

DATE: November 8, 2019

FILE: 5360-01

TO: Chair and Directors
Comox Strathcona Waste Management Board

Supported by Russell Dyson
Chief Administrative Officer

FROM: Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Solid Waste Fees and Charges Bylaw No. 170 – Amendment Plan 2020

Purpose

To amend Bylaw No. 170 being the “Solid Waste Fees and Charges Bylaw No. 170” to incorporate increases to the tipping fee schedule and changes to the waste category definition updates.

Recommendation from the Chief Administrative Officer:

THAT Bylaw No. 170, being the “Solid Waste Fees and Charges Bylaw No. 170, 2011,” be updated to repeal and replace schedules A (Scale of Charges for Waste Disposal) and B (Prohibited Waste) and with minor administrative corrections as described in appendix A of this staff report dated November 7, 2019;

AND FINALLY THAT the amended Bylaw No. 170 being the “Solid Waste Fees and Charges Bylaw No. 170, 2011” be given first, second and third reading with adoption planned at the January 2020 Comox Strathcona Waste Management Board meeting.

Executive Summary

At the round table session held in June 2019 the Comox Strathcona Waste Management Board (Board) requested that staff review options to adjust tipping fees.

- Based on this review it is recommended that tipping fees be increased effective as follows:
 - Municipal Solid Waste (MSW) - \$140 per tonne – currently \$130
 - Construction and demolition debris - \$140 per tonne – currently \$130
 - Controlled waste - \$200 per tonne – currently \$180
 - MSW containing recyclables - \$330 per tonne – currently \$300
 - Mattresses - \$15 per unit – currently \$6
- Set the minimum site access fee sat \$10 rather than \$6. Effectively there would be no change as the cost to access the site combined is almost always \$10.
- Increase the rate for our organic compost to reflect the market value - \$20 per cubic meter – currently \$13.
- Tipping fees were last increased at the beginning of 2016 and the above recommendations are in-line with the Consumer Price Index (CPI) - Victoria percentage increases between 2016 and 2019 (See Appendix B).
- The average annual increase due to CPI over the past three years is two per cent per year. Maintaining consistency with the CPI is justified and will help the service maintain necessary revenue levels as costs increase.

- The proposed tipping fee increases are expected to provide approximately \$200,000 in additional revenue in 2020 and approximately \$635,000 in additional revenue in 2021 (complete year).
- Within the 2019-2023 Financial Plan the Board supported the planned increase from \$4M to \$6M in 2019 as the annual taxation for the service. Taxation is used to fund capital project requirements including debt repayment. It will also be used to fund future asset management requirements as part of the presentation and implementation of a robust asset management plan in 2020.
- Other administrative changes were made to the definitions and Schedule B and are highlighted in the redlined version.

The structure of the tipping fees should be consistent and reasonable year over year and sets tipping fees that are consistent across the region. If Board direction is to shift the tipping fees rates in a significant way, it would require additional public outreach and resources to work with our stakeholders before undertaking such a path. If the Board would like a significant change, it is recommended to undertake this when the Solid Waste Management Plan update is undertaken in 2022/23.

A staged approach was considered but not recommended due to the level of effort to engage stakeholders, communicate the changes, and amend all documents and signs.

The Proposed 2020-2024 Financial Plan reflects the recommended changes above.

Table 1: Tipping fees for neighbouring regional districts Regional District	Tipping Fee (MSW)
Nanaimo Regional District	\$130/tonne
Mount Waddington Regional District	\$125/tonne
Cowichan Valley Regional District	\$140/tonne
Alberni Clayoquot Regional District	\$120/tonne

Prepared by:

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Senior Manager of CSWM Services

Concurrence:

M. Rutten

Marc Rutten, P.Eng.
General Manager of Engineering Services

Appendix A – “Solid Waste Fees and Charges Bylaw No. 170, 2011 - Redlined version”

Appendix B – “Anticipated municipal solid waste tipping fee based on CPI increase – Victoria”



Comox Valley and
Campbell River waste fees
and charges

The following is a consolidated copy of the solid waste fees and charges bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
170	Solid Waste Fees and Charges Bylaw No. 170, 2011	November 3, 2011	To establish fees and charges for the depositing of solid waste at the Comox Valley waste management centre and the Campbell River waste management centre; repeals bylaw 2258 and all its amendments
229	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 1”	September 13, 2012	To amend the Comox Strathcona waste management (CSWM) fees and charges bylaw to incorporate a schedule of tipping fee increases required to ensure adequate funding is available for CSWM system costs
245	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 2	March 14, 2013	To amend the Comox Strathcona waste management (CSWM) fees and charges bylaw to incorporate a definition for co-mingled food and yard waste and associated diversion processing fees.
257	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 3	June 13, 2013	To amend the fees and charges bylaw to increase the tipping fees for municipal solid waste and construction and demolition debris to ensure adequate funding is available for Comox Strathcona waste management system costs (inserting new schedule A-4)
290	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 4	November 7, 2013	To amend the fees and charges bylaw to increase the tipping fees for municipal solid waste from \$100 to \$110 / tonne effective July 1, 2014 to ensure adequate funding is available for Comox Strathcona waste management system costs (inserting new schedule A-5)
313	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 5	February 13, 2014	To reduce the tipping fees for gypsum (drywall) to be at the same rate as construction and demolition debris in coordination with the suspension of the drywall diversion program, effective February 2014 (changes to Schedule A-4)

314	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 6	March 6, 2014	To update fees and charges and operational processes at waste management centres – Replace Schedule A-5 and amend definitions effective July 1, 2014.
352	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 7	September 18, 2014	To increase the fees and charges in 2015 and 2016 to reflect operational and capital requirements (add schedules A-6 and A-7)
361	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 8	February 12, 2015	To incorporate administrative updates and to exclude grass and leaves from the site access fee.
397	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 9	November 5, 2015	To reflect operation requirements for the wood waste and drywall / gypsum programs.
480	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 10	September 14, 2017	To establish fees and charges and to designate the location for the depositing of asbestos containing materials and yard waste containing invasive species.
558	Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 11	October 11, 2018	To incorporate increases to the tipping fee schedule and to provide waste category definition updates (effective January 1, 2019)

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT**BYLAW NO. 170****A bylaw to establish a scale of charges for the disposal of waste at the Comox Valley and Campbell River waste management centres**

WHEREAS Bylaw No. 1822 being "Regional Solid Waste Plan Local Service Area Establishment Bylaw 1996" was adopted by the regional district board on the 24th day of August 1996;

AND WHEREAS Bylaw No. 1822 being "Regional District Solid Waste Plan Local Service Area Establishment Bylaw 1996" provided that annual costs may be recovered by the imposition of fees and other charges that may be fixed by separate bylaw;

AND WHEREAS the board wishes to establish fees and charges for the depositing of solid waste at the Comox Valley waste management centre and the Campbell River waste management centre;

NOW THEREFORE, the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Definitions

1. In this bylaw,

- (a) **"Asbestos containing materials"** means a waste containing friable asbestos fibers or asbestos dust in a concentration greater than ~~10.5%~~ by weight either at the time of manufacture or as determined using a method specified in section 40(1) of the provincial Hazardous Waste Regulation (B.C. Reg. 63/88). Asbestos containing materials can only be accepted at the Campbell River Waste Management Center ~~and must be prepared in accordance with the Residential or Commercial Asbestos Containing Materials Disposal policy procedure;~~
- (b) **"Clean fill"** means, uncontaminated material such as soil, rock, sand, gravel, concrete, asphalt, cinder/building blocks and brick. All material must be 30 cm or less in diameter and free from any metal, rebar, mesh and oil or fuel contamination. Soil quantities greater than 1000 kg must have prior approval and be accompanied by supporting analytical data that indicates the ~~concentration of any substance in the fill is not greater than or equal to the lowest concentration for that substance specified in Schedule 3.1 of the Environmental Management Act, Contaminated Sites Regulation for industrial land use material meets Schedule 7, of the Environmental Management Act, Hazardous Waste Regulations;~~
- (c) **"Co-mingled food and yard waste"** means municipally collected food and yard waste as set out in this bylaw collected by municipal curbside collection programs. All loads designated as "co-mingled food and yard waste" must be acceptable as a feedstock for CSWM's regional organics compost facility;
- (d) **"Commercial recycling"** means clean ~~Recyclable m~~Materials from commercial, institutional or industrial sources, free from contamination that would render it unrecyclable;
- (e) **"Sorted ~~C~~onstruction and demolition debris"** means mixed waste loads produced as a result of the construction, renovation and demolition of buildings, and other structures, ~~free of Divertable Wood Waste and Divertable Gypsum includes wood waste and gypsum coated with material that renders it unsuitable for recycling,~~ but does not include contaminated waste, creosote, PCB treatments, loads mixed with recyclables or any ~~hazardous special~~ waste. Loads containing demolition or deconstruction material must be free from ~~Waste Asbestos~~ asbestos and be accompanied by supporting documentation ~~for all Potential Asbestos Containing Materials;~~
- (f) **"Controlled waste"** means solid waste requiring special handling at the waste management centre, and includes but is not limited to:
 - i. Creosote pilings or timbers;
 - ii. Large dead animals;

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- iii. Animals that have been euthanized;
 - iv. Steel cables;
 - v. Emergency and disaster debris; and
 - vi. Low density/bulky waste including Styrofoam floats, fish coolers, boats, mobile homes, recreational vehicles and similar items that are of significant bulk but of low density;
- (g) **“Customer charge accounts and collections”** establishes guidelines for the granting of customer credit and for the collection of customer accounts and are defined in the CVRD revenue management services policy/procedures;
- (h) **“Cut grass and leaves”** includes lawn clippings and deciduous leaves, free from any branches or twigs;
- (i) **“Divertible gypsum”** means off-cuts or scraps from new construction and ~~post-1990~~ gypsum board or drywall that has been painted or is coated with wall paper and is dated 1990 or newer, but does not include gypsum or drywall coated with material that renders it unsuitable as a recyclable material. Advance approval and supporting asbestos testing analytical data is required for diversion of pre-1990 gypsum dated 1989 or older;
- (j) **“Divertible wood waste”** means any wood waste product that is capable of being diverted from the landfill. This includes but is not limited to: pallets, fiber/particle board, oriented strand board (OSB) and plywood, raw dimension lumber and scraps or cut-offs that are ~~not~~ painted, stained or treated;
- (k) **“Hazardous waste”** means gaseous, liquid or solid waste that, because of its inherent nature and quantity, may require special handling and storage techniques to avoid creating health hazards, nuisances or environmental pollution. Hazardous waste includes, but is not limited to: toxins, poisons, corrosives, irritants, strong sensitizers, flammables, ignitable, infectious wastes, condemned foods, etc.;
- (l) **“Improperly covered or secured load”** means a load that is not properly secured, either with a tarpaulin cover or tie-down apparatus to prevent any of the load escaping or falling off the haul vehicle;
- (m) **“Invasive species”** means any invasive alien plant species that has the potential to pose undesirable or detrimental impacts on humans, animals or ecosystems and are identified in Schedule ‘A’ of Bylaw No. 2774, being the “Regional District Weed Control Regulation Bylaw 2001;
- (n) **“Landfill site”** means the Comox Valley waste management centre or the Campbell River waste management centre;
- (o) **“Mattress”** means any sleeping mattress or foundation containing metal springs and includes those from within ~~sofa~~ beds.
- ~~(p)~~ **“Metal”** means recyclable ferrous and non-ferrous metallic materials. It does not include metal that is incorporated into a product or packaging, such as a couch, that does not comprise more than 50% of the product in weight and that cannot be readily separated from the non-metallic components;
- ~~(p)~~(q) **“Municipal solid waste”** or **“MSW”** means refuse that originates from residential, commercial, demolition, land clearing, construction or institutional sources as defined in the Environmental Management Act;
- ~~(r)~~(r) **“MSW mixed with recyclables”** means loads of MSW containing 10% or more recyclables or divertible items, at the discretion of ~~staff~~ the attendant;
- ~~(s)~~(s) **“Municipally collected”** means waste collected by a municipality or local government;
- ~~(t)~~(t) **“Organic compost material”** means material for sale that is derived from the co-mingled yard and food waste pilot program, that has passed the testing requirements for Class A compost;

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- ~~(u)~~ **"Out-of-area solid waste"** means loads, or a portion thereof, of solid waste that originates from outside the administrative boundaries of the Comox Strathcona Waste Management service area;
- ~~(v)~~ **"Prohibited waste"** means waste prohibited from disposal under Schedule 'B' hereto;
- ~~(w)~~ **"Recyclable materials"** means marketable, source-separated waste;
- ~~(x)~~ **"Refrigerant containing material"** includes but is not limited to: fridges, freezers, water coolers, air conditioners. ~~If refrigerant is removed by others, supporting documentation must accompany the item;~~
- ~~(y)~~ **"Regional district"** means the Comox Valley Regional District;
- ~~(z)~~ **"Residential pickup"** means local government contracted waste collection from residential properties within the regional district;
- ~~(aa)~~ **"Rubble"** means concrete material no larger than 20 cm in diameter not containing metal of any sort that is immediately usable as cover.
- ~~(bb)~~ **"Waste asbestos"** means a waste containing friable asbestos fibres or asbestos dust in a concentration greater than 1% by weight either at the time of manufacture, or as determined using a method specified in section 40(1) of the provincial hazardous waste regulation (B.C. Reg. 63/88).
- ~~(cc)~~ **"Waste management centres"** means the Comox Valley waste management centre and the Campbell River waste management centre, and other facilities the regional district may establish from time to time;
- ~~(dd)~~ **"Yard Waste"** means, uncontaminated, non-invasive vegetation removed from trees, shrubs, and gardens that requires chipping and includes already chipped, clean wood waste and material that is a free of rocks and maximum diameter of 530 cm.

Conditions of Use

2. (1) No person shall deposit municipal solid waste at a waste management centre, except in accordance with this bylaw.
- (2) No person shall deposit prohibited waste at a waste management centre.
- (3) At least 24 hours' notice must be given to the site manager prior to disposal of controlled waste.
- (4) Loads of corrugated cardboard delivered in roll-off bins will not be accepted at the waste management centres.
- (5) No person shall loiter at the waste management centres.
- (6) No person shall leave their vehicle unattended at the waste management centres.
- (7) Any person entering the waste management centres shall proceed directly to the weigh scale and then leave the waste management centre without delay after unloading.
- (8) Persons entering the waste management centres do so at their own risk. The regional district accepts no liability whatsoever for damage and/or injury to persons or property at the waste management centres.
- (9) Children and pets shall not be permitted at the waste management centres except inside a vehicle.
- (10) No person shall deposit municipal solid waste other than at a waste management centre.

Charges

3. (1) Every person depositing solid waste or purchasing material/goods for sale of the type and specification set out in schedule "A", at the waste management centres shall pay the regional district the applicable charges as set out in schedule "A" of this bylaw and no persons shall deposit solid waste at the waste management centre without paying such applicable charges.

- (2) The weight of solid waste for the purposes of this bylaw shall be determined by subtracting the weight of the vehicle transporting the solid waste after the deposit of such solid waste into the waste management centre, from the weight of the vehicle immediately prior to such deposit. Vehicles shall be weighed at the waste management centre on scales provided by the regional district.
- (3) In the event that the scales provided at the landfill site are not operational, the weight shall be estimated by the employee of the regional district at the site.
- (4) All charges payable under this bylaw shall be paid by cash, cheque, debit or credit card to the employee of the regional district designated for this purpose immediately upon the determination of the weight and type of solid waste deposited at the landfill site.
- (5) Notwithstanding section 3(4), customer charge accounts may be established in accordance with the CVRD revenue management services policy and procedures.

Violations and Penalties

4. (1) No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- (2) The regional district may prohibit a person who contravenes this bylaw from depositing solid waste at the waste management centres.

Repeal

5. Bylaw No. 2258 being "Regional Disposal Sites Scale of Charges for Waste Disposal Bylaw No. 2258, 2000" and all amendments hereto are hereby repealed.

Citation

6. This Bylaw No. 170 may be cited as "Solid Waste Fees and Charges Bylaw No. 170, 2011" and is effective on January 1, 2012.

Schedule 'A' – Effective ~~January 1, 2019~~ September 1, 2020**Scale of Charges for Waste Disposal at the Comox Valley and Campbell River Waste Management Centres**

All solid waste originating within the boundaries of the Comox Valley and Strathcona Regional Districts will be accepted at the Comox Valley and Campbell River waste management centres at the rates shown below. All prices are per metric tonne or in cubic metres and will be pro-rated for a portion thereof and subject to a minimum charge.

All items below are as measured by weight on the scale provided at the waste management centre by the regional district and where applicable, include the site access fee. Vehicles with loads that contain multiple categories of waste will only be charged the \$4 site access fee once, per metric tonne are as measured by weight on the scale provided at the waste management centre by the regional district.

The charges for depositing solid waste, controlled wastes and recyclable materials at the disposal facility as of ~~January 1, 2019~~ September 1, 2020 are:

Item	Minimum Charge	In-Area Charge / tonne	Out-of-Area Charge / tonne
Site access fee / Scale use charge	\$4		
Municipal solid waste (MSW)	\$6-10 0-100 kg	\$130-140 / tonne	\$260-280 / tonne
MSW containing recyclables	\$30	\$500-330 / tonne	\$1,000-660 / tonne
Asbestos containing materials * Only accepted at the CRWMC with supporting analytical data	\$20 0-100 kg	\$250/tonne	\$500/tonne
Co-mingled food and yard waste	No Applicable	\$45 / tonne	Not accepted
Commercial recycling	\$610 0-100 kg	\$60 / tonne	Not accepted
Sorted C construction and demolition debris	\$610 0-100 kg	\$130-140 / tonne	\$260-280 / tonne
Controlled waste – advance approval and supporting analytical data required	\$15 0-100 kg	\$180-200 / tonne	\$350-400 / tonne
Clean fill – advance approval and supporting analytical data required for loads in excess of 1000 kilograms	\$610 0-400 kg	\$15 / tonne	\$45 / tonne
Divertible wood waste	\$610 0-100 kg	\$120 / tonne	\$225 / tonne
Divertible gypsum – advance approval and supporting analytical data required for pre-1989 90 and older gypsum	\$20 0-100 kg	\$225/tonne	\$350/tonne
Grass and leaves – no site access fee	No charge	No charge	No charge
Improperly covered or secured load	-	\$20 each	\$40 each
MSW containing recyclables	\$30	\$300-500 / tonne	\$600-1,000 / tonne
Mattresses	\$6-15 / unit	\$6-15 / unit	Not accepted

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Metal – no site access fee	No charge	No charge	No charge
Refrigerant containing materials – no site access fee	\$15 / unit No charge	No charge \$15 / unit	No charge \$45 / unit
Yard waste / Invasive Species	\$610 0-100 kg	\$65 / tonne	\$195 / tonne
Material for Sale – Organic compost material (when available)	\$1320	\$13.20 cubic meter (\$40.15.30 / yard)	Not applicable

Commented [SW9]: Removing the fees for all refrigerant containing materials as most are covered by MARR and cannot have a fee applied to them. Those outside the program (RV's, ICI fridges, HVAC units) could continue to be accepted at no charge to simplify messaging and protect the environment.

Special Notes

- 1) Loads containing prohibited waste will be charged at the rates above plus all costs associated with any special handling or removal of the prohibited waste.
- 2) Recycling facilities are provided for selected commodities, which may be accepted free of charge when placed in the containers provided. Loads of MSW containing recyclables or loads containing a higher volume of mixed materials, will be charged the higher rate, at the discretion of the attendant.

Schedule 'B'
"Prohibited Waste"

The following gaseous liquids and municipal solid wastes are accepted for disposal at waste management centres but are prohibited from being placed in the landfill:

- Asbestos containing materials that does not accompany an approved Waste Disposal application;
- Biomedical waste;
- Corrugated cardboard;
- Clean fill;
- Divertible gypsum;
- Divertible wood waste;
- Drums;
- Garden/yard waste;
- Commercial and household hazardous waste;
- Household Recyclables;
- Ignitable wastes;
- Liquids;
- Mattresses
- Metal;
- Motor vehicle bodies and farm implements;
- Municipal solid waste that is on fire or smoldering;
- Radioactive waste;
- Reactive wastes;
- Waste prohibited from secure disposal, Special waste, as defined in Schedule 3 the Hazardous Waste Regulation of the *Environmental Management Act*;
- Products within a product category, as defined in ~~Stewardship items~~ the *Recycling Regulation of the Management Act*:
 - Beverage Containers

Consumer Price Index - Victoria 2016 to 2027

*assume 2% per annum for 2019 forward

Municipal solid waste (MSW)

Year ending	CPI rate	Tipping fee rate	Rate increased	Effective date
2015	NA	130.00	X	
2016	0.018	132.34	X	
2017	0.019	134.85	X	
2018	0.024	138.09	X	
2019	0.020	140.85	X	
2020	0.020	143.67	\$ 140.00	September 1, 2020
2021	0.020	146.54	X	
2022	0.020	149.47	\$ 145.00	January 1, 2022
2023	0.020	152.46	X	
2024	0.020	155.51	X	
2025	0.020	158.62	\$ 155.00	January 1, 2025
2026	0.020	161.80	X	
2027	0.020	165.03	160.00	January 1, 2027