



# Regional District of Bulkley-Nechako Waste Management Committee Agenda

Thursday, October 13, 2022

| <u>PAGE NO.</u> |  | <u>ACTION</u>          |
|-----------------|--|------------------------|
|                 | <u>CALL TO ORDER</u>   |                        |
|                 | <u>AGENDA</u> – October 13, 2022   | Approve                |
|                 | <u>SUPPLEMENTARY AGENDA</u>  | Receive                |
|                 | <u>MINUTES</u>   |                        |
| 3-5             | Waste Management Committee Meeting<br>Minutes – September 8, 2022  | Approve                |
|                 | <u>COMMITTEE ADVOCACY</u>  |                        |
| 6-7             | Written/Verbal Update - Chair Fisher/Janette Derksen,<br>Waste Diversion Supervisor - Coast Waste<br>Management Association – Northern BC Solid<br>Waste Working Group | Receive                |
|                 | <u>REGIONAL SOLID WASTE ADVISORY COMMITTEE UPDATE</u>  |                        |
|                 | Verbal Update – Alex Eriksen, Director of Environmental<br>Services – Meeting held October 12, 2022  |                        |
|                 | <u>POLICY REVIEW</u>   |                        |
|                 | <u>Discussion</u>  |                        |
| 8-15            | Alex Eriksen, Director of Environmental Services<br>-“2m <sup>3</sup> Rule” Discussion on Future Strategy  | Discussion/<br>Receive |
|                 | <u>DIVERSION &amp; RECYCLING</u>   |                        |
|                 | Verbal Update – Janette Derksen, Waste Diversion<br>Supervisor – Diversion and Recycling Update  |                        |

| <u>PAGE NO.</u> | <u>DIVERSION &amp; RECYCLING (CONT'D)</u> | <u>ACTION</u> |
|-----------------|---|---------------|
|-----------------|---|---------------|

Correspondence

|       |  |         |
|-------|--|---------|
| 16-23 | District of Fort St. James – Public Notices<br>– Single Use Plastics Regulation Bylaw Adopted! | Receive |
|-------|--|---------|

MISCELLANEOUS

None

OPERATIONS UPDATE

Verbal Update – Alex Eriksen, Director of Environmental Services

FUTURE MEETING TOPICS

- Fee Bylaw amendment – November 2022
- Solid Waste User Fee Implementation – Quarterly Updates

SUPPLEMENTARY AGENDA

NEW BUSINESS

ADJOURNMENT

**REGIONAL DISTRICT OF BULKLEY-NECHAKO****WASTE MANAGEMENT COMMITTEE MEETING****Thursday, September 8, 2022**

**PRESENT:** Chair Mark Fisher

Directors Gladys Atrill  
Shane Brienen  
Chris Newell  
Jerry Petersen  
Michael Riis-Christianson  
Gerry Thiessen

Staff Curtis Helgesen, Chief Administrative Officer  
Cheryl Anderson, Director of Corporate Services  
John Illes, Chief Financial Officer  
Janette Derksen, Waste Diversion Supervisor  
Alex Eriksen, Director of Environmental Services – via Zoom  
Wendy Wainwright, Deputy Director of Corporate Services

Others Linda McGuire, Village of Granisle  
Bob Motion, District of Fort St. James  
Mark Parker, Electoral Area “D” (Fraser Lake Rural)

**CALL TO ORDER**

Chair Fisher called the meeting to order at 9:30 a.m.

**AGENDA**Moved by Director Riis-Christianson  
Seconded by Director BrienenWMC.2022-7-1

“That the Waste Management Committee Agenda for September 8, 2022 be approved.”

(All/Directors/Majority)

**CARRIED UNANIMOUSLY****MINUTES**Waste Management  
Committee Meeting Minutes  
June 16, 2022Moved by Director Petersen  
Seconded by Director AtrillWMC.2022-7-2

“That the Minutes of the Waste Management Committee for May 12, 2022 be approved.”

(All/Directors/Majority)

**CARRIED UNANIMOUSLY****COMMUNITY ADVOCACY****None**

### **SOLID WASTE ADVISORY COMMITTEE (SWAC) UPDATE**

Regional Solid Waste Advisory Committee – Member Application Moved by Director Atrill  
 Seconded by Director Brienens

WMC.2022-7-3

“That the Waste Management Committee recommend that the Board approve the membership of Chris Lawrence, Town of Smithers and Lev Hartfeil, Village of Telkwa’s Director of Operations for the Regional Solid Waste Advisory Committee.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

### **POLICY REVIEW**

None

### **DIVERSION & RECYCLING**

None

### **MISCELLANEOUS**

RDBN Waste Facility Re-naming

Moved by Director Petersen  
 Seconded by Director Riis-Christianson

WMC.2022-7-4

“That the Waste Management Committee recommend that the Board approve renaming the RDBN waste facilities as follows:

- Smithers/Telkwa and Electoral Area A (Smithers/Telkwa Rural) Transfer Station
- Burns Lake and Electoral Area B (Burns Lake Rural) Transfer Station
- Fort St. James and Electoral Area C (Fort St. James Rural) Transfer Station
- Fraser Lake and Electoral Area D (Fraser Lake Rural) Transfer Station
- Southside and Electoral Area E (Francois/Ootsa Lake Rural) Transfer Station
- Vanderhoof and Electoral Area F (Vanderhoof Rural) Transfer Station Houston; and,
- Electoral Area G (Houston/Granisle Rural) Transfer Station.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

## **OPERATIONS UPDATE**

**None**

## **NEW Business**

### **Cost Recovery**

Janette Derksen, Waste Diversion Supervisor provided a brief update in regard to the cost recovery study. Staff are working with Tetra Tech and will be bringing forward information at the September 22, 2022 Board Meeting. Chair Fisher spoke to wanting detailed outcomes, timelines and approach moving forward.

## **FUTURE MEETING TOPICS**

- Fraser Lake Recycling – Update & Budget • Cost Recovery Update – September 2022
- Fee Bylaw amendment – October 2022
- 2m3 Rule Discussion – Strategy, Challenges, Enforcement – October 2022.

## **ADJOURNMENT**

Moved by Director Atrill  
 Seconded by Director Brienens

### **WMC.2022-7-5**

“That the meeting be adjourned at 9:35 a.m.”

(All/Directors/Majority)

**CARRIED UNANIMOUSLY**

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Mark Fisher, Chair

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Wendy Wainwright, Deputy Director of  
 Corporate Services

### **CWMA Northern Working Group May 5, 2022**

Roundtable Introductions/What are your top challenges things this group would be great to discuss.

- waste to energy.
- Low density, large distances and transportation costs in north and need for working together and northern processing
- communicating with people about consumption and their behavior, sharing economy
- EPR, advocating for financial responsibility from stewards and sustainability when it comes to service provision for their products.
- waste streams - food waste, industrial camp waste, ICI

What Makes The North Special? – discussion on strengths and how to use it for positive change on waste file.

### **CWMA Northern Working Group July 20, 2022**

Hot Topics

1. ICI – discussion on people using the residential system to sneak in ICI into the recycling stream
2. Provincial Regulation - discussion on how province keeps changing the rules and we are challenged in our capacity at the regional district level, both at a staff level and system-wide, to deal with those changes.
3. Future Hot Topic Suggestion: User Fees

Roundtable.

- Fort St James - ICI cardboard recycling option run by a not-for-profit organization. Talking about single use plastic bylaw. ACTION: post by-laws for everyone to review  
<https://www.retailcouncil.org/province/bc/bc-single-use-bylaw-updates/>
- <https://www2.gov.bc.ca/gov/content/environment/waste-management/zero-waste/municipal-plastics-bylaws#bylaws-regulations>
- Question: grocery stores need to charge for cloth or paper bags per Provincial Legislation?

Answer: Yes. Information and rationale:

[https://www2.gov.bc.ca/assets/gov/environment/waste-management/zero-waste/plastics/local\\_government\\_guide\\_to\\_plastic\\_bylaws.pdf](https://www2.gov.bc.ca/assets/gov/environment/waste-management/zero-waste/plastics/local_government_guide_to_plastic_bylaws.pdf)

- Loop still working on the wax cardboard into pellets.  
<https://loopresource.ca/>
- RDKS material bans on cardboard and paper. Also hold out-of-service area landfill users to a higher standard because we don't want out-of-service area users filling up our landfill. Expect them to do a higher level of recycling.
- Recycle BC funding: a certain amount per kilogram of every material that producers bring into our province. ACTION: look into how the producer fee works for items related to ICI
- QUESTION – who accepts Styrofoam? ACTION: check with from Ocean Legacy Foundation to see who accepts theirs
- Capital Projects & Operations Contracts Costs - quotes 30% higher and limited bidding. Looking at cost saving potential of bringing services in house. ACTION: send any feasibility studies on bringing things in house.
- Provincial Regulations/Ministry Changes, Burden and sending reports to province like sending into a black hole
- Wildlife Challenges. ACTION: Wildsafe event summary / Education & Communication material, and bylaws for Wildsafe
- Transportation. ACTION: look into rural Back Haul examples
- IDEA. Fort St John sits down every couple weeks with social service providers. Can bring in waste discussion.
- First Nations---how do we engage them to get on to the same level with single use plastics? IDEA - AVICC example of coming together, all adding money in to do a campaign, or something specific together.



## Regional District of Bulkley-Nechako

**To:** Chair and Committee  
**From:** Alex Eriksen, Director of Environmental Services  
**Date:** October 13, 2022  
**Subject:** "2m<sup>3</sup> Rule" Discussion on Future Strategy

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**RECOMMENDATION:** (all/directors/majority)

Receipt and Discussion.

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### BACKGROUND

In 2021, the RDBN Diversion Supervisor began addressing inquiries and resolving conflicts with the public at Transfer stations. It became increasingly apparent to Environmental Services Management staff that the "2m<sup>3</sup> Rule" was a central issue and that RDBN Transfer Station attendants were unclear on, if and how it should be enforced. In early 2022, the need for a Committee discussion was identified to determine a future strategy for this rule.

With the recent Board discussion regarding a User Pay System, it became evident that the conflicts specific to the "2m<sup>3</sup> Rule" would be resolved when user fees are applied to all waste. However, while we await the full implementation of the User Pay System, this issue may require an interim solution.

In the context of this discussion, the "2m<sup>3</sup> Rule" refers to the maximum volume (2m<sup>3</sup> or 74 ft<sup>3</sup>) of waste allowed to be disposed of at RDBN Transfer Stations. This volume approximates to a standard 8-ft pickup box (1.9m<sup>3</sup> or 70ft<sup>3</sup>) with minimal heaping. Loads exceeding this volume technically do not have to be accepted at the Transfer Stations and can be redirected to the landfills.

Bylaw No. 1764, which regulates the use of RDBN waste disposal facilities and Bylaw No.1879, which sets the current disposal fees and conditions, do not specify the rationale for the 2m<sup>3</sup> disposal limit at Transfer Stations. However, the 2m<sup>3</sup> Rule is referenced several times in Bylaw No. 1879 Schedule 'D' – User Fees and Disposal Fees, and sets rules for loads of certain materials that are less than and greater than 2m<sup>3</sup>. Waste materials that are differentiated by load sizes are: Mixed C&D, Concrete, Roofing/Asphalt Shingles, and Land Clearing Debris (brush and small trees).

There is currently and historically no signage at the RDBN Transfer Stations that state the volume limitations, and therefore the "2m<sup>3</sup> rule" is generally not enforced at our Transfer Stations.



## CHALLENGES

1. Transfer Stations can become overwhelmed and backed-up as there is usually no way to adjust the hauling schedule to our Landfills.

It is common for residents and businesses to empty heaping pick-up boxes and dump trailers (3.8m<sup>3</sup> to 5.2m<sup>3</sup>) of C&D, Shingles, and Land Clearing Debris. In many instances, patrons (businesses especially) will bring numerous loads, significantly greater than 2m<sup>3</sup>, over a short period of time. When this occurs during periods of heavy use, during municipal collection days or when several patrons are hauling large loads concurrently, the haul trailers fill up, and waste quickly accumulates on the tip floor between hauls.

2. Conflicts, Consistency and Fairness

When the tip floor is too full, patrons with large loads are redirected to the landfills. This creates conflict when the patron is used to dumping and/or they see someone ahead of them dump. Conflicts could be resolved easier with appropriate signage, and a consistent approach region-wide.

3. Excessive Brush.

Keeping up with wood waste hauling has been a challenge over the past 2 years with fire-smarting programs and municipal projects.

4. Commercial Business is required to pay for C&D at the Landfills.

Small construction companies either are allowed to dump loads greater than 2m<sup>3</sup> or utilize the loophole of dumping numerous loads under 2m<sup>3</sup> at no charge.

5. Potential need for additional regular hauls

The ES department is continually evaluating hauling needs and logistics and there is a current need to adjust the hauling schedule and increase the frequency from some sites. One load with a 3-hour turn-around time, costs approximately \$400-\$500.

## DISCUSSION

To preface the discussion, it is important to note that the above issues will be solved when the User Pay system is implemented, however in the meantime, it is important to have clear direction.

1. What service do we want to provide at Transfer Stations? Residential, Commercial, restricted, unrestricted?
2. Do we want to strictly enforce the 2m<sup>3</sup> rule?
3. Should we begin charging loads greater than 2m<sup>3</sup>?

4. Should we change loads restrictions? 4m<sup>3</sup>? 6m<sup>3</sup>? Truck type (pick-up & trailer only)?
5. Is it fair to give attendants discretionary powers?
6. Is the RDBN prepared to spend more on hauling? Brush and Garbage?
7. Is it fair to let some businesses dump, while others pay for a bin or self haul to landfills?

#### **ATTACHMENTS**

1. Schedule 'D' (pages 5-8) of Bylaw No. 1879
2. TNRD Volume Based Fees Sign

**SCHEDULE "D" TO BYLAW NO. 1879****USER FEES AND DISPOSAL RULES****(Applicable at all RDBN Solid Waste Facilities Except Manson Creek Landfill)**

| WASTE TYPE   | USER FEES         |                  | Disposal Rules/Special Conditions  |
|--|-------------------|------------------|--|
|  | Landfill          | Transfer Station |  |
| Household Waste  | No Charge         | No Charge        |  |
| Commercial/Institutional Waste                             | No Charge         | No Charge        |  |
| Mixed CID-<br>less than 2m <sup>3</sup>                    | No Charge         | No Charge        |  |
| Mixed CID-<br>greater than 2m <sup>3</sup>                 | \$90/metric tonne | Not Accepted     |  |
| Concrete-<br>less than 2m <sup>3</sup>                     | No Charge         | No Charge        | Size Restrictions Apply - Must be broken into pieces less than 12 inches in any direction.   |
| Concrete-<br>greater than 2m <sup>3</sup>                  | \$90/metric tonne | Not Accepted     | Size Restrictions Apply - Must be broken into pieces less than 12 inches in any direction.   |
| Roofing/Asphalt Shingles<br>- less than 2m <sup>3</sup>    | No Charge         | No Charge        |  |
| Roofing/Asphalt Shingles<br>- greater than 2m <sup>3</sup> | \$90/metric tonne | Not Accepted     |  |
| Bulky Waste  | \$90/metric tonne | Not Accepted     | <ul style="list-style-type: none"> <li>Forty-eight (48) hours prior notice must be given to the Regional District for disposal;</li> <li>Material must be deposited a minimum of one hour before Landfill closing time.</li> <li>Materials only accepted for disposal at the Knockholt and Clearview Landfills.</li> </ul> |
| Clean Wood Waste   | No Charge         | No Charge        | Place in designated area   |
| Contaminated Wood Waste                                    | No Charge         | No Charge        | Place in designated area   |
| Land Clearing Debris -<br>less than 2m <sup>3</sup>        | No Charge         | No Charge        | <ul style="list-style-type: none"> <li>Place in designated area.</li> </ul> <p>Tree stumps and tree trunks or branches (greater than 6 inches in diameter), in any quantity, not accepted at Transfer Stations. These materials are only accepted at Landfills.</p>  |
| Land Clearing Debris -<br>greater than 2m <sup>3</sup>     | \$90/metric tonne | Not Accepted     |  |
| Yard Waste   | No Charge         | No Charge        | Place in designated area   |
| Noxious Weeds  | No Charge         | No Charge        | Must be bagged   |
| Wet Organic Waste  | No Charge         | No Charge        | Special handling procedures may apply. Loads may be directed to Landfills only.  |

**SCHEDULE "D" TO BYLAW NO. 1879 (Con't)**

**USER FEES AND DISPOSAL RULES**  
**(Applicable at all RDBN Solid Waste Facilities Except Manson Creek Landfill)**

| WASTE TYPE  | USER FEES                               |                  | Disposal Rules/Special Conditions  |
|---|---|------------------|--|
|   | Landfill                                | Transfer Station |  |
| Asbestos - Friable and Non-friable  | \$90/metric tonne<br>Flat Rate of \$100 | Not Accepted     | <ul style="list-style-type: none"> <li>• Requires approval of the Director;</li> <li>• Forty-eight (48) hours prior notice must be given to the Regional District for disposal;</li> <li>• Material must be deposited a minimum of one hour before Landfill closing time.</li> <li>• Materials only accepted for disposal at the Knockholt and Clearview Landfills.</li> </ul>   |
| Contaminated Soil - Characterized as commercial/industrial (CL/IL) or less than CL/IL                         | \$25/metric tonne<br>Flat Rate of \$100 | Not Accepted     | <ul style="list-style-type: none"> <li>• Must be In-Region Source;</li> <li>• Requires approval of the Director;</li> <li>• Forty-eight (48) hours prior notice must be given to the Regional District for disposal;</li> <li>• Material must be deposited a minimum of one hour before Landfill closing time;</li> <li>• Materials only accepted for disposal at the Knockholt and Clearview Landfills.</li> </ul>  |
| Contaminated Soil - Characterized as greater than commercial/industrial (CL/IL) but less than Hazardous Waste | \$60/metric tonne                       | Not Accepted     | <ul style="list-style-type: none"> <li>• Must be In-Region Source;</li> <li>• Requires approval of the Director;</li> <li>• Forty-eight (48) hours prior notice must be given to the Regional District for disposal;</li> <li>• Material must be deposited a minimum of one hour before Landfill closing time;</li> <li>• Materials only accepted for disposal at the Knockholt and Clearview Landfills.</li> </ul>  |
| Specified Risk Material - In-Region   | No Charge                               | Not Accepted     | <ul style="list-style-type: none"> <li>• Material is only permitted for disposal at the Knockholt and Clearview Landfills;</li> <li>• Verification of Canadian Food Inspection Agency (CFIA) issued transportation permit required;</li> <li>• Special handling procedures apply.</li> </ul>   |
| Specified Risk Material - Out-Of-Region   | \$100/metric tonne                      | Not Accepted     | <ul style="list-style-type: none"> <li>• Material requires written approval of the Director;</li> <li>• Forty-eight (48) hours prior notice must be given to the Regional District for disposal;</li> <li>• Material is only permitted for disposal at the Knockholt and Clearview Landfills;</li> <li>• Verification of Canadian Food Inspection Agency (CFIA) issued transportation permit required;</li> <li>• Special handling procedures apply;</li> <li>• Additional user fees may apply.</li> </ul> |

**SCHEDULE "D" TO BYLAW NO. 1879 (Con't)****USER FEES AND DISPOSAL RULES  
(Applicable at all RDBN Solid Waste Facilities Except  
Manson Creek Landfill)**

| WASTE TYPE  | USER FEES     |                  | Disposal Rules/Special Conditions   |
|---|---------------|------------------|---|
|   | Landfill      | Transfer Station |   |
| Dead Animals and Dead Stock Excluding Specified Risk Material Waste   | No Charge     | No Charge        | <ul style="list-style-type: none"> <li>Any individual carcass or part of a carcass under 15 kg is considered a small animal, and any individual carcass over 15 kg is considered a large animal;</li> <li>Disposal of greater than two (2) large carcasses requires approval of the Director;</li> <li>Small animals may be disposed of in unlimited numbers;</li> <li>Small animals being disposed of must be contained in a sealed, waterproof container (heavy duty plastic bags are acceptable);</li> <li>Large animals may only be disposed of at a rate of one carcass per vehicle per day at transfer stations.</li> </ul> |
| Slaughter House (Abattoir) Waste Excluding Specified Risk Material Waste  | No Charge     | No Charge        | <ul style="list-style-type: none"> <li>Material is only permitted for disposal at the Knockholt and Clearview Landfills; <ul style="list-style-type: none"> <li>Special handling procedures apply.</li> </ul> </li> </ul>   |
| ODS Appliances (units not defined by MARR eg. Commercial units or Ammonia cooled)   | \$20 per unit | \$20 per unit    | <ul style="list-style-type: none"> <li>Not accepted at the Clearview Landfill</li> <li>Excluded from the Extended Producer responsibility MARR program</li> </ul>   |
| ODS Appliances (defined under the MARR program eg. Residential fridges/freezers/air conditioners/water Coolers/dehumidifier/wine cooler containing a refrigerant gas) | No Charge     | No Charge        | <ul style="list-style-type: none"> <li>Not accepted at the Clearview Landfill</li> <li>Pertaining to the Extended Producer responsibility MARR program</li> </ul>   |
| Commercial ODS Appliances (Air-Conditioners)  | \$80 per unit | \$80 per unit    | <ul style="list-style-type: none"> <li>Not accepted at the Clearview Landfill</li> </ul>  |
| Auto Hulks  | No Charge     | No Charge        | <ul style="list-style-type: none"> <li>Site restrictions may apply;</li> <li>All fluids, batteries, ODS and tires must be removed prior to disposal; <ul style="list-style-type: none"> <li>Place in designated area;</li> </ul> </li> <li>Not accepted at the Clearview Landfill.</li> </ul>   |

|                       |           |           |  |
|-----------------------|-----------|-----------|--|
| Scrap Metal           | No Charge | No Charge | <ul style="list-style-type: none"> <li>Place in designated area;</li> <li>Large volumes of small items are to be placed in a metal container (welding rods, nails screws);</li> <li>Not accepted at the Clearview Landfill.</li> </ul> |
| Metal Drums and Tanks |           |           | <ul style="list-style-type: none"> <li>Material must be cut open and free of any liquids or contamination;</li> <li>Size restriction requirements may apply.</li> </ul>  |

**SCHEDULE "D" TO BYLAW NO. 1879 (Con't)**

**USER FEES AND DISPOSAL RULES  
(Applicable at all RDBN Solid Waste Facilities Except  
Manson Creek Landfill)**

| WASTE TYPE  | USER FEES   |   | Disposal Rules/Special Conditions  |
|---|---|---|--|
|   | Landfill  | Transfer Station                            |  |
| Work Camp Construction/Demolition Waste                 | \$160 per metric tonne  |   | <ul style="list-style-type: none"> <li>Accepted at the Knockholt and Clearview Landfill facilities only (weighed on scales)</li> </ul> |
| Work Camp Municipal Solid Waste                         | \$130 per metric tonne  |   | <ul style="list-style-type: none"> <li>Accepted at the Knockholt and Clearview Landfill facilities only (weighed on scales)</li> </ul> |
| Temporarily Permitted Non-Permitted Recyclable Material | Originating from Work Camp - \$130/metric tonne<br><br>Originating from Commercial, Industry and institutional facilities >2 cubic meters- \$130/metric tonne | <2 cubic meter Commercial loads - no charge | <ul style="list-style-type: none"> <li>Loads &gt;2 cubic meters are not accepted at the Transfer Station</li> </ul>                    |
| Unsegregated loads                                      | \$150 per metric tonne  |   | <ul style="list-style-type: none"> <li>Loads that are not segregated will be charged with this fee</li> </ul>                          |

Thomson-Nicola Regional District

Volume based Fees

| RATES FOR VEHICLE LOADS AT UNSCALED TRANSFER STATIONS |                              | HOUSEHOLD GARBAGE | DLC WASTE |
|---|------------------------------|-------------------|-----------|
| Passenger vehicles                                    |                              | \$5.00            | \$10.00   |
| Small box pick-up                                     | Full load or portion thereof | \$5.00            | \$15.00   |
| Full sized pick-up                                    | Full load or portion thereof | \$10.00           | \$30.00   |

\* For full list of volume rates see website

| Configuration      | Household Rate | DLC Rate |
|--------------------|----------------|----------|
| SHORT BOX          | \$5            | \$15     |
| LONG BOX           | \$10           | \$30     |
| UP to 8ft TRAILER  | \$10           | \$30     |
| UP to 12ft TRAILER | \$15           | \$45     |

# Single Use Plastics Regulation Bylaw Adopted!

**Date** September 20, 2022  
**Author/Byline** Brooke Eschuk  
**Category** Announcements  
Public Notices

The Bylaw will come into effect March 13th, 2023. Businesses will be **ALLOWED** to use up their supply of plastics until then!

The District has adopted Bylaw 1050, 2022 Single Use Plastics Regulation. The Municipality will be working with GUF and local business owners to shift their use of single use plastics to recyclable materials. The bylaw comes into affect March 13th, 2023. Please reach out the the District of Fort St. James if you have any questions.





## Related Links

[Bylaw 1050, 2022 Single Use Plastics Regulation](#)

**DISTRICT OF FORT ST. JAMES**  
**SINGLE USE PLASTICS REGULATION**  
**BYLAW NO. 1050, 2022**

A bylaw to regulate single use plastics in Fort St. James.

**WHEREAS** pursuant to the *Community Charter*, S.B.C. 2003, c. 26 Council may, by bylaw regulate, prohibit, and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to nuisances, disturbances and other objectionable situations, including refuse, garbage or other material that is noxious, offensive or unwholesome, and protection of the natural environment; AND;

**WHEREAS** pursuant to the *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation B.C. Reg. 144/2004*, as amended by the Minister of the Environment and Climate Change Strategy Ministerial Order No. M309/2021, the District may, by bylaw, regulate, prohibit and impose requirements in relation to certain single-use supplementary items including checkout bags, polystyrene foam service ware containers and plastic utensils and drinking straws in relation to the protection of the natural environment;

**AND WHEREAS** the Council of the District of Fort St. James wishes to establish a bylaw to reduce the creation of waste from single use plastic items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches, and waterways;

**NOW THEREFORE** the Council of the District of Fort St. James, in an open meeting, enacts as follows:

**1. Citation**

This bylaw may be cited for all purposes as the “District of Fort St. James Single Use Plastics Regulation Bylaw 1050, 2022.

**2. Definitions**

In this Bylaw:

“*Business*” means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the District of Fort St. James Business Licencing Bylaw, including any person operating on behalf of a business;

*“Checkout Bag”* means: any bag that is intended for the purposes of transporting items received by a customer from a business; and includes Paper Bags, Plastic Bags, or Reusable Bags;

*“Drinking Straw”* means a tube used to transfer a beverage from a container to the mouth of the individual drinking the beverage by suction;

*“Food Service Ware”* means products used for serving or transporting prepared food or beverages including, but not limited to, plates, cups, bowls, trays, and hinged or lidded containers;

*“Paper Bag”* means a bag made out of paper, but does not include a Small Paper Bag;

*“Plastic Bag”* means and bag made of plastic, including biodegradable plastic or compostable plastic, but does not include a reusable Bag or Small Plastic Bag;

*“Plastic Drinking Straw”* means a straw primarily made of plastic, including biodegradable or compostable plastic;

*“Polystyrene Foam”* means blown polystyrene and expanded and extruded foams composed of thermoplastic petrochemical materials containing a styrene monomer and processed by any technique including but not limited to, fusion or polymer spheres (expanded bead foam), injection moulding, foam moulding, and extrusion blown moulding (extruded foam polystyrene);

*“Reusable Bag”* means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is designed and manufactured to be capable of at least 100 uses;

*“Small Paper Bag”* means and bag made out of paper that is less than 15 centimetres by 30 centimetres when flat;

*“Plastic Bag”* means any small bag that is less than 15 centimetres by 30 centimetres when flat;

### 3. Regulation

3.1 Except as provided in the Bylaw, no Business may provide a customer with any of the following items:

- 3.1.1 Checkout Bag
- 3.1.2 Plastic Drinking Straw
- 3.1.3 Plastic Utensils
- 3.1.4 Plastic Stir sticks
- 3.1.5 Polystyrene Foam Food Service Ware for Prepared Foods

3.2 A Business may provide a Checkout Bag to a customer only if:

- 3.2.1 The customer is first asked whether they need a bag;
- 3.2.2 The bag provided is a Paper Bag or a Reusable Bag; and
- 3.2.3 The customer is charged a fee not less than \$0.25 per Paper Bag; and \$2.00 Per Reusable Bag.

3.3 For Certainty, No Business may;

- 3.3.1 Sell or provide to a customer any of the items listed in section 3.1 except as provided by this Bylaw; or
- 3.3.2 Provide a Checkout Bag to a customer free of charge.
- 3.3.3 No Business shall deny or discourage a customer from using their own Checkout Bag or drinking straw.

### 4. Exemptions

4.1 Section 3 does not apply to Small Paper Bags or Small Plastic Bags used to

- 4.1.1 package loose bulk items such as fruits, vegetables, nuts, grains and candy;
- 4.1.2 Package loose small hardware items such as nails and bolts;
- 4.1.3 Contain or wrap frozen foods, meat poultry, or fish, whether pre-packaged or not;
- 4.1.4 Wrap flowers or potted plants;
- 4.1.5 Protect prepared foods or bakery goods that are not pre-packaged; or
- 4.1.6 Contain prescription drugs received from a pharmacy;

4.2 Section 3 does not apply to Plastic Bags used to protect linens, bedding, construction materials or other similarly large items that cannot be easily fit in a reusable bag.

- 4.3 Section 3 does not apply to Plastic Drinking Straws provided by request to customers with an accessibility need, and customers shall not be required to provide any medical information to prove their need.
- 4.4 This Bylaw does not apply to the sale of plastic bags intended for use at the customer's home or business, provided they are prepackaged and sold in packages of multiple bags.
- 4.5 This bylaw does not apply to the sale of Plastic Drinking Straws intended for use in the customer's home, provided they are sold in packages of multiple straws.
- 4.6 Notwithstanding section 3.1.1 a Business may provide a Checkout Bag without asking and free of charge if the bag has been donated to the Business for the purpose of being reused by other customers, and:
  - 4.7 The bag has already been used by a customer; or
  - 4.8 In the case of a Reusable Bag, the bag is made from 100% recycled materials.

## **5. Offence**

- 5.1 A person commits an offence and is subject to the penalties imposed by this Bylaw, and the Offence Act if that person:
  - 5.1.1 Contravenes a provision of this Bylaw;
  - 5.1.2 Consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or;
  - 5.1.3 Neglects or refrains from doing anything required by a provision of this Bylaw.
  - 5.1.4 Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.
  - 5.1.5 A fine of \$100 will be imposed after the first warning by the Bylaw enforcement officer.

## **6. Enforcement**

- 6.1 Bylaw Enforcement Officers of the District of Fort St. James are responsible for the enforcement and administration of this Bylaw.
- 6.2 For the purposes of this Bylaw, the designated Bylaw Enforcement Officer means the following:
  - 6.2.1 Chief Administrative Officer of their designate;
  - 6.2.2 Bylaw Enforcement Officer or Their designate.

- 6.3 No Person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out their duties as prescribed in this Bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this Bylaw are carried out.
- 6.4 Every person who contravenes any provision of this Bylaw, or who suffers or permits any act of thing to be done in contravention of this Bylaw, or who suffers or refused, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this Bylaw, shall be deemed to have committed an offence against this Bylaw.
- 6.5 The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the District of Fort St. James or its employees to enforce its provisions and:
- 6.6 A failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
- 6.7 The grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to cause of action.

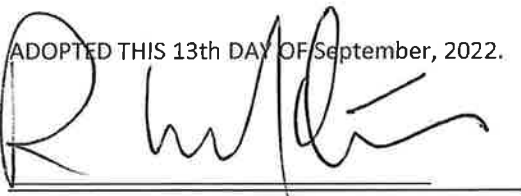
**7. Severability**

If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of the Bylaw.

**8. Effective Date**

This Bylaw comes into force upon adoption, except section 3.1.5 which comes into force six months thereafter.

READ A SECOND AND THIRD TIME THIS 26th DAY OF July, 2022.

ADOPTED THIS 13th DAY OF September, 2022.  
  
\_\_\_\_\_  
Bob Motion, Mayor

  
\_\_\_\_\_  
John Simcock, Chief Administrative Officer

Certified to be a true copy of "Single Use Plastics Regulation Bylaw No. 1050, 2022".



Brooke Eschuk, Corporate Officer

[Seal]

[SCHEDULE "A"]

[ETC.]