

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1299-2013 (Consolidated)**

A bylaw to provide for the regulation of the Village of Pemberton and Area C Transfer Station Depots, excluding the Devine Facilities, and the imposition of fees, charges and interest

WHEREAS the Squamish-Lillooet Regional District has, pursuant to Pemberton Refuse Disposal Local Service Conversion and Establishment Bylaw No. 568, 1994, as amended, established the service of refuse disposal for a portion of Electoral Area C and the Village of Pemberton;

AND WHEREAS the Squamish-Lillooet Regional District is empowered to establish a scale of fees, charges and interest payable for depositing Solid Waste at the Pemberton Transfer Station and at other locations that might be established in Electoral Area C or the Village of Pemberton;

AND WHEREAS the Squamish-Lillooet Regional District operates the Pemberton Transfer Station for disposal of Solid Waste and maintains a system to collect, remove and dispose of Solid Waste and compels persons to make use of such system;

AND WHEREAS Squamish-Lillooet Regional District Refuse Disposal Site Tipping Fees Bylaw No. 525, 1993, as amended, established a regime for the imposition of tipping fees upon all users of refuse disposal sites, including the Pemberton Transfer Station;

AND WHEREAS the Regional District wishes to better regulate the Pemberton Transfer Station and establish a new scale of fees, charges, and interest payable by persons using the Pemberton Transfer Station and compelling payment of the sums fixed for that purpose.

NOW THEREFORE, the Board of the Squamish-Lillooet Regional District in open meeting assembled enacts as follows:

1. AMENDMENT AND APPLICATION

- 1.1 This bylaw may be cited for all purposes as the Pemberton Facilities Fees and Charges Regulation Bylaw No. 1299-2013.

2. DEFINITIONS

- 2.1 In this Bylaw, unless the context otherwise requires:

Administrator	means the Chief Administrative Officer of the Squamish-Lillooet Regional District, or his or her designate.
Agricultural Waste	means waste that originates from an agricultural operation as defined pursuant to the <i>Environmental Management Act</i> (S.B.C. 2003 c.53) and includes manure, used mushroom medium and agricultural vegetation waste. Carcasses and animal wastes other than manure are considered Controlled Wastes and are not included in this definition.

Asbestos Waste	<p>means waste containing friable asbestos fibres or asbestos dust greater than 1% either at the time of manufacture, or as determined using a method specified in Section 40(1) of the <i>Hazardous Waste Regulation</i> (B.C. Reg. 63/88), including Asbestos Cement.</p> <p>Gypsum Board containing asbestos is considered to be Asbestos Waste.</p>
Asbestos Cement	means shingles, tiles, siding, board or pipe containing asbestos material tightly bound within a solid matrix not easily crumbled by hand, but which is easily crumbled and friable by equipment during disposal.
Attendant	means the person or corporate entity, and its employees, selected by the Regional District from time to time to manage the Facilities.
Biomedical Waste	<p>means waste defined as biomedical waste under the <i>Hazardous Waste Regulation</i> (B.C. Reg. 63/88), and further includes materials used in the provision of medicine or medical care, including, but not limited to: materials such as sheets, dressings, cleaning or sanitizing sponges or pads, tubing used for fluids, syringes with or without sharps, and fluids, generated from operating rooms or bedside medical care.</p> <p>Biomedical Waste does not include materials generated by the provision of comfort, housing, food services or office administration.</p>
Clean Fill	means soil or aggregate material including crushed concrete less than 150 mm in diameter (6 inches) and does not include Contaminated Soil.
Contaminated Soil	means soil, sediment or fill material containing substances in quantities greater than or equal to those described in Column IV, Schedule 7 of the <i>Contaminated Sites Regulation</i> (B.C. Reg. 375/96).
Composting Facility	means a facility that composts organic waste.
Controlled Waste	<p>means Solid Waste requiring Special Handling at the disposal site and includes but is not limited to:</p> <ul style="list-style-type: none"> a) Asbestos wastes, dry slurry or cement; b) Animal wastes and carcasses; c) CFC appliances; d) Contaminated soil; g) Organic Waste; h) Products covered under the <i>Recycling Regulation</i> (B.C. Reg 449/2004). <p>See: Special Handling</p>
Clean Construction Waste	means waste produced from the construction, renovation, and demolition of buildings, and other structures, but does not include waste containing or contaminated with gypsum board, treated or preserved wood, asbestos, creosote, PCB treatments, any special waste or Wood Waste (Clean).
Corrugated Cardboard	means recyclable paper from residential, industrial, commercial or institutional sources which includes, but is not limited to 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.
Devine Facilities	Means the designated Solid Waste collection depot located at 9579 Pemberton Portage Road, Devine, BC and any other Facility that may be constructed at any time by the Regional District in the service areas serviced by the Devine Transfer Station.
Disposal Area	means those parts of the Facilities currently involved in the deposit of Solid Waste.
Drop Off Area	means those areas of the Facilities where bins are provided for deposit of Solid Waste.
Drums	means plastic or metal barrels larger than 50 litres capacity made for holding liquids.
Environmental Management Act	means the <i>Environmental Management Act</i> (S.B.C. 2003 c.53), as amended or replaced and any successor legislation and any regulations thereunder.
Facilities	Means the Pemberton Transfer Station and any other Facility that may be constructed at any time by the Regional District in the Village of Pemberton or Squamish-Lillooet Regional District Electoral Area C; but not including the Devine Facilities.
Garden and Yard Waste	means uncontaminated vegetation removed from gardens and lawns, shrubs and trees and includes grass, lawn and hedge clippings, flowers, weeds, leaves, vegetable stalks, but does <i>not</i> include shrub and tree branches over 20 cm long or 1 cm in stalk diameter, shrubs, trees or stumps.
Gypsum Board	includes, but is not necessarily limited to new construction off-cuts or scraps and old wallboard that has been painted, covered in wallpaper, vinyl, ceramic tile, and lath and plaster and is removed during renovation and demolition, but excludes wallboard covered with asbestos.
Hazardous Waste	means waste defined as hazardous waste under the <i>Hazardous Waste Regulation</i> (B.C. Reg. 63/88) and includes any gaseous, liquid or solid waste that, because of its inherent nature and quantity, may require special handling and storage techniques to avoid creating health hazards, nuisances or environmental pollution. Hazardous Waste includes, but is not limited to toxins, poisons, corrosives, irritants, strong sensitizers, flammables, ignitable materials, infectious wastes, and condemned foods.
Household Waste	means Residual Solid Waste originating from residential housing units.
Industrial-Commercial-Institutional (“ICI”) Premises	means any premises used for purposes other than for single family residences, duplexes, apartment suites or mobile housing units.
ICI Waste	means any waste originating from an Industrial-Commercial-Institutional Premises and/or operation including, but not limited to:

	forestry, pulp and paper, mining, fisheries, restaurants, grocers, schools, and churches.
Ignitable	means having the properties of: a) flammable gas; b) flammable liquid; c) flammable solids; d) substances liable to spontaneous combustion; or e) substances, that on contact with water, emit flammable gases.
Land Clearing Waste	means branches from tree, shrub and hedge pruning longer than 20 cm or larger than 1 cm in stalk diameter, tree tops, limbs and whole trees generated from the clearing of land and the small scale harvesting of merchantable timber, and stumps but does not include Garden Waste.
Load	means any volume of waste brought into the Facilities and includes wastes transported by vehicle, by foot, by bicycle, or by other mode of transportation.
Medical Facility Waste	means Solid Waste originating from a hospital or health care facility that does not contain Biomedical Waste and does not require Special Handling.
Metal	means recyclable ferrous and non-ferrous metallic materials which include, but are not limited to sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive parts, machinery, appliances, garbage cans, metal furniture, tire rims and metal cans. Metal does not include metal that is incorporated into a product or packaging, such as a couch, that does not comprise more than 50% of the product weight and that cannot be readily separated from the non-metallic components.
Mixed Residual Solid Waste	means Residual Solid Waste that contains more than 5% recyclable materials and/or Organic Waste by weight or by volume.
Mixed Construction Waste	means waste produced from the construction, renovation, and demolition of buildings, and other structures, including waste containing or contaminated with gypsum board and/or treated or preserved wood, but does NOT include asbestos, creosote, PCB treatments, any special waste.
Organic Waste	means: a) food wastes, including fruits, vegetables, dairy and meat/fish waste; b) Agricultural Waste; c) Garden and Yard Waste; d) Wood Waste (Clean); e) paper products, including, but not limited to: paper towels, paper napkins, paper cups and paper plates, and plant or organic matter. Organic Waste does <i>not</i> include: organic material in consumer packaging intended for sale; post-consumer organic waste; biosolids; septage; sludge; Plastic Material or Metal materials.

	Organic Waste may originate from, but is not limited to: material from residential generators, establishments serving food; grocers selling food; and nursery or farming operations.
Pemberton Transfer Station	means the designated Solid Waste collection depot located at 1947 Carpenter Road, Pemberton, BC and any other Facility that may be constructed at any time by the Regional District in the service areas serviced by the Pemberton Transfer Station.
Pickup Truck	Means a standard light truck cargo box filled with Solid Waste equal to 2 m ³ ; but does not include trucks with aftermarket extensions to the sides of the truck box.
Plastic Material	means clean items made from any of a variety of organic synthetic or processed materials that are mostly thermoplastic or thermosetting polymers of high molecular weight and made into objects, films or filaments either marked with a Society of Plastic Industries (SPI) code #1, #2, #3, #4, #5, #6, #7, or unmarked. Plastic Material includes clean film plastics, plastic wrap, and plastic sheets, but does <i>not</i> include styrofoam, polystyrene items, or items that contain or have contained Hazardous Waste.
Radioactive Waste	means waste containing a prescribed substance as defined under the authority of the <i>Nuclear Safety and Control Act</i> (S.C. 1997, c.9) in sufficient quantity or concentration to require a license for possession or use under that <i>Act</i> and regulations made under that <i>Act</i> .
Reactive Waste	means waste defined as reactive under the <i>Hazardous Waste Regulation</i> (B.C. Reg. 63/88).
Regional District	means the Squamish-Lillooet Regional District.
Residual Management	means disposal in accordance with the <i>Environmental Management Act</i> of what remains in the solid waste stream following reduction, reuse, recycling and recovery activities but does not include Unacceptable Waste.
Residual Solid Waste	means what remains in the solid waste stream following reduction, reuse, recycling and recovery activities but does not include Unacceptable Waste.
Re-Use-it Center	means the building where users can drop off approved items without incurring tipping fee charges, and whereby users can remove items free of charge. Items for deposit or removal must be approved by the Attendant.
Roll-off Bin	means an interchangeable container that can be separated from a hauling truck through the use of a mechanism integrated into the frame of the hauling truck.
Solid Waste	means municipal solid waste as defined under the <i>Environmental Management Act</i> (S.B.C. 2003 c.53), and includes refuse that originates from residential, commercial, institutional, demolition, land clearing, and/or construction sources.
Solid Waste Management Plan	means the SLRD Solid Waste Management Plan document that has been approved by the Ministry of the Environment and accepted by the Regional District Board of Directors.
Special Handling	means a method or methods of handling a Controlled Waste; including extra excavation, trenching, grinding, chipping, lining, extra cover or using extraordinary means to cover other than that

	required with other Solid Waste, and includes all program requirements for materials accepted at the Disposal Area covered under the <i>Recycling Regulation</i> (B.C. Reg. 449/2004) and all amending regulations under the <i>Environmental Management Act</i> (S.B.C. 2003 c.53).
Stewardship Materials	means any waste or recyclable materials included in an approved stewardship plan as defined under the <i>Recycling Regulation</i> (B.C. Reg. 449/2004).
Tires	means all rubber tires.
Unacceptable Waste	means a waste not accepted at the Facility and includes: <ul style="list-style-type: none"> a) Asbestos Wastes, dry slurry or cement b) animal wastes and carcasses c) Contaminated Soil d) automobile hulks and engines; e) Hazardous Waste; f) rubber tires, with or without rims, 25 inches in diameter or greater; g) Biomedical Waste; h) oils, paints, glues and solvents except for residential products covered under the current Product Care Stewardship Programs; i) Radioactive Waste; j) wastes containing toxic residue; k) Reactive Waste; l) asphalt: includes road asphalt, hydrocarbon impacted soils; m) E-waste; n) mattresses; o) Gypsum Board (drywall); p) yard waste: includes grass clippings, weeding and flower prunings.
Wood Waste (Clean)	means wood waste from construction and/or demolition that has been separated from other construction/demolition waste and which has not been painted or treated with wood preservatives, and which is not attached to or containing tile, Gypsum, glue, carpet, dirt, soil or other non-wood materials.

3. REGULATIONS

- 3.1 No person shall dispose of or in any way deposit Solid Waste at the Facilities, except in accordance with this Bylaw.
- 3.2 No person shall dispose of or deposit Unacceptable Waste at the Facilities.
- 3.3 The Board of the Regional District delegates to the Administrator the power to, on behalf of the Regional District, grant the approvals required in sections 3.11 and 3.14 of this Bylaw upon provision of requisite documentation by a person requesting such approval.
- 3.4 Loads of Solid Waste delivered in Roll-off Bins shall not be accepted at the Facilities.

- 3.5 No person shall salvage or remove material deposited at the Facilities except from the Re-Use-It Center.
- 3.6 No person shall loiter at the Facilities.
- 3.7 No person shall leave their vehicle unattended at the Facilities.
- 3.8 Any person entering the Facilities shall proceed directly to the Attendant for load approval and payment, deposit the Solid Waste and then leave the Facilities without delay after unloading.
- 3.9 Persons entering the Facilities do so at their own risk. The Regional District accepts no liability whatsoever for damage and/or injury to persons or property at the Facilities.
- 3.10 Children under 13 years of age, and pets shall not be permitted at the Facilities except inside a vehicle.
- 3.11 No person may dispose of or deposit at the Facilities any refuse originating outside the boundaries of Area C or the Village of Pemberton, without prior approval from the Administrator based upon the type and quantity of the applicable refuse.
- 3.12 No person shall dispose of or deposit Solid Waste other than at the Facilities or at a facility recognised in the Squamish-Lillooet Regional District Solid Waste and Resource Management Plan.
- 3.13 Without prior approval from the Attendant, no vehicles will be granted access to the Facilities outside of the regular operating hours as posted at the Facilities.
- 3.14 For community cleanup projects or cleanup initiatives from illegal dump sites to be considered for waiving of tipping fees, a completed Schedule "B" must be submitted to and approved by the Administrator before disposing of the collected waste. The Administrator shall consider the following factors in determining whether the tipping fees may be waived:
 - a) the size of the cleanup project;
 - b) whether the cleanup project is being conducted by an established community group;
 - c) whether the project has received the endorsement of one or more elected officials;
 - d) whether any public funds are already being expended in the course of the cleanup;
 - e) whether any illegal dumping enforcement action is pending or whether such action presents a viable alternative; and
 - f) the estimated amount of tipping fees to be waived;

and may stipulate operational conditions for the approval, including the right to place limits on the amount of wastes to be deposited at the Facilities.

4. RATES

- 4.1 Every person depositing Solid Waste at the Facilities shall pay to the Regional District the applicable fees and charges set out in Schedule "A" hereto by way of payment to the Attendant.
- 4.2 All Loads must be inspected by the Attendant; where a scale is present, the loads must also be weighed by the Attendant. Items for the Re-Use-It Center must be approved by the Attendant prior to being placed in the Re-Use-It Center.
- 4.3 Where scales exist, subject to section 4.11, the applicable rates shall be based on a cost per tonne basis as outlined in Schedule A. Where scales are not available, the applicable rates shall be based on a volume basis as outlined in Schedule A.
- 4.4 Rates apply to applicable Solid Wastes as outlined in Schedule A.
- 4.5 If a person attends the Facilities with a Load that contains multiple waste streams such as source-separated recyclables, compostable Organic Waste, Construction Waste, Wood Waste (Clean), Gypsum and/or other Solid Waste and the person chooses not to separate the load, namely the source-separated recyclables, compostable Organic Waste, Construction Waste, Wood Waste (Clean), Gypsum and/or other Solid Waste, at the designated Disposal Areas, then the person must pay to the Regional District a Tipping Fee for the entire Load that is based on the highest fee payable for any part of the Load, in the amounts set out in Schedule "A" of this Bylaw.
- 4.6 Every person who disposes of a Load at the Facilities that contains dirty or wet Recyclable Paper or dirty Plastic Waste that exceeds 5% of the total volume of the Load must pay the Regional District a Tipping Fee for the entire Load that is based on the fee payable for Mixed Residual Solid Waste, in the amount set out in Schedule "A" of this Bylaw.
- 4.7 Food waste must be separated from all plastic/printed paper/metal containers and wrappings, but may be contained in an approved compostable bag. Contaminated food waste will be charged as per Section 4.6.
- 4.8 The fees and charges specified in Schedule "A" will be doubled if the Solid Waste is not disposed of as directed by the Attendant or as specified on signage at the Facilities.
- 4.9 Unless otherwise specified, fees and charges will not be levied for items collected under current and future Extended Producer Responsibility Programs or Stewardship Programs as defined by Provincial legislation.
- 4.10 All Tipping Fees payable pursuant to this Bylaw must be paid to the Regional District before the person leaves the Disposal Area.
- 4.11 In the event the weigh scale system at the Facilities is not functioning, whether due to a power outage, mechanical failure or any other reason, the volume based tipping fees will be applied per Schedule A.

5. OFFENCES

- 5.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 5.2 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and shall be liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000.00), in addition to the costs of prosecution.
- 5.3 Each day a violation is caused or allowed to continue constitutes a separate offense under this bylaw.
- 5.4 The Administrator may prohibit a person who contravenes this Bylaw from depositing Solid Waste at the Facilities.
- 5.5 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

6. CITATION

- 6.1 This Bylaw may be cited as "Pemberton Facilities Fees and Charges Regulation Bylaw No. 1299-2013".

[Inclusive of Amendment Bylaw 1494-2016]

READ A FIRST TIME this 25th day of November, 2013.

READ A SECOND TIME this 25th day of November, 2013.

READ A THIRD TIME this 25th day of November, 2013.

ADOPTED this 25th day of November, 2013.

Patricia Heintzman
Chair

Peter DeJong
Secretary

SCHEDULE 'A' - Tipping Fee Schedule

ITEM		METRIC	RATE
A. Landfilled Wastes			
i.	Household Waste (pickup load is 2 m ³)	per bag (40 L or <9kg)	\$1.00
		per large bag (80 L or <18kg)	\$2.00
		per loose/unbagged cubic meter	\$17.00
		per tonne	\$135.00
ii.	Construction Waste: recyclables removed, includes furniture - couch/chair/sofa/mattress, no Gypsum Board or preserved/painted wood (pickup truck load is 2 m ³)	minimum charge	\$6.00
		per cubic meter	\$23.00
		per tonne	\$135.00
iii.	Household Waste: containing 5% or more recyclables and/or Organic Wastes; Construction Waste (mixed): contains Bulk Metal and/or preserved/painted wood, no Gypsum Board (pickup truck load is 2 m ³)	minimum charge	\$12.00
		per cubic meter	\$45.00
		per tonne	\$270.00
iv.	Community cleanups/illegal dump cleanups (per requirements of section 3.14)		free with written approval
B. Organic Wastes			
v.	Food Waste: includes fruit, vegetable, dairy and meat/fish	Per 2 gallon (4 litres)	free
vi.	Wood Waste: Clean or Untreated/unpainted - includes branches, up to a maximum diameter of 75 mm (3 inches) where organic collection facilities exist (pickup truck load is 2 m ³)	minimum charge	\$5.00
		per cubic meter	\$8.00
		per tonne	\$75.00
C. Recycling, Metals and Stewardship Programs			
vii.	Rubber tire up to 25" rim diameter	each - no rim	\$8.00
		each - with rim	\$25.00
viii.	Air Conditioner/refrigerator/freezer	each	\$25.00
ix.	Stoves, washers, dryers, furnaces, water heaters	each	\$15.00

x.	Bulk metal (pickup load is 2 m ³)	minimum charge	\$5.00
		per cubic meter	\$8.00
		per tonne	\$45.00
xi.	Plastics - 1 through 5 ONLY, clean and dry		free
xii.	Styrofoam - Clean and dry, packing peanuts not accepted		free
xiii.	Glass - clean and dry		free
xiv.	Tin cans - clean and dry		free
xv.	Paper - clean and dry		free
xvi.	Cardboard - clean and dry		free
xvii.	Other products covered under BC Recycling Regulation legislation and approved stewardship plans		free
D. Unaccepted Wastes			
xviii.	Automobile hulks, engines		
xix.	Rubber tire - with or without rim, 25" rim diameter and over		
xx.	Radioactive Wastes, Hazardous Wastes, Reactive Wastes or wastes with toxic residue		
xxi.	Asbestos Waste, dry slurry and cement		
xxii.	Biomedical Waste		
xxiii.	Asphalt: includes road asphalt, hydrocarbon impacted soils		
xxiv.	Animal wastes and carcasses		
xxv.	Oils, paints, glues and solvents except for residential products covered under the current Product Care Stewardship Programs		
xxvi.	E-waste		
xxvii.	Contaminated Soil		
xxviii.	Gypsum Board (drywall)		
xxix.	Mattresses		
xxx	Yard waste: includes grass clippings, weeding and flower prunings		

SCHEDULE 'B' REQUEST FOR WAIVING OF TIPPING FEES

CONTACT INFORMATION

Name of Organization:

Date of Application:

Project Contact Name:

Phone:

Email:

PROJECT DETAILS

Disposal Date:

Expected Volume:

Types of Waste:

Description of Project

(location, who benefits, who is doing the cleanup, other 'in-kind' donations.)

APPROVAL CONDITIONS

Waived Fees Granted for:

Other Conditions:

Approval Date:

Approved By:

Please submit completed form via email to: utilities@slrd.bc.ca
And/or to: UES, 1350 Aster Street, PO Box 219, Pemberton, BC V0N2L0