

VILLAGE OF TAHSIS

SEWER REGULATIONS AND RATES BYLAW NO. 582, 2016

A Bylaw to regulate connections, and use of the sanitary sewerage system and to impose connection charges, inspection fees, user rates and maintenance charges for the use of sewers

THE COUNCIL OF THE VILLAGE OF TAHSIS, in open meeting assembled, ENACTS AS FOLLOWS:

Part 1 - Citation and Definitions

1. This bylaw may be cited as the "Sewer Regulations and Rates Bylaw, No 582, 2016".
2. In this bylaw the definitions set out in the British Columbia Building Codes 2012 and the following definitions shall apply:
 - a) "Apartment building or multiple dwelling" means any building, not being a lodging house or hotel, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied, as the home or residence of three or more families living independently or each other and doing their own cooking within their apartment or suite.
 - b) "Bed and Breakfast" means a private residence in which one or more sleeping rooms are rented out, whether or not meals are provided.
 - c) "Boarding House" means any building or place used primarily for sleeping quarters but does not include a Bed and Breakfast, hotel, or motel.
 - d) "Building sanitary sewer" means a pipe, including manholes and inspection chambers laid on a property connecting a service connection with a house, building or structure on a property.
 - e) "Commercial Premises" means all land and premises, on or within which any interchange of commodities, or any dealing or trading in any article of

commerce or other thing is carried on as a business, and shall include all premises in which any service, professional or otherwise is provided, given or made available and for which any fee, charge, rent or commission is payable, and without limiting the foregoing shall include auto courts, hotels, lodging houses, boarding houses, offices, places of entertainment or amusement, tent camping grounds, marinas and mobile home parks.

- f) "Commercial Unit" means any business which is operated separately from any other business on or within commercial premises.
- g) "Connection Charge" means the amount due and owing to the Village for the installation and construction of a service connection as set out in Schedule "B" to this Bylaw.
- h) "Council" means the Council of the Village of Tahsis.
- i) "Director of Infrastructure and Operations" means the Director of Infrastructure and Operations or his or her appointed delegates, assistants or representatives.
- j) "Dwelling Unit" means one or more habitable rooms which constitute one self-contained unit used or intended to be used for living and sleeping purposes for which is provided:
 - 1. cooking equipment or the facilities for the installation of cooking equipment; and
 - 2. one or more bathrooms with a toilet, wash basin and shower or bath
- k) "Guest House" shall mean a single family residence which is rented for accommodation, but shall not include a Bed and Breakfast, hotel, motel, or boarding house.
- l) "Home based business" means an occupation, business, craft, or profession conducted for profit, which is carried on as an accessory use in a dwelling unit or accessory building to the dwelling unit.
- m) "Hotel" means a building occupied as the temporary accommodation of individuals who are lodged there with or without meals and in which there are more than five (5) sleeping rooms with no cooking equipment or facilities in the rooms.

- n) "Independent Mobile Home" means a mobile home equipped with a toilet and a bathtub or shower, waste from both of which is disposed directly into a sewer through a drain connection.
- o) "Industrial premises" means a use providing for the processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing or repairing of goods, materials or things.
- p) "Inspector" means the Building Inspector of the Village or his or her delegate.
- q) "Mobile Home" means a structure manufactured as a unit designed to be transported on its own wheels or by other means, and arriving at the site ready for occupancy apart from incidental operations and connections;
- r) "Mobile Home Park" means any parcel of land, upon which two or more mobile homes, occupied for dwelling purposes, are located, including all buildings, structures, homes, occupied for dwelling purposes, are located, including all buildings, structures or accessories used or intended to be used as equipment for the mobile home park.
- s) "Motel" means a group of furnished rooms or separate buildings providing sleeping and parking accommodation for tourists and commonly known as tourist cabins or motor courts, as distinguished from furnished rooms in an existing residential building.
- t) "Owner" means an owner of a parcel or real property including:
- the registered owner of an estate in fee simple;
 - the tenant for life under a registered life estate;
 - the registered holder of the last registered agreement for sale; and
 - the holder or occupier of land in the manner referred to in the definition of "Owner" in the Schedule to the *Community Charter* and amendments thereto
- u) "Rate" means the price or sum of money to be paid by any consumer for any water supplied or made available.
- v) "Sanitary Sewerage System" means all sanitary sewer works, sewage facilities and all appurtenances thereto, including sewer mains, sewage outfalls, service connections, sewage lift stations, force mains, siphons and treatment facilities owned, controlled, maintained and operated by the Village for collecting and transporting waste.

- w) "Service Connection" means a service pipe from the sewer to the property line of a parcel and includes an inspection chamber.
- x) "Sewage" means water carried wastes from residence, business buildings, institutional and industrial establishments, and shall include:
 - a) Industrial waste
 - b) Sanitary waste exclusive of industrial wastes; and
 - c) The discharge of stale swimming pool water

Part 2 - General Provisions

- 3 Council may from time to time amend this bylaw in whole or in part and may without limiting the generality of the foregoing establish or amend policies, criteria, rates and fees.
- 4. The Schedules attached are an integral part of this bylaw.

Applicability

- 5. This bylaw shall apply to the sanitary sewerage system owned and operated by the Village.

Role of the Director of Infrastructure and Operations

- 6. The Director of Infrastructure and Operations shall have charge of rating of all buildings and premises supplied with the water and also have charge and control of all properties and works in connection with the water system and of all connected engineering and mechanical work.

Supply of Sewer throughout the Village

- 7. It shall be lawful for the Village to supply sewer services to the inhabitants of the Village who can be served from the Village's sanitary sewerage system and the provisions of the bylaw shall extend to and be binding upon all persons so served.
- 8. Every owner of real property which abuts a street, lane or other public right-of-way upon or under which there is a sanitary sewerage system, or is within 50m of a sanitary sewerage system, and where this is a building or structure on the property, shall connect the building or structure to the sanitary sewerage system in the manner prescribed by this bylaw.

Village not Liable for Failure of Sanitary Sewerage System

- 9. The Village shall not be liable for the failure of the water supply due to an accident or damage to the water system or for excessive pressure or lack of pressure or any temporary stoppage on account of alterations or repairs, whether the failure arises from the negligence of any person in the employ of the Village

or any other person or through natural deterioration or obsolescence of the Village's system.

Part 3 – Service Connections

Application Process for a Service Connection

10. All applications for service connections must be made in writing to the Village by the owner(s) in the form established by the Village.
11. Every application for a service connection must be accompanied by the applicable connection charge.
12. The Village will direct the installation and construction of a service connection be commenced within ninety (90) days of approval of the application.
13. When an application for a service connection accompanies a building permit with a construction value greater than \$100,000 or where a parcel is being redeveloped, the following shall apply to the service connection and the building sanitary sewer:
 - a) if either the service connection or the building sanitary sewer is 30 years old or older, a replacement or new service is required;
 - b) all no-corrode, asbestos cement or clay service pipes of any age or condition shall be replaced;
 - c) any shared service connections and building sanitary sewer shall be replaced; and
 - d) all costs associated with the above are the responsibility of the owner.

The Village may waive part of the above requirements if the Village deems the cost of the replacement excessive.

Specific Prohibitions

14. No person may uncover, connect, or attempt to connect or be allowed to be connected or remain connected to a service connection or to a sewer, parcel or premises otherwise than in accordance with this bylaw.
15. The owner of a parcel that is connected to a service connection or to a sewer without first making the appropriate application to and obtaining approval from the Village or without paying the applicable charges is in contravention of the bylaw. In addition to any penalty that may be applied, the building sanitary sewer may be disconnected and the service stopped or closed. The Village may

also establish conditions and requirements which the owner must fulfill before the service can be reinstated.

16. No person shall bury, cover or obstruct, at any time, or in any manner, the access to any manhole, inspection chamber, or other fixture connected with the sanitary sewerage system. The Village may remove the obstruction and the costs associated with the removal and reinstatement of the sanitary sewerage system will be charged to and paid by the owner.
17. No person will accept or emit waste or other material or substances, or, permit them to be brought in or discharged from properties, places or persons other than the waste generated within the property to which the service is provided.
18. Except as otherwise approved by the Village, no work of any kind connected with the sanitary sewerage system is permitted to be done by any person other than an employee or agent of the Village.

Building Sanitary Sewer

19. Every owner shall construct building sanitary sewers in compliance with the current B.C. Building Code and shall operate and maintain the building sanitary sewer including any blockages.
20. All materials, fixtures or devices used or entering into the construction of plumbing systems or parts must conform to the minimum applicable standard in the BC Building Code unless otherwise provided for in this Bylaw.
21. If after receiving written notice from the Village, the owner does not operate and maintain the building sanitary sewer, an agent or employee of the may enter the parcel to undertake the necessary repairs and /or replacements. The actual cost of this is recoverable by the Village and shall be paid by the owner in full. The Village shall be entitled to recover actual cost from the owner in the same manner as Village taxes.

Right of Inspection

22. Every owner and occupier of premises to which a service connection has been installed must allow and permit the Village and all associated inspection equipment, to enter into or upon the real property and premises for the purpose of inspecting the premises including the building sanitary sewer and related apparatus to ensure the terms of this bylaw are being complied with.

Part 4 - User Charges

User Charges

23. The charges enumerated in Schedule "A" are hereby imposed and levied by the Village to every owner of real property which is directly or indirectly served by the Village's sanitary sewerage system. Every owner of real property which is served by the Village's sanitary sewerage service must pay a user charge as determined by the Village.
24. The rates, fees and charges enumerated in Schedule "A" is hereby imposed for connections to the sanitary sewerage system of the Village. All rates, fees and charges shall form a charge on the parcels of the respective owners using the sanitary sewerage system and may be recovered in the same manner and by the same means as overdue taxes.

Part 5 - Offences and Penalties

Offences

25. Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act, or who violates any of the provisions of this Bylaw shall be deemed to be guilty of an infraction and liable to the penalties imposed in this Bylaw.

Penalties

26. Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out, or perform any duty or obligation imposed by this Bylaw is liable, on summary conviction, to a fine of not less than the sum of One Hundred Dollars (\$100.00), but not exceeding the sum of Ten Thousand Dollars (\$10,000.00).
27. Where there is an offence that continues for more than one day, separate fines may be issued for each day or part thereof in respect of which the offence occurs or continues.
28. Any person who contravenes any provision of this Bylaw is liable to the Village and must indemnify the Village from all costs, expenses, damages and injuries resulting from the contravention. This does not in any way limit any other provision or any other remedy the Village may have under this Bylaw or otherwise at law.

29. The Village may enforce compliance with the stipulations within this Bylaw or nonpayment of fines by shutting off the provision of sanitary sewerage services being supplied to the user or discontinuing the service thereof.
30. Nothing in this Bylaw limits the Village from utilizing any other remedy that is otherwise available to the Village at law.

Part 11 - Administration

70. This bylaw hereby repeals "Village of Tahsis Sewer Regulations and Rates Bylaw No. 543, 2008" and all amendments thereto.
71. This bylaw shall come into effect upon its adoption.

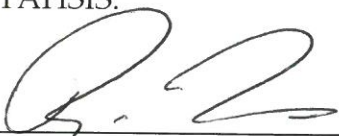
This bylaw shall become effective on the 3rd day of May, 2016, upon which date Bylaw No. 543 2008 and its amendments shall be repealed.

READ for the first time this 5th day of April, 2016

READ for the second time this 5th day of April, 2016

READ for the third time this 19th day of April, 2016

ADOPTED BY COUNCIL, SIGNED BY THE MAYOR AND THE CHIEF ADMINISTRATIVE OFFICER AND SEALED WITH THE SEAL OF THE VILLAGE OF TAHSIS.



Deputy Mayor



Chief Administrative Officer

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 582, 2016 duly passed by the Council of the Village of Tahsis on the 3rd day of May, 2016



Chief Administrative Officer

**Village of Tahsis, Sewer Regulations
and Rates Bylaw No 582, 2016**

Categories	Schedule "A" Flat Rates	Annual Fee
	<i>NOTES</i>	
Dwelling Unit		
Dwelling unit per unit single family, duplex unit,, apartment, suites, Guesthouses, condos		240.00
Mobile Home Park per pad with mobile home		240
Bed and Breakfasts, Boarding, Lodging and Rooming Houses		240
plus per room		120.00
Hotels and Motels		240.00
plus per room for rent		120.00
Restaurants, cafes, dining rooms, pubs		816
Churches		240.00
Industrial premises		276
plus per square foot		0.11
Schools		240
plus per classroom		84
Clubs, non-profits		240.00
Home based businesses		240
plus		84
Retail premises		276.00
plus per square foot gross area		0.11
Garage and service station		312.00
Campgrounds per site		36.00
Sani-stations		336.00
Other commercial		312.00