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BYLAW NO. 3552

WILDERNESS MOUNTAIN WATER SERVICE AREA FEES AND CHARGES BYLAW NO. 1, 2009

Consolidated for Public Convenience
(This bylaw is for reference purposes only)

ORIGINALLY ADOPTED FEBRUARY 11, 2009
(Consolidated with Amending Bylaws 3658)

For reference to original bylaws or further details, please contact the Capital Regional District,
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
T: (250) 360-3127, F: (250) 360-3130, Email: legserv@crd.bc.ca, Web: www.crd.bc.ca

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3552

A BYLAW TO IMPOSED FEES AND OTHER CHARGES WITHIN THE WILDERNESS
MOUNTAIN WATER SERVICE AREA

WHEREAS:

- A. Under Bylaw No. 3503, "Wilderness Mountain Water Service Establishment Bylaw No. 1, 2008", the Capital Regional District established a service to supply, treat, convey, store and distribute water in the area shown outlined on Schedule "A" of Bylaw No. 3503.
- B. Bylaw No. 3503 authorizes the recovery of the annual costs of the Service by one or more of the following:
 - a) by way of an annual parcel tax;
 - b) by the imposition of fees and charges to be imposed by bylaw under Section 363 of the *Local Government Act*;
 - c) by revenues raised by way of agreement, enterprise, gift, grant or otherwise; and
 - d) by the requisition of money under Section 806 of the *Local Government Act* to be collected by a property tax value to be levied and collected on land and improvements within the service area.
- C. Under Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990", The Capital Regional District established rules for the provision, operation and administration of the Local services for the supply of water.

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Interpretation

In this Bylaw, unless the context otherwise required:

- i. "**CRD**" means the Capital Regional District.
- ii. "**Applicant**" means a Person who is the owner, lessee, or tenant of an Authorized Premises who has requested or applied for water service or for any other matter or thing under this Bylaw from CRD.
- iii. "**Consumer**" means a person to whom a service connection has been provided by the Capital Regional District.
- iv. "**Service Area**" means the service area established under Bylaw No. 3503, "Wilderness Mountain Water Service Establishment Bylaw No. 1, 2008".

- v. **“Service Connection”** means a pipe and all necessary valves, connections, meters and other appurtenances necessary to connection a water main to a curb stop on the property line.
- vi. **“Single Family Equivalent”** means and includes a single family dwelling unit intended for the use or occupancy by one or more individuals as a non-profit household and includes a dwelling unit in an apartment, condominium, duplex, or other multi-family facility.
- vii. **“Unit of Water”** means a unit of measurement, the equivalent of (1.0) cubic meter, or one thousand (1,000) litres, or thirty five and three tenths (35.3) cubic feet, or two hundred twenty (220) imperial gallons of water.
- viii. **“Water rate”** means the price to be paid by a customer for the quality of water supplied to the Customer for a period of time.

2. Service Connection Fee

An applicant requesting a service connection to the Water Supply System under Section 13 and 14 of Bylaw No. 1792, “Water Regulations Bylaw No. 1, 1990” shall at the time of making an application for the service connection, pay the service connection fee set out in Schedule “A” hereto.

3. Turn on and Turn off Fee

A consumer in the service area requesting the turning off or turning on of the water supply at the curb stop under Section 22 or 24 of Bylaw No. 1792, “Water Regulations Bylaw No. 1, 1990” shall pay the applicable turn on or turn off fee set out in Section 1 of Schedule “B” hereto.

4. Abandonment Fee

The owner of property in the service area wishing to discontinue the water supply under Section 23 of Bylaw No. 1792, “Water Regulations Bylaw No. 1, 1990” shall pay the applicable abandonment fee set out in Section 2 of Schedule “B” hereto.

5. User Fee

The user fee set out in Schedule “C” hereto are hereby imposed on each consumer in the service area and shall be paid in accordance with Schedule “C” hereto.

6. Offence Penalty Fee

A property owner who commits an offence under section 37 of Bylaw No. 1792, “Water Regulations Bylaw No. 1, 1990” shall pay the penalty as stated under Section 38 of Bylaw No. 1892, “Water Regulations Bylaw No. 1, 1990”

7. Miscellaneous Fee

Any other services not specifically addressed in this Bylaw that may be provided by CRD will be subject to a service charge prescribed in Schedule “B” here to.

8. This Bylaw may be cited for all purposes as the "Wilderness Mountain Water Service Area Fee and Charges Bylaw No. 1, 2009".

READ A FIRST TIME THIS	11 th	DAY OF	February	2009
READ A SECOND TIME THIS	11 th	DAY OF	February	2009
READ A THIRD TIME THIS	11 th	DAY OF	February	2009
ADOPTED THIS	11 th	DAY OF	February	2009

CHAIR

SECRETARY

SCHEDULE "A" – Effective 2009

SERVICE CONNECTION CHARGES

Upon receipt of the applicable connection charges listed below, CRD shall install a service connection in accordance with the CRD Engineering Specifications and Standard Drawings.

1. The connection charges for a service connection shall be the actual cost of the connection, calculated as follows:

(i) Engineering Costs: \$ _____
Include survey, design, permit acquisition, layout, inspection, and as-constructed drawings

(ii) Construction Costs: \$ _____
Including labour, materials and equipment

(iii) Administration Costs: \$ _____
At 15% of the sum of (i) + (ii)

TOTAL COST = Sum of (i) + (ii) + (iii) \$ _____

The minimum connection charges shall be \$400

2. The fees payable herein shall be paid to the CRD on application for connection to the utility.

SCHEDULE "B" – Effective 2009

MISCELLANEOUS FEES

The fees payable herein shall be paid to the CRD on application for the service:

1. Turn on and Turn off Fee:

Pursuant to Section 3, the fee for turning off the water supply at the curb stop is \$__50.00__

2. Abandonment Fee:

Pursuant to Section 4, the fee for abandonment of a water supply is the actual cost to the CRD to remove the service connection, calculated in accordance with the formula in Schedule "A" appended to this bylaw. The minimum fee set out in Schedule "A" for a connection shall not apply.

3. Miscellaneous Fee:

Pursuant to Section 7, miscellaneous service fee shall be the actual cost of the service provided.

SCHEDULE "C"

(Bylaw 3658)

USER FEES

1. Billing and Payment:

- (a) User fees invoiced by the CRD are due and payable by the owner of the parcel within thirty (30) days from the date the bill is issued.
- (b) User fees shall be payable each three months as billed by the CRD.
- (c) A late payment charge of 2.5% of the past due amount shall be added to all delinquent bills.
- (d) All payments received will be applied firstly against arrears, and then to current balances.
- (e) Amounts due and payable on December 31 and unpaid at that date shall be added to the real Property taxes and collected as taxes in arrears.

2. User Fees Payable:

For 2010 the User Charge for water will be \$743.66 per Single Family Equivalent connected to the water system.