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

SUBJECT **FEES AND CHARGES BYLAW FOR UTILITIES AND STREET LIGHTING WITHIN THE SOUTHERN GULF ISLANDS (SGI) AND JUAN DE FUCA (JDF) ELECTORAL AREAS**

ISSUE

Approval of the fees and charges bylaw for utilities and street lighting within the SGI and JDF Electoral Areas

BACKGROUND

Based on the 2011 budget review, the fees and charges for the services listed in the table below need to be increased. The related committees have approved the increases, and the 2011 budget is based on the amended rates.

JDF Electoral Area	SGI Electoral Area
<ul style="list-style-type: none"> • Wilderness Mountain Water Service • Port Renfrew Street Lighting Local Service 	<ul style="list-style-type: none"> • Skana Water Service • Magic Lake Estates Sewage System • Magic Lake Estates Water System • Sticks Allison Water Local Service • Surfside Park Estates Water Service • Lyall Harbour/Boot Cove Water Service

When updating the fees and charges, it is administratively efficient to combine all the above services into one fees and charges bylaw. Consequently, the attached bylaws are proposed:

- No. 3778: A consolidated fees and charges bylaw to cover all the services listed above and to update the rates where applicable;
- No. 3779: An amending bylaw to update water and sewer user charges for Port Renfrew.

ALTERNATIVES

1. a) That Bylaw No. 3778, cited as “Southern Gulf Islands and Juan de Fuca Electoral Areas Utilities and Street Lighting Fees and Charges Bylaw No. 1, 2011” be introduced and read a first time, read a second time, read a third time and adopted.
- b) That Bylaw No. 3779, cited as “Port Renfrew Water and Sewer Local Service Area Fees and Charges Bylaw No. 1, 1990” be introduced and read a first time, read a second time, read a third time and adopted.
2. That the bylaws be referred back to the local service committees.

IMPLICATIONS

Financial:

Fee and charge increases are required in order to maintain appropriate levels of service. The proposed increases are based on the 2011 budget review, have been endorsed by the related committees, and are factored into the 2011 budget.

Fees and charges bylaw management and administration is enhanced by combining related services into one fees and charges bylaw. Consequently, the proposed fees and charges bylaw includes eight (8) services with similar rate structures.

CONCLUSION

The CRD operates water, sewer, and street lighting services within the SGI and JDF Electoral Areas. All fee and charge increases for these services are based on the 2011 budget review, have been endorsed by the related committees, and have been factored into the 2011 budget.

Bylaw management and administration is enhanced when several similar services are combined into one fees and charges bylaw. Consequently, the proposed fees and charges bylaw includes eight (8) related services with similar rate structures.

RECOMMENDATIONS

- a) That Bylaw No. 3778, cited as “Southern Gulf Islands and Juan de Fuca electoral Areas Utilities and Street Lighting Fees and Charges Bylaw No. 1, 2011” be introduced and read a first time, read a second time, read a third time and adopted.
- b) That Bylaw No. 3779, cited as “Port Renfrew Water and Sewer Local Service Area Fees and charges Bylaw No. 1, 1990, Amendment Bylaw No. 18, 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

Attachments: 2

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3778

A BYLAW TO PROVIDE FOR FEES AND CHARGES PAYABLE FOR UTILITIES AND STREET LIGHTING WITHIN THE SOUTHERN GULF ISLANDS AND JUAN DE FUCA ELECTORAL AREAS

WHEREAS:

- A. Pursuant to section 803 and section 363 of the *Local Government Act*, the Board may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the district or the exercise of regulatory authority by the Board.
- B. The Capital Regional District established services and facilities to supply, treat, convey, store and distribute water in the participating areas of the Southern Gulf Islands Electoral Area and Juan de Fuca Electoral Area (Skana Water Service, Surfside Park Estates Water Service, Lyall Harbour/Boot Cove Water Service, Magic Lake Estates Water System Local Service, Sticks Allison Water Local Service, and Wilderness Mountain Water Service).
- C. The Capital Regional District established services and facilities to collect, convey, treat and dispose of sewage in the participating areas of the Southern Gulf Islands Electoral Area (Magic Lake Estates Sewage System Local Service).
- D. The Capital Regional District established services and facilities to operate a street lighting system in the participating area of Port Renfrew in the Juan de Fuca Electoral Area.
- E. These bylaws authorize the recovery of annual costs by methods including:
 - (a) by way of an annual parcel tax; or
 - (b) by fees and charges to be imposed by bylaw under Section 363 of the *Local Government Act*.
- F. The Board wishes to establish a consolidated bylaw for the recovery of annual costs for utilities and street lighting in the Southern Gulf Islands and Juan de Fuca Electoral Areas.

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

- 1. The Board hereby authorizes and imposes fees and charges for the Service Areas shown from time to time on Schedules "A" of the following bylaws:
 - (a) Bylaw No. 3089, "Skana Water Service Establishment Bylaw No. 1, 2003";
 - (b) Bylaw No. 3087, "Surfside Park Estates Water Service Establishment Bylaw No. 1, 2003", as amended
 - (c) Bylaw No. 1873, "Outer Gulf Islands Magic Lake Estates Sewage System Local Service Establishment Bylaw, 1990";
 - (d) Bylaw No. 2920, "Lyall Harbour/Boot Cove Water Service Establishment Bylaw No. 1, 2001", as amended;

- (e) Bylaw No. 1874, "Outer Gulf Islands Magic Lake Estates Water System Local Service Establishment Bylaw, 1990", as amended;
- (f) Bylaw No. 2556, "Sticks Allison Water Local Service Establishment Bylaw No. 1, 1997";
- (g) Bylaw No. 3503, "Wilderness Mountain Water Service Establishment Bylaw No. 1, 2008"; and
- (h) Bylaw No. 1746, "Port Renfrew Street Lighting Local Service Establishment Bylaw No. 1, 1989", as amended

2. Interpretation

In this bylaw, unless context otherwise requires:

- (a) "**Applicant**" means a person who is the owner, lessee or tenant of an authorized premises and who has requested or applied for water or sewer service or for any other matter or thing under this bylaw from the Capital Regional District;
- (b) "**Board**" means the Board of Directors of the Capital Regional District;
- (c) "**Consumer**" means a person to whom a water or sewer service connection or street lighting has been provided by the Capital Regional District;
- (d) "**Construction Costs**" include costs of labour, materials and equipment;
- (e) "**CRD**" means the Capital Regional District;
- (f) "**Engineering Costs**" include costs of survey, design, permit acquisition, layout, inspection and as-constructed drawings;
- (g) "**Service Area**" means a service area specified in Section 1 above;
- (h) "**Sewer Service Connection**" means a pipe and all appurtenances necessary to connect a sewer main to a building sanitary sewer at the property line;
- (i) "**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 multiple family facility.
- (j) "**Single Family Residential**" means a water or sewer service connection to a parcel of land having actual use identified by BC Assessment as a Single Family Dwelling, and which may include one secondary dwelling or suite;
- (k) "**User Fee**" means a fee or charge imposed under Section 6 of this bylaw; and
- (l) "**Water 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.

3. Water or Sewer Service Connection Fee

An Applicant for a Water or Sewer Service Connection in respect of real property within a Service Area shall, at the time of making an application for the service connection, pay the service connection fee set out in Schedule "A" hereto.

4. Water Service Turn On and Turn Off Fee

A Consumer in a 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.

5. Water or Sewer Service Abandonment Fee

The owner of property in a Service Area wishing to discontinue water or sewer service shall pay the applicable abandonment fee set out in Section 2 of Schedule "A" hereto.

6. Household Pump Station Service Fee

Where a household pump station is required, the Consumer shall be responsible for the supply of the station and the Consumer shall be responsible for the installation, operation, repairs and replacement of the station. The CRD may service or carry out repairs to the station at the Consumer's request and shall charge a fee for the service as shown on Schedule "D".

7. Street Lighting

Every person owning a parcel of land on which a dwelling or business is located within a street lighting local service area shall be deemed to be supplied with street lighting.

8. Water, Sewer and Street Lighting User Fees

The User Fees set out in Section 1 of Schedule "C", are hereto imposed on each Consumer in a Service Area and shall be paid in accordance with the following:

- (a) User fees invoiced by the CRD are due and payable by the owner of the parcel within thirty (30) days from the date the bill is issued;
- (b) User fees shall be payable each three months as billed by the CRD;
- (c) A late payment charge of 2.5% of the past due amount shall be added to all delinquent water and sewer bills; and
- (d) All payments received will be applied firstly against arrears, and then to current balances.

9. Date Effective

The fees and charges established under this Bylaw shall come into effect immediately after adoption of this Bylaw.

10. Repeal

- (a) Bylaw No. 3245, cited as “Skana Water Service Area Fee and Charge Bylaw No. 2, 2004” and any amendments thereto are hereby repealed;
- (b) Bylaw No. 3132, cited as “Surfside Park Estates Water Service Area Fee and Charge Bylaw No. 1, 2003” and any amendments thereto are hereby repealed;
- (c) Bylaw No. 1871, cited as “Magic Lake Estates Sewer Local Service Area Fee and Charge Bylaw No. 1, 1990” and any amendments thereto are hereby repealed;
- (d) Bylaw No. 713, cited as “Saturna Island Water Supply and Distribution System Rates and Regulation Bylaw No. 1, 1980” and any amendments thereto are hereby repealed;
- (e) Bylaw No. 1872, cited as “Magic Lake Estates Water Local Service Area Fee and Charge Bylaw No. 1, 1990” and any amendments thereto are hereby repealed;
- (f) Bylaw No. 2559, cited as “Sticks Allison Water Local Service Area Fee and Charge Bylaw No. 1, 1998” and any amendments thereto are hereby repealed;
- (g) Bylaw No. 3552, cited as “Wilderness Mountain Water Service Area Fees and Charges Bylaw No. 1, 2009” and any amendments thereto are hereby repealed.

11. Citation

This Bylaw may be cited as "Southern Gulf Islands and Juan de Fuca Electoral Areas Sewer, Water and Street Lighting Fees and Charges Bylaw No. 1, 2011".

READ A FIRST TIME THIS	DAY OF	201_
READ A SECOND TIME THIS	DAY OF	201_
READ A THIRD TIME THIS	DAY OF	201_
ADOPTED THIS	DAY OF	201_

CHAIR

CORPORATE OFFICER

SCHEDULE "A"

1. Water and Sewer Service Connections and Charges

The British Columbia Plumbing Code shall apply to all connections made to a CRD water or sewer system, together with the conditions as set forth hereinafter:

- (a) Any connections not conforming to the requirements set out in the British Columbia Plumbing Code shall not be connected to a CRD water or sewer system.
- (b) The connection charge for a water or sewer service connection shall be the actual cost for the connection, calculated as follows:

- (i) Engineering Costs:
Including 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) \$ _____

ACTUAL COST = Sum of (i) + (ii) = (iii) \$ _____

- (c) Despite subsection 1(b),
 - (i) In the Skana Water Service Area, the minimum connection charge shall be \$1,000.
 - (ii) In the Magic Lake Estates Sewer Service Area and the Magic Lake Estates Water System Service Area, the minimum connection charge shall be \$500.00.
 - (iii) For all other Service Areas, the minimum connection charge shall be \$400.
- (d) Estimated fees payable herein shall be paid to the CRD on application for connection to the utility. The difference between fees paid upon application and the actual cost for the connection will be billed or refunded to the Applicant.

2. Water or Sewer Service Abandonment Fee

Pursuant to Section 5, the fee for abandonment of a water or sewer service connection is the actual cost to the CRD to remove the service connection, calculated in accordance with the formula set out in the above Section 1 of Schedule "A" hereto.

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.

<u>Service Area</u>	<u>During Normal Working Hours</u> (07:30 – 16:00) Monday through Friday (non inclusive of statutory holidays)	<u>During Non-Working Hours</u>
Lyall Harbour / Boot Cove Water	No fee	No fee
Magic Lake Estates Water Sticks Allison Water	No fee	\$25.00
Skana Water Surfside Park Estates Water	\$25.00	\$75.00
Wilderness Mountain Water	\$50.00	\$50.00

SCHEDULE "C"

1. Water, Sewer and Street Lighting User Fees

a) For Single Family Residential Consumers, the user fees payable by Service Area shall be:

Service Area	Annual Charge - 25% of which is billed each 3 months
Skana Water	\$789.22 per Single Family Equivalent connected to the water system
Surfside Park Estates Water	\$925.53 per Single Family Equivalent connected to the water system
Magic Lake Estates Sewer	\$272.00 per Single Family Equivalent connected to the sewer system
Lyll Harbour/Boot Cove Water	\$325.00 per Single Family Equivalent connected to the water system
Magic Lake Estates Water	\$250.00 per Single Family Equivalent connected to the water system
Sticks Allison Water	\$1064.06 per Single Family Equivalent connected to the water system
	Excess Consumption Fee - for metered water use per service connection in excess of 136 cubic metres per three months: \$2.20 per cubic metre
Wilderness Mountain Water	Consumption Charge: \$18.00 per month for each Single Family Equivalent connected to the water system. Annual User Charge: \$568.33 per annum for each Single Family Equivalent connected to the water system.
Port Renfrew Street Lighting	\$24.00 per User

b) For other Consumers, the annual charge, 25% of which is billed each three months, is calculated as "N" times the total annual Single Family Residential charge per Single Family Equivalent. "N" is determined as follows, except as noted in d) below:

Use	"N"
Bed and Breakfast – each building	1.00
Hotel/Motel – each housekeeping unit	1.00
Cabin – each unit	1.00
Mobile home park – per space	1.00
Commercial building housing 1 business	
Up to 3 employees	1.25
4 or more employees	1.50
Commercial building housing more than 1 business	
Each business up to 3 employees:	1.25
Each business with 4 or more employees:	1.50
Restaurant	2.00
Church	1.00

School – for each classroom	1.00
Hospital – for each bed	1.00
Other – for each 1,360 litres of daily winter water consumption. Estimated flows will be based on regulations or guidelines issued pursuant to the BC <i>Health Act</i> .	1.00

c) For the Lyall Harbour / Boot Cove Water Service Area:

Use	“N”
Commercial building housing 1 business	
Up to 3 employees	1.00
4 or more employees	2.00
Commercial building housing more than 1 business	
Each business up to 3 employees:	1.00
Each business with 4 or more employees:	2.00

SCHEDULE "D"

1. Household Pump Station Service Fee

Pursuant to Section 6, the charges for services performed on a household pump station are as follows:

- (a) Inspecting and Servicing of Pump Unit at Site
To inspect, clear off grease, and/or blockage, and/or service pump \$80.00

- (b) Removal and Repair of Pump Unit Where Pump Must be Removed for Repair
The cost to remove and repair the pump shall be the total of Items (i), (ii) and (iii) below:
 - (i) To remove pump from pump station \$80.00
 - (ii) Repair costs for pump unit to be 230% of the cost of the repair parts
 - (iii) To re-install pump and test \$80.00

- (c) Repair of Electrical Components of the Pump Stations
The cost to repair the electrical components of the pump station shall be 230% of the cost of the repair parts which have been installed

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3779**

**A BYLAW TO AMEND BYLAW NO. 1803 TO UPDATE USER CHARGES FOR
WATER AND SEWER SERVICES**

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

1. Bylaw No. 1803, "Port Renfrew Water, Sewer and Street Lighting Supply Local Service Area Fee and Charge Bylaw No. 1, 1990", is hereby amended as follows:
 - a) By deleting Schedule "A" in its entirety and substituting the attached amended Schedule "A".
 - b) By replacing Section 5 with the following:

"This Bylaw may be cited as "Port Renfrew Water and Sewer Local Service Area Fees and Charges Bylaw No. 1, 1990."
2. This Bylaw takes effect on all bills issued after adoption of this Bylaw.
3. This Bylaw may be cited as "Port Renfrew Water and Sewer Local Service Area Fees and Charges Bylaw No. 1, 1990, Amendment Bylaw No. 18, 2011."

READ A FIRST TIME THIS	TH	day of	2011
READ A SECOND TIME THIS	TH	day of	2011
READ A THIRD TIME THIS	TH	day of	2011
ADOPTED THIS	TH	day of	2011

CHAIR

CORPORATE OFFICER

SCHEDULE "A"

USER FEES

1. Billing and Payment:

- a) User fees invoiced by the Capital Regional District are due and payable by the owner of the parcel within thirty (30) days from the date the bill is issued. A late payment charge of 2.5% of the past due amount shall be added to all delinquent bills.
- b) User fees shall be payable each three months as billed by the Capital Regional District.
- c) Amounts outstanding after penalty dates will be considered arrears.
- d) All payments received will be applied firstly against arrears, and then to current balances.

2. Rates Payable:

- a) Annual User Charge per unit billed in four equal payments:

<u>Water</u>	<u>Sewer</u>
\$184.19	\$362.75

The type of use described in Column A is equivalent to the number of units in Column B.

COLUMN A		COLUMN B	
Class of Development (type of use)		Anticipated Daily Water Consumption/Sewage Flow in Litres	No. of Units
Assembly Halls¹			
No Kitchen or Meals Provided	per seat	9	0.007
With Kitchen Facilities	per seat	23	0.017
Banquet and Meeting Rooms			
	per square metre of floor area	17.2	0.013
Beauty Salon/Barber Shop			
	per shampoo sink	568	0.417
Bowling Alleys			
With No Bar or Restaurant	per alley	455	0.334
Camps			
Summer	per bed	159	0.170
Camp Sites	per unit	455	0.334
Year Round Operation	per unit	682	0.500
Churches			
churches, church halls and the places of worship are exempt			0.000
Day Care Centres²			
Group/Special Needs Staff Plus Children	per person	68	0.050
Family Day Care Licenced Capacity	per child	32	0.023
Preschool/Child Minding Staff Plus Children	per person	68	0.050
Out of School Care Staff	per person	68	0.050
Licenced Capacity	per person	23	0.017
Specialized Adult Residential Licenced Capacity	per person	1,136	0.833

CRD Bylaw No. 3779

COLUMN A		COLUMN B	
Class of Development (type of use)		Anticipated Daily Water Consumption/Sewage Flow in Litres	No. of Units
Dog Kennels Staff Dog Runs and Pens	per person use design estimates	91	0.067
Dwellings Apartments, Condominiums and Other Multi-Family Residential Construction Not Referred to in Schedule "A":	per one-bedroom unit per two-bedroom unit per three-bedroom unit add for each laundry machine located in a common laundry room	750 1,022 1,136 1,591	0.550 0.750 0.833 1.167
Single Family or One Dwelling Unit	per unit	1,363	1.000
Duplex or Two Dwelling Unit	per unit	1,363	1.000
Triplex or Three Dwelling Unit	per unit	1,136	0.833
Guest Cottage	56 square metre maximum	750	0.550
Employees - Various Locations Factories ³ with Showers	per worker unit	91	0.067
Factories ³ without Showers	per worker unit	45	0.033
Office Buildings ⁴	per worker unit	91	0.067
Medical Office Buildings ⁵ - Dental Offices and Medical Clinics	doctors, nurses and medical staff - per person office staff - per person patients - per person	273 91 23	0.200 0.067 0.017
Food Service Establishments⁶ Restaurant, Coffee Shop, Cafeteria, Short Order Cafe, Luncheonette, Grill, Tearoom, Sandwich Shop, Dining Room, Soda Fountain	per square metre of customer seating area	97	0.071
Neighbourhood Pubs	per square metre of customer seating area	194	0.142
Bar, Tavern, Beer Parlour, Cocktail Lounge	per square metre of customer seating area	151	0.111
Catering Kitchen, Industrial Factory, Commissary, Concession or Similar Place with no Seating or Open Space, or with Single Service	staff - per person	1,136 plus staff 91	0.833 0.067
Concession or Similar Place with Seating and Full Service	per square metre of customer seating area	97	0.071

CRD Bylaw No. 3779

COLUMN A		COLUMN B	
Class of Development (type of use)		Anticipated Daily Water Consumption/Sewage Flow in Litres	No. of Units
Golf Clubs/Recreation Facilities			
Showers	per fixture	568	0.417
Water Closets	per fixture	568	0.417
Wash Basins	per fixture	341	0.250
Urinals - Hand Flush	per fixture	341	0.250
Day Staff	per person	68	0.050
Hotels and Motels B & B ²			
Exclusive of Recreational Facilities and Food Service	per housekeeping unit	682	0.500
	per unit does not include pay for use laundry machines	455	0.334
Laundromat	per laundry machine	1,591	1.167
Retail Stores - Including Shopping Centres			
	per square metre of enclosed sales area	7.3	0.005
Water Closet	per fixture	568	0.417
Hand Wash Basin	per fixture	341	0.250
Urinals - Hand Flush	per fixture	341	0.250
Schools⁷			
Primary and Elementary	per student	45	0.033
High School	per student	68	0.050
High School with Food Service	per student	91	0.067
Residential	per bed	227	0.167
Service Stations			
Exclusive of Convenience Stores, etc.	per single-hose pump	227	0.167
Car Washes	use design estimates		

¹ Assembly hall occupant loading is 0.76m² per person.

² These estimated daily flows are in addition to the estimated daily sewage flow associated with the house.

³ Industrial manufacturing or process rooms occupant loading is 4.6m² per person.

⁴ Office building occupant loading is 9.3m² per person.

⁵ Treatment and sleeping room areas occupant loading is 10m² per person.

⁶ Dining, licenced beverage establishments and cafeteria space occupant loading is 1.2m² per person.

⁷ Classroom occupant loading is 1.85m² per student.

Footnotes refer to occupancy loads listed in the Occupant Loads in Existing Buildings Guidelines published by the Office of the Fire Commission, Ministry of Municipal Affairs and Housing, Province of British Columbia, dated April 1993.

3. Base Water User Charge:

The base water user charge, for 2006 only, shall be the sum of \$307.20 per parcel, billed annually, but shall exclude those properties identified in Schedule "A" to Bylaw No. 3032, which currently are assessed a parcel tax equivalent to the Base Water User Charge.