

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3642

\*\*\*\*\*

**A BYLAW TO ESTABLISH A SERVICE TO IDENTIFY STORMWATER POLLUTION  
WITHIN THE DISTRICT OF CENTRAL SAANICH, DISTRICT OF NORTH SAANICH  
AND TOWN OF SIDNEY**

\*\*\*\*\*

**WHEREAS:**

- A. Under section 796 of the *Local Government Act*, a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;
- B. The Board of the Capital Regional District wishes to establish a service for the purpose of identifying pollution in stormwater run-off from land (the "Service") within the municipalities in the Saanich Peninsula;
- C. The approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*; and
- D. Participating Area approval has been obtained under section 801.4 of the *Local Government Act*.

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

**1. DEFINITIONS**

In this bylaw:

**"identifying pollution in stormwater run-off from land"** means investigating, monitoring and reporting on stormwater quality, sediment quality, near-shore marine waters and discharges to stormwater; prioritizing areas for investigation; conducting public information exchange and education programs; coordinating stormwater quality management programs; and liaising with other government agencies and other related activities;

**"stormwater run-off"** includes seepage, overland flow and stormwater run-off within ditches, streams, rivers, ponds, lakes and other watercourses and in culverts and drains.

**2. SERVICE**

The Saanich Peninsula Stormwater Quality Service (the "Service") is established by this Bylaw for the purpose of identifying pollution in stormwater run-off from land in the Service Area.

**3. SERVICE AREA BOUNDARIES**

The boundaries of the service area are contiguous with the boundaries of the District of Central Saanich, District of North Saanich and Town of Sidney.

**4. PARTICIPATING AREAS**

The participating areas are the District of Central Saanich, District of North Saanich and Town of Sidney.

## 5. 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 taxes 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, enterprise, gift, grant or otherwise.

## 6. COST APPORTIONMENT

- (a) The apportionment of annual operating costs among the participating areas shall be on the basis of one-sixth in proportion to the population of the participating areas, one-sixth in proportion to the land area of the participating areas, one-sixth in proportion to the length of shoreline in each of the participating areas, and one-half in proportion to the number of high and medium priority discharges of stormwater to the environment in the prior year within the boundaries of each of the participating areas, as determined by the Capital Regional District Board.
- (b) The number of high and medium priority discharges shall be determined by the Capital Regional District Board on the basis of monitoring for indicators of fecal contamination or levels of chemical contamination in and around the discharges, in accordance with parameters determined by the Capital Regional District in consultation with a group comprising technical representatives from not less than fifty percent of the participating areas from time to time.

## 7. MAXIMUM REQUISITION

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

- (a) eighty thousand dollars (\$80,000.00); or
- (b) a property value tax rate of **\$0.0082** per one thousand (\$1,000) dollars that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the service.

**8. CITATION**

This Bylaw may be cited as the "Saanich Peninsula Stormwater Quality Service Establishment Bylaw No. 1, 2009".

READ A FIRST TIME THIS	14 <sup>th</sup>	day of	October	2009
READ A SECOND TIME THIS	14 <sup>th</sup>	day of	October	2009
READ A THIRD TIME THIS	14 <sup>th</sup>	day of	October	2009
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	13 <sup>th</sup>	day of	January	2010
ADOPTED THIS	10 <sup>th</sup>	day of	February	2010

Original signed by Geoff Young  
CHAIR

Original signed by Carmen Thiel  
CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 17<sup>th</sup> day of February 2010