City of Merritt

"City of Merritt Solid Waste Bylaw 2183, 2015"

Consolidated For Convenience – August 25, 2026

Bylaw 2183	June 15, 2015

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CITY OF MERRITT

BYLAW NO. 2183, 2015

A BYLAW TO PROVIDE FOR THE COLLECTION, DISPOSAL AND CONTROL OF SOLID WASTE

WHEREAS under the provisions of the *Community Charter,* a municipality may provide for services for community benefit;

AND WHEREAS the City of Merritt has established a service to provide for the management of solid waste;

AND WHEREAS it is deemed expedient to establish regulations for the management of solid waste;

NOW THEREFORE the Council of the City of Merritt, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. CITATION

This Bylaw shall be cited as **"CITY OF MERRITT SOLID WASTE COLLECTION, DISPOSAL AND CONTROL BYLAW NO. 2183, 2015**".

2. REPEAL

The "City of Merritt Solid Waste Collection, Disposal and Control Bylaw No. 1358, 1992 is hereby REPEALED.

3. DEFINITIONS:

In this bylaw, unless the context otherwise requires:

"Approved Garbage Bag"- means a garbage bag constructed of 1.5 mm polyethylene and measuring 66 cm (approximately 26 in.) in diameter by 91 cm (approximately 36 in.) in height, and must not exceed 22.7 kg when placed out for collection.

"Approved Solid Waste Receptacle"- means a solid waste container which has been supplied and approved by the Public Works Manager and/or Superintendent in accordance with this by-law for use with the curbside collection service.

"Automated Collection"- means the collection of solid waste using a specially designed vehicle with mechanical apparatus which empties a container or solid waste bin directly into a vehicle without requiring manual labour to empty the container or solid waste bin.

“Bear Attractants” - include any and all food wastes, offal, and accumulations of discarded fruit, whether on public or private land.

“Bin Collection Utility Charge” - means the utility charge that is imposed, in accordance with Schedule “C” of City of Merritt Fees and Charges Bylaw No. 2176, 2015 upon the owners of real property who have been authorized to use the City bin collection service.

“City” - shall mean the City of Merritt, including the Council and its agents.

“City Bin Collection Service” - means the City's automated collection or semi-automated collection of solid waste by means of approved bins.

“Collector” - shall mean the Deputy Financial Manager for the City of Merritt, and his/her designate, appointed to receive and distribute all money paid to the municipality.

“Collection Crew” - means any City employee or other person authorized by the City to provide any service under this by-law.

“Commercial / Industrial Premise” - shall mean any building or self-contained part thereof, used or intended for use, other than a dwelling.

“Commercial / Industrial Bin” - shall mean a metal bin supplied and approved by the Public Works Manager and/or Superintendent in accordance with this by-law for use or intended to be used at a commercial / industrial premise, supplied by and rented from the City.

“Commercial / Industrial Solid Waste” - shall mean any and all rejected, abandoned or discarded matter, sweepings, all inflammable materials of a like nature, resulting from the operation of a commercial/industrial premise, but does not include special waste or any recyclable materials.

“Curbside Collection Service” - means the City's curbside automated collection of solid waste from premises situated within the City of Merritt.

"Dwelling" - shall mean any residential building or self-contained unit, having one kitchen, used or intended for use as a dwelling, place of abode, or place of living by one family or tenant, and includes, but is not limited to each such unit of a duplex, apartment, townhouse or mobile home.

"Garbage Tag" - means a tag issued by the City in accordance with this by-law

"Green Waste" - means grass and hedge clippings, flowers, leaves, garden waste, and branch and tree prunings up to 15 cm in diameter.

"Hazardous Waste" - has the meaning assigned in the Hazardous Waste Regulation to the BC Environmental Management Act, as amended from time to time.

"Multi-Family Dwelling" - means a building or part of a building used or intended to be used for four or more dwelling units.

"Occupier" - shall mean any person occupying any dwelling, or commercial /industrial premise, within the City, including any owner, lessee or tenant.

"Offensive Waste" - means any matter or thing, natural or manmade, that, on its own or when mixed with any other substance, may be germ or vermin infested, have an offensive odour, be injurious to the health of a person handling it, or that results in the disruption of solid waste collection service by reason of the need to clean equipment, personnel, public or private property, and includes, without limitation, acids and other corrosive materials, combustible materials, and includes special waste, but does not include hazardous waste.

"Private Bin Collection Service" - means any automated collection or semi-automated collection of solid waste by means of solid waste bins, other than the City bin collection service.

"Public Works Manager or Superintendent" - means the person appointed as such from time to time by the City of Merritt and any person delegated to assist in carrying out his/her duties under this by-law.

"Recyclable Materials" - includes, but is not limited to, mixed paper, newsprint, corrugated cardboard, aluminum cans, and plastic milk jugs.

"Quarter" - shall mean the time in any one year whereby commercial /industrial premises are billed for solid waste service. Each quarter commences as follows: January first (1st) for January, February and March, April first (1st) for April, May and June, July first (1st) for July, August and September, and October first (1st) for October, November and December.

"Residential Solid Waste" - shall mean any and all rejected, abandoned or discarded matter, including vegetable or animal food, floor sweepings, crockery, glass or metal ware, having contained food, ashes, grass, hedge clippings, or other garden refuse or rubbish. This does not include special waste or any recyclable materials.

"Sanitation Labourer" - shall mean the person(s) appointed to collect solid waste from within the solid waste collection area.

"Solid Waste Collection Service" - means the service provided by the City for the collection, removal, and disposal of solid waste, and for greater certainty, includes curbside collection service and City bin collection service.

"Solid Waste Collection Area" - shall mean the areas within the City of Merritt Boundaries.

"Special Waste" - shall mean, including but is not limited to, all hazardous, inflammable, radioactive and toxic materials as defined in the Waste Management Act.

4. ADMINISTRATIVE:

4.1 The City, by this by-law, is authorized to establish the solid waste collection service for the purposes of collecting, removing, and disposing of solid waste within the City, either by contract or by use of City-owned equipment and City labour, and such service shall be under the control and subject to the inspection of the Public Works Manager or Superintendent.

4.2 Upon providing the property owner or occupier with 24 hours prior to written notice, the Public Works Manager or Superintendent is authorized to enter, at all reasonable times and in a reasonable manner, any land and buildings for the purposes of ascertaining whether the provisions of this by-law are being complied with.

5. REGULATIONS FOR ALL APPROVED SOLID WASTE RECEPTACLES:

5.1 No person within the City of Merritt shall dispose of solid waste, except in accordance with the provisions of this by-law.

5.2 No person shall cause or permit the accumulation of solid waste at or near commercial premises, except where such solid waste is placed in suitable solid waste bins for collection and removal.

5.3 All containers and solid waste bins must, at all times, be maintained in a clean and sanitary condition and be covered securely with the lid.

5.4 No person shall cause or permit the contents of a container or solid waste bin, for which he or she is responsible, to exceed the 22.7 kg weight limit.

5.5 No person may accumulate, store, or collect any bear attractants in a manner that poses or may pose a risk to the safety of any person.

5.6 The City may suspend solid waste collection service or order solid waste collection service suspended from properties where the containers or approved bins, by location or design, are not accessible for pickup according to the provisions of this by-law; but such suspension shall not waive any requirement, or abate or waive any fees or charges under the provisions of this by-law.

5.7 Hot ashes from incinerators or burning barrels, any liquid wastes, bulk chemical composition waste, animal cuttings or waste of dead animals, tires, oil, fuel, and other equipment lubricant filters will not be picked up by the solid waste collection service.

5.8 Hazardous waste and offensive waste will not be picked up by the solid waste collection service.

5.9 All table and kitchen waste, all wet garbage, pet waste, grass clippings, cold ashes, and sawdust or other granular materials must be enclosed in approved garbage bags prior to being placed in any container or solid waste bin.

5.10 All materials which might adhere to any container or solid waste bin must be separately wrapped or disposed of within individual disposable wrappings prior to being placed in any container or solid waste bin.

5.11 No person may deposit for pickup by the solid waste collection service any explosive, volatile or corrosive materials, dangerous chemicals, or any other material that, on its own or when mixed with another material, may pose a risk to the health and/or safety of the collection crew.

5.12 Solid waste must not be compressed into any container or solid waste bin in a manner that will inhibit the waste from falling freely into the vehicle during the regular tipping process.

6. REGULATIONS FOR CURBSIDE COLLECTION

6.1 Any person wishing to receive curbside collection service must deposit his or her solid waste in an approved universal container supplied by the City, unless otherwise directed by the Public Works Manager or Superintendent.

6.2 Additional curbside collection in excess of the container or containers may be set out in an approved garbage bag with a garbage tag affixed to each additional piece. Refer to Schedule "C" of City of Merritt Fees and Charges Bylaw No. 2176, 2015 for the rates.

6.3 Curbside collection service shall consist of one (1) collection, garbage and recycle cans, per week, fifty-two (52) weeks per year, from every dwelling within the City of Merritt Boundaries. Collection may be deferred to the following week to accommodate for statutory holidays.

6.4 For collection purposes, all containers must have their lids closed, open side of lid facing the street, and must be placed next to the lane, on the edge of the roadway, with three (3) feet clear on both sides and the back of your container.

6.5 Containers shall be readily accessible for emptying on all designated collection days between the hours of 7 a.m. and 5 p.m. with the exception of statutory holidays which will be determined from time to time by the City.

6.6 No solid waste receptacles shall be located at the occupier's property line, either adjacent to the sidewalk or road shoulder, or as designated by the City, before 5:00 a.m. of the day of scheduled collection.

6.7 All containers must be removed from the lane or roadway by 7:00 p.m. on collection day and stored on private property in a safe manner.

6.8 All containers not accessible or not meeting the accessibility criteria, on designated collection days, shall not be collected until the next regularly scheduled collection.

6.9 Where collection vehicle access to any premises is hampered by any circumstance, the Public Works Manager or Superintendent may designate an alternate location for the placement of the container and/or approved garbage bags.

6.10 All Approved Solid Waste Receptacles that are damaged, lost, or stolen must be reported to the Public Works Manager or Superintendent immediately. All Approved Solid Waste Receptacles that are damaged or stolen as a result of neglect or misuse on the part of the property owner or occupier must be replaced at the expense of the property owner; otherwise, the Approved Universal Container will be repaired or replaced by the City. Refer to Schedule "C" of City of Merritt Fees and Charges Bylaw No. 2176, 2015 for the rates.

7. SOLID WASTE COMMERCIAL / INDUSTRIAL SERVICES:

7.1 Property owners and occupiers must apply to the City of Merritt for use of the City bin collection service. Refer to Schedule "C" of City of Merritt Fees and Charges Bylaw No. 2176, 2015 for the rates.

7.2 Shall include collection of solid waste from every premise within the City of Merritt boundaries, for a minimum of one (1) time per week, fifty-two (52) weeks per year, or at a frequency determined by mutual agreement between the occupier and the City, prior to the commencement of each quarter.

7.3 Service shall consist of the removal of solid waste from regulation solid waste receptacles, as regulated by this bylaw. Notwithstanding the above, if the amount of solid waste collected does not, in the opinion of the City of Merritt, warrant the rental of a commercial / industrial receptacle from the City, commercial / industrial premises may be permitted to dispose of solid waste in two (2) residential or plastic receptacles (240L).

7.4 All commercial / industrial Bins must be located on a concrete surface, provided at the expense of the occupier

7.5 All commercial / industrial Bins shall be accessible for collection on all designated collection days between the hours of 5 a.m. and 5 p.m. with the exception of statutory holidays which will be determined from time to time by the City

7.6 All commercial / industrial Bins not accessible or not meeting the accessibility criteria, on designated collection days, shall not be collected until the next regularly scheduled collection.

7.7 A commercial / industrial Bin collection utility charge shall be and is hereby imposed upon property owners who have been or whose occupiers have been authorized to use the City bin collection service in accordance with this by-law.

7.8 The bin collection utility charge imposed herein shall be calculated in accordance with the rates set forth in Schedule "C" of City of Merritt Fees and Charges Bylaw No. 2176, 2015 for the rates, and is payable whether or not:

a) any of the premises on the property to which the City bin collection service will apply are used or occupied; or
b) the City bin collection service is interrupted or altered in any manner.

7.9 The time and frequency of City bin collection service and the location and number of approved bins shall be determined by the Public Works Manager or Superintendent from time to time.

8. SPECIAL WASTES

8.1 Collection of special wastes will not be undertaken by the City. If disposal is required, an occupier must contact the Ministry of Environment to receive regulations for disposal and permission to do so, as regulated by the Waste Management Act.

9. PAYMENT OF FEES

9.1 Every occupier shall pay to the City fees and charges for the collection, disposal and control of solid waste, which are payable, regardless if the collection services are utilized. All fees and charges shall be as per Schedule "C" of City of Merritt Fees and Charges Bylaw No. 2176, 2015 for the rates.

9.2 Residential dwelling fees shall be billed semi-annually with the first bill issued at the end of April and the second invoice at the end of October. Residential Garbage Rates are due and payable thirty (30) days from the invoice date. Invoices paid within thirty (30) days will receive a ten (10%) percent discount. Outstanding payments at the end of the year shall be transferred to arrears property taxes in accordance with the *Community Charter*.

9.3 Commercial / industrial premise solid waste collection fees, and all those other than residential dwelling, shall be due and payable to the City, on a quarterly basis. A new occupier shall be charged with a pro-rated monthly commercial / industrial receptacle rental fee for the first month of his /her application. The former occupier will be charged a pro-rated amount for the last month.

9.4 A commercial / industrial premise will be considered vacant if an applicant for a water shut off has been approved, and will not be charged for solid waste collection services. If a water shut off is not viable, vacancy will be determined by the City, upon inspection. No refunds for vacancies will be considered.

9.5 All fees and charges remaining unpaid on the 31st day of December in any year shall be added to and form a part of the property taxes, entered as taxes in arrears in accordance with the *Community Charter*.

10. DISPOSAL OF WASTE:

10.1 No person shall dispose of solid waste anywhere within the boundaries of the City of Merritt, except within regulation solid waste receptacles, or as permitted under Sec. 5 of this bylaw.

10.2 No person shall dispose of solid waste within a regulation solid waste receptacle, unless given the authority to do so, by the occupier.

11. PENALTY AND SUMMARY CONVICTION:

11.1 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding Two Thousand Dollars ($2,000.00)

READ A FIRST TIME THIS **09th day of June, 2015**

READ A SECOND TIME THIS **09th day of June, 2015**

READ A THIRD TIME THIS **09th day of June, 2015**

ADOPTED THIS **23rd day of June, 2015**

Neil Menard,
MAYOR

Allan Chabot,
CHIEF ADMINISTRATIVE OFFICER
/CORPORATE OFFICER