

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1991

(Sewage Regulation and Fee Bylaw)

A Bylaw to Regulate Sewage Discharge and Levy a Fee for the Use of District of Central Saanich
Sewage Disposal Facilities

WHEREAS pursuant to the *Community Charter*, the District of Central Saanich is authorized, by bylaw, to regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS pursuant to the *Community Charter*, the District of Central Saanich is authorized, by bylaw, to impose a fee payable in respect of all or part of a service of the District, including municipal sewer service;

AND WHEREAS the District of Central Saanich has installed a sewage collection and treatment system to serve the District;

NOW THEREFORE the Council of the District of Central Saanich, in open meeting assembled, enacts as follows:

NAME

1. This Bylaw may be cited for all purposes as "**Central Saanich Sewer Fee Bylaw No. 1991, 2019**"

AREA COVERED

2. This bylaw applies to all of sewer collection area no. 1 as established by Bylaw No. 322 as amended.

DEFINITIONS

3. In this bylaw:
 - a) "billing period" means four consecutive calendar months of a calendar year;
 - b) "Council" means the municipal council of the Corporation of the District of Central Saanich;
 - c) "District" means the District of Central Saanich;

- d) “minimum charge for each period” means:
- i) where the sewer connection diameter is 100mm or less; 50 cubic metres of waste water discharged;
 - ii) where the sewer connection diameter is 150mm; 100 cubic metres of waste water discharges;
 - iii) where the sewer connection diameter is 200mm; 200 cubic metres of waste water discharged;
- times the sewer user charge basic rate.
- e) “municipal sewer system” means the sewage collection system of the District;
- f) “sewer connection diameter” means the diameter of the sewer connection between the sewage collection system on the property and the municipal sewer system;
- g) “sewer user charge basic rate” means a rate of \$1.44 per cubic metre of wastewater discharge into the municipal sewer system in the billing period;
- h) “wastewater discharged” means for each property served by the municipal sewer system;
- i) an amount equal to 80% of the water supplied to the property as measured by the water meter or meters for that property in the billing period ending April 30 of the previous year; or
 - ii) where the quantity of wastewater discharge from the property to the municipal sewer system is metered the amount of wastewater as calculated by the applicable meter; or
 - iii) where the property is supplied by unmetered water or is supplied or partially supplied with water from a source other than the municipal water system the amount calculated in accordance with Section 1 of Appendix “A”;
 - iv) where the property is other than residential zoned and the metered water supplied does not represent the quantity of wastewater discharged the amount shall be calculated in accordance with Section 2 of Appendix “A”.

CHARGES

4. a) From and after September 1, 1993, the District hereby levies a sewage system use charge on all owners of real property connected with the sewage system of the District to be paid in arrears for each billing period.

- b) The charges for sewage service for each billing period are set out in Schedule "A", attached to this bylaw, which is incorporated as part of this bylaw.
 - c) A discount of ten percent (10%) shall be deducted from accounts paid in full on or before the thirtieth (30th) day following the billing date.
 - d) Any property for which a charge remains unpaid on the 15th day of the second month following the month in which the account is rendered is subject to sewer service being disconnected.
5. a) If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision does not affect the validity of the remaining portions of this By-law.

REPEAL:

6. **Central Saanich Sewer Fee Bylaw No. 1938, 2018** is hereby repealed.

| | | | | |
|----------------------------|------------------|--------|---------------|--------------|
| READ A FIRST TIME on this | 18 th | day of | March, | 2019. |
| READ A SECOND TIME on this | 18 th | day of | March, | 2019. |
| READ A THIRD TIME on this | 18 th | day of | March, | 2019. |
| ADOPTED on this | | day of | | 2019. |

Ryan Windsor
Mayor

Liz Cornwell
Corporate Officer

Bylaw No. 1991
Appendix "A"

Calculation of Quantity of Wastewater Discharged

1. Properties where the water supply is not metered by the District or the owner has a water system metered by the District but also has a supplementary supply of water. The wastewater discharged shall be derived from the "minimum estimated daily sewage flows" as specified in the *Health Act* of the Province of British Columbia Appendix "A" December 1985, as amended from time to time, and shall be calculated by the municipality based on that provision as applied to the use of the property and the amount of use on the property. A copy of the *Health Act* Appendix "A" December 1985, as amended from time to time, is appended hereto as a part of this Table.
2. Other than residential zoned properties where the metered water supplied does not represent the quantity of wastewater discharged to the municipal sewage system, as based on evidence provided by the owner of that property, the quantity discharged shall be derived from the estimated minimum daily sewage flows as specified in the *Health Act* of the Province of British Columbia Appendix "A" December 1985, as amended from time to time, appended hereto based on the use of the property and the amount of use multiplied by the number of days in the billing period.

If based on the flows estimated under the *Health Act*:

- (a) if the District determines that the quantity of actual wastewater discharged to the municipal sewer system is greater than 80% of the metered water supplied, the billable quantity shall be as calculated above;
- (b) if the District determines that the wastewater quantity discharged is less than 80% of the metered water supply the billing shall be based on such lesser amount.

Charge For Sewage Service For Each Billing Period

3. The Owner of real property connected to the municipal sewer system shall pay for each billing period:
 - (a) A minimum charge for the billing period; or
 - (b) A charge equal to the wastewater discharged times the sewer user charge basic rate;

Whichever is the greater.