



BYLAW NO. 173

A BYLAW TO REGULATE THE USE OF THE QUATHIASKI COVE SEWAGE SYSTEM AND TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF RATES

WHEREAS the Strathcona Regional District is authorized to operate a service for the collection, conveyance, treatment and disposal of sewage at Quathiaski Cove;

AND WHEREAS the Regional District may, by bylaw, regulate the use of the sewage service including the design and installation of sewerage works provided by persons other than the Regional District;

AND WHEREAS the Regional District may, by bylaw enacted pursuant to the *Local Government Act*, impose fees and charges payable in respect a service and, for that purpose, establish different rates for different classes of property, businesses and activities;

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

PART 1 - INTERPRETATION

Definitions

1. In this bylaw, unless the context otherwise requires:

“applicant” means an owner or agent making application for a sewer connection.

“building sewer” means a sewer and all attachments installed, owned and maintained by the owner connecting a service connection at or near the property line to the plumbing system of a building or structure on the premises.

“commercial” means those properties zoned for commercial use.

“dwelling unit” means a self-contained unit consisting of one or more rooms designed, occupied or intended for occupancy as a separate household with sleeping, sanitary and cooking facilities and includes single family residences, condominiums, townhouses, duplex units, apartments, guest homes, garden cottages and strata units.

“Manager” means the Community Services Manager and includes any person appointed or designated by them to act on their behalf or to carry out the function of the Manager under this bylaw.

“owner” means the person or persons registered under the *Land Title Act* as the owner of the parcel or any other person who is in lawful possession of the parcel or who is in lawful possession or occupancy of any building situated on the parcel.

"parcel" means any lot, block or other area in which land is held or into which it is subdivided but does not include a highway.

"premises" means any land or building or both or any part thereof.

"Regional District" means the Strathcona Regional District and those officers, employees and agents duly authorized to represent the Regional District in respect of this bylaw.

"sanitary sewer" means a sewer owned and operated by the Regional District that carries sanitary sewage or wastewater but is not intended to carry stormwater or uncontaminated water.

"service area" means the Quathiaski Cove Local Service Area, as established by Bylaw No. 1588, being the "Quathiaski Cove Sewage Local Service Area Establishment Bylaw, 1993.

"service connection" means a pipe which includes an inspection chamber or clean-out and all necessary appurtenances to connect a sewer connection to a building sewer at or near the property line.

"sewage" means liquid waste that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"sewer" means all pipes, conduits, drains and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District, for collecting, pumping, and transporting wastewater either to a sewage facility.

"sewer connection" means the sewer pipe extending from the sewer collection main to the service connection located at the property line of a parcel except, where the sewer collection main serving the parcel is located in an easement or right of way, the boundary of the easement or right of way shall be deemed to be the property line of the parcel.

"sewer extension" means any installation requiring the construction of a sanitary sewer on a highway or Regional District right of way.

"sewer system" means the system of sanitary sewer works owned and operated by the Regional District and used for the collection, conveyance, treatment and disposal of sewage for the benefit of the service area.

"single family residence" means a detached building having independent exterior walls and designed or used exclusively for residential purposes by not more than one person or family.

"STEP system" means a septic tank effluent pumping sewer system consisting of a liquid/solids separation tank with a pumping system discharging into the gravity sewer system

"strata unit" means a dwelling unit within a multi-unit strata titled building or a separate lot within a bare land strata.

"unit" means a self-contained unit within a building which may have separate or common sanitary sewer facilities.

"user fee" means the sum of money required to be paid by owners of real property for continued use of the sewer system.

PART 2 – SERVICE CONNECTIONS

Parcels Capable of Connection

2. In this Part, “**capable of connection**” means, with respect to a parcel, that;
 - (a) the parcel is within the service area,
 - (b) the parcel abuts a highway, Regional District right of way or easement registered in favour of the Regional District which contains a portion of the sewer system, and
 - (c) the elevation of the parcel is such that a service connection will have adequate depth at the property line to allow sewage emanating from buildings and structures on the parcel to be pumped or drain by gravity into the sewer system.

Requirement for Connection

3. Each parcel that contains a dwelling unit or other unit that is capable of connection to the sewer system shall connect to the sanitary sewer.

Application Process

4.
 - (1) Applications to connect to the sewer system shall be made to the Regional District in the form of Schedule “A” to this bylaw and accompanied by the proper fee as specified in Schedule “C” to this bylaw.
 - (2) The application shall be accompanied by detailed drawings showing the dimensions of all buildings and sewers and their location in relation to the property line, and shall include locations of a valve, an inspection chamber or cleanout, ground cover over pipe, type of pipe proposed to be used and, where applicable, location, size and depth of any existing septic tank.

Connection Details

5.
 - (1) Each parcel that connects to the sewer system shall have a separate and independent connection.
 - (2) The supply, installation and backfilling of the sewer connection and service connection may be undertaken;
 - (a) by the owner at the owner’s expense subject to approval from the Regional District, or
 - (b) by the Regional District and, in that case, the owner must pay the cost of all works and provide a deposit of 125% of the estimated cost of work to the Regional District, including project management costs, with any excess amount billed at the time the work is complete, or any surplus fees refunded upon reconciliation of the account.
 - (3) The minimum size of a sewer connection is 100 mm in diameter provided that the design of any sewer connection to a business, commercial, industrial or multi-family development, as determined by the Regional District, must be designed and inspected by a professional engineer.
 - (5) All connections to the sanitary sewer shall be made in accordance with the regulations contained within the British Columbia Plumbing Code.

- (6) The owner of the premise to which a service connection has been made shall be responsible for payment of all sewer charges, whether the premises are occupied or vacant or the service is used or not used.

Connection Location

6. Where possible, a sewer connection will be located where requested by the applicant, however if the applicant's preferred location is not practicable due to unsuitable ground conditions or the existence of surface improvements or underground utilities, the Regional District may designate the location of the sewer connection.

Order to Connect

7.
 - (1) The Regional District may issue a Order to Connect to the owner of any parcel capable of connection and, upon receipt of such notice, the owner shall connect or cause to be connected the buildings on the parcel to the sewer connection within the period specified in the order.
 - (2) The period specified in subsection (1) will be not less than two months nor more than six months.
 - (3) An Order to Connect will be sent by registered mail or delivered by personal service to an owner of a parcel capable of connection and the notice will be deemed to have been received three days after mailing.
 - (4) If, after the expiration of the time period specified in the Order to Connect, an owner has failed or neglected to construct or install a building sewer and service connection and has failed or neglected to connect the buildings or structures on the parcel to the sewer connection as required, the Regional District, by its employees or contractors, may enter upon the property and cause the connection to be made.
 - (5) Where a building sewer, service connection or both is made under subsection (4), it will be done at the expense of the owner in default and the expense may be recovered from the owner under Section 797.2 of the *Local Government Act* in the same manner as taxes.

PART 3 – CONDITIONS OF SERVICE

Owner Responsibilities

8.
 - (1) A building sewer must be maintained by the owner at the owner's sole expense.
 - (2) Where a sewage pump unit has been installed on the premises to enable the premises to use the sanitary sewer, the operation and maintenance of the pump shall be the responsibility of the owner.

Sewer Blockages

9.
 - (1) A building sewer shall be maintained by the property owner at their sole expense.
 - (2) Where any sewer connection or service connection becomes stopped up or otherwise fails to properly function the owner of the premise served must

determine the location of the blockage and, unless the blockage is located in the building sewer, notify the Regional District immediately.

- (3) The Regional District shall, as soon as practicable following notification, arrange to have the service connection or sewer connection unstopped or otherwise restored to serviceable condition.
- (4) Where any stoppage or failure is found to exist in the service connection or sewer connection and where such stoppage or failure is found to have been caused by the act or neglect of the owner or occupier of the premises, all cost incurred by the Regional District in restoring service and unstopping the sewer connection or service connection must be paid by the owner or occupier of the premises upon demand.
- (5) If the costs imposed under subsection (4) remain unpaid on the December 31 in the year in which the work is done, the costs will be recovered in accordance with Section 797.2 of the *Local Government Act*.

Abandonment of Building Sewer

10. (1) When any building sewer is abandoned, the owner of the premises must notify the Regional District and the owner must effectively block up the building sewer at the service connection with an approved watertight seal.
- (2) When a dwelling unit or unit is demolished or removed, the owner may apply in writing for the cancellation of the user fee, effective the month following notification of demolition or removal.

When Service Connection is Required

11. (1) No person shall install a sewer connection prior to installation of the building sewer and connection of the building sewer to the service connection.
- (2) Where a building sewer is installed prior to installation of the sewer connection the owner of the premise will be responsible for ensuring that the building sewer can be connected to the service connection in accordance with the requirements of this bylaw.

Depth of Bury

12. (1) Depending on the depth of the sewer, the minimum depth of the service connection at the property line shall be 1.2 metres wherever practicable.
- (2) An owner must install the building sewer with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is made impractical by the relative elevation of the sewer and the lowest floor of the building or structure or by any other cause.

Prohibitions

13. (1) No person shall cause or permit to be discharged into the sewer system or into any manhole or inspection drain or other part of the sewer system or into any plumbing fixture connected to the sewer system, any substance of any kind that:
 - (a) obstructs, tends to obstruct or damages the sewer system;

- (b) interferes or tends to interfere in any manner with the proper functioning, maintenance or repair of the sewer system;
 - (c) without limiting the generality of the foregoing, has prohibited waste set out in "Quathiaski Cove Sewer Use Bylaw, 1991, Bylaw No. 1922.
- (2) No person shall:
- (a) damage, destroy, uncover, deface or otherwise tamper with any part of the sewer system;
 - (b) connect any roof drain or other storm water drain to the sewer system; or
 - (c) make or alter any connection to the sewer system without obtaining the required permits or written authorization of the Regional District.

PART 4 – SYSTEM EXTENSIONS

Extension Applications

14. Any owner of land located within the service area, other than an extension to serve lots created by a subdivision of land, who wishes an extension to the system to service the land, must make a written application to the Regional District in the form set out as Schedule "B" to this bylaw and receive written approval to proceed.

Extension Limits

15. The minimum inside diameter of a sewer shall be 200 millimetres (200 mm) and shall extend from the most convenient existing sewer terminus having sufficient surplus capacity and grade to carry the additional sewage resulting from the extension to a point opposite the furthest boundary of the last parcel to be served by the extension.

Cost of Extensions

16. (1) An owner of land who wishes to proceed with an approved system extension shall:
- (a) pay to the Regional District all amounts reasonably estimated by the Regional District to represent the reasonable cost of design and construction of the extension to the sewer system, and modifications to the sewer system to allow the extension; or
 - (b) cause a qualified contractor to construct the extension and modifications referred to in paragraph (a) entirely at the cost of the owner.
- (2) Where the Regional District determines that a sewer main of greater capacity than is required to service the parcels for which an application is made, upon request by the Regional District, the applicant will upsize the sewer main and the Regional District shall pay the cost of providing the excess capacity.

Extension Constructed by Owner

17. Where an extension to the sewer system is constructed by the owner under Section 16(2), the extension must be:
- (a) designed by a professional engineer registered in the Province of British Columbia;

- (b) constructed in accordance with plans and specifications approved by the Regional District;
- (c) constructed in accordance with all requirements, standards and policies of the Regional District;
- (d) inspected by the Regional District prior to backfilling;
- (e) approved and accepted by the Regional District; and
- (f) transferred to the Regional District together with all necessary rights, easements and other authorities as may be required.

Connection Fee

18. Construction of an extension to the sewer system does not relieve an owner from payment of a sewer connection fee for each parcel to be served by the extension.

Payment of Extension Cost

19. If a sewer extension is constructed by the Regional District at its cost, the owner or owners of the properties to be served must reimburse the Regional District within thirty (30) days of issuance of an invoice.

No Obligation to Extend

20. This Part shall not be interpreted as imposing an obligation on the Regional District to construct or approve any extension.

PART 5 – UNAUTHORIZED CONNECTIONS**Authorization Required for Connections**

21. No person shall connect, allow to be connected, or allow to remain connected to the sewer system any parcel:
- (a) without the required permits or written authorization from the Regional District; or
 - (b) contrary to the provisions of this bylaw.

Disconnection

22. (1) The Regional District may, on thirty (30) days written notice sent to the owner by registered mail or delivered by personal service, order the disconnection, stopping up and closing of a service connection at the expense of the owner for:
- (a) violation of any provision of this bylaw; or
 - (b) failure to maintain the building sewer or other plumbing on the owner's premises that is connected to the sewer system in contravention of the British Columbia Building Code.
- (2) A notice under subsection (1) shall be deemed to have been received three (3) days after mailing.

- (3) The Regional District may order the immediate disconnection, stopping up and closing of a sewer connection which discharges into the sewer system contrary to this bylaw.

PART 6 – ENFORCEMENT

Right of Entry

23. The Manager or Bylaw Enforcement Officer of the Regional District may enter, at all reasonable times, any property subject to this bylaw to ascertain whether the provisions of this bylaw or the directions of the Manager or Regional District pursuant to this bylaw are being contravened.

Penalty

24. Every person who contravenes any of the provisions of this bylaw or permits any act or thing to be done in contravention of a provision of this bylaw commits an offense and is liable on summary conviction to a penalty not exceeding the sum of two thousand dollars (\$2,000.00).

PART 7 – RATES AND CHARGES

Imposition of Rates

25. The fees and charges specified in Schedule "C", attached to and forming part of this bylaw, are hereby imposed and levied for sewer services supplied by the Regional District.

Connection Fees

26. An applicant must pay the sewer connection fee prescribed in Schedule 'C' of this bylaw at the time application is made for a sewer connection.

User Charges

27. The owner or occupier of premises must pay the user charge in Schedule 'C' of this bylaw for the use of the sewer system.

Charges Prorated

28. The user fees for the sewer system shall be prorated to the beginning of the month following the commencement or termination of service.

Delinquent Accounts

29. All user fees shall be charged annually and any fees and charges that remain unpaid after December 31 in any year shall be deemed to be taxes in arrears and collected in accordance with the provisions of the *Local Government Act*.

PART 8 – REPEAL AND TRANSITION

Effective Date

30. This bylaw becomes effective on the date of its adoption.

Repeal

31. The following bylaws are repealed in their entirety:

- (1) Bylaw No. 1979, being Quathiaski Cove Sewer Connection Bylaw 1998, and
- (2) Bylaw No. 147, being Quathiaski Cove Sewer System Fees and Charges Bylaw 2012.

Citation

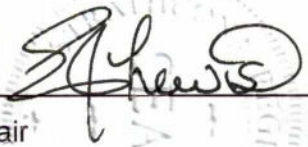
32. This bylaw may be cited for all purposes as Bylaw No. 173, being Quathiaski Cove Sewer Rates and Regulations Bylaw 2013.

READ A FIRST TIME ON THE 23RD DAY OF MAY, 2013

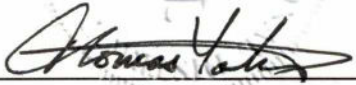
READ A SECOND TIME ON THE 12TH DAY OF JUNE, 2013

READ A THIRD TIME ON THE 12TH DAY OF JUNE, 2013

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 12TH DAY OF JUNE, 2013



Chair



Corporate Officer

SCHEDULE "A"

Application for Connection to the Sewer System

Owner: _____ Folio No.: _____

Legal Description: _____ P.I.D. No.: _____

Civic Address: _____ Phone No.: _____

DATA SHEET

(to be completed by applicant)

Sewer Service pipe size and type: _____

Depth of bury at property line: _____

Depth of bury at mainline: _____

Use other than domestic: _____

Maximum distance property line to structure: _____

Distance from service connection to nearest property line: _____

Indicate location of septic field: _____

Date requested for inspection and approval: _____

A Site Location Sheet must be provided by the Property Owner at time of application. See example drawing attached.

Signatures:

Owner (or Authorized Agent): _____ Date: _____

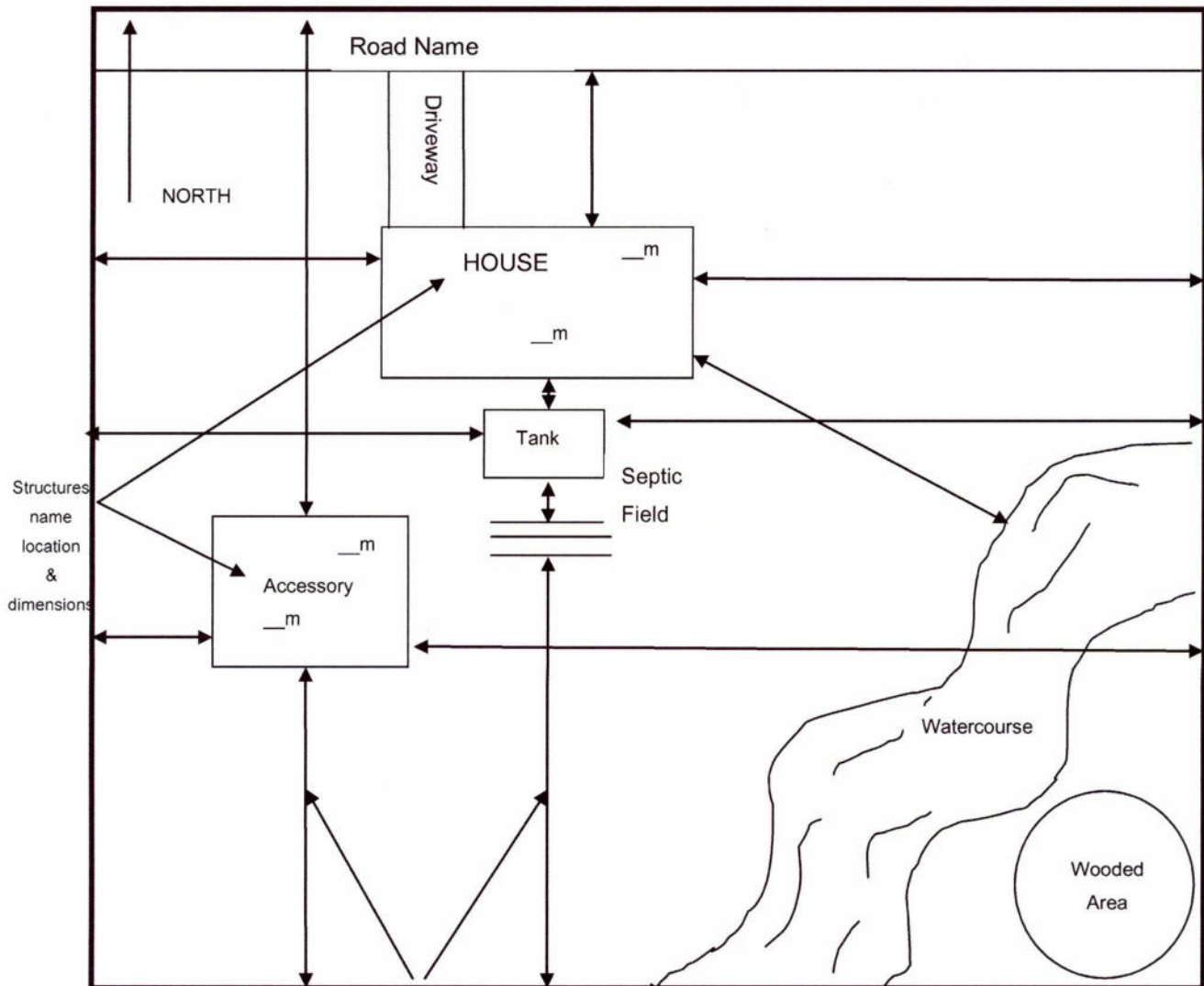
Planning Department: _____ Date: _____

Highways Department: _____ Date: _____

Engineering Department: _____ Date: _____

Connection Fee Paid: _____ Date: _____

SAMPLE LOCATION SHEET



Setbacks from all lot lines with DISTANCES

In order to process your application, please attach a site drawing at a reasonable scale which includes the following:

- An indication of the orientation of the lot (north arrow).
- The dimension (footprint) of all existing buildings and structures.
- All distances between existing buildings and all property lines.
- All distances between existing buildings.
- The location/direction of the sea, a lake, river, stream, creek cliff, bank, ravine, or escarpment and its distance from existing buildings and property lines.
- The location of the driveway access.
- Location of septic field/tank or sewage disposal system noting distances to property lines and all existing buildings.

SCHEDULE "B"

Application for Extension of Sewer System

I, _____ of _____, being the owner (or duly authorized agent of the owner) of the lands and premises described as follows (legal description and street address of all parcels of land to be served by extension)

(the "Lands"), hereby apply to the Strathcona Regional District for an extension of the Quathiaski Cove Sanitary Sewer System to serve the Lands. If this application is granted and an extension of the Sanitary Sewer System is approved I acknowledge and agree that, in accordance with the Quathiaski Cove Sewer Rates and Regulation Bylaw, I will be responsible for all costs associated with the construction of this extension and the modification to existing works of the Regional District to accommodate the extension. I have reviewed all regulations, terms and conditions of the Regional District relating to such extensions and acknowledge that the terms and conditions governing extensions and use may be amended by bylaw or policy of the Regional District from time to time.

Dated this _____ day of _____

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

Address

Address

Telephone No.

Telephone No.

SCHEDULE "C"

Sewer Fees and Charges

<u>User Fees</u>	<u>Annual Charge</u>
Residential Users	
Dwelling Unit (per unit)	\$562.00
Dwelling Unit with STEP System	\$536.00
Commercial/Industrial Users	
Commercial and Industrial (not more than 4 units)	\$2,248.00
Commercial and Industrial (per unit charge for building or building compound with more than 4 units)	\$562.00
Institutional Users	
School	\$14,610.00
Other Institutional, Government and Police	\$1,686.00
<u>Connection Fees</u>	
<u>Per Connection Charge</u>	
Fees to connect a parcel of land to the sewer system:	
Owner Installed	
a) Application fee	\$300.00
b) Sewer connection fee	\$1,000.00
c) Re-inspection fee (if required).	\$200.00
Regional District Installed	
a) Application fee	\$300.00
b) Sewer connection fee	\$1,500.00
c) The actual cost of construction of the work including but not limited to all pavement and boulevard work, with an initial deposit of 125% of the cost of work estimated by the Regional District.	Actual cost plus 10% administration fee