

# **GVRD AIR QUALITY MANAGEMENT BYLAW NO. 1082, 2008**

## **UNOFFICIAL CONSOLIDATION**

This is a consolidation for reference purposes only

- GVRD Air Quality Management Bylaw No. 1082, 2008  
*(Adopted July 25, 2008)*
- MVRD Air Quality Management Amending Bylaw No. 1308, 2020  
*(Adopted May 29, 2023)*

As of May 29, 2020

**ORIGINAL BYLAWS CAN BE INSPECTED  
AT THE BOARD AND INFORMATION SERVICES DEPARTMENT  
AT THE METRO VANCOUVER HEAD OFFICE**

**GREATER VANCOUVER REGIONAL DISTRICT  
BYLAW NO. 1082, 2008**

**WHEREAS:**

- A. the Greater Vancouver Regional District is authorized to prohibit, regulate and otherwise control and prevent the discharge of air contaminants;
- B. the *Environmental Management Act* authorizes the Greater Vancouver Regional District Board to establish different prohibitions, regulations, rates or levels of fees, conditions, requirements and exemptions for different persons, operations, activities, industries, trades, businesses, air contaminants or works, and for different classes of persons, operations, activities, industries, trades, businesses, air contaminants or works;
- C. the Greater Vancouver Regional District has enacted *Air Quality Management Bylaw No. 937, 1999, Air Quality Management Amending Bylaw No. 967, 2001, and Air Pollution Control Bylaw No. 603*; and
- D. it is deemed desirable to rescind *Air Quality Management Bylaw No. 937, 1999, Air Quality Management Amending Bylaw No. 967, 2001 and Air Pollution Control Bylaw No. 603* and replace them with *Air Quality Management Bylaw No. 1082, 2008*.

**NOW THEREFORE** the Board of Directors of the Greater Vancouver Regional District in open meeting duly assembled enacts as follows:

**GENERAL**

- 1 This Bylaw may be cited for all purposes as “Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008.”
- 2 References in this Bylaw to enactments include the enactment as amended from time to time.

**INTERPRETATION**

- 3 (1) In this Bylaw, terms defined in the Environmental Management Act, have the same meanings for the purpose of this Bylaw, unless otherwise defined herein or the context otherwise requires.

(2) In this Bylaw the following definitions apply:

“**air**” means the atmosphere but does not include the atmosphere inside

- (a) a human-made enclosure that is not open to the weather;
- (b) an underground mine; or
- (c) a place exempted by order of the Lieutenant Governor in Council pursuant to the Environmental Management Act or the regulations thereunder;

“**air contaminant**” means any substance that is emitted into the air and that

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with visibility;

- (d) interferes or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person; or
- (f) damages or is capable of damaging the environment;

**“Appeal Board”** means the Environmental Appeal Board established under the Environmental Management Act;

**“approval”** means an approval issued by the district director under section 13 of this Bylaw;

**“assistant district director”** means a person appointed as an “assistant district director” by the Board under section 31 of the Environmental Management Act;

**“Board”** means the Board of Directors of the Greater Vancouver Regional District;

**“certified observer”** means a person who is certified under a training program that meets the requirements of the United States Environmental Protection Agency Method 9 for opacity measurement;

*Replaced by Bylaw 1308, 2020*

**“comfort heating device”** means a boiler or furnace which discharges to the air and which is used as a space heating appliance in residential, commercial, institutional or industrial premises but does not include a residential indoor wood burning appliance;

**“District”** means the Greater Vancouver Regional District;

**“district director”** means a person appointed as “district director” by the Board under section 31 of the Environmental Management Act, and includes an assistant district director;

**“emission regulation”** means a regulation established by the Board pursuant to section 26 of this Bylaw;

**“environment”** means air, land, water and all other external conditions or influences under which humans, **animals and plants live or are developed**;

**“Environmental Management Act”** means the Environmental Management Act SBC 2003, chapter 53;

**“gasoline”** means a petroleum distillate and/or a mixture of petroleum distillates and oxygenates, ethanol, methanol and other additives and compounds intended for use in automotive or marine internal combustion engines and having a Reid vapour pressure greater than 48 kPa, but does not include methane, ethane or propane;

**“minister”** means the minister charged with the administration of the Environmental Management Act;

**“motor vehicle”** means a motor vehicle as defined in the Motor Vehicle Act RSBC 1996, chapter 318, and includes a motorcycle as defined therein;

**“officer”** means any person appointed by the Board pursuant to section 31(2) of the Environmental Management Act to be an officer;

**“opacity”** means the degree to which the discharge of an air contaminant reduces the passage of light or obscures the view of a background object as determined by a certified observer

and expressed numerically from 0 per cent (transparent) to 100 per cent (opaque), averaged over a 6-minute period, **measured at the point of discharge into the air;**

**“order”** means any order made or given under this Bylaw;

**“permit”** means a permit issued by the district director under section 11 of this Bylaw;

**“person”** includes an individual, firm, company, association, society, partnership, sole proprietorship, corporation or local government;

**“pollution”** means the presence in the environment of substances or contaminants that substantially **alter or impair the usefulness of the environment;**

*Added by Bylaw 1308, 2020*

**“residential indoor wood burning appliance”** has the same meaning as defined in the “Metro Vancouver Regional District Residential Indoor Wood Burning Emission Regulation Bylaw No. 1303, 2020”;

**“service station”** means a facility situated within the area of the Greater Vancouver Regional District used for the purpose of storing and dispensing gasoline to motor vehicles or vessels, and includes retail service stations, cardlock service stations or fleet refuelling stations but does not include

- (a) a facility located on a farm used solely for the fuelling of farm vehicles and equipment, and
- (b) a facility that is used solely for fuelling motor vehicles and equipment used only within the confines of the site where the facility is located;

**“works”** includes an installation, plant, machinery, equipment, land, structure or process that:

- (a) causes or may cause the introduction of an air contaminant into the environment or the release of a substance that may cause pollution;
  - (b) is designed or used to measure or control the introduction of an air contaminant into the environment or to measure or control a substance that is capable of causing pollution; or
  - (c) is used to monitor pollution or an air contaminant
- (3) For the purposes of the definition of an air contaminant, it is not necessary to prove:
- (a) that the air contaminant, if diluted at or subsequent to the point of discharge, continues to be capable of harming, injuring or damaging a person, life form, property or the environment, or
  - (b) the actual presence of a person who, or a life form that, is capable of being harmed or injured by the discharge of the air contaminant.

## **APPLICATION**

**4** This Bylaw applies to air emissions from:

- (1) industries, trades and businesses whether or not they are prescribed under the Environmental Management Act or its regulations;

- (2) activities and operations whether or not they are prescribed under the Environmental Management Act or its regulations; or
- (3) industries, trades, businesses, activities, operations and residences whether or not they are described in subsection 6(5) of the Environmental Management Act.

## **PROHIBITIONS**

- 5** Subject to section 7, no person may in the course of conducting an industry, trade or business of whatsoever kind or nature discharge or allow or cause the discharge of any air contaminant.
- 6** Subject to section 7, no person may dispose of waste by incineration or burning.
- 7** Subject to section 10, nothing in section 5 or 6 prohibits the discharge of an air contaminant where
  - (1) the discharge is conducted strictly in accordance with the terms and conditions of an emission regulation;
  - (2) the discharge is conducted strictly in accordance with the terms and conditions of a valid and subsisting permit, approval or order;
  - (3) the discharge is from a natural gas or propane-fired boiler or furnace with an input less than 0.1 MW that is used solely for comfort heating in residential, commercial, institutional or industrial premises;
  - (4) the discharge is from burning of leaves, foliage, weeds, crops or stubble in compliance with the Weed Control Act RSBC 1996, chapter 487;
  - (5) the discharge is from the use of pesticides or biocides for agricultural, residential or forestry purposes in compliance with the Integrated Pest Management Act SBC 2003, chapter 58, the Pest Control Products Act (Canada) and any other act and regulation governing their use;
  - (6) the discharge is from fires set or controlled by a person:
    - (a) acting under an order of a local assistant, as defined in the Fire Services Act RSBC 1996, chapter 144, if the local assistant orders the fires for training purposes;
    - (b) carrying out fire control under section 9 of the Wildfire Act SBC 2004, chapter 31; or
    - (c) if the fires are resource management open fires under the Wildfire Act SBC 2004, chapter 31, and are lit, fuelled or used in accordance with that Act and the regulations under that Act.
  - (7) the discharge consists of emissions into the air of soil particles or grit in the course of agriculture or horticulture;
  - (8) the discharge results from food preparation in residential premises;
  - (9) the discharge is from steam powered or internal combustion engines in compliance, if applicable, with the Motor Vehicle Act RSBC 1996, chapter 318, and regulations;
  - (10) the discharge is from solid or liquid waste management activities or works owned or operated by a regional district or municipality that are in compliance with a waste

- management plan under the Environmental Management Act;
- (11) the discharge of air contaminants is strictly in accordance with the Antisapstain Chemical Waste Control Regulation (B.C. Reg. 300/90); or
  - (12) the discharge is restricted to less than 100 kilograms per day of carbon monoxide, and less than 5 kilograms per day of each of the following: nitrogen oxides (expressed as nitrogen dioxide); and sulphur oxides (expressed as sulphur dioxide);
  - (13) A person who claims that any of subsections (1) (12) apply to that person has the onus of establishing that those subsections apply to that person.

*Replaced by Bylaw 1308, 2020*

- 8** No person may discharge, or cause, permit or allow the discharge of any air contaminant into the environment from a residential indoor wood burning appliance unless such discharge is conducted strictly in accordance with the Metro Vancouver Regional District Residential Indoor Wood Burning Emission Regulation Bylaw No. 1303, 2020.
- 9** Without limiting any other provisions of this Bylaw no person may operate a service station which is capable of fueling two or more motor vehicles at the same time unless the service station operates strictly in accordance with the Greater Vancouver Regional District Gasoline Distribution Emission Regulation.
- 10** Notwithstanding any other provision in this Bylaw no person may discharge or allow or cause the discharge of any air contaminant so as to cause pollution.

## **PERMITS AND APPROVALS**

### **Permits**

- 11** The district director may issue a permit to allow the discharge of an air contaminant subject to requirements for the protection of the environment that the district director considers advisable and without limiting the generality of the foregoing the district director may do one or more of the following in the permit:
  - (1) place limits and restrictions on the quantity, frequency and nature of an air contaminant permitted to be discharged and the term for which such discharge may occur;
  - (2) require the holder of a permit to repair, alter, remove, improve or add to works or to construct new works and to submit plans and specifications for works specified in the permit;
  - (3) require the holder of a permit to give security in the amount and form and subject to conditions the district director specifies;
  - (4) require the holder of a permit to monitor, in the manner specified by the district director, an air contaminant, the method of discharging the air contaminant and the places and things that the district director considers will be affected by the discharge of the air contaminant;
  - (5) require the holder of a permit to conduct studies, keep records and to report information specified by the district director in the manner specified by the district director;
  - (6) specify procedures for sampling, monitoring and analyses, and procedures or

requirements respecting the discharge of an air contaminant that the holder of a permit must fulfill.

### **Approvals**

- 12** The district director may approve the introduction of air contaminants into the environment for a period of up to 15 months without issuing a permit.
- 13** The district director may issue an approval subject to requirements for the protection of the environment that the district director considers advisable and, without restricting that power, may include as a requirement anything referred to in section 11.

### **Amendment of Permits and Approvals**

- 14** The district director may
- (1) on the district director's own initiative where the district director considers it necessary for the protection of the environment, or
  - (2) on application by a holder of a permit or an approval,
- amend the requirements of the permit or approval by deleting, changing or imposing any procedure or requirement that was imposed or could have been imposed under section 11.
- 15** If a permit or an approval is subject to conditions imposed pursuant to a decision made in an appeal to the Appeal Board those conditions must not be amended except
- (1) by the Appeal Board; and
  - (2) after the Appeal Board has given the parties an opportunity to be heard on the question of whether the conditions should be amended
- 16** A district director may renew an approval before or after the end of the term of the approval.
- 17** A district director may not renew an approval if the term of the approval and the term of renewal, when taken together, would exceed 15 months.
- 18** If a district director is considering amending a permit or approval the district director may require that the holder of the permit or approval supply the district director with plans, specifications and other information.
- 19** If a district director amends a permit or approval on the district director's own initiative, the district director must give the holder of the permit or approval notice in writing of the amendment and publish notice of the amendment in accordance with section 25.
- 20** The district director may give the notice of amendment by electronic means to an address provided by the holder of the permit or approval.

### **Suspension or Cancellation of Permits or Approvals**

- 21** (1) The Board or the district director may, by notice served on the holder of a permit or approval:
- (a) suspend the permit or approval for any period, or
  - (b) cancel the permit or approval.

- (2) A notice served under subsection (1) must state the time at which the suspension or cancellation is to take effect.
- (3) The authority conferred by subsection (1) may be exercised by the Board in any of the following circumstances:
  - (a) a holder of a permit
    - (i) fails to complete construction of works specified in the permit within the time specified in the permit or, if no time is specified in the permit, within a time the Board considers reasonable, not exceeding 3 years after issuance of the permit, or
    - (ii) does not exercise any rights under the permit for a period of 3 years;
  - (b) a holder of a permit or approval fails to comply with the terms of the permit or approval;
  - (c) a holder of a permit or approval fails to comply with an order issued under this Bylaw and related to the subject matter of the permit or approval;
  - (d) a holder of a permit or approval or the holder's agent has made or makes a material misstatement or misrepresentation in the application for the permit or approval or in the information required under this Bylaw with respect to the permit or approval;
  - (e) a holder of a permit or approval fails to comply with any other requirements of this Bylaw;
  - (f) a permit or an approval conflicts with or is replaced by:
    - (i) a waste management plan approved by the minister;
    - (ii) the Environmental Management Act or the regulations under the Environmental Management Act;
    - (iii) this Bylaw, as amended; or
    - (iv) any other enactment of the District, the Greater Vancouver Sewerage and Drainage District, or the Greater Vancouver Water District;
  - (g) a permit or approval is replaced by an emission regulation;
  - (h) a permit or approval is not, in the opinion of the Board, in the public interest.
- (4) The authority conferred by subsection (1) may be exercised by the district director in any of the circumstances referred to in subsection (3)(a), (f) and (g).
- (5) In addition to the authority conferred by subsection (1), the district director may, without notice to the holder of a permit or approval,
  - (a) suspend a permit or approval for the length of time requested if the holder requests that the permit or approval be suspended, or
  - (b) cancel a permit or approval if the holder of the permit or approval
    - (i) dies,
    - (ii) is a corporation that is liquidated, dissolved or otherwise wound up or is an



extraprovincial company within the meaning of the Business Corporations Act SBC 2002, chapter 57, that has had its registration cancelled under Part 11 or 12 of that Act,

- (iii) is a partnership that is dissolved, or
- (iv) requests that the permit or approval be cancelled.

**22** For certainty, a permit or approval that is suspended or cancelled is not a valid and subsisting permit or approval.

#### **Reinstatement of suspended permits or approvals**

**23** Upon request by the holder of a suspended permit or approval the district director may reinstate a suspended permit or approval.

#### **Transfers of Permits or Approvals**

**24 (1)** A transfer of a permit or approval is without effect unless the district director has consented in writing to the transfer.

- (2) Despite subsection (1), the district director may consent to a transfer by electronic means to an address provided by the holder of the permit or approval.

#### **Public Notification**

**25** The practices and procedures of Public Notification Regulation (B.C. Reg. 202/94) apply to the application for and the issuance of and amendment of permits and approvals.

#### **EMISSION REGULATIONS**

**26 (1)** The Board may enact bylaws, that may be described and cited for all purposes as emission regulations, prescribing different prohibitions, conditions, requirements, exemptions and rates or levels of fees

- (a) for different persons, operations, activities, industries, trades, businesses, air contaminants or works, and
- (b) different classes of persons, operations, activities, industries, trades, businesses, air contaminants or works

for the purpose of prohibiting, regulating, controlling, or preventing the discharge of air contaminants.

- (2) Any bylaw that states that it is deemed to be an integral part of this bylaw must be deemed to be an integral part of this bylaw.

#### **ORDERS**

##### **Information Orders**

**27 (1)** For the purpose of determining whether there are grounds for making a pollution prevention order under section 28 or a pollution abatement order under section 29, the district director may order a person who is conducting an industry, trade or business to provide to the district director the information described in subsection (2) that the district director requires;

- (2) An order under subsection (1) must be served on the person to whom it applies and may require the person to provide, at his or her own expense, information relating to
  - (a) the operations or activities of the industry, trade or business, or
  - (b) substances used, stored, treated or introduced or caused or allowed to be introduced into the air in the course of the industry, trade or business.
- (3) Information required by an order under this section must be provided within the time and in the manner specified in the order.
- (4) For the purposes of this section, "**person**" does not include a municipality.
- (5) An order under this section may be issued to any person whether or not that person:
  - (a) is a holder of a permit or approval under the Environmental Management Act or this Bylaw;
  - (b) owns or operates facilities or works regulated by an emissions regulation bylaw enacted by the Greater Vancouver Regional District; or
  - (c) is exempt from Environmental Management Act section 6(2), 6(3) or section 5 of this Bylaw.

### **Pollution Prevention Orders**

- 28** (1) If the district director is satisfied that an activity or operation has been or is being performed by a person in a manner that is likely to release a substance that may cause pollution, the district director may order a person referred to in subsection (2), at that person's expense, to take steps to prevent the pollution including but not limited to one or more of the following:
- (a) provide to the district director information the district director requires relating to the activity, operation or substance;
  - (b) undertake investigations, tests, surveys or any other action the district director considers necessary to prevent the pollution and report the results to the district director;
  - (c) acquire, construct or carry out any works or measures that are reasonably necessary to prevent the pollution;
  - (d) adjust, repair or alter any works to the extent reasonably necessary to prevent the pollution.
- (2) An order made under subsection (1) may be served on one or more of the following persons:
- (a) a person who, individually or with others, previously had or now has possession, charge or control of the substance;
  - (b) a person who, individually or with others, previously did anything, or who is now doing anything, which may cause the release of the substance;
  - (c) a person who, individually or with others, previously owned or occupied, or now owns or occupies the land or improvements to the land from which the substance is likely to be released;
  - (d) a person who, individually or with others, causes or authorizes, directly or indirectly, in

whole or in part, the release of the substance.

- (3) An order made under subsection (1) may authorize a person or persons designated by the district director to enter land for the purpose of preventing the pollution.
- (4) For the purposes of this section, "**person**" does not include a municipality.

### **Pollution Abatement Orders**

- 29** (1) If the district director is satisfied that a substance is causing pollution or has caused pollution and is likely to cause pollution in the future, the district director may order any of the following persons to do any of the things referred to in subsection (2):
- (a) a person who, individually or with others, previously had or now has possession, charge or control of the substance;
  - (b) a person who, individually or with others, previously did anything, or who is now doing anything, which is causing the release of the substance;
  - (c) a person who, individually or with others, previously owned or occupied, or now owns or occupies the land or improvements to the land from which the substance is being released;
  - (d) a person who, individually or with others, causes or authorizes, directly or indirectly, in whole or in part, the release of the substance.
- (2) An order under subsection (1) must be served on the person to whom it applies and may require that person, at his or her own expense, to take steps to control, abate or stop the pollution including but not limited to one or more of the following:
- (a) provide to the district director information that the district director requires relating to the pollution;
  - (b) undertake investigations, tests, surveys and any other action the district director considers necessary to determine the extent and effects of the pollution and to report the results to the district director;
  - (c) acquire, construct or carry out any works or measures that are reasonably necessary to control, abate or stop the pollution;
  - (d) adjust, repair or alter any works to the extent reasonably necessary to control, abate or stop the pollution;
  - (e) abate the pollution.
- (3) An order under subsection (1) may authorize any persons designated by the district director to enter land for the purpose of controlling, abating or stopping the pollution.
  - (4) A district director may amend or cancel an order made under this section.
  - (5) The powers given by this section may be exercised even though the introduction of the substance into the environment is not prohibited under this Bylaw and despite the terms of any permit, approval or emission regulation.
  - (6) For the purposes of this section, "**person**" does not include a municipality.

## **Preventing and Abating Municipal Pollution**

- 30** The Board may with respect to a municipality, exercise the powers that the district director may exercise under sections 28 and 29 (pollution prevention and abatement orders) in relation to other persons.

## **INSPECTION, MONITORING AND RECORDS**

- 31** No person may remove, tamper with or otherwise interfere with the operation of any instrument, equipment or process for the purpose of measuring or monitoring air contaminants.
- 32** The district director and officers may exercise all the powers authorized under section 109 of the Environmental Management Act.
- 33** (1) The owner or operator of any works discharging substances to the air must provide reasonable access to enable the district director or a person authorized by him to carry out inspections or to conduct tests to determine whether there has been compliance with this Bylaw.
- (2) Without limiting the generality of the foregoing, an owner or operator of any works described in subsection (1) must at that person's expense, modify or allow the modification of works, the construction or installation of platforms, ladders, access points or other appurtenances to facilitate or improve access for the purpose of conducting inspections or tests.

## **FEES AND COSTS**

- 34** The Board may from time to time establish fees payable by persons who discharge air contaminants.
- 35** The District may recover from any person the District's costs of doing anything that that person is obliged to do under this Bylaw, permit, approval, order, or emission regulation.
- 36** An application for a permit or approval or an amendment to an existing permit or approval must be accompanied by the applicable application fees. Application fees are not refundable by reason only that a permit, approval or amendment is not issued.
- 37** Annual fees for a calendar year may be invoiced at any time during or after the calendar year unless otherwise required by this Bylaw.
- 38** If the fees pertaining to a permit or approval are not received by the District within 75 days of the date on which the District's invoice is issued, then the permit or approval is suspended. The district director may cancel a suspended permit or approval.
- 39** The district director may reinstate a permit or approval that has been suspended, but not cancelled, provided that the holder of a permit or approval submits an application for reinstatement accompanied by payment of all fees owing at the time that the permit or approval was suspended and a reinstatement fee. The reinstatement fee will be 50 percent of the amount of all fees owing at the time that the permit or approval was suspended.
- 40** (1) If applicable emission regulation fees are not received by the District within 75 days of the due date, the registration is suspended and the person is deemed not to be in compliance with

the applicable emission regulation. A registration that has been suspended, but not cancelled may be reinstated upon payment of all outstanding emission regulation fees.

(2) The district director may at any time cancel a registration that has been suspended in accordance with subsection (1). A registration that has been cancelled may be reinstated only upon payment of the registration fee and all outstanding emission regulation fees.

(3) A reinstated registration has effect only from the date of reinstatement.

## **POWERS OF THE BOARD**

**41** Without limiting the Board's powers and duties under the Environmental Management Act, the Board may from time to time appoint the district director, one or more assistant district directors, and officers who will have the powers set out in this Bylaw and in the bylaw or resolution appointing them, and in the Environmental Management Act and the regulations under that Act.

**42** The Board may, by bylaw, provide direction to the district director in respect to policies or procedures relating to the administration of this Bylaw.

## **TRANSITION**

**43** A permit, approval or order issued by the district director pursuant to Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999 is continued under this Bylaw unless and until it is amended, suspended, cancelled or replaced by a permit, approval or order issued under this Bylaw.

**44** Fees established by Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999 remain in effect until December 31, 2008.

**45** Fees payable under this Bylaw come into force on January 1, 2009.

## **OFFENCES AND PENALTIES**

**46** A person who contravenes a provision of this Bylaw, a permit, an approval, an order or an emission regulation that is intended to limit the quantity of air contaminants or that specifies the characteristics of air contaminants that may be discharged into the air commits an offence punishable by a fine not exceeding \$1,000,000;

**47** A person who contravenes a provision of this Bylaw, a permit, an approval, an order or an emission regulation other than a provision referred to section 46, commits an offence punishable by a fine not exceeding \$200,000;

**48** Where there is an offence that continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.

**49** Nothing in this Bylaw limits the District from utilizing any other remedy that would otherwise be available to the District at law.

**50** If a corporation commits an offence under this Bylaw, an employee, officer, director or agent of the corporation who authorized, permitted or acquiesced in the offence commits the offence

even though the corporation is convicted.

#### **EXEMPTION FROM ENVIRONMENTAL MANAGEMENT ACT**

**51** A person who is in compliance with this Bylaw and all applicable permits, approvals, orders and emission regulations is exempt from the application of section 6(2) and (3) of the Environmental Management Act, in relation to the discharge of air contaminants from any operation, activity, industry, trade, business, air contaminant or works, if it also complies with any further restrictions or conditions imposed under the Environmental Management Act.

#### **NOTICE**

**52** A notice of a decision or order under this Bylaw may be served on a person by registered mail sent to the last known address of the person.

**53** Any notice under this Bylaw may be given by registered mail sent to the last known address of the person.

**54** If a notice under this Bylaw is sent by registered mail to the last known address of the person, the notice is conclusively deemed to be served on the person to whom it is addressed on

(1) the 14th day after the notice was deposited with Canada Post, or

(2) the date on which the notice was actually received by the person, whether by mail or otherwise, whichever is earlier.

**55** The district director may, at his or her discretion, consent to submission or provision of information by electronic means.

#### **SEVERABILITY**

**56** If any portion of this Bylaw is deemed *ultra vires*, illegal, invalid, or unenforceable in any way in whole or in part by any court of competent jurisdiction, such decision will not be deemed to invalidate or void the remainder of the Bylaw. The parts so held to be *ultra vires*, illegal, invalid, or unenforceable must be deemed not to have been part of the Bylaw from its adoption. The remainder of the Bylaw will have the same force and effect as if the parts that have been deemed *ultra vires*, illegal, invalid, or unenforceable had not been included in this Bylaw when it was adopted.

#### **BYLAWS REPEALED**

**57** “Greater Vancouver Regional District Air Pollution Control Bylaw No. 603 (1989)”, “Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999”, and “Greater Vancouver Regional District Air Quality Management Amending Bylaw No. 967, 2001” are hereby repealed.