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BYLAW NO. 3132

SURFSIDE PARK ESTATES WATER SERVICE AREA FEE AND CHARGE BYLAW NO. 1, 2003

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

ORIGINALLY ADOPTED DECEMBER 10, 2003
(Consolidated with Amending Bylaws 3160, 3507, 3672)

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. 3132

A BYLAW TO IMPOSE FEES AND OTHER CHARGES
WITHIN THE SURFSIDE PARK ESTATES WATER SERVICE AREA

WHEREAS:

- A. Under Bylaw No. 3087, "Surfside Park Estates Water Service Establishment Bylaw No. 1,2003", 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. 3087.
- B. The bylaw authorizes the recovery of the annual costs to be recovered by one or more of the following:
 - a) by the requisition of money under Section 806 of the *Local Government Act* to be collected by a property value tax to be levied and collected on land and improvements within the service area;
 - b) by way of an annual Parcel tax; and
 - c) by the imposition of fees and charges to be imposed by bylaw under Section 797.2 of the *Local Government Act*; or
 - d) by revenues raised by way of agreement, enterprise, gift, grant, or otherwise.
- C. Under Section 796 of the *Local Government Act*, the Board, having established the service, the Capital 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.

NOWHEREFORE 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 a service connection has been provided by the Capital Regional District.
- (b) **"Service Area"** means the service area established under Bylaw No. 3087, "Surfside Park Estates Water Service Establishment Bylaw No. 1, 2003".
- (c) **"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.

2. Service Connection Fee

An applicant for a service connection in respect of real property within the 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 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 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 parcel in the service area to which a service connection has been installed and shall be paid in accordance with Schedule "C" hereto.

6. This Bylaw may be cited for all purposes as the "Surfside Park Estates Water Service Area Fee and Charge Bylaw No. 1, 2003".

READ A FIRST TIME THIS	10 th	day of	December	2003
READ A SECOND TIME THIS	10 th	day of	December	2003
READ A THIRD TIME THIS	10 th	day of	December	2003
ADOPTED THIS	10 th	day of	December	2003

Original Signed by Don Amos
CHAIR

Original Signed by Carmen Theil
SECRETARY

SCHEDULE "A"
WATER CONNECTIONS AND CHARGES
SURFSIDE PARK ESTATES WATER 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,
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) \$ _____

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 Capital 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): Monday through Friday non- inclusive of statutory holidays	Turn off	\$25.00
		Turn on	\$25.00
(b)	During non-working hours:	Turn off	\$75.00
		Turn on	\$75.00

2. Abandonment Fee:

Pursuant to Section 4, the fee for abandonment of a water supply is the actual cost to the Capital Regional District to remove the service connection, calculated in accordance with the formula in Schedule "A" appended to this bylaw.

SCHEDULE "C"

(Bylaw 3672)

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 arrears.
- (d) All payments received will be applied firstly against arrears, and then to current balances.

2. **Fees Payable:**

- (a) User charge per unit: \$867.18 per year, billed in four equal payments.

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

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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*.

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