

July 10

JULY 10

**THE CORPORATION OF THE CITY OF PORT COQUITLAM  
ENVIRONMENTAL PROTECTION COMMITTEE**

**Wednesday, July 10, 1991**

Heritage Room  
2580 Shaughnessy Street, Port Coquitlam, BC

5:00 p.m.

**AGENDA**

**PERSONNEL IN ATTENDANCE:**

**ITEM I:**        **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**ITEM II:**       **SOIL DEPOSIT BYLAW**  
                      **(Discussions with Grant Anderson)**

**ITEM III:**       **NEW BUSINESS**

**THE CORPORATION OF THE CITY OF PORT COQUITLAM**  
**ENVIRONMENTAL PROTECTION COMMITTEE**  
**MINUTES**

A meeting of the Environmental Protection Committee was held in the Heritage Room, 2580 Shaughnessy Street, Port Coquitlam, on Wednesday, July 10, 1991 at 5:00 p.m.

In attendance were:

Alderman R. Talbot, Co-Chairman  
Alderman M. Wright  
Alderman M. Gordon  
C.F. (Kip) Gaudry, P. Eng., Deputy City Engineer  
Grant Anderson, Esq.

**ITEM I: CONFIRMATION OF MINUTES**

The Minutes of the the Environmental Protection Committee Meeting held Wednesday, July 3, 1991, at 5:00 p.m. be considered read and adopted.

Carried

**ITEM II: SOIL DEPOSIT BYLAW**

Grant Anderson, Esq. of Lidstone, Young, Anderson Barristers & Solicitors, presented some brief comments on regulations governing Soil Bylaws throughout B.C. Information relevant to proposed Bylaws from the Waste Management Act, Municipal Act, and Health Act were contained in Mr. Anderson's memo of July 10, 1991 attached and distributed to those in attendance. Basically, Mr. Anderson suggested that the City of Port Coquitlam is in the same position as several other Municipalities in the lower mainland in that they are now looking at formulating their Bylaws immediately to govern the deposition of soils, both contaminated and noncontaminated. The main thrust is to have proper legislation in place before they are faced with the problem that Richmond has encountered recently.

Major aspects that must be considered regarding the imposition of a new Bylaw include:

- Administrative costs of enforcing any Bylaw aspects put into place.
- Deciding on the measurement standard i.e. Pacific Place Standards, that are to be contained in the Bylaw.
- Testing procedures that are required including knowledge of how we are going to administrate and verify these procedures.

Cont'd /2...

**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES Cont'd...**

In addition, Mr. Anderson explained that if the City of Port Coquitlam wished to draw boundaries around the community indicating that contaminated soils could not come into the community but contaminated soils could be exported and noncontaminated soils could be imported, then this could be done through the Bylaw but he advised that it is item that has not been tested in any court case, and therefore he is unsure as to what might happen in the future.

Mr. Anderson felt that a review of legislation in various municipalities in the USA may be beneficial in that they sometimes are five to ten years ahead of us in the development of legislation. Further, we are going to check and see whether the item had been placed on the UBCM Agenda in September, 1991.

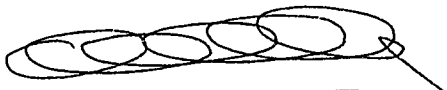
The Committee directed Grant Anderson to prepare a draft Bylaw and return it to the EPC as soon as possible. It is the Committee's intention to proceed post haste with the full development and implementation of a Bylaw.

**ITEM III: OTHER BUSINESS**

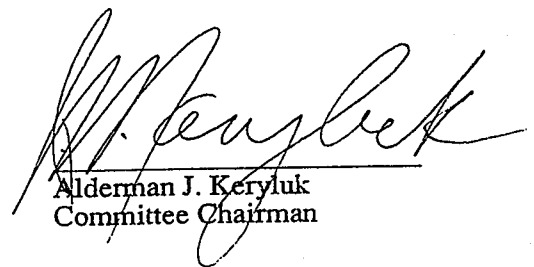
**1. Transfer Station Location**

The final proposed location of the Recycling Transfer Station was discussed. The new location will be adjacent to Broadway at 1685 Broadway. A map drawing was supplied and reviewed.

The Meeting Adjourned at 6:30 p.m.



C.F. (Kip) Gaudry, P. Eng.  
Deputy City Engineer



Alderman J. Keryluk  
Committee Chairman

CFG:gc

**NOTE:** Minutes not read and adopted by the Committee until certified correct by the Committee Chairman's signature.

cc: Mayor and Aldermen  
City Administrator



CITY OF RICHMOND

BY-LAW NO. 5712

Richmond Prohibition of Certain  
Fill Materials Bylaw No. 5712

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WHEREAS it is deemed expedient that the deposit of soil from or upon lands within the City be regulated.

AND WHEREAS the Municipal Act provides that the Council may, by by-law, regulate or prohibit the deposit of soil, sand, gravel, rock or other material on land in the City or in any area of the City, and require the holding of a permit for the purpose and fix a fee for the permit, and different regulations and prohibitions may be made for different areas.

NOW, therefor, the Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. For the purpose of this Bylaw:

"Construction Material" means non-degradable construction or demolition waste such as masonry rubble, concrete rubble asphalt and contaminated soil.

"Contaminated Soil" means any soil which contains any heavy metal, other inorganics, monocyclic aromatic hydrocarbons, phenolic compounds, polycyclic aromatic hydrocarbons, chlorinated hydrocarbons or pesticides in an amount greater than that set out in Schedule "A" attached hereto and forming part of this Bylaw.

"Deposit" means the act of moving soil and placing it within a parcel or upon other land on which such soil did not previously exist or stand.

"Wood Waste" means wood residue in mechanically shredded form and includes sawdust, hogfuel, bark, chips, slabs, shavings, trimmings, edgings or other such waste which is the result of any manufacturing process involved in the production of lumber or other wood products.

2. No person shall deposit or permit the deposit of wood waste upon any parcel of land within the City, save and except that wood waste not exceeding 10.160 cm in depth which may be used for landscaping purposes only, provided a bona fide farmer may use wood waste for the purpose of constructing access routes on his land. Any person who uses wood waste for landscaping or farm use shall include adequate precautions to prevent any wood waste leachate from entering the City drainage system.
3. No person shall deposit or permit the deposit of Construction Material, as herein defined in this bylaw, upon any parcel of land within the City unless he has first been granted a Waste Management Act Permit or Exemption, and such deposit shall be undertaken in full compliance with the terms of such permit.
4. No person shall deposit or permit the deposit of contaminated soil upon any parcel of land within the City.
5. Upon the request of the City, any person who wishes to deposit or permit the deposit of soil which may be contaminated soil shall have such soil tested and analysed by or through the Ministry of Environment of the Provincial Government and shall produce the results to the City. If the soil is found to be contaminated soil, all depositing of the soil shall cease.
6. If, in the opinion of the Chief Medical Health Officer of the City, there is a possibility of contaminated soil being or about to be deposited in the City, he may order that there be no such soil deposited until such times as the results of the tests required under section 5. are produced. If the soil is found to be contaminated, all depositing of soil shall cease.
7. 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 neglects to do or refrains from doing any act or thing required to be done or who violates any of the provisions of this Bylaw, shall upon summary conviction therefore be liable to a fine not exceeding Two Thousand (\$2,000.00) Dollars or to a term of imprisonment not exceeding three (3) months, or to both fine and imprisonment.
8. The Richmond Prohibition of Certain Fill Materials Bylaw No. 5528 is hereby repealed.

BYLAW NO. 5712

- 3 -

9. This Bylaw may be cited for all purposes as "Richmond Prohibition of Certain Fill Materials By-law No. 5712".

READ A FIRST TIME ON:

READ A SECOND TIME ON:

READ A THIRD TIME ON:

MAY 27 1991

MAY 27 1991

MAY 27 1991

JUN - 4 1991

CITY OF RICHMOND
APPROVED for content by originating Dept. <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>
AMENDMENTS (if any) approved by <i>[Signature]</i>
(Date)

RECONSIDERED, FINALLY PASSED AND ADOPTED ON:

G.C. HALSEY-BRANDT

MAYOR

*[Signature: Susan M. Brown]*  
ACTING CITY CLERK

Certified a true and correct copy of  
Bylaw No. 5712 of the City of Richmond

*[Signature: Susan M. Brown]*  
ACTING CITY CLERK

7726F

# SCHEDULE "A" TO BYLAW 5712

## 1. HEAVY METALS

mg/kg(ppm)

arsenic	(As)	30
barium	(Ba)	1000
cadmium	(Cd)	5
chromium	(Cr)	250
cobalt	(Co)	50
copper	(Cu)	100
lead	(Pb)	500
mercury	(Hg)	2
molybdenum	(Mo)	10
nickel	(Ni)	100
selenium	(Se)	3
silver	(Ag)	20
tin	(Sn)	50
zinc	(Zn)	500

## 2. OTHER INORGANICS

bromide (free)	(Br)	50
cyanide (free)	(CN free)	10
cyanide (total)	(CN total)	50
fluoride (free)	(F free)	400
sulfur	(S total)	1000

## 3. MONOCYCLIC AROMATIC HYDROCARBONS (MAHs)

benzene	0.5
ethylbenzene	5
toluene	3
chlorobenzene	1
1,2-dichlorobenzene	1
1,3-dichlorobenzene	1
1,4-dichlorobenzene	1
xylene	5
styrene	5

## 4. PHENOLIC COMPOUNDS

nonchlorinated phenols (each)	1
chlorophenols (each)	0.5
chlorophenols (total)	1.0



5. POLYCYCLIC AROMATIC HYDROCARBONS (PAHs)

	mg/kg(ppm)
benzo(a)anthracene	1
1,2-benzanthracene 7,2-dimethyl	1
dibenzo (a,h)anthracene	1
chrysene	1
3-methylcholanthrene	1
benzo(b)fluoranthene	1
benzo(j)fluoranthene	1
benzo(k)fluoranthene	1
benzo(g,h,i)perylene	1
benzo(c)phenanthrene	1
pyrene	10
benzo(a)pyrene	1
dibenzo(a,h)pyrene	1
dibenzo(a,i)pyrene	1
dibenzo(a,l)pyrene	1
indeno (1,2,3-cd)pyrene	1
acenaphtene	10
acenaphtylene	10
anthracene	10
fluoranthene	10
fluorene	10
naphthalene <sup>3</sup>	5
phenanthrene <sup>3</sup>	5
PAHs (total)	20

6. CHLORINATED HYDROCARBONS

aliphatic	5
(each)	7
(total)	
chlorobenzene	2
(each)	4
(total)	2
hexachlorobenzene	5
polychlorinated biphenyls	

7. PESTICIDES

pesticides (total)	1
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8. GROSS PARAMETERS

mineral oil and grease	1000
light aliphatic hydrocarbons	150

CITY OF RICHMOND

BYLAW NO. 5737

A Bylaw to Amend Bylaw No. 5712

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The definition of "Construction Material" is deleted and the following substituted therefor:  
" "Construction Material" means non-degradable construction or demolition waste such as masonry rubble, concrete rubble or asphalt"
2. Schedule "A" to Bylaw No. 5712 is deleted and Schedule 1 attached hereto and forming part of this Bylaw is substituted therefor.
3. This Bylaw may be cited as the "Richmond Prohibition of Certain Fill Materials Bylaw No. 5712 Amendment Bylaw No. 5737 (1991).

READ A FIRST TIME ON:

JUN 17 1991

READ ON A SECOND TIME ON:

JUN 17 1991

READ ON A THIRD TIME ON:

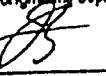
JUN 17 1991

RECONSIDERED, FINALLY PASSED  
AND ADOPTED ON:

MAYOR

CITY CLERK

7730F

CITY OF RICHMOND
APPROVED for content by originaling Dept. 
APPROVED for legality by Solicitor
AMENDMENTS (if any) approved by
(Date)

SCHEDULE "A" TO BYLAW 5712

1. HEAVY METALS

		mg/kg(ppm) of Dry Matter
arsenic	(As)	30
barium	(Ba)	1000
cadmium	(Cd)	5
chromium	(Cr)	250
cobalt	(Co)	50
copper	(Cu)	100
lead	(Pb)	500
mercury	(Hg)	2
molybdenum	(Mo)	10
nickel	(Ni)	100
selenium	(Se)	3
silver	(Ag)	20
tin	(Sn)	50
zinc	(Zn)	500

2. OTHER INORGANICS

bromide (free)	(Br)	50
cyanide (free)	(CN free)	10
cyanide (total)	(CN total)	50
fluoride (free)	(F free)	400
sulfur	(S total)	1000

3. MONOCYCLIC AROMATIC HYDROCARBONS (MAHs)

benzene(8)	0.5
ethylbenzene	5
toluene	3
chlorobenzene	1
1,2-dichlorobenzene	1
1,3-dichlorobenzene	1
1,4-dichlorobenzene	1
xylene	5
styrene	5

4. PHENOLIC COMPOUNDS

nonchlorinated phenols (each)(1)	1
chlorophenols (each)(2)	0.5
chlorophenols (total)	1.0

NOTE: Numbers in brackets refer to Footnotes.

Schedule 1 to Bylaw 5737 (Page 2 of 4)

Page 2  
SCHEDULE A TO  
BYLAW 5712

5. POLYCYCLIC AROMATIC HYDROCARBONS (PAHs)

mg/kg(ppm) of Dry Matter

benzo(a)anthracene (3)(8)	1
1,2-benzanthracene 7,2-dimethyl	1
dibenzo (a,h)anthracene (3)(8)	1
chrysene	1
3-methylcholanthrene	1
benzo(b)fluoranthene (3)(8)	1
benzo(j)fluoranthene	1
benzo(k)fluoranthene (3)(8)	1
benzo(g,h,i)perylene	1
benzo(c)phenanthrene	1
pyrene (3)	10
benzo(a)pyrene (3)(8)	1
dibenzo(a,h)pyrene	1
dibenzo(a,i)pyrene	1
dibenzo(a,l)pyrene	1
indeno (1,2,3-cd)pyrene (3)(8)	1
acenaphtene	10
acenaphtylene	10
anthracene	10
fluoranthene	10
fluorene	5
naphthalene <sup>3</sup>	5
phenanthrene <sup>3</sup>	5
PAHs (total)	20

6. CHLORINATED HYDROCARBONS

aliphatic	5
(each) (4)	7
(total) (4)	
chlorobenzene (5)	2
(each)	4
(total)	2
hexachlorobenzene	5
polychlorinated biphenyls (6)	

7. PESTICIDES

pesticides (total)	2
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NOTE: Numbers in brackets refer to Footnotes.



Page 2  
SCHEDULE A to  
BYLAW 5712

8. GROSS PARAMETERS (7)

mg/kg(ppm) of Dry Matter

mineral oil and grease	1000
light aliphatic hydrocarbons	150

NOTE: Numbers in brackets refer to Footnotes.

FOOTNOTES to Schedule "A" Bylaw 5712

1. Non-chlorinated phenolic compounds, which include:

2,4-dimethylphenol	4-nitrophenol
2,4-dinitrophenol	phenol
2-methyl-4,6-dinitrophenol	cresol (ortho, meta, and para)
2-nitrophenol	

2. Chlorophenols, which include:

ortho-chlorophenol	2,3,6-trichlorophenol
meta-chlorophenol	2,4,5-trichlorophenol
para-chlorophenol	2,3,5-trichlorophenol
2,6-dichlorophenol	2,3,4-trichlorophenol
2,5-dichlorophenol	3,4,5-trichlorophenol
2,4-dichlorophenol	2,3,5,6-tetrachlorophenol
3,5-dichlorophenol	2,3,4,5-tetrachlorophenol
2,3-dichlorophenol	2,3,4,6-tetrachlorophenol
2,4-dichlorophenol	pentachlorophenol
2,4,6-trichlorophenol	

3. If a site is contaminated with coal tars, these are the standards that apply.

4. Volatile chlorinated aliphatic hydrocarbons, which include:

chloroform	1,2-dichloropropene (cis and trans)
1,1-dichloroethane	1,1,2,2-tetrachloroethane
1,2-dichloroethane	tetrachloroethene
1,1-dichloroethene	carbon tetrachloride
1,2-dichloroethene	1,1,1-trichloroethane
dichloromethane	1,1,2-trichloroethane
1,2-dichloropropane	trichloroethene

5. Chlorobenzenes, which include:

trichlorobenzenes (all isomers)	pentachlorobenzene
tetrachlorobenzenes (all isomers)	

6. Polychlorinated biphenyls, which include:

Aroclors 1242, 1248, 1254 and 1260

7. To be used as investigation standards only.

8. Organic compounds regarded as carcinogens.

THE CORPORATION OF THE CITY OF PORT COQUITLAM

ENVIRONMENTAL PROTECTION COMMITTEE

MINUTES

A meeting of the Environmental Protection Committee was held in the Third Floor Meeting room, 2580 Shaughnessy Street, Port Coquitlam, on Tuesday, July 31, 1990 at 4:50 p.m.

In attendance were:

Alderman M. Wright, Chairman  
Alderman J. Keryluk  
D.G. Riecken, Deputy Engineer

ITEM I: CONFIRMATION OF MINUTES

That the Minutes of the Environmental Protection Committee Meeting held on Wednesday, July 4, 1990 be considered, read, and adopted.

Carried

ITEM II: SOIL DEPOSIT BYLAW

The Committee reviewed a summary of a survey which had been carried out with other municipalities in the Greater Vancouver Area with respect to fees charged, royalties levied, security deposits taken, etc. After some discussion the Committee directed that the following revisions be made to the draft bylaw prior to submitting the bylaw to Council In Committee for approval:

Clause 4 should be changed to exempt a volume less than 50 cubic metres from having to obtain a permit.

Clause 7 should be incorporated into clause 6 as a requirement for every permit, and the following sections renumbered as required.

Clause 8 should make reference to the levels of contamination (A, B, C, etc.) of the Pacific Place Standards as adopted by the Ministry of Environment so that the applicant is responsible to prove that the soil being deposited meets or exceeds the appropriate standard thereof.

Clause 12 (f) should be revised to place the word "or" between slumping and settling, and to delete the words "or other deposits"

Clause 14 (1) should be revised to reflect a fee of \$0.50 per cubic metre for quantities in excess of 100 cubic metres with no ceiling on the amount.

Clause 14 (2) should reflect a security deposit for any quantity over 100 cubic metres of \$1,000 plus \$1,000 for every hectare or portion thereof in excess of 1 hectare with no ceiling.

Cont'd /2...

ENVIRONMENTAL PROTECTION COMMITTEE MINUTES Cont'd...

ITEM III: SAVE GEORGIA STRAIT ALLIANCE

The Committee reviewed a request from the Save the Georgia Strait Alliance requesting endorsement of their activities, donations, and participation in a Nanaimo to Sechelt Marathon to be held in late August, 1990.

The Committee recommended that Council be requested to pass a resolution endorsing the projects sponsored by the Alliance, and that Council members be advised of the Marathon should they wish to participate therein. It was noted that City policy precluded donating funds to the organization.


ITEM IV: NATURAL GAS EXPLORATION

The Committee voted to receive correspondence from the Commission on Fraser Valley Petroleum Exploration relating to natural gas exploration and storage in the Fraser Valley, for information.

ITEM V: OTHER BUSINESS

There were no other items of business discussed.

The Meeting Adjourned at 5:30 p.m.

  
D.G. Riecken, P. Eng.,  
Deputy City Engineer

Alderman M.R. Wright,  
Committee Chairman

DGR:gc

Note: Minutes not read and adopted by the Committee until certified correct by the Committee Chairman's signature.

cc Mayor and Aldermen  
City Administrator



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. \_\_\_\_\_

A Bylaw to Regulate and Prohibit the Deposit  
of Soil and Other Material on Land in the City

The Municipal Council of the Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

Definitions.

1. In this bylaw:

"Contaminated soil" means soil which contains any element which creates a risk to the health of persons or animals;

"Deposit" in relation to soil means to bring soil on to a parcel from land other than that parcel;

"Soil" includes, sand, gravel, rock and other substances of which land is composed, and includes other materials contained in a mixture with soil on any land within the City of Port Coquitlam.

Prohibitions

2. No person shall cause or permit the deposit of soil on any land within the City of Port Coquitlam except in accordance with this bylaw.
3. No person shall cause or permit the deposit of contaminated soil.

Permits

4. Any person who proposes to deposit in excess of fifty cubic metres of soil on a parcel of land shall first obtain a permit under this bylaw.
5. Every application for a permit to deposit soil shall be made by the owner of the land on which the soil is to be deposited, or by a person authorized in writing by the owner of the land.
6. An application for a permit to deposit soil shall include:
  - (a) the legal description and street address of the land from which the soil is proposed to be taken;
  - (b) the legal description and street address of the land which the soil is proposed to be deposited;

- (c) the name and address of the person applying for the permit;
  - (d) the name and address of the registered owner of the land on which the soil is to be deposited;
  - (e) the exact location where the deposit is proposed, defined by reference to buildings, structures, improvements and parcel boundaries;
  - (f) the composition and quantity of soil which is proposed to be deposited;
  - (g) the method proposed for deposit of the soil;
  - (h) the dates proposed for commencement and completion of the deposit;
  - (i) the proposed access to and from the land for vehicles carrying soil;
  - (j) measures proposed to prevent personal injury or property damage resulting from the deposit;
  - (k) measures proposed to control erosion, drainage and soil stability;
  - (l) measures proposed to stabilize, landscape and restore the land and soil after the deposit is completed;
  - (m) the location of any affected watercourse, waterworks, ditch, drain, sewer, catch basin, culvert, manhole, right-of-way, public utility or public works and the measures proposed to protect them;
  - (n) the proposed routes to be taken by vehicles transporting soil to the land;
  - (o) measures proposed to minimize or prevent tracking of soil onto City streets; and
  - (p) ~~where the amount of soil to be deposited exceeds 50 cubic metres, the application shall include~~ a current state of title certificate for the land upon which the deposit is proposed.
7. Where the amount of soil is to be deposited exceeds 100 cubic metres, the application shall include a chemical analysis prepared and certified by a qualified technician, confirming that the soil to be deposited is not contaminated.

8. Where the amount of soil to be deposited exceeds 300 cubic metres, the application shall include a survey plan with a one metre contour interval or a grid of spot elevations no more than 5 metres apart, prepared by a British Columbia Land Surveyor and showing:

- (a) the proposed deposit and the form of the land surface before and after the deposit;
- (b) the existing improvements, structures and buildings on the land;
- (c) the methods of draining the land before, during and after the proposed deposit; and
- (d) the location of all services and utilities on or under the land.

9. (1) Where the amount of soil to be deposited exceeds 300 cubic metres and the location of the proposed deposit may be subject to flooding, landslip or subsidence, an applicant for a permit shall obtain the services of a Professional Engineer or Landscape Architect:

- (a) to design plans for
  - (i) accomplishing the proposed deposit,
  - (ii) stabilizing, landscaping, and restoring the land and soil after the deposit, and
  - (iii) protecting any stream or drainage system that will be affected by the proposed deposit.
- (b) to inspect the applicant's implementation of the designs under paragraph (a).

(2) The City Engineer may refer the designs and any written recommendations to the Director of Community Planning, Chief Building Inspector or consultants for advice.

10. The City Engineer shall report to Council on each application for a permit. The issuance of the permit shall be considered by Council and shall be authorized, refused or otherwise dealt with by resolution of Council.

11. The Council may refuse to issue a permit if the deposit of soil:

- (a) may foul or obstruct the flow of any watercourse, ditch, drain or sewer;
- (b) may adversely affect the stability of the land;

- (c) may endanger the health, safety, convenience or welfare of the public;
  - (d) may result in an excessive cost to the City to provide public utilities or other public works or services;
  - (e) may endanger improvements, structures, buildings or their supports;
  - (f) may endanger the stability of the soil by allowing it to become susceptible to erosion, slippage, landslides, slumping, or settling.
  - (g) may disturb, damage, destroy, obstruct, impede or divert the drainage of any area; or
  - (h) may injuriously affect the established amenities of adjacent properties.
12. (1) Every permit shall incorporate the information set out in the application as approved and shall be valid for a period of 6 months from the date of issuance.
- (2) A permit issued under this bylaw shall not be assigned.

#### Permit Fees and Security

13. (1) The fee for a permit under this Part shall be \$50.00, plus \$0.50 for each cubic metre of soil to be deposited in excess of 100 cubic metres.
- (2) Every applicant for a permit to deposit in excess of 100 cubic metres of soil shall deposit with the City a Letter of Credit valid for the duration of the permit in the amount of \$1,000.00 and an additional \$1,000.00 per hectare for every hectare or portion in excess of one hectare proposed to be covered by soil. The Letter of Credit shall be irrevocable and unconditional and shall be security for costs or damages incurred by the City as a result of any breach of this bylaw or damage to a highway or City property.

#### Administration and Enforcement

14. This bylaw shall be administered by the City Engineer.
15. The City Engineer, the Chief Bylaw Enforcement Officer and all City employees under their direction may at all reasonable hours enter upon any land or premises in the City to determine if the provisions of this bylaw are being met.



16. In the event of notice being given of a breach of this bylaw or of the terms of a permit issued under this bylaw, in writing, by the Chief Bylaw Enforcement Officer or the City Engineer to the person committing the breach or the permit holder, no person shall deposit soil or construct structures on the soil until the breach is remedied.
17. Where a breach of this bylaw or of the terms of a permit cause an emergency, including deterioration or failure of a purification facility, blockage of a stream or drainage facility or potential danger to public health or safety, the City Engineer may issue an order of immediate correction of the breach. If the correction of the breach is not immediately commenced and actively pursued by the permit holder, the City may implement corrective measures, the cost of which shall be recovered from the security posted by the permit holder.
18. Where soil is deposited in contravention of this bylaw by or on behalf of an owner of land and the owner fails or neglects to remove the soil within 10 days of notice in writing to do so from the City Engineer, the City may by its employees or contractors enter the land and remove the soil at the expense of the owner.
19. The Council may suspend or revoke a permit under this bylaw if the permit holder violates any of the provisions of this bylaw or any of the terms of the permit.

#### Penalty

20. Every person who violates any provision of this bylaw or fails to comply with any permit issued under this bylaw commits an offence punishable on summary conviction and shall be liable to a fine not exceeding \$10,000.00.

#### Severability

21. If any section or lesser provision of this bylaw is held invalid, the validity of the remaining provisions of this bylaw shall not be affected.

#### Citation

22. This Bylaw may be cited for all purposes as the "Soil Deposit Regulation Bylaw, 1990, No. \_\_\_\_\_".

READ A FIRST TIME by the Municipal council this                      day of                      ,  
1990.

READ A SECOND TIME by the Municipal Council this                      day of                      ,  
1990.

READ A THIRD TIME by the Municipal Council this      day of  
1990.

RECONSIDERED AND FINALLY PASSED AND ADOPTED by the Municipal Council of the  
Corporation of the City of Port Coquitlam, this day of      , 1990.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

GA/2070

**LIDSTONE, YOUNG, ANDERSON**  
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DATE: July 10, 1991  
TIME: 3:35  
FILE REF: 19-229

CITY OF PORT COQUITLAM		
ENGINEERING DEPT.		
JUL 10 1991		
FILE #		
TO	FROM	DATE

TELECOPY MESSAGE

TO: Mr. K. Gaudry  
FIRM: City of Port Coquitlam  
TELECOPIER PHONE: 19  
FROM: Grant Anderson

LIDSTONE, YOUNG, ANDERSON  
BARRISTERS AND SOLICITORS

NUMBER OF PAGES BEING SENT INCLUDING COVER SHEET: 3

OUR TELECOPIER EQUIPMENT IS A XEROX 7021.

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MESSAGE, PLEASE CONTACT Patricia Bosa AT  
(604) 689-7400.

*Please make copies for Committee meeting*

Telecopy

M E M O R A N D U M

TO: Kip Gaudry, P. Eng.  
Deputy City Engineer

FROM: Grant Anderson

DATE: July 10, 1991

SUBJECT: PORT COQUITLAM re Regulation of Soil Deposits  
Our File No. 19-229

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The following statutes and regulations are relevant to the deposit of soil within the City:

1. Waste Management Act, Special Waste Regulation. This Regulation applies throughout the province to soil which is a "special waste" by virtue of the fact that its leachate may exceed the contamination levels permitted under the Regulation.

The provincial government does not regulate removal, transfer or deposit of soil which is not "special waste". Soil must be substantially contaminated before a provincial permit and manifest are required for its relocation.

The "British Columbia Standards for Managing Contamination of the Pacific Place Site" are simply policies developed by the Ministry of Environment and have no application to land in the City.

2. Municipal Act, section 930.1. This Section empowers Council, by bylaw, to regulate or prohibit the deposit of soil or other material on any land in the municipality (excluding land owned by the provincial or federal governments). Different regulations and prohibitions may be made for different areas.

Section 930.1 also authorizes Council to require a permit for the deposit of soil or other material and to impose fees which vary according to the quantity of soil deposited. Fees must be approved by the Minister of Municipal Affairs.

3. Municipal Act, section 527(i). Under this Section, Council may "regulate the delivery of earth, sand and gravel" and "prohibit their delivery within the municipality except in accordance with any provision in the bylaw". The bylaw may provide for inspection or approval of the vehicle or container in which delivery is made.



4. In extreme cases, provincial regulations under the Health Act or provisions of a health bylaw enacted by Council under Section 692 of the Municipal Act may be applicable. However, soil is rarely so contaminated as to present an immediate, visible hazard to health.

GA/4155

THE CORPORATION OF THE  
CITY OF PORT COQUITLAM

MEMORANDUM

TO: B. R. Kirk  
City Administrator

FROM: C.F. (Kip) Gaudry, P. Eng.  
Deputy City Engineer

SUBJECT: Soil Removal Bylaw  
(Environmental Protection Committee, September 11, 1991)

DATE: September 13, 1991

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Recommendation:

For information and presentation to full Committee.

Background & Comments:

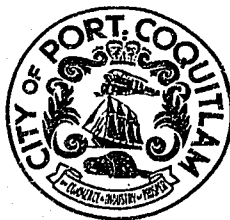
The status of the Soil Removal Bylaw was discussed at the Environmental Protection Committee Meeting September 11, 1991. In general, the Engineering Department is still working out the final details for presentation of the Bylaw to Council, but we did obtain some specific information from the Solicitor, Mr. Grant Anderson. It is contained in the attached letter and outlines status of Soil Removal Bylaws in the United States as well as the status of our Bylaw to Provincial and Federally owned lands.

The EPC has asked that I present this information at the next full Committee Meeting so that Mayor and Council are up to date on this information.

  
C.F. (Kip) Gaudry, P. Eng.  
Deputy City Engineer

CFG:gc  
Attachment

cc: Alderman J. Keryluk  
I.R. Zahynacz, P. Eng., City Engineer



OUR FILE

## THE CORPORATION OF THE CITY OF PORT COQUITLAM

2580 SHAUGHNESSY STREET  
PORT COQUITLAM, B.C.  
V3C 2A8

TELEPHONE: 941-5411  
FAX: 464-3524

EPC

June 21, 1991

MR. GRANT ANDERSON, ESQ.  
Lidstone, Young, Baker, & Anderson  
#1414-808 Nelson Street  
Box 12147, Nelson Square  
Vancouver, BC  
V6Z 2H2

Dear Mr. Anderson:

**RE: Soil Deposit Bylaw**

Further to our discussion of June 19, 1991, I have been directed by the Environmental Protection Committee to invite you to our meeting of July 10, 1991 at 5:00 p.m. in the Heritage Room of City Hall. Purpose of the meeting will be to discuss strategy and direction for the finalization for the City's Soil Deposition/Removal Bylaw. Further, we would like to discuss the possible inclusion of the Pacific Place Standards as adopted by the Ministry of Environment into the Bylaw and to try and stop all contaminated material from outside of the Municipality coming within the Municipality.

Members of Council and staff will be at the meeting for these discussions. Please call and confirm your attendance.

Yours truly,

C.F. (Kip) Gaudry, P. Eng.  
Deputy City Engineer

CFG:gc

cc:

Mayor Trauboulay  
Alderman J. Keryluk, Chairman  
Alderman R. Talbot  
B.R. Kirk, City Administrator  
I.R. Zahynacz, P. Eng., City Engineer