

REGIONAL DISTRICT OF CENTRAL OKANAGAN

WESTSIDE REGIONAL SEWER SYSTEM

FEES & CHARGES BYLAW NO. 927, 2001

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
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NOW THEREFORE, The Board of the Regional District of Central Okanagan, in open meeting, enacts as follows:

PURPOSE

The purpose of this bylaw is to provide for the imposition of fees and charges against the *Owner* of any parcel which is connected to the *sanitary sewer system*.

SECTION 1 - TITLE

This bylaw may be cited as the Regional District of Central Okanagan Westside Regional Sewer System Fees & Charges Bylaw No. 927, 2001.

SECTION 2 - INTERPRETATION

2.01 Definitions

In this bylaw, unless the context requires otherwise:

“community sanitary sewer service area” means a sanitary sewer service area

- i) established to provide for the construction of a sanitary sewer collection system to collect and convey sewage generated in the service area, and;
- ii) whose geographic boundary encompasses less than five hundred (500) parcels, and;
- iii) whose geographic boundary is located within the Regional District of Central Okanagan Westside Regional Sewer System Amendment Bylaw No. 723, 1997.

“design flow” means the sewage flow as calculated, in accordance with the Health Act, by the *Owner’s* consultant and as approved by the *Regional District Engineer*.

“Owner” shall be interpreted as defined in the Local Government Act as amended from time to time.

“Regional District” means the Regional District of Central Okanagan as described in Letters Patent and amendments thereto.

“Regional District Engineer” means the Director of Engineering Services of the

Regional District or his designate.

“sanitary sewer system” means any sewerage works or appurtenances thereto which are owned and operated by the *Regional District*.

“service connection” means the pipe which is located at the property line of a *parcel*, or at the edge of a statutory right of way, and is provided to connect the *wastewater drainage system* to the *sanitary sewer system*.

“wastewater” means the water-borne wastes of the *Regional District* derived from human or industrial sources including domestic *wastewater* and industrial *wastewater*, but does not include storm water and uncontaminated wastewater.

“wastewater drainage system” means an assembly of pipes, fittings, fixtures, traps, and appurtenances, not owned by the *Regional District*, that is used to convey *wastewater* to a *service connection*.

Unless otherwise defined herein, all words or expressions used in this bylaw shall have the same meaning assigned to them as like words or expressions contained in the Local Government Act, Interpretation Act, Zoning Bylaw, Westside Regional Sewer System Regulation Bylaw, and the Plumbing Code.

SECTION 3 – GENERAL REQUIREMENTS

3.01 Schedules

Schedules ‘A’ and ‘B’ are attached to and form part of this bylaw.

3.02 Approval to Connect

Approval for connection to the *sanitary sewer system* shall not be granted until the *Owner*, or an occupier, of a *parcel*:

- submits an Application for Connection;
- submits an Application for a Building Permit;
- submits a Connection Security Agreement, where applicable;
- pays all applicable fees and charges including but not limited to the Application for Connection Fee, Administration Fee, Capital Costs, Connection Security, Building Permit Fee, Latecomer Charges, and Development Cost Charges; and
- complies with the provisions of the Regional District of Central Okanagan Westside Regional Sewer System Regulation Bylaw and this bylaw.

SECTION 4 - FEES & CHARGES

4.01 Application for Connection Fee

The following table outlines the Application for Connection Fee, which must be paid at the time of submitting an Application for Connection:

APPLICATION FOR CONNECTION FEE TABLE

Type of Connection	Application for Connection Fee*
Single Family Residential / Duplex (non-strata)	\$100.00 per parcel
Bare Land Strata / Building Strata	\$100.00 per unit
Mobile Home Parks	\$100.00 per unit
Multifamily Residential (non-strata)	\$100.00 per application
Commercial / Industrial / Institutional	\$250.00 per application

* The Application for Connection Fee shall be applied at each Application for Connection regardless of whether or not previous Application for Connection Fees have been paid for the same parcel.

4.02 User Fees

Any *Owner* or occupier of real property whose property is connected to the *Sanitary Sewer System* shall be imposed and levied a user fee in accordance with Schedule 'A'.

4.03 Administration Fees

Where the *Owner* is not required to pay Administration Fees in accordance with the Regional District of Central Okanagan Subdivision and Development Servicing Bylaw, Section 4.03 applies

Where the *sanitary sewer system* is required to be extended, or a *service connection* must be installed in order to service a parcel, the *Owner* shall pay an administration fee equal to 3% of the total capital costs of constructing and installing the works.

The administration fee shall be in addition to any other fees or charges provided for in this bylaw. The minimum administration fee shall be \$150.00.

4.04 Capital Costs for Sanitary Sewer System Extensions

Where an *Owner* is making an Application to Connect to the *sanitary sewer system*, or if the *Regional District* has ordered the *Owner* to connect to the *sanitary sewer system*, and the *sanitary sewer system* must be extended, or a *service connection* must be installed in order to service the parcel, the *Owner* shall:

- be responsible for all capital costs pertaining to the extension of the *sanitary sewer system* or installation of the *service connection*;
- deposit a security in the form of an irrevocable letter of credit, or bank draft, equal to the sum of the estimated capital cost to complete the work, including any applicable Administration Fee, **plus** an additional twenty five percent (25%) for contingencies;
- comply with the provisions of Section 3.02 of this bylaw.

Upon completion of the extension to the *sanitary sewer system* or installation of the *service connection*, the *Regional District* shall reimburse any remaining balance of the security to the *Owner*. If the security is insufficient to cover the costs of completing the work the *Regional District* shall recover the shortfall of funds in accordance with Sections 376 and 797.2 of the Local Government Act

4.05 Connection Security

This section does not apply to parcels located within a *community sanitary sewer service area* where:

- the installation of the collection system has been completed; and
- the final cost of installing the collection system has been established.

Every *Owner* who makes an application to connect to the Westside Regional Sewer System shall:

- deposit, with the *Regional District*, a security equal to the estimated *community sanitary sewer service area* charge as determined by the *Regional District Engineer* ;
- enter into a Connection Security Agreement as contained in Schedule 'B'; and
- comply with the provisions of this bylaw.

SECTION 5 - ADMINISTRATION

- 5.01 Regulations for using the *sanitary sewer system* are established and administered by separate bylaw.
- 5.02 The user fee shall be due and payable thirty (30) days after the billing date.
- 5.03 Where a new connection is made to the *sanitary sewer system*, the user fee shall commence on the day which final inspection is made.
- 5.04 Any user fees remaining unpaid on the 31st day of December of any year shall be deemed taxes in arrears and shall be forthwith entered on the real property tax roll by the collector as taxes in arrears.

SECTION 6 - ENACTMENT

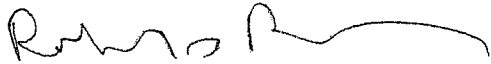
6.01 Repeal of Previous Bylaw

The Regional District of Central Okanagan Westbank Sewer System Rates Bylaw No. 399, 1989, as amended by Bylaws No. 450, 499, and 530, is hereby repealed.

6.02 Bylaw Adoption

This bylaw shall take effect upon adoption by the *Regional Board* of the Regional District of Central Okanagan.

READ A FIRST TIME THIS 7th DAY OF May, 2001.
READ A SECOND TIME THIS 7th DAY OF May, 2001.
READ A THIRD TIME THIS 7th DAY OF May, 2001.
RECONSIDERED AND ADOPTED THIS 7th DAY OF May, 2001.



CHAIRPERSON



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 927, cited as the "Regional District of Central Okanagan Westside Regional Sewer System Fees & Charges Bylaw No. 927, 2001", as read a third time by the Regional Board on the 7th day of May, 2001.

Dated at Kelowna, B.C. this
10th day of May, 2001.



Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 927, cited as the "Regional District of Central Okanagan Westside Regional Sewer System Fees & Charges Bylaw No. 927, 2001", as adopted by the Regional Board on the 7th day of May, 2001.

Dated at Kelowna, B.C. this
10th day of May, 2001.



Director of Corporate Services

SCHEDULE "A" USER FEE SCHEDULE

Class	Description	Monthly User Fee*	Quarterly Payment
A	Single Family Residence	\$ 16.00	\$ 48.00
B	Apartment, Multi Family Residential, Duplex, Mobile Home (per unit)	\$ 20.00	\$ 60.00
C	Laundromat (per machine)	\$ 22.40	\$ 67.20
D	School (per student)	\$ 0.82	\$ 2.46
E	Restaurant, Beer Parlour, Neighbourhood Pub, Food Take-Out	\$ 64.00	\$ 192.00
F	Beauty Salon, Supermarket, Bakery, Medical Facility	\$ 32.00	\$ 96.00
G	Garage, Service Station, Public Assembly	\$ 22.00	\$ 66.00
H	Commercial Enterprise	\$ 16.00	\$ 48.00
I	Hospital without Laundry (per bed)	\$ 9.60	\$ 28.80
J	Hospital with Laundry (per bed)	\$ 16.00	\$ 48.00
K	Institution, Work Camp, Rest Home, Residential School (per bed)	\$ 3.20	\$ 9.60
L	Nursing Home (per bed)	\$ 9.60	\$ 28.80
M	Motel or Hotel (per unit)	\$ 4.45	\$ 13.35
N	Motel or Hotel (per housekeeping unit)	\$ 6.40	\$ 19.20
O	Campsite (per seasonal unit)	\$ 3.90	\$ 11.70
P	Campsite (per year round unit)	\$ 8.25	\$ 24.75
Q	All other uses either not defined in Classes A to P or which are defined with metered flows	\$ 0.94 per m3 of Total Monthly Flow **	

* The minimum monthly user fee imposed to any account shall be \$16.00;

** Total Monthly Flow shall be established by monthly *Design Flow* or, if metered, by monthly metered flow.

SCHEDULE "B"
CONNECTION SECURITY AGREEMENT

Regional District of Central Okanagan
1450 KLO Road
Kelowna, B.C.
V1W 3Z4

Date

Attention: Director of Engineering Services

Dear Sir:

**RE: Civic Address & Legal
Names registered owners
sewer connection costs**

Enclosed please find a cheque/bank draft in the sum of \$ in words and #s as security for the right to connect the subject property to the *sanitary sewer system* at this time. It is understood that this security shall be deposited in an interest bearing account and that the *Regional District* agrees to hold this security for a maximum of 10 years from the date of receipt. At the end of 10 years the *Regional District* will withdraw the security, including any accrued interest, and will consider the registered owner's costs, for connection to the *sanitary sewer system*, paid in full.

Notwithstanding the above, it is likely that the Regional District will establish a *Community Sanitary Sewer Service Area* to finance the cost of providing sewer service to the subject property before the 10 year time period has elapsed. If, prior to the 10 year time period elapsing, a *Community Sanitary Sewer Service Area* is adopted which includes the subject property as one of the participants, the registered owner will have two options once the final costs for each property in the *Community Sanitary Sewer Service Area* has been determined:

1. they can request that their share of the capital costs be added to their property taxes and amortized over a period of 20 years, in which case the registered owner will be entitled a full refund of the security including any accrued interest; **or**
2. they can request that the security be applied to their share of the capital costs on the provision that they will receive a refund on the remainder or pay the entire balance owing, as the case may be.

Yours truly,

The Regional District of Central Okanagan acknowledges receipt of the enclosed cheque/bank draft and agrees to the terms of this letter. Regional District of Central Okanagan by its authorized signatory:

Ownername one

Director of Engineering Services

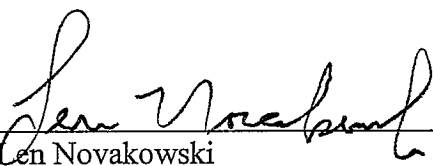
Ownername two

REGIONAL DISTRICT OF CENTRAL OKANAGAN

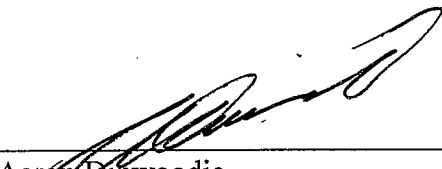
CONSENT

We, the undersigned Directors of Electoral Areas "G" and "Westbank" of the Regional District of Central Okanagan, hereby consent to:

The Regional District of Central Okanagan "Westside Regional Sewer System Fees & Charges Bylaw No. 927 , 2001" being a bylaw to provide for the imposition of fees and charges against the Owner of any parcel which is connected to the sanitary sewer system.




Len Novakowski
Director - Electoral Area "Westbank"



Aaron Dinwoodie
Director - Electoral Area "G"

Dated at Kelowna, B.C.
this 7th day of
May, 2001.



W.B. d'Easum, Director of Corporate Services