

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 0327, 1999

A Bylaw to establish Solid Waste Management rates, fees and other charges

WHEREAS the Fraser Valley Regional District has approved a Solid Waste Management Plan pursuant to the *Waste Management Act*;

AND WHEREAS the Plan specified in Section 3(1) the intent of the Regional District to finance solid waste management with a user pay system where feasible;

AND WHEREAS the Regional District may for the purposes of implementing a solid waste management plan, make bylaws setting fees and charges that may vary according to (i) the quantity, volume, composition or type of municipal solid waste or recyclable material, or (ii) the class of persons, sites, operations, activities, municipal solid wastes or recyclable materials, and may specify the manner and timing of the payment of those fees and charges;

AND WHEREAS on May 27, 1997, the Regional District, by Board resolution, instituted a fee of \$1/ tonne for waste going to disposal on all solid waste disposal facilities within the FVRD as specified in Section 2.4(2) of the Solid Waste Management Plan.

AND WHEREAS assent or consent on behalf of the electors is not required by the Regional District under Section 18(9) of the *Act*;

NOW THEREFORE in open meeting assembled, the Board of Directors of the Fraser Valley Regional District enacts as follows:

1. CITATION

- 1.1 This Bylaw may be officially cited for all purposes as the "Fraser Valley Regional District Solid Waste Management Rates, Fees, and Charges Bylaw No. 0327, 1999"

2. INTERPRETATION

- 2.1 In this Bylaw:

- (a) "Municipal Solid Waste (MSW)" means

(i) refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources, or

(ii) refuse specified by a manager to be included in a waste management plan.

(b) "**Plan**" means a waste management plan that

(i) is for the management of municipal solid waste and recyclable material, and

(ii) is approved by the minister

(c) "**Recyclable Material**" means a product or substance that has been diverted from disposal, has little or no reuse value in its present form and satisfies at least one of the following criteria:

(i) is organic material that has been diverted from residential, commercial or institutional sources and is capable of being composted, or is being composted, at a site;

(ii) is managed as a marketable commodity with an established market by the owner or operator of a site;

(iii) is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process;

(iv) has been identified as a recyclable material in a plan.

(d) "**Regional District**" means the Fraser Valley Regional District.

(e) "**Waste Management Plan**" means a plan that contains provisions or requirements for the management of recyclable material or waste or a class of wastes within the whole or a specified part of one or more municipalities.

3. ENACTMENTS

3.1 There are hereby imposed the various rates, fees and other charges for the provision of certain solid waste management services as set out in the Schedule "A" attached hereto and forming part of this Bylaw.

4. READINGS AND ADOPTION

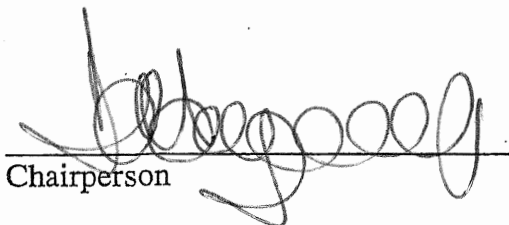
READ A FIRST TIME this 23rd day of November, 1999.

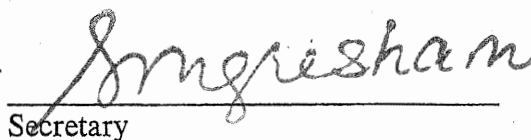
READ A SECOND TIME this 23rd day of November, 1999.

READ A THIRD TIME this 23rd day of November, 1999.

APPROVED BY THE MINISTER OF ENVIRONMENT, LANDS AND PARKS
this 22 day of March, 1999. 2001.

ADOPTED this 24th day of April, 1999. 2001.

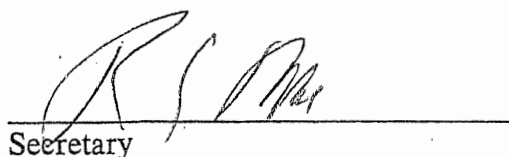

Chairperson


Secretary

5. CERTIFICATION

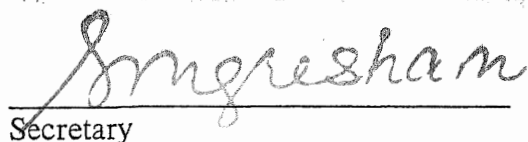
I hereby certify that this is a true and correct copy of Bylaw No. 0327, 1999 as read a third time by the Board of Directors of the Fraser Valley Regional District on 23rd day of November, 1999.


Dated at Chilliwack on this 23rd day of November, 1999.


Secretary

I hereby certify that this is a true and correct copy of Bylaw No. 0327, 1999 adopted by the Board of Directors of the Fraser Valley Regional District on 24 day of April, 1999. 2001.

Dated at Chilliwack on 24th day of April, 1999. 2001.


Secretary


Dr. Shaun Peck
Deputy Provincial Health Officer
for Minister of Health

SCHEDULE "A"

Fraser Valley Regional District Solid Waste Management Rates, Fees and Charges Bylaw No. 0327, 1999

1. A. Waste Disposal Fee - Amount

A fee of \$1 per tonne of municipal solid waste entering each active residual management facility within the Regional District, and including any transfer stations disposing of residual waste outside the Regional District, as specified in Section 2.4(2) of the Plan.

B. Waste Disposal Fee - Terms

Commencing January 1, 2000, the municipalities and private operators will pay the Regional District the fee as follows:

(a) on or before the 31st day of July, each municipality and private operator will pay to the Regional District the per tonne rate multiplied by the actual quantity (tonnes) of municipal solid waste entering their landfill and, with respect to Abbotsford, the quantity of municipal solid waste entering the Matsqui and Salish Transfer Stations for disposal at an approved disposal facility for the preceding six (6) month period from January 1st to June 30th.

(b) on or before the 31st day of January, each municipality and private operator will pay to the Regional District the per tonne rate multiplied by the actual quantity (tonnes) of municipal solid waste entering their landfill and, with respect to Abbotsford, the quantity of municipal solid waste entering the Matsqui and Salish Transfer Stations for disposal at an approved facility for the preceding six (6) month period from July 1st to December 31st.

2. A. Application Fee for Adding Facilities to the Solid Waste Management Plan - Amount

Minimum fee	\$500.00
MSW Disposal Facilities	25¢/ tonne up to 20,000 tonnes of proposed maximum annual tonnage
	Additional 10¢/ tonne over 20,000 tonnes of proposed maximum annual tonnage

MSW Transfer Stations	15¢/ tonne up to 20,000 tonnes of proposed maximum annual tonnage
	Additional 5¢/ tonne over 20,000 tonnes of proposed maximum annual tonnage
MSW Reduction Facilities	5¢/ tonne of proposed maximum annual tonnage to a maximum of \$2,000.00

B. Application Fee for Adding Facilities to the Solid Waste Management Plan - Terms

Every person who files an application shall pay to the Regional District, on application, the initial minimum amendment application fee of \$500.00 . The remainder of the processing fee will be payable on submission of the proposed maximum annual tonnage quantities requested under Section 4.7 (5), and shall include any monies over and above the initial minimum \$500.00 fee paid on application.

An application fee (or any part thereof) shall not be refunded if the application is not approved, unless authorization is granted by the FVRD Board after consideration of resources expended to assist the applicant thus far.

FVRD member municipalities (Abbotsford, Mission, Chilliwack, Hope, Kent, and Harrison Hot Springs) shall be exempt from all application fees, as they are already contributing funds to the Solid Waste Management budget through disposal fees and tax requisition.