



# Corporate Report

NO: R078

COUNCIL DATE: April 18, 2005

---

## REGULAR COUNCIL

TO: Mayor & Council                      DATE: **April  
14,  
2005**

FROM: General Manager,  
Engineering                      FILE: 0350-20, 3900-  
20

SUBJECT: Amendments to Surrey By-laws 13007, 13150 and 3052  
and Other City Initiatives for Improved Litter Control  
and City Clean-Up

---

## RECOMMENDATION

It is recommended that Council:

1. Approve amendments, as documented in this report, to the relevant Surrey By-laws pertaining to:
  - a. The clean-up of litter along property frontages;
  - b. The removal of litter on private property; and
  - c. The required use of garbage cans (versus bags) for the residential curbside garbage collection service program.
2. Authorize the City Clerk to bring forward the necessary amendment by-laws for the required readings.

## INTENT

The purpose of this report is to obtain Council approval to enhance current by-laws relating to the responsibility of Surrey private property owners for the removal of litter within private property boundaries and lot frontages and the containment of curbside garbage in waste cans (instead of garbage bags) to prevent the scattering of litter along Surrey Rights-Of-Way. These efforts are being recommended as part of a three-pronged approach that the Engineering Department has been taking towards reducing the amount of street side litter that is currently being generated from private property owners (households and businesses) which includes:

- a) Education
- b) Community Involvement
- c) Enforcement

The recommended by-law enhancements will serve to strengthen the “enforcement” aspect of the Engineering Department's approach.

## EDUCATION AND COMMUNITY INVOLVEMENT

Over the course of the past several years, Surrey has been increasingly challenged with issues relating to litter management along City Rights-Of-Way. In response, the Engineering Department has increased its capacity to deal with urban litter by introducing initiatives such as the Adopt-A-Street Program, education in school initiatives (Surrey Recycling Education program) and through various contracts focused specifically at dealing with litter education and additional litter pick up. These efforts have been supplemented with anti-litter advertising campaigns conveyed through various media such as such as the annual garbage and recycling calendar, City website and local newspapers.

Despite these efforts, the City continues to face challenges in managing litter particularly that which stems from private properties (single unit households Multi-family complexes and businesses). In many instances, this litter problem originates from curbside trash that is not adequately contained or by uncovered and/or overflowing or unlocked garbage receptacles used by businesses or multi-family complexes. The problem is made worse where the receptacle is visible from the street and the litter creates issues of unsightliness. Inevitably, litter that overflows or is spilt out of un-locked receptacles spreads through neighbourhoods via scavengers (i.e. birds, rodents, etc) or via strong wind. By-law amendments, in addition to those identified in Appendix 1, will be brought forward to require that all garbage containers be locked.

## ENFORCEMENT

At present, City by-laws exist that address the above problems. However, some modification to these by-laws are required, along with an increased measure of public education, in order to improve the City's ability to adequately address these issues from the *education, enforcement and abatement* perspective.

For example, By-law 13150 states that a property owner must be served notice by the City via registered mail directing clean-up of his/her property within a thirty (30) day period. While this by-law provides a reasonable time frame for removal of large items or unsightly vegetation, the thirty (30) day period is excessive for issues relating to the clean up of litter. The result is usually that portions of the litter blow off the property onto adjacent properties or City rights-of way creating an unsightly situation on the streets. It is suggested that the by-law be amended to allow only a forty-eight (48) hour notice for the clean-up of litter with failure to comply resulting in the clean-up by City crews at the sole cost of the property owner.

In addition, By-law 13007 states that it is the responsibility of the property owner to maintain their frontages free of litter and debris. However, this by-law is usually engaged in instances where litter/debris issues are excessive. As a result, public perception is such that general litter pick-up along property frontage is solely the responsibility of the City.

At present, citation notices are served solely via members of the By-law and Licensing Division. However, given the nature of the violation and the impact to City streets, the authority to serve notice should be extended to the City's Engineering-Operations employees or specifically designated contractors (i.e. commissionaires).

The proposed By-law amendments as outlined in Sections 1 & 2 of Appendix 1 will help address these overall enforcement issues.

## CURBSIDE GARBAGE COLLECTION

## **Garbage Cans versus Bags**

It is recommended that the City revise its present "Sanitation By-Law" to allow for the disposal of weekly garbage through the use of garbage cans only. The use of cans with lids will help to reduce the instances of scattered litter that often occurs with torn garbage bags (from dogs, birds, etc). It is suggested that a "soft" approach be taken towards this by-law where residents would be allowed a one-year transition period from garbage bags to cans. Citations would not be served unless a distinct problem existed with any given household and/or area. The by-law amendment proposed is as outlined in Section 3 in Appendix 1.

## **Rear-lane Garbage Collection**

In order to minimize the visual impact of litter originating from residential curbside garbage, it is recommended that garbage collection along the City's arterial routes be changed to allow for collection in rear lanes wherever possible. Engineering staff will identify all routes and correspond with property owners in this regard to ensure awareness and understanding for this change.

# **PUBLIC AWARENESS**

As noted previously, public awareness and education regarding property owner responsibility and City by-law requirements will be provided to the Surrey public via local newspapers and the City Website. In addition, by-laws pertaining to litter abatement will be reflected in the 2006 Garbage & Recycling Collection Calendar.

It is recommended that the public awareness campaign be sustained over several months commencing this spring, combined with an increased level of enforcement during the same period, in order to effectively entrench these changes.

The public awareness campaign will commence with a news release announcing the by-law changes, followed by newspaper advertisements that will run for the duration of the enforcement period. Examples of the advertisements are provided in Appendixes 2 & 3.

# **REQUIRED TRUCK TARPING FOR LOOSE LOADS**

Another significant contributor to street side litter comes from materials blowing off the back of trucks stemming from private pick ups to large commercial vehicles. The City's Highway and Traffic By-law presently contains a provision requiring motorists to apply cover for loose loads which will prevent from the spilling of materials onto the roadway.

It is recommended that strict and sustained enforcement of this by-law be engaged during the public awareness campaign period.

## **OTHER CITY PROGRAMS**

While the emphasis of this report is to enhance City by-laws and enforcement as they pertain to private property and garbage collection services, the City looks to further reduce litter by increasing the number of garbage receptacles within town centres and bus stop locations and enforce the current by-law which requires commercial and private garbage containers to be locked.

In addition, two further pilot initiatives will be implemented over the summer months to further reduce litter in the

City Centre area.

1. Engineering Operations staff will be reviewing garbage cans in a daily basis throughout the City core area (twice daily at SkyTrain stations). While the receptacles may not be full, we feel that more collection will reduce the amount of streetside litter generated from scavenging. Extension of the program beyond the summer months will be dependent on the impact of this litter reduction initiative.
2. The City will engage additional high school and college students for a pilot clean-up program this summer targeting:
  - graffiti removal from public infrastructure;
  - partnering with BC Hydro in cleaning and painting hydro kiosks and graffiti and poster removal from poles through out the City;
  - deliver litter education information to residents in key areas throughout the City similar to successes achieved under the SHaRP Program initiatives.

## CONCLUSION

In the past several years, the City has been challenged with an increasing level of street side litter despite public awareness efforts, voluntary clean-up programs and increased operations-related clean-up initiatives.

In Surrey, a large amount of street side litter is generated from private properties (households and businesses) and untarped trucks. This report recommends that current City by-laws be enhanced and enforced through strict and sustained measures to ensure greater responsibility in litter abatement on the part of the private Surrey property owners and truck drivers. In addition, it is recommended that these enforcement efforts be supplemented via a public awareness campaign, as well as additional litter clean-up related to Engineering Operations initiatives, to ensure greater success in entrenching these changes in the Surrey public.

Paul Ham, P. Eng.,  
General Manager, Engineering

PH/RAC/kjj/brb  
Appendixes

g:\wp-docs\2005\administration\04111146rac.doc  
BRB 4/18/05 10:56 AM

## APPENDIX 1

### BY-LAW AMENDMENTS:

As per the above, it is recommended that the following changes be implemented:

1. **Amend By-law 13150 Surrey Community Improvement and Unsightly Property as follows (this By-law pertains to private properties):**

#### **Add a definition for “Engineer”:**

means the Manager of the Engineering Department for the City, or designates.

#### **Add a definition for “Litter”:**

means substances, excluding toxic, biomedical or hazardous materials, of no apparent economical value, that can be discarded into a standard household waste container or garbage bag or bags.

**Amend definition of “Unsightly”, clause (a), by adding “litter,” after “filth”.**

**Amend Section 10 to add subsection (d); and move the “; or” from (b) to (c):**

(d) clear the property of litter.

**Amend Section 10 by adding “or Engineer” after “Inspector”.**

**Change Section 11(1) by changing “Section 10” to “Section 10(a), (b) or (c)”.**

**Amend Section 11 by renumbering Section 11 to Section 11(1) and add subsection (2):**

(2) The notice served by **the Engineer** pursuant to Section 10 (d) shall state:

- (a) the civic address of the property;
- (b) the particulars of the unsightliness or non-compliance to be remedied;
- (c) that the unsightliness or non-compliance must be remedied within **48 hours** of the date of notice;
- (d) that if the owner or occupant fails to comply with the notice, the City will proceed to carry out the work required, and the cost of such work will be added to the taxes of the property, and the owner or occupant may be subject to prosecution for an offence under this By-law.

**Amend Section 12 by adding “or Engineer” after “Inspector”.**

**2. Amend By-law 13007 Highway and Traffic, by adding Section 80 (4) (this by law pertains to public property)**

(4) Where the owner or occupier of a parcel of real property is served with a notice to comply with Section 80(3)(a) or (b), remediation will be required within a 48 hour period of having been served notice. If the owner or occupier fails to comply with the notice within that time, the City may levy a fee equal to the actual cost of cleanup with a minimum of \$75.00 on the owner or occupier.

**3. Amend By-law 3052 Surrey Sanitation by replacing Section 2 (a) as follows: (this by law pertains curbside garbage receptacles):**

- 2. (a) Every owner of land and premises within the City of Surrey shall provide and maintain in good and sufficient order and repair on and for such land or premises, galvanized metal, plastic or rubber, water tight receptacles, each being circular in design, provided with handles and tight fitting covers, and having a capacity not greater than two and one-half cubic feet, with a diameter of not more than twenty-four inches and a depth of not more than thirty inches. No such receptacle shall weigh more than twenty-three kilograms including container and contents, when placed for pickup by the City's garbage collection service. There shall be provided on such land or for such premises at all times a sufficient number of such receptacles to contain all garbage from such land or premises.

g:\wp-docs\2005\administration\04111146rac.doc  
BRB 4/18/05 10:56 AM