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BYLAW NO. 1903

SOLID WASTE DISPOSAL LOCAL SERVICE ESTABLISHMENT BYLAW NO. 1, 1991

**Consolidated for Public Convenience
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED JUNE 26, 1991
(Consolidated with Amending Bylaws 2654, 3900)

For reference to original bylaws or further details, please contact the Capital Regional District,
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CAPITAL REGIONAL DISTRICT

BYLAW NO. 1903

**A BYLAW TO CONVERT A SOLID WASTE DISPOSAL FUNCTION TO A
LOCAL SERVICE FOR ALL OF THE REGIONAL DISTRICT**

WHEREAS by Letters Patent, Division X, dated October 4th, 1973, as amended by further Supplementary Letters Patent, the Capital Regional District was granted the function of providing refuse disposal facilities for all of the Capital Regional District;

AND WHEREAS the Board of the Capital Regional District wishes to exercise the function granted to it by the Letters Patent in accordance with Part 24 of the *Municipal Act* subject to all the terms and conditions contained in the Letters Patent and including all the powers granted by the Letters Patent;

AND WHEREAS the Board of the Capital Regional District wishes to proceed under Section 767 of the *Municipal Act* and establish the service as a local service by bylaw under Sections 767(4) and 794 of the *Municipal Act*;

AND WHEREAS the Board of the Capital Regional District has elected to obtain the assent of the electors under Section 797 of the *Municipal Act*.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

1. (1) The function of waste disposal granted by Letters Patent dated October 4th, 1973, as amended by further Supplementary Letters Patent, is hereby established as a local service.

(2) The regulation, storage, and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles used in relation to these matters is established as a local service in accordance with Section 798(1)(d) of the *Municipal Act*.

(Bylaw 2654)
2. The boundaries of the Local Service Area shall be the boundaries of the Capital Regional District.
3. The Electoral Areas of Langford, Sooke, Salt Spring Island and Outer Gulf Islands and the municipalities of North Saanich, Sidney, Central Saanich, Saanich, Victoria, Oak Bay, Esquimalt, View Royal, Colwood, Highlands, Langford, and Metchosin include the participating areas for this local service.

(Bylaw 2654)
4. The annual operating costs for the service and debt servicing costs shall be recovered:
 - (a) by the imposition of fees and other charges by bylaw;
 - (b) the balance after deducting the revenue obtained from the fees or other charges shall be recovered by the requisition of money under Sections 822 and 823 of the *Municipal Act* to be collected by a property value tax in the Local Service Area to be levied and collected under Sections 824(1) and 825(1).

(Bylaw 2654)

5. The annual net cost attributable to this Local Service shall be apportioned among the participating Municipalities and Electoral Areas on the basis of 75% on population as defined in the *Municipal Act* and 25% on the converted value of improvements for hospital purposes. (Bylaw 2654)
6. The maximum amount that may be requisitioned under Section 816(1) for the service will be zero (0). (Bylaw 2654)
7. Every person disposing of waste within the Local Service Area shall make use of the Solid Waste Disposal Facility provided under this bylaw when disposing of such waste under the terms and conditions imposed for the use of the Waste Disposal Facility.
8. The Capital Regional District may, without limiting the generality of Section 1, in providing the Local Service hereby established, acquire, construct, establish, maintain, operate and regulate;
 - (a) transfer depots and facilities for receiving collected waste for packing, processing, loading, and transporting the waste to disposal grounds,
 - (b) facilities for collecting, processing, storing, marketing, and disposing of recyclable waste,
 - (c) facilities for composting waste,
 - (d) facilities for collection, storage, and disposal of hazardous, biomedical, or special waste,
 - (e) facilities for carrying out resource recovery from waste, recyclable material, and the generation of energy from landfill gas; and (Bylaw 3900)
 - (f) waste disposal grounds and facilities.
9. The Capital Regional District may in providing the Local Service hereby established enter into contracts;
 - (a) to provide the waste disposal service, and resource recovery from waste including the services and facilities set out in Section 8, and
 - (b) to provide for the transportation of waste from any transfer depot to any place for disposal.
10. This Bylaw may be cited as the “Solid Waste Disposal Local Service Establishment Bylaw No. 1, 1991.”

READ A FIRT TIME THIS 13TH day of March 1991.

READ A SECOND TIME THIS 13TH day of March 1991.

READ A THIRD TIME THIS 13TH day of March 1991.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 20th day of June 1991.

RECONSIDERED AND FINALLY ADOPTED THIS 26th day of June 1991.

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 4th day of July 1991.