

# THE CORPORATION OF THE CITY OF GRAND FORKS

## BYLAW NO. 1798

### A BYLAW TO REGULATE THE RATES, CONDITIONS AND TERMS FOR THE COLLECTION OF RESIDENTIAL GARBAGE

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**WHEREAS** in accordance with the Community Charter, Council may, by bylaw, make provisions for regulating the rates, conditions and terms under or upon which garbage collection services may be supplied to and used by the residents of Grand Forks;

**NOW THEREFORE** the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

#### **Title:**

1. This bylaw may be cited as the **“Residential Garbage Collection Regulation Bylaw No. 1798, 2006”**.

#### **Repeal of Existing Bylaw:**

2. “Garbage Collection Regulations and Rates Bylaw No. 1600, 2000” and all amendments thereto is hereby repealed.

#### **Definitions:**

3. In this bylaw, unless the context otherwise requires:

**“City”** means the City of Grand Forks.

**“Garbage”** means household waste generated by operations incidental to the premises and includes yard waste.

**“Garbage Collection Area”** means the area within the boundaries of the City.

**“Garbage Collector”** means any person or company who collects garbage within the City.

**“Garbage Collection”** means the collection of residential garbage.

**“Landfill Site”** means the solid waste sanitary landfill site operated by the Regional District of Kootenay Boundary to service the City.

<b>“Mixed Use Premises”</b>	means residential dwelling and commercial use within the same premises.
<b>“Property Owner”</b>	means the registered owner of residential property within the garbage collection area and shall, where applicable, include the executor or administrator of an estate.
<b>“Residential Dwelling”</b>	means <ul style="list-style-type: none"> <li>- Single Family Dwellings</li> <li>- Duplexes</li> <li>- Triplexes</li> <li>- Rowhouses and Townhouses that are individually owned, are non-strata and each unit has a driveway with City street access.</li> </ul>
<b>“Recyclables”</b>	means glass food containers, non-refundable glass beverage containers, metal food containers, aluminum foil and non-refundable aluminum and tin cans; HDPE No. 2 un-coloured plastic, newspapers, corrugated cardboard, mixed waste paper and any other material which may be designated recyclable by the Regional District of Kootenay Boundary.
<b>“Yard Waste”</b>	means grass, lawn and hedge clippings, grass sod, flowers, weeds, leaves, vegetables, stalks, shrubs and tree branches less than three inches in diameter.

#### **General Provisions:**

4. All garbage generated from residential premises, as defined in this bylaw, within the garbage collection area, must be disposed of in accordance with the terms of this bylaw.
5. Garbage for pick-up shall not be placed with the garbage of others.

#### **Provision of Service:**

6. Every owner of a residential dwelling, as defined in this bylaw, within the garbage collection area shall use the garbage collection system established by the City.
7. Notwithstanding Section 6, residential dwelling units, consisting of 3 units or less, that are part of a mixed-use premise, shall arrange for their own garbage collection service.

8. Household garbage will be collected by the Garbage Collector, on a weekly basis, on the day specified by the Garbage Collector. Yard waste will be collected on the dates specified each year by the Garbage Collector.

**Container Requirements:**

9. Every owner of a residential dwelling unit, as defined in this bylaw, shall provide and maintain, in sanitary condition and in good repair, containers to contain all garbage. Each week, the Garbage Collector will pick up the number of containers, weighing a maximum of 22kg each, as outlined in "Schedule A" of this bylaw. Owners or occupiers of residential dwelling units, as defined in the bylaw, may purchase "tag-a-bag" tags for all containers in excess of the maximum container limit, outlined in "Schedule A" of this bylaw and the Garbage Collector will pick up the extra tagged garbage.

Yard waste may be in any combination of cans without lids, clear plastic bags or bundles to a maximum of three such containers. Tree prunings must be three inches in diameter or less and three feet long, tied in bundles not exceeding the equivalent of a garbage can.

10. The City or the Garbage Collector, designated by the City, shall not be responsible for the replacement of any containers or lids, damaged or lost, for any reason whatsoever.
11. Containers must be accessible to the Garbage Collector's pick-up route between the hours of 7:00 a.m. and 7:00 p.m. on the appropriate day of collection. The route may be changed at the discretion of the City.
12. The City may suspend collection service from properties where containers or location or design of pick-up facilities are unacceptable to the Superintendent of Public Works, but such suspension shall not waive any requirement or abate or waive any charges or rates under the provisions of this bylaw.

**Prohibited Materials:**

13. The Garbage Collector shall not pick up any explosive, volatile, corrosive materials, dangerous chemicals or any other material which may be dangerous to the health and/or safety of the garbage collection personnel or other members of the public, including, but not limited to, paint, batteries or solvents. The Garbage Collector is not obliged to pick up oil, fuel, equipment lubricants, controlled waste or refundable beverage containers. The Garbage Collector is not obliged to pick up recyclables.

The Property Owner is responsible for the disposal of these prohibited materials, which can be disposed of at the following locations:

<b><u>Section Waste</u></b>	<b><u>Disposal Location</u></b>
Paint	Paint Recycling Depot
Lead/Acid Batteries	Designated area at the Landfill
Oil, Fuel, Equipment Lubricants	Place of purchase will have information of where to dispose

**Recyclables**

Refundable Beverage Containers	Return to place of purchase for refund or return to the Bottle Depot
Recyclables	Recycling Depot or pickup at such times As designated by the Regional District of Kootenay Boundary

14. The City reserves the right to refuse or to remove all prohibited material which is not garbage.

**Rates and Charges:**

15. Property Owners shall be responsible for payment of all rates for garbage services for properties owned by them.
16. The user rates and charges specified in "Schedule A" of this bylaw are hereby imposed and levied for garbage services supplied by the City. All such rates shall be due and payable on or before the first working day after July 1<sup>st</sup> in each year. These rates may also be paid on the City's Tax/Utility Pre-authorized Pre-payment Plan.
17. User rates paid by the close of business on the last working day in March, shall qualify for a 5% discount. User rates not paid by the last working day in December shall be subject to a 10% penalty.
18. A notice stating that such rates are due, shall be available during the month of February each year and every such notice shall state the amount of the discount and the date by which the account is required to be paid, in order for the discount to apply. The notice shall also advise of the penalty provision, as outlined in Clause 17 above.

19. For any garbage service started after the 1<sup>st</sup> day of January, the Property Owner will be billed for an amount equal to the annual rate, prorated for the number of days remaining in the year.
20. Due to the fact that the City must maintain the service to all residential properties, the annual fee for garbage service shall be collected for properties which may become vacant for a period of time during the billing year.
21. All rates and charges remaining unpaid on the 31<sup>st</sup> day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein and shall be entered on the Collector's Roll as taxes in arrears.

**Enforcement:**

22. Any person who violates any provision of the bylaw commits an offence and is liable, on conviction, to a fine of not more than \$2,000.00.

Read a **FIRST** time this 9<sup>th</sup> day of January 2006.

Read a **SECOND** time this 9<sup>th</sup> day of January, 2006.

Read a **THIRD** time this 9<sup>th</sup> day of January, 2006.

**FINALLY ADOPTED** this 23<sup>rd</sup> day of January, 2006.

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Mayor Neil Krog

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Lynne Burch, City Clerk

**C E R T I F I C A T E**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1798 cited as "Garbage Regulations and Rates Bylaw No. 1798, 1006".

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Clerk of the Municipal Council  
of the City of Grand Forks

**SCHEDULE “A” of Bylaw No. 1798**

**SCHEDULE OF RATES AND CHARGES**

Residential Garbage Collection	\$94.64 per year per residential dwelling unit as defined in this bylaw
Maximum two containers or bags per week <b>or</b> one toter type container per week	
“Tag-a-Bag” tags for bags of garbage in excess of the two bag limit per week	6 tags for \$6.00