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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 06 APRIL 2011**

SUBJECT **FEES AND CHARGES BYLAW FOR UTILITIES AND LIQUID WASTE DISPOSAL WITHIN THE SALT SPRING ISLAND (SSI) ELECTORAL AREA**

ISSUE

Approval of the fees and charges bylaw for utilities and liquid waste disposal within the SSI Electoral Area

BACKGROUND

The proposed fees and charges increases are based on the 2011 budget review and have been endorsed by the related committees. In addition, the 2011 budget is based on these amended rates.

To help continue enhancing the efficiency of bylaw management and administration, the SSI Liquid Waste Disposal Additional Local Service is being added to this bylaw. This consolidation is consistent with the 2010 version of the fees and charges bylaw which combined seven water and sewer services located in the SSI Electoral Area.

ALTERNATIVES

1. That Bylaw No. 3777, cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2011" be introduced and read a first time, read a second time, read a third time and adopted.

2. That Bylaw No. 3777 be referred back to the local service committees.

IMPLICATIONS

Financial:

Fees and charges increases are required in order to maintain an appropriate level of service. The related committees have approved the increases proposed in this bylaw. In addition, these increases are factored into the 2011 budget.

Inclusion of SSI Liquid Waste Disposal Additional Local Service in this bylaw helps continue enhancing the efficiency of bylaw management and administration and aligns with consolidation that occurred in 2010 when seven SSI water and sewer services were combined into one fees and charges bylaw.

CONCLUSION

All rate increases are based on the 2011 budget review and have been endorsed by the related committees. The 2011 budget is based on these amended rates.

The CRD operates water, sewer, and liquid waste disposal services within the SSI Electoral Area. Adding SSI Liquid Waste Disposal to the fees and charges bylaw that also covers seven utility services on SSI will help enhance the efficiency of bylaw management and administration.

RECOMMENDATION

That Bylaw No. 3777, cited as “Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2011” be introduced and read a first time, read a second time, read a third time and adopted.

Roseline Ferré
Grants Coordinator
Services

Diana E. Lokken
General Manager, Corporate
Concurrence

Rajat Sharma
Senior Manager, Financial Services Division

Kelly Daniels
C.A.O.
Concurrence

Attachment: 1

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3777

A BYLAW TO AMEND BYLAW 3688 TO UPDATE FEES AND CHARGES FOR UTILITY SERVICES AND LIQUID WASTE DISPOSAL WITHIN THE SALT SPRING ISLAND ELECTORAL AREA

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

1. Bylaw No. 3688 "Salt Spring Island Sewer and Water Fee and Charge Bylaw No. 1, 2010" is amended as follows:

a) By replacing Section 1 in its entirety with the following:

"1. The Board hereby authorizes and imposes fees and charges as specified in the following bylaws:

(a) Bylaw No. 3021, "Salt Spring Island Cedars of Tuam Water System Service Establishment Bylaw No. 1, 2002";

(b) Bylaw No. 3424, "Cedar Lane Water Service Establishment Bylaw No. 1, 2007";

(c) Bylaw No. 3188, "Beddis Water Service Establishment Bylaw No. 1, 2004";

(d) Bylaw No. 1937, "Highland Water System Local Service Establishment Bylaw No. 1, 1999," as amended;

(e) Bylaw No. 1772, "Fernwood Water Supply Local Service Establishment Bylaw No. 1, 1989," as amended;

(f) Bylaw No. 1938, "Maliview Estates Sewerage Local Service Establishment Bylaw No. 1, 1991";

(g) Bylaw No. 3202, "Fulford Water Service Establishment Bylaw No. 1, 2004" as amended; and

(h) Bylaw No. 2118, "Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993."

b) By adding item (h) to Section 8:

"(h) Bylaw No. 2455, cited as "Salt Spring Island Liquid Waste Disposal Local Service Area Fees and Charges Bylaw No. 1, 1996" and any amendments thereto are hereby repealed."

c) By replacing Section 9 with the following:

"This Bylaw may be cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2010".

- d) By removing SCHEDULE "B" in its entirety and replacing it with SCHEDULE "B" attached hereto.
- e) By adding SCHEDULE "C" attached hereto.

2. Citation:

This Bylaw may be cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2011".

READ A FIRST TIME THIS	DAY OF	2011
READ A SECOND TIME THIS	DAY OF	2011
READ A THIRD TIME THIS	DAY OF	2011
ADOPTED THIS	DAY OF	2011

CHAIR

CORPORATE OFFICER

SCHEDULE "B"

1. Water Service Turn On and Turn Off Fee

Pursuant to Section 4, the fee for turning on or turning off the water supply at the curb stop is the following. The fees payable herein shall be paid to the CRD on application for the service.

- (a) During Normal Working Hours (07:30 – 16:00) Monday through Friday (non-inclusive of statutory holidays): \$50.00
- (b) During Non-Working Hours: \$200.00

2. Water and Sewer User Fees

The user fees payable shall include a fixed fee and a variable consumption charge based on the volume of water metered as outlined below:

(a) Fixed Fee

Service Area	Annual Charge, 25% of which is billed each three months
Cedars of Tuam	\$1,603.87 per water service connection
Cedar Lane	\$763.11 per water service connection
Beddis	\$313.00 per single family dwelling unit or equivalent
Highland	\$198.71 per water service connection
Fernwood	\$780.67 per water service connection
Maliview	\$346.73 per sewer service connection
Fulford	Single Family Residential: \$1,222.00 per single family dwelling unit or equivalent Other: No Fixed Fee

(b) Consumption Charge based on volume of water metered

The Consumption Charge for water or sewer will be the total volume of water metered to the water service connection, measured in cubic metres (or other units converted to cubic metres) over a three-month billing period, at a rate as follows:		
Service Area	Volume of Water	Charge
Cedars of Tuam	First 75.0 cubic metres or portion	\$0.90 per cubic metre
	Greater than 75.0 cubic metres	\$7.70 per cubic metre
Cedar Lane	First 37.5 cubic metres or portion	\$2.25 per cubic metre
	Next 67.5 cubic metres or portion	\$8.00 per cubic metre
	Greater than 105 cubic metres	\$25.00 per cubic metre
Beddis	First 37.5 cubic metres or portion	\$2.00 per cubic metre
	Next 67.5 cubic metres or portion	\$4.50 per cubic metre
	Greater than 105 cubic metres	\$6.00 per cubic metre
Highland and Fernwood	First 37.5 cubic metres or portion	\$0.50 per cubic metre
	Next 67.5 cubic metres or portion	\$1.00 per cubic metre
	Greater than 105 cubic metres	\$4.00 per cubic metre
Maliview	\$1.00 per cubic metre of total water provided or delivered to the building served by the sewer connection to the CRD Highland Water System	
Fulford	Single Family Residential: No Consumption Charge Other: \$3.27 per cubic metre Minimum Consumption Charge per three months is \$305.50 per service connection.	

SCHEDULE "C"

1. Liquid Waste Disposal Fees

Every person depositing Liquid Waste at the disposal site shall pay the following fees:

Septage \$83.60 per cubic metre (\$0.380 per imperial gallon)
Sewage Sludge \$83.60 per cubic metre (\$0.380 per imperial gallon)

2. Interpretation:

"DISCHARGE" means to directly or indirectly introduce a substance into a Sewer or Sewage Facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying or by any other means.

"DISPOSAL SITE" means the Salt Spring Septage Facility, more particularly described as located off Burgoyne Bay Road, Salt Spring Island (part of the North ½ of Section 4, Range 1, South Salt Spring Island, Cowichan District).

"GENERATOR" means an owner or occupier of property from which the Liquid Waste originates that is being trucked to a facility for disposal.

"HAULER" means a person who transports Liquid Waste from a Generator to a facility for disposal.

"LOCAL SERVICE AREA" means the Local Service Area established under bylaw 2118 Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993.

"LOAD OF LIQUID WASTE" means the measured hauling capacity of the Liquid Waste hauling vehicle.

"LIQUID WASTE" means Septage and/or Sewage Sludge.

"MEASURED VOLUME" means the actual volume of Liquid Waste discharged at the Designated Liquid Waste Disposal Facility as measured by the magnetic flow meter installed at the facility.

"MUNICIPALITY" means a municipality participating in the Local Service Area and/or the Capital Regional District itself.

"SEPTAGE:" means a combination of liquid and solid wastes and/or settled solids from residences, businesses, institutions and industries normally collected in a septic tank or holding tank.

"SEWAGE FACILITY" means works owned or otherwise under the control or jurisdiction of the Capital Regional District that gathers, treats, transports, stores, utilizes or discharges Liquid Waste.

"SEWAGE SLUDGE" means the primary or secondary sewage sludge from a sewage treatment plant.

"SEWER" means all pipes, conduits, drains and other equipment and facilities owned or otherwise under the control or jurisdiction of the Capital Regional District for collecting, pumping and transporting wastewater, either to a Sewage Facility or otherwise.

“TRUCKED LIQUID WASTE” means any Liquid Waste that is collected and transported from the site where the Liquid Waste originated by means other than discharge to a Sewer, including but not limited to: Septic tank waste, chemical toilet contents, oil and grease from interceptors or traps and other sludges of organic or inorganic origin.”

“TRUCKED WASTE MANIFEST” means a form provided by the Capital Regional District to be completed by the Generator, or agent acting on behalf of the Generator, and Hauler of Septage as a condition of using a Liquid Waste disposal facility.

3. User Fees:

- (a) The Liquid Waste Disposal Fee set out in Section 1 will be imposed on every person depositing Liquid Waste at the Disposal Site and shall be paid in accordance with this bylaw.
- (b) The fees charged will be calculated by multiplying the measured volume of Liquid Waste discharged by the unit rate set out in Section 1. Where no measured volume is available, the fees charged will be calculated by multiplying the unit rate by the volume of a Load of Liquid Waste.

4. Credit:

Persons depositing liquid waste at the Disposal Site on a regular basis may apply to the Regional District for credit. If the Treasurer is satisfied of the credit worthiness of the person, credit may be granted to that person, in which case payment of the charge imposed under Section 3 shall be made and credit extended on the following conditions:

- (a) The person receiving credit shall pay to the Regional District all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The Regional District will invoice monthly for liquid waste delivered during the preceding month. The invoice amount will be based on the total quantity of the waste delivered during the month, and the posted rates in effect at the time of delivery.
- (b) Late payment(s) will be subject to an interest penalty of 1 ½% per month.
- (c) The Regional District reserves the right to cancel, upon five (5) days notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the Regional District.

5. Discharges of Liquid Waste:

- (a) No person shall discharge Trucked Liquid Waste directly or indirectly to a Sewer or Sewage Facility other than at the Disposal Site.
- (b) Every Generator or Hauler within the Local Service Area must discharge Liquid Waste into the Disposal Site.
- (c) Haulers must arrange for a gate access key to the Disposal Site through the Capital Regional District.

- (d) Haulers must comply with all rules of conduct governing use of the Disposal Site as prescribed in Section 7.
- (e) No person shall discharge Trucked Liquid Waste at the Disposal Site unless a Trucked Waste Manifest has been completed and deposited at the facility.
- (f) The Capital Regional District may suspend or revoke the privilege of access to and use of the Disposal Site if the Generator or Hauler falsifies or omits information on a Trucked Waste Manifest.
- (g) Sections 5(a) to 5(f) do not apply to a Municipality or agent of a Municipality, where Liquid Waste is removed from a Sewer or Sewage Facility or the Disposal Site for purposes of maintenance activities on the Sewer or Sewage Facility or the Disposal Site.

6. Offences and Penalties:

- (a) A person who contravenes this bylaw is guilty of an offence and is liable, upon conviction, to a fine not exceeding \$10,000.
- (b) Where an offence is committed, or continues on for more than one day, a person shall be deemed to have committed separate offences for each day on or during which an offence occurs or continues, and separate fines, each not exceeding \$10,000, may be imposed for each day on or during which an offence occurs or continues.
- (c) Nothing in this bylaw shall limit the Capital Regional District from utilizing any other remedy that would otherwise be available to the Capital Regional District at law.

7. Rules for Use of the Burgoyne Septage Facility:

- (a) The Burgoyne site is an unattended facility. Access to the facility is controlled by gate. The Capital Regional District will issue a gate key to a Hauler carrying out work in the Local Service Area whose application for service is approved.
- (b) Parking for Haulers' vehicles on site is permitted only while discharging Liquid Waste.
- (c) The facility is not to be used for vehicle washing or servicing.
- (d) There are no office, telephone or washroom facilities on the site for use by Haulers.
- (e) All hauling vehicles using the site must have connection devices compatible with those of the facility.
- (f) The discharge of Liquid Waste shall be conducted without spillage. Hoses shall not be drained to the ground.
- (g) The Hauler is responsible for connecting and disconnecting hoses from the hauling vehicle to the facility discharge coupling and the operation of the equipment associated with the hauling vehicle.

- (h) The Hauler shall designate on the Trucked Waste Manifest whether the discharge is septage or sewage sludge.
- (i) A flow meter is provided for the Hauler to measure the volume of each discharge. The Capital Regional District will bill each Hauler based on the total volume of Liquid Waste discharged. Haulers shall note and record the flow meter totalizer reading at the start and on completion of the discharge. The two readings shall be recorded on the Trucked Waste Manifest and the manifest form shall be deposited in the box provided on site.