



CENTRAL SUBREGION WASTE MANAGEMENT REGULATORY BYLAW NO. 1505, 2000

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.

July 9 2021

BYLAW AMENDMENTS				
<i>Bylaw No.</i>	<i>Amend. No./Yr.</i>	<i>Adopted</i>	<i>Short Citing</i>	<i>Description</i>
1518	1/00	04/08/20	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 1, 2000	<ul style="list-style-type: none"> • Changes to Schedule A
1741	2/04	07/05/04	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 2, 2004	<ul style="list-style-type: none"> • Section 9 PERMITS/EXEMPTIONS
1981	3/07	04/05/07	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 3, 2007	<ul style="list-style-type: none"> • Schedule A
2053	4/07		Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 4, 2007	<ul style="list-style-type: none"> • Schedule A
2088	5/08	06/08	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 5, 2008	<ul style="list-style-type: none"> • Section 3.1 repealing and replacing the definition • Section 5.6 repealed/ replaced • Section 5.7 repealed/replaced • Section 5.22 repealed/replaced •
2238	6/08	09/07/10	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 – Amendment Bylaw No. 6, 2008	<ul style="list-style-type: none"> • Section 5.1 repealed / replaced
2265	07/10	03/09/10	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 - Amendment Bylaw No. 7, 2010	<ul style="list-style-type: none"> • Section 3.2 repealed / replaced • Sections 8.3, 8.4, and 8.5 renumbered • Schedule D repealed
2285	8/11	07/01/11	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 - Amendment Bylaw No. 8, 2011	<ul style="list-style-type: none"> • Schedule B replaced with Schedule A
2721	9/16	02/09/16	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 - Amendment Bylaw No. 9, 2016	<ul style="list-style-type: none"> • Section 9 repealed • Schedule A repealed/replaced
2914	10/19		Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 - Amendment Bylaw No. 10, 2019	<ul style="list-style-type: none"> • Schedule A amended under section 5

3053	11/21	09/07/21	Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000 - Amendment Bylaw No. 11, 2021	<ul style="list-style-type: none">• Section 3.1 amended• Section 3.2 amended• Schedule B repealed./replaced
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REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 1505

A bylaw to establish tipping fees and regulate disposal of solid wastes and liquid wastes at the Central Subregion refuse transfer stations, landfills, and exfiltration basins.

WHEREAS the Regional Board of the Regional District of East Kootenay has established a local service (waste management) by Bylaw No. 1094 cited as "Regional District of East Kootenay – Central Subregion Waste Management Local Service Establishment Bylaw No. 1094, 1994";

AND WHEREAS it is deemed desirable to regulate, by bylaw, the use of refuse transfer stations, landfills and exfiltration basins operated by the RDEK within the Central 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, in open meeting assembled, enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as "Regional District of East Kootenay – Central Subregion Waste Management Regulatory Bylaw No. 1505, 2000".
- 1.2 The Administrator of this Bylaw shall be the Administrator of the Regional District of East Kootenay or designated person.

2. APPLICATION

- 2.1 This Bylaw shall apply to the Central Subregion refuse transfer stations, landfills, and exfiltration basins. All or any part of this Bylaw may be applied at the discretion of the RDEK.

3. DEFINITIONS

- 3.1 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 RDEK or by the Manager.

Central Subregion means Electoral Areas "B", "C" and "E", and the Cities of Cranbrook and Kimberley.

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 RDEK 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 or 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 Central Subregion landfill site, Cranbrook transfer station, Kimberley transfer station, Newgate transfer station, Elko transfer station, Grasmere transfer station, Baynes Lake transfer station, Tie Lake transfer station, Wasa transfer station, Fort Steele transfer station, Skookumchuck transfer station, Wardner transfer station, Moyie transfer station, Monroe Lake transfer station, Wasa exfiltration basins, Baynes Lake exfiltration basins and any other site as may in the future be designated by the RDEK as a disposal site.

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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.

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Dry Landfill means a landfill which would receive only construction demolition debris.

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 any present site or sites as may in the future be designated by the RDEK as the Central Subregion Landfill site.

Liquid Wastes means liquids consisting of septage and holding tank effluent and sewage sludge.

Manager means the appointed officer of the RDEK or the manager's authorized agent.

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

Peace Officer shall have the same meaning as in the *Interpretation Act* being Chapter 238 of the Revised Statutes of British Columbia, 1996, 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 RDEK 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, stumps; construction and demolition waste such as pipe, concrete, lumber, plastic, 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.

RDEK means the Regional District of East Kootenay incorporated by Letters Patent dated November 30, 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 RDEK, the contractor hired to operate the landfill, or their designate.

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.

3.2 The following schedules are hereby made and declared to be integral parts of this Bylaw:

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- Schedule A Central Subregion Tipping Fee Schedule for Solid Wastes
- Schedule B Central Subregion Tipping Fee Schedule for Septage, Holding Tank Effluent.
- Schedule C Secured and Covered 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

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

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(b) No commercial business is permitted to deposit construction, demolition or green waste at the Tie Lake and Wasa rural transfer stations. Commercial construction, demolition or green waste must be direct hauled to the Landfill.

5.2 Solid or liquid waste originating outside the Central Subregion of the RDEK shall not be accepted at a disposal site without prior written permission of the RDEK.

5.3 No person shall dispose of refuse at a disposal site nor enter a disposal site at any time other than the designated hours of operation, except by special arrangement with the RDEK.

5.4 No person shall start any fires at a disposal site unless authorized to do so by the Manager.

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

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5.6 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 RDEK and Ministry of Environment.

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5.7 No person shall deposit at a disposal site, any substance considered a Hazardous Waste.

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

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

5.10 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.

5.11 No person shall place any explosive substance in any disposal site.

5.12 No person shall dispose of liquid waste in any disposal site except where the RDEK has provided facilities for this purpose and is permitted to do so.

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

5.14 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.)

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- 5.15 No person shall dispose of derelict cars or trucks in any disposal site except where permitted by the RDEK and such material shall be placed in a location as directed by the Manager, the Site Operator, or signs.
 - 5.16 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 Manager, the Site Operator, or signs.
 - 5.17 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 Manager, the Site Operator, or signs.
 - 5.18 No person shall dispose of any putrescible waste in any disposal site except in the container or trench provided.
 - 5.19 Every commercial refuse collector who disposes, dumps or otherwise discards refuse and other trade wastes in a disposal site shall:
 - (a) collect and dispose of all refuse and trade waste in a manner satisfactory to the Medical Health Officer, and
 - (b) have all collection equipment accessible to the Medical Health Officer at all times.
 - 5.20 No person shall dump any clean fill at any disposal site without first obtaining authorization from the RDEK and shall dump the clean fill in a location as directed by the Manager or the Site Operator.
 - 5.21 All persons within the boundaries of the Central Subregion are required to utilize the Central Subregion disposal sites established by the RDEK.
 - 5.22 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 Regulations (Province of British Columbia) or any substance considered a Hazardous Waste unless facilities are provided for receiving same.
 - 5.23 No commercial generator or hauler of refuse shall deposit, or cause to be deposited, corrugated cardboard in any disposal site.
 - 5.24 No sewage sludge shall be deposited in any disposal site.

6. CONDITIONS OF USE

- 6.1 The RDEK 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 Manager.
- 6.2 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.
- 6.3 Persons entering a disposal site do so at their own risk. The RDEK accepts no responsibility (liability) for damage and/or injury to persons or to property.
- 6.4 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.

7. PROVISIONS

The Regional Board may, by resolution, establish the hours of operation of each disposal site. The disposal sites within the Central Subregion shall operate within posted hours.

The Regional Board hereby directs that the operation of all Central Subregion disposal sites established by the RDEK is under the direction and supervision of the Manager, and all material disposed of at the disposal sites shall be deposited there as directed by the Manager.

8. GENERAL

- BL 2265
Sept. 3/10
- 8.1 The RDEK and/or 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.
- 8.2 The RDEK 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 RDEK the applicable charges.
- BL 2265
Sept. 3/10
- 8.3 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 2265
Sept. 3/10
- 8.4 All invoices for the rates or charges established by Schedules A and B to this Bylaw shall be rendered monthly.
- BL 2265
Sept. 3/10
- 8.5 The rates and charges imposed and payable under Schedules A and B to this Bylaw and which remain unpaid after the due shall bear interest at a rate of 2% per month.
- BL 2265
Sept. 3/10
- 8.6 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.
- BL 2721
Sep 2/16
- 8.7 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 RDEK and shall be recoverable by action in any Court of competent jurisdiction.

9. Repealed

10. SEVERABILITY

If a Court of competent jurisdiction should declare a section or part of a section of this Bylaw to be invalid, such 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.

11. 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 *Offence Act* being Chapter 338 of the Revised Statutes of British Columbia, 1996 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.

12. REPEAL

Bylaw No. 1300 cited as “Regional District of East Kootenay – Central Subregion Waste Management Regulatory Bylaw No. 1300, 1996” and all amendments thereto, are hereby repealed.

READ A FIRST TIME the 7th day of July, 2000.
READ A SECOND TIME the 7th day of July, 2000.
READ A THIRD TIME the 7th day of July, 2000.

ADOPTED the 7th day of July, 2000.

“Jim Ogilvie”

CHAIRPERSON

“Lee-Ann Crane”

SECRETARY

BL 2721
Sept. 2/16

SCHEDULE A TO BYLAW NO. 1505

REGIONAL DISTRICT OF EAST KOOTENAY

TIPPING FEE SCHEDULE FOR SOLID WASTES

- The following fees shall be charged for solid wastes delivered to the Central Subregional Disposal Sites.
- These fees may also be imposed at any other Disposal Site established by the Regional Board.
- 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.
- 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.
- There is no minimum general per unit charge on items subject to fees.

SOLID WASTE (Commercial & Domestic Refuse) excluding Controlled Waste

Municipal Solid Waste (regular household garbage)	NO CHARGE
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CONTROLLED WASTE (Including Industrial Refuse)

Animal carcasses - livestock or big game	\$ 25.00 each
Asbestos, dry or slurry	\$ 100.00 per tonne
Biomedical Waste - treated only	\$ 160.00 per load
Construction/Demolition Waste - Mixed	\$ 200.00 per tonne
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
Food Processing Waste	\$ 60.00 per tonne
Land Clearing Waste	\$ 40.00 per tonne
Mattresses or Box Springs	NO CHARGE
Septic Sludge - where applicable	\$ 10.00 per tonne
Soil - contaminated (not classified as special waste)	\$ 100.00 per tonne
Soil - not contaminated	\$ 40.00 per tonne
Steel Cables - must be on spool or cut to 1.2m lengths	\$ 60.00 per tonne

RECYCLABLE MATERIALS

Asphalt - not contaminated	\$ 40.00 per tonne
Asphalt Shingles (at designated Asphalt Shingle areas only)	NO CHARGE
Auto Batteries	NO CHARGE
Auto Hulk - including pick up trucks & vans	NOT ACCEPTED
Chipped Green Wood Waste	NO CHARGE
Clean Wood Waste	NO CHARGE
Concrete - not contaminated	\$ 40.00 per tonne
Mobile Home Hulk	NOT ACCEPTED
Propane Cylinders - under 100 lbs.	NO CHARGE
Scrap Metal - excluding white goods	NO CHARGE
Tires: i) 17" or smaller	\$ 8.00 per tire
ii) 17" or smaller with rim	\$ 14.00 per tire
iii) 18" - 25"	\$ 50.00 per tire
iv) 18" - 25" with rim	\$ 56.00 per tire
v) larger than 25"	NOT ACCEPTED
Truck or Bus Hulk	NOT ACCEPTED
White Goods - major appliances	NO CHARGE
White Goods - requiring freon removal	NO CHARGE
Yard or Garden Waste - under 6" diameter	NO CHARGE

CHARGES APPLICABLE TO ALL CATEGORIES

Loads containing banned recyclable materials	minimum \$100.00 or DOUBLE CHARGE
Uncovered or Unsecured Loads (see Schedule C)	minimum \$ 25.00 or DOUBLE CHARGE

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SCHEDULE B TO BYLAW NO. 1505

REGIONAL DISTRICT OF EAST KOOTENAY

CENTRAL SUBREGION TIPPING FEE SCHEDULE
FOR SEPTAGE AND HOLDING TANK EFFLUENT

The following fees plus applicable taxes, shall be charged for disposal of septage and holding tank effluent delivered to the designated Baynes Lake and Wasa exfiltration basins:

Disposal Fees:

Fee	\$0.11/imperial gallon (\$24.20/m³)
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Transporters of septage and holding tank effluent shall be registered with the RDEK. Transporters must provide records of sources of septage and holding tank effluent received at the disposal sites.

Transporters of septage and holding tank effluent 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 RDEK with a copy of their current licence.

The Transporter is responsible for any contamination found in discharge and is responsible for cleanup of same under *the Environmental Management Act, SBC. Contaminated Site Regulations*.

The RDEK will invoice once per month for wastes delivered to the disposal sites in accordance with Schedules A or B or as may be amended from time to time.

If charges are not paid in full within 30 days of invoicing, dumping privileges may be revoked and collection undertaken by other means.

SCHEDULE C TO BYLAW NO. 1505**REGIONAL DISTRICT OF EAST KOOTENAY****SECURED AND COVERED LOAD POLICY**

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 tarpauline or other overlay that is used to confine the load to the vehicle.

At designated disposal sites, the following items will be permitted without covers:

- Stumps – chained on flat bed or within the confines of a truck box.
- Gravel, rock – within the confines of a truck box (tailgates closed)
- 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. 1505
WAS REPEALED**



BL 2265
Sept. 3/10