



**VILLAGE OF BELCARRA**  
**Recycling, Garbage Collection and**  
**Removal Regulation**  
**Bylaw No. 394, 2007**



**Consolidated**

**Being a bylaw to provide for Recycling and Garbage Collection and Removal**

This consolidation is prepared for convenience only. The amendment bylaw has been combined with the original bylaw for convenience only. This consolidation is not a legal document. Individual copies of the bylaw may be obtained by contacting the Village Office.

Village of Belcarra Fees and Charges Bylaw No. 400, 2008

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**WHEREAS** pursuant to the Community Charter the Village of Belcarra Council may, by bylaw, impose a fee payable in respect of all or part of a service of the municipality and has the authority to regulate, prohibit or impose requirements;

**AND WHEREAS** the Village of Belcarra Council has the authority to establish and operate a system for recycling and the disposal of garbage and other waste products, to compel persons to make use of such a system, and to prescribe the terms and conditions on which persons make use of the system;

**NOW THEREFORE**, the Village of Belcarra Council, in open meeting assembled, enacts as follows:

1. This by-law may be cited for all purposes as the Village of Belcarra Recycling and Garbage Collection and Removal Regulation Bylaw No. 394, 2007;
2. In this by-law:

**"authorized user"** means the owner and/or occupier of real property or dwelling unit located within the "Municipality" or a person authorized by "Council", to access and deposit "domestic garbage" and "recyclable materials" at the "recycle facility".

**"Charge"** means the annual charge levied in respect of each authorized user and dwelling unit for the collection and removal of garbage and recycling materials as set out in Schedule "A" to this Bylaw;

**"Council"** means the Council of the Municipality;

**"Collector"** means the Municipal tax collector;

**"domestic garbage"** means domestic waste normally generated within the home and includes; cloth, "non-recyclable materials", food stuff, refuse and any other domestic noxious, offensive, unwholesome and discarded matter, but does not include "trade waste", "hazardous waste", waste from commercial, industrial, utility, building construction sites, landscaping, or other non-domestic sources;

**"dwelling unit"** means a single family residence, an accessory suite or a self-contained set of habitable rooms in a building containing a set of cooking facilities and includes seasonal or part time residences;

**"facility container"** means an identified receptacle, designated by the Municipality as a container for the depositing of "domestic garbage", "recyclable material" or other "specifically identified materials" only;

**“hazardous waste”** has the same meaning as under the Environmental Management Act SBC 2003, Chapter 53 and regulations made thereunder;

**“large item”** means household items including furniture and appliances and excludes dirt, rocks, glass, car parts, demolition material, paints and liquids, hazardous material, propane tanks, batteries, gyproc and building materials;

**“recycle facility contractor”** means a person or agency contracted from time to time by the Municipality to transport or process “facility containers” from the “recycle facility” and to carry out duties imposed upon them;

**“municipality”** means the Village of Belcarra;

**“recycle facility”** means the recycle and garbage depot located at 4086 Bedwell Bay Road or other areas, as designated by the municipality for the collection, sorting and disposal of “domestic garbage” and “recyclable materials”;

**“recyclable material”** means materials obtained from consumer retail outlets, which by designation of the material are recyclable and acceptable at designated recycle facilities;

**“roadside tree chipping”** means clean stacked tree or shrub branches, up to six (6”) inches in diameter and excludes stumps, root balls, grass, ivy, bagged or piled leaves, blackberry vines, soil, rocks, wire, metal or nails;

**“trade waste”** means all trade waste and includes; furniture, appliances, carpets, propane containers, vehicle parts, tires, fuel and electric engines, building materials, soil, wood chips, lumber, concrete, plastic pipe, manure, rocks, paints, batteries, liquid petroleum, flammable and combustible liquids, pesticides, and any other non-domestic noxious, offensive or discarded matter or substances, including land clearing debris and construction debris.

5. Every authorized user unit shall deliver or cause to be delivered domestic garbage and recyclable materials from the property to the recycle facility, or other temporary areas as designated by the Municipality, and shall sort and place such domestic garbage or recyclable material in the appropriately designated facility containers.
6. No person other than an authorized user shall deposit or cause to be deposited, any form of domestic garbage, recyclable material, trade waste, hazardous waste at the Municipal recycle facility.
7. No person(s) other than authorized users are permitted to access the recycle facility.
8. Authorized users of the recycle facility shall comply with all posted safety, procedural or information signs or regulations.
9. The recycle facility is monitored by 24 hour recorded video surveillance which may be used for enforcement purposes.
10. Domestic garbage and recyclable materials lawfully deposited at the recycle facility becomes the property of the Municipality and shall not be removed without the consent of the Municipality.
11. No person shall deposit any trade waste or hazardous waste at the recycle facility.
12. Every person who owns or holds trade waste shall dispose of the trade waste outside the Municipality at the appropriate disposal facility.

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13. Every person who owns or holds hazardous waste shall store, transport and dispose of the hazardous waste outside the Municipality, pursuant to the Environmental Management Act regulations.
14. All perishable domestic garbage, such as discarded vegetables or animal food, shall be drained and wrapped before being deposited in the designated facility container.
15. No person shall throw, place or pile, or cause to be thrown, placed or piled upon the ground on road surface of any street, lane, public access road or public property, any trade waste, hazardous waste, recyclable materials or domestic garbage.
16. No person shall deposit clean corrugated cardboard into a facility container that is not designated to accept or receive cardboard.
17. The Municipality may provide large item pickup and roadside tree chipping services on designated dates and impose charges for these services.
18. Authorized users shall place items for large item pickup and roadside tree chipping service as near as possible to but not on the traveled portion of the road and without obstructing pedestrian traffic on each day designated for collection and removal of the large item or tree chipping service.
19. Authorized users shall affix a disposal tag on each pile of items placed for collection and removal, per the fees set out in Schedule A to this Bylaw.
20. Failure to attach a disposal tag may result in the items being left at the roadside by the Municipality.
21. Where an authorized user places items for collection and removal that are either unpaid or are unsuitable for the roadside tree chipping or large item pick up service, such items must be removed by the authorized user or property owner within 3 days.
22. All complaints and orders shall be made to the Administrator at the municipal office.
23. The Municipality may pay a garbage contractor an agreed upon rate for the collection, transportation, processing and disposal of garbage and recyclables.
24. The Municipality may recover the costs so incurred from the taxpayers of the Municipality through the general tax revenue or may recover the costs through special arrangement as in the case of authorized users who do not own real property within the Municipality.
25.
  - a) The charge is payable by each dwelling unit located on every parcel of real property as provided by the BC Assessment Authority shall be as referenced in Schedule A, and forming part of this Bylaw.
  - b) Each authorized user other than property owners shall be levied a charge payable.
  - c) The Collector shall arrange for the collection of charges from the owners of real property a charge for each dwelling unit along with the real property taxes and the said charges shall be due and payable on the same date as the annual taxes of the Municipality.
  - d) The Collector shall arrange for the collection of charges from authorized users other than the owners of real property containing a dwelling unit and the said charges shall be due and payable on the same date as the annual taxes of the Municipality.

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- e) Charges that are outstanding on the calendar day following the due and payable date shall be levied a penalty at the same percentage rate applicable to outstanding taxes.
  - f) Pursuant to the provisions of the Community Charter, any charges unpaid by December 31 of the year imposed shall be deemed to be taxes in arrears shall appear as such on the tax notice.
  - g) Upon application the Village of Belcarra Administrator may, exempt on an annual basis, those properties located in the area(s) referenced as, Cosy Cove, Twin Islands and parts of Farrer Cove not accessible by road, from fees or charges payable as referenced in Schedule A of this bylaw.
26. Every person or persons who deliver for deposit, materials deemed to be other than domestic garbage and recyclable materials, by the Superintendent of Public Works may be charged the cost of removal and disposal of the unauthorized materials in addition to any fines or penalties imposed by law.
27. Every person who contravenes a provision of this bylaw is guilty of an offence upon summary conviction and is liable for a fine not exceeding \$2,000.00 and the cost of prosecution or, in default of payment or in the alternative, to imprisonment for a period not exceeding six months.
28. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.
29. "Village of Belcarra Collection and Removal of Garbage Bylaw No. 257, 1997" and amendments thereto are hereby repealed.

READ A FIRST TIME on April 2, 2007

READ A SECOND TIME on April 2, 2007

READ A THIRD TIME on April 2, 2007

ADOPTED by the Council on April 16, 2007

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Ralph Drew, Mayor

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Lynda Floyd, Administrator

SCHEDULE "A"

**Fee Schedule**

**Repealed by Village of Belcarra Bylaw No. 400, 2008**