



Making a difference...together

BYLAW NO. 3864

SALT SPRING ISLAND LIQUID WASTE, SEWER, AND WATER FEES AND CHARGES BYLAW NO. 1, 2012

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

ORIGINALLY ADOPTED DECEMBER 12, 2012

(Consolidated with Amending Bylaws 3891, 3925, 3977, 3993, 4073, 4236, 4273, 4286, 4301,
4311, 4339, 4395, 4470, 4525)

For reference to original bylaws or further details, please contact the Capital Regional District,
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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3864**

**A BYLAW TO PROVIDE FOR FEES AND CHARGES PAYABLE FOR UTILITY SERVICES
IN SERVICE AREAS WITHIN THE SALT SPRING ISLAND ELECTORAL AREA**

WHEREAS:

- A. Pursuant to section 803 and section 363 of the *Local Government Act*, the Board may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the district or the exercise of regulatory authority by the Board.
- B. The Capital Regional District established services and facilities to supply, treat, convey, store, and distribute water in the participating areas of the Salt Spring Island Electoral Area (Cedars of Tuam Water System, Cedar Lane Water Service, Beddis Water Service, Highland Water System, Fernwood Water Supply and Fulford Water Service).
- C. The Capital Regional District established services and facilities to collect, convey, treat, and dispose of sewage in the participating area of Salt Spring Island Electoral Area (Maliview Estates Sewerage).
- D. These bylaws authorize the recovery of annual costs by methods including:
 - (a) by way of an annual parcel tax; or
 - (b) by fees and charges to be imposed by bylaw under Section 363 of the *Local Government Act*.
- E. The Board wishes to establish a consolidated bylaw for the recovery of annual costs for utility services on Salt Spring Island.

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

- 1. The Board hereby authorizes and imposes fees and charges from time to time for the Service Areas shown on Schedules "A" of the following bylaws:
 - (a) Bylaw No. 3021, "Salt Spring Island Cedars of Tuam Water System Service Establishment Bylaw No. 1, 2002";
 - (b) Bylaw No. 3424, "Cedar Lane Water Service Establishment Bylaw No. 1, 2007";
 - (c) Bylaw No. 3188, "Beddis Water Service Establishment Bylaw No. 1, 2004";
 - (d) Bylaw No. 1937, "Highland Water System Local Service Establishment Bylaw No. 1, 1999," as amended;
 - (e) Bylaw No. 1772, "Fernwood Water Supply Local Service Establishment Bylaw No. 1, 1989," as amended;
 - (f) Bylaw No. 1938, "Maliview Estates Sewerage Local Service Establishment Bylaw No. 1, 1991";
 - (g) Bylaw No. 3202, "Fulford Water Service Establishment Bylaw No. 1, 2004," as amended;
 - (h) Bylaw No. 2118, "Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993; and
 - (i) Bylaw No. 1923, "Salt Spring Island Ganges Sewerage Local Service Establishment Bylaw, 1991."

2. Interpretation

In this bylaw, unless context otherwise requires:

- (a) “**Applicant**” means a person who is the owner, lessee or tenant of an authorized premises and who has requested or applied for water or sewer service or for any other matter or thing under this bylaw from the Capital Regional District.
- (b) “**Board**” means the Capital Regional District Board.
- (c) “**Consumer**” means a person to whom a service connection has been provided by the Capital Regional District.
- (d) “**Construction Costs**” include costs of labour, materials and equipment.
- (e) “**CRD**” means the Capital Regional District.
- (f) “**Engineering Costs**” include costs of survey, design, permit acquisition, layout, inspection and as-constructed drawings.
- (g) “**Property**” means a Parcel which may or may not contain one or more buildings or other structures.
- (h) “**Service Abandonment**” an intentional relinquishment of the water service. A dwelling(s) that have been allowed to become uninhabitable would be considered to be abandoned.
- (i) “**Service Area**” means a service area specified in Section 1 above.
- (j) “**Service Line**” means the water supply pipeline from the property line to the primary building or structure on the property of a Consumer. *(Bylaw 3891)*
- (k) “**Sewer Service Connection**” means a pipe and all appurtenances necessary to connect a sewer main to a building sanitary sewer at the property line.
- (l) “**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 multiple family facility.
- (m) “**Single Family Residential**” means a water or sewer service connection to a parcel of land having actual use identified by BC Assessment as a Single Family Dwelling, and which may include one secondary dwelling or suite.
- (n) “**Temporary disconnection**” means to shut off the water service at the Water Service Connection for a period of time not exceeding twelve months.
- (o) “**User Fee**” means a fee or charge imposed under Section 6 of this bylaw.
- (p) “**Water Service Connection**” means a pipe and all necessary valves, connections, meters, and other appurtenances necessary to connect a water main to a curb stop on the property line.

3. Water or Sewer Service Connection Fee

An Applicant for a Water or Sewer Service Connection in respect of real property within a Service Area shall, at the time of making an application for the service connection, pay the service connection fee set out in Schedule “A” hereto.

4. Water Service Turn On and Turn Off Fee

A Consumer in a 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.

5. Water Service Abandonment Fee

The owner of property in a Service Area wishing to discontinue water service shall pay the applicable abandonment fee set out in Section 2 of Schedule "A" hereto.

6. Water and Sewer User Fees and Liquid Waste Disposal Fee

(a) The user fees in Section 2 of Schedule "B" are hereto imposed on each Consumer in a Service Area and shall be paid in accordance with the following:

- i) 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.
- ii) User fees shall be billed quarterly by the CRD.
- iii) A late payment charge of 1.5% of the past due amount shall be added to all delinquent water and sewer bills. *(Bylaw 3891)*
- iv) All payments received will be applied firstly against arrears, and then to current balances.

(b) Water and sewer user fees for all water and sewer services, excluding Ganges sewerage, are provided in Section 2 of Schedule "B".

(c) Liquid waste disposal fees are provided in Schedule "C".

(d) User fees for Ganges sewerage are provided in Schedule "D".

7. Utility Bill Appeal

(a) Any Consumer obtaining a utility bill may formally register a complaint or dispute with the General Manager regarding the amount of any charge on the utility bill, no more than thirty (30) days from the date of billing.

(b) The General Manager will review the complaint and may reduce the utility bill amount if:

- i) there is an error in the calculation of the bill amount; or
- ii) another circumstance exists that makes payment of the full bill amount unjust.

8. Utility Bill Adjustments for Leaks in the Service Line

(a) No adjustment shall be made for leaks in internal plumbing systems and fixtures, including faucets and toilets, or leaks in an irrigation system on the Property.

(b) The General Manager may make an adjustment to a utility bill in the case of a water leak and may take into consideration the cause of the water loss, the opportunity for the Consumer to detect the leak, the possibility of Consumer negligence or fault regarding the leak, and the promptness with which the leak was stopped or repaired after discovery.

(c) To qualify for a utility bill adjustment, the leak must have been caused by circumstances beyond the Consumer's control, such as a break in the Service Line, a mechanical malfunction, water theft, vandalism, or other unusual or emergency conditions.

(d) An owner must provide tangible proof that all water leaks have been repaired; the CRD Integrated Water Services has the authority to inspect the repair prior to considering a water leak adjustment.

(e) The General Manager, upon receiving an application for a water leak adjustment, may adjust the amount of any utility bill for a Consumer where the owner satisfactorily proves there was a water leak(s) originating within the Consumer's Service Line. *(Bylaw 3891)*

- (f) If the General Manager permits a utility bill adjustment, the Consumer shall assume responsibility for the normal amount of water consumed at the current retail water rate based on the same billing period's consumption in the previous year; CRD Integrated Water Services shall absorb the remainder of the water consumption cost.
- (g) CRD Integrated Water Services will only consider a water leak adjustment for the billing period the leak was detected and the previous billing period in which the leak occurred to a maximum of two (2) billing periods.
- (h) Where the sewer charges are based on the water consumption volumes and a water leak adjustment has been approved, the consumption for sewer charges will be adjusted in accordance with the water consumption adjustment.
- (i) Where the sewer charges are based on the water consumption volumes and a water leak is in an irrigation system, the General Manager may adjust the sewer charges based on water consumption during the same billing period in the previous year; CRD Integrated Water Services shall absorb the remainder of the sewer consumption cost.
- (j) A sewer leak adjustment will be considered only for the billing period the water leak was detected and the previous billing period in which the leak occurred to a maximum of two (2) billing periods.
- (k) Only one leak adjustment for water and sewer per Property within a twelve (12) month period shall be permitted.
- (l) A leak adjustment application form must be submitted within 30 days of the billing date of the utility bill.

9. Water Meter Readings

- (a) If for any reason CRD Integrated Water Services shall be required to estimate the water consumption of a Property for any given period, the following procedure shall be followed:
 - i) The estimate shall be based on the water consumption history and the application of the use by the Consumer on the Property for which a water estimate is required; and,
 - ii) In the event that no sufficient history exists to produce a reasonable estimate, the estimate shall be calculated on the basis of an average of the water consumption for similar properties in the same area; the minimum estimate allowed will be ten (10) cubic metres of water per week.

10. Temporary Disconnection of Water Service Connection

- (a) The Consumer requesting their Water Service Connection to be shut off for a period of time not exceeding twelve months must give written notice to the CRD Integrated Water Services to turn off the water.
- (b) Despite shutting off the water service, the Consumer must pay the annual user charge when the Water Service Connection is shut off by temporary disconnection.

11. Date Effective

Section 8 of this bylaw comes into effect as of 01/07/12.

12. Repeal

Bylaw No. 3688, cited as "Salt Spring Island Sewer and Water Fee and Charge Bylaw No. 1, 2010" and all amendments thereto are hereby repealed.

13. Citation

This Bylaw may be cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012".

| | | | | |
|-------------------------|------------------|--------|----------|------|
| READ A FIRST TIME THIS | 12 th | DAY OF | December | 2012 |
| READ A SECOND TIME THIS | 12 th | DAY OF | December | 2012 |
| READ A THIRD TIME THIS | 12 th | DAY OF | December | 2012 |
| ADOPTED THIS | 12 ^h | DAY OF | December | 2012 |

Original signed by Alastair Bryson
CHAIR

Original signed by Sonia Santarossa
CORPORATE OFFICER

SCHEDULE "A"

(Bylaw 4236)

1. Water and Sewer Service Connections and Charges

The British Columbia Plumbing Code shall apply to all connections made to CRD water or sewer system, together with the conditions as set forth hereinafter:

- (a) Any connections not conforming to the requirements set out in the British Columbia Plumbing Code shall not be connected to a CRD water or sewer system.
- (b) The connection charge for a water or sewer service connection shall be the actual cost for the connection, calculated as follows:
 - (i) Engineering Costs:
Including 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) \$ _____

ACTUAL COST = Sum of (i) + (ii) + (iii) \$ _____
- (c) Fees or estimated fees payable herein shall be paid to the CRD on application for connection to the utility. Where applicable, the difference between fees paid upon application and the actual cost for the connection will be billed or refunded to the Applicant.

2. Water or Sewer Service Abandonment Fee

Pursuant to Section 5, the fee for abandonment of a water or sewer service connection is the actual cost to the CRD to remove the service connection, calculated in accordance with the formula set out in the above Section 1 of Schedule "A" hereto.

SCHEDULE "B"

(Bylaw 4525)

1. Water Service Turn On and Turn Off Fee

Pursuant to Section 4, the fee for turning on or turning off the water supply at the curb stop is the following. The fees payable herein shall be paid to the CRD on application for the service.

- (a) During Normal Working Hours (07:30 – 16:00) Monday through Friday (non-inclusive of statutory holidays):
 - \$75.00
 - Fulford Water only \$150.00
- (b) During Non-Working Hours: \$200.00

(Schedule "B" continued on next page)

2. Water and Sewer User Fees

The user fees payable shall include a fixed fee and a variable consumption charge based on the volume of water metered as outlined below:

(a) Fixed Fee

| Service Area | Annual Charge, 25% of which is billed each three months |
|-----------------------|--|
| Cedars of Tuam | \$1,941.18 per single family dwelling unit or equivalent |
| Cedar Lane | \$1,417.95 per single family dwelling unit or equivalent |
| Beddis | \$1,021.02 per single family dwelling unit or equivalent |
| Highland | \$0 per single family dwelling unit or equivalent |
| Fernwood | \$0 per single family dwelling unit or equivalent |
| Highland and Fernwood | \$1,217.09 per single family dwelling unit or equivalent |
| Maliview | \$1,888.61 per single family dwelling unit or equivalent |
| Fulford | \$1,572.18 per single family dwelling unit or equivalent Other: No Fixed Fee |

(b) Consumption Charge based on volume of water metered

| The Consumption Charge for water or sewer will be the total volume of water metered to the water service connection, measured in cubic metres (or other units converted to cubic metres) over a three-month billing period, at a rate as follows: | | |
|---|--|-------------------------|
| Service Area | Volume of Water | Charge |
| Cedars of Tuam | First 38.0 cubic metres or portion | \$7.00 per cubic metre |
| | Greater than 38.0 cubic metres | \$18.00 per cubic metre |
| Cedar Lane | First 30.0 cubic metres or portion | \$2.50 per cubic metre |
| | 31.0 to 60.0 cubic metres or portion | \$9.00 per cubic metre |
| | Greater than 61 cubic metres | \$25.00 per cubic metre |
| Beddis | First 38.0 cubic metres or portion | \$3.10 per cubic metre |
| | Next 68.0 cubic metres or portion | \$6.30 per cubic metre |
| | Greater than 106 cubic metres | \$8.50 per cubic metre |
| Highland and Fernwood | First 38.0 cubic metres or portion | \$0.64 per cubic metre |
| | Next 68.0 cubic metres or portion | \$2.00 per cubic metre |
| | Greater than 106 cubic metres | \$5.13 per cubic metre |
| Maliview | \$1.75 per cubic metre of total water provided or delivered to the single family dwelling unit or equivalent served by the sewer connection to the CRD Highland Water System | |
| Fulford | Single Family Residential: No Consumption Charge Other: \$3.27 per cubic metre Minimum Consumption Charge per three months is \$393.04 per service connection. | |

SCHEDULE "C"

(Bylaw 4525)

Liquid Waste Receiving Facility

1. Disposal Fees and Charges

Every Hauler depositing Liquid Waste at the Liquid Waste Receiving Facility shall pay the following fees and charges:

| | |
|----------------------|---|
| Fees: | |
| Septage | \$104.49 per cubic metre (\$0.475 per imperial gallon) |
| Sewage | \$104.49 per cubic metre (\$0.475 per imperial gallon) |
| Facility User Permit | \$50.00 per Septage waste disposal truck per annum (valid for a period from January 1 of each year until December 31 of the subject year). This fee is not pro-rated in the first year of this schedule coming into force. |
| Charges: | |
| Call Out Charge | \$75.00 per hour; minimum charge \$150 first 2 hours |
| After Hours Call Out | \$75.00 per hour; minimum charge \$150 first 2 hours |

2. Definitions:

The following terms, words, and phrases when used in this schedule shall have the meanings set forth in this contained in this schedule:

“**CRD**” means the Capital Regional District.

“**Call Out Charge**” means a charge issued to any person who uses the Liquid Waste Receiving Facility due to an event directly attributable to a person(s) actions requiring CRD personnel to attend the Liquid Waste Receiving Facility.

“**Discharge**” means to directly or indirectly introduce a substance into a Sewer or sewage facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

“**Facility Access Permit**” means a Facility Access Permit issued by the CRD.

“**Generator**” means an owner or occupier of property from which the Liquid Waste originates that is being trucked to a facility for disposal.

“**Hauler**” means a person or company who transports Liquid Waste from a Generator to a Liquid Waste facility for disposal.

“**Local Service Area**” means the Local Service Area established under bylaw 2118 Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993.

“**Load of Liquid Waste**” means the Liquid Waste being delivered by the hauling vehicle.

“**Liquid Waste**” means Septage and/or Sewage Sludge.

“Liquid Waste Receiving Facility” means the Salt Spring Liquid Waste facility that receives Trucked Liquid Waste, more particularly described as located off Burgoyne Bay Road, Salt Spring Island (part of the North ½ of Section 4, Range 1, South Salt Spring Island, Cowichan District).

“Measured Volume” means the actual volume of Liquid Waste Discharged at the designated Liquid Waste Receiving Facility as measured by the flow meter installed at the facility.

“Municipality” means a municipality participating in the Local Service Area and/or the CRD itself.

“Prohibited Waste” means Hazardous Waste as defined by the *Hazardous Waste Regulation*.

“Septage” means a combination of liquid and solid wastes and/or settled solids from residences, businesses, institutions, and industries normally collected in a Septic Tank or holding tank.

“Septic Tank” means a chamber made of concrete, fiberglass, PVC, or plastic, through which domestic wastewater flows for primary treatment.

“Sewage Sludge” means the primary or secondary Sewage Sludge from a sewage treatment plant.

“Sewer” means all pipes, conduits, drains, and other equipment and facilities owned or otherwise under the control or jurisdiction of the CRD for collecting, pumping, and transporting wastewater, either to a Sewage Facility or otherwise.

“Trucked Liquid Waste” means any Liquid Waste that is collected and transported from the site where the Liquid Waste originated by means other than Discharge to a Sewer, including but not limited to: Septic Tank waste, chemical toilet contents, oil and grease from interceptors or traps and other sludges of organic or inorganic origin.

“Trucked Waste Manifest” means a form provided by the CRD to be completed by the Generator, or agent acting on behalf of the Generator, and Hauler of Septage as a condition of using a Liquid Waste Receiving Facility.

3. User Fees:

- (a) The Liquid Waste disposal fee set out in Section 1 will be imposed on every Hauler depositing Liquid Waste at the Liquid Waste Receiving Facility and shall be paid in accordance with this bylaw.
- (b) The fees charged will be calculated by multiplying the measured volume of Liquid Waste Discharged by the unit rate set out in Section 1. Where no measured volume is available, the fees charged will be calculated by multiplying the unit rate by the volume of a full load of Liquid Waste from the Haulers truck as specified in the operator’s manual for the Haulers truck.

4. Credit:

- (a) Persons depositing Liquid Waste at the Liquid Waste Receiving Facility on a regular basis may apply to the CRD for credit. If the CRD is satisfied of the credit worthiness of the Hauler, credit may be granted, in which case payment of the user

fees imposed under Section 3 shall be made and credit extended under the following conditions:

- (i) The person receiving credit shall pay to the CRD all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The CRD will invoice monthly for Liquid Waste delivered during the preceding month. The invoice amount will be based on the total quantity of the waste delivered during the month, and the posted rates in effect at the time of delivery.
- (ii) Late payment(s) will be subject to an interest penalty of 1.5% per month.
- (iii) The CRD reserves the right to cancel, upon five (5) days' notice, the credit offered herein for late payment, non-payment, or other justified cause as judged solely by the CRD.

5. Regulations:

- (a) Persons, including Generators or Haulers of Liquid Waste, shall only use the Liquid Waste Receiving Facility upon the following conditions:
 - (i) That they agree to comply with all provisions within this Bylaw.
 - (ii) They have received a Facility Access Permit from the CRD.
 - (iii) That the Liquid Waste meets the operating criteria to be received and processed at the facility.
 - (iv) That they agree to comply with all operating protocols governing the use of the Liquid Waste Receiving Facility as prescribed in Section 6, as stated on any signage or materials published by the CRD, or as directed by an employee or agent of the CRD.
- (b) Any person making a Discharge at the Trucked Liquid Waste Receiving Facility shall immediately stop the Discharge at the instructions of an employee of the CRD if that employee has reasonable grounds to believe the Discharge does not meet the provisions of this bylaw or any other enactment.
- (c) A Hauler or other person is liable for any damage to a Liquid Waste Receiving Facility or CRD property caused by the Hauler or other person or caused by the functioning or operation of a Hauler or other person's vehicle, tank, or equipment.
- (d) The CRD may suspend or revoke a permit to access and use of the Liquid Waste Receiving Facility if the Generator or Hauler falsifies or omits information on a Trucked Waste Manifest.
- (e) Sections 5 (a) to 5 (d) do not apply to a Municipality or agent of a Municipality, where Liquid Waste is removed from a water, Sewer or sewage facility, or the Liquid Waste Receiving Facility for purposes of maintenance activities on the water, Sewer or sewage facility, or the Liquid Waste Receiving Facility.

6. Operating Protocols:

- (a) The Liquid Waste Receiving Facility is an unattended facility and is controlled by a locked gate. In order to access the site a Hauler must have a valid Facility Access Permit.
 - (i) Permits can be obtained by making application to the CRD on the application form attached hereto in Schedule “E”, and paying the annual fee as set out in Section 1.
 - (ii) Each vehicle owned by the Hauler that is used for the purposes of Septage waste disposal at the Liquid Waste Receiving Facility must be listed on the Facility Access Permit.
 - (iii) Once approved a Facility Access Permit sticker, gate access key and/or codes will be issued to the Hauler.
 - (iv) A Facility Access Permit Sticker will be issued for each vehicle listed on the Facility Access Permit.
 - (v) The CRD may suspend or revoke a Facility Access Permit:
 - (1) for any or all vehicles licensed to any one Hauler for any violation of, or noncompliance with, the terms and conditions of this bylaw, or any enactment applicable to the Discharge of waste into a Liquid Waste Receiving Facility, when the violation or noncompliance interferes with the operation of the Liquid Waste Receiving Facility.
 - (2) if a Generator or Hauler falsifies or omits information regarding the source, type, or quality of Septage Discharged at the Liquid Waste Receiving Facility.
 - (3) for any or all vehicles licensed to any one Hauler for failure to pay fees described in this bylaw within 60 days of being invoiced by the CRD or the Operator.
- (b) While on site at the Liquid Waste Receiving Facility, all Haulers, persons, employees, and agents of the CRD shall abide by WorkSafeBC and CRD protocols and regulations and conduct their activities in a safe and respectful manner.
- (c) The designated intake connection at the Liquid Waste Receiving Facility must be used. Discharging Liquid Waste directly or indirectly into any other point at the Liquid Waste Receiving Facility is strictly prohibited and may result in suspension or revocation of a Facility Access Permit.
- (d) Information regarding the Liquid Waste to be Discharged including the waste manifest must be properly entered into the log-in Hauler’s panel or may result in suspension or revocation of a Facility Access Permit.
- (e) The solid to Liquid Waste content shall not contain any solid rocks or debris larger than 38mm in diameter. Failure to comply with this requirement may lead to Call

Out Charges as set out in Section 1, if CRD staff are required to attend the Liquid Waste Receiving Facility, and could result in liability to repair the facility if damage is caused.

- (f) Should the Liquid Waste Receiving Facility alarm go into effect and the inlet valve close, Haulers must wait until the Liquid Waste Receiving Facility has been reset before continuing to off-load. No Liquid Waste shall be deposited anywhere else on site while waiting for CRD personnel to respond.
- (g) All hauling vehicles using the site must have connection devices compatible with those of the facility.
- (h) The Hauler is responsible for connecting and disconnecting hoses from the hauling vehicle to the facility Discharge coupling, and the operation of the equipment associated with the hauling vehicle.
- (i) The Discharge of Liquid Waste shall be conducted without spillage. Hoses shall not be drained to the ground. In the event that an environmental spill occurs, the Hauler must immediately discontinue discharging and contact the CRD and report the a) date / time; b) volume; c) material spilled.
- (j) Each vehicle owned by the Hauler that is used for the purpose of waste disposal at the Liquid Waste Receiving Facility must provide sufficient containment of loads to prevent spillage in transit, including spillage from hoses and other appurtenances.
- (k) Parking for Haulers' or other persons' vehicles on site is permitted only while discharging Liquid Waste.
- (l) There is a limited supply of water to operate the Liquid Waste Receiving Facility. No person shall use water for washing or servicing their vehicles.
- (m) The Hauler shall designate on the Trucked Waste Manifest the type of Liquid Waste being Discharged.
- (n) Users shall observe and comply with all posted speed limit requirements on the road access and on the Liquid Waste Receiving Facility.
- (o) Hours of Operation:
 - (i) Liquid Waste will only be accepted at the Liquid Waste Receiving Facility during regular hours of operation.
 - (ii) The regular hours of operation at the Liquid Waste Receiving Facility are as follows:

Monday to Friday, excluding statutory holidays 7:30 am to 4:00 pm
 - (iii) During the regular hours of operation, the Liquid Waste Receiving Facility will be open for Haulers to dispose of Liquid Waste. CRD staff will only be available to respond to any issues or alarms during regular hours of operation.
 - (iv) After hours access may be considered under emergency situations.

- (v) No person shall make use of the Liquid Waste Receiving Facility at any time other than the regular hours and days of operation, unless:
 - (1) that person is an employee, contractor, or agent of the CRD; or
 - (2) there is an emergency situation, and the person using the Liquid Waste Receiving Facility pays the after hour charges as set out in Section 1.
- (p) A flow meter is provided and shall be used to measure the volume of each Discharge. The CRD will bill each Hauler based on the total volume of Liquid Waste Discharged.

7. Offences and Penalties:

- (a) A person who contravenes this bylaw is guilty of an offence and is liable, upon conviction, to a fine not exceeding \$10,000.
- (b) Where an offence is committed, or continues on for more than one day, a person shall be deemed to have committed separate offences for each day on or during which an offence occurs or continues, and separate fines, each not exceeding \$10,000, may be imposed for each day on or during which an offence occurs or continues.

Nothing in this bylaw shall limit the CRD from utilizing any other remedy that would otherwise be available to the CRD at law.

SCHEDULE "D"

USER RATES FOR GANGES SEWERAGE

A. Billing and Payment:

- 1) The user rate imposed under Section 6 (d) of this bylaw is due and payable upon invoice by the Capital Regional District.
- 2) If the user fee is not paid within thirty (30) days of the billing date for the user fee, a late payment charge of 2.5% of the past due amount shall be added to all delinquent sewer bills.
- 3) An amount of user fee, together with any penalty added under Subsection 2 will be considered to be a user fee in arrears.
- 4) All payments received will be applied firstly against user fees in arrears, and then to current balances.
- 5) A user fee which is unpaid as of December 31 in any year which it is payable will constitute a charge or lien on the land and improvements in respect of which the charge is imposed in accordance with Section 364 of the *Local Government Act* and may be collected as taxes in accordance with Section 376 of the *Local Government Act*.

For the purposes of this Schedule:

- B. **“Average Residential Consumption”** means the average water consumption of all Residential Properties in the applicable year.

“Business Property” means property, subject to this bylaw, which is classified as Class 6 by the British Columbia Assessment Authority and also includes fire halls, Coast Guard facilities, and other federal, provincial and local government buildings, but does not include institutional property.

“Institutional Property” means schools, hospitals, long-term and extended care facilities, subject to this bylaw, but does not include libraries or churches.

“Net Cost” means the cost of operating, maintaining and paying debt charges payable in the current year for the sewerage system less all other revenue received for the sewerage system including grants and parcel tax levies.

“Premises” means any structure with a roof and with walls enclosing more than 60 per cent of the total perimeter.

“Residential Property” means property, subject to this bylaw, classified as Class 1 by the British Columbia Assessment Authority and includes churches and libraries, each of the latter is considered, for the purposes of this bylaw, a Single Family Equivalency.

“Single Family Equivalency” 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 multiple family facility and a church or a library.

“User Charge” means a charge imposed under Section 1 of this bylaw.

“User Fund” means the total operating cost including debt repayment payable in the current year of the Ganges Sewerage Local Service Area, less the funds generated by the Parcel Tax.

“Water Consumption” means the total consumption of water used by a Business, Institutional, and Residential Property as measured by meter installed, read, and adjusted, if necessary, by the water supplier for the eight month period commencing September 1st and ending April 30th in the calendar year for which the user charge is imposed. In the event of a new installation or a change of use of an existing installation, the water consumption for the initial year will be estimated by the General Manager, based on average water usage values for similar users within the Local Service Area.

The user fund shall in each year be divided into three shares as follows:

C.

- 1) The Business Share shall be the percentage of the User Fund that the total Water Consumption of all Business Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.
- 2) The Institutional Share shall be the percentage of the User Fund that the total Water Consumption of all Institutional Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.
- 3) The Residential Share shall be the percentage of the User Fund that the total Water Consumption of all Residential Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.

D.

- 1) The Business Share of the User Fund shall be paid by all the owners or occupiers of Business Property that is subject to a User Charge.
- 2) The Institutional Share of the User Fund shall be paid by all the owners or occupiers of Institutional Property that is subject to a User Charge.
- 3) The Residential Share of the User Fund shall be paid by all the owners or occupiers of Residential Property that is subject to a User Charge.

E. Each owner or occupier of a Business Property that is subject to a User Charge shall pay their share of the Business Share:

- 1) The Business Share is divided into two equal portions of 50 per cent each.
- 2) One portion of the Business Share is divided amongst the Business Properties that are subject to a User Charge, based on the percentage that the square footage of the exterior measurement of the Premises on a Business Property represents in relation to the total of all Premises on all Business Properties within the local service area.
- 3) The second portion of the Business Share is divided amongst the business properties that are subject to a User Charge based on the percentage of the Water Consumption of the Business Share that is used by that property.

- F. Each owner or occupier of an Institutional Property that is subject to a User Charge shall pay the percentage of the Institutional Share that the Water Consumption of its property is of the total Water Consumption of all Institutional Properties, of the Institutional Share.

- G. Each owner or occupier of a Residential Property that is subject to a User Charge shall pay:
 - 1) \$150.00 for each Single Family Equivalency; plus
 - 2) The percentage of the Residential Share that the Water Consumption of his property is of the total Water Consumption of all Residential Properties of the Residential Share after deducting the monies payable under G (1) from the Residential Share.

**CAPITAL REGIONAL DISTRICT
SALT SPRING ISLAND
LIQUID WASTE RECEIVING FACILITY PERMIT**



**SCHEDULE E
APPLICATION FOR A FACILITY ACCESS PERMIT**

(Bylaw 4286)

Submit Completed Form to: Capital Regional District
Salt Spring Island Electoral Area
121 McPhillips Avenue
Salt Spring Island, BC, VBK 2T6

Please Print

COMPANY NAME: _____

COMPANY REPRESENTATIVE: _____

BUSINESS ADDRESS: _____

MAILING ADDRESS (if different from above): _____

TELEPHONE: (business) _____ (home) _____ (fax) _____

The Facility Access Permit fee as outlined in Schedule C must be remitted with the application.

2. List all vehicles to be included in the Facility Access Permit:

DESCRIPTION OF VEHICLE(S): _____

CAPACITY: _____

MAKE AND YEAR: _____

LICENSE NUMBER: _____

REGISTRATION NUMBER: _____

DESCRIPTION OF VEHICLE(S): _____

CAPACITY: _____

MAKE AND YEAR: _____

LICENSE NUMBER: _____

REGISTRATION NUMBER: _____

**SCHEDULE E
BYLAW 3864**

(Bylaw 4286)

DESCRIPTION OF VEHICLE(S): _____

CAPACITY: _____

MAKE AND YEAR: _____

LICENSE NUMBER: _____

REGISTRATION NUMBER: _____

DESCRIPTION OF VEHICLE(S): _____

CAPACITY: _____

MAKE AND YEAR: _____

LICENSE NUMBER: _____

REGISTRATION NUMBER: _____

DESCRIPTION OF VEHICLE(S): _____

CAPACITY: _____

MAKE AND YEAR: _____

LICENSE NUMBER: _____

REGISTRATION NUMBER: _____

Signature: _____ **Date:** _____