

VILLAGE OF LIONS BAY

BY-LAW NO. 346

Garbage and Recycling Collection

WHEREAS Council deems it advisable to adopt a By-law to regulate the terms and conditions for the collection and disposal of garbage and recycling and the rates payable for these services; and

NOW THEREFORE the Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

TITLE

1. This By-law may be cited as "Garbage and Recycling Collection By-law No. 346, 2003".

PAST BY-LAWS REPEALED

2. Waste Collection By-laws No. 226, No. 284, No. 305, No. 313, and No. 341 are hereby repealed.

DEFINITIONS

3. In this Bylaw:

“dangerous wildlife” means wildlife such as a bear, cougar, raccoon, or wolf;

“wildlife resistant container” means a secure fully enclosed container with a lid and latching device, of sufficient design and strength to deter access by dangerous wildlife;

“wildlife resistant enclosure” means a structure which has four enclosed sides, a roof, doors, and a latching device, of sufficient design and strength to deter access by dangerous wildlife;

SYSTEM ESTABLISHMENT

4. The Village hereby establishes and continues the equipping, maintenance and operation of a system of garbage and recycling collection.

OBLIGATION OF RESIDENTS

5. Every owner or resident shall provide and maintain in good order and repair, standard garbage receptacles, circular in design with tight waterproof cover. The amount of garbage shall not exceed 154 litres in total and no receptacle shall contain more than 121 litres.

6. The receptacles required under this By-law shall at all times be securely housed to ensure that the contents do not attract wildlife.

The garbage can shall at no time be kept on or encroach upon or project over any street or lane.

7. No liquids or free water shall be put or placed in or allowed to run into or accumulate in any garbage receptacle, and all such receptacles shall at all times be covered with a watertight cover.

8. All garbage and recycling receptacles shall be placed by the householder within 10 feet of the road boundary in front of the householder's premises not earlier than 5:00 a.m. on the day the garbage is scheduled for removal.

9. All waste material which is not garbage, rubbish, kitchen waste, or recycling shall be placed in a safe place convenient for handling and the owner or occupier shall make the necessary arrangements with the garbage contractor for the disposal of such waste material and shall be responsible for all costs in connection with same.

10. Every owner or occupier of land is hereby compelled to make use of the garbage and recycling disposal system established and continued hereunder and shall pay for the collection of garbage, rubbish, waste, and recycling from premises as herein provided.

SERVICE PROVIDED BY VILLAGE

11. Garbage, rubbish, waste, and recycling shall be picked up by the disposal service of the Village regularly each week and the regular pick up schedule may be altered by resolution of Council provided that ten days' notice of the change is given to the householder or business proprietor.

COLLECTION RATES

12. Rates for the collection of garbage and recycling as per Schedule "A" attached hereto and forming part of this By-law are hereby imposed on the owners of land or occupiers of premises and are due and payable by the 31st day of March of each year.
13. A prompt payment discount shall be allowed, as set out in Schedule "A" if payment is made by the 31st of March of each year. The period the rates cover is from January 1 to December 31 of each year.
14. Any rate remaining unpaid on the 31st day of December shall be deemed to be taxes in arrears in respect of the property in respect of which the consumer dwells and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.
15. The rates established hereunder shall commence effective January 1 of each year.

WILDLIFE RESISTANT CONTAINERS AND ENCLOSURES

16. Every outdoor container or receptacle used for depositing or storing food waste or other edible waste that could attract dangerous wildlife shall be a wildlife resistant container, or stored in a place that cannot be accessed by dangerous wildlife.

This section does not apply to composting or on garbage days.

17. Every commercial, industrial, institutional and tourist accommodation building, and every multiple family residential development having three or more dwelling units, shall be provided with a garbage storage site located inside a building or within a wildlife resistant enclosure.
18. Garbage and recycling containers required for temporary special events, such as weekend sports tournaments, weddings, Fire Department Picnic, Hallowe'en and Canada Day are exempt from this requirement if emptied before 10:00 p.m.
19. Wildlife resistant containers and wildlife resistant enclosures must be kept closed and secure when waste is not being deposited and if damaged, must be repaired in a timely fashion.

DANGEROUS WILDLIFE – SMART PRACTICES

20. If dangerous wildlife are attracted by any of the following, then these smart practices shall apply:
 - (a) Feeding dangerous wildlife and depositing or storing any domestic garbage, pet food, food waste, or other edible waste that could attract dangerous wildlife is prohibited.
 - (b) Bird feeders must be suspended on a cable or other device so that they are inaccessible by dangerous wildlife.
 - (c) Bee hives must be protected by an electric fence or otherwise be made inaccessible to dangerous wildlife.
 - (d) Outdoor fridges or freezers must be inaccessible to dangerous wildlife.
 - (e) No meat by-products or waste shall be put in compost piles.

OFFENCE AND PENALTY

21. Every person who contravenes any provision of this Bylaw commits an offence and upon summary conviction is liable to a fine not exceeding \$1000.00 and the cost of prosecution.

SEVERABILITY

22. If any section or lesser portion of this Bylaw is held to be invalid by a Court, the invalid portion shall be severed without affecting the validity of the remaining portions of this Bylaw.

READ A FIRST TIME this 3rd day of March, 2003.

READ A SECOND TIME this 17th day of March, 2003.

READ A THIRD TIME this 26th day of May, 2003.

ADOPTED this 9th day of June, 2003.

Mayor

Administrator

Certified a true copy of
By-law No. 346, as adopted.

Administrator

**SCHEDULE "A"
ATTACHED AND FORMING
PART OF BY-LAW NO. 346, 2003**

RATES FOR GARBAGE AND RECYCLING COLLECTION

		No. of Cans per <u>Pick-up</u>	<u>Annual Charge</u>	Prompt Payment <u>Disc.</u>
			<u>Garbage & Recycling</u>	
1.	Single Family Residence 14.00	2	\$184.00	
2.	Condominiums, Apartments	2	\$184.00	14.00
3.	Suites and Duplexes, each unit	2	\$184.00	14.00
4.	Schools	4	\$368.00	28.00
			<u>Recycling Only</u>	
1.	Store or business premise		\$90.00	6.00
2.	Marina		\$90.00	6.00