

CONSOLIDATED FOR CONVENIENCE ONLY TO INCLUDE UP TO 714.3

Sunshine Coast Regional District

Bylaw No. 714

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 *Sakinaw Ridge Community Sewage Treatment System Service Establishing Bylaw No. 1087, 2017* and amendments thereto.

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

1. Citation

This bylaw may be cited as the *Sakinaw Ridge Community Sewage Treatment System Fees and Charges Bylaw No. 714, 2018*.

2. Interpretation

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

“Engineer” means the person holding the office of General Manager, Infrastructure Services for the Regional District, or a duly authorized representative.

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

“Owner” means a person or company who has title to the land or building and includes a person or company whose name appears on the assessment roll.

“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 Regional District responsible for the sewage collection and disposal.

“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.

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

“User Charge” means a charge levied in each year on each residential or apartment unit connected to a sewage treatment facility.

3. Condition for the Installation of Services

- 3.1 All applications for the installation of a sewer service connection must be made to the Regional District Infrastructure Services Department by the owner or his authorized agent, who must, at the time of such application, execute an agreement with the Regional District.
- 3.2 When an application is approved, the owner or his agent will pay to the Regional District the connection fee established by Schedule "A" attached to this bylaw and when the fee has been paid, a sewer service connection will be provided to within 450mm of the street line and/or boundary line, when the service can be conveniently installed.
- 3.3 Installation of services will only be made by the Regional District Infrastructure Services 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 will, at all reasonable times, allow 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.

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 Regional District will classify each consumer in accordance with the categories set out in Schedule "A", attached to 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 Regional District will classify each consumer in accordance with the categories set out in Schedule "A", attached to this Bylaw.
- 5.3 (a) The general rates or charges payable under Schedule "A" as applicable will 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 will become the first business day immediately following June 15th for that year. If not paid by the due date a non-compounding 2% monthly interest charge will be imposed upon the unpaid balance.
- (b) The general rates or charges other than annual charges payable under Schedule "A" as applicable will 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 will 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 will be imposed upon the unpaid balance.

Section 5.3
replaced by
BL 714.1

Section
5.3 (d)
added by
BL 714.3

- (c) No rebate, refund or credit whatsoever of any monies paid or payable will 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) Despite sections 5.3 (a) and 5.3 (b), 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.

5.4 The following conditions apply to the general rates or charges payable:

- (a) non-receipt of the utility bill will not be recognized as a valid reason for failure to pay the fees when due;
- (b) postmarks will not be considered as date of payment;
- (c) all payments received will be applied firstly against arrears, then to current balances;
- (d) interest is imposed on outstanding account balances in excess of \$10.00.

5.5 In the case of a connection being made during the year, the sewer user charge will be imposed from the first of the month following the date of connection, and will be pro-rated on the basis of the charges in accordance with Schedule "A" of this Bylaw and will 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 "A" of this Bylaw will be applicable whether or not an independent sewer line has been installed for individual users.

5.6 No levy will be made for sewer usage in respect to any vacant or unoccupied premises, but no premises will 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 will be deemed to be taxes in arrears and will be recovered in the manner provided in the *Local Government Act*.

6. Application of Bylaw

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

7. Schedules

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

8. General

If any section, subsection or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Schedule "A"
replaced by
BL 714.2

SUNSHINE COAST REGIONAL DISTRICT

BYLAW No. 714

SCHEDULE "A"

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| 1. | <u>FRONTAGE CHARGES</u> | <u>ANNUAL</u> |
| | For each parcel of land capable of being connected to the sewage treatment facility. | \$670.27 |
| 2. | <u>USER CHARGES</u> | |
| | For each residential or apartment unit (including residence auxiliary to principal use) | \$1,205.94 |
| 3. | <u>CONNECTION CHARGES</u> | |
| | A deposit of \$2,500.00 will 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 must be borne by the property owner. | |