



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Garbage and Recycling Collection Bylaw No. 455, 2013

Office Consolidation

This document is an office consolidation of Garbage and Recycling Collection Bylaw No. 455, 2013 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Garbage and Recycling Collection Bylaw No. 455, 2013, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: admin@lionsbay.ca

List of Amending Bylaws

Bylaw No.	Section	Description	Adopted
468	Sch. A	Schedule A replaced	February 18, 2014
483	Sch. A	Schedule A replaced	February 17, 2015
500	Sch. A	Schedule A replaced	February 16, 2016
516	3, 14, 16, Sch. A	Various amendments to text, Schedule A replaced	February 21, 2017
540	Sch. A	Replaces Schedule A	February 20, 2018

559	Sch. A	Replaces Schedule A	February 19, 2019
570	2(a)&(b)	Amends payment due date in s.14 to Dec.31 and amends amount payable in Schedule A	Feb.18, 2020
579	4(a)&(b)	Amends sections 14 and 15, extending the discount period for 2020	April 21, 2020
589	Sch. A	Replaces Schedule A	February 16, 2021
616	Various	Amends numbering and various sections	April 5, 2022
625	Various	Amends numbering and various sections	March 21, 2023
628	s.16 Sch. A	Amendments to s.16 Payment discount to May 31, Schedule A	May 2, 2023

Garbage and Recycling Collection Bylaw No. 455, 2013

WHEREAS Council deems it advisable to adopt a Bylaw to regulate the terms and conditions for the collection and disposal of solid waste, recycling, and green yard waste, and the rates payable for these services; and

NOW THEREFORE the Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as "Garbage and Recycling Collection Bylaw No. 455, 2013".

PAST BYLAWS REPEALED

2. Waste Collection Bylaw No. 440 is hereby repealed.

DEFINITIONS

3. In this Bylaw:

“food waste” means organic compostable kitchen waste or excess food products;
[Amended by Bylaw No. 625, 2023]

“garden waste” means organic compostable yard trimmings;
[Amended by Bylaw No. 625, 2023]

“green waste” means organic compostable waste, including garden waste and food waste;
[Amended by Bylaw No. 516, 2017]

“garbage” means waste that does not meet the criteria of green waste or the recycling program;
[Amended by Bylaw No. 625, 2023]

“wildlife resistant container” means a secure fully enclosed container with a lid and latching device, of sufficient design and strength to prohibit access by wildlife;

“wildlife resistant enclosure” means a structure which has four enclosed sides, a roof, doors, and a latching device, of sufficient design and strength to prevent access by wildlife;

“wildlife attractant” means any substance that could reasonably be expected to attract wildlife;
[Amended by Bylaw No. 625, 2023]

“wildlife proof container” means a fully enclosed container, of sufficient design and strength to prevent access by Wildlife, that is securely affixed to the ground or to an immovable object or fixture;

[Amended by Bylaw No. 625, 2023]

"wildlife proof enclosure" means a structure which has enclosed sides, a roof, doors and a latching mechanism of sufficient design and strength to prevent access by Wildlife;

[Amended by Bylaw No. 625, 2023]

SYSTEM ESTABLISHMENT

4. The Village hereby establishes and continues the equipping, maintenance and operation of a system of solid waste, recycling, and green yard waste collection.

OBLIGATION OF RESIDENTS

5. Every owner or resident shall provide and maintain in good order and repair, garbage receptacles, with tight waterproof covers. The amount of garbage shall not exceed 154 litres in total and no receptacle shall contain more than 121 litres. Two receptacles are allowed per household; tags for additional receptacles may be purchased at the Village Office.

[Amended by Bylaw No. 616, 2022]

6. The receptacles required under this by-law shall at all times be securely housed to ensure that the contents do not attract and are not accessible to wildlife.

[Amended by Bylaw No. 616, 2022]

[Amended by Bylaw No. 625, 2023]

7. During times of low wildlife activity, all green waste, garbage, and recycling receptacles shall be placed for collection by the householder:
 - a. Less than 10 feet from the roadway in front of the householder's premises,
 - b. no earlier than 5:00 a.m. on the scheduled waste collection day, and
 - c. removed no later than 8 p.m. the same day.

During times of increased wildlife activity, the Village may impose an area collection schedule. All garbage and food waste receptacles and recycling shall be placed for collection by the householder:

- d. less than 10 feet from the roadway in front of the householder's premises,
- e. no earlier than the time prescribed by the area collection schedule on the scheduled waste collection day, and
- f. clean recycling products are excluded from the area collection schedule provide they do not create an attractant,
- g. during times of increased wildlife activity, the Village will provide for drop-off of food waste and garbage only, at Works Yard from 6 a.m. - 8 a.m. on day of pickup and 8 a.m. – 11:00 a.m. on the Saturday following.

[Amended by Bylaw No. 625, 2023]

8. Recycling is to be placed in the blue recycling boxes, and in blue or yellow bags, as

established by Village waste guidelines. Additional cardboard may be placed roadside, in flattened, neatly tied bundles, to a maximum bundle size of 3 feet by 3 feet (3' x 3').

[Amended by Bylaw No. 616, 2022]

9. Garden waste collection is to be placed in brown kraft green waste bags, compostable plastic bags, or in containers that have been clearly marked 'Yard Trimmings'. Branches should not be more than 3" (3 inches) in diameter, and bundles of branches no greater than 3' (3 feet) long.

[Amended by Bylaw No. 625, 2023]

10. Food waste is to be placed in brown kraft green waste bags or small compostable plastic bags (10 litre maximum), inside food waste container.

[Amended by Bylaw No. 625, 2023]

11. Garbage is to be placed in biodegradable plastic bags, inside garbage container.

[Amended by Bylaw No. 616, 2022]

[Amended by Bylaw No. 625, 2023]

12. No liquids or free water shall be put or placed in or allowed to run into or accumulate in any garbage receptacle, and all such receptacles shall at all times be covered with a watertight cover.

13. No owner or occupier shall place for collection any prohibited solid waste as set out in Schedule B attached to and forming a part of this bylaw.

[Amended by Bylaw No. 616, 2022]

14. All waste material which is not garbage, recycling, or green waste shall be disposed of directly by the owner or occupier at a regional or other appropriate handling facility.

[Amended by Bylaw No. 616, 2022]

15. Every owner or occupier of land is hereby compelled to make use of the garbage, recycling, and green waste disposal system established and continued hereunder and shall pay for the collection of garbage, recycling, and green waste from premises as herein provided.

[Amended by Bylaw No. 616, 2022]

SERVICE PROVIDED BY VILLAGE

16. Garbage shall be collected bi-weekly while recycling, and green waste shall be collected weekly by the disposal service of the Village. This regular pick-up schedule may be altered by the Public Works Manager provided that two weeks' notice of the change is provided to all residents and businesses via the Village Update.

[Amended by Bylaw No. 616, 2022]

COLLECTION RATES

17. Rates for the collection of garbage, recycling and green waste as per Schedule "A" attached hereto and forming part of this By-law are hereby imposed on the owners of land or occupiers of premises and are due and payable by the 31st day of December of each year.

[Amended by Bylaw No. 516, 2017]

[Amended by Bylaw No. 570, 2020]

[Amended by Bylaw No. 579, 2020]

18. A prompt payment discount shall be allowed, as set out in Schedule "A" if payment is made by the 31st of May of each year, other than the year 2020, when a prompt payment discount shall be allowed, as set out in Schedule "A" if payment is made on or before the 1st day of June. The period the rates cover is from January 1 to December 31 of each year.

[Amended by Bylaw No. 579, 2020]

[Amended by Bylaw No. 628, 2023]

19. The rate chargeable under this section in the calendar year in which the collection of garbage, recycling and green waste commences shall be one-twelfth (1/12) of the full rate as set out in Schedule "A" multiplied by the number of full months remaining in the calendar year of service commencement.

[Amended by Bylaw No. 516, 2017]

20. Any rate remaining unpaid on the 31st day of December shall be deemed to be taxes in arrears in respect of the property in respect of which the consumer dwells and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.

21. The rates established hereunder shall commence effective January 1 of each year.

WILDLIFE RESISTANT CONTAINERS AND ENCLOSURES

22. Every outdoor container or receptacle used by a single family dwelling for depositing or storing food waste or other edible waste, or waste contaminated recycling that could attract wildlife shall be a wildlife resistant container, or be stored in a place that cannot be accessed by wildlife. This section does not apply to composting or placement of waste at curbside on collection days.

23. Every commercial, industrial, institutional and tourist accommodation building, and every multiple family residential development having three or more dwelling units, shall provide for a waste storage site located inside a building or within a wildlife resistant enclosure.

[Amended by Bylaw No. 616, 2022]

24. Garbage and recycling containers required for temporary special events, such as weekend sports tournaments, weddings, Fire Department Picnic, Halloween, and Canada Day are exempt from this requirement if emptied before 10:00 p.m.

25. Wildlife resistant containers and wildlife proof enclosures:

- a. must be kept closed and secure when waste is not being deposited, and
- b. if damaged, must not be used until repaired.

[Amended by Bylaw No. 616, 2022]

[Amended by Bylaw No. 625, 2023]

DANGEROUS WILDLIFE

26. Feeding wildlife and depositing or storing any domestic garbage, pet food, food waste, or other edible waste that could attract wildlife is prohibited.

[Amended by Bylaw No. 616, 2022]

27. Bird feeders must have a seed catch tray and be suspended on a cable or other device so that they are 10 ft above the ground and from any other access point.

[Amended by Bylaw No. 616, 2022]

[Amended by Bylaw No. 625, 2023]

28. Beehives must be protected by an electric fence or otherwise be made inaccessible to wildlife.

[Amended by Bylaw No. 616, 2022]

[Amended by Bylaw No. 625, 2023]

29. Outdoor fridges or freezers must be inaccessible to wildlife and stored in wildlife resistant enclosure.

[Amended by Bylaw No. 625, 2023]

30. Halloween pumpkins and jack-o-lanterns shall be placed at curbside no earlier than 4 p.m. on the night of Halloween and moved to appropriate wildlife proof storage by 11 p.m.

[Amended by Bylaw No. 625, 2023]

31. No meat by-products shall be put in compost piles.

[Amended by Bylaw No. 616, 2022]

32. Fruit and nut trees must be managed in such a way that they do not attract wildlife.

[Amended by Bylaw No. 625, 2023]

OFFENCE AND PENALTY

33. Every person who contravenes any provision of this Bylaw commits an offence and upon summary conviction is liable to a fine not exceeding \$1000.00 and the cost of prosecution. Where enforcement proceeds under Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended, contraventions of this Bylaw do not constitute an offence and penalties shall not exceed \$500.

[Amended by Bylaw No. 616, 2022]

SEVERABILITY

34. If any section or lesser portion of this Bylaw is held to be invalid by a Court, the invalid portion shall be severed without affecting the validity of the remaining portions of this Bylaw.

[Amended by Bylaw No. 616, 2022]

READ A FIRST TIME	April 18, 2023
READ A SECOND TIME	April 18, 2023
READ A THIRD TIME	April 18, 2023
ADOPTED	May 2, 2023

Mayor

Corporate Officer

**Certified a true copy of
Garbage and Recycling Collection Bylaw No. 455, 2013
Amendment Bylaw No. 628, 2023, as adopted.**

Corporate Officer

SCHEDULE "A"

**Attached to and forming
part of Bylaw No. 455, 2013, as amended**

	Garbage, Recycling and Green Waste		Annual Charge	Prompt Payment Discount
1	Single Family Residences	Garbage, Recycling and Organics	\$383.00	3.5%
2	Townhouses (Crosscreek Road)	Garbage, Recycling and Organics	\$383.00	3.5%
3	Condominiums (Centre Road)	Recycling Only	\$172.00	3.5%
4	Businesses – Store/Café	Recycling Only	\$1,552.00	3.5%
5	Businesses - Other	Recycling Only	\$172.00	3.5%

[Amended by Bylaw No. 570]

[Amended by Bylaw No. 589]

[Amended by Bylaw No. 628]