

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BY-LAW NO. 358

Being a by-law for the purpose of maintaining and emptying of septic tanks.

WHEREAS Supplementary Letters Patent of the Regional District of Central Okanagan issued the Nineteenth (19th) day of March, 1974, granted the Regional District the authority to acquire, establish, develop, operate, regulate and maintain grounds and other facilities for the disposal of septic tank effluent and waste and may by by-law establish and impose charges for the use thereof within the areas comprising the City of Kelowna, the Corporation of the District of Peachland and Electoral Areas A, G, H and I;

AND THAT Clauses (b), (e), and (h) of Subsection (1) of Section 614 of the Municipal Act, R.S.B.C., 1979 apply,

AND WHEREAS the Regional Board of the Regional District of Central Okanagan deem it advisable to enact regulations pertaining to the emptying of septic tanks and to establish works necessary for the disposal of septic tank effluent,

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled enacts as follows:

1. In this By-law unless the context otherwise requires
 - 1) "Regional District" shall mean the Regional District of Central Okanagan as described in the Letters Patent or subsequent amendments thereto incorporating the said Regional District.
 - 2) "Regional Board" means the Regional Board of the Regional District of Central Okanagan holding office for the time being.
 - 3) "Secretary-Treasurer" shall mean the Secretary-Treasurer" of the Regional district of Central Okanagan.
 - 4) "Septic Tank Effluent" shall mean effluent pumped from septic tanks or holding tanks and including storm and runoff water.

- 5) "Contractor" shall mean the owner of a septic tank truck or his employee engaged in the business of pumping septic tanks and disposing of septic tank effluent.
2. The Regional Board shall establish, maintain and operate grounds and works or cause to be established grounds and works for the disposal of septic tank effluent and the charges for the use thereof shall be as set out in Schedule "A" herein, the said works shall be as described in Schedule "B" herein.
3. The owner of a septic tank shall maintain same in good and sufficient order.
4. All contractors disposing of septic tank effluent shall do so by delivering same to the works established or approved by the Regional Board and the fee set out in Schedule "A" herein shall be paid by the contractor to the Regional District.
5. No contractor shall empty or clean out a septic tank within the Regional District unless such contractor is the holder of a valid permit issued by the Regional District granting authorization to empty septic tanks within the area regulated by the By-law.
6. The Regional District may issue a permit to a contractor upon request granting the contractor authorization to empty or clean out septic tanks within the area regulated by this By-law upon the payment of the fee set out in Schedule "A" herein; and that all such permits issued shall expire on December 31st, in each year.
7. The Regional Board upon giving notice by registered or certified mail may cancel or revoke the permit issued under Clause 6 herein if the contractor named in the said permit does not comply with the requirements of this By-law.
8. Every person who violates any of the provisions of this by-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law or who does any act which violates any of the provisions of this by-law shall be deemed to be guilty of an infraction thereof and liable to the penalties hereby imposed;

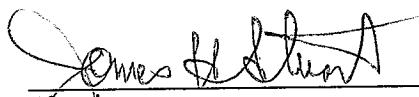
9. Every person guilty of an infraction of this by-law shall be liable on summary conviction to a penalty not exceeding \$500.00 per each offence and a fresh penalty not exceeding \$100.00 for every day or portion of a day during which such infraction shall continue.

10. This By-law may be cited for all purposes as the "Regional District of Central Okanagan Septic Tank Effluent and Regulation By-law No. 358, 1988.

11. Regional District of Central Okanagan Septic Tank Effluent and Regulation By-law No. 92 and Amending By-laws No. 98, 127, 209, 244 and 317 are hereby repealed.

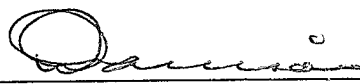
READ A FIRST TIME THIS 11th DAY OF April, 1988.
READ A SECOND TIME THIS 11th DAY OF April, 1988.
READ A THIRD TIME THIS 11th DAY OF April, 1988.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 2nd DAY OF May, 1988.



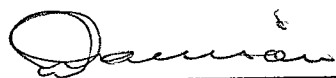
Chairman

I hereby certify the above to be a true and correct copy of By-law No. 358, 1988 cited as "Regional District of Central Okanagan Septic Tank Effluent and Regulation By-law No. 358, 1988 as read a third time this 11th day of April, 1988. Dated at Kelowna, B.C. this 12th day of May, 1988.

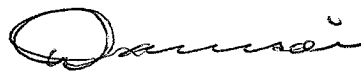


Secretary

I hereby certify the above to be a true and correct copy of By-law No. 358, 1988 cited as "Regional District of Central Okanagan Septic Tank Effluent and Regulation By-law No. 358, 1988 as reconsidered, finally passed and adopted this 2nd day of May, 1988. Dated at Kelowna, B.C. this 12th day of May, 1988.



Secretary



Secretary

REGIONAL DISTRICT OF CENTRAL OKANAGAN

SCHEDULE "A"

BY-LAW NO. 358, 1988

RATES AND CHARGES

1. For each permit issued to a contractor \$100.00
2. For the annual Renewal of each permit issued to a contractor \$ 10.00
3. For every 1000 gallons of Septic Tank Effluent disposed of in the works established by the Regional Board pursuant to this By-law \$ 19.00 per 1,000 gallons
4. Storm and Runoff Water \$ 6.25 per 1000 gallons
5. In addition to the fees specified in clause 3 and 4 above, an additional charge of \$50.00 will be made for each 1,000 gallons of effluent disposed of in the septic tank effluent disposal station during the hours that the station is normally closed.

REGIONAL DISTRICT OF CENTRAL OKANAGAN

SCHEDULE "B"

BY-LAW NO. 358, 1988

Description of works pursuant to Clause 2 of By-law No. 358.

- Part of the Remainder of the Southeast quarter of Section 2, Twp. 20, O.D.Y.D.