

**RESORT MUNICIPALITY OF WHISTLER
BYLAW NO. 1445,1999
A BYLAW TO PROVIDE FOR THE CONTROL AND DISPOSAL OF GARBAGE**

WHEREAS the Council of the Resort Municipality of Whistler has the authority pursuant to Section 517 of the *Municipal Act*, R.S.B.C. 1979, c.323 to establish and operate a waste disposal and recycling service and to regulate in respect of the service;

AND WHEREAS the Council has authority pursuant to Section 363 of the *Municipal Act* to compel persons to make use of the waste disposal and recycling service;

AND WHEREAS the Council has authority pursuant to Section 550 of the *Municipal Act* to establish charges for the waste disposal and recycling service;

NOW THEREFORE the Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

CITATION

1. This Bylaw may be cited for all purposes as "Garbage Disposal Bylaw No. 1445,1999".

REPEAL

2. The Resort Municipality of Whistler "Garbage Disposal Bylaw No. 812,1990" is repealed.

DEFINITIONS

3. In this Bylaw:

"commercial garbage container" means a garbage bin that ie. emptied by a commercial waste collection operator and that is used to store domestic garbage or waste products;

"dangerous wildlife" means a bear, cougar, coyote or wolf;

"domestic garbage" means all domestic waste and discarded matter resulting from residential activity but excludes special waste and waste from construction, utility, commercial or other non-domestic activities;

"dwelling unit" means a self-contained set of habitable rooms in a building containing not more than one set of cooking facilities, and includes a detached residential building zoned for single family use;

"garbage compactor" means a metal receptacle designated by the Municipality for the depositing and compacting of domestic garbage only;

"garbage contractor" means a person contracted by the Municipality to collect and dispose of garbage within the boundaries of the Municipality and to carry out related duties;

"garbage storage site" means an enclosed area for the storage of garbage and recyclable materials, to the standards prescribed in Section 6.8 of the Zoning and Parking Bylaw No. 303,1983;

"Municipality" means the Resort Municipality of Whistler;

"special waste" means special waste as defined in the British Columbia Special Waste Regulations, B.C. Reg. 63/88, O.C. 268/88;

"waste products" means all garbage, rubbish, ash, grease, food stuff, trade waste, land clearing debris and construction debris, furniture, appliances, vehicle parts and any other noxious, offensive, unwholesome or discarded matter or substance, other than domestic garbage;

"wildlife resistant container" means a fully enclosed metal container with a metal lid and a latching device, of sufficient design and strength to prevent access by dangerous wildlife; and

"wildlife resistant enclosure" means a structure which has four enclosed sides, a roof, doors and a latching device, of sufficient design and strength to prevent access by dangerous wildlife.

DOMESTIC GARBAGE

4. Every owner or occupant of a dwelling unit located on a parcel or within a strata plan that has an on-site commercial garbage container shall deposit all domestic garbage from the dwelling unit in the commercial garbage container.
5. Every owner or occupant of a dwelling unit who do not deposit their domestic garbage in a commercial garbage container shall deliver domestic garbage from the dwelling unit to the garbage compactor.
6. No person shall deposit any waste other than domestic garbage in the garbage compactor.

7. **No domestic garbage and no food waste or other edible waste that could attract dangerous wildlife shall be stored outdoors, including on any patio, balcony or deck,**

WILDLIFE RESISTANT CONTAINERS AND ENCLOSURES

8. (a) **After August 31st, 2000, 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, and**
- (b) **After April 15th, 2001, 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.**

Garbage containers required for temporary special events, such as weekend ball tournaments, weddings, outdoor conventions, Mayor's Picnic and Canada Day are exempt from this requirement if emptied before 10:00 p.m.

9. **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

10. **Feeding dangerous wildlife and depositing or storing any domestic garbage, food waste, or other edible waste that could attract dangerous wildlife is prohibited.**
11. **Bird feeders must be suspended on a cable or other device so that they are inaccessible by dangerous wildlife.**

WASTE PRODUCTS

12. **All waste products, other than special waste, shall be delivered to and deposited at the Municipal Sanitary Landfill Site or at another site as designated by the Municipality.**
13. **No person shall throw, place or pile, or cause to be thrown, placed or piled upon any highway, or upon any private or municipal property, any domestic garbage or any waste product.**

GARBAGE CONTRACTOR

14. The Municipality may pay a garbage contractor an agreed upon rate for the collection and disposal of garbage and the Municipality may recover the costs so incurred from charges and tipping fee revenues received under this bylaw.

CHARGES

15. (a) Every person who delivers domestic garbage or waste products to the Municipal Sanitary Landfill Site shall be charged tipping fees as prescribed in Schedule "A" to this bylaw.
- (b) The owner or occupier of each dwelling unit that does not utilize a commercial garbage container shall be charged, on the annual municipal tax notice, an annual Solid Waste and Recycling fee as prescribed in Schedule "B" to this bylaw.

OFFENCE AND PENALTY

16. Every person who contravenes any provision of this Bylaw commits an offence and upon summary conviction is liable to a fine not exceeding \$2,000,00 and the cost of prosecution or to imprisonment for a period not exceeding six months, or both.

SEVERABILITY

17. 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.

GIVEN FIRST, SECOND and THIRD READINGS this 1st day of November, 1999.

SECOND and THIRD READINGS RESCINDED this 13th day of December, 1999.

GIVEN SECOND and THIRD READINGS AS AMENDED this 13th day of December, 1999.

ADOPTED by the Council this ___ day of _____ 1999,

Hugh O'Reilly, Mayor

Brenda Sims, Clerk

I HEREBY CERTIFY that this is a true copy of "Garbage Disposal Bylaw No.1445,1999"

Brenda Sims, Municipal Clerk

SCHEDULE A

**Bylaw No. 144S, 1999
SOLID WASTE/RECYCLING**

TYPE OF VEHICLE AND LOAD	TIPPING FEE
COMMERCIAL VEHICLES with garbage, land clearing debris, etc.	\$ 24.00 per m ³
CONSTRUCTION LOADS with construction debris	\$ 16.00 per m ³
RESIDENTIAL USERS with residential domestic garbage or debris	\$ 5.00 per m ³
GYPSUM BOARD – drywall, must be kept separate from all other materials	\$ 60.00 per m ³
APPLIANCES including fridges, stoves A/C units, hot water tanks, washers, dryers and freezers	\$ 12.00 per m ³
TIRES	\$ 24.00 per m ³ or \$ 5.00 for a commercial truck tire or \$ 2.00 for a car or pick-up truck tire \$ 2.00 surcharge for each tire with a rim
CARDBOARD PENALTY – This penalty applies to any load of waste containing more than 10% cardboard content	50% surcharge
RECYCLABLE MATERIALS – glass, tin, paper, etc. into bins at Transfer Station	FREE

Notes:

1. Only those residents bringing their own domestic garbage, land clearing debris or construction waste will be eligible for the \$5.00 per m³ rate. All other landfill users will be considered commercial users.
2. Residents delivering residential domestic garbage or debris may be required to provide the following information to the Landfill Attendant:
 - a) Name
 - b) Address of Residence
 - c) Vehicle License Number

SCHEDULE B

**Bylaw No. 1445,1999
SOLID WASTE/RECYCLING**

Each single family residence, duplex or other dwelling unit that does not possess on its property and utilize on a regular basis throughout the current year a commercial garbage container shall be charged, on the annual municipal tax notice, an annual Solid Waste and Recycling fee of one hundred and twenty five dollars (\$125.00) per dwelling unit that shall be paid not later than December 31, 1999.