

District of West Vancouver



Solid Waste Utility Bylaw No. 4118, 1998

Effective Date – September 21, 1998

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw	Effective Date
Bylaw No. 4707, 2011	December 14, 2011
Bylaw No. 4666, 2010	December 6, 2010
Bylaw No. 4610, 2009	December 18, 2009
Bylaw No. 4609, 2009	October 5, 2009
Bylaw No. 4578, 2008	September 29, 2008
Bylaw No. 4511, 2008	July 21, 2008
Bylaw No. 4528, 2007	October 15, 2007
Bylaw No. 4133, 1998	December 14, 1998

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Solid Waste Utility Bylaw No. 4118, 1998). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Solid Waste Utility Bylaw No. 4118, 1998

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District of West Vancouver

Solid Waste Utility Bylaw No. 4118, 1998

A bylaw to provide for the operation and management of a solid waste utility.

Previous amendments: *Amendment Bylaws 4133, 4528, 4511, 4578, 4609, 4610, 4666, and 4707.*

WHEREAS the *Municipal Act* Section 577 provides for establishment of a system to collect, remove and dispose of solid waste;

AND WHEREAS Metro Vancouver, at the direction and with the approval of the Provincial Government adopted a Solid Waste Management Plan;

AND WHEREAS the City of North Vancouver and the Districts of North Vancouver and West Vancouver have developed the North Shore Integrated Solid Waste Management Plan to conform to the requirements of the Metro Vancouver plan;

NOW THEREFORE, the Council of the Corporation of the District of West Vancouver, in open meeting assembled, enacts as follows:

Interpretation

1. In this bylaw:

“**ashes**” means ashes, cinders, or the remains of any fuel after such fuel has been consumed by fire.

“**bulk garbage container**” means any rigid plastic, galvanized or painted steel container meeting the requirements described in Section 9.

“**collection day**” means each day that solid waste is scheduled for collection for a property.

“**Council**” means the Council of The Corporation of the District of West Vancouver.

Amendment
Bylaw No.
4511, 2008

“Dangerous Wildlife” means any mammal not normally domesticated capable of killing or seriously injuring a person or pet, and includes all bears, cougars, coyotes, wolves and foxes.

“dwelling unit” means two or more rooms used or intended to be used together for the residential purposes of one or more persons and includes at least one living room, one bathroom, and one kitchen or kitchenette.

“Engineer” means the Director of Operations appointed by Council.

Amendment
Bylaw No.
4528, 2007

“garbage” includes rubbish, discarded materials, ashes, floor sweepings, discarded animal or vegetable food stuffs, and soiled food containers but does not include recyclables, yard trimmings, or those materials listed in section 4.

“garbage container” means a can, film plastic bag, bundle or wheeled cart meeting the requirements set out in section 6.

“hazardous waste” means any matter or thing, natural or manmade, which is radioactive, toxic, pathogenic, corrosive, explosive, or in any way dangerous to persons receiving or handling it and includes pesticides and herbicides but does not include special waste.

“Municipality” means the Corporation of The District of West Vancouver.

“municipal collection service” means the system for collection and disposal of garbage, yard trimmings and recyclables by a municipal contractor.

“municipal contractor” means a person who is contracted, employed, or appointed by the Municipality to collect, remove or dispose of garbage, yard trimmings, or recyclables.

“occupant” means a person who, lawfully, is in physical possession of or exercises dominion and control over the property, and includes the registered owner of the property and the agent of the owner or occupant.

“owner” means the registered owner of the property, or an agent acting on the registered owner’s behalf.

“property” means a parcel of land upon which any building or group of buildings is located, and includes strata lots and separately occupied or leased areas within a building.

“residential garbage tag” means a tag for excess garbage collection purchased from the municipality at the cost set out in Schedule “A”.

“recyclables” means those materials described in Schedule “B”.

“recyclables container” means a box, bag or wheeled cart meeting the requirements described in section 8.

“recycling facility” means a facility operated by the District of West Vancouver, Metro Vancouver or a commercial facility for the processing of recyclables.

“solid waste” means garbage, yard trimmings and recyclables.

“solid waste container” means any container used to hold garbage, yard trimmings or recyclables.

“special waste” has the meaning given to it in the *Waste Management Act (British Columbia)*.

“transfer station” means a Metro Vancouver facility located on Riverside Drive in the District of North Vancouver or another facility permitted by Metro Vancouver.

“water turn on” means the turning on of water to the property by opening the valve at or near the property line by the Municipality after the owner has made application and paid the appropriate fees.

Amendment
Bylaw No.
4511, 2008

“Wildlife attractant” means food products and by-products, household garbage, food waste, pet food, bird food, fallen fruit, antifreeze, paint and other edible products or waste that could attract Dangerous Wildlife.

Amendment
Bylaw No.
4511, 2008

“Wildlife resistant enclosure” means a fully enclosed structure consisting of walls, roof, and door(s), capable of being securely latched and of sufficient strength and design to prevent access to the contents by wildlife.

“yard trimmings” means weeds, flowers, leaves, grass cuttings, and cuttings from trees, plants, and shrubbery with a maximum thickness of 75 mm.

“yard trimmings container” means a film plastic bag or bundle meeting the requirements described in section 7.

General

Collection and Disposal of Solid Waste

2. (a) Every occupant of a property in the Municipality which generates solid waste shall comply with the provisions of this bylaw.
- (b) Every occupant of a property in the Municipality for which a municipal collection service is provided shall use that service or make other adequate provisions to comply with this bylaw.
- (c) Every occupant of a property in the Municipality for which a municipal collection service is not provided shall make adequate provision for the collection and disposal of the solid wastes in compliance with this bylaw.
- (d) All garbage, yard trimmings not composted on site and recyclables generated from a property shall be stored in a solid waste container until collected for disposal.
- (e) Yard trimmings generated at a property may be disposed of on the property by composting or mulching.
- (f) The burning of solid waste in an incinerator, fireplace or open fire on a property is prohibited.
- (g) Solid waste shall not be removed from the property on which it is generated except for disposal at the transfer station or at a recycling facility.
- (h) No person shall leave wildlife attractants outdoors where dangerous wildlife may be attracted, or where there is a reasonable possibility of wildlife being attracted unless the attractants are kept in a wildlife-resistant enclosure.

Amendment
Bylaw No.
4578, 2008

Ownership of Solid Waste

3. No person shall remove, take, or convert to their own use any solid waste from a solid waste container except the occupant of the property from which the solid waste was generated, a municipal contractor or a person providing disposal service at the request of the occupant.

Amendment
Bylaw No.
4528, 2007

Prohibited Garbage Wastes

- 4.
- (a) No person shall dispose of or permit the disposal of prohibited garbage wastes into any solid waste container intended for municipal curb side collection.
 - (b) Prohibited garbage wastes are defined in Schedule C.

Containers

Solid Waste Containers - General

- 5.
- (a) Every occupant shall acquire and maintain in good order and repair a sufficient number of garbage containers, bulk garbage containers, yard trimming containers and recyclables containers to store all of the solid waste generated from the property until the solid waste is collected for disposal.
 - (b) The use of solid waste containers shall conform to the following requirements:
 - (i) Except during collection for the disposal of contents, solid waste containers shall be kept within the property of the occupant and protected from the weather and the accumulation of water within the container. No container shall be stored in a place which encroaches upon or projects over a highway or other public place.
 - (ii) Solid waste containers which are re-used shall at all times be kept clean and in sanitary conditions. Bulk garbage containers shall be thoroughly cleaned when required by the Engineer but in no case less than once each year. Bulk garbage containers having a compaction mechanism and used to store food waste shall be installed on a concrete pad that is equipped with a drain connected to a grease interceptor.
 - (iii) Solid waste containers shall have a firmly fitted lid used at all times and secured against disturbance by domestic or wild animals. Bulk garbage containers shall have a lid which is kept closed with a locking device except when garbage is being placed in or emptied from the container.

- (iv) The area on the property used for the storage of solid waste containers shall be kept clean, sanitary and free from ponding water and loose garbage. Bulk garbage containers shall be kept in an enclosure on the occupant's property and screened from public view. The doors to such enclosure when open shall not encroach upon a highway or public place.
- (v) No single solid waste container with its contents, and no bundle shall weigh more than 20 kilograms, except wheeled carts and bulk garbage containers which are emptied by mechanical device on the collection vehicle.
- (vi) No solid waste container shall be filled in such a manner that the contents cannot be easily emptied, the lid cannot be closed and securely fastened, or the plastic bag cannot be closed with a tie.

Garbage Containers – Specifications

- 6. (a) Occupants who receive municipal collection service shall supply the garbage containers required to store and dispose of all garbage generated from the property.
- (b) Garbage containers shall meet the following specifications:
 - (i) Film plastic bags, except clear plastic material, manufactured for the containment of solid waste which are waterproof, capable of withstanding normal handling and lifting when full of garbage, and fastened with wire, cord or plastic ties. Each bag shall be not more than 0.75 metres wide by 1.0 metre long and have a capacity of not more than 75 litres.
 - (ii) Rigid plastic or galvanized or painted steel containers with fixed handles, fitted with a tight cover, having a width of not more than 50 cm, a height of not more than 60 cm, and a capacity of not more than 75 litres.
 - (iii) Rigid plastic or galvanized or painted steel wheeled carts with fixed handles, fitted with a tight cover and having a capacity of not more than 150 litres.
 - (iv) Bundles, securely tied, or any single item, in either case having dimensions not greater than 1.0 metre by 0.5 metre.

Yard Trimmings Containers – Specifications

7. (a) Occupants shall supply all yard trimmings containers required to dispose by collection all yard trimmings generated from the property.
- Amendment (b) Yard trimmings containers shall meet the following specifications:
Bylaw No. 4528, 2007
- (i) Rigid plastic, galvanized, or painted steel containers with fixed handles, fitted with a tight cover, having a width of not more than 50 cm, a height of not more than 60 cm, and a capacity of not more than 75 litres and affixed with a Yard Trimmings decal (which can be obtained from the Municipality without charge).
 - (ii) Double-ply, water resistant and compostable kraft yard bags specially designed for yard trimmings collection.
 - (ii) Bundles which are securely tied and have a dimension not greater than 1.0 metre by 0.5 metre and containing no individual piece, branch, cutting or trimming with a thickness greater than 75 mm.

Recyclables Containers – Specifications

8. (a) All occupants shall acquire and maintain a sufficient number of recyclables containers to store for disposal all recyclables generated on the property.
- (b) Occupants who receive municipal collection service shall use, and may obtain from the Municipality, without charge, the following containers:
- (i) one blue box to store co-mingled containers described in Schedule “B”,
 - (ii) one blue bag to store newspapers described in Schedule “B”,
 - (iii) one yellow bag to store mixed paper and corrugated cardboard described in Schedule “B”,
- or, in the alternative,
- (iv) three blue wheeled carts to store for disposal any of the recyclables described in Schedule “B”.
- (c) Occupants who do not receive municipal collection service may use any of the containers described in subsection 8 (b) or a bulk

garbage container which is kept clean, sanitary and is used exclusively for the storing of recyclables.

- (d) Recyclables containers supplied by the Municipality shall be kept on the property of the occupant and shall remain the property of the Municipality.

Bulk Garbage Containers – Specifications

- 9. (a) Occupants who do not receive municipal collection service shall supply the bulk garbage containers required to store and dispose of all garbage generated from the property.
- (b) Bulk Garbage Containers shall meet the following specifications:
 - (i) Rigid plastic, galvanized or painted steel containers constructed to store and dispose of solid waste emptied mechanically by and into a solid waste collection vehicle and having a capacity in excess of 0.75 cubic metres.
 - (ii) The container shall be equipped with a self-locking, firmly fitting lid which will prevent the accumulation of water within the container.
 - (iii) The container may be equipped with or operated in conjunction with a compaction mechanism provided the container is equipped with a self-cleaning drain and liquid disposal.

Collection Regulation

Weekly Collection of Solid Waste

- 10. Every occupant of a property shall, at least once in every week, cause all solid waste to be collected from the property for disposal.

Municipal Collection Service

- 11. (a) The Municipality shall provide the municipal collection service to detached single family, duplex and attached multi-family dwelling units which have direct street access.
- (b) The municipal collection service shall provide a weekly collection of the following solid wastes:
 - (i) up to 150 litres of garbage contained in no more than two garbage containers or bundles, or one wheeled cart,

- (ii) yard trimmings,
 - (iii) recyclables.
- (c) The Municipality shall collect, weekly, all recyclables generated on all other multi-family residential units using the containers described in section 8 (b)(iv).
 - (d) The municipal collection service will collect on a collection day, in addition to the 150 litres of garbage referred to in section 10 (b)(i), additional garbage placed in separate containers, each holding not more than 75 litres of garbage, which have attached to them a residential garbage tag.
 - (e) The municipal collection service is not obliged to collect solid waste or handle solid waste containers which do not comply with the provisions of this bylaw.
 - (f) An occupant to whom the municipal collection service is provided shall store any uncollected garbage until the next collection day or cause the garbage to be taken to the transfer station at their own expense.

Municipal Collection Service Procedures

- 12. (a) The Engineer shall prepare and publish a schedule of collection days. The schedule may be amended from time to time but the amendment shall be published.
- (b) Occupants to whom the municipal collections service is provided shall conform to the following procedures:
 - (i) Service to residents can commence as early as 7:30 AM on collection day. Pickups can occur throughout the day, with the exact time of pickup varying depending on weekly circumstances. No return trips are made. Containers shall be placed on the highway fronting the property of the occupant or, if the collection service is provided from a lane, on the lane adjacent to the rear of the property.
 - (ii) Solid waste containers shall be placed in a location which will permit convenient handling from ground level, is readily accessible from the edge of the travelled roadway but without interfering with the passage of vehicles or pedestrians, and in no case requiring a carry of more than 3 metres to a solid waste collection vehicle parked at the nearest accessible place on the highway.

Amendment
Bylaw No.
4511, 2008

Amendment
Bylaw No.
4511, 2008

- (iii) Occupants of neighbouring properties whose boundaries are configured in such a way that the origin of the solid waste containers cannot easily be identified shall mark the street address on the containers.
- (iv) All solid waste containers shall be removed from the edge of the highway and stored within the property no later than 9:00 p.m. on collection day.
- (v) Solid waste containers must not be placed at the highway or in the lane prior to 5:00 AM on collection day.

Interrupted Service

13. If for any reason the collection service is not provided to a property on a collection day, the owner or occupier of the property shall remove the solid waste from the location set out for pick up and return it to the storage location on the property. If advised by the Engineer, the owner or occupier shall set out the solid waste on a subsequent day for collection. If the collection service is discontinued for more than one day the owner or occupier of a property shall arrange for proper storage of the solid waste on the property until service resumes or, if unable to do so, or service is not available for more than one week, shall deliver the solid waste at their own expense to the transfer station or recycling facility.

Billing and Payment

Requirement to Pay

14. The assessed owner of each property to which the municipal collection service is provided, whether such service is used by the occupant or not, shall pay a solid waste utility fee as set out in Schedule "A". The solid waste utility fee shall cease to be payable upon the complete demolition of all buildings and structures on the site and a water disconnect has been made.

Unmetered Solid Waste Utility Fee - Full Year

15. (a) Where the water supply to a property is unmetered, the solid waste utility fee is due and payable in advance yearly on the first day of January, and is hereby imposed on the owner of such premises for the provision of the collection service in the amount shown in column 1 of Part A, Schedule "A" ("Part A") unless the fee is paid on or before March 3 in the current year, then it shall be the amount shown in column 2 of Part A. When March 3 falls upon a non-business day, then the date for payment shall be extended to the next business day.

- (b) If a portion of the fee payable under this section remains unpaid after March 3 in the current year, then the amount payable after March 3 shall be the amount payable under column 1 of Part A, multiplied by the ratio of the unpaid amount to the full amount payable under column 2 of Part A.

Unmetered Solid Waste Utility Fee - Partial Year

- 16. (a) Where a water turn on to a new property has been made for an unmetered water supply after January 01 in any year, the solid waste utility fee based on the fee in Part A, Schedule "A" is imposed and is due and payable on the date that is 3 months after a water turn on has been effected. The solid waste utility fee shall be a sum equal to the same proportion of the appropriate fee shown in Schedule "A" as the number of remaining days of that year bear to the number 365.
- (b) The fee due and payable under this section shall be calculated based on the amount shown in column 1 of Part A, except that if the fee is paid within 6 weeks from the date upon which the owner is billed by the Municipality, then it shall be calculated based on the amount shown in column 2 of Part A. When the 6 weeks expire or fall upon a non-business day, then the date for payment shall be extended to the next business day.
- (c) If a portion of the fee payable under this section remains unpaid after 6 weeks from the date upon which the owner is billed, then the amount payable after 6 weeks from the date of billing shall be calculated as follows. The ratio of the unpaid amount to the full amount payable as determined in this section from column 2 of Part A, shall be calculated. The amount payable as determined in this section from column 1 of Part A, shall be multiplied by this ratio to determine the balance owing.

Refund - Unmetered Properties

- 17. Where a water disconnect has been made to an unmetered property after January 01 in any year, the solid waste utility fee, if paid, shall be partially refunded upon request of the owner. The solid waste utility fee refundable shall be a sum equal to the same proportion of the appropriate fee shown in Schedule "A" as the number of remaining days in that year bear to the number 365.

Metered Solid Waste Utility Fee - Full Year

18. (a) Where the water supply to a property is metered, the solid waste utility fee is due and payable for each dwelling unit quarterly on the first days of each of February, May, August, and November, in arrears. The fee due and payable under this section is that shown in column 1 of Part B of Schedule "A", unless the fee is paid on or before the tenth day of the month next following that in which such fee is due and payable, then it shall be the amount shown in column 2 of Part B. When the tenth day of such month expires or falls upon a non-business day, then the date for payment shall be extended to the next business day.
- (b) If a portion of the fee payable under this section remains unpaid after the tenth day of the month next following that in which such fee is due and payable, then the amount payable after the tenth day of the month following shall be the amount payable from column 1 of Part B multiplied by the ratio of the unpaid amount to the full amount payable from column 2 of Part B.

Metered Solid Waste Utility Fee - Partial Year

19. Where a water turn on to a new property has been made for a metered water supply after the first days of February, May, August, or November, in any year, the solid waste utility fee in Part B, Schedule "A" is imposed at the beginning of the quarter which contains the date 3 months after the date of the water turn and is due and payable at the end of that quarter in the same manner as set out in the previous section.

Enforcement**Engineer Right of Entry**

20. The Engineer is authorized to enter onto any property at all reasonable times during daytime to ascertain compliance with the provisions of this bylaw.

Discontinued Service

21. The Engineer, in the event of the continued breach of the provisions of the bylaw after 60 days written notice to the occupant, is authorized to discontinue the collection service provided by the municipality. In all such cases the occupant of the property shall arrange, at their own expense, in a manner acceptable to the Engineer, for the disposal of solid waste generated from the property.

Penalties

Amended by
Regulatory
Bylaw
Enforcement
and Penalty
Bylaw No.
4521, 2007

- 22. Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.

Severability

- 23. The provisions of this bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction, such decisions shall not affect the validity of the remaining provisions of this Bylaw.

Schedules

- 24. Schedules “A” and “B” attached hereto form part of this bylaw.

Repeal

- 25. “West Vancouver Waste Disposal Bylaw No. 3008 (1981)” and amendments thereto are hereby repealed.

Short Title

- 26. This bylaw is to be cited as “Solid Waste Utility Bylaw No. 4118, 1998”.

READ A FIRST TIME on September 14, 1998

READ A SECOND TIME on September 14, 1998

READ A THIRD TIME on September 14, 1998

ADOPTED by the Council on September 21, 1998

Mayor

Municipal Clerk

Schedule A – Solid Waste Utility Fees Payable

(Amended by Bylaw No. 4707, 2011)

A. Quarterly for Solid Waste Fee for each Residential Dwelling Unit on a Premises

		Column 1	Column 2
1.	Waste Collection fee	\$48.61	\$43.75
2.	Recyclables collection fee for dwelling units receiving collection service on a highway	\$18.21	\$16.39
	Total	\$66.82	\$60.14
3.	Recyclables collection fee for dwelling units serviced at a central location on the premises with one or more other dwelling units	\$18.21	\$16.39

B. Residential Garbage Tag

Garbage set out for collection in excess of 150 litres per week requires a residential garbage tag for each 75 litres of excess volume or portion thereof. Price for each tag:	\$6.00
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The solid waste utility fees apply only to those premises to which the garbage, yard trimmings or recycling service is available from the District.

Schedule B - Recyclables Collected by the Solid Waste Utility

- | | | | |
|--------------------------------------|----|------------------------------|--|
| Amendment
Bylaw No.
4528, 2007 | 1. | Newspapers | includes #8 newspaper, and newspaper inserts as delivered, special news de-ink quality, flexographic ink, loose, fresh, dry, not sunburned, but excludes mixed paper, glossy magazines and paper other than newspaper. |
| Amendment
Bylaw No.
4528, 2007 | 2. | Mixed Paper | includes boxboard, paper shopping bags, old corrugated cardboard having liners of either test liner jute or kraft, white and coloured ledger paper, computer paper, envelopes, junk mail (3 rd class mail), flyers, magazines, catalogues, telephone books, paper egg cartons, pizza boxes and any other 100% paper fibre products, but excludes newspapers, co-mingled containers and any mixed paper which is wet, soiled or contaminated with substances other than paper fibre. |
| Amendment
Bylaw No.
4528, 2007 | 3. | Co-mingled Containers | includes all colours of glass food and beverage bottles or jars, all ferrous or nonferrous metal food and beverage cans and tins, all plastic jars and bottles identified by the Society of Plastics Institute (S.P.I.) codes #1, #2, #4 and #5, but excludes drinking glasses, ceramics, pyrex, window glass, china, porcelain, light bulbs, containers with food or food residue, aerosol cans, paint cans, food trays, tetra paks, and wax coated containers. All containers shall be prepared by rinsing out the contents, flattening cans and plastic bottles, and removing lids, plastic neck rings and metal wraps from glass or plastic bottles or jars. |

Schedule C – Prohibited Garbage Wastes

(Amended by Bylaw No. 4528, 2007)

1. **Recyclable materials as described in Schedule B:**
 - corrugated cardboard
 - newspapers and flyers
 - mixed papers including magazines, telephone directories and boxboard;
 - rigid plastic containers numbered 1, 2, 4 and 5.
2. **Yard trimmings**
3. **Materials subject to provincially required stewardship programs:**
 - beverage containers except milk and milk products
 - household paints, stains and their containers including aerosols
 - waste lubricating oil and its containers
 - oil filters
 - pesticides, solvents and flammable liquids and their containers
 - prescription and non-prescription drugs and their containers
 - automotive tires
 - lead acid batteries
 - electronic goods including computers and their peripherals, desk-top printers and televisions.
4. **Hazardous waste:**
 - Explosive, toxic, corrosive, caustic, hot or flammable, combustible or oxidizing substances, objects or mechanisms
 - Hypodermic needles, bio-medical waste, sharps or infectious materials
 - Dead animals, animal feces or viscera
 - Sod, rocks, gravel, soil, cement, asphalt and other similar material
 - Construction and demolition material including gypsum board (gyproc)
 - Derelict motor vehicles or motor vehicle parts
 - Materials originating from industrial and/or agricultural operations
 - Refillable propane cylinders
 - Scrap metal
 - Any refrigerator, freezer or other large appliance
 - Waste materials not identified as acceptable for landfilling pursuant to any permit or certificate issued by the Provincial Ministry of Water, Land and Air Protection.

- Industrial or commercial spools.