

THE CORPORATION OF THE VILLAGE OF SLOCAN

BYLAW #628

(Consolidated for convenience only - Updated September 11, 2023)

A BYLAW TO PROVIDE FOR AND REGULATE THE COLLECTION, STORAGE AND DISPOSAL OF GARBAGE WITHIN THE VILLAGE OF SLOCAN AND TO CONTROL WILDLIFE ATTRACTANTS

WHEREAS in accordance with the *Community Charter*, and in the interests of public health, Council may establish services for the collection, removal and disposal of garbage;

AND WHEREAS it is deemed desirable and expedient to provide standards for the collection of garbage in order to encourage citizens to reduce, re-use, recycle and compost, thereby reducing waste volumes going to the landfill and reducing the cost of garbage collection and disposal;

AND WHEREAS it is deemed advisable to enact a bylaw so as to discourage and prevent dangerous wildlife from accessing and becoming conditioned to, or dependent on food sources generated or controlled by human activity;

NOW THEREFORE be it resolved that the Council of the Corporation of the Village of Slocan, in open meeting assembled, enacts as follows:

DEFINITIONS

1. In this by-law:

Attractant	means any substance which could reasonably be expected to attract wildlife or does attract wildlife including but not limited to household refuse, kitchen waste, food products, beverage containers, barbecue grills, pet food, bird feed, diapers, grease barrels, fruit, honey, salt, oil and other petroleum products and chemical products;
Container	means, durable receptacles, fitted with secure handles and a water-tight cover;
Dangerous Wildlife	means bear, cougar, coyote or wolf, or a species of wildlife that is prescribed as dangerous under the <i>BC Wildlife Act</i> ;
Designated Officer	means a member of the RCMP or a Conservation Officer as appointed under the <i>BC Wildlife Act</i> ;
Garbage	means waste other than food scraps/yard trimmings and recyclables but shall not include special waste, construction, demolition or land clearing waste, animal or human feces, animal carcasses or their parts, car parts, furniture, and other items the Village considers hazardous or unacceptable to the Village's collection and disposal system;
Garbage Bag	means a plastic disposable garbage bag, of a size not exceeding 76 cm by 90 cm (30" by 36") and shall not exceed 25 pounds (11.34 kilograms) in weight; (Amendment Bylaw No. 708, 2023)

Hazardous Waste	means hazardous waste as defined in the <i>British Columbia Hazardous Waste Regulations, B.C. Reg. 63/88, O.C. 268/88</i> as amended from time to time;
Occupant	means and includes any occupant, owner, lessee, tenant or responsible employee thereof of any residential property or dwelling or trade premises;
Recyclable Material	means any waste which is accepted for recycling by local recycling providers, including the Region District;
Tag	is a sticker purchased for a specified fee from the Village of Slocan and placed on the garbage container or garbage bag prior to pickup to indicate the disposal fee has been paid in advance;
Village	means The Corporation of the Village of Slocan;
Wildlife Resistant Enclosure	means a fully enclosed structure consisting of walls, roof and door(s) with no more than a 1 cm gap or opening at any location, of sufficient design and strength so as to prevent access by wildlife, and for clarity, includes a garage, shed, or other structure that is inaccessible to wildlife.

GENERAL REGULATIONS

2. No person shall store, deposit, pile, place, discard or otherwise allow to accumulate any garbage in or on any property, and in such a manner that may be accessible to wildlife, except as authorized by this bylaw.
3. No person shall spill, scatter, deposit, throw, cast, lay, pile, place, discard, accumulate or otherwise cause to be thrown, cast or laid, or disturb or interfere with any garbage or wildlife attractant of any kind or nature on any street, lane, highway, park, beach, boulevard, sidewalk, or other public place or private property within the Village.

REGULATIONS SPECIFIC TO WILDLIFE ATTRACTANTS

4. A person must not feed or attempt to feed dangerous wildlife, and must not feed other animals in a manner that is likely to attract wildlife.
5. No person may accumulate, store or collect any attractants in a manner that they are accessible to dangerous wildlife which may pose a risk to the safety of any person.
6. No person shall fail to take remedial action to avoid contact or conflict with dangerous wildlife after being advised by a designated officer that such action is necessary.
7. Every owner or occupier of real property must ensure that:
 - (a) Any fruit that has fallen from a tree or bush is removed from the ground and properly disposed of and, if stored outdoors, only in a wildlife resistant enclosure;
 - (b) Any birdfeeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to wildlife; and the area below any bird feeding devices or activity is kept free of accumulations of seeds and

similar wildlife attractants.

- (c) Barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;
- (d) Any refrigerator, freezer, storage container or similar appliance, device or apparatus or garbage bag that contains animal attractants of any type, if placed or located outdoors, is located and equipped in such a manner that it is inaccessible to wildlife; and
- (e) Any grease, antifreeze, paint or petroleum product is stored in such a manner that is inaccessible to wildlife.
- (f) That all garbage that is stored outside is stored in wildlife resistant enclosures and are made wildlife resistant as defined in this Bylaw.

FAILURE TO COMPLY

- 8. Failure to comply with Sections 2 and 3 herein may result in the Village by its own employees or others, cleaning up and removing such garbage and the cost of such cleaning and removal shall be charged to the owner or occupier of the property and where such charges are unpaid on the thirty-first of December in the same year, they shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears and offenders may be publicly identified.

ENTRY AND INSPECTION

- 9. A Designated Officer may enter onto any property in accordance with Section 16 of the *Community Charter* to inspect and determine whether this bylaw is being met.
- 10. Where the Designated Officer believes that, as a result of a breach of this bylaw, wildlife is located on or near the property and has endangered or harmed a person, or presents an imminent threat to the safety of any person, the designated officer may take steps to prevent, avert, reduce or mitigate the harm or threat or provide assistance.
- 11. A person must not obstruct or interfere with a Designated Officer, or other person who is assisting the officer, who has entered onto property pursuant to Section 16 of the *Community Charter*.

PLACEMENT AND SPECIFICATIONS FOR GARBAGE CONTAINERS

- 12.
 - a) Every residential customer shall place all garbage in a container or garbage bag as defined in this Bylaw;
 - b) For collection purposes, all garbage containers or garbage bags must be placed in full view and as close as possible to the edge of the travelled way serving the property, without obstructing traffic;
 - c) Garbage containers or garbage bags shall be readily accessible by 9:00 a.m. on the day designated by the Village for garbage collection;
 - d) No person shall place any garbage containers or garbage bags out for collection before 7:00 a.m. of the day as designated by the Village for garbage collection;
 - e) Tie or otherwise seal, to prevent spillage or entry of water, any plastic bags placed for collection.
 - h) Place tags on garbage containers or garbage bags so that they are clearly visible

to the garbage collector.

- i) It is the responsibility of the owner or occupier of the property to ensure the garbage container or garbage bag is in good condition and that the garbage is contained within the container or bag.
- j) It is the responsibility of the owner or occupier of the property to ensure that any garbage strewn or scattered by animals is cleaned up.

EXCEPTIONS TO GARBAGE COLLECTIONS

- 13. No hazardous waste, tires, grass clippings, leaves, tree prunings, scrap lumber, logs, metal, stone, brick, concrete, car or truck batteries, recyclable oil or oil filters or recyclable corrugated cardboard, shall be set out for collection; except when stated otherwise by the Village.

COLLECTION TIMES

- 14. The frequency of garbage collection for residential customers shall be as set by Council policy.
- 15. All property owners, whether residential customers of the Village collection system or not, shall ensure that garbage is collected from their property on a regular basis.

PAYMENT OF FEES

- 16. Fees for collection and disposal of garbage shall be as outlined in Schedule "C" of the Fees and Charges Bylaw.

PENALTIES

- 17. Every person violating any provisions of this by-law shall upon conviction be liable to a fine not exceeding Two Thousand (\$2,000.00) Dollars, plus costs for such violation.
- 18. Upon conviction for a breach of the provisions of this by-law, the Court of jurisdiction, besides imposing a penalty under the Section 13 hereof, may order the offender to carry out the provisions of this by-law within a time to be limited by the order and in default of the defendant carrying out such order, the Village by its employees, servants or authorized agents shall forthwith at the expense of the offender take such action as is deemed necessary to carry out the requirements of this by-law and the expense therefore, if unpaid on the Thirty-First of December in the same year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

REPEAL

- 21. Garbage Collection and Disposal By-law of the Village of Slocan No. 252, 1968; and all amendments thereto is hereby repealed in its entirety.

TITLE

22. This bylaw may be cited as the **“Village of Slocan Solid Waste and Wildlife Attractant Bylaw No. 628, 2013**

READ A FIRST TIME the 13th day of November, 2012

READ A SECOND TIME the 13th day of November, 2012

READ A THIRD TIME AS AMENDED the 14th day of January, 2013

FINALLY PASSED AND ADOPTED the 12th day of February, 2013

MADELEINE PERRIERE

Mayor

JACK RICHARDSON
Chief Administrative Officer