

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3478**

**A BYLAW TO ESTABLISH A SERVICE TO DEVELOP AND IMPLEMENT A MANAGEMENT
PROGRAM FOR ONSITE SEWAGE SYSTEMS**

WHEREAS:

- A. The Capital Regional District may establish a service the Board considers necessary or desirable for all or part of the Regional District;
- B. The Capital Regional District Core Area Liquid Waste Management Plan approved by the Minister of Environment contains a commitment by the Capital Regional District to develop and implement a management program for onsite sewage systems;
- C. By Section 14 of the Capital Regional District Regulation BC Reg. 65/90, the Capital Regional District has been granted the authority of a municipality for public health under Section 8(3)(i) of the *Community Charter* to regulate, prohibit and impose requirements in relation to public health and has the authority to regulate for the maintenance of sanitary conditions under Section 523 of the *Local Government Act*;
- D. The Capital Regional District wishes to establish a service to prevent the environmental degradation and public health risks associated with poorly maintained onsite sewage systems;
- E. The consent of the participants within the Core Area is not required under Section 24(7) of the *Environmental Management Act*; and
- F. Under the Saanich Peninsula Liquid Waste Management Plan, the Capital Regional District is committed to work with North Saanich on education programs with respect to onsite sewage treatment and disposal;

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

1. Service

The service established by this Bylaw is the Onsite Sewage System Service (the "**Service**") for the purpose of developing and implementing a management program for the onsite sewage systems in the Service Area.

2. Boundaries

The boundaries of the Service Area are coterminous with the boundaries of the District of Saanich, the Town of View Royal, the City of Colwood and the City of Langford (the "**Service Area**").

3. Participating Areas

The "Participating Areas" are the District of Saanich, the Town of View Royal, the City of Colwood and the City of Langford.

4. Cost Recovery

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) parcel tax imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (c) fees and charges imposed under Section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (e) revenues received by way of agreement, enterprises, gift, grant or otherwise.

5. Maximum Requisition

In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the cost of the Service is the greater of:

- (a) Two Hundred Eleven Thousand and Seventy dollars (\$211,070.00) dollars; or
- (b) an amount equal to the amount that could be raised by a property value tax rate of \$0.008 per One Thousand dollars (\$1,000.00) which, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned under Section 806.1 of the *Local Government Act* for the Service.

6. Apportionment of Costs

Costs of the Service shall be apportioned among the Participating Areas as follows:

- (a) the cost of the Service apportioned to a Participating Area shall be equal to the number of parcels having onsite sewage systems within that Participating Area as a percentage of the total number of parcels having onsite sewage systems within the Service Area.
- (b) within a Participating Area, costs shall be apportioned among all properties, other than those parcels that are not connected to an onsite sewage system.

7. Citation

This Bylaw may be cited for all purposes as "Management of Onsite Sewage Systems Service Establishment Bylaw, 2007".

READ A FIRST TIME THIS	14 th	day of	November	2007
READ A SECOND TIME THIS	14 th	day of	November	2007
READ A THIRD TIME THIS	13 th	day of	February	2008
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	12 th	day of	March	2008
ADOPTED THIS	19 th	day of	March	2008

Original signed by Christopher Clement
Chair

Original signed by Carmen Thiel
Secretary

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 26th day of March 2008