



**Hazelton and Highway 37 North Area Waste Management Facility Regulation
Bylaw No. 688, 2017**

ADOPTED August 18, 2017

This Regulation Bylaw is consolidated for convenience only.

*This Consolidated version includes amendments to August 28, 2018
up to and including Bylaw No. 705*

List of Amendments to the Hazelton and Highway 37 North Waste Management Facility Regulation Bylaw No. 688, 2017		
Bylaw No.	Date of Adoption	Purpose of Amendment
705	July 20, 2018	Adding to the Definitions section "Stewart Community", "Stewart Transfer Station" and to the definition of "Waste Management Facility, add "(e) Stewart Transfer Station"; Under section 3.5 No person shall, add "3.5.3"; Section 3.6 is deleted and replaced; Section 3.7 is deleted and replaced; Section 3.9 is deleted and replaced; Schedule "A" is deleted and replaced with a new Schedule "A"; Schedule "C" Section 1 (j) is deleted and replaced; Schedule "C" Section 2(b) is deleted and replaced; Schedule "F " is deleted and replaced with a new Schedule "F".

NOTE:

Where there is a discrepancy between this consolidated Version and the Amending Bylaw, then the original Bylaw No. 688 and the Amending Bylaws shall be deemed to be the true and correct version.

REGIONAL DISTRICT OF KITIMAT-STIKINE

BYLAW NO. 688

A bylaw for the purpose of establishing fees and regulations for the deposit of waste at the Regional District's Hazelton and Highway 37 North Area Waste Management Facilities

WHEREAS the Regional District of Kitimat-Stikine has by Kitimat-Stikine Hazelton and Stewart Area Solid Waste and Recyclable Material Management Service Establishment Bylaw No. 657, 2015, established the service of solid waste and recyclable material management for Electoral Areas A, B and D of the Regional District of Kitimat-Stikine and the District of New Hazelton, the Village of Hazelton and the District of Stewart;

AND WHEREAS the Regional District of Kitimat-Stikine is empowered to establish fees payable for depositing refuse at a disposal site;

AND WHEREAS the Board of the Regional District of Kitimat-Stikine deems it advisable to enact regulations pertaining to solid waste disposal and to establish fees for depositing solid waste;

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

1. **Citation**

1.1 This Bylaw may be cited for all purposes as the "Kitimat-Stikine Hazelton and Highway 37 North Area Waste Management Facility Regulation Bylaw No. 688, 2017".

1.2 Short title - This Bylaw may also be cited as "Waste Regulation Bylaw 688".

2. **Definitions**

In this Bylaw, unless the context requires otherwise, the following words and expressions have the following meanings:

"Administrator" means the person appointed to that position pursuant to the Appointment of Officers Bylaw;

"Appointment of Officers Bylaw" means the Regional District's Appointment of Officers Bylaw No. 469, 2000, as amended or replaced;

"Asbestos" does not include materials with an asbestos content that constitutes Hazardous Waste;

"Assistant Solid Waste Services Coordinator" means the person appointed to that position by the Administrator;

"Board" means the Board of Directors of the Regional District;

"Business Day" means any day except Saturday, Sunday or a statutory holiday as defined in the *Interpretation Act*;

“Bylaw” means this Kitimat-Stikine Hazelton and Highway 37 North Area Waste Management Facility Regulation Bylaw No. 688, 2017;

“Bylaw Enforcement Officer” means a person appointed to that position by the Board or the Administrator;

“Cardboard and Paper Products” means newspapers and flyers, magazines, catalogues, telephone books, paper gift wrap and greeting cards, writing paper, office paper, envelopes, corrugated cardboard, boxboard, kraft paper, and multi-layer paper bags, but does not include waxed cardboard or plastic coated cardboard, materials that are impregnated with blood, grease, oil, chemicals, or food residue, materials that have polyethylene, polystyrene, foil or other non-paper liners or attachments, or materials that are contaminated with any substance that will render them non-marketable;

“Class “A” Prohibited Waste” means those types of waste designated as such in Schedule “E”;

“Class “B” Prohibited Waste” means those types of waste designated as such in Schedule “E”;

“Class “C” Prohibited Waste” means those types of waste designated as such in Schedule “E”;

“Clean Soils” means Soils Suitable for Cover and Soils Not Suitable for Cover;

“Commercial Premises” means land or improvements used or intended to be used for any type of business including, without limitation, the carrying on of any commercial, institutional, educational, health care, professional or non-profit undertaking of any kind, but does not include Industrial Premises;

“Construction and Demolition Waste” means waste produced from the construction, renovation, and demolition of buildings and other structures, but does not include waste containing or contaminated with asbestos, creosote, polychlorinated biphenyls (PCBs) or any other Hazardous Waste;

“Contaminated Soils” means soils, sediments or materials containing substances in quantities or concentrations equal to or greater than those specified in Schedule 10, Column III of the *Contaminated Sites Regulation*, B.C. Reg. 375/96, but does not include Hazardous Waste;

“Controlled Waste” means those types of waste listed in Schedule “C” which may be disposed of if special handling and techniques are used to avoid creating health hazards, nuisances or environmental pollution, but does not include Hazardous Waste;

“Controlled Waste Permit” means a permit, in the form established by the Manager, issued by the Manager for the deposit of Controlled Waste;

“Controlled Waste Permit Application” means an application to deposit Controlled Waste in the form established by the Manager, which shall require disclosure of the type of Controlled Waste, the address or legal description of its source, and the name and contact information of the person depositing it, along with any other information considered necessary or desirable by the Manager;

“Exempt Waste” means:

- (a) Solid Waste originating from Residential Premises and Commercial Premises;
- (b) Electronic products that are Extended Producer Responsibility Materials; and
- (c) Tires that are Extended Producer Responsibility Materials;

but does not include Asbestos or Contaminated Soils;

“Extended Producer Responsibility Materials” or **“EPR Materials”** means materials regulated under the *Recycling Regulation*, B.C. Reg. 449/2004;

“Garbage” means discarded or abandoned materials, substances or objects, but does not include Controlled Waste, Restricted Waste or Prohibited Waste;

“Hazardous Waste” means waste defined as hazardous waste in the *Hazardous Waste Regulation*, B.C. Reg. 63/88;

“Hazelton Waste Management Facility” means the facility located at 82 Birch Road, and situate upon land legally described as the Southwest ¼ of District Lot 1574, Cassiar District;

“Industrial Premises” means land or improvements used or intended to be used for any type of industrial process, operation or activity including, without limitation, manufacturing, forestry, pulp and paper, mining, agriculture, fisheries, electricity generation and transmission, oil and gas generation and distribution, radiocommunications and telecommunications;

“Industrial Work Camp” means a building or collection of buildings used or intended for use for the purpose of residential accommodations and supports for industrial construction project workers, which may include individual sleeping accommodation units, individual or communal bathroom facilities, and communal dining areas;

“Iskut Landfill” means the facility located on Highway 37 near the Iskut community, and situate upon land legally described as District Lot 7314, Cassiar District;

“Iskut Community” means the area shown on the map in Schedule “H”;

“Kitwanga Community” means the area shown on the map in Schedule “H”;

“Kitwanga Transfer Station” means the facility located at 898 Highway 37, and situate upon land legally described as District Lot 1335, Except Plan 9610, Cassiar District;

“Land Clearing Waste” means wood waste produced from the clearing of land for development, and includes trunks, stumps, tree branches 75 millimetres in diameter or greater, tops and whole trees;

“Manager” means the Manager, Works and Services appointed by the Administrator, or, where that person is absent or unable to act, the Administrator;

“Meziadin Landfill” means the facility located at 14512 Highway 37, and situate upon land legally described as Block A, District Lots 2458 and 2459, Cassiar District;

“Municipal Solid Waste” has the meaning given in the *Environmental Management Act*;

“Operational Certificate” means an operational certificate issued pursuant to the *Environmental Management Act*;

“Organic Materials” means vegetative matter, food processing waste, garden waste, kitchen scraps and other organic wastes that can be composted, and includes food, tissues, paper towels, food soiled paper, waxed cardboard, leaves, grass, small twigs, chipped tree waste, tree branches less than 75 millimetres in diameter, and compostable structural wood waste;

“Other Sewage Waste” means any wastewater, sewage or slurry, including pumpage from catch basins, oil-water separators and shop floor drains, but does not include Septage;

“Packaging” has the meaning given in the *Environmental Management Act*;

“Printed Paper” has the meaning given in the *Recycling Regulation*, B.C. Reg. 449/2004;

“Poultry Processing Industry” has the meaning given in the *Code of Practice for the Slaughter and Poultry Processing Industries*, B.C. Reg. 246/2007;

“Prohibited Waste” means Class “A” Prohibited Waste, Class “B” Prohibited Waste and Class “C” Prohibited Waste;

“Qualified Professional” means an applied scientist or technologist specializing in a particular applied science or technology, including agrology, biology, chemistry, engineering, geology or hydrogeology,

- (a) who is registered in British Columbia with the professional organization responsible for his or her area of expertise, acting under that professional association’s code of ethics and subject to disciplinary action by that association, and
- (b) who, through suitable education, experience, accreditation and knowledge, may be reasonably relied on to provide advice within his or her area of expertise as it relates to this Bylaw;

“Regional District” means the Regional District of Kitimat-Stikine;

“Residential Premises” includes houses, apartments, condominiums, townhouses, manufactured homes whether located within manufactured home parks or otherwise, vacant lots zoned for residential use, and other premises in which persons reside, but does not include institutional or commercial accommodations, or Industrial Work Camps;

“Restricted Waste” means those types of waste listed in Schedule “D”;

“Septage” means septic tank pumpage and treated sewage sludge, and includes:

- (a) the contents of grease traps from restaurants within the Service Area when they are mixed with septic tank pumpage, and
- (b) wash water that is free of hydrocarbon contamination,

but does not include Other Sewage Waste;

“Service Area” means Electoral Areas “A”, “B” and “D” of the Regional District of Kitimat-Stikine, the District of New Hazelton and the Village of Hazelton;

“Site Operator” means a person employed by or having a contract with the Regional District for supervision or maintenance duties at a Waste Management Facility;

“Site Personnel” means the Site Operator and any person performing duties at a Waste Management Facility under the employment or supervision of a Site Operator, or any other person authorized by the Regional District to perform duties at a Waste Management Facility from time to time;

“Slaughter Industry” has the meaning given in the *Code of Practice for the Slaughter and Poultry Processing Industries*, B.C. Reg. 246/2007;

“Slaughter Waste” includes waste from the Slaughter Industry and the Poultry Processing Industry;

“Soils Not Suitable for Cover” means clean soils other than Soils Suitable for Cover, and includes clay and organic soils, but does not include Contaminated Soils;

“Soils Suitable for Cover” means clean mineral soils that are free-draining and comprised of sand, sand and gravel or sandy loam, but does not include clay or organic soils, or Contaminated Soils;

“Solid Waste” means Garbage, Restricted Waste, and Controlled Waste, but does not include Prohibited Waste;

“Solid Waste Services Coordinator” means the person appointed to that position by the Administrator and, unless specifically provided otherwise, includes the Assistant Solid Waste Services Coordinator, or, where those persons are absent or unable to act, the Manager;

Stewart Community" means the area within the municipal boundaries of the District of Stewart; (Added by Bylaw No. 705, 2018)

"Stewart Transfer Station" means the facility located on Glacier Road, and situate upon land legally described as Block C, District Lot 792, Cassiar District;
(Added by Bylaw No. 705, 2018)

“Treasurer” means the person appointed to that position pursuant to the Appointment of Officers Bylaw, or, where that person is absent or unable to act, the Administrator;

“Waste Management Facility” means any of the following:

- (a) Hazelton Waste Management Facility;
- (b) Iskut Landfill
- (c) Kitwanga Transfer Station;
- (d) Meziadin Landfill; and,
- (e) Stewart Transfer Station (Added by Bylaw No. 705, 2018)

3. **General Regulations**

3.1 No person shall deposit Solid Waste at a Waste Management Facility except in accordance with this Bylaw.

3.2 All Solid Waste deposited at a Waste Management Facility shall become the property of the Regional District, except where such Solid Waste is deposited contrary to the provisions of this Bylaw, in which case the Regional District may refuse to accept ownership.

- 3.3 No person shall dispose of Solid Waste within the Service Area other than at one of the following:
- (a) a Waste Management Facility;
 - (b) a site, other than a Waste Management Facility, designated for the collection of Solid Waste by the Regional District;
 - (c) a facility authorized by the British Columbia Ministry of Environment to receive Solid Waste.
- 3.4 Solid Waste may only be deposited at a Waste Management Facility where such Solid Waste is permitted in accordance with Schedule "F".
- 3.5 No person shall:
- 3.5.1 deposit Solid Waste at the Iskut Landfill unless it originates from within the Iskut Community;
 - 3.5.2 deposit Solid Waste at the Kitwanga Transfer Station unless it originates from within the Kitwanga Community.
 - 3.5.3 deposit Solid Waste at the Stewart Transfer Station unless it originates from within the Stewart Community. (Added by Bylaw No. 705, 2018)
- 3.6 Except as provided in section 3.7, no person shall deposit Controlled Waste at the Iskut Landfill, Stewart Transfer Station or Kitwanga Transfer Station.
(Amended by Bylaw No. 705, 2018)
- 3.7 The following types of Controlled Waste may be deposited at the Iskut Landfill, Stewart Transfer Station and Kitwanga Transfer Station: (Amended by Bylaw No. 705, 2018)
- 3.7.1 Garbage originating from Commercial Premises;
 - 3.7.2 loads of 30 cubic metres or less of Construction and Demolition Waste;
 - 3.7.3 loads of 30 cubic metres or less of Land Clearing Waste.
- 3.8 Subject to section 3.9, no person shall deposit Solid Waste which originated outside the Service Area at a Waste Management Facility.
- 3.9 As an exception to section 3.8, and subject to section 8.3:
- (a) the Manager may authorize a person to deposit Solid Waste from outside the Service Area at a Waste Management Facility upon request where:
 - (i) the deposit of such Solid Waste is consistent with the operational certificate for the Waste Management Facility;
 - (ii) the Manager considers that there is sufficient space for the deposit at the Waste Management Facility;
 - (iii) the Solid Waste originates within the boundaries of a public authority that is not a member of the Waste Management Service; and
 - (iv) the deposit is made in accordance with such terms and conditions as the Manager considers appropriate in relation to such deposit,
 - (b) Section 3.9(a)(iii) does not apply where the Board has entered into a service contract with another public authority for the deposit of Solid Waste from outside the Service Area at a Waste Management Facility."
(Amended by Bylaw No. 705, 2018)

3.10 Sections 3.4, 3.5 and 3.6 do not apply to the deposit of Solid Waste by the Regional District.

4. **Facility Use Regulations**

4.1 All persons entering a Waste Management Facility do so at their own risk. The Regional District accepts no responsibility or liability for damage or injury to persons or property that occurs during or as a result of entry to a Waste Management Facility.

4.2 Solid Waste transported to a Waste Management Facility shall be adequately covered or secured to prevent the materials from blowing or falling off the vehicle while in transit.

4.3 Any person intending to deposit animal carcasses at a Waste Management Facility, other than animal carcasses that are defined as Controlled Waste, must declare that intention to Site Personnel at the time of deposit.

4.4 Any person operating a vehicle within a Waste Management Facility must do so in a safe and prudent fashion, and in accordance with the posted speed limit.

4.5 No person shall leave a vehicle unattended at a Waste Management Facility.

4.6 No person shall loiter at a Waste Management Facility.

4.7 No person at a Waste Management Facility shall engage in conduct that is disorderly or offensive including but not limited to loud or excessive use of offensive language or intoxication.

4.8 Children under 13 years of age and pets are not permitted at a Waste Management Facility except when they remain within the confines of a vehicle.

4.9 No person, other than Site Personnel acting in the course of their duties, shall ignite a fire or cause a fire to be ignited, or bring any burning materials or hot ashes, or light or smoke any cigarette, cigar, pipe or similar thing within a Waste Management Facility.

4.10 No person shall remove, scavenge or salvage Solid Waste from a Waste Management Facility except with the prior written approval of the Solid Waste Services Coordinator.

4.11 Every person who deposits Solid Waste at a Waste Management Facility shall comply with all directions of Site Personnel, whether such directions are given in the form of signage or verbal or written instructions.

5. **Controlled Waste**

5.1 Controlled Waste is subject to the regulations set out in Schedule "C".

6. **Restricted Waste**

6.1 Restricted Waste is subject to the regulations set out in Schedule "D".

7. **Prohibited Waste**

7.1 Prohibited Waste is subject to the regulations set out in Schedule "E".

8. **Fees**

- 8.1 Every person who deposits Solid Waste at a Waste Management Facility, other than Exempt Waste, shall:
- 8.1.1 pay the applicable fees prescribed in Schedule "A"; and
 - 8.1.2 establish a Charge Account and pay the fees in accordance with Schedule "B".
- 8.2 Section 8.1, and the fees prescribed in Schedule "A shall not apply to the deposit of Solid Waste at a Waste Management Facility in the following circumstances:
- 8.2.1 Where the Board has authorized the deposit, without charge, of Solid Waste for purposes of encouraging the voluntary clean-up of unsightly premises;
 - 8.2.2 Where Solid Waste is transferred from one Waste Management Facility to another.
- 8.3 The following persons shall, in addition to paying the applicable fees prescribed in Schedule "A", pay the Regional District a surcharge equal to twenty-five percent (25%) of the applicable fees prescribed in Schedule "A" when depositing Solid Waste at a Waste Management Facility:
- 8.3.1 Any person depositing Solid Waste from outside the Service Area.

9. **Administration**

- 9.1 The Manager and the Solid Waste Services Coordinator are authorized to administer this Bylaw.
- 9.2 Without limiting the generality of section 9.1, the Manager is hereby authorized to do the following:
- 9.2.1 Establish forms for the Controlled Waste Permit Application and Controlled Waste Permit;
 - 9.2.2 Prohibit the deposit of Solid Waste at Waste Management Facilities by persons with overdue accounts in accordance with Schedule "B";
 - 9.2.3 Permit prepayment of disposal fees by Account Holders in accordance with Schedule "B".
- 9.3 Without limiting the generality of section 9.1, the Solid Waste Services Coordinator is hereby authorized to do the following:
- 9.3.1 Process Controlled Waste Permit Applications, and where appropriate issue and cancel Controlled Waste Permits in accordance with Schedule "C"; and
 - 9.3.2 Authorize persons to remove, scavenge or salvage Solid Waste from a Waste Management Facility under section 4.10.

10. **Appeal**

- 10.1 A person directly affected by a decision made under this Bylaw by the Solid Waste Services Coordinator, Site Operator or Site Personnel may file a written notice of appeal with the Manager.
- 10.2 A notice of appeal under section 10.1 must be filed with the Manager within thirty (30) days of the date of the decision being appealed.
- 10.3 Upon considering a decision under appeal, the Manager may:
- 10.3.1 Confirm, reverse or vary the decision under appeal; or
- 10.3.2 Make any decision that the Manager considers appropriate.
- 10.4 A person directly affected by a decision made under this Bylaw by the Manager may file a written notice of appeal with the Administrator.
- 10.5 A notice of appeal under section 10.4 must be filed with the Administrator within thirty (30) days of the date of the decision being appealed.
- 10.6 Upon considering a decision under appeal, the Administrator may:
- 10.6.1 Confirm, reverse or vary the decision under appeal; or
- 10.6.2 Make any decision that the Administrator considers appropriate.
- 10.7 A person for whom an appeal decision has been made under section 10.6 may further appeal the Administrator's appeal decision to the Board by filing a written notice of appeal with the Board.
- 10.8 A notice of appeal under section 10.7 must be filed with the Board within thirty (30) days of the date of the appeal decision being appealed.
- 10.9 Upon considering a matter under appeal, the Board may:
- 10.9.1 Confirm, reverse or vary the decision under appeal; or
- 10.9.2 Make any decision that the Board considers appropriate.
- 10.10 An appeal under this Bylaw does not operate as a stay or suspend the operation of the decision being appealed unless the authority that has jurisdiction under this Bylaw to consider appeal of the decision decides otherwise.
- 10.11 Where a decision of the Administrator under section 10.6 is under appeal to the Board, the Board shall, at the request of the Administrator, permit the Administrator to have full party status at the appeal.

11. **Violations and Penalties**

- 11.1 A person who contravenes the provisions of this Bylaw may be refused or prohibited re-entry to a Waste Management Facility.
- 11.2 A person who contravenes this Bylaw shall, in addition to any other penalty imposed, pay any costs incurred by the Regional District to remediate or rectify that person's act or omission.

11.3 A person who contravenes this Bylaw, or who permits any act or thing to be done in contravention of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00), the costs of prosecution and any other penalty or order imposed pursuant to the *Local Government Act* or the *Offence Act*. Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

12. **Enforcement by Ticket Information**

12.1 This Bylaw may be enforced by means of a ticket information in the form prescribed for purpose of Division 3 of Part 8 of the *Community Charter*.

12.2 The following persons are designated as bylaw enforcement officers for the purpose of enforcing this Bylaw:

12.2.1 A Bylaw Enforcement Officer;

12.2.2 The Manager;

12.2.3 The Solid Waste Services Coordinator;

12.2.4 The Assistant Solid Waste Services Coordinator.

12.3 The words or expressions set forth in Column I of Schedule "G" designate the offence committed under the Bylaw section number appearing in Column II, opposite the respective words or expressions.

12.4 The amounts appearing in Columns III and IV of Schedule "G" are fines set pursuant to section 265 of the *Community Charter* for the corresponding offences designated in Column I.

13. **Interpretation**

13.1 The schedules annexed to this Bylaw shall be deemed to be an integral part of this Bylaw.

13.2 The headings in this Bylaw are inserted for convenience only, and shall not affect the interpretation of any provision in it.

14. **Severability**

14.1 If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction it may be severed from the Bylaw, and the remainder of the Bylaw shall continue in full force and effect.

15. **Effective Date**

15.1 This Bylaw shall take effect on date of adoption.

SCHEDULE "A"

(Amended by Bylaw No. 705, 2018)

Fees

1. Table A1 sets out the fees for deposit of Solid Waste at Hazelton Waste Management Facility, Meziadin Landfill, Iskut Landfill, Stewart Transfer Station, and Kitwanga Transfer Station. Each row in Column I sets out the type of Solid Waste, and the corresponding row in Column II indicates the fee payable for deposit.
2. Not all types of waste can be deposited at all facilities. Refer to Schedule "F" for information on which facilities accept each type of waste.
3. The minimum charge for deposit of Solid Waste at any Waste Management Facility, other than Exempt Waste, regardless of quantity, is \$10.00.
4. Any person submitting a Controlled Waste Permit Application shall pay an application fee of \$25.00 at the time of application.
5. Where a portion of a load of Solid Waste constitutes Exempt Waste, the tipping fee prescribed in Table A1 shall apply only to that portion of the load in excess of the portion that constitutes Exempt Waste.
6. Despite Table A1, the minimum charge for depositing:
 - a. Animal Carcasses is \$110.00; and
 - b. Asbestos is \$165.00

Table A1 –Tipping Fees at the Waste Management Facilities

Column I	Column II
Exempt Waste	No charge
Solid Waste for which a specific tipping fee is not otherwise prescribed in this Table A1	\$39.00 per cubic metre
Controlled Waste	See specific types below
Animal Carcasses (Loads in excess of 50 kilograms)	\$32.50 per cubic metre
Asbestos	\$41.25 per cubic metre
Contaminated Soils with concentrations of contaminants below the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	\$117.00 per cubic metre

Contaminated Soils with concentrations of contaminants equal to or greater than the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	\$140.00 per cubic metre
Construction and Demolition Waste	\$32.50 per cubic metre
Land Clearing Waste	\$45.50 per cubic metre
Soils Suitable for Cover	\$9.35 per cubic metre
Soils Not Suitable for Cover	\$18.70 per cubic metre
Broken concrete free of rebar, in pieces up to 300mm in diameter	\$156.00 per cubic metre
Broken concrete with rebar, in pieces up to 300mm in diameter	\$312.00 per cubic metre
Broken asphalt, in pieces up to 300mm in diameter	\$52.00 per cubic metre
Waste ash from incinerators	\$195.00 per cubic metre
Septage	\$60.00 per cubic metre
Garbage (uncompacted)	\$26.00 per cubic metre
Garbage (compacted)	\$41.60 per cubic metre
Restricted Waste	See specific types below
Scrap Metal (no charge for major household appliances originating from Residential Premises)	\$39.00 per cubic metre
Cardboard and Paper Products (loose)	\$9.90 per cubic metre
Cardboard and Paper Products (baled)	\$29.70 per cubic metre

SCHEDULE "B"

Charge Accounts

1. In this Schedule "B", unless the context requires otherwise, the following words and expressions have the following meanings:
 - 1.1. **"Account Holder"** means a person that holds a Charge Account;
 - 1.2. **"Applicant"** means a person who has submitted an Application for Credit;
 - 1.3. **"Application for Credit"** means an application for a Charge Account in the form established by the Manager;
 - 1.4. **"Arrears"** with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) days after the date of invoice;
 - 1.5. **"Billing Address"** has the meaning assigned in section 6;
 - 1.6. **"Charge Account"** means an account held by a user of Waste Management Facilities with the Regional District whereby the user is required to pay disposal fees on a monthly basis;
 - 1.7. **"Delinquent"** with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) after the date of a Notice of Arrears;
 - 1.8. **"Notice of Arrears"** means a written notice from the Regional District to an Account Holder indicating that a Charge Account is in arrears.
2. Any person who deposits Solid Waste at a Waste Management Facility, other than Exempt Waste, must first establish a Charge Account.
3. A person wishing to establish a Charge Account must submit a completed Application for Credit to the Treasurer.
4. Invoices for amounts owing on Charge Accounts will be generated by the Regional District on a monthly basis and delivered to the address provided by the Account Holder on the Application for Credit, or to such address as the Account Holder may from time to time furnish for that purpose (the **"Billing Address"**). The onus is upon the Account Holder to notify the Regional District of any change in Billing Address.
5. The total amount owing on any invoice must be paid in full by the Account Holder to the Regional District within thirty (30) days of the date of the invoice.
6. Any amount not paid to the Regional District within thirty (30) days of the date of the invoice is in arrears and must be paid immediately, along with interest pursuant to section 14.
7. Where a Charge Account is in arrears the Regional District shall deliver a Notice of Arrears to the Account Holder at the Billing Address.

8. Any amount not paid to the Regional District within thirty (30) days of the date of a Notice of Arrears is delinquent and must be paid immediately, along with interest pursuant to section 12.
9. Any Charge Account that is delinquent shall be suspended until such time as all amounts owing, including interest, are paid in full. During the period of suspension, the Account Holder is prohibited from depositing Solid Waste at a Waste Management Facility, other than Exempt Waste.
10. Any Charge Account that becomes delinquent more than once shall be subject to immediate cancellation.
11. The Regional District may refer any delinquent Charge Account to a third party collection agency at any time.
12. In addition to any other penalty imposed under this Bylaw, any amount owing on a Charge Account that is not paid within thirty (30) days of the date of invoice shall bear interest at the rate of eighteen percent (18%) per year, calculated and accruing daily, from and including the first date upon which the account falls into arrears, and such interest shall form part of the amount in arrears.
13. The Manager may, in addition to any other penalty imposed under this Bylaw, cancel a Charge Account where the Account Holder has deposited Prohibited Waste at a Waste Management Facility, or has deposited Solid Waste at a Waste Management Facility in a manner contrary to this Bylaw.
14. Provided that it is reasonably practicable to do so, and provided that the Manager deems it necessary or desirable to do so, the Manager may permit an Account Holder to prepay disposal fees.

SCHEDULE “C”

Controlled Waste

Definition

1. The following types of waste are classified as Controlled Waste:

- (a) Animal carcasses in loads greater than fifty (50) kilograms;
- (b) Asbestos;
- (c) Contaminated Soils;
- (d) Any load of Land Clearing Waste or Construction and Demolition Waste greater than five (5) cubic metres;
- (e) Clean Soils;
- (f) Broken concrete in pieces up to 300mm in diameter;
- (g) Broken asphalt in pieces up to 300mm in diameter;
- (h) Waste ash from incinerators;
- (i) Septage;
- (j) Solid Waste originating from Commercial Premises, other than loads of Garbage 5 cubic meters or less in volume. (Amended by Bylaw No. 705, 2018)

General Regulations

2. The following requirements apply to any deposit of Controlled Waste:

- (a) All types of Controlled Waste may be deposited at the Meziadin Landfill and Hazelton Waste Management Facility, following the requirements of this bylaw.
- (b) The Stewart Transfer Station and Kitwanga Transfer Station will accept certain types of Controlled Waste. Garbage from Commercial Premises will be accepted following the requirements of this Bylaw. Loads of Construction and Demolition Waste and Land Clearing Waste that do not exceed thirty (30) cubic metres will also be accepted. Other types of Controlled Waste will not be accepted.
(Amended by Bylaw No. 705, 2018)
- (c) The Iskut Landfill will accept certain types of Controlled Waste. Garbage from Commercial Premises will be accepted following the requirements of this Bylaw. Loads of Construction and Demolition Waste and Land Clearing Waste that do not exceed thirty (30) cubic metres, Septage, and Clean Soils will also be accepted.

- (d) The person who is to deposit the Controlled Waste must complete a Controlled Waste Permit Application and submit it to the Solid Waste Services Coordinator for approval within the time prescribed in this Schedule "C";
- (e) Controlled Waste must not be deposited unless the Solid Waste Services Coordinator has issued a Controlled Waste Permit, which may include any terms and conditions of deposit the Solid Waste Services Coordinator deems necessary or desirable to ensure compliance with this Bylaw, the operational certificate for the relevant landfill, and any other applicable law or permit;
- (f) Subject to the terms and conditions of the applicable Controlled Waste Permit, an appointment for deposit must be made through the Solid Waste Services Coordinator a minimum of twenty-four (24) hours prior to the deposit of Controlled Waste;
- (g) The person depositing Controlled Waste must produce the applicable Controlled Waste Permit to Site Personnel upon arrival at the Waste Management Facility.
- (h) Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;
- (i) Loads of Controlled Waste must be of one type only and from no more than one source unless the Controlled Waste Permit specifies otherwise;
- (j) Controlled Waste must be kept separate from any other type of Solid Waste;
- (k) If the terms and conditions of a Controlled Waste Permit are not met, Site Personnel may refuse to allow deposit;
- (l) Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;
- (m) The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Waste Management Facility, and the Manager may refuse to issue a Controlled Waste permit where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the operational certificate for the landfill and any other applicable law or permit;
- (n) Despite subsections (b) and (d) above, in cases of an emergency or hardship, the Solid Waste Services Coordinator may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of twenty-four (24) hours' notice, and outside regular appointment hours.

Animal Carcasses in Loads Greater than Fifty (50) Kilograms

3. An Application for a Controlled Waste Permit in relation to the deposit of animal carcasses in loads greater than fifty (50) kilograms must be submitted to the Solid Waste Services Coordinator at least two (2) business days before the requested deposit date.

Asbestos

4. An Application for a Controlled Waste Permit in relation to asbestos must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

Contaminated Soils

5. An Application for a Controlled Waste Permit in relation to hydrocarbon contaminated soils must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested deposit date.
6. Any person submitting an Application for a Controlled Waste Permit in relation to hydrocarbon contaminated soils must include with it a report certified by a Qualified Professional detailing the types and levels of contamination in the hydrocarbon contaminated soils, as well as all data and analyses supporting the report's conclusions.

Land Clearing Waste or Construction and Demolition Waste over Five (5) Cubic Metres

7. An Application for a Controlled Waste Permit in relation to a load of Land Clearing Waste or a load of Construction and Demolition Waste must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

Clean Soils

8. An Application for a Controlled Waste Permit in relation to Clean Soils must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

Broken Concrete up to 300mm in diameter

9. An Application for a Controlled Waste Permit in relation to broken concrete up to 300mm in diameter must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

Broken Asphalt up to 300mm in diameter

10. An Application for a Controlled Waste Permit in relation to broken asphalt up to 300mm in diameter must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested deposit date.

Waste Ash from Incinerators

11. An Application for a Controlled Waste Permit in relation to waste ash from incinerators must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested deposit date.
12. Any person submitting an Application for a Controlled Waste Permit in relation to waste ash from incinerators must include with it a report certified by a Qualified Professional detailing the types and levels of contamination in the waste ash, as well as all data and analyses supporting the report's conclusions.

Septage

13. An Application for a Controlled Waste Permit in relation to Septage must be submitted to the Solid Waste Services Coordinator at least ten (10) business days before the requested date of initial deposit.
14. A Controlled Waste Permit for Septage may be issued for a period of up to one (1) year.
15. During the term of a Controlled Waste Permit for Septage, the permit holder may deposit Septage from time to time without an appointment, provided the permit holder also holds and active Charge Account pursuant to Schedule "B" of this Bylaw.
16. The Solid Waste Services Coordinator may cancel a Controlled Waste Permit for Septage if the holder of the Permit fails to comply with the terms and conditions of the Controlled Waste Permit or the provisions of this Bylaw.

Garbage from Commercial Premises over Five (5) Cubic Metres

17. An Application for a Controlled Waste Permit in relation to Garbage from Commercial Premises over five (5) cubic metres must be submitted to the Solid Waste Services Coordinator at least five (5) business days before the requested date of initial deposit.
18. A Controlled Waste Permit for Garbage from Commercial Premises may be issued for a period of up to one (1) year.
19. During the term of a Controlled Waste Permit for Garbage from Commercial Premises, the permit holder may deposit Garbage from Commercial Premises at a regularly scheduled time, during regular hours of facility operation.
20. The Solid Waste Services Coordinator may cancel a Controlled Waste Permit for Garbage from Commercial Premises if the holder of the Permit fails to comply with the terms and conditions of the Controlled Waste Permit or the provisions of this Bylaw.

SCHEDULE "D"

Restricted Waste

Definition

1. The following types of waste are classified as Restricted Waste:
 - (a) Metal;
 - (b) White goods;
 - (c) Cardboard and Paper Products originating from Commercial Premises;
 - (d) Electronic products that fall within the definition of "Extended Producer Responsibility Materials";
 - (e) Packaging and Printed Paper products originating from Residential Premises that fall within the definition of "Extended Producer Responsibility Materials".
 - (f) Tires that fall within the definition of "Extended Producer Responsibility Materials".

Restricted Waste Regulations

2. Restricted Waste is recyclable and must be kept separate from other types of Solid Waste when deposited at a Waste Management Facility, and must be deposited in the designated location at the Waste Management Facility.

SCHEDULE "E"

Prohibited Waste

Definition

1. The following types of waste are classified as Class "A" Prohibited Waste:
 - (a) Hazardous Waste;
 - (b) Radioactive waste;
 - (c) Slaughter Waste;
 - (d) Waste that is on fire or smoldering, or any waste material capable of starting fires, and highly flammable material;
 - (e) Explosive or highly combustible materials;
 - (f) Other Sewage Waste;
 - (g) Waste that is not Municipal Solid Waste.
2. The following types of waste are classified as Class "B" Prohibited Waste:
 - (a) Auto hulks;
 - (b) Broken concrete 300 millimetres in diameter or greater;
 - (c) Broken Asphalt 300 millimetres in diameter or greater.
3. The following types of waste are classified as Class "C" Prohibited Waste:
 - (a) Extended Producer Responsibility Materials unless classified as a Restricted Waste;
 - (b) Organic Materials that originate from Industrial Work Camps or from outside the Service Area;
 - (c) Tires that do not fall within the definition of "Extended Producer Responsibility Materials".

Prohibited Waste Regulations

4. No person shall deposit or attempt to deposit Prohibited Waste at a Waste Management Facility.

SCHEDULE “F”

(Amended by Bylaw No. 705, 2018)

Permitted Waste

- Table F1 sets out the types of waste accepted for deposit at each Waste Management Facility. Each row in Column I sets out the type of waste, and the corresponding row in Columns II, III, IV and V indicates whether that type of waste is accepted for deposit at that Waste Management Facility, with “Yes” meaning the waste is accepted for deposit, and “No” meaning it is not.

Table F1

	Column II	Column III	Column IV	Column V	Column VI
Column I	Hazelton Waste Management Facility	Meziadin Landfill	Stewart Transfer Station	Iskut Landfill	Kitwanga Transfer Station
Exempt Waste	Yes	Yes	Yes	Yes	Yes
Controlled Waste	See specific types below	See specific types below	See specific types below	See specific types below	See specific types below
Animal Carcasses in loads greater than fifty (50) kilograms	Yes	Yes	No	No	No
Asbestos	Yes	Yes	No	No	No
Contaminated Soils with concentrations of contaminants below the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	Yes	Yes	No	No	No

	Column II	Column III	Column IV	Column V	Column VI
Column I	Hazelton Waste Management Facility	Meziadin Landfill	Stewart Transfer Station	Iskut Landfill	Kitwanga Transfer Station
Contaminated Soils with concentrations of contaminants equal to or greater than the Commercial, Industrial soil standard prescribed in the <i>Contaminated Sites Regulation</i> , B.C. Reg. 375/96	Yes	Yes	No	No	No
Construction and Demolition Waste in excess of five (5) cubic metres	Yes	Yes	Yes, up to thirty (30) cubic metres	Yes, up to thirty (30) cubic metres	Yes, up to thirty (30) cubic metres
Land Clearing Waste in excess of five (5) cubic metres	Yes	Yes	Yes, up to thirty (30) cubic metres	Yes, up to thirty (30) cubic metres	Yes, up to thirty (30) cubic metres
Soils Suitable for Cover	Yes	Yes	No	Yes	No
Soils Not Suitable for Cover	Yes	Yes	No	No	No
Broken concrete free of rebar	Yes	Yes	No	No	No
Broken concrete with rebar	Yes	Yes	No	No	No
Broken asphalt	Yes	Yes	No	No	No
Waste ash from incinerators	Yes	Yes	No	No	No
Septage	Yes	Yes	No	Yes	No

	Column II	Column III	Column IV	Column V	Column VI
Column I	Hazelton Waste Management Facility	Meziadin Landfill	Stewart Transfer Station	Iskut Landfill	Kitwanga Transfer Station
Garbage originating from Commercial Premises that is not Exempt Waste	Yes	Yes	Yes	Yes	Yes
Restricted Wastes	See specific types below	See specific types below	See specific types below	See specific types below	See specific types below
Metal	Yes	Yes	Yes	Yes	Yes
Cardboard and Paper Products originating from Commercial Premises;	Yes	Yes	Yes	Yes	Yes
Packaging and Paper Products originating from Residential Premises that fall within the definition of "Extended Producer Responsibility Materials".	No	Yes	Yes	Yes	Yes
Tires that fall within the definition of "Extended Producer Responsibility Materials	Yes	Yes	Yes	Yes	Yes

SCHEDULE "G"

Ticket Information Offences and Penalties

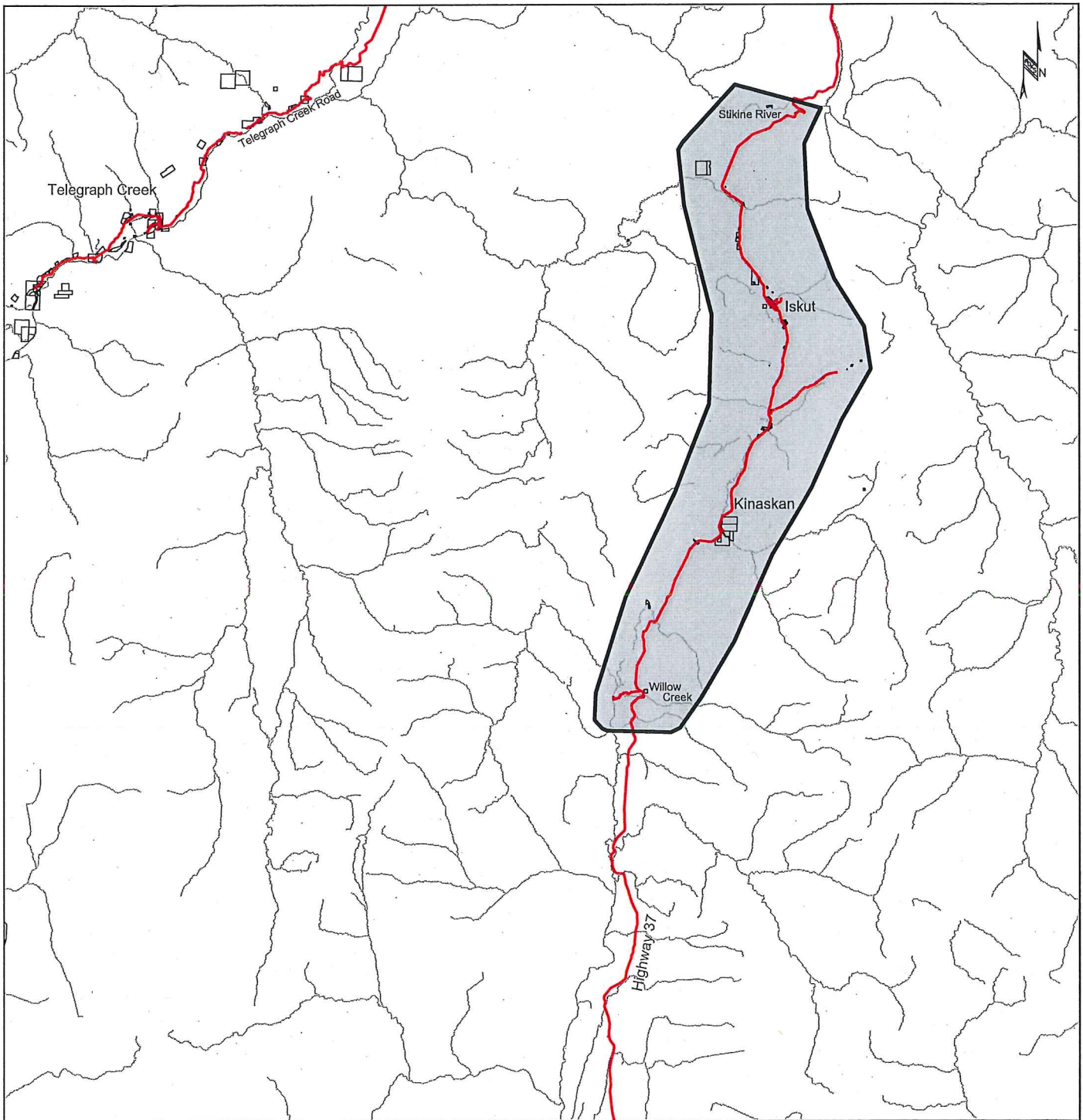
Column I Designated Offence	Column II Section	Column III Fine if paid within 30 days	Column IV Fine if paid after 30 days
Deposit type of Solid Waste not permitted	3.4	\$100.00	\$125.00
Deposit Solid Waste from area not permitted	3.5	\$100.00	\$125.00
Deposit Solid Waste from outside Service Area	3.8	\$100.00	\$125.00
Fail to cover or secure a load	4.2	\$100.00	\$125.00
Fail to declare animal carcasses	4.3	\$100.00	\$125.00
Drive in unsafe manner at Waste Management Facility	4.4	\$100.00	\$125.00
Disorderly or offensive conduct	4.7	\$100.00	\$125.00
Ignite or cause fire to be ignited	4.9	\$100.00	\$125.00
Smoking at Waste Management Facility	4.9	\$100.00	\$125.00
Remove, scavenge or salvage Solid Waste without permission	4.10	\$100.00	\$125.00
Deposit Controlled Waste not accepted by Site Personnel	Schedule "C", section 2(h)	\$100.00	\$125.00
Deposit load contaminated with Controlled Waste	Schedule "C", section 2(j)	\$500.00	\$625.00

Ticket Information Offences and Penalties (continued)

Deposit load contaminated with Restricted Waste	Schedule "D", section 2	\$100.00	\$125.00
Deposit Class "A" Prohibited Waste	Schedule "E", section 4	\$1,000.00	\$1,000.00
Deposit Class "B" Prohibited Waste	Schedule "E", section 4	\$200.00	\$250.00
Deposit Class "C" Prohibited Waste	Schedule "E", section 4	\$100.00	\$125.00

SCHEDULE "H"

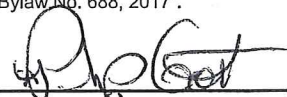
Maps Showing Iskut Community and Kitwanga Community



Service Area



This map is Schedule "H" of the
 "Kitimat-Stikine Hazelton and
 Highway 37 North Area Waste
 Management Facility Regulation"
 Bylaw No. 688, 2017".

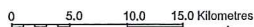

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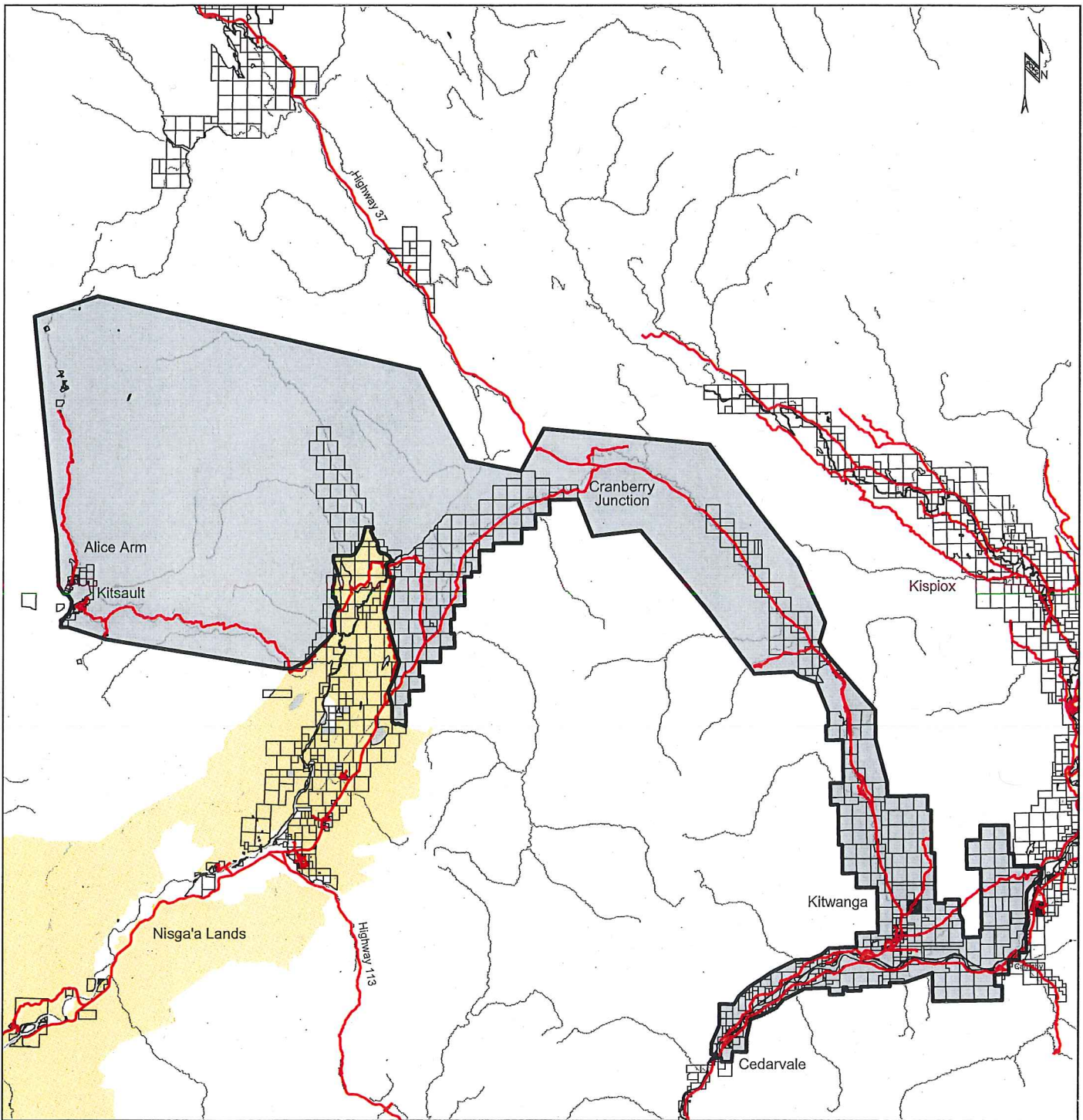
Administrator
 AUGUST 18, 2017

Date of Adoption



Regional District of Kitimat-Stikine
 Suite 300
 4545 Lazelle Avenue
 Terrace, B.C.
 V8G 4E1

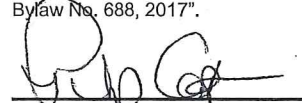




Service Area



This map is Schedule "H" of the
 "Kitimat-Stikine Hazelton and
 Highway 37 North Area Waste
 Management Facility Regulation
 Bylaw No. 688, 2017".



Chair



Administrator

AUGUST 18, 2017

Date of Adoption



Regional District of Kitimat-Stikine

Suite 300
 4545 Lazelle Avenue
 Terrace, B.C.
 V8G 4E1

