



Demolition Waste and Recyclable Materials
Bylaw, 2017, No. 19453

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CITY OF SURREY

BYLAW NO. 19453

A Bylaw to regulate and impose fees in relation to the management of waste and recyclable materials from demolition work within the City of Surrey

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As amended by By-law No. 19572, 05/07/18

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

WHEREAS the *Community Charter*, S.B.C. 2003, c. 26 authorizes the City to regulate, prohibit, and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to refuse, garbage or other material that is noxious, offensive or unwholesome, and in relation to the use of waste disposal and recycling services;

AND WHEREAS it is necessary to fix the fees, charges and terms and conditions in respect of the exercise of authority to regulate, prohibit or impose requirements;

It is deemed desirable to regulate, prohibit, and impose requirements with respect to the use of waste disposal and recycling services to ensure that waste and recyclable materials resulting from demolition work are managed in a manner that enhances and protects the well-being of the community and the target diversion rate is achieved,

THEREFORE the City Council of City of Surrey ENACTS AS FOLLOWS:

PART 1 – CITATION

1. This Bylaw shall be cited for all purposes as "Demolition Waste and Recyclable Materials Bylaw, 2017, No. 19453".

PART 2 – DEFINITIONS

2. In the construction of and for the purposes of this Bylaw, unless the context otherwise requires:

AGENT means a person authorized in writing to act on behalf of the **owner** in connection with a **building permit**, including a hired tradesperson or contractor;

APPLICATION FEE means the fee set out in Schedule A;

BUILDING BYLAW means the *Surrey Building Bylaw*, 2012, No. 17850;

BUILDING OFFICIAL means a "Building Official" as defined in the *Building Bylaw*;

BUILDING PERMIT has the same meaning as defined in the *Building Bylaw*;

BUSINESS LICENSE has the meaning as defined in the *Business License By-law*;

CITY means the City of Surrey;

COMMUNITY CHARTER means the *Community Charter*, SBC 2003, c. 26;

COUNCIL means the Council of the **City**;

COMPLIANCE REPORT means a report substantially in the form attached to this Bylaw as Schedule B, as modified from time to time by the General Manager;

CONTRACTOR means any company or persons contracted by the owner or agent to carry out the demolition.

DEMOLITION means whole or partial demolition, deconstruction or systematic disassembly of an existing building, structure or improvement regulated by the *Building Bylaw*;

DISPOSAL means:

- a. the removal, abandonment, discard, or destruction of any materials, substances, or objects; and
- b. the application, release, or incorporation of materials, substances or objects in or to land;

DISPOSAL FACILITY means a **facility** that:

- a. has a valid and subsisting permit, license, or operational certificate issued under **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw** for the operation of a disposal facility regulated under that bylaw;
- b. is approved as a disposal facility under the **Integrated Solid Waste and Resource Management Plan**; or
- c. destroys or landfills **waste** in the course of conducting an industry, trade, or business;

FACILITY means any land, building, site, or structure;

FEE REFUND means the refund of a **waste disposal and recycling services fee** paid in respect of a **waste disposal and recycling services plan** as calculated in accordance with Schedule B attached to this Bylaw;

GENERAL MANAGER means the General Manager, Engineering and shall include his or her duly appointed assistants and representatives;

GVS&DD means the Greater Vancouver Sewerage and Drainage District;

HAZARDOUS MATERIALS means any material, product, or substance regulated as a controlled product or hazardous waste under the *B.C. Workers Compensation Act* and *B.C. Environmental Management Act*, respectively, that is present on a **site** or is produced, originates, or results from **demolition**;

INTEGRATED SOLID WASTE AND RESOURCE MANAGEMENT PLAN means **GVS&DD's approved Integrated Solid Waste and Resource Management Plan**;

MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIAL REGULATORY BYLAW means the **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw** No. 181, 1996, as amended or replaced from time to time;

OWNER means an owner of a parcel of real property including:

- a. the registered owner of an estate in fee simple;
- b. the tenant for life under a registered life estate;
- c. the registered holder of the last registered agreement for sale; or
- d. the holder or occupier of land held in the manner referred to in the definition of "Owner" in the Schedule to the *Community Charter*, S.B.C. 2003, c.26 as may be amended or replaced from time to time;

PROJECT COMPLETION means final acceptance of a demolition permit by the **Building Official** and closing of the permit in accordance with the **Building Bylaw**;

RECYCLABLE MATERIAL means a material, substance, or object that is produced, originates or results from **demolition** and satisfies at least one of the following:

- a. is organic material and is capable of being composted;
- b. is managed as a marketable commodity with an established market by the **owner** or operator of a **recycling facility**;
- c. is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process;
- d. is being **reused** by the **owner**, or the **agent** on or off the **site** for construction;
or
- e. is a material, product or substance prescribed in Schedule C attached to this Bylaw as a **recyclable material**, but excluding **hazardous materials**;

RECYCLING FACILITY means a **facility** or licensed business, other than a **disposal facility** or an incinerator facility, that:

- a. has a valid and subsisting permit, license, or operational certificate issued under the **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw**;
- b. is required to provide information on quantities of received and transferred material to the **GVS&DD** through the **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw**;
- c. is approved as (i) a new organics processing facility; or (ii) a publicly-owned transfer station or landfill, under the **Integrated Solid Waste and Resource Management Plan** for purposes other than **disposal**;
- d. is a drop off depot which is owned or operated by a charitable organization registered under the *Income Tax Act* (Canada) or a non-profit organization to which section 149 of the *Income Tax Act* applies;
- e. is a **facility** where the owner or operator purchases or otherwise pays valuable consideration for all **recyclable material** received, cleaned, sorted, baled or packaged at the **facility**;
- f. accepts only asphalt and concrete for the purposes of reprocessing, resale and **reuse**; or
- g. builds products using recycled or **reused** building materials or resells salvaged building materials under a valid business license;

REUSE means further or repeated use of building materials;

SITE means any land, where **demolition** is or is intended to be performed that may include **building**, structure or other improvements;

WASTE means any discarded or abandoned material, substance, or object that is produced, originates, or results from **demolition**, and any other prescribed material, substance or object, but excluding **hazardous materials**.

WASTE DISPOSAL AND RECYCLING SERVICES FEE means the fee set out in Schedule A; and

WASTE DISPOSAL AND RECYCLING SERVICES PLAN means the form of plan attached to this Bylaw as Schedule A.

3. References in this Bylaw to enactments, bylaws of the **City**, or the bylaws or plans of **GVS&DD**, include those enactments, bylaws, and plans as they may be amended or replaced from time to time.
4. Unless otherwise defined in this Bylaw, all words or expressions used in this Bylaw have the same meaning as the same or like words or expressions used in the **Building Bylaw**.

PART 3 – APPLICATION AND AGREEMENT

5. No person shall commence or continue, or cause or allow the commencement or continuation of, any **demolition** except in accordance with the provisions of this Bylaw.
6. This Bylaw does not apply to any **demolition** of a building, structure or improvement that the **Building Official** deems is required to protect public health or safety in an emergency.
7. Nothing in this Bylaw precludes or relieves a person from complying with any provision of the **Building Bylaw**, other bylaws of the **City**, or any federal, provincial, or local government laws or regulations applicable to **demolition**.
8. Neither the review nor acceptance of a **waste disposal and recycling services plan**, or **compliance report** constitutes a representation, warranty, assurance or statement by the **City** that the **owner** has complied with the **Building Bylaw**, this Bylaw, or any other applicable enactment, law, or regulation respecting safety.
9. The **contractor** that is carrying out the **demolition** shall have a **business license** to carry out the **demolition** which must be identified in the **waste disposal and recycling services plan**.

PART 4 – MANDATORY RECYCLING

10. At the time of submitting an application for a **demolition** permit, a properly completed **waste disposal and recycling services plan** regarding the management of **waste** and **recyclable material** must be signed by the **owner** or **agent** and submitted to the **General Manager**.
11. No person shall commence or continue, or cause or allow the commencement or continuation of, any **demolition** unless the **General Manager** has accepted a **waste disposal and recycling services plan** for that **demolition**.
12. If **recyclable material** is removed from a **site**, the **recyclable material** must be removed:
 - a. to a **recycling facility**; or
 - b. in accordance with an approved **waste disposal and recycling services plan**, including **reuse** by the **owner** or **agent**, removal to a **recycling facility**, or as otherwise set out in the **waste disposal and recycling services plan**.
13. If **waste**, other than **recyclable material**, is removed from a **site**, the **waste** must be removed to a **disposal facility**.

PART 5 – COMPLIANCE REPORTING AND RECORD KEEPING

14. To ensure compliance with this Bylaw, the **owner** or **agent** must keep records of the surveying, removal, handling, management, and **disposal** of **waste** and **recyclable material**, including:
 - a. payment receipts, donation receipts, weigh bills, inspection reports, clearance letters, sampling reports, waste transport manifests, and recycling verification letters from mixed load **recycling facilities** detailing the percentage of **waste** recycled, **reused** or **disposed**;
 - b. photographs, if applicable, recording the removal of **recyclable material** from the **site** as specified in an approved **waste disposal and recycling services plan**; and
 - c. any other records that the **General Manager** specifies, at the time of application for a permit for **demolition**, must be kept.
15. Within ninety (90) days after **project completion**, the **owner** or **agent** must submit the following to the **General Manager**:
 - a. a properly completed **compliance report**; and
 - b. originals of the records required to be kept under Section 14 of this Bylaw.

PART 6 – FEES

16. Every person who performs, or causes or allows the performance of **demolition**, must pay the non-refundable **application fee** and the **waste disposal and recycling services fee** at the time of submitting the **waste disposal and recycling services plan**.
17. The holder of the permit for the **demolition** is eligible for a **fee refund**, as calculated in accordance with Schedule B attached to this Bylaw, if the following have also been completed to the satisfaction of the **General Manager**:
 - a. a **waste disposal and recycling services plan**;
 - b. within ninety (90) days after **project completion**;
 - i. a **compliance report**;
 - ii. submission of the originals of the records required to be kept under Section 14 of this Bylaw; and
 - iii. an application to the **General Manager** for the **fee refund**;

- c. within seven (7) days of being requested to do so, submit to the **General Manager** of any of the records required to be kept under this Bylaw, in addition to those submitted under Section 17(b)(ii) above, in order to evaluate eligibility for the **fee refund**.
18. Any **owner** or **agent** that does not claim the **fee refund** within one year from **project completion** shall forfeit the **fee refund**.

PART 7 – OFFENCES, PENALTIES AND ENFORCEMENT

Offences

19. Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act, or who violates any of the provisions of this Bylaw shall be deemed to be guilty of an infraction and liable to the penalties imposed in this Bylaw.

Penalties

20. Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out, or perform any duty or obligation imposed by this Bylaw is liable, on summary conviction, to a fine of not less than two hundred dollars (\$200.00) and not more than ten thousand dollars (\$10,000.00).
21. Where there is an offence that continues for more than one day, separate fines may be issued for each day or part thereof in respect of which the offence occurs or continues.
22. Any person who contravenes any provision of this Bylaw is liable to the **City** for and must indemnify the **City** from all costs, expenses, damages and injuries resulting from the contravention. This does not in any way limit any other provision or any other remedy the **City** may have under this Bylaw or otherwise at law.
23. Nothing in this Bylaw limits the **City** from utilizing any other remedy that is otherwise available to the **City** at law.
24. Any person who gives false information required under this Bylaw is deemed to have committed an infraction of, or an offence against, this Bylaw, and is liable on summary conviction to a penalty of not more than ten thousand dollars (\$10,000) in addition to the costs of the prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

PART 8 – SEVERABILITY

25. Each provision of this Bylaw is severable from each other provision, and, if any provision is determined to be void or unenforceable in whole or in part, this determination shall not be deemed to affect or impair the validity of any other provision, unless a Court otherwise determines.

PASSED FIRST READING on the 18th day of December, 2017.

PASSED SECOND READING on the 18th day of December, 2017.

PASSED THIRD READING on the 18th day of December, 2017.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 8th day of January, 2018.

MAYOR

CLERK

SCHEDULE A

Waste Disposal and Recycling Services Plan

Date: _____		Project Address: _____	
Contractor Name: _____		Phone/Email: _____	
Building Type	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other: _____
Building Structure Type	<input type="checkbox"/> Wood Frame	<input type="checkbox"/> Concrete	<input type="checkbox"/> Other: _____
Project Floor Space (square feet): _____		Estimated Total Waste and Recyclable Material Generation	
Expected Project Completion Date (DD/MM/YYYY) _/___/___			
Estimated Waste and Recyclable Material Generation (from Tables 1 and 2 of Schedule C) Walls and flooring = _____ kg (for complete demolition, or for walls and flooring calculated separately) Roofing = _____ kg Foundations and footings = _____ _____ kg Other material = _____ kg			
Name of Permit Applicant: _____ (please print)			
Signature of Permit Applicant _____		Date _____	

NOTE TO APPLICANT: Please complete the other side of the form

STAFF USE ONLY	
Building Permit No. _____	
Waste Disposal and Recycling Services Package <input type="checkbox"/> Package provided to applicant	<input type="checkbox"/> Form 1 - Project information and checklist received from permit applicant
Application Fee: Application Fee Received of \$250.00 (non-refundable) <input type="checkbox"/>	Waste Disposal and Recycling Services Fee Fee Received (\$5,000) <input type="checkbox"/> (fee will be refunded if the reuse and recycling requirements are met)
Waste Disposal and Recycling Services that will be required: <input type="checkbox"/> Removal of all recyclable materials to an authorized recycling facility or to a disposal facility for a purpose other than disposal <input type="checkbox"/> Re-use of recyclable materials as proposed in this Waste Disposal and Recycling Services Plan or in	
Signature of Application Reviewer: _____	
<i>Keep a copy of this page and Form 1 in file</i>	

Planning how you will manage the recyclable materials generated at your site will help you meet the recycling requirements. **Please complete the following checklist of the types of recyclable materials that your project is expected to generate and submit as part of Form 1.** Use this checklist for discussion with waste collection, recycling and disposal companies. A list of recycling facilities is available from the Permits Department or <http://www.metrovancouver.org/services/permits/Permits%20%20Regulations/ActiveSolidWasteLicenceList.pdf>

You must keep track of all materials generated over the duration of the project by keeping receipts from all recycling and disposal facilities **or signed forms** from all salvagers for material re-use (Form 3 –Compliance Report).

Materials	Will the Work generate this material	Will this material be reused or used as backfill? If yes, specify how and where.	Estimate of material generated as waste (incl. recyclable material) (kg)	For information
Asphalt				Can be recycled
Cardboard				Can be recycled.
Cement and concrete				Can be recycled
Uncontaminated excavated soil and rocks				Can be reused or recycled
Drywall / Gypsum				All must be recycled.
Green waste (incl. shrubs, lawn, small trees)				Can be reused or composted
Glass				May be recyclable
Metal				Can be recycled
Plastic - rigid buckets, etc. (no PVC)				Can be recycled
Plastic - wrapping and bags				Can be recycled
Roofing - Asphalt shingles				Can be recycled
Wood - clean				Can be recycled
Wood - roofing				Can be recycled
Other recycled/reused materials (Please list)				
Estimate of Total Waste (incl. Recyclable Material) Generated from Demolition (kg):				
<i>Note: Do not include Hazardous Materials in this Form. All hazardous materials must be disposed of according to Work Safe BC and BC Ministry of Environment requirements, as well as any additional requirements imposed by the disposal facility.</i>				

SCHEDULE B

Sample Form 3 – Compliance Report

Submit this form following the completion of project and attach documentation (copies of receipts, weigh bills, etc.)

Project Site Address _____			
Building Permit No. _____		Name of permit holder: _____	
Project Start Date (DD/MM/YYYY) ___/___/___		Project Completion Date (DD/MM/YYYY) ___/___/___	
Building Type	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other: _____
Building Structure Type	<input type="checkbox"/> Wood Frame	<input type="checkbox"/> Concrete	<input type="checkbox"/> Other: _____
Project Floor Space (square feet): _____		Estimated Total Waste and Recyclable Material Generation = _____ tonnes (from Table 1)	
Waste Disposal and Recycling Services Plan Compliance			
<input type="checkbox"/> Diversion Form and documentation (i.e., receipts and weigh bills) attached			
Tonnes recyclable material managed as authorized (i.e. non-hazardous material removed to a Recycling Facility or as approved in Waste Disposal and Recycling Services Plan) = _____ = "A"			
Tonnes disposed (i.e. non-hazardous waste removed to a Disposal Facility) = _____ = "B"			
Total non-hazardous tonnages of waste from demolition = _____ = A+B = Total			
Level of Compliance = $(A \div \text{Total}) \times 100 =$ _____ % = "C" (use for refund calculation)			
Waste Disposal and Recycling Services Fee Refund Calculation			
Waste Disposal and Recycling Services Fee paid (from Form 1) \$ _____ = "D" (use for refund calculation)			
Refund calculated as follows:			
If C is 70% or greater, then D = Refund = \$ _____			
If C is less than 70%, then $(C \div 70) \times (D) =$ Refund = \$ _____			

CITY STAFF USE ONLY			
Compliance Report <input type="checkbox"/> Complete <input type="checkbox"/> Approved	Amount of Waste Disposal and Recycling Services Fee paid (Form 1) = \$ _____ Amount of fee refunded = \$ _____		
Compliance with Waste Disposal and Recycling Services requirements	<input type="checkbox"/> Yes	<input type="checkbox"/> Partial	<input type="checkbox"/> No

SCHEDULE C

TABLE 1 - ESTIMATING WASTE GENERATION

Material type	Quantity	Lbs	Kg
New Construction			
New Structure (with foundation)	1 sq ft	8	3.6
New Structure	1 sq ft	4	1.8
New Deck/Similar (wood)	1 sq ft	2	0.9
Demolition			
Complete Wood-frame Demolition	1 sq ft	40	18.2
Demolition - per linear foot of wall	1 sq ft	20	9.1
Concrete slab	1 lin ft	50	22.7
Asphalt	1 sq ft	50	22.7
Brick/masonry	1 sq ft	50	22.7
Spread footing	1 sq ft	150	68.2
Remodel			
Mixed Debris (interior remodel)	1 sq ft	20	9.1
Remodel	2 sq ft	10	4.5
Carpeting	3 sq ft	0.5	0.2
Ceiling Tiles	4 sq ft	1.1	0.5
Sheetrock/Drywall	1 cu yd	394	179.1
Tile Flooring	1 sq ft	3	1.4

TABLE 2 - VOLUME TO WEIGHT CONVERSION

Mixed C&D	Quantity	Lbs	Kg
Mixed C&D (structural)			
Mixed inerts (concrete, brick, dirt, asphalt)	1 cu yd	500	227.3
Separated inerts	1 cu yd	2000	909.1
Wood	1 cu yd	2000	909.1
Metals	1 cu yd	375	170.5
Roofing Materials			
Asphalt shingles/Composition			
Asphalt shingles/Composition	1 cu yd	419	190.5
Asphalt Tar Roofing	1 sq ft	3	1.4
Wood Shake/Shingle Roofing	1 cu yd	2919	1326.8
Wood Shake/Shingle Roofing	1 cu yd	435	197.7
Tiles (concrete roofing)	1 sq ft	2	0.9
Tiles (concrete roofing)	1 cu yd	10	4.5
Yard Waste			
Green waste (shrubs, turf, etc.)	1 cu yd	500	227.3
Yard trimmings	1 cu yd	108	49.1

Recyclable Material List:

1. Appliances
2. Architectural detail elements (decorative trim, finials, railings, etc.)
Asphalt
3. Asphalt roofing shingles
4. Bricks, blocks, ceramic tile
5. Cabinetry
6. Cardboard
7. Concrete
8. Doors
9. Drywall
10. Fixtures and hardware (lighting, plumbing, bathtubs, sinks, doorknobs, etc.)
11. Glass
12. Glass windows in frames
13. Green waste (shrubs, trees, sod, etc.)
14. Metal (steel, aluminum, coppers, brass, etc.)
15. Metal – cable and wiring
16. Metal – window frames
17. Paper
18. Plastic – ridged (buckets, pails, etc.)
19. Plastic – soft (wrapping, bags, etc.)
20. Wood – structural (including pallets)
21. Wood – plywood, particle board, OSB, etc.
22. Wood – shingles/siding (shakes, etc.)
23. Wood – flooring