

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 2402**

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**A BYLAW TO ESTABLISH A LOCAL SERVICE FOR THE CONTROL  
OF THE DISCHARGE OF CONTAMINANTS TO SEWAGE FACILITIES**

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**WHEREAS** the Regional Board of the Capital Regional District may, by bylaw, under section 788(1)(a) of the *Municipal Act*, establish a local service for the collection, conveyance, treatment and disposal of sewage;

**AND WHEREAS** the Lieutenant Governor in Council has designated the Capital Regional District as a Sewage Control Area under section 17 of the *Waste Management Act* and the Capital Regional District has appointed a Sewage Control Manager and Municipal Sewage Control Officers;

**AND WHEREAS** the Regional Board under section 18 of the *Waste Management Act* may by bylaw regulate the direct or indirect discharge of wastes into any sewer connected to a sewage facility operated by the Capital Regional District and has enacted such regulation under Capital Regional District Sewer Use Bylaw No. 1, 1994;

**AND WHEREAS** the Regional Board wishes to establish a local service for the purpose of controlling the direct or indirect discharge of contaminants into or through facilities connected to sewage facilities under the regulatory authority of the Capital Regional District;

**AND WHEREAS** the Regional Board, pursuant to section 795(3) of the *Municipal Act*, has passed a resolution by two-thirds of the votes cast to permit assent to be given by electors in the entire service area;

**AND WHEREAS** the Regional Board has obtained the assent of the electors under section 797 of the *Municipal Act*;

**AND WHEREAS** the approval of the Inspector of Municipalities is required under section 795(1)(a) of the *Municipal Act*;

**NOW THEREFORE**, the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

**1. Local Service**

The service for the control of the direct or indirect discharge of contaminants into or through facilities connected to sewage facilities under the regulatory authority of the Capital Regional District is established as a local service.

**2. Boundaries**

The boundaries of the local service area shall be the boundaries of the Capital Regional District.

**3. Participating Areas**

The participating areas for the local service include all municipalities and electoral areas of the Capital Regional District.

#### 4. Cost Recovery

The annual costs for this service shall be recovered:

- (a) by the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs;
- (b) for an amount, as established by the Regional Board, to be recovered by the requisition of money under sections 809 and 809.1 of the *Municipal Act* to be apportioned in accordance with section 5(a) of this bylaw and to be collected:
  - (i) by a property value tax to be levied and collected under sections 810(1) and 810.1(1) of the *Municipal Act*; and/or
  - (ii) by a frontage or parcel tax under sections 810 and 810.1 of the *Municipal Act*; and
- (c) the balance, after deducting the revenue from sections (a) and (b) above, shall be recovered from all participating members by the requisition of money under sections 809 and 809.1 of the *Municipal Act* to be collected by a property value tax under sections 810(1) and 810.1(1) of the *Municipal Act* and apportioned in accordance with section 5(b) of this bylaw.

#### 5. Apportionment

##### (a) Based on Annual Flow of Sewage

The portion of the annual cost attributable to this local service to be collected under section 4(b) above, shall be apportioned among each municipal participating area and each electoral area sewer local service area based on the ratio of the total annual flow of sewage from that municipal participating area or electoral area sewer local service area to the total annual flow of sewage from all municipal participating areas and electoral area sewer local service areas into sewage facilities owned or operated by the Capital Regional District.

##### (b) Based on Converted Assessments

The balance remaining to be collected under section 4(c) above, shall be apportioned to all participating members on the basis of the converted net taxable value of land and improvements.

#### 6. Maximum Requisition

The maximum amount that may be requisitioned under section 804(1) of the *Municipal Act* for the local service shall be the greater of:

- (a) six hundred thousand dollars (\$600,000); or
- (b) an amount equal to the amount that could be raised by a property value tax of two cents (24) per one thousand (\$1,000) dollars which, when applied to the net taxable value of land and improvements within the local service area, will yield the maximum amount that may be requisitioned under sections 804(1)(a) and (b) for the local service.

7. This Bylaw may be cited for all purposes as the "Source Control Local Service Establishment Bylaw No. 1, 1996".

READ A FIRST TIME THIS 12th day of June 1996

READ A SECOND TIME THIS 12th day of June 1996

READ A THIRD TIME THIS 12th day of June 1996

RECEIVED THE ASSENT OF THE ELECTORS UNDER SECTION 797 OF THE *MUNICIPAL ACT*  
THIS 2nd day of August 1996

**APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 24<sup>th</sup> day of September 1996**

ADOPTED THIS 25th day of September 1996

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 26th day of September 1996