



**BYLAW NO. 760**

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A bylaw to amend the Kitimat-Stikine Terrace Area Solid Waste and Recycling Collection Service Rates and Regulations Bylaw No. 674, 2016

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**WHEREAS** pursuant to the "Kitimat-Stikine Terrace Area Solid Waste and Recyclable Material Management Service Establishment Bylaw No. 658, 2015", the Regional District of Kitimat-Stikine is authorized to provide a service for the collection of garbage, organic materials and recyclable materials;

**AND WHEREAS** the Board of the Regional District of Kitimat-Stikine deems it advisable to amend Kitimat-Stikine Terrace Area Solid Waste and Recycling Collection Service Rates and Regulations Bylaw No. 674, 2016;

**NOW THEREFORE** the Board of the Regional District of Kitimat-Stikine in open meeting assembled, enacts as follows:

**1. Title**

- 1.1 This Bylaw may be cited for all purposes as the "Kitimat-Stikine Terrace Area Solid Waste and Recycling Collection Service Rates and Regulations Amendment Bylaw No. 760, 2021".

**2. Amendments**

- 2.1 Kitimat-Stikine Terrace Area Solid Waste and Recycling Collection Service Rates and Regulations Bylaw No. 674, 2016 are hereby amended as follows:

2.1.1 Deleting the following definitions from Section 2 in their entirety:

- (a) "Assistant Solid Waste Services Coordinator";
- (b) "Manager"; and
- (c) "Solid Waste Services Coordinator".

2.1.2 Inserting the following definitions in Section 2:

- (a) "Director of Works and Services" means the person appointed as the Director of Works and Services for the RDKS or a person designated to act in place of the Director of Works and Services.
- (b) "Uninhabitable Residential Unit" means an unoccupied Residential Unit that is uninhabitable due to:
  - (i) Structural fire damage; or
  - (ii) Damage or defect that would endanger an occupant's physical health or safety.
- (c) "Vacant Lot" means a parcel that does not contain a Residential Unit.

2.1.3 With the exception of Section 6.6.1, replacing the following terms with *Director of Works and Services*, wherever they may appear in the bylaw:

- (a) Assistant Solid Waste Services Coordinator;



- (b) Manager; and
  - (c) Solid Waste Services Coordinator.
- 2.1.4 Replacing Section 4.1 with the following:
  - (a) Subject to Section 5.3, every owner or occupier of a Residential Unit located within the Service Area shall use the Collection Service for the collection, removal, management and disposal of Residential Waste generated in the Residential Unit.
- 2.1.5 Replacing Section 5 with the following:
  - (a) Optional Service to Vacant Lots and Uninhabitable Residential Units
- 2.1.6 Inserting Section 5.3 with the following:
  - (a) The owner of an Uninhabitable Residential Unit may, by written request to the Director of Works and Services, opt out of the Collection Service for the Uninhabitable Residential Unit. The Director of Works and Services may grant the request, or deny the request, having regard to all relevant circumstances, including current and planned activities on the parcel.
- 2.1.7 Replacing Section 6.6.1 with the following:
  - (a) The owner or manager of a Multi-Family Building within the Service Area may, by written request to the Director of Works and Services, opt to receive the Collection Service at such Multi-Family Building. The Director of Works and Services shall consider, and shall either grant or deny the request, having regard to all the circumstances, including the reasonableness of the cost to the Regional District associated with providing the Collection Service to the Multi-Family Building, and the ability of the Contractor to provide the Collection Service with respect to vehicle capacity and compatibility with suitably sized Waste Containers.
- 2.1.8 Replacing Section 8.1(c) with the following:
  - (a) Place loose Recyclable Materials in Recycling Containers without the use of bags.
- 2.1.9 Inserting Section 8.1(m) with the following:
  - (a) Maintain Waste Containers in a cleanly state and free of standing liquid.
- 2.1.10 Replacing Section 9.2(i) with the following:
  - (a) Verification of an applicant's disability by a medical doctor is required once for a permanent disability, and annually for a non-permanent disability.
- 2.1.11 Inserting Section 10.6 with the following:
  - (a) Excess Recyclable Materials that do not fit in the Recycling Container may be placed in clear or translucent plastic bags and placed next to the Recycling Container.



2.1.12 Replacing Section 13.2 with the following:

- (a) Subject to Section 5.3, the fees and charges imposed under this Bylaw are payable whether or not:
  - (i) A Residential Unit is used or occupied;
  - (ii) The owner or occupier of a Residential Unit makes use of the Collection Service;
  - (iii) The Collection Service is interrupted or altered in any manner;
  - (iv) The owner or occupier of a Residential Unit receives a bill generated pursuant to section 14.1.

2.1.13 Replacing Section 17.1 with the following:

- (a) The following persons are authorised to open Waste Containers to inspect contents for compliance with this Bylaw:
  - (i) The Director of Works and Services;
  - (ii) A Bylaw Enforcement Officer; or
  - (iii) The Regional District's Contractor.

2.1.14 Replacing Section 21.1 with the following:

- (a) A Peace Officer, including a Bylaw Enforcement Officer, and the Director of Works and Services, shall have the right to enter at all reasonable times upon any property subject to the provisions of this Bylaw, for the purposes of ascertaining whether any requirement of this Bylaw or the regulations in this Bylaw are being observed.

2.2 Schedule "C" is deleted and replaced with Schedule "C" attached to this Bylaw.

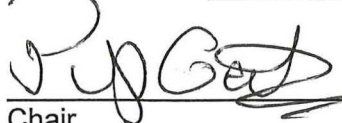
READ a first time this 24<sup>th</sup> day of September, 2021.

READ a second time this 24<sup>th</sup> day of September, 2021.

READ a third time as amended this 21<sup>st</sup> day of January, 2021.

APPROVED by the Minister of Environment & Climate Change this 15<sup>th</sup> day of December, 2021.

ADOPTED this 21<sup>st</sup> day of January, 2022.

  
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 Chair

  
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## SCHEDULE "C"

### User Fees associated with Collection of Organic Materials, Garbage and Recyclable Materials

1. The rates in this schedule apply to all Residential Units in the Service Area unless exempted under the provisions of this Bylaw.
2. Annual User Fees for 2022, 2023, 2024, 2025 and to 2026 are included in Table 1 Collection Service User Fees.
3. In the event that this Schedule "C" remains in effect after 2026, the 2026 rates shall apply to subsequent billing years.
4. Users may opt for Semi-Annual Billing or Annual Billing.
5. Payment received after the due date for Semi-Annual billing will include an additional \$10.00 fee for each billing cycle.
6. Payment received after the due date for Annual billing will include an additional \$20.00 fee.
7. Garbage Tags for set out of additional Garbage Containers are \$2.00 each.

<b>Fee type</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
January bill for Garbage, Organic Material and Recyclable Material Collection for standard service	\$137.50	141.00	144.50	147.00	\$150.00
July bill for Garbage, Organic Material and Recyclable Material Collection for standard service	\$137.50	141.00	144.50	147.00	\$150.00
Annual bill for Garbage, Organic Material and Recyclable Material Collection for standard Service	\$275.00	282.00	289.00	294.00	\$300.00