

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3552

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A BYLAW TO IMPOSE FEES AND OTHER CHARGES  
WITHIN THE WILDERNESS MOUNTAIN WATER SERVICE AREA

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WHEREAS:

- A. Under Bylaw No. 3503, "Wilderness Mountain Water Service Establishment Bylaw No. 1, 2008", the Capital Regional District established a service to supply, treat, convey, store and distribute water in the area shown outlined on Schedule "A" of Bylaw No. 3503.
- B. Bylaw No. 3503 authorizes the recovery of the annual costs of the Service by one or more of the following:
  - a) by way of an annual parcel tax;
  - b) by the imposition of fees and charges to be imposed by bylaw under Section 363 of the *Local Government Act*;
  - c) by revenues raised by way of agreement, enterprise, gift, grant or otherwise; and
  - d) by the requisition of money under Section 806 of the *Local Government Act* to be collected by a property value tax to be levied and collected on land and improvements within the service area.
- C. Under Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990", The Capital Regional District established rules for the provision, operation and administration of the Local services for the supply of water.

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

1. Interpretation

In this Bylaw, unless the context otherwise requires:

- (a) "**CRD**" means the Capital Regional District.
- (b) "**Applicant**" means a Person who is the owner, lessee, or tenant of an Authorized Premises and who has requested or applied for water service or for any other matter or thing under this Bylaw from CRD.
- (c) "**Consumer**" means a person to whom a service connection has been provided by the Capital Regional District.
- (d) "**Service Area**" means the service area established under Bylaw No. 3503, "Wilderness Mountain Water Service Establishment Bylaw No. 1, 2008".
- (e) "**Service Connection**" means a pipe and all necessary valves, connections, meters and other appurtenances necessary to connect a water main to a curb stop on the property line.

- (f) **"Single Family Equivalent"** means and includes a single family dwelling unit intended for the use or occupancy by one or more individuals as a non-profit household and includes a dwelling unit in an apartment, condominium, duplex or other multi-family facility.
- (g) **"Unit of Water"** means a unit of measurement, the equivalent of (1.0) cubic meter, or one thousand (1,000) litres, or thirty five and three tenths (35.3) cubic feet, or two hundred twenty (220) imperial gallons of water.
- (h) **"Water rate"** means the price to be paid by a customer for the quantity of water supplied to the Customer for a period of time.

2. Service Connection Fee

An applicant requesting a service connection to the Water Supply System under Section 13 and 14 of Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990" shall at the time of making an application for the service connection, pay the service connection fee set out in Schedule "A" hereto.

3. Turn on and Turn off Fee

A consumer in the service area requesting the turning off or turning on of the water supply at the curb stop under Section 22 or 24 of Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990" shall pay the applicable turn on or turn off fee set out in Section 1 of Schedule "B" hereto.

4. Abandonment Fee

The owner of property in the service area wishing to discontinue the water supply under Section 23 of Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990" shall pay the applicable abandonment fee set out in Section 2 of Schedule "B" hereto.

5. User Fee

The user fees set out in Schedule "C" hereto are hereby imposed on each consumer in the service area and shall be paid in accordance with Schedule "C" hereto.

6. Offence Penalty Fee

A property owner who commits an offence under section 37 of Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990" shall pay the penalty as stated under Section 38 of Bylaw No. 1792, "Water Regulations Bylaw No. 1, 1990".

7. Miscellaneous Fee

Any other services not specifically addressed in this Bylaw that may be provided by CRD will be subject to a service charge prescribed in Schedule "B" here to.

8. This Bylaw may be cited for all purposes as the "Wilderness Mountain Water Service Area Fees and Charges Bylaw No. 1, 2009".

READ A FIRST TIME THIS	11 <sup>th</sup>	DAY OF	February	2009
READ A SECOND TIME THIS	11 <sup>th</sup>	DAY OF	February	2009
READ A THIRD TIME THIS	11 <sup>th</sup>	DAY OF	February	2009
ADOPTED THIS	11 <sup>th</sup>	DAY OF	February	2009

Original signed by Geoff Young  
CHAIR

Original signed by Carmen Thiel  
SECRETARY

**Bylaw No. 3552**

**SCHEDULE "A" – Effective 2009**

**SERVICE CONNECTION CHARGES**

Upon receipt of the applicable connection charges listed below, CRD shall install a service connection in accordance with the CRD Engineering Specifications and Standard Drawings.

1. The connection charge for a service connection shall be the actual cost of the connection, calculated as follows:

(i) Engineering Costs: \$ \_\_\_\_\_  
Include survey, design, permit acquisition, layout,  
Inspection and as-constructed drawings

(ii) Construction Costs: \$ \_\_\_\_\_  
Including labour, materials and equipment

(iii) Administration Costs: \$ \_\_\_\_\_  
At 15% of the sum of (i) + (ii)

TOTAL COST = Sum of (i) + (ii) + (iii) \$ \_\_\_\_\_

The minimum connection charges shall be \$400

2. The fees payable herein shall be paid to the CRD on application for connection to the utility.

**Bylaw No. 3552**

**SCHEDULE "B" – Effective 2009**

**MISCELLANEOUS FEES**

The fees payable herein shall be paid to the CRD on application for the service:

1. Turn on and Turn off Fee:

Pursuant to Section 3, the fee for turning on or turning off the water supply at the curb stop is \$\_\_50.00\_\_

2. Abandonment Fee:

Pursuant to Section 4, the fee for abandonment of a water supply is the actual cost to the CRD to remove the service connection, calculated in accordance with the formula in Schedule "A" appended to this bylaw. The minimum fee set out in Schedule "A" for a connection shall not apply.

3. Miscellaneous Fee:

Pursuant to Section 7, miscellaneous service fee shall be the actual cost of the service provided.

**Bylaw No. 3552**

**SCHEDULE "C" – Effective 2009**

**USER FEES**

1. Billing and Payment:

- (a) User fees invoiced by the CRD are due and payable by the owner of the parcel on presentation. A ten per cent (10%) penalty will be charged if payment is not made within thirty (30) days of the billing date.
- (b) User fees shall be payable each four months as billed by the CRD.
- (c) Amounts outstanding after penalty dates will be considered in arrears.
- (d) All payments received will be applied firstly against arrears, and then to current balances.
- (e) Amounts due and payable on December 31 and unpaid at that date shall be added to the real Property taxes and collected as taxes in arrears.

2. User Fees Payable:

(a) Consumption Charge:

For 2009 the Consumption rate for water will be \$18.00 per month for each Single Family Equivalent connected to the water system.

(b) User charge:

For 2009 the User charge based on 50% of the annual operating and maintenance budget net of water consumption recoveries, will be \$574.46 per annum for each Single Family Equivalent connected to the water system, billed each four months.