

# CONSOLIDATED FOR CONVENIENCE

## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW No. 2448

A bylaw to establish user rates and a billing process for the curbside collection of recyclable materials

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**WHEREAS** Section 796(1) [*General authority for services*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, states that the Board of the Regional District of North Okanagan may operate any service that the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Board has adopted Bylaw No. 1352, cited as "*Solid Waste Management Local Service Establishment Bylaw No. 1352, 1996*" which authorizes the establishment of the local service of solid waste management and disposal;

**AND WHEREAS** Section 803(1) [*Options for cost recovery*] of the *Local Government Act*, states that Section 363 [*Imposition of fees and charges*] of the *Local Government Act* applies to Regional Districts in relation to their services;

**AND WHEREAS** Section 363 [*Imposition of fees and charges*] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

**AND WHEREAS** the Board is desirous to amend the current collection area and/or fees;

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

#### TITLE

1. This Bylaw may be cited as "***Recyclables Collection Rates Bylaw No. 2448, 2010***".

#### DEFINITIONS

2. In this Bylaw:

"**Blue Bag**" means a clear or blue plastic, transparent bag with a weight of not more than 22.7 kg or 50 lbs, suitable for holding recyclable materials;

"**Curbside Collection Area**" means the areas designated in Section 3 herein as shown on Schedule "A" attached hereto;

"**Curbside Collection Service**" means the providing for curbside collection of recyclable materials contained in Blue Bags within the curbside collection area;

"**Dwelling Unit**" means one (1) or more rooms used for the residential accommodation of only one (1) family when such room or rooms contain or provide for the installation of sleeping facilities, sanitary facilities, and only one (1) kitchen. For the purposes of this section a "kitchen" shall mean any room or area in which food is cooked or prepared and which contains facilities and equipment used for the storage, preparation, and serving of food. The facilities and equipment mentioned above may include such things as kitchen

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cabinets, kitchen sinks, kitchen stoves, dishwashers, other appliances, and associated plumbing and wiring services; and

"**Recyclable Materials**" means those materials designated as recyclable by the Regional District of North Okanagan *Solid Waste Management Plan*, as may be amended by the Regional Board from time to time.

## CURBSIDE COLLECTION AREA

3. The Curbside Collection Area shall be those areas of Electoral Areas "B", "C", "D", and "F" of the Regional District of North Okanagan, as shown within the boundaries outlined on "Schedule A", attached.

## AGREEMENTS AND SUBCONTRACTS

4. The Regional District of North Okanagan may by its own forces, or by contracting the services of others, provide for the curbside collection of Recyclable Materials.

## RATES FOR PROVIDING SERVICE

5. a. The annual base rate for providing curbside collection of recyclable materials to:
  - i. Electoral Areas "B", "C", "D", and "F" shall be ~~\$18.88 per household~~ **\$19.27 \$20.20 per dwelling unit.**
  - b. The rate charged for providing service to each dwelling within the service areas shall be the base rate, **which includes the annual British Columbia Consumer Price Index**, plus a twelve percent (12%) administrative charge, plus applicable taxes.
  - c. For new construction, recyclable curbside collection is deemed to be provided upon the actual occupancy of the Dwelling Unit or the issuance of an "Occupancy Permit" for the Dwelling Unit, whichever first occurs.
  - d. Where service has been provided for less than the full calendar year the rate charged shall be prorated for the portion of the year that the service is provided.
  - e. Billing will be incorporated into the utility bill sent to the registered owner of the Dwelling Unit(s).
  - f. Payment of collection fees is due and payable upon issuance of the invoice. A discount of ten percent (10%) will be given for payments of current accounts received on or before July 31st in the billing year.
  - g. Amounts remaining unpaid as at December 31st are deemed to be taxes in arrears and shall be transferred to property taxes.

## REPEAL

6. Bylaw No. 2393 cited as "**Recyclables Collection Rates Bylaw No. 2393, 2009**" is hereby repealed.

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READ a FIRST, SECOND and THIRD TIME

this 16 day of June, 2010

Reconsidered, Finally Passed and ADOPTED

this 16 day of June, 2010

"signature on file"

Chair

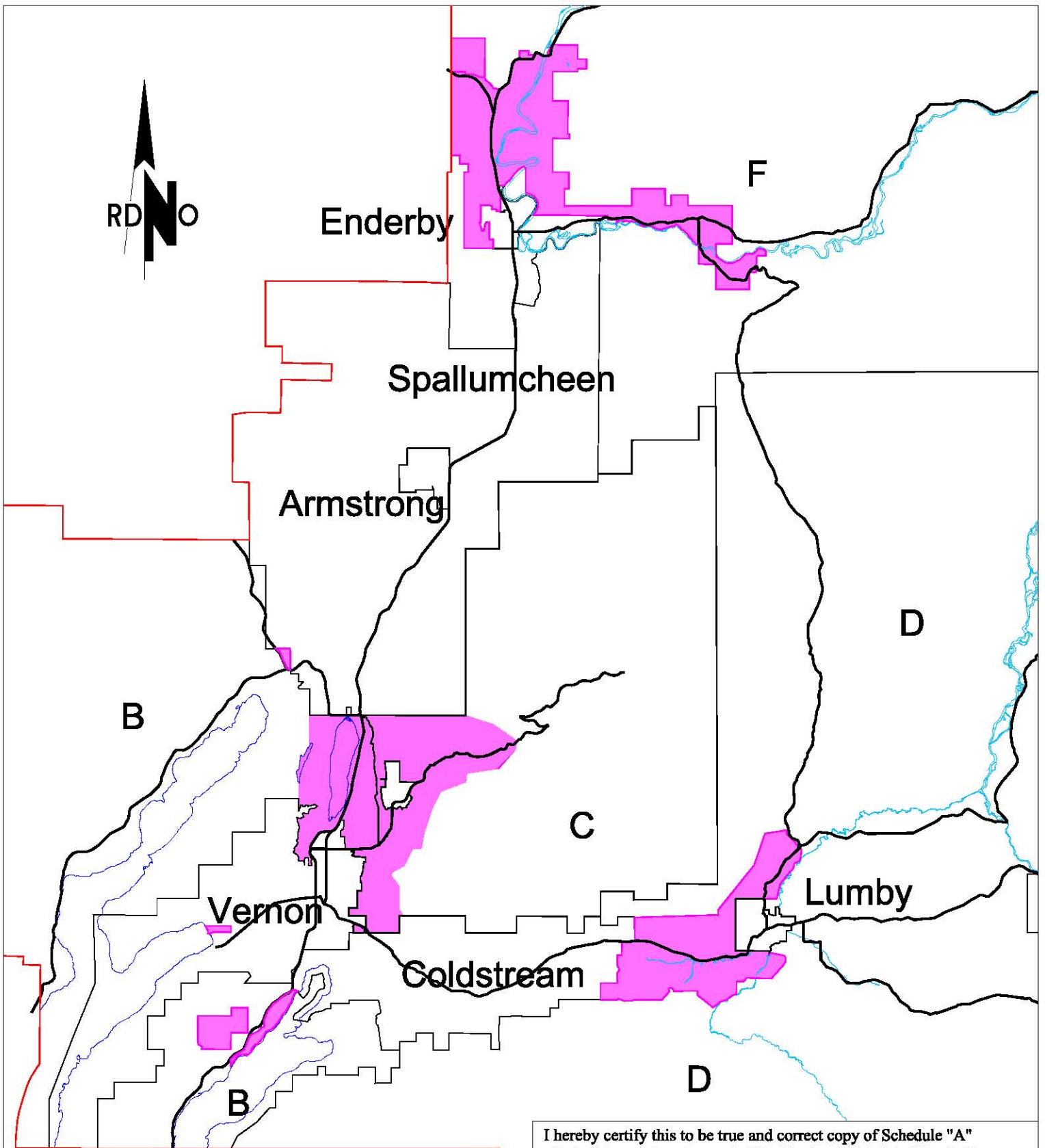
"signature on file"

Corporate Officer

**Consolidated Copy**, amended by Bylaw:

No. 2475, 2010 – 20 April 2011

No. 2528, 2012 – 18 January 2012



Schedule "A" accompanying Bylaw 2448,  
being "Recyclables Collection Rates Bylaw  
No. 2448, 2010"

I hereby certify this to be true and correct copy of Schedule "A"  
attached to and forming part of the Regional District of North Okanagan  
"Recyclables Collection Rates Bylaw No. 2448, 2010".  
Dated at Coldstream, B.C. this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Corporate Officer