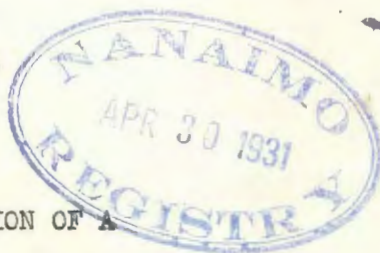


CORPORATION OF THE CITY OF NANAIMO, B. C.

BY-LAW NO. 487.



A BY-LAW TO PROVIDE FOR THE INAUGURATION AND OPERATION OF A
SYSTEM OF GARBAGE COLLECTION.

The Municipal Council of the Corporation of the City of Nanaimo enacts as follows:-

1. In this By-Law unless the context otherwise requires,

"GARBAGE" shall mean and include any and all rejected, abandoned or discarded waste or vegetable or animal food, floor sweepings, crockery, metal ware, metal, tins, bottles and ashes, but shall not include grass cuttings, or tree or hedge clippings, or any garden refuse or rubbish.

"DWELLING" means any building or place occupied or used or intended for use, solely as a self-contained domestic establishment or place of abode by one or more families having habitation in common, as distinct from an Apartment House as hereinafter defined.

"APARTMENT HOUSE" shall mean and include a building which is, or intended to be occupied as a habitation or place of residence, by more than one family living independently of one another upon the same premises; and shall also include tenement house, rows of cabins, terrace of houses, and any place of habitation where more than one family lives, abides or dwells, except in common habitation.

"APARTMENT" shall mean and include each section, suite, or portion of an Apartment House used or intended to be used independently as a place of residence or abode.

"BUSINESS PREMISES" shall mean and include all premises other than dwellings.

"OWNER" shall mean and include the agent of such owner.

"CITY" shall mean the Corporation of the City of Nanaimo.

"HOUSEHOLDER" shall mean any person occupying a dwelling, but shall not include any person who is a boarder, roomer, or lodger therein.

"MUNICIPAL COUNCIL" shall mean the Municipal Council of the Corporation of the City of Nanaimo.

"SANITARY INSPECTOR" and "COLLECTOR" shall mean the "Sanitary Inspector" and the "Collector" of the Corporation of the City of Nanaimo and their deputies and assistants.

2. It shall be lawful for the City to inaugurate, equip, maintain and operate a system of garbage collection and disposal within the City.

3. All persons within the City shall be required to observe the following regulations insofar as they affect any such persons:

(a) Every occupier of a dwelling or business premises shall provide and maintain in good, and sufficient order and repair for such dwelling or business premises occupied by him, galvanized iron receptacles, (circular in design, and provided with a good, and sufficient water-tight cover) each of a capacity of two and one-half ($2\frac{1}{2}$) cubic feet, and having a diameter of not more than sixteen (16) inches, and a depth of not more than twenty-four (24) inches, sufficient in number to contain all garbage from such dwelling or business premises.

(b) A sufficient number of such receptacles shall at all times be kept and maintained by householders, and by the occupiers of business premises, and all garbage from the premises shall be deposited therein, and none other than the proper receptacles shall be used for this purpose, provided that if any rubbish is of such a nature as not to admit of its being placed in such receptacles, then such rubbish shall be deposited in a careful manner, convenient for handling at or near the place where the receptacles for garbage are usually placed, and provided further however, that with the consent of the City, owners or occupiers of business premises may arrange to deposit the garbage from such business premises in a properly constructed concrete receptacle, which shall be provided with a tight fitting cover, and to have such garbage removed in cartload lots; but in any case, such garbage shall be removed at least once in each and every week. All such receptacles shall be used for the purpose for which they were intended, and for none other.

(c) All receptacles shall at all times be kept on the premises of, or connected with such dwelling or business premises, and shall at no time be kept or encroach upon or project over any street, lane or public place, but shall be kept upon the ground level and readily accessible from the street, side or rear entrance of such dwelling or business premises.

(d) Where a lane is provided in the Block, such receptacles shall be kept and maintained at, and readily accessible from such lane, either by gate, door or entrance on the ground level, which gate, door or entrance shall, between the hours of 8 o'clock in the forenoon, and 5 o'clock in the afternoon on week days, be kept unlocked and unfastened.

(e) Where there is no lane as mentioned in the preceding section, all garbage receptacles shall be placed in a suitable location on the premises, as designated or ordered by the Sanitary Inspector.

(f) In case such receptacles are enclosed in a separate shed or housing, then such shed or housing, if there be a lane, shall be built flush with the lane, and have doors opening outward upon the lane whereby such receptacles may be emptied from the lane, and containing a lift-door on the opposite side of such shed or housing through which garbage or ashes may be deposited in such receptacles.

(g) A passage-way and ready means of access to such receptacles shall at all reasonable times be provided from the street or lane, and such passage-way and means of access shall be unobstructed and of sufficient size and kind to enable any such receptacle to be carried through the same to the street or lane as the condition may require.

(h) All receptacles hereinbefore mentioned shall be accessible for inspection at all reasonable hours, and when any receptacles have been condemned by the Sanitary Inspector or some person authorized by him, as unfit for the purpose, such receptacles shall be removed along with the garbage, and such householder shall forthwith provide a suitable and sanitary receptacle as described in Clause (a) of this Section.

(i) No liquids or free water shall be put or placed in, or allowed to run into, or accumulate in any receptacles for garbage; and all such receptacles shall at all times be kept securely covered with a water-tight cover.

4. All garbage shall be collected at least once in every seven days.

5. (a) The charges set out in the following schedule shall be levied in each and every year upon the owners of all the premises within the City affected thereby, for the services to be performed by the City under this By-Law.

Dwellings, \$4.80 per annum.

Dwelling and Store combined, with direct access from one to the other, and where the floor area of the Store is less than 1000 sq. ft., \$6.00 per annum.

Apartment Houses, if separately heated, \$4.80 per annum each apartment.

Apartment Houses, if centrally heated, \$4.00 per annum each apartment.

Rooming houses and Office Buildings, up to and including 10 rooms, \$6.00 per annum; and for each additional room over 10 rooms, 20¢ per annum.

For stores, clubs and business premises having a floor area not exceeding 750 sq. ft., \$3.00 per annum; and for the next additional 750 sq. ft. of floor

area, \$1.00 per annum; and for each additional 1000 sq. ft. of floor area or fraction thereof, \$1.00 per annum.

Hotels and Boarding Houses, up to and including 10 rooms, \$8.00 per annum; and for each additional room up to 30 rooms, 40¢ per annum; and for each room over 30 rooms, 25¢ per annum.

Cafes and Restaurants, having a floor area not exceeding 1000 sq. ft., \$12.00 per annum; and for each additional 500 sq. ft. or fraction thereof, \$3.00 per annum.

Theatres, \$18.00 per annum.

Public Halls, and other Buildings, \$4.00 per annum.

Banks, \$10.00 per annum.

(b) Where a building is used for more than one of the purposes classified in this Section, each section or portion of such building shall be classified and rated according to such classification, and the combined charges of all the sections or portions of such building shall represent the charge against such building.

(c) For the year 1931 the charges to be levied and collected under this By-Law shall be for the period from the First day of May to the Thirty-first day of December, and shall be levied upon the basis of two-thirds of the annual charges against each parcel of property upon the Roll hereinafter referred to.

(d) All such charges shall be levied upon all the assessed owners of buildings (referred to in sub-section (a) of this section) of real property within the City, together with, and at the same time, and shall be collected in the same manner as all other ordinary taxes upon Real property in the City, and shall be subject to the same penalties and remedies for non-payment as apply in respect of the non-payment of ordinary taxes upon Real Property in the City.

(e) An allowance may be made in the charges against any premises for 1932 and subsequent years, for vacancy of the whole or any part of a building upon such premises, based upon the aggregate periods of vacancy of such building or any one part thereof during the year immediately prior, provided that such allowance shall only be made where such aggregate periods exceed three months of any such prior year. Such allowance shall be pro rata of the annual rate, and the burden of proof of such vacancy shall rest upon the owner of the premises affected, and any claim for allowance therefor, unless otherwise made by the Collector upon the Roll hereinafter referred to, must be made in the form of an Appeal, which Appeal must be made under the conditions and shall be subject to the stipulations laid down in this Section.

(f) The Collector shall show in the Collector's Roll of the City for the year 1931, the amount of the annual charges upon each parcel of Real Property in the City, in respect of the charges to be levied under this By-Law; and shall forward a copy by prepaid mail to the owner of every such parcel of property, setting out the annual charges payable in respect of such property as set out in the said Roll; and unless within 14 days after the mailing of such notice, the owner proceeds to appeal under this Section, the charges as set out upon the said Roll shall be binding as a basis for the amount to be levied against every such parcel of property for the year 1931, and shall be the amount to be levied and collected in each and every succeeding year, unless otherwise amended.

(g) The Collector, shall, in preparing the Collector's Roll for the current year, make such amendments or revision of the said charges as are necessary, in order to make the rates accord with the actual facts or by reason of any changes in the nature or use of the premises in respect of which such charges are made; and shall make such allowances under sub-section (e) hereof, as may come to his notice; and shall, not later than the Fifteenth day of February in each and every year, send by mail postpaid to each owner affected by such amendment or revision, a notice setting out such amended or revised charges; and unless such owner proceeds to appeal under this Section, prior to the First day of March next following, the rate set out upon the Collector's Roll in that year shall be binding and effectual for that year, and for each and every succeeding year, subject to the right to appeal under this Section.

(h) The charges established as aforesaid shall be open to appeals and amendment from the Fifteenth day of February, to the First Day of March in each and every year, and any owner affected thereby may make complaint within such period against the charges set out therein.

(i) Such complaint shall be in writing, and shall set out the grounds for complaint. All such complaints shall be reviewed and determined by the Finance Committee of the Municipal Council, and any alterations which it may order shall be made upon the Collector's Roll for the then current year by the Collector, and all such charges so altered, shall be effectual and binding upon the parcel or property affected during that year, and in each and every succeeding year unless altered or amended in accordance with this Section, otherwise the charges upon the said Roll shall stand.

(j) All alterations or changes to the said charges, whether made by the Collector as a correction or alteration, or by direction of the said Finance Committee, shall be made in red ink upon the Collector's Roll for the then current year.

(k) The duty of the Finance Committee of the Municipal Council in hearing complaints against the said Roll, shall only lie to the extent of determining the application of the rates set out in this By-Law upon the premises affected thereby, and it shall have no authority to vary or alter such rates.

(l) Allowance may be made in the charge upon any premises for the seasonal use or occupation of such premises according to the character of the building thereon, but such charge must be determined by the Finance Committee, and must be proportioned in accordance with the rates set out in this By-Law.

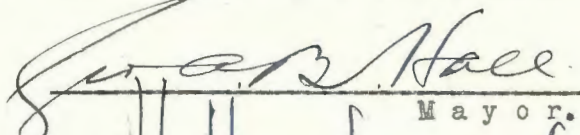
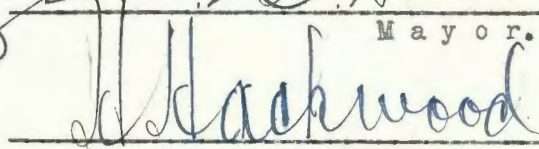
6. Any person collecting waste, waste paper, or waste commonly known as "swill", from any premises within the City shall register their names, addresses, and particulars, with the Sanitary Inspector, and shall obtain a special permit covering such collections.

7. Any person who violates any of the provisions of this By-Law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-Law, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this By-Law, shall be deemed to be guilty of an infraction thereof, and shall on summary conviction be liable to a penalty not exceeding One Hundred Dollars (\$100.00), together with the costs of such prosecution recoverable by distress and sale of the goods and chattels of such offender, and in default of sufficient distress, such offender shall be liable to imprisonment for any term not exceeding one month.

8. "The Garbage Collection By-Law, No. 463, 1929" is hereby repealed.

9. This By-Law may be cited as "THE GARBAGE COLLECTION BY-LAW, No. 487, 1931."

Passed by the Municipal Council on the thirteenth day of April, 1931.
RECONSIDERED AND FINALLY ADOPTED on the twentieth day of April, 1931.


Mayor.

City Clerk.