3.8 A **cart** will not be provided to a newly built **residential property** until the **owner** or **occupier** takes occupancy and submits a request to the **City** for a **cart**.
- 3.9 The **owner** or **occupier** of properties to which the **City** provides cart service:
- (a) must maintain a **cart** in a clean, sanitary and odor free condition;
 - (b) must ensure that the cover of a **cart** remains completely closed at all times, except when it is necessary to open the cover to tip into a collection **vehicle**;
 - (c) must not store, deposit, spill, scatter, cast, lay, litter, pile, place, discard or otherwise allow to accumulate any **municipal solid waste** in or on any property, and in such a manner that may be accessible or cause an attractant to wildlife;
 - (d) must not fill a **cart** to a gross weight greater than the applicable weight on the following table:

Cart Size	Maximum Gross Weight
120 litres	50 kg
240 litres	75 kg

- (e) must not cause, permit, suffer or allow a **cart** to be filled so that the cover cannot be completely closed;
 - (f) must not cause, permit, suffer or allow a **cart** to be filled so that the contents cannot be completely emptied;
 - (g) must not cause, permit, suffer or allow the contents to overflow, fall out of or leak from a **cart**;
 - (h) must surrender a supplied **cart** to the **City** upon request;
 - (i) must not cause, permit, suffer or allow any **garbage and/or residential organics** produced or resulting from their property to be deposited into a **cart** located on any other property unless the **owner** or **occupier**:
 - i. has the permission of the **owner** or **occupier** of the real property where a different **cart** is located; or
 - ii. otherwise directly disposes of the **municipal solid waste** generated on their property at a provincially approved **diversion and disposal facility**.
- 3.10 The **owner** or **occupier** of each **residential property** shall place or cause to be placed a **cart** on the scheduled collection day in a collection point no earlier than 4:00 A.M. and no later than 7:00 A.M. on the **scheduled collection date**.
- 3.11 If a **cart** has been placed out for collection by 7:00 A.M. but has not been emptied on the **scheduled collection date** the **residential property owner** or **occupier** may report this missed collection to the **City's** contractor within 24 hours to receive service.
- 3.12 In winter, a **cart** may be placed on the road side of snow piles and windrows. The **owner** or **occupier** of the property is responsible to maintain a level collection point free of ice and snow without impacting traffic movement and/or snow clearing equipment.
- 3.13 When a **cart** has been emptied by the **City**, the **owner** or **occupier** of the property shall return a **cart** to their own property no later than the end of the **scheduled collection date**.
- 3.14 A **residential property owner** or **occupier** shall:
- (a) on their **scheduled collection date** place a **cart** and any **extra garbage** in front of the premises as close to the **curb** as possible with the **cart** front facing outwards towards the roadway, and where no **curb** is present, place a **cart**

and any **extra garbage** as close to the **roadway** as possible without creating an obstruction to traffic;

- (b) place a **cart** and any **extra garbage** in such a manner so as not to interfere in any way with the ordinary and safe travel of **vehicles**, pedestrians or cyclists when setting out the **cart** on the **roadway shoulder**, against a **curb** or beside a **sidewalk**;
- (c) for properties bordering a **sidewalk** and/or **Active Transportation Corridor**, place a **cart** and any **extra garbage** behind the **sidewalk** and/or **Active Transportation Corridor** with the **cart** front facing towards the **roadway** so as not to obstruct the **sidewalk** and/or **Active Transportation Corridor**;
- (d) If a cart placed behind the sidewalk and/or **Active Transportation Corridor** is unable to be collected by the collection contractor vehicle, the cart may be placed on the sidewalk and/or **Active Transportation Corridor** only with written permission from the **Director**;
- (e) place a **cart** and any **extra garbage**, positioned with the **cart** fronts facing towards the **roadway**, in a location free from any obstructions, including other containers, that are at least one metre horizontally away on all sides including the back, and three metres away above the container including tree branches;
- (f) not place a **cart** and any **extra garbage** in a location where property damage is likely, or contact will be made with any object, including but not limited to, fire hydrants, **vehicles**, street signs, branches, utility poles or wires;
- (g) store a **cart** or **extra garbage** in a manner that will not attract and will prevent access or upset by wild or domesticated animals; and
- (h) store and place for collection a **cart** or **extra garbage** in a way that will not injure collection personnel.

3.15 In the event there is more than one possible access to a **residential property** for collection, the **Director** shall determine the location of collection.

Ownership and Maintenance of Carts

3.16 When vacating a **residential property**, the **owner** or **occupier** of the premises shall leave all provided **carts** at the vacated premises.

3.17 Cleaning of a **cart** is the responsibility of the **owner** or **occupier** of the **residential property**.

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- 3.18 **Cart** repairs will be provided by the **City** or their contractor when requested by the **residential property owner** or **occupier** or the collection contractor and upon assessment by the **Director**.
- 3.19 A **cart** that is stolen, unsafe to handle, no longer waterproof, damaged beyond repair, or otherwise unsuitable for continued use will be replaced by the **City** at no cost at the discretion of the **Director**. If it is found that a **cart** was willfully damaged, destroyed or disposed of, the full cost of a replacement **cart** will be assessed to the **owner** of the **residential property** at the rate stipulated in the **City's Fees and Charges Bylaw**.

Collection Schedule

- 3.20 The **City** will publish at least annually a schedule and guide for **municipal solid waste** collection on the **City** website.

Optional Service

- 3.21 The **owner** of a **residential property** not receiving **City municipal solid waste collection services** may request that the **Director** provide **municipal solid waste collection services** at the applicable rates provided in the **City's Fees and Charges Bylaw**, and the **Director** may provide such services if, in the opinion of the **Director**, such services are compatible with the operation of existing **City municipal solid waste collection services**.

Additional Service

- 3.22 The **owner** of a **residential property** may apply in writing to the **Director** for an additional **cart** or for other additional solid waste services, and the **Director** may provide such services if, in the opinion of the **Director**, such services are compatible with the operation of existing services.
- 3.23 The **Director** may require the **owner** or **occupier** of **residential property** to use an additional **cart** or other additional solid waste services if, in the opinion of the **Director**, the **owner** or **occupier** is an excess producer.
- 3.24 If an additional cart or other additional solid waste services is provided, either at the request of an **owner**, or as required by the **Director**, the **City** shall apply the additional rates to the property as listed in the **Fees and Charges Bylaw**.

Reduction in Service

- 3.25 An **owner** or **occupier** of a **residential property** may request a reduction in the number or volume of **carts** provided to the **owner** or **occupier** or allocated to an

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excess producer to no less than the minimum requirement listed in Sections 3.27 and 3.36.

- 3.26 An **owner** or **occupier** of a **residential property** may request to the **Director** to surrender a cart less than the minimum requirement listed in Sections 3.27. The minimum rates will still be applied to the property as listed in the *Fees and Charges Bylaw*.
- 3.27 The **Director** may approve a reduction or suspension in service request if the **Director** is satisfied that this will not cause a nuisance or negatively impact the **municipal solid waste collection service** in any way.

Residential Garbage Collection

- 3.28 Each **residential property** will be allocated a minimum number and size of **garbage** carts at the applicable number and size of **cart** listed below:

Dwelling	Number of Units	Minimum Allocated carts (per collection period)
Single Detached Housing/Unit	1	1 x 120 litre

- 3.29 **Extra garbage** must be bagged and an **extra garbage** sticker as defined in Appendix A must be placed on each bag of **garbage** before placing for collection. **Extra garbage** collection bags must:
- (a) be sturdy and strong enough to withstand normal handling;
 - (b) be properly sealed;
 - (c) not contain any sharp objects which may tear a bag and/or injure collection service personnel;
 - (d) not contain organic matter that will attract dogs, cats or omnivorous or carnivorous feral animals;
 - (e) when full, not exceed a weight of 25 kgs (50 lbs); and
 - (f) when full, not exceed 0.914 metres (3 feet) in any dimension.
- 3.30 Wet **garbage**, **pet waste**, floor sweepings, sawdust or other dusty and granular materials must be in a plastic bag before being placed in the cart for collection.
- 3.31 All materials which might adhere to a **cart** that is not a plastic **garbage** bag must be separately contained within individual disposable wrappings or containers

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before being placed in the **cart** so as not to inhibit the **garbage** from falling freely into a collection **vehicle** during the regular tipping process.

- 3.32 Ashes shall be completely cooled and shall be placed in a non-combustible container and separated within the **cart** from other **garbage** or flammable material.
- 3.33 Only items listed in Schedule D, Table D-1 of this Bylaw may be placed in a **cart** or **extra garbage** for collection.
- 3.34 No items listed in Schedule D, Table D-2 shall be present in a **cart** or **extra garbage**.
- 3.35 If contaminants listed in Schedule D, Table D-2 are observed by the collection contractor prior to emptying a **cart** or **extra garbage** into a collection **vehicle**, the **cart** and/or **extra garbage** will not be collected, and the **residential property owner** or **occupier** is responsible for separating the contaminants from the **garbage** prior to setting the **cart** and/or **extra garbage** out for collection on the next **scheduled collection date**.
- 3.36 Clean up of **garbage** that does not remain in a **cart** and/or **extra garbage** bag is the responsibility of the **residential property owner** or **occupier**.

Residential Organics Collection

- 3.37 Each **residential property** will be allocated a minimum number and size of **residential organics** carts at the applicable number and size of **cart** listed below:

Dwelling	Number of Units	Minimum Allocated carts (per collection period)
Single Detached Housing/Unit	1	1 x 120 litre

- 3.38 **Residential organics** that overflow the cart or are placed outside a **cart** will not be collected. Additional service may be requested as described in 3.22.
- 3.39 Only items listed in Schedule B, Table B-1 of this Bylaw may be placed in a **cart** for collection.
- 3.40 No items listed in Schedule B, Table B-2 shall be placed in a **cart** for collection.
- 3.41 If contaminants are observed by the collection contractor prior to emptying a **cart** into a collection **vehicle**, the **cart** will not be emptied and the **residential property owner** or **occupier** will be responsible for separating the contaminants from the **residential organics** prior to setting the cart out for collection on the next **scheduled collection date**.

- 3.42 Only compostable material, including but not limited to paper bags, newspaper, and **approved biodegradable plastic** may be used to place **residential organics** in a **cart**.
- 3.43 A piece of cardboard may be placed at the bottom of a **cart** to keep **residential organics** from sticking.

4 RESIDENTIAL RECYCLABLES COLLECTION SERVICE

- 4.1 **Recycle BC** is responsible for the collection of **residential recyclables** within the **City** boundaries. The **City** is not responsible for any aspect of **Recycle BC's** collection program.

5 RESIDENTIAL CHIPPING SERVICE

- 5.1 **Residential property owners** or **occupiers** may set out **yard waste for chipping** by the **City** on the date(s) announced by the **City** prior to implementation of the service.
- 5.2 **Yard waste for chipping** must adhere to the following requirements to receive chipping service:
- (a) be of a size that will take under 10 minutes to chip;
 - (b) not be piled with a neighbor's material;
 - (c) not be tangled;
 - (d) not be tied together in bundles;
 - (e) not have any roots or dirt mixed in the pile;
 - (f) have thorns piled separately; and
 - (g) be stacked with the butt ends facing the street or lane.

6 RESIDENTIAL LEAF COLLECTION SERVICE

- 6.1 **Residential property owners** or **occupiers** may set out **leaves** for collection by the **City** on the date(s) announced by the **City** prior to implementation of the service.
- 6.2 Only transparent plastic bags may be used to set out **leaves**. All opaque bags will be considered **garbage** and subject to **extra garbage** fees and charges.
- 6.3 An unlimited number of transparent bags may be set out for leaf collection.
- 6.4 Bags weighing more than 23 kg (50 lbs) will not be picked up.

7 RESIDENTIAL CHRISTMAS TREE DROP OFF SERVICE

- 7.1 **Residential property owners** or **occupiers** may drop off Christmas trees for chipping at a location and time period specified by the **City**. Trees must be bare and not contain any decorations or supports.

8 PRIVATE COMMERCIAL COLLECTION

- 8.1 For **City** Centre/Neighborhood District Collection:
- (a) Where **collection containers** cannot be reasonably placed on private property, they may be permitted in the **City laneways** only with written approval from the **Director**;
 - (b) Authorized **collection containers** allowed in **City laneways** must be kept tight to walls with the long side to a building wall to permit maximum room for passage of **vehicles**; and
 - (c) **Collection containers** may be ordered relocated or removed by the **Director**.
- 8.2 Temporary **collection containers** for the purpose of storing and disposing of demolition, renovation and/or construction waste may be placed on a **sidewalk**, street or lane right-of-way upon receipt of a Hoarding Permit from the **City**.
- 8.3 All companies placing **collection containers** within the **City's** rights-of-way, with or without a valid Hoarding Permit, must have a minimum of \$2,000,000 public liability insurance with the **City** named as co-insured.
- 8.4 Regardless of the private collection contract terms the **owner** or **occupier** of a **commercial property** is responsible for maintaining their **collection containers** in good condition including providing the following:
- (a) **Collection container** exteriors are to be clean and painted with the collection company name and telephone number clearly displayed;
 - (b) **Collection containers** are to be cleaned at least annually or at the direction of the **Director**, inside and out to prevent odour buildup and unsightliness; and
 - (c) **Collection containers** must be clearly identified and labelled as a recyclable material **collection container** for such purpose.
- 8.5 **Collection containers** that do not meet the requirements of this Bylaw may be ordered removed by the **Director**. Failure to remove the **collection container** as and when required may result in penalties as specified in Section 11 of this Bylaw.
- 8.6 The company placing private **collection containers** must:
- (a) maintain their **collection containers** in a clean, sanitary and odour free condition;

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- (b) ensure that **collection containers** remain completely closed at all times, except when it is necessary to open the cover to empty the contents into a **collection vehicle**;
- (c) not cause, permit, suffer or allow a **collection container** to be filled so that the cover cannot be completely closed;
- (d) not cause, permit, suffer or allow a **collection container** to be filled so that the contents cannot be completely emptied;
- (e) not cause, permit, suffer or allow the contents to overflow, fall out of or leak from a **collection container**; and
- (f) not cause, permit, suffer or allow any private solid waste produced or resulting from their property to be deposited into a **collection container** located on any other property unless the **owner** or **occupier**.
 - i. has the permission of the **owner** or **occupier** of the real property where a different **collection container** is located; or
 - ii. otherwise directly disposes of the **municipal solid waste** generated on their property at a provincially approved **diversion and disposal facility**.

9 CITY PROVIDED COMMERCIAL COLLECTION SERVICE

- 9.1 The **City** hereby establishes a system to collect, remove, process and dispose of **municipal solid waste** from those commercial properties coded for such service on the **City's** utility accounts.
- 9.2 All **municipal solid waste** generated by a **commercial property** shall be disposed of by the **owner** or **occupier** of such **commercial property** either through the **City's municipal solid waste collection service** or through a private collection service.

Mandatory Service

- 9.3 The **owner** or **occupier** of a **commercial property** must use the **municipal solid waste collection service** for **garbage** and recyclable material provided by the **City** and outlined in this Bylaw except as otherwise exempted by this Bylaw.
- 9.4 A **commercial property owner** may request in writing to the **Director** to cancel the **City** provided service at any time by showing written proof to the **Director** that they are utilizing an alternative service for the collection and removal of **municipal solid waste**.

Collection Containers and Set out Location

- 9.5 All **collection containers** set out for collection are to be placed on private property in an enclosure or behind screening, except as otherwise provided in this Bylaw.

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- 9.6 **Municipal solid waste** may be placed within **City laneways** in the Downtown Vernon Business Improvement Area only between 10:00 A.M. and 2:00 P.M. on **scheduled collection days**.
- 9.7 The following size, number and types of **collection containers** must be used for **City** provided collection services:
- (a) for **garbage** collection, an **owner** or **occupier** of **commercial property** may set out the following on their **scheduled collection date**:
 - i. no more than eight (8) bags not exceeding 25 kg (50 lbs) each of **garbage** in a 135 litre sealed plastic **garbage** bag that can be collected manually by collection personnel into a collection **vehicle**.
 - (b) for recyclable material collection, an **owner** or **occupier** of **commercial property** may set out the following on their **scheduled collection date**:
 - i. an unlimited number of transparent plastic bags containing recyclable material as defined and listed in Schedule C, Table C-1, and each weighing no more than 25 kg (50 lbs) that can be collected manually by collection personnel into a collection **vehicle**.
- 9.8 The **owner** or **occupier** of properties to which the **City** provides collection service must:
- (a) maintain their **collection containers** in a clean, sanitary and odour free condition;
 - (b) ensure that **collection containers** remain completely closed at all times
 - (c) not cause, permit, suffer or allow a **collection container** to be filled so that it cannot be completely closed;
 - (d) not cause, permit, suffer or allow the contents to overflow, fall out of or leak from a **collection container**; and
 - (e) not cause, permit, suffer or allow any **municipal solid waste** produced or resulting from their property to be deposited into a **collection container** located on any other property unless the **owner** or **occupier**:
 - i. has the permission of the **owner** or **occupier** of the property where a different **collection container** is located; or
 - ii. otherwise directly disposes of the **municipal solid waste** generated on their property at a provincially approved **diversion and disposal facility**.
- 9.9 The **owner** or **occupier** of each **commercial property** shall place or cause to be placed **collection containers** on the **scheduled collection date** in a **collection point** no earlier than 4:00 A.M. on the day of the **scheduled collection date** and no later than 7:00 A.M. on the **scheduled collection date** except as listed in 9.6.

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- 9.10 In winter, **collection containers** may be placed on the road-side of snow piles and windrows. The **owner** or **occupier** of the property is responsible to maintain a level **collection point** free of ice and snow without impacting traffic movement and/or snow clearing equipment.
- 9.11 A **commercial property owner** or **occupier** shall:
- (a) on their **scheduled collection date** place the **collection containers** in front of their premises as close to the **curb** as possible and where no **curb** is present, **collection containers** shall be placed as close to the **roadway** as possible without creating an obstruction to traffic; and
 - (b) place the **collection containers** in such a manner so as not to interfere in any way with the ordinary and safe travel of **vehicles**, pedestrians or cyclists.

Collection Schedule

- 9.12 The **City** will publish at least annually a schedule and guide for **municipal solid waste** collection on the **City** website. An **owner** or **occupier** of a **commercial property** may request from the **City** that a paper copy of the collection schedule and guide be provided to them and the **City** will deliver such within a reasonable time.

Additional Service

- 9.13 The **owner** of a **commercial property** may apply in writing to the **Director** for additional solid waste services for not less than three months, and the **Director** may provide such services if, in the opinion of the **Director**, such services are compatible with the operation of existing services.
- 9.14 The **Director** may require the **owner** or **occupier** of **commercial property** to use additional solid waste services if, in the opinion of the **Director**, the **owner** or **occupier** is an excess producer for a period not less than three months.
- 9.15 If additional solid waste services are provided, either at the request of an **owner** or **occupier** of **commercial property**, or as required by the **Director**, the **Collector** shall apply the additional rates to the property prorated by date of approval and equal to at least one additional unit on the **commercial property**.

Reduction in Service

- 9.16 The **owner** of a **commercial property** not receiving **City municipal solid waste collection services** may request that the **Director** provide **municipal solid waste collection services** at the applicable rates provided for in the **City's Fees and Charges Bylaw**, and the **Director** may provide such services if, in the opinion of the **Director**, such services are compatible with the operation of existing **City** provided **municipal solid waste collection services**.

Commercial Garbage Collection

- 9.18 **Garbage** collection containers must:

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- (g) be sturdy and strong enough to withstand normal handling;
 - (h) be properly sealed;
 - (i) not contain any sharp objects which may tear a bag and/or injure collection service personnel;
 - (j) not contain organic matter that will attract dogs, cats or omnivorous or carnivorous feral animals;
 - (k) when full, not exceed a weight of 25 kgs (50 lbs); and
 - (l) when full, not exceed 0.914 metres (3 feet) in any dimension.
- 9.19 Wet **garbage**, pet waste, floor sweepings, sawdust or other dusty and granular materials must be in a plastic bag before being placed in a **collection container**.
- 9.20 Ashes shall be completely cooled and shall be placed in a non-combustible container and separated within the **collection container** from other **garbage** or flammable material.
- 9.21 Items listed in Schedule D, Table D-2 shall not be placed in a **collection container**.
- 9.22 If contaminants listed in Schedule D, Table D-2 are observed by the collection contractor prior to putting a **collection container** into a collection **vehicle**, the **collection container** will not be collected, and the **commercial property owner** or **occupier** is responsible for separating the contaminants from the **garbage** prior to setting the **collection container** out for collection on the next **scheduled collection date**.
- 9.23 **Garbage** must be stored and placed for collection in a way that will not injure collection personnel.
- 9.24 Cleanup of **garbage** that does not remain in a **collection container** is the responsibility of the commercial property **owner** or **occupier**.

Recyclable Material Collection

- 9.25 **Commercial property owners** or **occupiers** within the **City** boundaries, except properties within the neighborhood areas known as Blue Jay, Predator Ridge, Foothills, Turtle Mountain and Okanagan Landing past 7919 Okanagan Landing Road (the Yacht Club), may set out recyclable material for collection by the **City**, at the applicable rate provided for in the **City's Fees and Charges Bylaw**, in transparent bags.
- 9.26 Cardboard must be bundled and tied in packages not exceeding 2'x3'x6".
- 9.27 Shredded materials must be in a transparent bag.
- 9.28 Recyclable material such as food containers must be cleaned of their contents prior to placing in a transparent bag so as to limit the attraction to wildlife.

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- 9.29 Recyclable material must be stored and placed for collection in a way that will not injure collection personnel.
- 9.30 Clean up of recyclable material that does not remain in the transparent bag is the responsibility of the **commercial property owner** or **occupier**.
- 9.31 Recyclable material may be placed within **City laneways** in the Downtown Vernon Business Improvement Area only between 10:00 A.M. and 2:00 P.M. on the **scheduled collection date**.

10 GENERAL WASTE MANAGEMENT

Garbage

- 10.1 No **person** shall throw, pile, place or cause to be thrown, placed or piled any **garbage** upon any **highway** within the **City** or upon private property within the **City** without the express permission of the **owner** thereof and a permit from the **Director**.

Access to Private Property

- 10.2 Except as otherwise provided, collection personnel are not permitted to enter upon private property by opening gates, climbing or descending stairs, or lifting **collection containers** over fences, walls or other obstructions, for collection.
- 10.3 Where special circumstances exist, the **Director** may grant **extended service** onto private property at the rate as stipulated in the **City's Fees and Charges Bylaw**. To be eligible for **extended service**, residents must apply in writing to the **Director**, and must provide proof of disability and reasons why they are requesting this service. Approval will be at the discretion of the **Director**.

Contracts for Collection

- 10.4 The **City** may enter into a contract or contracts with a **person** or **persons** for the collection, removal, and/or disposal of **municipal solid waste** generated within the **City**.

Prohibited Material

- 10.5 Hazardous waste as defined by the BC Hazardous Waste Regulation, and **household hazardous waste** that is considered a **stewardship product**, are prohibited from being placed in a **cart**, **extra garbage** or a **collection container**.
- 10.6 Generators of hazardous waste as defined by the BC Hazardous Waste Regulation, and **household hazardous waste** that is considered a **stewardship product**, are responsible for the safe storage, removal and disposal of such waste at a provincially approved facility.
- 10.7 The **City** is only responsible for hazardous waste generated by itself, its contractors, employees or agents.

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- 10.8 Material prohibited or banned from disposal at the Greater Vernon **Diversions and Disposal Facility** shall not be placed in a **cart, extra garbage or collection container**.

11 ENFORCEMENT, CONTRAVENTION AND PENALTIES

- 11.1 This Bylaw may be enforced by a police officer, **Bylaw Officer** or the **Director**. The issuance of a ticket or bylaw notice, or proceeding under the *Offence Act* does not preclude the **City** from enforcement and remedy by other proceedings available to it by law.

- 11.2 Every **person** who:

- (a) contravenes or violates any of the provisions of this Bylaw;
- (b) causes, permits, suffers or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw; or
- (c) neglects or fails to do anything required to be done by any of the provisions of this Bylaw.

commits a contravention and an offence and each day that the offence continues constitutes a separate offence.

- 11.3 A **person** convicted of an offence or found guilty of a contravention under this Bylaw is liable:

- (a) if proceedings are brought under the *Offence Act*, to pay a fine to a maximum of \$50,000 and such other amounts as the court may impose in relation to the offence;
- (b) if a ticket is issued under the *Municipal Ticketing Information Bylaw*, to pay a fine to a maximum of \$1,000; or
- (c) if a bylaw notice is issued under the *Bylaw Notice Enforcement Bylaw*, to pay a penalty to a maximum authorized under the *Local Government Bylaw Notice Enforcement Act*.

- 11.4 The payment of a fine or other penalty imposed under this Bylaw does not relieve a **person** from paying amounts owing to the **City** under the *Fees and Charges Bylaw* or other bylaw in relation to the contravention or offence.

12 SCHEDULES AND REPEAL

- 12.1 The following schedules are attached to and form part of this Bylaw:

Schedule A – Extra Garbage Sticker

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Schedule B – Definitions

Schedule C – Residential Organics

Schedule D – Recyclable Material and Contaminants

Schedule E – Garbage Material and Contaminants

Schedule F – Collection Schedule

- 12.2 **“The Corporation of the City of Vernon Refuse Collection Bylaw Number 3148, 1982”** and all amendments are hereby **repealed** and replaced for all purposes.

READ A FIRST TIME this day of , 2023

READ A SECOND TIME this day of , 2023

READ A THIRD TIME this day of , 2023

ADOPTED THIS day of , 2023.

Mayor

Corporate Officer

SCHEDULE A
EXTRA GARBAGE STICKER

CITY OF VERNON

**Residential Extra Garbage
Collection Ticket**

**Peel off half of backing and
stick ticket to container.**

SCHEDULE B DEFINITIONS

A.1. In this Bylaw:

"Active Transportation" means walking, cycling, and the use of Small Wheeled Transport.

"Active Transportation Corridor" means the portion of a Highway improved for the use of Active Transportation.

"Approved Biodegradable Plastic" means plastic bags and packaging with the Biodegradable Plastics Institute symbol 'BPI Compostable' printed on the product produced by member companies that have their finished products certified as meeting ASTM D6400 and / or ASTM D6868.

"Business License" means a Business License issued by the City in accordance with the provisions of the City's *Business License Bylaw*.

"Bylaw Officer" means a person employed by the City of Vernon to perform the functions and duties, and has the powers, privileges and responsibilities respecting the enforcement of municipal bylaws.

"Cart" means a wheeled container suitable for automated collection, owned and supplied by the City for the purpose of collecting municipal solid waste from residential properties under the residential garbage and organics collection programs, as further described in this Bylaw.

"City" means the Corporation of the City of Vernon.

"Collection Container" means a container used by a **commercial property** for the purposes of setting out municipal solid waste for recycling or disposal by the City or a private collection contractor.

"Collection Point" means a location where one or more carts or other containers are placed for collection by the City, the City's contractor, a private collection contractor, and Recycle BC's contractor.

"Collector" means the Manager of Financial Operations or their authorized representative.

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Attached to and forming part of Bylaw 5911
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"Commercial Property" means all properties with uses as defined by the 'North American Industry Classification System (NAICS) Canada 2022 Version 1.0' as amended from time to time, and that are not "Residential Properties" as defined herein, and includes premises on the property either owned or leased by the occupier, and for the purposes of this Bylaw, the residential unit(s) are considered commercial.

"Commercial Recycling" means the mandatory collection of recyclable material as listed in Schedule C from commercial properties within the City and further described in Section 9 of this Bylaw.

"Council" means the municipal council of the City.

"Curb" means the raised structural element which may be installed at the outside edge of a Roadway or median, primarily for a gutter.

"Director" shall mean the Director, Operation Services of the City, or their authorized designate.

"Diversion and Disposal Facility" means the provincially approved facility or facilities designated by the City for the purpose of processing and/or disposing of municipal solid waste.

"Extended Service" means a special service extending municipal solid waste collection onto private property and available to owners or occupiers of residential property with a disability that prevents them from placing the municipal solid waste at the curb themselves.

"Extra Garbage" means an excess of garbage that cannot be contained within the cart with the lid closed, and which may be bagged and placed at the curb for collection if the bag clearly displays an Extra Garbage sticker, with such stickers being made available by the City for a fee.

"Garbage" means municipal solid waste materials as listed in Schedule D.

"Highway" has the meaning prescribed in the *Community Charter*.

"Household Hazardous Waste" also referred to as HHW, is defined as any household product that contains corrosive, toxic, flammable, or reactive components including but not limited to such products as cleaners, fertilizers, pesticides, oil and filters, batteries, pressurized containers (e.g. fire extinguishers), paint, solvents and mercury containing

Schedule 'B'
Attached to and forming part of Bylaw 5911
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products and does not include hazardous waste material that is generated at a place of business.

"Laneway" means a Highway typically having a right of way width of not more than 8 metres and designated as a Laneway by the Director.

"Leaves" means leaves generated from a residential property for collection by the City as part of the City's Spring and Fall Leaf Collection Program.

"Multiple Housing" means row housing, stacked row housing, apartment housing, apartment hotels, mobile home parks and all tourist residential uses as well as tourist apartment housing.

"Municipal Clerk" means the corporate officer for the City appointed under Section 148 of the *Community Charter*.

"Municipal Solid Waste" also referred to as MSW, means refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources as defined in the BC Environmental Management Act, SBC 2003, Chapter 53, and for the purposes of this Bylaw more specifically means garbage, **stewardship products**, residential organics, paper products and yard waste as defined in this Bylaw and generated by both residential, properties.

"Municipal Solid Waste Collection Service" means the collection of municipal solid waste from residential and commercial properties and City premises such as parks, roadways and public buildings on a scheduled basis using either a specially designed vehicle with mechanical apparatus, which empties a cart directly into a vehicle without requiring manual labour to empty the cart, or another MSW collection vehicle as required under the terms and conditions of a collection contract or program.

"Occupier" means a person responsible for a residential or commercial property that is not the owner.

"Owner" with respect to any real property, has the same meaning as in the *Community Charter*.

"Paper Products" means that portion of municipal solid waste that is a fiber-based material that can be put into a residential organics collection cart for collection by the

Schedule 'B'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

City including those materials approved for the Vernon Composts program as amended from time to time and listed in Schedule B.

"Person" shall in addition to its ordinary meaning, include a firm or partnership, company or corporation, and the singular shall be held to mean and include the plural and the masculine, the feminine or body corporate, where the context requires.

"Pet Waste" includes feces, hair, bedding, food and small dead animals or their parts not larger than 0.3 m in height and width.

"Recycle BC" means the agency responsible for the collection and end of life of the stewardship product defined as Packaging and Paper Products, and who collects such stewardship products from residential properties within the Regional District of North Okanagan, including within the City boundaries, using the Recycle BC collection contractor.

"Residential Organics" means that portion of municipal solid waste originating from food harvesting, preparation and storage on a residential property that can be put into a residential organics collection cart for collection by the City, including those materials approved for the Vernon Composts program as amended from time to time and listed in Schedule B.

"Residential Property" means a parcel which is "Class 1" (Residential) property as defined by the Prescribed Classes of Property Regulation (B.C. Reg. 438/81) of the Assessment Act.

"Residential Recyclables" means the stewardship product defined as Packaging and Paper Products under the *B.C. Recycling Regulation, B.C. Reg. 449/2004*.

"Roadway" has the meaning prescribed in the *Motor Vehicle Act*.

"Scheduled Collection Date" means the date the City has assigned a property or premises to receive municipal solid waste collection services and as listed in Schedule E.

"Semi-Detached Housing" means a building containing dwelling units connected above or below grade or side by side and designed exclusively to accommodate two households living independently in separate dwellings, each having a separate entrance at, or near, grade.

Schedule 'B'
Attached to and forming part of Bylaw 5911
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"Shoulder" means the paved or unpaved outer edge of a Roadway surface, usually marked by a painted solid white line, intended for the use of Active Transportation.

"Sidewalk" means the area between the Curb-lines or lateral lines of a Roadway and the adjacent property line improved and intended for the use of pedestrians.

"Single Detached Housing" means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household, and a secondary suite where permitted.

"Stewardship Products" means products within a specified product category that are the responsibility of the producers of such products, are managed for such producers by stewardship agencies, and are defined in the B.C. *Recycling Regulation*, B.C. Reg. 449/2004.

"Strata" means a property that is

- a) held by strata lot lease under Part 3 (Leasehold Strata Plans) of the *Strata Property Act*, or
- b) a strata lot as defined in section 1 of the *Strata Property Act*, or
- c) a strata lot created by a "bare land strata plan" as defined in section 1 of the *Strata Property Act*.

"Vehicle" has the meaning prescribed in the *Motor Vehicle Act*.

"Vernon Composts" means the City's plan to divert residential organics and yard waste from disposal by enhancing its municipal solid waste collection program to achieve its community-wide climate action goals and includes all materials listed in Schedule C of this Bylaw.

"Yard Waste for Chipping" means yard trimmings and branches greater than 1.25 cm (0.5 inches) in diameter but less than 10 cm (4 inches) in diameter that may be placed at the curb for chipping by the City.

SCHEDULE 'C'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

SCHEDULE C
Residential Organics and Contaminants

Attached to and forming part of “**Solid Waste Management Bylaw 5911, 2023**”

Table B-1 lists the materials allowed to be placed in the residential organics cart.

Table B-1: Residential Organics		
Residential organics	Paper Products	Yard Waste
<ol style="list-style-type: none">1. Fruits2. Vegetables3. Bones4. Meat (raw or cooked)5. Fats6. Eggs and eggshells7. Nuts8. Cheese9. Pasta and rice10. Sauces and syrup11. Tea bags and loose-leaf tea12. Coffee grounds13. Bread and bakery items	<ol style="list-style-type: none">1. Paper bags2. Cereal or pizza boxes3. Paper towel and roll4. Tissue box and tissue5. Newspaper, flyers and magazines6. Wood chopsticks7. Wax paper wrappers8. Paper packets (sugar, pepper, salt)9. Bambooware10. Paper plates and bowls (non-waxed)	<ol style="list-style-type: none">1. Leaves2. Garden trimmings3. Grass clippings4. Sticks (less than 0.5 inches in diameter)5. Flowers6. Bulbs7. Seeds8. Weeds (non-invasive)

Table B-2 lists the materials that are considered contaminants or unacceptable in the residential organics cart.

SCHEDULE 'C'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

Table B-2: Contaminants

1. animal feces
2. aluminum
3. bio-medical waste
4. metal items
5. drywall
6. glass
7. hazardous and toxic waste
8. personal hygiene products such as diapers, feminine hygiene products and incontinence products
9. plastic items such as cutlery, wrapping, packaging and food containers other than **approved biodegradable plastics**
10. stickers
11. Styrofoam
12. toxic plants including Devil's Club (*Oplopanax Horridus*), Giant Hogweed (*Heracleum Mantegassianum*), and Spurge Laurel (*Daphne Laureola*)
13. wood, except wood utensils

SCHEDULE 'D'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

SCHEDULE D
Recyclable Material and Contaminants

Attached to and forming part of “**Solid Waste Management Bylaw 5911, 2023**”

Table C-1 lists the materials allowed in the **commercial recycling** program.

Table C-1: Recyclable Material	
Paper	Containers
<ol style="list-style-type: none">1. Newspapers, inserts, and flyers2. Magazines, catalogues and phone books3. Boxboard boxes4. Moulded paper5. Household paper6. Envelopes7. Paper bags8. Shredded paper (contain in paper bag or box first)	<ol style="list-style-type: none">1. Plastic bottles, jars and jugs2. Plastic trays and clamshells3. Plastic garden pots and seedling trays4. Caps, tops, lids and pumps5. Plastic or paper take-out cups, bowls and lids6. cartons for soup, dairy, etc.7. Metal cans8. Aerosol cans (empty)9. Foil wrap and foil take out containers

Table C-2 lists the materials that are considered contaminants or unacceptable in the **commercial recycling** program.

Table C-2: Contaminants
<ol style="list-style-type: none">1. Bio-medical waste such as syringes2. Building material such as drywall3. Glass panes and containers4. Hazardous and toxic waste

SCHEDULE 'D'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

5. Liquids
6. Old, corrugated cardboard
7. Personal hygiene products such as diapers, feminine hygiene products and incontinence products
8. Plastic bags and flexible plastic packaging
9. Plastic overwrap
10. Styrofoam and foam packaging
11. **Stewardship products** besides packaging and paper

SCHEDULE 'E'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

SCHEDULE E

Garbage Material and Contaminants

Attached to and forming part of “**Solid Waste Management Bylaw 5911, 2023**”

Table D-1 lists the materials allowed in the **garbage** collection program.

Table D-1: Garbage Material
<ol style="list-style-type: none">1. Materials that are not allowed in the City's residential organics and commercial recycling programs (see Schedules B and C) and materials that are not stewardship products2. Personal hygiene products3. Textiles that cannot be donated or repurposed4. Pet waste, double wrapped5. Sweepings and dust contained in wrapping or another container6. Ashes that have been cooled

Table D-2 lists the materials that are considered contaminants or unacceptable in the garbage collection program.

Table D-2: Contaminants
<ol style="list-style-type: none">1. Bio-medical waste such as syringes2. Building materials such as drywall3. Bulky items such as furniture and appliances4. Household hazardous waste5. Hazardous and toxic waste6. Liquids7. Hot ashes

SCHEDULE 'E'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

Table D-2: Contaminants
8. Offal and butchering waste
9. Recyclable material as listed in Schedule C, Table C-1 and allowed in the Recycle BC program
10. Residential Organics
11. Stewardship products

SCHEDULE 'F'
Attached to and forming part of Bylaw 5911
Solid Waste Management Bylaw 5911, 2023

SCHEDULE F
Collection Schedule

City Provided Collection Service	Frequency as per the 'Scheduled Collection Date'
Residential Garbage	Once every two weeks as advertised by the City
Residential Organics	Once per week as advertised by the City
Chipping	Once per year (spring) as advertised by the City
Leaf Collection	Twice per year (spring and fall) as advertised by the City
Christmas Tree	Once per year as advertised by the City
Commercial Garbage	Once per week (regular collection is Wednesdays)
Commercial Recyclable Material	Once or twice per week (regular collection is Wednesdays and additional collection is on Fridays)