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BYLAW NO. 2559

STICKS ALLISON WATER LOCAL SERVICE AREA FEE AND CHARGE BYLAW NO. 1, 1998

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

ORIGINALLY ADOPTED JANUARY 28, 1998

(Consolidated with Amending Bylaw 2626, 2640, 2661, 2709, 2779, 3159, 3253, 3508, 3679)

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. 2559**

**A BYLAW TO IMPOSE FEES AND OTHER CHARGES AND TO IMPOSE A PARCEL TAX WITHIN
THE STICKS ALLISON WATER LOCAL SERVICE AREA**

WHEREAS:

- A. Under Bylaw No. 2556, “Sticks Allison Water Local Service Establishment Bylaw No. 1, 1997”, the Capital Regional District established a local service to supply, treat, convey, store and distribute water in the area shown outlined on Schedule “A” of Bylaw No. 2556;
- B. The bylaw authorizes the recovery of the annual costs net of grants or other revenue to be recovered by the imposition of a parcel tax and by the imposition of fees and other charges to be fixed by separate bylaw;
- C. Under Section 816 of the *Municipal Act*, the Board, having established the local service, the Regional District may recover the annual operating and debt servicing costs for that service by the requisition of money as a property value tax or by a frontage or parcel tax or by the imposition of fees and other charges fixed by a separate bylaw.

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 requires:

- (a) “Consumer” means a person to whom water is supplied by the Regional District;
- (b) “Local Service Area” means the Local Service Area established under Bylaw No. 2556, “Sticks Allison Water Local Service Establishment Bylaw No. 1, 1997”;
- (c) “Service Connection” means a pipe and all necessary valves, connections and other appurtenances necessary to connect a water main to a curb stop on the property line.

2. Service Connection Fee

An Applicant for a Service Connection in respect of real property within the Local Service Area shall at the time of making 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 Local 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 Regulation 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 Local Service Area wishing to discontinue the water supply under Section 23 of Bylaw No. 1792, "Water Regulation Bylaw No. 1, 1990" shall pay the applicable abandonment fee set out in Section 2 of Schedule "B" hereto.

5. User Fee

The user fees set out in Schedule "C" hereto are hereby imposed on every Consumer in the Local Service Area and shall be paid in accordance with Schedule "C" hereto.

6. Parcel Tax

(1) The Parcel Tax set out in Schedule "D" hereto is hereby imposed on the owner of each parcel of land in the Local Service Area.

(2) The parcel tax imposed under section (1) may be commuted for payment in cash under the following terms and conditions:

(a) a person whose parcel is subject to a parcel tax in accordance with Bylaw No. 2556, "Sticks Allison Water Local Service Establishment Bylaw No. 1, 1997" and Bylaw No. 2559, "Sticks Allison Water Local Service Area Fee and Charge Bylaw No. 1, 1998" may, commute the annual parcel tax levied to cover the debt charges, make a cash payment to the Capital Regional District of \$3895.00 or such lesser amount as may be calculated by the Director of Finance of the Capital Regional District;

(b) the cash payment made under this section must be paid to the Capital Regional District no later than 4:00 p.m. Friday, January 15, 1999;

(c) a cash payment under this section commutes the parcel tax payable with respect to one parcel only within the local service area and the owner of a parcel being subdivided in respect of which a commuted payment has been made shall advise the Capital Regional District to which parcel created as a result of subdivision the commutation is to be acceptable (the "Designated Parcel").

(d) paragraph (c) applies to further subdivisions of the Designated Parcel;

(e) a parcel created by subdivision other than a Designated Parcel shall be made liable and shall continue to be liable for the parcel tax throughout the duration of the debt servicing period in respect of which the parcel tax is imposed as if no cash payment had been made in respect of the parcel under paragraph 2(a);

(f) if a lot is consolidated with any other lot subject to the parcel tax, then the new consolidated lot will be deemed to be subject to the parcel tax, despite anything in this Bylaw.

(Bylaw 2661)

7. This Bylaw may be cited for all purposes as the "Sticks Allison Water Local Service Area Fee and Charge Bylaw No. 1, 1998".

READ A FIRST TIME THIS	28 th	day of	January	1998
READ A SECOND TIME THIS	28 th	day of	January	1998
READ A THIRD TIME THIS	28 th	day of	January	1998
ADOPTED THIS	28 th	day of	January	1998

Original Signed
CHAIRPERSON

Original Signed
SECRETARY

SCHEDULE "A"

WATER CONNECTIONS AND CHARGES

STICKS ALLISON WATER DISTRIBUTION SYSTEM

The British Columbia Plumbing Code shall apply to all connections made to the Capital Regional District Water System, together with the conditions as set forth hereinafter:

1. Any connections not conforming to the requirements set out in the British Columbia Plumbing Code shall not be connected to the Capital Regional District Water System.
2. The connection charge for a service connection shall be the actual cost for the connection, calculated as follows:

(i) Engineering Costs:
Including survey, design, permit acquisition, layout,
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) \$ _____

The minimum connection charge shall be \$400.

3. The fees payable herein shall be paid to the Capital Regional District on application for connection to the utility.

SCHEDULE "B"

MISCELLANEOUS FEES

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

1. Turn on and Turn off Fee:

Pursuant to Section 3, the fee for turning on or turning off the water supply at the Curb Stop is:

(a) During normal working hours (07:30 – 16:00) – no fee
Monday through Friday non-inclusive of Statutory Holidays

(b) During non-working hours:	Turn off	\$25.00
	Turn on	\$25.00

2. Abandonment Fee:

Pursuant to Section 4, the fee for abandonment of a water supply is the actual cost to the Regional District.

SCHEDULE "C"

(Bylaw 3679)

USER FEES

1. Billing and Payment:

- (a) User fees invoiced by the Capital Regional District are due and payable by the owner of the parcel within thirty (30) days from the date the bill is issued. A late payment charge of 2.5% of the past due amount shall be added to all delinquent water bills.
- (b) User fees shall be payable each three months as billed by the Capital Regional District.
- (c) Amounts outstanding after penalty dates will be considered in arrears.
- (d) All payments received will be applied firstly against arrears, and then to current balances.

2. Fees Payable:

- (a) User charge per unit: \$668.24

The type of use described in Column A is equivalent to the number of units specified in Column B.

COLUMN A

COLUMN B
NO. OF UNITS

Residential Housing - each single family dwelling

1

Others - For each 300 imperial gallons of daily water consumption over the year. Estimated flows will be based upon minimum daily flows as established by regulations issued pursuant to BC *Health Act*.

1

- (b) Excess consumption fee:
for metered water use by all consumers
in excess of 10,000 imperial gallons per month \$10.00 per 1,000 imperial gallons

SCHEDULE "D"

RATES PAYABLE

1. Parcel Tax:

The Capital Regional District hereby levies a parcel tax on each parcel of land located within the Sticks Allison Local Service Area whether or not the parcel of land is connected to a water main, provided no parcel tax shall be levied in the year 1998.