

THOMPSON-NICOLA REGIONAL DISTRICT

BYLAW NO. 2743

A Bylaw to reduce waste to landfills within the Thompson-Nicola Regional District

WHEREAS the *Environmental Management Act* and *Local Government Act* enable the Thompson-Nicola Regional District to make bylaws to regulate the delivery, deposit, storage or abandonment of municipal solid waste or recyclable material at authorized or unauthorized sites;

AND WHEREAS the Thompson-Nicola Regional District has an approved Regional Solid Waste Management Plan;

AND WHEREAS Section 3 of the Thompson-Nicola Regional District Regional Solid Waste Management Plan 2018 desires to achieve diversion and waste reduction goals through bylaw initiatives;

NOW THEREFORE the Board of Directors of the Thompson-Nicola Regional District, in open meeting assembled, enacts as follows:

1. CITATION

1.1. This bylaw may be cited as "Mandatory Recyclable Materials Bylaw No. 2743, 2021".

2. INTERPRETATION

2.1 This Bylaw will be interpreted in accordance with the following principles:

- a) Except where expressly stated otherwise, terms defined in the *Local Government Act*, the *Environmental Management Act* and the Solid Waste Management Plan apply to the terms used in this Bylaw.
- b) The words "include" or "including" means that the list is not exhaustive.
- c) Headings are for convenience only.
- d) Single terms include plural, and masculine pronouns include feminine and gender-neutral.
- e) This Bylaw does not limit the application of any provincial, regional or municipal laws or bylaws regulating the disposal, collection, management or storage of solid waste or recyclable material.

3. DEFINITIONS

"Board" means the Thompson-Nicola Regional District Board of Directors.

"Corrugated Cardboard" means recyclable paper-based packaging that consists of an inner fluting with a wave-length shape and one or two outer liners (linerboard)

“Director” means the Thompson-Nicola Regional District Director of Environmental Services or designate.

“Hauler” means a person, a body corporate, a firm partnership, association or any other legal entity or an employee or agent thereof which is depositing MSW at a Solid Waste Facility.

“Inspector” means a person authorized by the Board pursuant to section 6 of this bylaw.

“Mandatory Recyclable Materials” means those recyclables listed in Schedule “A”.

“Maximum Allowable Threshold” means the maximum amount of Mandatory Recyclable Material by total volume permitted in a load of MSW as specified in Schedule “A”.

“Municipal Solid Waste (MSW)” means waste from residential, commercial, industrial, institutional, demolition/renovation, land clearing or construction sources intended for final disposal in a landfill.

“Solid Waste Facility” means a landfill, eco-depot, transfer station, or any other facility intended for receiving or processing Municipal Solid Waste or recyclable material located within the Thomson-Nicola Regional District.

“Solid Waste Management Plan” means the Thompson-Nicola Regional District’s approved 2018 Regional Solid Waste Management Plan, as amended or replaced.

4. APPLICATION

- 4.1. This bylaw applies to all Solid Waste Facilities within the Thompson Nicola Regional District, including those Solid Waste Facilities owned/operated by the TNRD, member municipalities, or private entities.
- 4.2. This bylaw applies to all Haulers upon entry of any Solid Waste Facility in the Thompson-Nicola Regional District.

5. MANDATORY RECYCLABLE MATERIAL

- 5.1. No Hauler shall deposit a load of MSW containing Mandatory Recyclable Material in excess of the Maximum Allowable Threshold.
- 5.2. It is the responsibility of the Hauler to find appropriate facilities at which to deposit Mandatory Recyclable Material.

6. INSPECTOR

- 6.1. The Board may designate an Inspector for the purposes of enforcing this bylaw. The Inspector is authorized to:
 - a) enter any Solid Waste Facility at any reasonable time for the purposes of determining compliance with and enforcing this bylaw;

- b) Collect information from a Hauler, or Solid Waste Facility operator for the purpose of enforcing this bylaw;
- c) inspect, analyze, measure or test any article, substance or waste in a Solid Waste Facility to ascertain the quantity or characteristics of the waste stored and discharged at the facility;
- d) take photographs; and
- e) issue verbal or written warnings to Haulers in violation of this bylaw or issue penalties in accordance with Section 8 of this Bylaw.

6.2. Every owner or operator of a Solid Waste Facility must:

- a) give the Inspector access to the areas of the Solid Waste Facility where loads destined for landfill are tipped, including, where applicable, the active face of a landfill or the tipping floor at a transfer station;
- b) provide the Inspector with information relevant to the purposes of the inspection, including weigh scale and account information related to any Hauler; and
- c) provide a reasonable amount of time and space for the Inspector to safely inspect a load prior to the load being moved, pushed, or consolidated.

6.3. No person shall obstruct, interfere with, or prevent an Inspector from carrying out their duties.

7. EXEMPTIONS

7.1. The Board or Director may determine specific times, facilities, or waste types when and/or where this bylaw will not be enforced.

8. OFFENCES AND PENALTIES

8.1 Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to a penalty in accordance with the Thompson-Nicola Regional District Notice Enforcement Bylaw 2500 if a bylaw notice is issued respecting the violation.

A separate offence shall be deemed to be committed upon each event or day during and in which a contravention occurs or continues.

8.2 Penalties in accordance with this bylaw will take effect January 1, 2022.

9. SEVERABILITY

9.1. Each provision of this Bylaw is severable from each other provision, and, if any provision is determined to be void or unenforceable in whole or in part, this determination shall not be deemed to affect or impair the validity of any other provision, unless a Court otherwise determines.

READ A FIRST TIME this 17 day of June, 2021.


READ A SECOND TIME this 17 day of June, 2021.

READ A THIRD TIME this this 17 day of June, 2021.

ADOPTED this 17 day of June, 2021.



Corporate Officer



Chair

SCHEDULE "A"

MANDATORY RECYCLABLE MATERIAL & MAXIMUM ALLOWABLE THRESHOLD

Mandatory Recyclable Material	Maximum Allowable Threshold
Corrugated Cardboard	Not to exceed 10%