



**REFUSE DISPOSAL REGULATION BYLAW NO. 1815**

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**RECOMMENDATION**

1. That the “Refuse Disposal Regulation Bylaw No. 1815, 2021” be introduced, read three times
2. That “Refuse Disposal Regulation Bylaw No. 1815, 2021” be adopted.

**BACKGROUND**

Regional District of Nanaimo (RDN) littering provisions currently reside in the RDN *Waste Stream Management Licensing Bylaw No. 1386 (Bylaw No. 1386)* which is currently being updated. It is proposed that the littering provisions be removed from the Bylaw No. 1386 and instead be placed in a standalone bylaw, the *Refuse Disposal Regulation Bylaw No. 1815* found in Attachment 1.

The main advantage of extracting the littering provisions from Bylaw No. 1386 is that Bylaw No. 1386 takes authority from the Environmental Management Act, which means that all bylaws or bylaw changes require approval from the Minister of Climate Change and Environment (Minister). Instead, authority for proposed *Refuse Disposal Regulation Bylaw No. 1815* is taken from the Local Government Act which provides regional districts authority in relation to waste disposal and recycling, which includes bylaws to address littering. Therefore, no subsequent approval is required from the province in enacting *Refuse Disposal Regulation Bylaw No. 1815*.

*Refuse Disposal Regulation Bylaw No. 1815* clarifies requirements and what constitutes an infraction with respect to littering. Further, it improves enforcement tools such as the introduction of Municipal Ticketing Information (MTI). MTI allows local governments to prosecute minor and medium contraventions of local government bylaws and is considered a more effective and expedient tool than only enforcement by court adjudication. The adoption of MTI is consistent with other new and updated RDN bylaws

Should this bylaw be approved, both the littering provision in *Waste Stream Management Licensing Bylaw No. 1386* and this bylaw, *Refuse Disposal Regulation Bylaw No. 1815*, will be in effect. This will last until such time the *Waste Stream Management Licensing Bylaw No. 1386* is repealed and is replaced by draft *Waste Stream Management Licensing Bylaw No. 1803*, which does not include a littering provision. Nevertheless, there is no conflict in the concurrent requirements of these two bylaws.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **STRATEGIC PLAN ALIGNMENT**

Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.

A Refuse Disposal Regulation Bylaw No. 1815 gives the RDN greater ability carry out compliance and enforcement with respect to litter in region, which will allow for greater protections of the natural environment, specifically land and water.

### **REVIEWED BY:**

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### **ATTACHMENT**

1. Refuse Disposal Regulation Bylaw No. 1815