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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 07 SEPTEMBER 2011**

SUBJECT **FEES AND CHARGES BYLAWS FOR UTILITIES IN THE THREE
ELECTORAL AREAS AND STREET LIGHTING IN PORT RENFREW**

ISSUE

To complete the consolidation of utility services fees and charges bylaws pertaining to the three electoral areas.

BACKGROUND

In 2010, the Capital Regional District (CRD) began the process of consolidating fees and charges bylaws relating to utilities in the electoral areas. So far, the Board has approved consolidation of fees and charges for Salt Spring Island (SSI) water, sewer and liquid waste into one bylaw, as well as Southern Gulf Islands (SGI) utilities, Juan de Fuca (JDF) Wilderness Mountain water, and Port Renfrew street lighting into another bylaw.

To complete this consolidation process, the proposed bylaws are required to accomplish the following:

- To add Ganges sewerage services to the SSI utilities fees and charges bylaw;
- To add Port Renfrew water and sewer services to the SGI / JDF utilities and Port Renfrew street lighting fees and charges bylaw.

ALTERNATIVES

1. a) That Bylaw No. 3798, cited as “Salt Spring Island Liquid Waste, Sewer and Water Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2011” be introduced and read a first and second time, read a third time and adopted.
 b) That Bylaw No. 3799, cited as “Southern Gulf Islands and Juan de Fuca Electoral Areas Sewer, Water and Street Lighting Fees and Charges Bylaw No. 1, 2011, Amendment Bylaw No. 1, 2011” be introduced and read a first and second time, read a third time and adopted.
2. That the bylaws be referred back to the local service committees.

IMPLICATIONS

Fees and charges bylaw management and administration is enhanced by combining related services into one fees and charges bylaw. The process of combining fees and charges bylaws has been underway since March of 2010. The proposed bylaws will complete the consolidation work for all utilities in the three electoral areas without altering the fees and charges for any of the services involved.

CONCLUSION

Bylaw management and administration is enhanced when several similar services are combined into one fees and charges bylaw. The proposed fees and charges bylaws are consistent with the consolidation work done to date and will complete the process for all utilities in the three electoral areas.

RECOMMENDATIONS

- a) That Bylaw No. 3798, cited as “Salt Spring Island Liquid Waste, Sewer and Water Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2011” be introduced and read a first and second time, read a third time, and adopted.
- b) That Bylaw No. 3799, cited as “Southern Gulf Islands and Juan de Fuca Electoral Areas Sewer, Water and Street Lighting Fees and Charges Bylaw No. 1, 2011, Amendment Bylaw No. 1, 2011” be introduced and read a first and second time, read a third time, and adopted.

Rajat Sharma
Senior Manager, Financial Services Division
Concurrence

Diana E. Lokken
General Manager, Corporate
Concurrence

Kelly Daniels
C.A.O.
Concurrence

Attachments: 2

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3798

**A BYLAW TO AMEND BYLAW 3688 TO INCLUDE FEES AND CHARGES FOR
GANGES SEWERAGE SERVICES**

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

1. Bylaw No. 3688 "Salt Spring Island Liquid Waste, Sewer and Water Fees and Charges Bylaw No. 1, 2010" is amended as follows:

a) By adding item (i) to Section 1:

(i) Bylaw No. 1923, "Salt Spring Island Ganges Sewerage Local Service Establishment Bylaw, 1991."

b) By replacing Section 6 in its entirety with:

"6. Water and Sewer User Fees and Liquid Waste Disposal Fee

(a) The user fees in Section 2 of Schedule "B" are hereto imposed on each Consumer in a Service Area and shall be paid in accordance with the following:

- i) 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.
- ii) User fees shall be payable each three months as billed by the CRD.
- iii) A late payment charge of 2.5% of the past due amount shall be added to all delinquent water and sewer bills.
- iv) All payments received will be applied firstly against arrears, and then to current balances.

(b) Water and sewer user fees for all water and sewer services, excluding Ganges sewerage, are provided in Section 2 of Schedule "B".

(c) Liquid waste disposal fees are provided in Schedule "C".

(d) User fees for Ganges sewerage are provided in Schedule "D".

c) By adding item (i) to Section 8:

"(h) Bylaw No. 1922, cited as "Ganges Sewerage Local Service Area Fee and Charges Bylaw No. 1, 1991"; and any amendments thereto are hereby repealed."

d) By adding Schedule "D".

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. 2, 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 "D"

USER RATES FOR GANGES SEWERAGE

A. Billing and Payment:

- 1) The user rate imposed under Section 6 (d) of this bylaw is due and payable upon invoice by the Capital Regional District.
- 2) If the user fee is not paid within thirty (30) days of the billing date for the user fee, a late payment charge of 2.5% of the past due amount shall be added to all delinquent sewer bills.
- 3) An amount of user fee, together with any penalty added under Subsection 2 will be considered to be a user fee in arrears.
- 4) All payments received will be applied firstly against user fees in arrears, and then to current balances.
- 5) A user fee which is unpaid as of December 31 in any year which it is payable will constitute a charge or lien on the land and improvements in respect of which the charge is imposed in accordance with Section 364 of the *Local Government Act* and may be collected as taxes in accordance with Section 376 of the *Local Government Act*.

For the purposes of this Schedule:

- B. Average Residential Consumption means the average water consumption of all Residential Properties in the applicable year.

Business Property means property, subject to this bylaw, which is classified as Class 6 by the British Columbia Assessment Authority and also includes fire halls, Coast Guard facilities, and other federal, provincial and local government buildings, but does not include institutional property.

Institutional Property means schools, hospitals, long-term and extended care facilities, subject to this bylaw, but does not include libraries or churches.

Net Cost means the cost of operating, maintaining and paying debt charges payable in the current year for the sewerage system less all other revenue received for the sewerage system including grants and parcel tax levies.

Premises means any structure with a roof and with walls enclosing more than 60 per cent of the total perimeter.

Residential Property means property, subject to this bylaw, classified as Class 1 by the British Columbia Assessment Authority and includes churches and libraries, each of the latter is considered, for the purposes of this bylaw, a Single Family Equivalency.

Single Family Equivalency 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 and a church or a library.

User Charge means a charge imposed under Section 1 of this bylaw.

User Fund means the total operating cost including debt repayment payable in the current year of the Ganges Sewerage Local Service Area, less the funds generated by the Parcel Tax.

Water Consumption means the total consumption of water used by a Business, Institutional, and Residential Property as measured by meter installed, read, and adjusted, if necessary, by the water supplier for the eight month period commencing September 1st and ending April 30th in the calendar year for which the user charge is imposed. In the event of a new installation or a change of use of an existing installation, the water consumption for the initial year will be estimated by the General Manager, based on average water usage values for similar users within the Local Service Area.

The user fund shall in each year be divided into three shares as follows:

C.

- 1) The Business Share shall be the percentage of the User Fund that the total Water Consumption of all Business Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.
- 2) The Institutional Share shall be the percentage of the User Fund that the total Water Consumption of all Institutional Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.
- 3) The Residential Share shall be the percentage of the User Fund that the total Water Consumption of all Residential Properties is of the total Water Consumption of all Business, Institutional and Residential Properties.

D.

- 1) The Business Share of the User Fund shall be paid by all the owners or occupiers of Business Property that is subject to a User Charge.
- 2) The Institutional Share of the User Fund shall be paid by all the owners or occupiers of Institutional Property that is subject to a User Charge.
- 3) The Residential Share of the User Fund shall be paid by all the owners or occupiers of Residential Property that is subject to a User Charge.

- E. Each owner or occupier of a Business Property that is subject to a User Charge shall pay their share of the Business Share:
- 1) The Business Share is divided into two equal portions of 50 per cent each.
 - 2) One portion of the Business Share is divided amongst the Business Properties that are subject to a User Charge, based on the percentage that the square footage of the exterior measurement of the Premises on a Business Property represents in relation to the total of all Premises on all Business Properties within the local service area.
 - 3) The second portion of the Business Share is divided amongst the business properties that are subject to a User Charge based on the percentage of the Water Consumption of the Business Share that is used by that property.
- F. Each owner or occupier of an Institutional Property that is subject to a User Charge shall pay the percentage of the Institutional Share that the Water Consumption of its property is of the total Water Consumption of all Institutional Properties, of the Institutional Share.
- G. Each owner or occupier of a Residential Property that is subject to a User Charge shall pay:
- 1) \$150.00 for each Single Family Equivalency; plus
 - 2) The percentage of the Residential Share that the Water Consumption of his property is of the total Water Consumption of all Residential Properties of the Residential Share after deducting the monies payable under G (1) from the Residential Share.

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3799

**A BYLAW TO AMEND BYLAW 3778 TO INCLUDE FEES AND CHARGES FOR
PORT RENFREW WATER AND SEWER SERVICES**

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

1. Bylaw No. 3778 "Southern Gulf Islands and Juan de Fuca Electoral Areas Sewer, Water and Street Lighting Fees and Charges Bylaw No. 1, 2011" is amended as follows:
 - a) By adding items (i) and (j) to Section 1:
 - (i) Bylaw No. 1744, cited as "Port Renfrew Sewer Local Service Establishment Bylaw No. 1, 1989", as amended; and
 - (j) Bylaw No. 1747, cited as "Port Renfrew Water Supply Local Service Establishment Bylaw No. 1, 1989", as amended."
 - b) By adding items (e) to Section 8:

"(e) Amounts outstanding after penalty dates will be considered arrears."
 - c) By adding item (h) to Section 10:

"(h) Bylaw No. 1803, cited as "Port Renfrew Water, Sewer and Street Lighting Supply Local Service Area Fee and Charge Bylaw No. 1, 1990" and any amendments thereto are hereby repealed."
 - d) By removing Schedule "C" in its entirety and replacing it with the attached Schedule "C".

2. 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, Amendment Bylaw No. 1, 2011".

READ A FIRST TIME THIS	th	DAY OF	2011
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ADOPTED THIS	th	DAY OF	2011

CHAIR

CORPORATE OFFICER

SCHEDULE "C"

1. Water, Sewer, and Port Renfrew Street Lighting

a) For Single Family Equivalent, 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 Water Annual User Charge	\$184.19 per Unit (see Section 1 d) billed in four equal payments
Port Renfrew Sewer Annual User Charge	\$362.75 per Unit (see Section 1 d) billed in four equal payments
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 Equivalent. "N" is determined as outlined in the following chart, except as noted in Sections 1 c and d.

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

Continued from page 2	
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

d) Unit calculation is based on **Minimum Daily Design Flow** as specified in the *Sewerage System Standard Practice Manual*, Version 2, September 21, 2007, prepared by the BC Onsite Sewage Association.