

**APPENDIX M -- DRAFT BYLAW TO REGULATE THE STORAGE OF  
RECYCLABLE MATERIALS WITHIN THE CRD**

CAPITAL REGIONAL DISTRICT

BYLAW NO. \_\_\_\_\_

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**A BYLAW TO REGULATE THE STORAGE OF RECYCLABLE MATERIALS  
WITHIN THE CAPITAL REGIONAL DISTRICT**

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**WHEREAS** by Bill 29 *Waste Management Act 1992*, the Capital Regional District was granted authority to regulate recycling facilities within the regional district.

**AND WHEREAS** the Capital Regional District is empowered to establish operating regulations for recycling facilities.

**NOW THEREFORE** the Board of the Capital Regional District, in open meeting assembled, ENACTS AS FOLLOWS:

SECTION 1 - DEFINITIONS

In this bylaw unless the context otherwise requires:

"APPLIANCES CONTAINING CHLOROFLUOROCARBONS" means waste appliances such as refrigerators, freezers, and air conditioners which contain chlorofluorocarbon (CFC) substances.

"CRD" means the Capital Regional District.

"DRYWALL" means gypsum board or wallboard and includes, but it is not necessarily limited to, new construction off-cuts or scraps and old wallboard that has been painted, covered in wallpaper, vinyl or ceramic tiles and is removed during a building renovation or demolition, but excluding wallboard associated with asbestos.

"ENGINEER" means the chief engineer of the Capital Regional District or his authorized agent.

"MARKETABLE" means materials which can be disposed of through existing Capital Regional District programs or for which a commercial market exists.

"PERSON" means an individual, a body corporate, a firm, partnership, association or any other legal entities or an employee or agent thereof.

"PLASTICS" means any of numerous organic, synthetic or processed materials that are mostly thermoplastic or thermosetting polymers of high molecular weight and that have been moulded, cast, extruded, drawn, or laminated into objects, films or filaments.

"RECYCLING FACILITY" means any public or private building, warehouse or open site

which receives source separated or mixed recyclable materials.

"RECYCLABLE WASTE" means MARKETABLE, SOURCE-SEPARATED WASTE that includes, but is not necessarily limited to, newspaper, ledger and computer paper, mixed waste paper, magazines, directories, corrugated cardboard, boxboard, plastic food and beverage containers, ferrous and non-ferrous metals, white goods, glass food and beverage containers, lead acid batteries, source-separated gypsum board or wallboard, passenger vehicle tires, aggregate, concrete, rubble, clean soil and asphalt.

"SLASH AND GARDEN MATERIAL" means organic materials that include, but are not necessarily limited to, grass, lawn and hedge clippings, sod, leaves, shrubs, shrub and tree branches, as well as other dead plant matter.

"STORAGE" means to keep on land or water, whether or not open to the air, covered or in a structure or container.

"STUMPS" means the base and root remnants of cut or fallen trees.

"TIRES" means the outer pneumatic rubber covering of wheels of tractor trailers, trucks, passenger vehicles, light service trucks and motorcycles.

"USED OIL FILTERS" means a spent cylindrical metal container housing a filter element which is used on a motor vehicle to remove impurities from its engine lubricating oil.

"WOOD WASTE" means any material that is composed in whole or in part of wood, including, but not necessarily limited to, whole or cut dimensional lumber, plywood or particle board, wooden pallets, crating, wood from demolished buildings, off-cuts from furniture manufacturing and sawdust.

## SECTION 2 - STORAGE OF RECYCLABLE WASTE

No Person or Recycling Facility accepting Recyclable Waste shall store these materials in excess of the quantities and time limits as outlined for that facility in Schedule A attached hereto.

## SECTION 3 - STORAGE OF DRYWALL

Any stored Drywall shall be enclosed to protect it from precipitation and ground moisture.

## SECTION 4 - ACCESS TO RECYCLING FACILITIES

The Engineer is authorized to enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of this bylaw are being met or the regulations are being observed.

## SECTION 5 - ABANDONMENT OF RECYCLABLE WASTE

In the event that a Person or company operating a Recycling Facility becomes insolvent or is otherwise unable to maintain responsibility for the safe disposal of Recyclable Waste

which they have stored, the owner of the land upon which the Recyclable Waste reside shall be liable for the removal and disposal of the Recyclable Waste in an environmentally safe manner acceptable to the Engineer.

SECTION 6 - PENALTIES FOR VIOLATION OF BYLAW

Any person who does any act or suffers or permits any act to be done in contravention of this bylaw commits an offence and is liable on summary conviction to a penalty of not less than \$100 and not more than \$1,000 for each offence. A separate offence shall be deemed to be committed upon each day during and on which the contravention occurs.

SECTION 7 - TITLE

Where this bylaw requires any person to do anything, on default by that person the thing may be done at the expense of the person in default by the Regional District and the Regional District may recover the expense, with interest at the rate of 6% per annum, with costs in the same manner as taxes.

This bylaw may be cited as the "Storage of Recyclable Waste Regulation Bylaw No .1, 1995".

READ A FIRST TIME THIS	day of	199__
READ A SECOND TIME THIS	day of	199__
READ A THIRD TIME THIS	day of	199__
APPROVED THIS	day of	199__
RECONSIDERED AND FINALLY ADOPTED THIS	day of	199__

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SECRETARY

**SCHEDULE A**

**STORAGE LIMITS FOR RECYCLABLE MATERIALS**

<b>MATERIAL</b>	<b>STORAGE LIMIT</b>	<b>BOND OR LETTER OF CREDIT</b>	<b>STORAGE TIME LIMITS</b>
Appliances Containing CFCs	50 units	\$2,500	6 months
Drywall	1000 tonnes	\$150,000	6 months
Glass	2000 tonnes	\$100,000	6 months
Plastics - Baled	100 tonnes	\$25,000	6 months
Plastics - Loose	5 tonnes	\$5,000	6 months
Slash and Garden Material	1000 tonnes	\$150,000	6 months
Stumps	500 tonnes	\$75,000	6 months
Tires	5000 tires	\$10,000	6 months
Used Oil Filters	4000 filters	\$10,000	6 months
Wood Waste	1000 tonnes	\$150,000	6 months
Demolition Wood Waste Debris	1000 tonnes	\$150,000	6 months