

**CONSOLIDATED FOR CONVENIENCE ONLY TO INCLUDE UP TO 644.3**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 644**

A Bylaw to provide for the imposition of a charge against the owners of land or real property for the use and operation of the sewage treatment facility established by Painted Boat Community Sewage Treatment System Service Establishing Bylaw No. 1080, 2011 and amendments thereto.

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The Board of the Sunshine Coast Regional District in open meeting assembled, enacts as follows:

1. INTERPRETATION

“Board” means the elected Board of the Sunshine Coast Regional District.

“Engineer” means the person holding the office of General Manager, Infrastructure Services, or a duly authorized representative, as appointed by the Board.

“Person” includes any corporation, partnership or party and heirs, executors, administrators, or other legal representatives of such person, to whom the context can apply according to law.

“Regional District” means the Sunshine Coast Regional District or persons duly authorized to represent the Sunshine Coast Regional District in respect to this Bylaw.

“Regional District Infrastructure Services Department” means the department of the Sunshine Coast Regional District responsible for the sewage collection and disposal.

“Residential or Apartment unit or Strata Unit” means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and which contains a kitchen and washroom facilities.

“Sewer Service Connection” means a 50mm (2") connection or larger to a sewer main for the purpose of sewage disposal and shall be the property of the Regional District.

2. CONDITION FOR THE INSTALLATION OF SERVICES

2.1 All applications for the installation of a sewer service connection shall be made to the Regional District Infrastructure Services Department by the owner or his authorized agent, who shall, at the time of such application, execute an agreement with the Regional District.

- 2.2 When an application is approved, the owner or his agent shall pay to the Regional District the connection fee as set forth in Schedule "A" hereto attached and when the Engineer is advised that the money has been duly paid, he shall provide a sewer service connection to within 450mm of the street line and/or boundary line, when such service can be conveniently installed.
- 2.3 Installation of services will only be made by the Regional District Infrastructure Services Department or under the direct supervision of the Engineer.

### 3 INSPECTION OF PREMISES BY ENGINEER

- 3.1 Every person having a sewer connection under this Bylaw shall, at all reasonable times, allow, suffer, and permit the Engineer, or any person authorized by the Engineer for such purpose (either generally or in any particular instance) to enter into and upon the premises for the purpose of inspecting such sewer connection.

### 4. RATES OR CHARGES

- 4.1 There is hereby imposed and levied a sewer user charge against the owners of land or real property whose property is connected to the sewage treatment facility and the Treasurer of the Sunshine Coast Regional District shall classify each consumer in accordance with the categories set out in Schedule "A", attached to and forming part of this Bylaw.

- 4.2 (a) The general rates or charges payable under Schedule "A" as applicable shall be due and payable by 4:30 p.m. PST on June 15<sup>th</sup> of the billing year. If June 15<sup>th</sup> falls on a Saturday, Sunday or Statutory Holiday the due date shall become the first business day immediately following June 15<sup>th</sup> for that year. If not paid by the due date a non-compounding 2% monthly interest charge shall be imposed upon the unpaid balance.
- (b) The general rates or charges other than annual charges payable under Schedule "A" as applicable hereunto annexed shall be due and payable by 4:30 p.m. PST on the date specified on the invoice which is generally within thirty (30) days of the date of billing. If the due date falls on a Saturday, Sunday or Statutory Holiday, the due date shall become the first business day immediately following the thirtieth day for that billing cycle. If not paid by the due date, a non-compounding 2% monthly interest charge shall be imposed upon the unpaid balance.
- (c) No rebate, refund or credit whatsoever of any monies paid or payable shall be made save as in this Bylaw provided. Refunds or adjustments to rates or charges collected in error may be issued for up to two (2) years following the date of payment.

Section 4.2  
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- (d) The following conditions apply to the general rates or charges payable:
- i) non-receipt of the utility bill will not be recognized as a valid reason for failure to pay the fees when due;
  - ii) postmarks will not be considered as date of payment;
  - iii) all payments received will be applied firstly against arrears, then to current balances;
  - iv) interest is imposed on outstanding account balances in excess of \$10.00.
- 4.3 In the case of a connection being made during the year, the sewer user charge shall be imposed from the first of the month following the date of connection, and shall be pro rated on the basis of the charges in accordance with Schedule "A" of this Bylaw and shall be paid in advance for the remainder of the year.
- 4.4 Where multiple independent users exist on what is commonly referred to as a Common Connection Line, the individual rates as defined in Schedule "A" of this Bylaw shall be applicable whether or not an independent sewer line has been installed for individual users.
- 4.5 No levy shall be made for sewer usage in respect to any vacant or unoccupied premises, but no premises shall be deemed vacant or unoccupied unless notice in writing has been delivered to the Regional District, or unless water service to the premises has been disconnected.
- 4.6 Any rate remaining unpaid on the thirty-first (31) day of December shall be deemed to be taxes in arrears and shall be recovered in the manner provided in the "*Local Government Act*".

5. APPLICATION OF BYLAW

The provisions of this Bylaw shall be applicable to and be binding upon all persons serviced or serviceable by the Regional District whether such persons have made written application or not.

6. SCHEDULES

Schedule "A" attached hereto is included in and forms part of this Bylaw.

7. CITATION

This bylaw may be cited as the "Painted Boat Sewage Treatment Facilities Fees and Charges Bylaw No. 644, 2012"

**SUNSHINE COAST REGIONAL DISTRICT**

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**SCHEDULE "A"**

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<u>USER CHARGES</u>	<u>MONTHLY</u>	<u>ANNUAL</u>
1. For each Strata Unit	\$44.79	\$537.50
2. For a Restaurant operating within the service area.	\$190.63	\$2,287.50
3. For a Spa operating within the service area.	\$93.75	\$1,125.00
4. For all other users not herein provided for.	\$44.79	\$537.50

CONNECTION CHARGES

5. Deposit of \$1,500.00 shall be charged for those properties not having a sewer service connection previously installed. Should the cost of such connection be greater than the deposit, then additional costs incurred shall be borne by the property owner.