

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 428

CONSOLIDATED FOR CONVENIENCE TO 428.22, 2020

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 facilities established by *Sunshine Coast Regional District Sewage Treatment Facilities Local Service Bylaw No. 1026* and *Lillies Lake Village Community Sewage Treatment System Service Establishing Bylaw No. 1076, 2009* and amendments thereto.

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 Public Utilities and Transit Manager, or a duly authorized representative, as appointed by the Board.

“Frontage Charge” means a tax levied in each year on each parcel of land capable of being connected to a sewage treatment facility.

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

“User Charge” means a charge levied in each year on each parcel of land connected to a sewage treatment facility.

“Residential or Apartment 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.

“Owner” means a person as defined in Section 1 of the ‘Municipal Act’

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

“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. MANAGEMENT

2.1 The management of the Sunshine Coast Regional District Sewage Treatment Facilities shall be divided into two sections which shall consist of:

- (a) Financial Management, which shall include all matters pertaining to the levying and collection of sewer rates and taxes, and
- (b) Works Management, which shall include all matters pertaining to the engineering, construction and maintenance of the system.

2.2 The financial management shall be the responsibility of the Treasurer subject to the direction of the Board of its appointed Finance Committee.

2.3 The works managements shall be the responsibility of the Engineer subject to the direction of the Board or its appointed Public Utilities Committee.

3. CONDITION FOR THE INSTALLATION OF SERVICES

3.1 All applications for the installation of a sewer service connection shall be made to the Regional District Works Department by the owner or his authorized agent, who shall, at the time of such application, execute an agreement with the Regional District. Such application and agreement shall be in the form provided by the Regional District.

Section 3.1
amended
by BL
428.18

3.2 When an application is approved, the owner or his agent shall pay to the Treasurer the connection fee as set forth in Schedule B 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.

3.3 Installation of services will only be made by the Regional District Works Department or under the direct supervision of the Engineer.

4. INSPECTION OF PREMISES BY ENGINEER

4.1 Every person having a sewer connection under this Bylaw shall, at all reasonable times, allow, suffer, and permit the Engineer, or any person by him authorized 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.

5. RATES OR CHARGES

5.1 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 "C", attached to and forming part of this Bylaw.

5.2 There is hereby imposed and levied a sewer frontage charge against the owners of land or real property whose property is capable of being 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 B attached to and forming part of this Bylaw.

5.3 (a) The general rates or charges payable under Schedule "B" and "C" as applicable hereunto annexed shall be due and payable by 4:30 p.m. PST on June 15th of the billing year. If June 15th falls on a Saturday, Sunday or Statutory Holiday the due date shall become the 1st business day immediately following June 15th 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 "B" and "C" 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.

(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;

Section 5.3
replaced by
BL 428.19

- 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;

- New Section 5.4 added by BL 428.21 and Sections 5.4 to 5.8 renumbered
- 5.4 Despite section 5.3, in the event of a federal, provincial or local state of emergency, the non-compounding 2% monthly interest charges imposed upon unpaid balances, if not paid by the due date, shall not be imposed before October 1, 2020.
 - 5.5 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 "C" of this Bylaw and shall be paid in advance for the remainder of the year.
 - 5.6 Where multiple independent users exist on what is commonly referred to as a Common Connection Line, the individual rates as defined in Schedule "C" of this Bylaw shall be applicable whether or not an independent sewer line has been installed for individual users.
 - 5.7 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.
 - 5.8 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 "Municipal Act".

6. 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 shall have made written application or not.

7. SCHEDULES

Schedules "B" and "C" attached hereto are included in and form part of this Bylaw.

8. REPEALED BYLAWS

The following Sunshine Coast Regional District Bylaws and amendments thereto are hereby repealed: Bylaw No.'s 234, 273, 302, 305, 306, 358, 359, 360, 361, & 373.

9. This bylaw may be cited as the "Sunshine Coast Regional District Sewage Treatment Facilities Service Unit Bylaw No. 428, 1996".

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SCHEDULE "B"

FRONTAGE AND CONNECTION CHARGES

1.	<u>Frontage Charges</u>	<u>Per Annum</u>
	Sewage Treatment Facilities	
a.	Greaves Road (Bowsprit)	\$202.00
b.	Canoe Road	\$424.30
c.	Curran Road (Hydaway)	\$253.00
d.	Langdale	\$202.00
e.	Lee Bay	\$102.00
f.	Jolly Roger	\$152.00
g.	Merrill Crescent	\$326.71
h.	Secret Cove	\$152.00
i.	Square Bay	\$217.42
j.	Sunnyside	\$202.00
k.	Roberts Creek Co-Housing	\$304.00
l.	Lillies Lake Village	\$204.00

2. Connection Charges

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.

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SCHEDULE "C"

<u>USER CHARGES</u>	<u>ANNUAL</u>
1. For each Single Detached Family Residence or each multiplex residential or apartment unit (including residence auxiliary to principal use)	
a. Greaves Road (Bowsprit)	\$480.60
b. Canoe Road	\$970.75
c. Curran Road	\$618.70
d. Langdale	\$1,109.78
e. Lee Bay	\$480.46
f. Jolly Roger	\$832.54
g. Merrill Crescent	\$1,663.25
h. Secret Cove	\$712.57
i. Square Bay	\$636.02
j. Sunnyside	\$734.22
k. Roberts Creek Co-Housing	\$852.88
l. Lillies Lake Village	\$701.37
2. Restaurant, Cafeteria, Coffee Shop, Licensed Lounge or Pub.	\$1,035.00
3. For a marina operating within the specified area.	\$727.50
4. For all other users not herein provided for.	\$457.50
5. Credit to be applied to user charges for Secret Cove Treatment Plant users Providing SCRD approved pre-treatment of their waste water prior to treatment by the SCRD equipment	25%