

CITY OF NANAIMO

BYLAW NO. 7128.10

A BYLAW TO AMEND THE MUNICIPAL SOLID WASTE COLLECTION BYLAW

WHEREAS the Council of the City of Nanaimo may, in accordance with the *Community Charter*, exercise its authority in relation to the use of waste disposal and recycling services, and impose fees and charges thereto:

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited as “Municipal Solid Waste Amendment Bylaw 2018 No. 7128.10”.

Amendments

2. “MUNICIPAL SOLID WASTE COLLECTION BYLAW 2011 NO. 7128” is hereby amended as follows:
 - (1) By deleting the definition of Food Waste Container;
 - (2) By deleting the definition of Free Tags
 - (3) By deleting the definition of Garbage Container
 - (4) By deleting the definition of Garbage Tags
 - (5) By deleting the definition of Manual Collection Service
 - (6) By deleting the definition of Recycling Container
 - (7) By deleting the definition of Residential Food Waste
 - (8) By deleting the definition of Rooming House in its entirety and substituting the following therefor:
 - a. “Rooming House: means a residential building in which more than five (5) persons occupy sleeping units and typically share common areas, including kitchens and baths, as defined by Zoning Bylaw 4500”
 - (9) By deleting the definition of Wheeled Carts in its entirety and substituting the following therefor:
 - a. “Wheeled Cart(s): means a set of three City-owned carts provided to homes receiving automated collection services. The carts are on wheels and have attached lids. A cart set includes carts designated for Commingled Organic Waste (green), Residential Recyclable Material (blue) and Residential Garbage (black)”
 - (10) By deleting Section 3(1)(c) in its entirety and substituting the following therefor: “collect, remove and dispose of Commingled Organic Waste”
 - (11) By deleting Section 4(1) in its entirety and renumber accordingly
 - (12) By deleting the phrase “that do not qualify for Basic Service under Section 6” from Section 5(2)(b)
 - (13) By appending the phrase “, conflict with other regulations, public safety or operational constraints” to the end of Section 5(3)(a)

- (14) By deleting Section 6 in its entirety
- (15) By deleting Section 9(1)(1) through 9(1)(7) in its entirety and renumber accordingly
- (16) By deleting Section 10(1)(a) through 10(1)(r) in its entirety and renumber accordingly
- (17) By deleting Section 10(3) in its entirety and substituting the following therefor:
"Any item listed in subsection (1) and put out for collection by the Municipal Solid Waste Collection System, will not be collected"
- (18) By deleting Section 11(1)(a) through 11(1)(r) in its entirety and renumber accordingly
- (19) By appending the sentence "The Director may designate an alternate collection point for the use of specific Dwelling Units." to the end of Section 11(1)(g)
- (20) By deleting Section 12(1), 12(2) and 12(3) in its entirety and renumber accordingly
- (21) By deleting Section 14 in its entirety and substituting the following therefor:
"Container inspection and investigation:
 - (1) The Director of Engineering and Public Works may inspect any Wheeled Carts and any contents therein.
 - (2) All Wheeled Carts must be available for inspection at all reasonable hours or on request.
 - (3) The Director of Engineering and Public Works may determine that a Wheeled Cart is no longer suitable for use because it is broken, hazardous or unsanitary.
 - (4) The owner or occupier of the Dwelling Unit shall be responsible for reporting any damaged, lost or stolen Wheeled Cart to the City who will repair or replace it unless it is found that the cart was willfully damaged, destroyed or disposed of."
- (22) By deleting Section 19(1) in its entirety and substituting the following therefor:
"An owner or occupier of a Dwelling Unit or other premises shall bring any alleged error in any charge to the attention of the Director of Finance within one year of the end of the period for which such fees were imposed."
- (23) By deleting Schedule "A" in its entirety and substituting the attached Schedule "A".
- (24) By deleting Schedule "B" in its entirety and substituting the attached Schedule "B".

PASSED FIRST READING: 2018-DEC-03
PASSED SECOND READING: 2018-DEC-03
PASSED THIRD READING: 2018-DEC-03
ADOPTED: _____

MAYOR

CORPORATE OFFICER

SCHEDULE "A"

RATES AND CHARGES

1. A fee of \$0.46575 per Dwelling Unit (or equivalent) per day (\$170.00 per year) is imposed on every owner of a Dwelling Unit receiving this service.
2. An additional fee of \$0.27397 per Dwelling Unit (or equivalent) per day (\$100.00 per year) is imposed for the use of an upsized garbage cart, exchanged for the standard cart for that Dwelling Unit (or equivalent).
3. All fees shall be due and payable when levied.
4. All fees shall be subject to a five percent discount if fees for the current billing period are paid in full, along with any outstanding arrears, on or before the close of business on the date indicated on the statement of user rates.
5. An administration fee of \$25 is imposed for cart exchanges for 1 or more carts exchanged at the same time, or for requests for additional recycling carts.

SCHEDULE "B"

FINE SCHEDULE

The following fines are prescribed for the purposes of this Bylaw:

OFFENCE	SECTION	FINE
Disposal of prohibited material through the Municipal Solid Waste Collection System	10(1)	\$100
Fail to properly dispose of Solid Waste	11(2)(a)	\$100
Container weighs more than 35 kilograms (75 pounds)	11(2)(e)	\$100
Fail to remove a Wheeled Cart	11(2)(j)	\$100
Fail to clean up Solid Waste	11(1)(o)	\$100
Improper use of a Wheeled Cart	12(4)	\$100
Scavenge from a Wheeled Cart	13(1)	\$100
Interfere with Municipal Solid Waste Collection System	16	\$100