



C.V.R.D.

COWICHAN VALLEY REGIONAL HOSPITAL DISTRICT

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DAY: WEDNESDAY

DATE: FEBRUARY 10, 2010

**TIME: → REGULAR SESSION
6:00 P.M.**

PLACE: BOARD ROOM

175 INGRAM STREET

Joe E. Barry
Corporate Secretary



C·V·R·D

REGULAR BOARD MEETING

WEDNESDAY, FEBRUARY 10, 2010

6:00 PM - CVRD BOARD ROOM

AGENDA		PAGES
1.	<u>APPROVAL OF AGENDA:</u>	1-5
2.	<u>ADOPTION OF MINUTES:</u>	
	M1 Adoption of minutes of Special Board meeting of January 6, 2010	6
	M2 Adoption of minutes of Board meeting of January 13, 2010	7-18
3.	<u>BUSINESS ARISING FROM THE MINUTES:</u>	
4.	<u>DELEGATIONS</u>	
	D1 Candace Spilsbury, Flood Recovery Director representing the Community Disaster Multi-agency Recovery Pilot Project (MAC Group) Re: Review of Volunteer Efforts to Assist Those Impacted by the Flood of November 2009.	19-22
	D2 Sergeant R.E. (Rob) Webb, Shawnigan Lake RCMP Re: Review of 2009 Lake Patrols	23
5.	<u>REPORT OF THE CHAIRPERSON:</u>	
6.	<u>CORRESPONDENCE:</u>	
	C1 Christine Fagan, Executive Director, Cowichan Intercultural Society Re: Cowichan Region's Action Plan for Welcoming and Inclusive Communities and Workplaces	24-30
7.	<u>INFORMATION:</u>	
8.	<u>COMMITTEE REPORTS:</u>	
	CR1 Regional Services Committee – Director Kent Report and Recommendations of Meeting of January 27, 2010	31
	CR2 Electoral Area Services Committee – Director Harrison Report and Recommendations of Meeting of January 19, 2010	32-33
	CR2 Electoral Area Services Committee - Director Harrison Report and Recommendations of Meeting of February 2, 2010	To Be Distributed 34

CR3	Engineering Services Committee - Director Cossey Report and Recommendations of Meeting of January 27, 2010	35-36
CR4	Kerry Park Recreation Commission - Director Iannidinaro Report and recommendation of Meeting of January 26, 2010	37
CR5	Cowichan Lake Recreation Commission - Director Morrison Report and Recommendations of Meeting of January 28, 2010	38
CR6	Community Safety Advisory Committee - Director Iannidinaro Report and Recommendation of Meeting of November 19, 2009	39
CR7	Environment Commission - Director Kent Report and Recommendation of Meeting of January 14, 2010	40
9.	<u>STAFF REPORTS:</u>	
SR1	Staff Report from the General Manager Public Safety Re: Personal Income Tax Relief for Volunteer Fire Services Personnel	41-43
10.	<u>PUBLIC HEARINGS:</u>	
11.	<u>BYLAWS:</u>	
B1	"Cowichan Valley Regional District Bylaw No. 3305 - Arbutus Ridge Water System Management Bylaw, 2009", 1 st , 2 nd and 3 rd reading.	44-75
B1	"Cowichan Valley Regional District Bylaw No. 3305 - Arbutus Ridge Water System Management Bylaw, 2009", adoption.	44-75
B2	"Cowichan Valley Regional District Bylaw No. 3306 - Arbutus Ridge Sewer System Management Bylaw, 2009", 1 st , 2 nd and 3 rd reading.	76-126
B2	"Cowichan Valley Regional District Bylaw No. 3306 - Arbutus Ridge Sewer System Management Bylaw, 2009", adoption.	76-126
B3	"Cowichan Valley Regional District Bylaw No. 3307 - Arbutus Ridge Drainage System Management Bylaw, 2009", 1 st , 2 nd and 3 rd reading.	127-140
B3	"Cowichan Valley Regional District Bylaw No. 3307 - Arbutus Ridge Drainage System Management Bylaw, 2009", adoption.	127-140
B4	"Cowichan Valley Regional District Bylaw No. 3308 - Arbutus Ridge Water System Capital Reserve Fund Establishment Bylaw, 2009", 1 st , 2 nd and 3 rd reading.	141-142
B4	"Cowichan Valley Regional District Bylaw No. 3308 - Arbutus Ridge Water System Capital Reserve Fund Establishment Bylaw, 2009", adoption.	141-142

	B5	"Cowichan Valley Regional District Bylaw No. 3310 - Arbutus Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", 1 st , 2 nd and 3 rd reading.	143-144
	B5	"Cowichan Valley Regional District Bylaw No. 3310 - Arbutus Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", adoption.	143-144
	B6	"Cowichan Valley Regional District Bylaw No. 3340 - Brulette Place Sewer System Management Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	145-194
	B6	"Cowichan Valley Regional District Bylaw No. 3340 - Brulette Place Sewer System Management Bylaw, 2010", adoption.	145-194
	B7	"Cowichan Valley Regional District Bylaw No. 3341 - Brulette Place Sewer System Capital Reserve Fund Establishment Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	195-196
	B7	"Cowichan Valley Regional District Bylaw No. 3341 - Brulette Place Sewer System Capital Reserve Fund Establishment Bylaw, 2010", adoption.	195-196
	B8	"Cowichan Valley Regional District Bylaw No. 3342 - Brulette Place Sewer System Parcel Tax Roll Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	197-198
	B8	"Cowichan Valley Regional District Bylaw No. 3342 - Brulette Place Sewer System Parcel Tax Roll Bylaw, 2010", adoption.	197-198
	B9	"CVRD Bylaw No. 3344 - Shawnigan Creek Drainage System Service Establishment Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	199-200
3	B10	"CVRD Bylaw No. 3345 - Cowichan Valley Regional District Revenue Anticipation Borrowing Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	201
	B10	"CVRD Bylaw No. 3345 - Cowichan Valley Regional District Revenue Anticipation Borrowing Bylaw, 2010", adoption.	201
	B11	"Cowichan Valley Regional District Bylaw No. 3346 - Security Issuing (Loan Authorization Bylaw No. 3391) Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	202-206
	B11	"Cowichan Valley Regional District Bylaw No. 3346 - Security Issuing (Loan Authorization Bylaw No. 3391) Bylaw, 2010", adoption.	202-206
	B12	"Cowichan Valley Regional District Bylaw No. 3347 - Security Issuing (Loan Authorization Bylaw No. 3019, Loan Authorization Bylaw No. 3197, Loan Authorization Bylaw No. 3272, and Loan Authorization Bylaw No. 3278) Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	207-210

B12	"Cowichan Valley Regional District Bylaw No. 3347 - Security Issuing (Loan Authorization Bylaw No. 3019, Loan Authorization Bylaw No. 3197, Loan Authorization Bylaw No. 3272, and Loan Authorization Bylaw No. 3278) Bylaw, 2010", adoption.	207-210
B13	"Cowichan Valley Regional District Bylaw No. 3351 - Arbutus Ridge Drainage System Management Amendment Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	211-212
B13	"Cowichan Valley Regional District Bylaw No. 3351 - Arbutus Ridge Drainage System Management Amendment Bylaw, 2010", adoption.	211-212
B14	"Cowichan Valley Regional District Bylaw No. 3352 - Dogwood Ridge Water System Management Amendment Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	213-214
B14	"Cowichan Valley Regional District Bylaw No. 3352 - Dogwood Ridge Water System Management Amendment Bylaw, 2010", adoption.	213-214
B15	"CVRD Bylaw No. 3353 - Shawnigan lake North Water System Service Amendment Bylaw, 2010", 1 st , 2 nd and 3 rd reading.	215-216

Electoral Area Directors only vote on the following bylaws under Part 26 OR Section 791 of the *Local Government Act*:

B16	"Cowichan Valley Regional District Bylaw No. 2981 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (CVRD for Ministry of Environment), 2009", 1 st and 2 nd reading.	217-219
B17	"CVRD Bylaw No. 3324 - Area D - Cowichan Bay Official Settlement Plan Amendment Bylaw (Parhar), 2010", 1 st and 2 nd reading.	220-228
B18	"CVRD Bylaw No. 3325 - Area D - Cowichan Bay Zoning Amendment Bylaw (Parhar), 2010", 1 st and 2 nd reading.	229-233

12. RESOLUTIONS:

RES1	Appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission	234
RES2	Appointments to the Electoral Area G - Saltair/Gulf Islands Advisory Planning Commission	235
RES3	Appointment to the Electoral Area D - Cowichan Bay Advisory Planning Commission	236
RES4	Appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Parks and Recreation Commission	237

RES5 Appointments to the Electoral Area E - Cowichan Station/Sahtlam/
Glenora parks and Recreation Commission 238

13. UNFINISHED BUSINESS:

14. NOTICE OF MOTION:

15. NEW BUSINESS:

16. QUESTION PERIOD:

a) Public

b) Press

17. CLOSED SESSION:

Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

CSM1 Adoption of Special Closed Session Minutes of January 6, 2010 239

CSM2 Adoption of Closed Session Minutes of January 13, 2010 240-242

CSCR1 FOIPOP - Disclosure Harmful to Business Interests of Third Party 243
Section 21 (1)

18. ADJOURNMENT:

The next Regular Board meeting will be held Wednesday, March 10, 2010 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, January 6, 2010 at 6:30 pm.

PRESENT: Chair G. Giles
Directors M. Dorey, L. Duncan, B. Harrison,
R. Haywood, R. Hutchins, L. Iannidinardo,
P. Kent, M. Marcotte, T. McGonigle, I. Morrison,
G. Seymour and T. Walker

ALSO

PRESENT: Joe Barry, Corporate Secretary

ABSENT: Directors K. Cossey and K. Kuhn

APPROVAL OF AGENDA

10-001 It was moved and seconded that the agenda be amended with the addition of New Business item NBCSSRI Information Received in Confidence {Sub (2) (b) and that the agenda, as amended, be approved.

MOTION CARRIED

**RESOLVE INTO
CLOSED SESSION**

10-002 It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsections (1) (c) Employee Relations, and (2) (b) Information Received in Confidence.
6:31 pm

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

10-008 It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.
8:55 pm

MOTION CARRIED

The Special Board meeting ended at 8:55 p.m.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

M2

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, January 13, 2010 at 4:00 pm

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, D. Haywood, R. Hutchins <4:07 pm>,
L. Iannidinaro, P. Kent, K. Kuhn, M. Marcotte,
T. McGonigle <5:18 pm>, I. Morrison, G. Seymour
and T. Walker

ALSO PRESENT: Warren Jones, Administrator
Joe Barry, Corporate Secretary
Brian Dennison, General Manager,
Engineering & Environmental Services
Bob McDonald, Manager,
Recycling & Waste Management
Kate Miller, Manager, Regional Environmental Policy
Dan Derby, General Manager, Public Safety

APPROVAL OF AGENDA

10-009

It was moved and seconded that the agenda be amended with the

Deletion of Agenda Item B1 "CVRD Bylaw No. 3320"

and the addition of New Business items:

NBCS1 Third Party Negotiations {Sub (2) (b)}
NBCS2 Employee Relations {Sub (1) (c)}
NB1 Staff Report from the Bylaw Enforcement Officer
Re: Ticketing Bylaw Amendment
NB2 "Cowichan Valley Regional District Bylaw No. 3349 -
Ticket Information Authorization Amendment Bylaw,
2010", 1st, 2nd and 3rd reading and adoption
NBRES2 Appointment of Area I Parks Commission

and that the agenda, as amended, be approved.

MOTION CARRIED

**RESOLVE INTO
CLOSED SESSION**

10-010 **It was moved and seconded that the meeting be closed to the public in
4:04 pm** **accordance with the Community Charter Part 4, Division 3, Section
90, Subsections (1) (c), (e), (g), and (2) (b)}.**

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

10-013 **It was moved and seconded that the Board rise without report and
5:35 pm** **return to the Regular portion of the meeting.**

MOTION CARRIED

The Board agreed by consensus to adjourn until 6:00 pm.

6:07 pm **The Regular portion of the Board meeting of January 13, 2010 resumed at
6:07 pm.**

**ADOPTION OF
MINUTES**

10-014 **It was moved and seconded that the minutes of the December 9, 2009
Regular Board meeting be adopted.**

MOTION CARRIED

**BUSINESS ARISING
FROM MINUTES**

There was no business arising.

DELEGATIONS

D1 **Tina Phillips representing the Cowichan Search and Rescue Society
provided the Board with an update of the Cowichan Search and Rescue
acquisitions, activities and training progress and capabilities as they
pertain to public safety and rescue in the CVRD.**

REPORT OF CHAIRPERSON

RC1 **The Chair provided an overview of the 2010 CVRD Standing Committee
appointments.**

**The 2010 CVRD Standing Committee appointments are listed for
information:**

2010 STANDING COMMITTEES

REGIONAL SERVICES:

Director P. Kent, Chair	Director L. Iannidinardo
Director R. Hutchins, Vice - Chair	Director K. Kuhn
Director K. Cossey	Director M. Marcotte
Director M. Dorey	Director T. McGonigle
Director L. Duncan	Director I. Morrison
Director G. Giles	Director G. Seymour
Director B. Harrison	Director T. Walker
Director D. Haywood	

ELECTORAL AREA SERVICES:

Director B. Harrison, Chair	Director G. Giles
Director M. Marcotte, Vice - Chair	Director L. Iannidinardo
Director K. Cossey	Director K. Kuhn
Director M. Dorey	Director I. Morrison
Director L. Duncan	

ENGINEERING & ENVIRONMENTAL SERVICES:

Director K. Cossey, Chair	Director D. Haywood
Director K. Kuhn, Vice – Chair	Director L. Iannidinardo
Director M. Dorey	Director P. Kent
Director L. Duncan	Director M. Marcotte
Director G. Giles	Director I. Morrison
Director B. Harrison	

PARKS:

Director M. Dorey, Chair	Director B. Harrison
Director I. Morrison, Vice - Chair	Director D. Haywood
Director K. Cossey	Director L. Iannidinardo
Director L. Duncan	Director P. Kent
Director G. Giles	Director K. Kuhn

TRANSIT:

Director G. Seymour, Chair	Director D. Haywood
Director I. Morrison, Vice-Chair	Director L. Iannidinardo
Director K. Cossey	Director P. Kent
Director L. Duncan	Director K. Kuhn
Director G. Giles	Director T. McGonigle
Director B. Harrison	

HEALTH ADVISORY COMMITTEE:

Director G. Seymour, Chair	Director R. Hutchins
Director M. Marcotte, Vice-Chair	Director L. Iannidinardo

Director M. Dorey
Director G. Giles

Director P. Kent

COMMUNITY SAFETY ADVISORY COMMITTEE:

Director L. Iannidinardo, Chair

Director P. Kent, Vice-Chair

KINSOL TRESTLE REHABILITATION COMMITTEE:

Director G. Giles, Chair

Director K. Cossey

Director P. Kent, Vice-Chair

Director D. Haywood

Director B. Harrison

TREATY ADVISORY COMMITTEE:

Director L. Duncan, Chair (TAC Rep)

Director R. Hutchins

Director T. Walker, Vice-Chair (TAC Alt)

Director P. Kent

Director G. Giles

COMMISSION APPOINTMENTS

10-015

It was moved and seconded that the following CVRD Board appointments to the Economic Development Commission for 2010 be approved:

Director P. Kent

Director I. Morrison

MOTION CARRIED

Chair Giles also announced the appointment of Bruce Sampson as Chair of the Economic Development Commission and Dave Jackson as Vice-Chair of the Economic Development Commission for terms to expire December 31, 2010.

10-016

It was moved and seconded that the following CVRD Board appointments to the Environment Commission for 2010 be approved:

Director L. Iannidinardo

Director P. Kent

Director R. Hutchins

MOTION CARRIED

10-017

It was moved and seconded that the following appointments to the Environment Commission be approved:

Term to expire December 31, 2011:

Dave Polster

Kevin Visscher

MOTION CARRIED

NON-CVRD COMMITTEES/AUTHORITIES APPOINTMENTS

10-018 It was moved and seconded that the following appointment to the Mayor's Advisory Committee For People with Disability Issues (formerly known as the "Mayor's Advisory Committee for People with Disabilities") be approved:

Director G. Seymour

MOTION CARRIED

10-019 It was moved and seconded the following appointments to the Municipal Finance Authority be approved:

Director T. Walker

Director K. Kuhn (Alternate)

MOTION CARRIED

10-020 It was moved and seconded that the following appointments to the Municipal Insurance Authority of BC (MIABC) be approved:

Director T. Walker

Director K. Kuhn (Alternate)

MOTION CARRIED

10-021 It was moved and seconded that the following appointment to the Island Coastal Economic Trust (ICET) be approved:

Director G. Giles

MOTION CARRIED

10-022 It was moved and seconded that the following appointment to the Island Corridor Foundation (ICF) be approved:

Jack Peake

MOTION CARRIED

The appointment of Director Kuhn and Director I. Morrison, as Alternate, to the Cowichan Lake Community Forest Cooperative were reiterated for information purposes.

10-023 It was moved and seconded that the following appointments to the Vancouver Island Regional Library Board be approved:

Director M. Dorey

Director L. Duncan (Alternate)

MOTION CARRIED

10-024 It was moved and seconded that the following appointments to the Cowichan Water Board be approved:

Director R. Hutchins, Co-Chair Director K. Kuhn
Director L. Iannidinardo

MOTION CARRIED

10-025 It was moved and seconded that the following appointments to the Cowichan Water Board be ratified:

Chief Lydia Hwitsum, Co-Chair
Councilor Darin George
Mayor Ross Forrest
Tim Kulchyski
David Anderson
Bruce Fraser

MOTION CARRIED

10-026 It was moved and seconded that the following Advisory Member appointments to the Cowichan Water Board be ratified:

Advisory Members:
Dr. Arvid Charlie (Luschiim), Elder Advisor
Dr. Nicole Vaugeois, BC Regional Innovation Chair in Tourism
and Sustainable Rural Development
Vancouver Island University

MOTION CARRIED

RC2 **DRAFT 2010 CVRD Committee Calendar**

10-027 It was moved and seconded that the 2010 CVRD Committee Calendar be approved.

MOTION CARRIED

CORRESPONDENCE

CI Correspondence from Mayor Tom Walker, District of North Cowichan dated December 10, 2009 requesting CVRD Board resolution supporting the District's funding request to improve the Cowichan River diking system.

10-028 It was moved and seconded that the CVRD supports the Municipality of North Cowichan's request to the Province of British Columbia diking authority for funding to improve diking to protect the residential communities of the Municipality of North Cowichan, the

City of Duncan, Cowichan Tribes and the Cowichan Valley Regional District; and further that the diking be done in a manner consistent with an Integrated Flood Management Plan and that the CVRD electoral areas be included in the Integrated Flood Management Plan.

MOTION CARRIED

INFORMATION There were no information items.

COMMITTEE REPORTS

CR1 The report and recommendations of the Environment Commission meeting held December 10, 2009 listing three items, was considered.

It was moved and seconded:

1. That the Regional Board require all CVRD departments to implement the Environmental Lens Review for all operations and capital initiatives by April 30, 2010.

10-029 **It was moved and seconded that the motion be amended by replacing the word "implement" with "develop" and add "for the Board's review by April 30, 2010".**

Opposed: Director Marcotte

MOTION CARRIED

VOTING RESUMED ON THE ORIGINAL MOTION AS AMENDED

Motion restated for clarification:

10-030 **1. That the Board require all CVRD Departments to develop an Environmental Lens Review for all operations and capital initiatives for the Board's review by April 30, 2010.**

Opposed: Director Marcotte

MOTION CARRIED

10-031 **It was moved and seconded:**

2. **That the Regional Board require that the format for staff reports include environmental implications.**

Opposed: Directors Cossey, Dorey, Duncan, Harrison, Haywood, Iannidinardo, Kuhn, Marcotte, McGonigle, Morrison, Seymour, Walker and Giles

MOTION DEFEATED

10-032 It was moved and seconded that the Board require the format for staff reports to the Board or Committees of the Board to include Environmental Implications; once the Board has received and accepted the Environmental Lens.

MOTION CARRIED

It was moved and seconded:

3. That CVRD and all member municipalities engage in a Regional Growth Management Strategy.

10-033 It was moved and seconded that the motion "That the CVRD and all member municipalities engage in a Regional Growth Management Strategy" be referred to a future Regional Services Meeting.

Opposed: Director Cossey

MOTION CARRIED

STAFF REPORTS

SR1 The Staff Report from the Manager, Development Services Division, dated January 5, 2010 re: Third Reading and Adoption of Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338 (Inwood Creek), was received for information.

SR2 The Staff Report from the Corporate Secretary dated January 13, 2010 re: Results of Alternative Approval Process - CVRD bylaw No. 3320 - Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009, was considered.

10-034 It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board must not proceed to adopt Bylaw No. 3320, unless the bylaw receives the assent of the electors, be received.

MOTION CARRIED

SR3 The Staff Report from the General Manager, Public Safety dated December 24, 2009 re: Sahtlam RFP PS-2009-01 Purchase was considered.

10-035 It was moved and seconded that the Board authorize the purchase of the CAN/ULC - S515-04 Mobile Water Tender Firefighting Apparatus for the Sahtlam Fire Protection Service Area from Rocky Mountain Phoenix in the amount of \$185,869 (before taxes).

MOTION CARRIED

SR4 The Staff Report from the Environmental Technologist dated January 4, 2010 re: Cowichan Biodiesel Cooperative - Membership and Project Update, was considered.

10-036 It was moved and seconded:

1. That the Board Chair and Corporate Secretary be authorized to sign a lease agreement with the Cowichan Energy Alternatives Society regarding the establishment of a waste vegetable oil collection/recycling depot and bio-fuel production facility at the CVRD's Bings Creek Solid Waste Management Complex; and
2. That the Board Chair and Corporate Secretary be authorized to sign a membership agreement with the Cowichan Biodiesel Cooperative for the purpose of allowing the CVRD to purchase bio-fuel from said Cooperative.

MOTION CARRIED

7:59 pm Director Kent left the meeting at 7:59 pm.

SR5 The Staff Report from the General Manager, Public Safety dated January 6, 2010 re: CVRD Sahtlam Volunteer Fire Department Chief Appointment, was considered.

10-037 It was moved and seconded that the Board of Directors approves the appointment of Mr. Allan Reid as Fire Chief to the CVRD Sahtlam Volunteer Fire Department for a 1-year term to expire December 31, 2010.

MOTION CARRIED

10-038 It was moved and seconded that a letter of thanks be sent to Mr. Mike Lees for his 18 years of service as Fire Chief of the CVRD Sahtlam Volunteer Fire Department.

MOTION CARRIED

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338 (Inwood Creek), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora, were considered.

10-039 It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338 (Inwood Creek), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora be received.

MOTION CARRIED

BYLAWS

B1 Deleted at Adoption of Agenda as amended.

B2 It was moved and seconded that "CVRD Bylaw No. 3343 - Fern
10-040 Ridge Water System Service Amendment bylaw, 2009" be adopted.

MOTION CARRIED

B3 It was moved and seconded that "Cowichan Valley Regional District
10-041 Bylaw No. 3337 - Area E - Cowichan Station/Sahtlam/Glenora
Official Community Plan Amendment Bylaw (Inwood Creek), 2009",
be granted 3rd reading.

MOTION CARRIED

B4 It was moved and seconded that "Cowichan Valley Regional District
10-042 Bylaw No. 3338 - Area E - Cowichan Station/Sahtlam/Glenora Zoning
Amendment Bylaw (Inwood Creek Estates), 2009", be amended as
noted in agenda item SR1.

Opposed: Director Marcotte

MOTION CARRIED

B4 It was moved and seconded that "Cowichan Valley Regional District
10-043 Bylaw No. 3338 - Area E - Cowichan Station/Sahtlam/Glenora Zoning
Amendment Bylaw (Inwood Creek Estates), 2009" be granted 3rd
reading as amended.

Opposed: Director Marcotte

MOTION CARRIED

RESOLUTIONS

RES 1 It was moved and seconded that the following appointments to the
10-044 Electoral Area E - Cowichan Station/Sahtlam/Glenora Advisory
Planning Commission be approved:

Term to expire November 30, 2010:

David Coulson
Dan Ferguson
Coleen McGregor
Ben Marrs
Jim Marsh
Frank McCorkell
David Tattam
Keith Williams

MOTION CARRIED

NBRES 2 **It was moved and seconded that the following appointments to the**
10-045 **Electoral Area I - Youbou/Meade Creek Parks Commission be**
 approved:

Term to expire December 31, 2010:

Sheny Gregory
Marcia Stewart
Daniel Nickel

MOTION CARRIED

UNFINISHED **No unfinished business**
BUSINESS

NOTICES OF **No notices of motion**
MOTION

NEW BUSINESS

NB1 **The Staff Report from the Bylaw Enforcement Officer dated January 13,**
 2010 re: Ticketing Bylaw Amendment was considered for information.

NB2 **It was moved and seconded that "Cowichan Valley Regional District**
10-046 **Bylaw No. 3349 - Ticket Information Authorization Amendment**
 Bylaw, 2010", be granted 1st, 2nd and 3rd reading.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

NB2 **It was moved and seconded that "Cowichan Valley Regional District**
10-047 **Bylaw No. 3349 - Ticket Information Authorization Amendment**
 Bylaw, 2010" be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

RESOLVING INTO
CLOSED SESSION

10-048 **It was moved and seconded that the meeting be closed to the public in**
8:20 pm **accordance with the Community Charter Part 4, Division 3, Section**
 90, Subsections (1) (c), (g), and (2) (b)}.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

**10-052
8:51 pm**

It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

**10-053
8:51 pm**

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:51 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

Request to Appear as a Delegation

D1

Meeting Information

Request to Address:*

CVRD Board

Committee

If Committee, specify the Committee here:*

CVRD Board Meeting

Meeting Date:*

02/10/2010

Meeting Time:*

6 p.m.

Applicant Information

Applicant Name:

Candace Spiisbury

Representing:

Flood Recovery Team

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending:

Applicant Contact Information

Applicant Mailing Address:

6671 Beaumont Avenue

Applicant City:

Duncan, B. C.

Applicant Telephone:

250-701-0337

Applicant Fax:

Applicant Email:

cspilsbu@sd79.bc.ca

Presentation Topic and Nature of Request:

Brief the Board of Directors on the volunteer efforts to assist those impacted by the flood.

* indicates required fields.

January 28, 2010

To: CVRD Board of Directors

Re: CVRD Flood Recovery Team

In February 2009, the CVRD and the Provincial Emergency Program (PEP) invited Social Planning Cowichan to partner in the development of a Cowichan community Disaster Recovery Plan. Representatives of multi-agency organizations-MAC (see attached) came together and created a draft plan in May 2009, which was to be shared with the community for feedback.

Without plan finalization, training, infrastructure or personnel established, the MAC group came together on November 23, 2009 following the flood and became the Flood Recovery Team. Within a short time, new volunteers came forward to replace those unable to be completely available and the Flood Recovery Team was established (see attached)

The Team quickly established a Resilience Centre at Duncan Christian Reform Church as a "one stop" service for meals, needs assessment, client support (housing, Thrifty Foods & Wal-Mart cards), emotional support and information boards. The Resilience Centre moved to Warmland House on December 11, 2009. The Recovery Operations Centre(ROC) quickly organized and opened at the CVRD office, Committee Room 2 and transitioned to Warmland House to merge with the Resilience Centre on December 11, 2009. During this time, volunteers continued to step forward to assist with clean up, provide meals, offer donated items or cash, assist with communications, re-building, administration, emotional support and any individual needs-all coordinated by the Flood Recovery Team.

The Duncan Flood Recovery Team, ROC and Resilience Centre drew to a close on January 29, 2010; further recovery assistance needed by the flood residents was transitioned back to the CVRD Public Safety Department. The Red Cross will continue with Needs Assessment response and Volunteer Cowichan will continue to coordinate donated items with identified needs. Rebuilding support teams have begun with the assistance of Newlife Community Church and Mennonite Disaster Services leading volunteers. Donations to the Flood Relief Fund, matched by Island Savings to \$50,000 were distributed: total funds distributed were \$123,504.98.

The analysis of the response to the flood indicates:

- Community support to the residents was outstanding
- Leadership by a Volunteer Recovery Team of multi agency representatives and community members was highly effective and efficient.

The debriefing session has identified detailed successes (what worked well?), challenges (what didn't work well?) and recommendations (what would improve the volunteer Recovery Team response?) It would be valuable to the CVRD Board of Directors to have a more detailed report at a Regional Services Meeting to review our recommendations for the future.

Candace Spilsbury,
Flood Recovery Director
On behalf of the Volunteer MAC Recovery Team

Community Disaster Multi-agency Recovery Pilot Project (MAC Group)

Project leader: Candace Spilsbury, Social Planning Cowichan Society

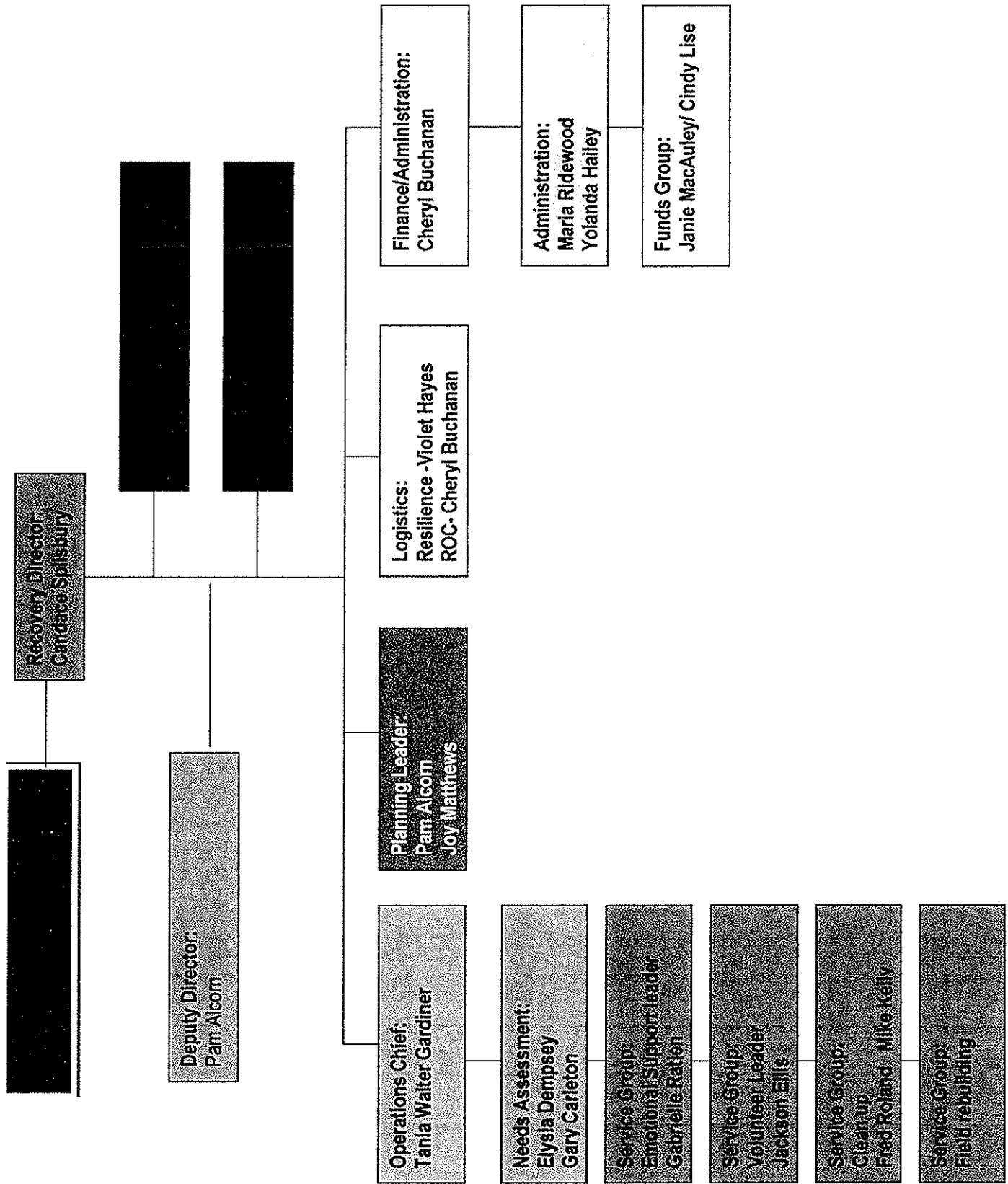
Project Team:

- Animal Care Organizations
 - Christina Pratt – SPCA
- Community support foundations
 - Pamela Alcorn – Safer Futures
- Economic Development
 - Geoff Millar – Manager, Economic Development
- Elder Care Organization
 - Sheila Service – Cowichan Seniors Foundation
- Faith-based organizations
 - Violet Hayes – Salvation Army
- First Nations
 - Elizabeth Thomson - First Nations Emergency Services Society
- International or cultural support groups
 - Gabrielle Ratjen – Cowichan Valley Intercultural & Immigrant Aid Society
- CVRD
 - Sybille Sanderson – Public Safety Department
- Non-governmental organizations
 - Elysia Dempsey - Canadian Red Cross
 - Violet Hayes – Salvation Army
- Psycho-social counseling
 - Anne Balding – Canadian Mental Health Association
- Social Service
 - Noelle Philips – Ministry for Children & Family Development
- Volunteer Management
 - Mark Turner – Volunteer Cowichan
- Child care
 - Cindy Lise – Success by 6 Coordinator
- School District No. 79
 - Lisa Johnston
- Health
 - VIHA

Resources:

Recovery Expert (Jim LaMorte)
Logistical Support (Bonnie Walsh)
Emergency Program Coordinator (Daniel J. Derby)
Provincial Emergency Program Integrated Planning Manager (Kelli Kryzanowski)
Provincial Emergency Program Regional Manager (Clare Fletcher)

COWICHAN RECOVERY OPERATIONS ORGANIZATIONAL CHART



You are here: [Home](#) > Forms

D2

Request to Appear as a Delegation

Meeting Information

Request to Address:*

CVRD Board

Committee

If Committee, specify the Committee here:*

CVRD Regular Board

Meeting Date:* 02/10/2010

Meeting Time:* 6:00 pm

Applicant Information

Applicant Name: Sergeant R.E. (Rob) Webb

Representing: Shawnigan Lake RCMP

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending: 2

Applicant Contact Information

Applicant Mailing Address: 2780 Shawnigan Lake Road

Applicant City: Shawnigan Lake BC V0R 2W0

Applicant Telephone:

Applicant Fax:

Applicant Email:

Presentation Topic and Nature of Request:

Review of 2009 Lake patrols:

Shawnigan Lake:

- Seasonal Policing: vessel patrols, ATV patrols, foot patrols.
Financial Costs associated
Successes - visibility, enforcement, community input.
- Upcoming summer - A/A as well as: Trans Canada Trail and extra training.
- Successes again - request funding.
- Q and A.

* indicates required fields.



January 12, 2010

Ms. Gerry Giles
Director
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC

Dear Ms. Giles:

Re. Cowichan Region's Action Plan for Welcoming and Inclusive Communities and Workplaces

Thank you for your continuing interest in supporting welcoming and inclusive communities and workplaces in the Cowichan Region.

Cowichan Intercultural Society requests the endorsement of the Cowichan Valley Regional District on the Action Plan document produced as a result of the Cowichan Intercultural Society's Community Partnership Development project (August-November, 2009).

The Community Partnership Development project, sponsored by the Province of BC, Welcome BC, focussed on building supports for immigrants in the local labour market. Over forty representatives from diverse sectors, including economic development, employment, community building and education took part in the consultations. The CPD project included a half-day symposium on October 14, 2009 to collect and share stakeholder perspectives of "Attracting Immigrants to a Welcoming and Inclusive Community". Attendees reviewed the supports that are currently in place for immigrants and assessed their future needs. One thread woven throughout the consultation is the need for information-gathering and sharing. The CPD consultation has resulted in this Action Plan.

From now until the end of May 2010, CIS is implementing a follow-up project called ABCDiversity, the second stage of Welcoming and Inclusive Communities and Workplaces funding from the Province of BC, Welcome BC. This project will give CIS the opportunity to engage in the following work:

- Consultations: gathering information through needs assessment; tailoring diversity education workshops to be relevant and appropriate to diverse groups; generating linkages with community members and key stakeholders
- Presentations: sharing this information/resource with community members and key stakeholders
- Workshops: community members and key stakeholders will grow and understand through interactive cross-cultural diversity education

- Volunteer Facilitation: foster leadership development through effectively training volunteers, particularly empowering youth and immigrant volunteers; facilitate belonging for new community members.

The Cowichan Valley Regional District are leaders in our communities. We look to you to set priorities for responsibility and ownership on a communal level. This guides people to take individual responsibility in fostering belonging for all who reside here. Endorsement of the Action Plan document is not a contract, but an agreement in principle. CVRD's endorsement of the Action Plan means your in-kind support in:

1. Participation in consultation and workshops: the CVRD management and staff are welcome to attend the community workshops that will be taking place between January and the end of April, 2010 through ABCDiversity. In consultation with you, CIS will develop and deliver relevant workshops to meet your needs.
2. Promotion: the CVRD may promote relevant ABCDiversity workshops to its workforce in the manner it sees fit.
3. Support of our funding application: your signature effectively shows support for CIS's future Welcome BC funding application, Step 3 (Public Education) to build multimedia material which will create more accessible diversity education resources (projected April, 2010-May, 2011).
4. Dialogue: The CVRD will participate in dialogue, whether internally, or with Action Plan signers, whether to form a Diversity Education Committee to facilitate the promotion of inclusion for the diverse groups in the Cowichan Valley together.

CIS welcomes your feedback and suggestions with regard to its request for endorsement of the Action Plan. We would be honoured to add Cowichan Valley Regional District to our list of partners on this document.

In the spirit of collaboration,



Christine Fagan
Executive Director
Cowichan Intercultural Society



Attracting Immigrants to a Welcoming and Inclusive Community: An Action Plan for The Cowichan Valley

Partners in the Action Plan Agreement:

Cowichan Intercultural Society
101-255 Ingram Street
Duncan, BC V9L 1P3

Global Vocational Services
301-80 Station Street
Duncan, BC

Economic Development Cowichan
135 Third Street
Duncan, BC V9L 1R9

School District No. 79 Cowichan Valley
Cowichan Adult Learning Centre
756 Castle Place
Duncan, BC V9L 4Y3

Social Planning Cowichan and
Cowichan Cultural Connections Council
135 Third Street
Duncan, BC V9L 1R9

Vancouver Island University
222 Cowichan Way
Duncan, BC v9L 6P4

British Columbia Construction Association
STEP Skilled Trades Employment Program
#3-1850 Northfield Road
Nanaimo, BC V9S 3B3

Vancouver Island Health Authority
1665 Grant Avenue
Nanaimo, BC V9S 5K7

Community Futures Development
Corporation
135 Third Street
Duncan, BC V9L 1R9

Cowichan Literacy NOW
756 Castle Place
Duncan, BC V9L 4Y3

Purpose of the Action Plan Agreement:

We, the signers of this Action Plan, formally establish a collaborative partnership with a common vision of the Cowichan Valley as a welcoming and inclusive community for immigrants and all others who represent the diverse cultural heritage of our community. We acknowledge with respect the Aboriginal peoples in whose traditional territories we are gathered in a circle of friendship. We hope that participation by the whole community will bring newcomers and Canadians together to embrace multiculturalism and promote successful integration of all those who wish to play a part in the social, educational, economic and employment sectors of our community.

Vision:

The Cowichan Valley is a welcoming and inclusive community for immigrants and all others whose diverse heritage can augment and enrich our economic and employment community.

The overarching theme of our Community Partnership Development symposium on October 14, 2009, was information sharing. Building upon the current supports of our community such as diversity education, English classes, tutoring, community bridging, support for children of immigrants at school, post secondary education opportunities and supports to find employment, we envision stronger partnerships between stakeholder groups to facilitate integration of newcomers. We envision sharing information through reciprocal website links, regularly-scheduled gatherings, business mentoring, and networking to find work for immigrants and the members of their families. We are optimistic that newcomers and Canadians will be mutually responsible for teaching each other about their cultures. We recognize that attracting immigrants to our community involves more than just economic factors; we honour a humanistic approach in which emotional and spiritual needs are met.

We hope to foster curiosity, ask questions, and increase the safety of our community one person at time by making the effort to get to know those who live in our neighbourhoods. We want to promote intergenerational drop-in gatherings where families can meet in safe and welcoming spaces to promote literacy and strengthen family values. We aspire to a community where people are not labelled, and we acknowledge that our community is part of the global village.

It is our vision to create a home in the Cowichan Valley which embraces differences and is free of discrimination. It is our hope that fostering a sense of community belonging will be something for which everyone feels responsible.

Outcomes:

Outcomes in achieving this vision include the following:

- The project engages a diverse and broad range of partners to discuss why and how to create a welcoming and inclusive community in a practical and methodical way
- The outcome of this Action Plan will lay the foundation for more community input
- Further funding will be applied for to continue the process of collaboration with more involvement from the community
- CIS will continue participating in a Cowichan Cultural Connections Council, a committee to develop a Cowichan Cultural Connections Plan to engage the Cowichan Region in reconciliation and cultural connections

Partnership Principles:

- Leadership in all partner organizations is committed to supporting our shared purpose, principles and desired outcomes through concrete, specific and measurable actions
- Each organization has unique strengths to build upon and to contribute to the community
- The partners collaborate on matters of common interest and mutual gain in advancing the principles of the Action Plan
- The partners commit to a process involving open communication and effective planning to maximize community impact.

Guiding Principles:

- The community and our economy will benefit from consultation which will include gathering information through needs assessment; tailoring diversity education to be relevant and appropriate to diverse groups; and generating linkages with community members and key stakeholders
- Multi-media approaches (presentations, workshops, educational material, toolkit) will facilitate sharing information/resources with community members and key stakeholders
- Multi-media approaches (presentations, workshops, educational material, toolkit) will allow community members and key stakeholders to grow and understand through interactive cross-cultural diversity education
- Volunteer Facilitation will foster leadership development through effectively training volunteers, particularly empowering youth and immigrant volunteers and enhancing their sense of belonging in a new community

Action Plan

Throughout the Action plan we will use the process of the Building Bridges stages which are as follows:

- **Network:** Meet with community partners to plan how to build relationships, learn together and work together on projects that will build more welcoming and inclusive communities.
- **Gather:** Consider how to gather together participants from different groups within an organization or from different formal and informal organizations and associations within a community for dialogue and mutual learning about topics of equal relevance to all individuals and groups involved.
- **Build:** Develop participatory activities that will build meaningful relationships, inclusive skills, awareness of diversity issues and a more inclusive and welcoming co-learning community.
- **Action Planning:** Applying the Stages of Change model to guide groups and individuals to create plans for future action.
- **Follow Up:** Preparations that support groups and individuals to clarify, strengthen, and commit to their first steps in their action plans. Mutual mentoring between people from different groups to increase success in implementing their action plans.

Action	Role	Output	Timeline
Knowledge Development Exchange "ABCDiversity"	CIS - lead Promote learning and community-building through increasing awareness and knowledge, and promoting knowledge sharing among stakeholders and community members at large. Will include needs assessments, diversity education workshops, and fostering leadership development through effectively training volunteers. Stakeholders and community members -- contributors and participants	25 workshops Needs assessment of partnership groups	Present-May 31, 2010
Apply for Public Education funding to build multimedia material which will allow accessibility to diversity information	CIS—application for funding Partners—support funding application	Further funding that enhances opportunities for learning by presenting materials in a variety of creative, innovative, and interactive ways	December 2009 -February 2010
Implementation of Public Education	CIS-lead Film Cowichan—history of immigration stories Partners and community members—contributors	Film of immigrants' stories increases understanding and appreciation for the challenges and successes experienced by immigrants to the Cowichan Valley	April 01, 2010-March 31, 2011
Public Education—Sharing Ideas of Home	CIS-lead Stakeholders and community members--participants	Breakfast discussion	September 2010
Participate in Cowichan Cultural Connections Council	Social Planning Cowichan --lead CIS and other stakeholders-- participants	Increased understanding, reconciliation, and respect strengthens cultural connections and reduces divisiveness amongst diverse groups in the Cowichan Valley	Ongoing
Participate in request to Cowichan Valley Regional District for Diversity Education committee to facilitate information-sharing	CIS-lead Partners—support request	Implementation of Diversity Education committee to fulfill the community's expressed need and desire for sharing information amongst the diverse groups living in the Cowichan Valley	February 2010

SIGNATURES OF PARTNERS:

Generously supported by:



WelcomeBC



REGIONAL SERVICES COMMITTEE REPORT
OF REGULAR MEETING HELD JANUARY 27, 2010

DATE: January 29, 2010

To: Chairperson and Directors of the Board

Your Regional Services Committee reports and recommends as follows:

1. That the Finance Division be authorized to proceed with the interim borrowing through the Municipal Finance Authority in an amount not to exceed \$9,000,000 for operational purposes only and that "CVRD Bylaw No. 3345 – Cowichan Valley Regional District Revenue Anticipation Borrowing Bylaw, 2010" be forwarded to the Board for consideration of three readings and adoption.
2. That "Cowichan Valley Regional District Bylaw No. 3346 – Security Issuing (Loan Authorization Bylaw No. 3391) Bylaw, 2010" be considered for three readings and adoption.
3. That "Cowichan Valley Regional District Bylaw No. 3347 – Security Issuing (Loan Authorization Bylaw No. 3019, Loan Authorization Bylaw No. 3197, Loan Authorization Bylaw No. 3272, and Loan Authorization Bylaw No. 3278) Bylaw, 2010" be considered for three readings and adoption.
4.
 1. That the Audit Service Plan be received and filed.
 2. That the Chair and Corporate Secretary be authorized to sign the Engagement Letter with the Auditors for the 2009 audit.



**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD JANUARY 19, 2010

DATE: January 26, 2010

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the Regional District provide the following in support of the Cowichan Estuary Environmental Management Plan:
 - meeting space and administrative support for coordinating agendas, taking and distributing minutes;
 - existing representative, Mike Tippett, Manager, Community and Regional Planning, is designated to sit on the CEEMP Committee;
 - \$5,000 to be allocated from a Regional Budget to the Community Planning budget (325) to compensate for the cost of administrative support for this support.

Electoral Area Directors only vote on the following recommendations under Part 26 OR Section 791 of the *Local Government Act*:

2. That Application No. 5-A-08RS (Mill Bay Marina Residences Ltd.) to permit full-time occupancy of Block C, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, except part in Plans 29781 and 30142 through a zoning amendment, be denied and that the appropriate refund be given to the applicants in accordance with the provisions of CVRD Development Applications Procedures and Fees Bylaw No. 3275.
3. That Application No. 2-G-09DP be approved, and that a development permit be issued to Dennis and Leigh Ahola for Lot 3, District Lot 34, Oyster District, Plan 18197, subject to the following:
 - Development to be in substantial compliance with D & L Ahola Residence Renovations and Additions Landscape Plan, revised version dated December 15, 2009, and;
 - Development must comply with the recommendations noted in Lewkowich Engineering Associates Ltd. report, dated January 7, 2010.

.../2

4. 1. That staff be directed to prepare OCP and Zoning amendment bylaws for Application No. 2-G-08RS (Parkinson) that would permit one new lot and that the bylaws be forwarded to the Board for consideration of 1st and 2nd readings.
2. That a public hearing be scheduled following submission of a draft covenant by the applicants committing to dedication of a 3 metre wide trail corridor along the north property boundary at time of subdivision; and that Directors Dorey, Marcotte and Iannidinardo be delegated to the hearing.
3. That application referrals to the Ministry of Transportation and Infrastructure, the Vancouver Island Health Authority, the Ministry of Community Services, and the CVRD's Parks, Recreation and Culture Department and Engineering and Environmental Services Department be accepted.
4. That costs to remove the northern arm of the Parkinson's treatment field, as per estimate of \$5,000 by Rivela Contracting of Parksville BC, be covered by the CVRD; and further that at the time of trail construction, a cost-sharing arrangement between the CVRD and the landowner for fencing of the trail boundary be discussed.
5. That the consultation strategy as set out the Staff Report dated January 13, 2010, from Mike Tippett, Manager, regarding Bamberton OCP and Zoning Amendment Application No. 4-A-06RS be approved and that staff proceed with consultations accordingly.



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD JANUARY 27, 2010

DATE: February 2, 2010

To: Chair and Directors of the Cowichan Valley Regional District

Your Engineering & Environmental Services Committee reports and recommends as follows:

1. That " CVRD Bylaw No. 3351 – Arbutus Ridge Drainage System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
2. That "CVRD Bylaw No. 3352 – Dogwood Ridge Water System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
3. That the Board approve the removal, at the developers' expense, of “no-build” covenants on six of thirty lots within the Lambourn Estates Sewer and Water Systems Service Area; two in the Hiles development and four in the Royal Island development. All of the remaining 24 lots in the two developments will retain their “no-build” covenants.
4.
 1. That the Board accept the Utility Transfer Agreement between the CVRD and James and Karen Taggart for CVRD takeover of the Brulette Place sewer system in Electoral Area A, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
 2. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - .1 CVRD Bylaw No. 3340 – Brulette Place Sewer System Management Bylaw, 2010
 - .2 CVRD Bylaw No. 3341 – Brulette Place Sewer Capital Reserve Bylaw, 2010
 - .3 CVRD Bylaw No. 3342 – Brulette Place Sewer Parcel Tax Bylaw, 2010.
 - .2 That staff proceed with the steps to establish a regional environmental initiatives function with sufficient flexibility for a variety of environmental initiatives; and further that this function include the costs currently attributable to the Environmental Policy Division.

.../2

5.
 1. That the *Certificate of Sufficiency*, confirming that a sufficient petition, requesting inclusion into the Shawnigan Lake North Water System Service Area, be received.
 2. That the boundaries of the Shawnigan Lake North Water System Service Area be amended to include:
"PID 009-481-079, District Lot 16, Shawnigan District"
"PID 009-255-702, Lot 1, Blk. 33 Shawnigan Suburban Lots, Shawnigan District Plan 218A"
"PID 009-255-753, Lot 2, Blk. 33 Shawnigan Suburban Lots, Shawnigan District Plan 218A".
 3. That "CVRD Bylaw No. 1911 – Shawnigan Lake North Water System Establishment Bylaw, 1999", be amended to include:
"PID 009-481-079, District Lot 16, Shawnigan District"
"PID 009-255-702, Lot 1, Blk. 33 Shawnigan Suburban Lots, Shawnigan District Plan 218A"
"PID 009-255-753, Lot 2, Blk. 33 Shawnigan Suburban Lots, Shawnigan District Plan 218A",

and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
6.
 1. That "CVRD Bylaw No. 3344 - Shawnigan Creek Drainage System Service Establishment Bylaw, 2010", be forwarded to the Board for consideration of three readings and, following provincial approval, be adopted.
 2. That it be recommended to the Board that voter approval for the adoption of "CVRD Bylaw No. 3344- Shawnigan Creek Drainage System Service Establishment Bylaw, 2010", be obtained through an Alternative Approval Process.



CR4

KERRY PARK RECREATION COMMISSION REPORT

OF MEETING HELD JANUARY 26, 2010

DATE: January 27, 2010

To: Chair and Directors of the Board

Your Kerry Park Recreation Commission reports and recommends as follows:

1. That the Cowichan Valley Regional District Board support the grant application to the Celebrate Canada Committee for British Columbia c/o Canadian Heritage for funds to host the Canada Day Celebration in the South Cowichan Area.



CR5

COWICHAN LAKE RECREATION COMMISSION REPORT

OF MEETING HELD JANUARY 28, 2010

DATE: February 1, 2010

To: Chair and Directors of the Board

Your Cowichan Lake Recreation Commission reports and recommends as follows:

1. That the Cowichan Valley Regional District Board support the grant application to the Celebrate Canada Committee for British Columbia c/o Canadian Heritage for funds to host a Canada Day Celebration in the Cowichan Lake area.
2.
 1. That the CVRD Board authorize the renewal of the agreement between the Town of Lake Cowichan and the CVRD whereby the Cowichan Lake Recreation Commission, through its staff, will book the Town-owned Little League and Centennial Park ball fields.
 2. That the Chair and Corporate Secretary be authorized to sign the Ball Field Renewal Agreement on behalf of the CVRD to complete this renewal process.



COMMUNITY SAFETY ADVISORY COMMITTEE REPORT
OF REGULAR MEETING HELD NOVEMBER 19, 2009

DATE: February 3, 2010

To: Chairperson and Directors of the Board

Your Community Safety Advisory Committee reports and recommends as follows:

1. That the *Community Safety Advisory Committee Terms of Reference Section 2. Composition* be amended by adding the words "Community Policing" under the heading *Community Groups*.



C·V·R·D

CR7

ENVIRONMENT COMMISSION REPORT

OF MEETING HELD JANUARY 14, 2010

DATE: January 27, 2010

To: Chair and Directors of the Cowichan Valley Regional District

Your Environmental Commission reports and recommends as follows:

1. That the CVRD Board adopts the Cowichan Food Charter.



SR1

STAFF REPORT

REGULAR BOARD MEETING
FEBRUARY 10, 2010

DATE: January 20, 2010

File No.:0550-05

FROM: Dan Derby, General Manager Public Safety

SUBJECT: Personal Income Tax Relief for Volunteer Fire Services Personnel

Recommendation:

That CVRD Board support personal income tax relief for volunteer fire services personnel as outlined in the draft letter prepared by Harold Tulk, Chair, Canadian Association of Fire Chief's Government Relations Committee.

Purpose: To obtain CVRD approval for letter of support.

Background: In a recent letter from the Canadian Association of Fire Chief's (CAFC) to the Honorable Jim Flaherty, Minister of Finance, compelling reasons were outlined as to why personal income tax relief for Volunteer Fire Services Personnel should be included in next March 2010-2011 Budget. These reasons reflected the results of a recent survey conducted by CAFC with responses from 644 Volunteer Fire Departments from all provinces and territories.

Highlights from the survey results included:

- 91.9% of Volunteer Fire Departments are experiencing difficulties in the recruitment of new members while 85% of them are experiencing difficulties retaining existing members;
- 95.6% of Volunteer Fire Departments stated that an element of personal income tax relief would help them with their recruitment difficulties, while 96.3% of them felt such relief would help them with their retention difficulties.

Submitted by,

Dan Derby, General Manager Public Safety

/ge
Attachment (1)

January 11, 2010

Insert salutation for your M.P., using the attached document How to contact your Member of Parliament as a guide.

Dear *(insert the name of your M.P.)*

In a recent letter to the Hon. Jim Flaherty, Minister of Finance, the Canadian Association of Fire Chiefs (CAFC) advanced compelling reasons why personal income tax relief for Volunteer Fire Services personnel should be included in next March's 2010-011 Budget. These reasons reflected the results of a recent survey conducted by CAFC that was responded to by 526 Volunteer Fire Departments and 118 Composite Fire Departments from all Provinces and Territories.

Highlights from the survey results include the following:

- 91.9% of Volunteer Fire Departments are experiencing difficulties in the recruitment of new members, while 85.0% of them are experiencing difficulties retaining existing members;
- 95.6% of Volunteer Fire Departments stated that an element of personal income tax relief would help them with their recruitment difficulties, while 96.3% of them felt such relief would help them with their retention difficulties.

The difficulties that *(insert the name of your Fire Department)* is experiencing with respect to the recruitment and retention of Volunteer Fire Services personnel coincide closely with those results.. In common with our colleagues from across Canada, I am convinced that personal income tax relief for Volunteers would assist us in addressing our recruitment and retention challenges.

CAFC has informed the Finance Minister that the exact form of personal income tax relief that should be introduced in the forthcoming Budget would be at his discretion, with one caveat. The results of our survey have shown clearly that the annual honorarium of up to \$1,000 that does not have to be declared as personal income is of limited value.

Only 20.2% of Volunteer Fire Departments utilize annual honoraria as a means of compensating their firefighting personnel. For firefighters, 74.0% of those receiving honoraria are given less than \$1,000 per year. The main reason that more firefighting personnel do not receive honoraria of any type is that the small municipalities where they volunteer cannot afford to pay them. In the view of CAFC, increasing the amount of the annual honorarium would yield no benefit to the significant majority of volunteer firefighters in Canada.

I am asking for your support in ensuring that the Volunteer firefighting personnel who are responsible for protecting a significant percentage of the residents of (*insert the name of your federal Constituency*).

As you well know, many of the smaller communities in our riding are under severe financial stress. If the problems of recruitment and retention of their Volunteer Fire Services cannot be addressed, they will be faced with one of two equally unattractive realities. Either they will have to replace volunteers with paid firefighting personnel (which would be unaffordable) or they will have to accept an ever-lessening ability of Volunteer firefighters to protect the lives and property of their citizens (which would be a dereliction of their duty).

On behalf of the (*insert the name of your Fire Department*) and of the Volunteer Fire Services across Canada, I am asking you to communicate with the Finance Minister on a priority basis urging him to provide personal income tax relief for Volunteer Fire Services personnel in Budget 2010-011. I would appreciate receiving a copy of your letter to the Minister and his reply, both of which I would like to share with the members of our Fire Department.

If you have any questions, please do not hesitate to contact me at (*insert your contact information*).

Thank you for your assistance in this matter of significance to our Fire Department and the people of (*insert the name of your federal Constituency*).

Yours sincerely,

Insert your title and name
Insert the name of your Fire Department



B1

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3305

A Bylaw for the Regulation and Management of the Arbutus Ridge Water System

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Water System Service Area* under the provision of CVRD Bylaw No. 3286, cited as "CVRD Bylaw 3286 - Arbutus Ridge Water System Service Establishment Bylaw, 2009", for the purpose of providing water services to a defined portion of Electoral Area C – Cobble Hill;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the Arbutus Ridge Water System and for terms and conditions upon which water services may be provided, and for a tariff of charges for such services;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3305 - Arbutus Ridge Water System Management Bylaw, 2009**".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

"Allotment" means the maximum amount of water that may be used by a classification of user to which the minimum user charge for a specific billing period is applied.

"Applicant" means an owner or his agent making application for water services and from whom the District may expect to receive revenue on a continuing basis for this service.

"Arbutus Ridge Water System" means the water system currently servicing the *Arbutus Ridge Water System Service Area*, including all *District* water supply plants, intakes, wells, outlets, equipment, water storage tanks and reservoirs, water supply lines, pumping stations, watermains, appurtenances, water service connections, water meters and all other waterworks designated for the supply and distribution of water together with all other works related to the operation of the system, including electrical pumps and components, control systems and signal cable and all lands appropriated for such purposes and uses.

.../2

"Arbutus Ridge Water System Service Area" means the service area established and defined by bylaw within which the **District** manages and operates a Community Water System.

"Building Service" means a water pipe extending from the property line to the plumbing system at the building or buildings on the subject property whether for domestic, or fire use.

"Capable of Connection" means that the parcel of land abuts a street, lane, public water right-of-way or easement, upon or under which there is a main water pipe with excess capacity and that the service connection will have adequate cover at the property line.

"Committee" means a standing committee, comprised of representatives from the **Regional Board**, which the Engineering and Environmental Services Department reports to.

"Consumer" means the **Owner** or occupant of property which is serviced by, connected to and uses District Water.

"District" means the Cowichan Valley Regional District.

"District Water" means water carried by the Arbutus Ridge Water System Service Area.

"Extension" means an extension to the main water pipe forming part of the Arbutus Ridge Water System.

"Main Water Pipe" means a pipe forming part of the public distribution system.

"Manager" means the person duly appointed General Manager of the Engineering and Environmental Services Department by the **Regional Board**, or his designate.

"Metered Water" means **District Water** supplied to **Consumers** through meters.

"Owner" means the person or persons holding a fee simple or equitable interest in land.

"Parcel Tax" means an annual tax levied on each parcel of land within the **Arbutus Ridge Water System Service Area** and as established by a separate bylaw.

"Private Water Supply System" means an assembly of pipes, fittings, valves, equipment and appurtenances that supplies water from a private source.

"Regional Board" means the Board of Directors of the Cowichan Valley Regional District.

"Treasurer" means the person duly appointed Treasurer by the Regional Board, or his duly appointed delegate.

"Unit" means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

"Unmetered Fire Line" means a *Water Service* supplying *Unmetered Water* directly to *Consumers* for purposes of fire protection and does not include a watermain serving fire hydrants owned and maintained by the *District*.

"Unmetered Water" means *District Water* supplied to *Consumers* without the use of meters.

"Water Charges" means the charges set out in Schedules A, B, C, D, E, F, and G to this bylaw.

"Water Meter" means a device used for measuring water consumption and used for revenue purposes by the *District*.

"Water Rates" means the rates set out in Schedules A, B, C, D, E, F, and G to this bylaw.

"Water Service" means the conduit connecting a watermain, which is part of the *Arbutus Ridge Water System*, to a building or buildings whether for domestic or fire purposes and such conduit shall consist of a *Water Service Connection* and a *Building Service*.

"Water Service Connection" shall mean the water pipe and its integral appurtenances that are placed (and generally at right angles thereto) from the watermain to near the *Owner's* property line or edge of statutory right-of-way and includes the curb stop and meter.

"Water Service Connection Charge" means the charges as set out in Schedule A.

3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the *Arbutus Ridge Water System* is hereby vested in the *Manager* of Engineering Services who shall operate the same under the established policy of the *Regional Board*.
- (b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw shall be performed on the whole or any part of the *Arbutus Ridge Water System* except as authorized in writing by the *Manager*.
- (c) Ownership Of Water System - All water pipes, connections, appurtenances or facilities required for water distribution to the *Owner's* property line which are constructed, whether at the *Owner's* expense or *District* expense in present or future public highways or within *District* right-of-way or property, shall be the property of the *District*.

.../4

2. (a) The *District* may supply *District Water* as circumstances, equipment and water supply permit.

(b) No *District Water* shall be supplied to any parcel of land or buildings outside of the *Arbutus Ridge Water System Service Area* except by special agreement with the *District*.

(c) All reasonable efforts will be made to ensure a supply of *District Water* to the consumer; however, the *District* does not guarantee to the *Consumer* an uninterrupted supply of *District Water* or that any standard of water pressure, water quantity or water quality will be met or maintained nor shall any failure to provide an uninterrupted supply of *District Water* or to meet any such standard be construed as neglect on the part of the *District*.
3. Any person authorized by the *Manager* shall have free access at all reasonable times, and upon reasonable notice being given to all parts of every building, chamber or other facility to which *District Water* is supplied, to inspect, observe, measure, sample and test any *Building Service* and its appurtenances within or without the building in order to ascertain whether or not the provisions of this bylaw are being obeyed.
4. (a) The *Manager* may upon reasonable notice shut off water within all or any part of the *Arbutus Ridge Water System*, however, in emergency situations, notice may not be given.

(b) The *District* is not liable for damages caused by the breaking of any *Water Service*, watermain or appurtenance.
5. In the event of water shortage, the *Manager* may prescribe restrictions on the consumption, hours of consumption, and use of *District Water*.
6. Any person(s) before proceeding with, or authorizing, any construction which is proposed to be located under, across or along any watermain or other water works forming part of the *Arbutus Ridge Water System* shall notify the *Manager* in writing of his intention to proceed with the same, and if, in the opinion of the *Manager*, it becomes necessary to support or relocate such watermain or other water works the cost of supporting or relocating the watermain or other water works shall be charged against that person and the *Manager* shall have the power to supervise and direct the supporting or relocating of such watermains or other water works.
7. Any person(s) who has proceeded with or who has authorized any construction which is located under, over, across or along any watermain or other water works forming part of the *Arbutus Ridge Water System* shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the *Manager* in a reasonable time as determined by him, the *Manager* may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

.../5

4. WATER RATES, CHARGES AND REVENUES

1. (a) Revenues for the *Arbutus Ridge Water System* may be raised by *Water Rates*, *Water Charges* and *Parcel Taxes*.
 - (b) If in any fiscal year the revenues generated by the rates and charges set out in subsection (a) do not meet the expenditures of the *Arbutus Ridge Water System Service Area*, the deficit may be covered by a duly authorized increase in any or all of the charges set out in subsection (a) for the succeeding fiscal year.
 - (c) All revenue raised by the methods herein described or authorized shall be applied to the *Arbutus Ridge Water System*.
2. (a) *Consumers* of *Metered Water* shall be billed on the basis of their consumption of *District Water* and shall be charged *Water Rates* in accordance with Schedule B.
 - (b) *Consumers* of *Unmetered Water* shall pay the *Water Charges* set out in Schedule C.
 - (c) *Consumers* with *Unmetered Fire Lines* shall pay the *Unmetered Fire Line* Rates set out in Schedule D.
 - (d) Persons requiring the miscellaneous services set out in Part VII of this bylaw shall pay the *Water Charges* set out in Schedule G for such services.
 - (e) No charge will be made for the volume of *Unmetered District Water* used for fire protection purposes or the testing of fire protection equipment.
3. (a) The Rates and Charges set out in Schedules A, B, C, D, E, F and G shall be subject to periodic review by the *Manager* and the Electoral Area Services *Committee* may make recommendations on the revision of the said Schedules to the *Regional Board*.
 - (b) Schedules A, B, C, D, E, F and G may be revised by bylaws enacted by the *Regional Board*.

5. METERED WATER SERVICE

1. (a) All *Water Services* shall be metered unless otherwise directed by the *Manager*.
 - (b) All *Consumers* shall be responsible for providing suitable plumbing for the installation of a *Water Meter*.
 - (c) The *Water Meter* shall be installed on the *Water Service Connection* in a readily accessible location in close proximity to the property lines or location approved by the *Manager*.
 - (d) The rates shall be due and payable at the offices of the *District* on or before the date shown in Schedule E of this bylaw.

.../6

- (e) When a new *Water Service Connection* is installed, the water rate levied shall be prorated in accordance with appropriate charges set out in Schedule B and shall be computed from the month following the month in which the *Water Service Connection* is completed or one month after the water application is completed.
- (f) *Water meters* shall be installed, sealed, maintained, repaired and disconnected only by employees or agents of the *District*, or other persons duly authorized by the *Manager*.
- (g) The *District* shall not be responsible for any damage to buildings or property occasioned by, or in the course of, the installation, maintenance, repair or disconnection of any *Water Meter* or *Water Service Connection* provided that reasonable care has been taken by the employees or agents of the *District*, or other persons duly authorized by the *Manager*, in the course of such installation, maintenance, repair or disconnection.
- (h) Where a metered *Water Service* is in use, all *District Water* consumed on the property shall pass through the *Water Meter* authorized by the *District* for use on the property unless the water in question is authorized by this bylaw for unmetered use.
- (i) Where an *Unmetered Fire Line* is provided, no water shall be taken other than for fire protection or testing of the fire protection system unless authorized by the *Manager*.
- (j) Only one *Water Meter* shall be installed on a *Water Service* whether the *Water Service* serves a single building or a number of buildings on a lot, parcel or block of land unless otherwise approved by the *Manager*. For the purposes of this section, each half of a semi-detached dwelling and each unit of street townhouses or street link houses is to be considered a single building.
- (k) If a *Consumer* now receiving *Unmetered Water* requests that a *Water Meter* be installed on his building service, the *Manager* may, at his discretion, comply with such request with all related cost to be borne by the *Consumer*.
- (l) At the time of applying for an Application for *Water Service*, the *Applicant* shall deposit an amount equal to the *Water Service Connection Charge* plus the *Manager's* estimated cost of providing the *Water Service Connection*.
2. (a) If the *Manager* directs that the *Water Meter* be installed in a meter chamber, the meter chamber shall be constructed and maintained by the *Consumer* in a manner satisfactory to the *Manager* and shall be kept accessible and safe to the employees or agents of the *District*.
- (b) The *Consumer* shall pump all water from the meter chamber if required by the *Manager*.

.../7

- (c) The size of *Water Meters* to be installed shall be approved by the *Manager*.
 - (d) Unless otherwise approved by the *Manager*, no pipe connection shall be made to a *Water Service* other than after the outlet side of a *Water Meter*, except where required by the *Manager*, a properly valved and sealed by-passes around the *Water Meter* shall be provided by and at the expense of the *Consumer*.
 - (e) The *Manager* may replace the valve on the inlet side of a *Water Meter* with a full port corporation valve and install a full port corporation valve on the outlet side during the replacement of the *Water Meter*.
 - (f) *Consumers* shall immediately notify the *Manager* of any breakage, stoppage or irregularity in a *Water Meter* and/or a *Building Service* and/or the plumbing system or fixtures within the building or buildings.
3. (a) All *Water Meter* readings shall be performed under the co-ordination and control of the *Manager*.
- (b) *Water Meter* readings may be performed by duly authorized employees or agents of the *District* who must carry with them while performing *Water Meter* reading duties identification designating them as employees or agents of the *District*.
 - (c) *Consumers* shall provide to the duly authorized employees or agents of the *District* access to buildings, chambers or other facilities in which *Water Meters* are situated at all reasonable hours and shall facilitate such access in all reasonable ways.
 - (d) *Water Meters* shall be read annually, semi-annually, quarterly, bi-monthly, monthly or at any interval deemed necessary by the *Manager*.
 - (e) The *Treasurer* may estimate the quantity of water used by the *Consumer* since the date of the last accurate meter reading, or the last satisfactory estimate of consumption and bill the *Consumer* accordingly, under circumstances where:
 - (i) the *Water Meter* is broken, stopped or irregular;
 - (ii) the *Water Meter* or meter seal has been disconnected, altered or tampered with in any way;
 - (iii) the *Water Meter* has been incorrectly read;
 - (iv) the *Water Meter* reading has been incorrectly recorded;
 - (v) a *Water Meter* by-pass has been used or the by-pass seal has been disconnected, altered or tampered with;
 - (vi) the person duly authorized to do so has been unable to obtain a *Water Meter* reading;
 - (vii) it is deemed necessary by the *Treasurer* for any other circumstances.

- (f) Where the quantity of water used by a *Consumer* has been estimated pursuant to subsection (e), the *Treasurer* may at the time of the first accurate meter reading subsequent to such estimate make a new estimate of the quantity of water used by the *Consumer* and increase or decrease the billing to the *Consumer* accordingly.
 - (g) Under circumstances where it is in the opinion of the *Manager* expedient to allow a *Consumer* to run water continuously, the *Manager* may authorize such usage and in such cases the *Treasurer* may adjust the *Consumer's* metered billing to conform with the *Consumer's* normal pattern of water use.
4. (a) A *Consumer* upon written application to the *Manager* may have his *Water Meter* tested.
- (b) Every application for testing shall be accompanied by a deposit of the fee for testing *Water Meters* set out in Schedule G.
- (c) If the *Water Meter* is shown by the test to measure the flow of water within AWWA specifications, the *Consumer* shall be charged the fee for the test set out in Schedule G and the deposit set out in Section 1 shall be credited against that charge.
- (d) If the *Water Meter* is shown by the test to measure the flow of water outside AWWA specifications, whether high or low, no fee shall be charged for the test, the *Consumer's* deposit shall be returned and the *Consumer's* water bill adjusted in an amount to be determined by the *Treasurer* and the *Water Meter* shall be replaced or repaired at the cost of the *District*.

6. WATER SERVICE CONNECTION

1. (a) A person desiring *District Water* and who owns or occupies a building(s) on lands within the *Arbutus Ridge Water System Service Area*, which abut a watermain that is a part of the *Arbutus Ridge Water System*, shall apply to have his building(s) connected to the watermain.
- (b) No connection shall be made to the *Arbutus Ridge Water System* until an Application for *Water Service* has been completed and approved by the *Manager*.
- (c) An Application for *Water Service* shall be completed on a form provided by the *Manager*, and the information shall be certified to be correct and signed by the *Applicant* or his agent, and shall be completed and approved at least three weeks prior to the date by which connection to the *Arbutus Ridge Water System* is requested, or as deemed a reasonable time by the *Manager*.

.../9

- (d) Where a *Water Service Connection* is to be installed as part of an *Unmetered Fire Line*, or for any use other than single family residential use, or where the proposed *Water Service Connection* is greater than 25 mm in diameter, detailed plans of the *Water Service* or *Unmetered Fire Line* acceptable to the *Manager* shall be submitted with each Application for *Water Service*.
- (e) An Application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection* charge plus a deposit in accordance with the conditions and requirements as set out in Schedule A. The deposit shall be applied against the actual cost of the *Water Service Connection* installation.
- (f) The *Manager* may refuse approval of an Application for *Water Service* where, in his opinion, the *Arbutus Ridge Water System* may be adversely affected, where, in his opinion, there is insufficient water supply available or where a watermain does not abut the *Applicant's* lands.
- (g) Every *Water Service Connection* shall be installed prior to installation of the *Building Service*. The *District* shall not be responsible for meeting the location or for connecting to an existing *Building Service* installed prior to the installation of the *Water Service Connection*.
2. An Application for *Water Service* must be completed prior to connecting the *Building Service* to the *Water Service Connection* for each separate *Water Service Connection* in housing developments built on lands subject to registered plans of subdivision where the *Water Service Connection* has been provided by the subdivider. The Application for *Water Service* will be issued at a charge set forth in Schedule A to the subdivider under these circumstances.
3. (a) Where the *Owner* of property wishes to re-use an abandoned *Water Service Connection* that previously served a building on the *Owner's* property, the *Owner* shall apply to re-use the *Water Service Connection* and such application shall require the inspection of the *Water Service Connection*. The *Owner* shall pay the inspection fee set out in Schedule A, expose the *Water Service Connection* and prepare it for inspection, and the *Manager* may, upon inspecting such *Water Service Connection*, refuse to allow the re-use of it if it is in the *Manager's* opinion defective. The *Manager's* opinion on this matter shall be final.
- (b) Where the *Manager* has deemed an abandoned *Water Service Connection* defective, the *Owner* shall apply for a new *Water Service Connection* and pay the charge or deposit as set out in Schedule A.

4. (a) **Building Services** shall be installed in accordance with the requirements of the British Columbia Plumbing Code, as amended from time to time, and shall be constructed by the **Owner** entirely at the **Owner's** expense.
- (b) The **Building Service** shall be maintained and repaired by the property **Owner** at his sole expense. Whenever a malfunction occurs in the **Building Service** or **Water Service Connection**, the **Owner** or occupier of the premises served shall first determine that the failure is not located in the **Building Service** before notifying the **Manager** who shall, as soon as practicable, arrange to have the **Water Service Connection** restored to serviceable condition.
5. (a) All work involved in the installation and maintenance of **Water Service Connections** shall be performed only by duly authorized employees or agents of the **District**.
- (b) Every **Water Service Connection** is to be laid, as nearly as practicable, in a generally straight line and at a right angle to the watermain.
- (c) Where the **Applicant** for a **Water Service Connection** indicates in his application a desired location for the **Water Service Connection**, the **Water Service Connection** will be located as indicated providing the proposed location is approved by the **Manager**.
- (d) Where the **Applicant** for a **Water Service Connection** does not indicate in his application a desired location for the **Water Service Connection**, the **Water Service Connection** will be located as determined by the **Manager** and if the **Applicant** subsequently requires a relocation of the **Water Service Connection**, such relocation shall be at the expense of the **Applicant**.
- (e) No **Water Service** shall be installed in, over or across the property of another person or located on an easement in favour of one **Owner** to another except by the written consent of the **Owners** concerned and the approval of the **Manager**.
- (f) Only one **Water Service** shall be installed for each lot, block or parcel of land unless otherwise approved by the **Manager**.
- (g) A **Water Service** shall be installed to each unit of semi-detached buildings, street townhouses and street link houses, except for townhouses registered under The Condominium Act.
- (h) Where more than one lot, block or parcel of land under separate ownership are served by a single **Water Service**, the **Manager** may order the affected **Consumers** to disconnect from the single **Water Service** and to conform to Subsection (f) above, and all costs including those for installing new **Water Service Connections** shall be borne by the **Consumers**.

.../11

6. When a *Consumer* requires the *Water Service Connection* to his land or premises to be replaced, the existing *Water Service Connection* shall be disconnected and the cost of disconnecting the *Water Service Connection* as set out in Schedule A, shall be borne by the *Consumer*.
7. When the *Manager* determines that a *Water Service Connection* is no longer required and can be abandoned, the *Water Service Connection* shall be disconnected at the watermain and the cost of the disconnection, as set out in Schedule A, shall be borne by the *Owner* of the lot, block or parcel of land for which the *Water Service Connection* served or was intended to serve or as otherwise directed by the *Manager*.
8. (a) The *Consumer* is responsible for the repair or replacement of a leaking or defective *Building Service* or appurtenance and if, after written notice, it is not remedied in reasonable time, the water supply may be temporarily interrupted until the necessary repairs are completed to the satisfaction of the *Manager* and the cost of such repair or replacement shall be borne by the *Consumer*.

(b) The *Manager* may turn off or restrict the supply of water to any building in which any leaking or defective pipe, tap or fixture, or any cross connection exists and shall require that the pipe, tap or fixture be repaired or replaced by the *Consumer* in such manner as the *Manager* may approve before the water is turned fully on again.

7. USE OF WATER SERVICE FOR FIRE PROTECTION

1. (a) No person other than duly authorized employees or agents of the *District* or local fire department shall operate or use any *District* or private fire hydrant.

(b) The *Manager* may, by means of a "Hydrant Permit" issued by him, authorize the use of a specified *District* or private hydrant for a specified time under specified conditions, including the supervision of such use by the *Manager*, at the charges set out in Schedule F.
2. (a) The *Manager* may approve of the supply of *District Water* to *Consumers* within the *Arbutus Ridge Water System Service Area* who have *Unmetered Fire Lines* for fire protection purposes and such water may serve private fire hydrants, automatic sprinkler systems and standpipes.

(b) An *Unmetered Fire Line* shall be separate from the domestic *Water Service*. An *Unmetered Fire Line* and *Water Service Connection* may be combined within a public road allowance or easement providing separation takes place within the public road allowance or easement and providing a valve is installed on each branch within the public road allowance or easement.

.../12

- (c) An *Unmetered Fire Line* whether separate or combined with a domestic *Water Service* as in Subsection (b), shall be isolated to prevent back flow in accordance with the current British Columbia Building Code and the British Columbia Plumbing Code and other applicable regulations.
- (d) No *Private Water Supply System* shall be interconnected with the *Arbutus Ridge Water System*.
- (e) Private fire hydrants shall be maintained by the *Consumers* thereof to the satisfaction of the *Manager* and such *Owners* may be required from time to time to establish to the satisfaction of the *Manager* that such hydrants are sound, do not leak and are in good operating order.
- (f) *Unmetered fire lines* shall be utilized for no other purpose than fire fighting without written permission from the *Manager*.

8. MISCELLANEOUS SERVICES AND REQUIREMENTS

1. (a) The *Manager* shall at the request of a *Consumer* turn the *Consumer's* supply of *District Water* "off" or "on" and the *Consumer* shall pay a fee for this service as prescribed in Schedule G.
- (b) A *Consumer* who has had his supply of *District Water* turned off shall not be required to pay the *Water Charges* while such supply is turned off, provided the "water off" charges as described in Schedule G have been paid.
2. The *Treasurer* shall, upon written request in respect to each separate parcel of land or buildings, furnish any *Applicant* with a written verification showing the arrears of *Water Charges* due on, or in respect of, any parcel of land or buildings up to the date to which such water charges were last computed, the duration of the last billing period, and the net amount billed during that period.
3. In the event of a *Building Service*, an *Unmetered Fire Line* located on private property, or a private fire hydrant becoming frozen, the *Consumer* shall notify the *Manager* and shall take steps to have such *Building Service*, fire line or hydrant thawed. The repair costs for damages caused by the thawing operation shall be assumed by the *Consumer*.
4. (a) Anti-tampering devices shall be installed on hydrants when deemed necessary by the *Manager*.
- (b) Where anti-tampering devices are installed on hydrants in new developments such as industrial or residential subdivisions, the cost of purchasing, installing and maintaining such devices shall be borne by the developer or owner.

.../13

5. Plants, shrubs, trees, hedges, etc., fences and other structures shall not be so close to a meter box, hydrant or a valve box as to obstruct the siting of or the free access to, the operation of the hydrant, air relief, *Water Meter*, or the valve box by duly authorized employees or agents of the *District*.
6. A driveway shall be constructed no closer than 1 m from a hydrant.

9. BILLING & COLLECTING WATER RATES & WATER CHARGES

1. (a) All *Water Rates* and *Water Charges* shall be payable for water consumed and services provided and shall be due and payable when rendered.
 - (b) Regular billings for *Water Rates* may be rendered annually, semi-annually, quarterly, bi-monthly, monthly or at any other periodic interval as set out in Schedule E, or as determined by the *Manager*.
 - (c) The *Treasurer* may with reasonable notice advance or delay any regular billing of *Water Rates* or *Water Charges*.
 - (d) To protect the *District* against potential losses from unpaid water billings, the *Treasurer* may, at his discretion, demand in writing, a security deposit by way of cash, certified cheque, letter of credit or guarantee from an *Owner* from whom delinquent charges and fees can not be applied to property taxes.
 - (e) The amount of the security deposit shall be no less than an amount equal to a *Consumer's* estimated water bill for a period of 180 days.
2. All *Water Rates* or *Water Charges* set out in Schedule B and Schedule C are established in amounts that reflect a discount for prompt payment in the percentages set out in Schedule E.
3. (a) All water bills shall be distributed to the *Consumer* by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the *Treasurer*.
 - (b) *Water Rates* and *Water Charges* may at the discretion of the *Treasurer* be charged and billed to:
 - (i) the person requesting that water services be provided, or
 - (ii) the person in occupation of the building serviced by the *Arbutus Ridge Water System*, or
 - (iii) the *Owner* of the building served by the *Arbutus Ridge Water System*.

.../14

- (c) All *Water Rates* and *Water Charges* for services rendered to buildings having multiple units shall be charged and billed to the *Owner* of the property unless otherwise directed in writing by the *Treasurer*.
- (d) All *Water Rates* and *Water Charges* for services rendered to buildings registered under The Condominium Act shall be billed to the Condominium Corporation unless otherwise directed in writing by the *Treasurer*.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the *District* office or at any location or via internet or telephone banking as directed by the *Treasurer*.

10. EXTENSIONS TO THE LOCAL SERVICE (WATER SUPPLY) AREA

1. (a) Applications and Fees:

Where, after a review of a request for servicing, the *Manager* has determined the need for an *Extension* to the *Arbutus Ridge Water System* in order to provide *District Water* to property located within the boundaries of the Arbutus Ridge Water System Service Area, the *Owner* of the property shall make written application for an *Extension* to the *Manager*.

The application shall be accompanied by the fee as set out in Schedule A.

(b) Approval:

Following a review of the proposed *Extension* of the *Arbutus Ridge Water System* the *Manager* shall advise the *Applicant* in writing if the *Extension* is approved or denied.

(c) Conditions:

An approved *Extension* to the *Arbutus Ridge Water System* may proceed provided the *Applicant* complies with the following conditions.

- i. The *Applicant* shall complete a *Water Service Connection* Application for each and every *Unit* or parcel of land to be serviced together with the applicable *Water Service Connection Charge*.
- ii. Where the *Manager* concludes the *Extension* will be undertaken by the *District*, the *Applicant* shall deposit with the *District* monies in the amount of the estimated cost of both the *Extension* and the required *Water Service Connection* as determined by the *Manager*.

.../15

- iii. Where the *Manager* grants a request by the *Applicant* for an *Extension* to be undertaken by others considered in the opinion of the *Manager* to be professionally competent, then the *Applicant* shall ensure that the work complies with the plans and specifications submitted by the *Applicant* and approved for construction by the *Manager*. Following completion of the *Extension* and other related work, the *Applicant* shall submit "As Constructed" drawings in a format acceptable to the *Manager* together with written verification that the completed work complies with the requirements of the *District*. The *Applicant* shall guarantee the work for a period of two years from the date this work is accepted by the *Manager*. The *Manager* may require certification of the above by a Professional Engineer registered in the Province of British Columbia.
- iv. The pipe size of the *Extension* shall not have less than a 150 mm inside diameter and shall include all appurtenances as determined by the *Manager* including but not limited to main line valving and fire hydrants. The *Manager* may allow a 100 mm inside diameter *Extension* on a cul-de-sac, which in the opinion of the *Manager* has fire protection.
- v. The point at which the *Extension* may connect to the *Arbutus Ridge Water System* shall be determined by the *Manager*.
- vi. The *Extension* to the *Arbutus Ridge Water System* shall extend to a point opposite the furthest boundary of the last property to be serviced by the *Extension* unless otherwise approved in writing by the *Manager*.
- vii. The final cost to the *Applicant* shall include all costs directly or indirectly associated with the *Extension* including, but not limited to the following items:
 - design
 - preparation of drawings, specifications and tender documents
 - approval applications to other agencies
 - survey and layout
 - legal fees
 - supervision and inspection
 - site restoration
 - upgrade of the Service Area to accommodate the proposed development.
 - testing, disinfection and sampling.

11. OFFENCES AND SANCTIONS

1. Every person who:
 - (i) hinders or interrupts, or causes or procures to be hindered or interrupted, the *District*, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;
 - (ii) lets off or discharges water so that the water runs to waste or useless out of the *Arbutus Ridge Water System* unless duly authorized to do so, in writing, by the *Manager*;

- (iii) being a consumer, tenant, occupant, or inmate of any house, building or other place supplied with water from the *Arbutus Ridge Water System*, lends, sells, or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than his own, increases the supply of water agreed for, or improperly wastes the water;
 - (iv) without lawful authority, opens or closes or tampers with any hydrant, valve, curb stop or other appurtenances or obstructs the free access to any hydrant, valve, service box, chamber, pipe, or hydrant-chamber or other appurtenances, by placing on it any building material, rubbish, or other obstruction;
 - (v) throws or deposits any injurious, noxious or offensive matter into the water of the *Arbutus Ridge Water System*, or upon the ice, if the water is frozen, or in any way fouls the water or commits any damage, or injury to the works, pipes, or water, or encourages the same to be done;
 - (vi) removes or alters any *Water Meter* or meter seal or opens any *Water Meter* by-pass placed upon any building service or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered;
 - (vii) lays or causes to be laid any pipe or main to communicate with any pipe or main of the *Arbutus Ridge Water System*, or in any way obtains or uses the water without the written consent of the *Manager*;
 - (viii) obstructs or refuses entry to any employee or agent of the *District* in the discharge of any duty under this bylaw;
 - (ix) establishes, maintains or uses any connection to any part of the *Arbutus Ridge Water System* whereby foreign matter, non-potable water, or water from a *Private Water Supply System* may enter the *Arbutus Ridge Water System*;
 - (x) fails to notify the *Manager* of any breakage, stoppage or irregularity in any *Water Meter* for which he is responsible;
 - (xi) fails to obey any restriction on consumption, hours of consumption and use of water pursuant to Part II, Section 5; or
 - (xii) contravenes any section of this bylaw, is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00 or may be imprisoned, without the option of a fine, for a term of not more than one month.
2. In addition to all other sanctions and remedies provided in this bylaw, the *Manager* may turn off or restrict the supply of water to any *Consumer* where such *Consumer* has violated any of the provisions of this bylaw and may refuse to restore normal service until the violation complained of has been terminated or remedied.

- 3. That pursuant to the *Local Government Act*, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the *Local Government Act*.

12. REMAINDER OF BYLAW TO REMAIN INTACT:

In the event that any portion of this bylaw is declared *ultra vires* by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



SCHEDULE A

TO CVRD BYLAW NO. 3305

WATER SERVICE CONNECTION CHARGES

1. Water Service Connection

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection Charge* of:

19-mm diameter connection	\$300.00
25-mm diameter connection	\$300.00

plus a deposit in the amount of the *Manager's estimate* to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Water Service Connection* installation.

(b) Where the *Water Service Connection* has been installed by the subdivider entirely at his cost and the *Water Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Water Service* shall only be required to complete a Water Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- *First lot exempt.....	n/a
- Each additional lot created.....	\$3,500.00

*Where the existing *Water Service Connection* is not utilized, the *Subdivider* will pay a *Water Service Connection Charge* of \$300.00

(b) Lot not presently serviced:

- First lot.....	\$300.00
- Each additional lot created.....	\$3,500.00

(c) Pre-installed Water Connection – where the *Water Service Connection* has been installed by the subdivider entirely at his own cost, but the *Water Service Connection Charge* has not been prepaid, then the *Applicant* for *Water Service* shall be required to complete a *Water Service Connection* Application and pay the *Water Service Connection Charge* of \$3,500.00.

.../2

.3 WATER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:

Where a *Water Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building.....n/a
 (included under Sub-Section 1.1)
 Each additional unit or building.....\$3,500.00
- (b) Presently Occupied and Serviced
 Each additional *Unit* or building.....\$3,500.00

2. Disconnection of a Water Service Connection

Where a *Water Service Connection* is to be abandoned and must be disconnected as determined by the *Manager*, the cost to the *Owner* of the property serviced shall be based on the actual cost to complete the work required, **plus a 10% administration charge.**

3. Re-use of Abandoned Water Service Connection

Inspection fee of previously abandoned or disused *Water Service Connection*: \$50.00

4. Extension to Service Area

Where an *Extension* to the *Arbutus Ridge Water System* is required, the *Owner* of the property to be serviced shall, upon application for an *Extension*, pay the fee as calculated below:

- .1 Applications to Serve Residential Developments:
 - A fee of \$500.00 plus \$50.00 per dwelling unit to be created by the development.
- .2 Applications to Serve Industrial and Commercial Developments:
 - A fee of \$500.00 plus \$100.00 per hectare (or part thereof) of land proposed to be serviced.



C·V·R·D

SCHEDULE B

TO CVRD BYLAW NO. 3305

METERED WATER RATES AND CHARGES

Water Rates and Charges

The *Consumer of District Water* supplied through *Water Meters*, shall pay the minimum charge set out in subsection (b) below. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES	
	Water Use	Charge
<u>Group A</u>		
- Single Family Dwelling – Per Dwelling	0 – 200 m ³	\$ 163.00
- Laundromat: Minimum charge for each washing machine	201-300 m ³	\$ 163.00 + \$1.25 per m ³ over 200 m ³
- Elementary/Middle School: Minimum charge per 20 students or portion thereof	301-400 m ³	\$ 288.00 + \$1.85 per m ³ over 300 m ³
	Over 400 m ³	\$ 473.00 + \$2.50 per m ³ over 400 m ³
<u>Group B</u>		
- Apartment/Suite – Per Unit	0 – 160 m ³	\$ 122.25
- Mobile/Modular Home Park – Per Unit	161-240 m ³	\$ 122.25 + \$1.25 per m ³ over 160 m ³
	241-320 m ³	\$ 222.25 + \$1.85 per m ³ over 240 m ³
	Over 320 m ³	\$ 370.25 + \$2.50 per m ³ over 320 m ³
<u>Group C</u>		
- Commercial - Minimum charge for each 10 employees or portion thereof per shift	0 – 130 m ³	\$ 97.80
	131-200 m ³	\$ 97.80 + \$1.25 per m ³ over 130 m ³
	200-260 m ³	\$ 179.05 + \$1.85 per m ³ over 195 m ³
	Over 260 m ³	\$ 299.30 + \$2.50 per m ³ over 260 m ³
<u>Group D</u>		
- Continuing Care Facility: Minimum charge for <u>each bed</u>	0 – 100 m ³	\$ 81.50
	101-150 m ³	\$ 81.50 + \$1.25 per m ³ over 100 m ³
	151-200 m ³	\$ 144.00 + \$1.85 per m ³ over 150 m ³
	Over 200 m ³	\$ 236.50 + \$2.50 per m ³ over 200 m ³

.../2

CLASSIFICATION	USER CHARGES	
	Water Use	Charges
Group E		
- RV Trailer Park/Campground: Site Connected to Sewer: Per serviced pad or site	0 – 67 m ³	\$ 54.33
	68-100 m ³	\$ 54.33 + \$1.25 per m ³ over 67 m ³
- Restaurant: per 10 seats or patrons, or portion thereof	101-133 m ³	\$ 95.58 + \$1.85 per m ³ over 100 m ³
- Hotel/Motel: per housekeeping unit	Over 133 m ³	\$ 156.63 + \$2.50 per m ³ over 133 m ³
Group F		
- Bed & Breakfast/Rooming House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Room	0-40 m ³	\$ 32.60
	41-60 m ³	\$ 32.60 + \$1.25 per m ³ over 40 m ³
	61-80 m ³	\$ 57.60 + \$1.85 per m ³ over 60 m ³
	Over 80 m ³	\$ 94.60 + \$2.50 per m ³ over 80 m ³
Group G		
- RV Trailer Park/Campground: Site not Connected to Sewer: Per pad or site	0-20 m ³	\$ 16.30
	21-30 m ³	\$ 16.30 + \$1.25 per m ³ over 20 m ³
	31-40 m ³	\$ 28.80 + \$1.85 per m ³ over 30 m ³
	Over 40 m ³	\$ 47.30 + \$2.50 per m ³ over 40 m ³
Group H		
- School: Minimum charge per 20 students or portion thereof	0 – 270 m ³	\$ 203.75
	271-405 m ³	\$ 203.75 + \$1.25 per m ³ over 270 m ³
	406-540 m ³	\$ 372.50 + \$1.85 per m ³ over 405 m ³
	Over 540 m ³	\$ 622.25 + \$2.50 per m ³ over 540 m ³
Group I		
- Hotel/Motel: Per Room or Suite	0 – 50 m ³	\$ 40.75
	51-75 m ³	\$ 40.75 + \$1.25 per m ³ over 50 m ³
	76-100 m ³	\$ 72.00 + \$1.85 per m ³ over 75 m ³
	Over 100 m ³	\$ 118.25 + \$2.50 per m ³ over 100 m ³
Group J		
- Licensed Premises: Per 10 seats or patrons or portions thereof.	0 – 83 m ³	\$ 65.20
	84-125 m ³	\$ 65.20 + \$1.25 per m ³ over 83 m ³
	126-167 m ³	\$ 117.70 + \$1.85 per m ³ over 125 m ³
	Over 167 m ³	\$ 195.40 + \$2.50 per m ³ over 167 m ³
Group K		
- Golf Course: for potable water only. Based on 3.5% of total water system operating budget or minimum of:		\$ 5,796.00
Other		
The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the <i>Manager</i> , do not fall within the above classifications, shall be determined by the General Manager of Engineering and Environmental Services and his decision shall be final.		
Aggregate Allotment - Where more than one of the above classifications including "Other" is in use, or intended for use, then the applicable charges shall be applied to each and every classification		

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classifications(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the *Consumer* describing the nature of the leakage and the action taken to rectify the problem must be received by the *Manager* before the one-time forgiveness will be granted. The leakage problem must be rectified by the *Consumer* within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tent, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Water* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Water* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

.../4

Hotel/Motel: Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant: Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises: Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat: Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial: Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School: Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility: Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast: Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House: Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Golf Course: For potable water usage only.



SCHEDULE C
TO CVRD BYLAW NO. 3305
UNMETERED WATER CHARGES

Water Rates:

The *Consumer of Unmetered District Water* shall pay the charges set out below.

Water Rates and Charges per Classification per six (6) month period:

	<u>Charge</u>
<i>Single Family Dwelling:</i>	\$163.00
<i>Apartment/Suite</i>	\$122.25
<i>Mobile Home Park:</i>	\$122.25
<i>RV Trailer Park/Campground:</i>	
<u>Site Connected to Sewer:</u> per serviced pad or site.	\$54.33
<u>Site Not Connected to Sewer -</u> per pad or site.	\$16.30
<i>Hotel/Motel:</i>	
a) <u>Room or Suite:</u> per room or suite.	\$40.75
b) <u>Kitchenette or Housekeeping Unit:</u> per kitchenette or housekeeping unit.	\$54.33
<i>Restaurants:</i> Minimum charge for the first 10 seats or patrons or portion thereof	\$54.33
<u>Each additional 10 seats or patrons or portion thereof .</u>	\$54.33

.../2

	<u>Charge</u>
<i>Licensed Premises:</i>	
Minimum charge for the first 10 seats or patrons or portion thereof .	\$65.00
Each additional 10 seats or patrons or portion thereof .	\$65.20
<i>Laundromat:</i>	
Minimum charge for each washing machine .	\$163.00
<i>Commercial:</i>	
Minimum charge for the first 10 employees or portion thereof per shift.	97.80
<u>Each additional 10 employees or portion thereof per shift .</u>	97.80
<i>Elementary/Middle School:</i>	
Minimum charge for the first 20 students or portion thereof .	\$163.00
<u>Each additional 20 students or portion thereof .</u>	\$163.00
<i>High School:</i>	
Minimum charge for the first 20 students or portion thereof .	\$203.75
<u>Each additional 20 students or portion thereof .</u>	\$203.75
<i>Continuing Care Facility:</i>	
Minimum charge for each bed	\$81.50
<i>Bed & Breakfast/Rooming House:</i>	
The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guest room .	
a) Single Family Dwelling	\$163.00
b) Per guest room	\$32.60
c) Per Kitchenette or Housekeeping Unit:	\$54.33
<i>Golf Course:</i>	
Based on potable water – Based on 3.5% of total water system operating budget or minimum of.:	\$5,796.00

Other:

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of developments that, in the opinion of the **Manager**, do not fall within the above classifications shall be determined by the Manager of Engineering and Environmental Services and his decision shall be final.

Aggregate Allotment:

Where more than one of the above classifications including "**Other**" is in use, or intended for use, then the applicable charges shall be applied to each and every classification.

Single Family Dwelling

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a sanitary sewer disposal system, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate sanitary sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure, which contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s). .../4

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended use for the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to a connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board to British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available to public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include for residents requiring full-time professional care that include living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Golf Course: For potable water usage only.



SCHEDULE D
TO CVRD BYLAW NO. 3305
UNMETERED FIRE LINES

(a) The *Consumers* with an *Unmetered Fire Line* shall pay the rates set out in subsection (b) below:

(b) Fire Line Size (mm)	Rates (dollars per month)
25 mm	3.00
38 mm	7.50
50 mm	12.00
75 mm	30.00
100 mm	48.00
150 mm	22.00
200 mm	96.00
300 mm	144.00



SCHEDULE E

TO CVRD BYLAW NO. 3305

METER READING DATES, DUE DATES AND DISCOUNTS

(a) Meter Reading Dates and Due Dates

Metered Water connections serving a residential property shall normally be read during regular CVRD business hours, biannually in the Spring and the Fall, as determined by the *Manager*, with the respective payments payable on the due date specified on the invoice.

Metered Water connections servicing *Consumers* with high usage and charges may normally be read during regular CVRD business hours quarterly each year, at the discretion of the *Manager* with the respective payment due as specified on the invoice.

In the event the last day of the month falls on a Saturday, Sunday, or Statutory Holiday, the due date shall then be the last business day before the Saturday, Sunday, or Statutory Holiday.

(b) Transfer to Taxes

Amounts remaining outstanding at the close of business on December 31 of each calendar year, shall be added to the property taxes and shall be deemed taxes in arrears on the property in question.



SCHEDULE F
TO CVRD BYLAW NO. 3305
HYDRANT PERMIT

The charge for drawing *District Water* from hydrants for purposes other than fire protection shall be as follows:

A deposit of \$300.00 per permit and refundable if the hydrant and appurtenances used in the opinion of the *Manager* have not been damaged.

The minimum charge shall be \$200.00 or the charge when the consumption rate is applied to the amount of water used whichever is the greater.

Consumption Rate:	\$4.00 per cubic metre
--------------------------	-------------------------------

A hydrant permit shall be permitted at the discretion of the *Manager*.

The *Manager* shall determine and designate which hydrant, if any, shall be used.

Only the designated hydrant may be used unless otherwise approved by the *Manager*.

The *Manager* reserves the right to terminate the use of the hydrant permit at any given time.

Where the actual amount of water used is unknown, the *Manager* may estimate the quantity used and charge accordingly.



SCHEDULE G
TO CVRD BYLAW NO. 3305
MISCELLANEOUS CHARGES

1. Testing of Water Meter

An application for testing the *Water Meter* shall be accompanied by a deposit in the amount of: \$50.00

2. Charge to Customer

Where the *Water Meter* is found to measure the flow of water accurately: \$50.00

3. Turning *Water Service* on each time: \$25.00

Turning *Water Service* off each time: \$25.00

Note:

The charges for "turn on" or "turn off" shall **not** be levied where:

1. it is necessary to interrupt the supply of water so as to permit the consumer to correct faults on the building service.
2. the water is to be "turned on" for newly installed or water service connection.



SCHEDULE H

TO CVRD BYLAW NO. 3305

FLAT RATE CHARGE

A flat rate charge in the amount of \$0.893 per day will be invoiced in January 2010 for each single-family dwelling within the Arbutus Ridge Water System Service Area for the period of the CVRD "takeover" date until December 31, 2009.

A flat rate charge in the amount of \$31.759 per day will be invoiced in 2009 for the golf course property.

Properties within the service area without homes will not be charged for service in 2009.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3306

**A Bylaw for the Regulation and Management of the
Arbutus Ridge Sewer System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Sewer System Service Area* under the provision of CVRD Bylaw No. 3288, cited as "CVRD Bylaw 3288 - Arbutus Ridge Sewer System Service Establishment Bylaw, 2009" for the purpose of providing services to a defined portion of Electoral Area C – Cobble Hill;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the Arbutus Ridge Sewer System, and for terms and conditions upon which sewer services may be provided, and for a tariff of charges for such services;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3306 - Arbutus Ridge Sewer System Management Bylaw, 2009.**"

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

"Air" means the atmosphere but, except in a *Sewer* or a *Sewage Facility* or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

"Air Contaminant" means any *Substance* or odour whether gaseous, liquid, solid, or a combination that is emitted into the *Air* and that:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with visibility;
- (d) interferes with or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person, or,
- (f) damages or is capable of damaging the environment.

.../2

"*Applicant*" means a request for one of the following:

- (a) a *Waste Discharge Permit*;
- (b) to amend, add or delete a term or condition of a *Waste Discharge Permit*;
- (c) to change the activity that is the subject of a *Waste Discharge Permit*;
- (d) to renew a *Waste Discharge Permit*;
- (e) an *Authorization*.

"*Arbutus Ridge Sewer System*" means the *Sewer* system currently servicing the *Arbutus Ridge Sewer System Service Area* including all *District* buildings, structures, sewage, collection, treatment, disposal facilities, equipment, electrical works, pumping stations, forcemains, *Sanitary Sewermains*, appurtenances, *Sewer Service Connections*, and all sewage works designated for the collection and disposal of sewage together with all lands appropriated for such purposes and uses.

"*Arbutus Ridge Sewer System Service Area*" means a service area established and defined by bylaw, within which the *District* manages and operates a Sewer System Service Area.

"*Authorized*" or "*Authorization*" means that *Authorization* in writing by the *Manager* upon such terms and conditions as specified therein;

"*Biomedical Waste*" means biomedical waste as defined in the "Guidelines for the Management of Biomedical Waste" established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992, or the most current regulations and guidelines as determined by the *Manager*.

"*Biosolids*" means treated municipal *Wastewater Sludge* that meets quality criteria for beneficial use as a fertilizer or soil amendment product.

"*BOD*" means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic *Substances* under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in *Standard Methods*.

"*Capable of Connection*" means that the parcel of land abuts a street, lane, public *Sewer* right-of-way or easement, upon or under which there is a *Sewermain* with excess capacity and that the *Sewer* service connection will have adequate cover at the property line, and drain towards the *Sewer*, and allowing the house or building to be connected to the service connection by either a gravity building *Sewer*, or a pump and forcemain.

"*COD*" means Chemical Oxygen Demand, being a measure of the equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in *Standard Methods*.

"*Combined Sewer*" means a *Sewer* designed for the collection and transmission of *Uncontaminated Water*, *Wastewater*, and *Stormwater*.

.../3

"Committee" means a standing committee, comprised of representatives from the *Regional Board*, which the Engineering & Environmental Services Department reports to.

"Composite Sample" means a sample of *Waste* which is composed of equivalent portions of a specified number of *Grab Samples* collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

"Condensed Water" means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.

"Consumer" means the owner or occupant of property that is serviced by, connected to and uses the *Arbutus Ridge Sewer System*.

"Contaminate" means any *Substance*, whether gaseous, liquid or solid, whether dissolved or suspended, or any *Wastewater* quality parameter that, when present above a certain concentration in *Wastewater*:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with the proper operation of a *Sewer* or sewerage facility;
- (d) causes or is capable of causing material physical discomfort to a person; or
- (e) damages or is capable of damaging the environment.

"Daily Flow" means the total flow over a 24-hour period, as measured by an approved calibrated flow meter.

"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.

"District" means the Cowichan Valley Regional District.

"District Water" means water carried by a community water system operated and managed by the *District*.

"Domestic Sewage" means *Sanitary Waste* produced on a *Residential Property*.

"Domestic Waste" means *Sanitary Waste* or the water-carried wastes from drinking, culinary purposes, washing, bathing, laundering or food processing which is produced on a *Residential Property* and is *Discharged* directly or indirectly into a *Sewer* connected to a *Sewage Facility* operated by the *District*.

"Enactment" means any applicable act, regulation, bylaw, or *Authorization*, by a federal, provincial, regional or municipal government or their *Authorized* representatives.

.../4

"Environmental Management Act" means the Environmental Management Act of the Province of British Columbia or any legislation that replaces the Environmental Management Act.

"Grab Sample" means a sample of *Waste* collected at a particular time and place.

"Hazardous Waste" means hazardous waste as defined in the Environmental Management Act.

"Hazardous Waste Regulation" means the Hazardous Waste Regulation enacted pursuant to the Environmental Management Act.

"Hazardous Waste Regulation Leachate Quality Criteria" means the *Contaminant* concentrations for leachate set out in Schedule 4 of the *Hazardous Waste Regulation*.

"High Volume Discharge" means any *Discharge* of *Non-domestic Waste* into a *Sewer* in excess of 2.57 cubic metres per day (550 Imperial Gallons per day) or 90 cubic metres over any consecutive 30-day period, but not including water from a *Pool*.

"Improvement District" means an Improvement District incorporated under the Local Government Act.

"Manager" means the person duly appointed General Manager of the Engineering & Environmental Services Department by the *Regional Board*, or his designate.

"Mass Loading" means the concentration of a constituent multiplied by the flow rate.

"Metered District Water" means *District* water supplied to *Consumers* through individual meters located on serviced connections from a community water system operated and managed by the CVRD.

"Monitoring Point" means an access point to a *Sewer*, *Private Drainage Systems* or other *Sewer* for the purpose of:

- (a) measuring the rate of flow or volume of *Wastewater* being *Discharged* from a *Premises*;
- (b) collecting representative samples of *Wastewater* being *Discharged* from a *Premises*.

"Monthly Average" means the arithmetic mean of all measurements taken over a calendar month.

"Municipality" means any participating member city, town, or other incorporated area of the *District*.

"Non-domestic Waste" means all *Waste* except *Domestic Waste*, *Trucked Waste*, *Sanitary Waste*, *Stormwater* and *Uncontaminated Water*.

.../5

"Oil and Grease" means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures *Authorized* by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes and high-molecular weight carboxylic acids.

"Owner" means any person who is registered under the Land Title Act as the owner of land, or any other person who is in lawful possession of land, or who is in lawful possession or occupancy of any buildings situated on the land.

"Parcel Tax" means an annual tax levied on each parcel of land within the *Arbutus Ridge Sewer System Service Area*.

"PCB" means any mono-chlorinated, de-chlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

"Pesticides" means pesticides regulated under the Pesticide Control Act of British Columbia.

"pH" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

"Phenols" means the hydroxyl derivatives of aromatic hydrocarbons as determined by the appropriate procedure described in *Standard Methods*.

"Pool" means any water receptacle designed for decorative purposes or used for swimming, or as a bath or hot tub designed to accommodate more than one bather at a time, or designed for decorative purposes.

"Premises" means any land or building or both, or any part thereof.

"Private Drainage System" means a privately owned assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey *Wastewater*, *Uncontaminated Water*, *Stormwater*, or foundation drainage to a *Sewer*, *Sewage Facility*, or a private *Wastewater* disposal system.

"Private Sewer Service Pipe" means that part of the *Sewer Service Pipe* located within the boundaries of the property being serviced, or outside the boundaries of a CVRD Statutory right-of-way, and which is connected to, or intended to connect to the *Arbutus Ridge Sewer System* via a *Sewer Service Connection*.

"Prohibited Waste" means prohibited waste in Article A of Schedule F of this bylaw.

"Radioactive Materials" means radioactive materials as defined in the Atomic Energy Control Act of Canada and Regulations under that Act.

"Regional Board" means the Board of Directors of the Cowichan Valley Regional District.

"Residential Property" means a property that is used primarily for the purposes of residence by persons on a permanent, temporary or seasonal basis.

.../6

"Restricted Waste" means restricted waste as defined in Article "B" of Schedule F of this bylaw.

"Sanitary Sewer" means a *Sewer* which carries *Sanitary Waste* or *Wastewater*, but which is not intended to carry *Stormwater* or *Uncontaminated Water*.

"Sanitary Waste" means *Waste* that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"Seasonal Use" means the use of the *Sewer Service(s)* for a dwelling, unit or recreational accommodation that is not continuously inhabited for more than three months in any calendar year or that is inhabited from time to time for not more than four months in any calendar year.

"Sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the *District*, or one or more municipalities, for collecting, pumping, and transporting *Wastewater* either to a *Sewage Facility*, or otherwise and includes all such pipes, conduits, drains, and other equipment and facilities, which connect with those of the *District* or one or more municipalities.

"Sewer Charges" means the charges set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Extension" means any installation requiring the construction of a 200-mm diameter *Sewermain*, or larger, within a public road allowance or right-of-way or easement, from the most convenient existing *Sewer*, but does not include a *Sewer Service Connection* or a *Private Sewer Service Pipe*.

"Sewer Extension Application Charge" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewage Facility" means works owned or otherwise under the control, or jurisdiction of the *District*.

"Sewermain" means a pipe forming part of the community sewage collection system, other than those pipes serving as *Sewer Service Connections*.

"Sewer Service Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Service Connection Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Surcharge Rates" means the rates as set out in the applicable Schedule(s) forming part of this bylaw, and are applied in proportion to the amount of *Metered District Water* consumed by a user.

"Sewer Rates" means the rates set out in the applicable Schedule(s) forming part of this bylaw.

.../7

"*Sewer Service(s)*" means the collection, treatment and disposal of sewage.

"*Sewer Service Connection*" means the *Sewer* pipe and its integral appurtenances that are placed from the *Sewermain* to the boundary of the property being serviced; or from the *Sewermain* to the boundary of the right-of-way, when the *Sewermain* is located in a right-of-way in favour of the *District*.

"*Sewer Service Pipe*" means the conduit connecting a *Sewermain* that is part of the *Arbutus Ridge Sewer System* with lands or buildings and consisting of both a *Sewer Service Connection* and a *Private Sewer Service Pipe*.

"*Sharps*" means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects that have acute rigid corners, edges or protuberances.

"*Sludge*" means *Wastewater* containing more than 0.5% total solids.

"*Spill Reporting Regulation*" means the Spill Reporting Regulation enacted pursuant to the Environmental Management Act Regulation.

"*Standard Methods*" means the latest edition of "Standard Methods of Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

"*Storm Sewer*" means a *Sewer* for the collection and transmission of *Stormwater* or *Uncontaminated Water*.

"*Stormwater*" means water resulting from natural precipitation from the atmosphere that is intended to be transported in a *Storm Sewer*, or a *Combined Sewer* or a *Watercourse*.

"*Substance*" includes any solid, liquid or gas.

"*Suspended Solids*" means the portion of total solids retained by a filter, as determined by the appropriate procedure in *Standard Methods*.

"*Trucked Waste*" means any *Waste* that is collected and transported from the site where the *Waste* originated by means other than *Discharge* to a *Sewer* including, but not limited to, holding tank water, septic tank waste, chemical toilet contents, *Oil and Grease* from interceptors or traps, and other *Sludge* of organic or inorganic origin.

"*Total Ammonia*" means the sum of the concentrations or masses of ionized ammonia and un-ionized ammonia.

"*TN (Total Nitrogen)*" means the sum of the concentrations or masses of organic nitrogen, *Total Ammonia*, nitrite and nitrate.

"*TP (Total Phosphorus)*" means the sum of the concentrations or masses of organic phosphates, ortho-phosphates and polyphosphates. .../8

"*Treasurer*" means the person duly appointed *Treasurer* by the *Regional Board*, or his duly appointed delegate.

"*Uncontaminated Water*" means any water excluding *Stormwater*, but including cooling water, *Condensed Water* and water from municipal *Waterworks*, or a private water supply to which no *Contaminate* has been added as a consequence of its use, or to modify its use by any person.

"*Unit*" means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

"*Waste*" means any *Substance* whether gaseous, liquid or solid, that is or is intended to be *Discharged* or discarded, directly or indirectly, to a *Sewer* or *Sewage Facility*.

"*Waste Discharge Permit*" means a *Waste Discharge Permit* issued by the *Manager*.

"*Wastewater*" means the composite of water and water-carried *Wastes* from residential, commercial, industrial or institutional *Premises*, or any other source.

"*Wastewater Sludge*" means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of *Wastewater*.

"*Water*" includes seawater, surface water, groundwater and ice.

"*Watercourse*" means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.

"*Waterworks*" means any works owned, or otherwise under the control or jurisdiction of the *District*, or one or more of its member *Municipalities*, or a privately owned water system, or an *Improvement District* that collects, treats, transports, or stores drinking water.

"*Works*" includes:

- (a) a drain, ditch, *Sewer* or *Waste* disposal system including a sewage treatment plant, pumping station or outfall;
- (b) a device, equipment, land or a structure that:
 - (i) measures, handles, transports, stores, treats, or destroys *Waste* or a *Contaminant*; or
 - (ii) introduces *Waste* or a *Contaminant* into the environment;
- (c) an installation, plant, machinery, equipment, land; or a process that causes or may cause a release of a *Contaminant* into the environment, or is designed, or used to measure or control, the introduction of *Waste* into the environment, or to measure or control a *Contaminant*;
- (d) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a *Contaminant* or *Waste*.

3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the *Arbutus Ridge Sewer System* is hereby vested in the *Manager* who shall operate the same under the established policy of the *Regional Board*.
- (b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw, shall be performed on the whole or any part of the *Arbutus Ridge Sewer System* except as *Authorized* in writing by the *Manager*.
- (c) Ownership of *Arbutus Ridge Sewer System*: The *Arbutus Ridge Sewer System* required for treatment, disposal and collection of sewage from the *Owner's* property, and constructed, whether at the *Owner's* expense or *District's* expense in present or future public highways or within *District* right-of-way property, shall be the property of the *District*.
2. (a) The *District* may supply *Sewer Service* as circumstances, collection, treatment and disposal capacity permit.
- (b) No *Sewer Service(s)* shall be supplied to any parcel of land or *Premises* outside of the *Arbutus Ridge Sewer System Service Area* except by special agreement with the *District*, and/or the expansion of the sewer system service area by CVRD bylaw.
- (c) No person shall allow wastewater, sewage, septage or any form of liquid or substance to be brought into the *Arbutus Ridge Sewer System Service Area* for the sole purpose of disposal directly or indirectly into the *Arbutus Ridge Sewer System* unless otherwise approved by the CVRD and other agencies having jurisdiction.
- (d) All reasonable efforts will be made to ensure a continuous *Sewer Service*; however, the *District* does not guarantee to the *Consumer* an uninterrupted discharge of sewage, nor shall any failure to provide an uninterrupted supply of *Sewer Service*, or to meet any such standard be construed as neglect on the part of the *District*.
3. Any person authorized by the *Manager* shall have free access, at all reasonable times and upon reasonable notice given and request made, to all parts of every building or other *Premises* to which *Sewer Services(s)* are supplied for the purpose of inspecting, repairing, or disconnecting any *Sewer Service Pipe* and appurtenances within a serviced structure or located on the lands in question.
4. (a) The *Manager* may, upon reasonable notice, limit or restrict *Sewer Services* within all or any part of the *Arbutus Ridge Sewer System Service Area*, however, in emergency situations, notice may not be given.
- (b) The *District* is not liable for damages caused by the breakage or failure of the *Arbutus Ridge Sewer System Service Area*.

5. Any person before proceeding with, or authorizing any construction that is, or is proposed to be located under, across or along any sanitary *Sewer*, forcemain, or other sewage works forming part of the *Arbutus Ridge Sewer System*, shall notify the *Manager* in writing of his intention to proceed with the same and if it shall, in the opinion of the *Manager*, become necessary as a consequence to support or relocate such *Sanitary Sewer*, or other sewage works, the cost of supporting or relocating the same shall be charged against that person and the *Manager* shall supervise and direct the supporting or relocating of such *Sanitary Sewer* or other sewage works.
6. Any person(s) who has proceeded with, or who has authorized any construction that is located under, over, across or along any *Sewermain* or other *Sewer* works forming apart of the *Arbutus Ridge Sewer System* shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the *Manager* in reasonable time as determined by him, the *Manager* may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

4. SEWER RATES AND SEWER CHARGES

1. (a) Revenues for the *Arbutus Ridge Sewer System* may be raised by *Sewer Rates*, *Sewer Charges* and *Parcel Taxes*.
 - (b) If in any fiscal year the revenues generated by the rates and charges set out in sub-section (a) do not meet the expenditures of the *Arbutus Ridge Sewer System Service Area*, the deficit may be covered by a duly authorized increase in any or all of the charges set out in sub-section (a) for the succeeding fiscal year.
 - (c) All revenue raised by the methods herein described or *Authorized* shall be applied to the *Arbutus Ridge Sewer System*.
2. (a) *Consumers* of *Sewer Service(s)* who receive *Metered District Water* shall be charged the *Sewer Charges* set out in Schedule A.
 - (b) *Consumers* of *Sewer Service(s)* who do not receive *Metered District Water* shall pay the *Sewer Charges* set out in Schedule B.
 - (c) Person(s) desiring the extension of the *Arbutus Ridge Sewer System* to lands which they own, or occupy, shall make formal application and pay the appropriate charges as set out in Schedule E and comply with Parts 5 and 6 of this bylaw.
 - (d) Person(s) requiring the miscellaneous services set out in Part 7 of this bylaw shall pay the charges therefore set out in Schedule D.
3. (a) The *Sewer Rates* and *Sewer Charges* set out in Schedules A, B, C, D and E shall be subject to periodic review by the *Manager* and the *Committee* who may make recommendations on the revision of the said Schedules to the *Regional Board*.
 - (b) Schedules A, B, C, D, E, and F may be revised by bylaws enacted by the *Regional Board*.

5. SEWER CONNECTION SERVICE

1. (a) An *Owner* of lands within the *Arbutus Ridge Sewer System Service Area* which abut a Sewer, line that is part of the *Arbutus Ridge Sewer System* may apply to have his property connected to the *Arbutus Ridge Sewer System*.
- (b) No connection shall be made to the *Arbutus Ridge Sewer System* until an application for *Sewer Service* has been completed and approved by the *Manager*.
- (c) A *Sewer Service Connection* application shall be in the form provided by the *Manager*, and shall be certified to be correct and signed by the *Applicant*, and shall be submitted at least four (4) weeks prior to the date by which connection to the *Arbutus Ridge Sewer System* is required.
- (d) *Sewer Service Connection* applications for property located within the *Arbutus Ridge Sewer System Service Area* must be made prior to the issuance of a building permit, where such permit is necessary.
- (e) Waste Discharge Permit Applications:
 - i.) Where a *Sewer Service Connection* is to be installed for other than single-family residential use, or where more than 90 m³ of *Non-domestic Wastewater* will be discharged in any 30-day period, or where any *Restricted Waste* will be deposited in the *Sanitary Sewer* system, an application will be submitted to the *District* in the form of a Schedule F to this bylaw, and a *Waste Discharge Permit* shall be completed before connecting the *Premises* to the *Sanitary Sewer* system.
 - ii) All *Sewer Service Connection(s)* for other than single-family residential use which is in existence at the date of adoption of the bylaw will complete a *Waste Discharge Permit*.
 - iii) An *Owner* or occupier who intends to expand or alter a facility, for other than single-family use, which is in existence at the date of adoption of this bylaw such that the effluent flow rate would increase by more than 25% (based on a monthly average of the effluent *Daily Flow* rates), or would increase the effluent concentration of any contaminant listed under Article "B" of Schedule F to this bylaw by of more than 25% (based on a monthly average of one-operating-day *Composite Sample* concentrations), or would increase the effluent mass load of any *Contaminant* of more than 25% (based on a monthly average of the effluent *Daily Flow* rates multiplied by the *Monthly Average* of one-operating-day *Composite Sample* concentrations) will require the discharger to apply for a new *Waste Discharge Permit*. The *Manager* may require the discharger to apply for a new *Waste Discharge Permit* if the flow in any one-day increases to a volume that would limit the capacity of the downstream users.
- (f) Applications for *Sewer Service Connection(s)* shall be accompanied by a deposit equal to the *Sewer Service Connection Charge(s)* as set out in Schedule C.

.../12

- (g) The *Manager* may refuse a *Sewer Service Connection* application where, in his opinion, the *Arbutus Ridge Sewer System* might be adversely affected, or where, in his opinion, there is insufficient sewage collection and treatment disposal available.
2. (a) *Applicants* for *Sewer Service Connection* shall pay the *Sewer Service Connection Charge* set out in Schedule C and upon completion of the *Sewer Service Connection*, the deposit made pursuant to Section 5.1 (f) shall be applied in payment of such charges.
- (b) When a new *Sewer Service Connection* is installed, the *Sewer Rate* levied shall be prorated in accordance with appropriate charges set out in the appropriate Schedule and shall be computed as determined by the *Treasurer*.
- (c) Where an abandoned *Sewer Service Connection* is in place on or adjacent to an *Applicant's* lands, the *Applicant* may apply to have the *Sewer Service Connection* reconnected and shall at such time apply to have the *Sewer Service Connection* inspected, shall pay the inspection fee set out in Schedule C, and shall expose the *Sewer Service Connection* and prepare it for inspection, provided, however, that the *Manager* may, upon inspecting such a *Sewer Service Connection*, refuse to reconnect it if it is in his opinion defective, and his opinion on this matter shall be final.
3. (a) All work involved in the installation and maintenance of *Sewer Service Connections* to the *Arbutus Ridge Sewer System* is to be performed by duly *Authorized* employees or agents of the *District*.
- (b) Where the *Applicant* for a *Sewer Service Connection* indicates in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as indicated providing the proposed location is approved by the *Manager*.
- (c) Where the *Applicant* for a *Sewer Service Connection* does not indicate in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as determined by the *Manager*, and if the *Applicant* subsequently requires a relocation of the *Sewer Service Connection*, such relocation is to be at the expense of the *Applicant*.
4. (a) Unless otherwise directed by the *Manager*, all *Sewer Service Connections* shall conform to the Cowichan Valley Regional District specifications and standards, and shall not be less than 100 mm in diameter for single-family dwellings or units and shall be laid at a minimum grade of two percent (2%), and shall not be less than 150 mm in diameter, complete with inspection chamber, for commercial, industrial, institutional or multi-unit dwellings, and shall be laid at a minimum grade of one percent (1%).

.../13

- (b) Where practicable as governed by the depth of the *Sewer*, the minimum depth of the *Sewer Service Connection* at the property line shall be one (1) metre. Where possible, the *Sewer Service Connection* will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the *Sewer* and the lowest floor of the building or structure.
 - (c) No *Sewer Service Pipe* may be installed in, over or across the property of another person or located on an easement, or statutory right-of-way except by the written consent of the *Owners* concerned and the approval of the *District* in writing.
 - (d) Except as otherwise provided in this section, or directed in writing by the *Manager*, separate and independent *Private Sewer Service Pipes* shall be provided to each building served by the *Arbutus Ridge Sewer System*.
 - (e) Separate and independent *Sewer Service Connections* shall be supplied to semi-detached residential *Units* where each *Unit* is separately owned and to row housing *Units*, other than dwelling *Units* registered or to be registered under the B.C. The Strata Property Act, where each *Unit* is separately owned.
 - (f) Where more than one (1) parcel of land or *Premises* under separate ownership are served by a single *Sewer Service Pipe*, the *Manager* may order the affected *Consumers* to disconnect from the single *Sewer Service Pipe* and connect directly to the *Sewermain* and all connection and plumbing alteration costs shall be borne by the *Consumers*.
 - (g) If any *Sewer Service Pipe* is found not to comply with the drawings submitted, and approved by the *Manager*, pursuant to Section 5.4 (a) and (b), the *District* shall not accept sewage from the *Premises* served by the said pipe until such time as the installation is made to agree with the approved drawings.
 - (h) Where CVRD records indicate a *Sewer Service Connection* exists to the property line of a parcel of land, the applicant shall make a reasonable effort at his own expense to find the service in a workman-like manner based on the information available. If the service cannot be found in consultation with the CVRD, the CVRD will determine a course of action which may include looking for the existing service or installing a new *Sewer Service Connection*. This cost shall be borne by the *Applicant*.
 - (i) If it is determined that "as-constructed" records were incorrect and a *Sewer Service Connection* does not exist, then an extension to the existing service or a new service connection will be installed at the *Applicant's* cost based on the direct and indirectly related cost incurred by the CVRD to carry out the work.
5. (a) The *Owners* of land shall be responsible for the installation of *Private Sewer Service Pipes* joining *Sewer Service Connection*.

.../14

- (b) The *Owners* or occupants of land whose *Premises* are served by the *Arbutus Ridge Sewer System* are responsible for providing a readily accessible 100-mm diameter clean-out, inspection chamber, pursuant to Section 5.4 (a) and (b), as near as possible at the point of connection between the *Private Sewer Service Pipe* and the *Sewer Service Connection*.
- (c) *Private Sewer Service Pipe* shall be installed in accordance with the requirements of the British Columbia Plumbing Code, and the requirements of other agencies having jurisdiction, and shall be constructed by the *Owner* entirely at his own expense. The *Private Sewer Service Pipe* shall be inspected by a CVRD representative prior to backfilling.
- (d) The *Private Sewer Service Pipe* shall be maintained by the property *Owner* at his sole expense. Where any *Sewer Service Pipe* becomes stopped, or otherwise fails to function, the *Owner* or occupier of the *Premises* served shall first determine that the blockage is not located in his *Private Sewer Service Pipe*, and then notify the *Manager* forthwith, and the *Manager* shall, as soon as practicable, arrange to have said *Arbutus Ridge Sewer System* or *Sewer Service Connection* unstopped or otherwise restored to serviceable condition.
- (d) Where any stoppage or failure is found to exist in the *Sewer Service Connection* or *Private Sewer Service Pipe* and can be attributed to the user or occupant, then all costs incurred by the *District* in restoring service and unstopping the *Sewer Service Connection* or *Private Sewer Service Pipe* shall be paid by such *Owner* upon demand and if unpaid on the thirty-first (31) day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.
- (f) When any *Private Sewer Service Pipe* is abandoned, the *Owner* or his agent shall notify the *Manager* and the *Owner* shall effectively block up the building *Sewer* at the *Sewer Service Connection* with a watertight seal to be inspected and approved by the *Manager*.
- (g) Whenever practical the *Sewer Service Connection* shall be installed prior to installation of the *Private Sewer Service Pipe* and connection of the *Private Sewer Service Pipe* to the *Sewer Service Connection* shall be made by the *Owner*. The *District* shall not be responsible to meet the elevation or connect to an existing *Private Sewer Service Pipe* installed by the *Owner* prior to installation of the *Sewer Service Connection*.
- (h) No *Private Sewer Service Pipe* shall be connected to a *Sewer Service Connection* until it has been inspected and approved by the *Manager*.
- (i) Where, in the opinion of the *Manager*, the infiltration and inflow from a *Private Sewer Service Pipe* exceeds that which would normally be associated with such pipe works and plumbing fixtures forming part of the *Private Sewer Service Pipe*, the *Manager* may require the *Owner* to rectify the problem within reasonable time and entirely at the *Owner's* cost.

.../15

6. (a) Where, in the opinion of the *Manager*, the *Sewer Service Connection* necessitates the installation of a manhole or inspection chamber at the property line, then the installation of the manhole or inspection chamber shall be the responsibility of the *Applicant* or *Owner* and the costs of such installation shall be borne by the *Applicant* or *Owner*.
 - (b) The *Manager* may connect if required a *Sewer Service Connection* to an existing manhole.
 - (c) Where, in the opinion of the *Manager*, a manhole or inspection chamber is required on the *Sewer Service Connection* but not yet constructed, the *Manager* may install the *Sewer* pipe and leave it plugged until a manhole or inspection chamber is constructed.
 - (d) Where a manhole or inspection chamber is connected after the installation of a *Sewer Service Connection*, the person constructing the manhole or inspection chamber shall connect the *Sewer Service Pipe* to the manhole or inspection chamber, as directed by the *Manager*, advise the *Manager* that such connection has taken place and request that the connection be inspected by the *Manager*.
7. Where a *Consumer* requires the replacement of a *Sewer Service Connection*, the existing *Sewer Service Connection* shall be disconnected and the cost of disconnecting the *Sewer Service Connection* as set out in Schedule C, is to be borne by the *Consumer*.
 8. No person shall make any temporary connection to any *Sanitary Sewer* except by special agreement with the *District*.

6. EXTENSION TO THE ARBUTUS RIDGE SEWER SYSTEM SERVICE AREA

1. All extensions of the *Arbutus Ridge Sewer System* shall be undertaken upon the recommendation of the *Committee* and pursuant to bylaws and policy of the *Regional Board* authorizing such extensions.
2. (a) *Owner(s)* of land within the *Arbutus Ridge Sewer System Service Area* may file with the *Manager* a written request for an extension of the *Arbutus Ridge Sewer System* and shall supply the *Manager* with such information with regard to the proposed extension as he may request. Such application shall be accompanied by a *Sewer Extension Application Charge* as set out in Schedule E.
- (b) The *Manager* shall forward all requests for extensions of the *Arbutus Ridge Sewer System* to the *Committee*.
3. Extensions of the *Arbutus Ridge Sewer System* may be undertaken upon such terms and conditions as the *Regional Board* may from time to time impose, including, but not limited to:

.../16

- (a) In the event an *Applicant* wishes to proceed with an extension to the *Arbutus Ridge Sewer System*, the *Manager* may, with the approval of the *Committee*, allow the extension, provided that the *Applicant* shall install the extension entirely at his own expense. The final cost to the *Applicant* of the *Arbutus Ridge Sewer System* extension shall be the actual cost of design and construction together with a supervision charge in the amount stated in the approval to construct the extension and may include costs directly associated with upgrading existing facilities to accommodate the proposed development together with legal costs or other related costs incurred by the *District* and the *Applicant*.
- (b) Any extension to the *Arbutus Ridge Sewer System* shall be constructed in accordance with the plans and specifications of the *District* and to the approval of the *Manager*.
- (c) Where a *Sewer* is extended, the minimum inside diameter shall be 200 mm and shall extend from the most convenient existing *Sewer* having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension. The decision regarding the point of connection to the public *Sewer* rests with the *Manager*.

7. MISCELLANEOUS SERVICES

1. The *District* is responsible for the flushing, cleaning, rodding, unblocking and repairing of *Sewer Service Connections*.
2. Where any *Private Sewer Service Pipe* is found to have been blocked or damaged through the action of the *Consumer* occupying the property served by the pipe, or through the actions of any other person, the cost of labour and materials used to repair such blockage or damage shall be the responsibility of the *Owner*.
3. The *Treasurer* shall, upon written request accompanied by payment of the fee set out in Schedule D in respect to each separate parcel of land or *Premises*, furnish any *Applicant* with a written certificate showing the arrears of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges* and *Parcel Tax* due on, or in respect of, any parcel of land or *Premises* up to the date to which such *Sewer Rates* and *Sewer Charges* were last computed, the duration of the last billing period, and the net amount billed during that period.
4. Cheques submitted by *Consumers* for the payment of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges*, or *Parcel Tax* and subsequently dishonoured by the banks on which they are drawn, will be processed by the *Treasurer* for the charge set out in Schedule D.

.../17

8. BILLING AND COLLECTING SEWER SURCHARGE RATES AND SEWER CHARGES

1. (a) All *Sewer Rates*, *Sewer Surcharge Rates*, and *Sewer Charges* shall be payable for services provided and shall be due and payable when rendered.
- (b) Subject to sub-section (c), regular billings for *Sewer Rates* or *Sewer Surcharge Rates* may be rendered annually, quarterly, monthly or bimonthly at the discretion of the *Treasurer*.
- (c) The *Treasurer* may in writing direct that any *Consumer* receive regular billings for *Sewer Rates* or *Sewer Surcharge Rates* at any periodic interval other than the intervals set out in sub-section (b).
- (d) The *Treasurer* may with reasonable notice advance or delay any regular billing of *Sewer Rates* or *Sewer Surcharge Rates*.
- (e) To protect the *District* against potential losses from unpaid *Sewer Charges*, the *Treasurer* may, at his discretion, demand in writing a security deposit by way of cash, certified cheque, letter of credit or guarantee from a *Consumer* from whom delinquent charges and fees can not be applied to property taxes.
- (f) The amount of the security deposit shall be no less than an amount equal to a *Consumer's* estimated *Sewer* bill for a period of 180 days.
2. (a) All *Sewer Rates* and *Sewer Surcharge Rates* are established in amounts that reflect a discount for prompt payment in the percentage set out in the Schedules of this bylaw.
- (b) Where any billing for *Sewer Rates* or *Sewer Surcharge Rates* remains unpaid after sixty (60) calendar days after the invoice date, the *Consumer* shall lose the discount for prompt payment set out in Schedules A and B, and/or as shown on the *Sewer* bill after the due date established by the *Treasurer*.
3. (a) All *Sewer* bills shall be distributed to *Consumers* by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the *Treasurer*.
- (b) *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* may, at the discretion of the *Treasurer*, be charged and billed to:
 - (i) the person requesting that *Sewer* services be provided, or
 - (ii) the person in occupation of the *Premises* served by the *Arbutus Ridge Sewer System*, or
 - (iii) the *Owner* of the *Premises* served by the *Arbutus Ridge Sewer System*.
- (c) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings having multiple *Units* but served by a single *Sewer Service Connection* shall be charged and billed to the *Owner* of the building unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.

.../18

- (d) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings registered under The Strata Property Act shall be billed to the strata corporation unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the Cowichan Valley Regional District office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8, or by telephone or internet banking.

9. OFFENCES AND SANCTIONS

1. Every person who:
 - (a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted, the *District*, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;
 - (b) lays or causes to be laid any pipe or *Sewer* to communicate with any pipe or *Sewer* of the *Arbutus Ridge Sewer System*, or in any way obtains use of *Sewer Services* without the consent of the *District*;
 - (c) wilfully causes the *Arbutus Ridge Sewer System* to be blocked, obstructed, or damaged in any way;
 - (d) discharges or throws, or causes, allows or permits to be discharged, deposited or thrown into any Sewer Service Area, plumbing fixtures connected thereto, manhole, inspection chamber or any other part of the *Sewer* system, any substance of any kind whatsoever that would tend to obstruct or injure the *Arbutus Ridge Sewer System*, or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the *Sewer Service*, and will be dealt with under Schedule F of this bylaw.
 - (e) maliciously, wilfully, or negligently breaks, damages, destroys, uncovers, defaces, mars or tamper with any part of the Sewer Service Area is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00.
2. Pursuant to the Local Government Act, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the Local Government Act.

10. SOURCE CONTROL

1. Refer to Schedule F for details.

.../19

11. REMAINDER OF BYLAW TO REMAIN INTACT

In the event that a Court of competent jurisdiction declares any portion of this bylaw ultra vires, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

12. FORCE AND EFFECT – SCHEDULE A

Schedule A (Sewer Surcharge Rates {Metered Water Consumption}) may come into force and effect once a CVRD metered water system is in place.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



SCHEDULE A
TO BYLAW NO. 3306

SEWER SURCHARGE RATES (METERED WATER CONSUMPTION)

Not applicable.



SCHEDULE B

TO CVRD BYLAW NO. 3306

SEWER SERVICE CHARGES

(a) *Consumers of Sewer Services* who do not receive *Metered District Water*, shall pay the minimum billing set out in sub-section (b) below.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling: – Per Dwelling	\$163.00
STEP – Per Dwelling	\$138.55
Apartment: – Per Unit	\$138.55
Mobile/Modular Home Park: – Per Unit	\$163.00
RV Trailer Park/Campground:	
Site Connected to Sewer: Per serviced pad or site	\$81.50
Site not Connected to Sewer: Per pad or site	\$16.30
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per room or suite	\$65.20
b) <u>Kitchenette or Housekeeping Unit</u> - (per room or suite)	\$97.80
Restaurants - Per seat:	\$9.78
Licensed Premises - per seat:	\$9.78
Laundromat: Minimum charge for each washing machine:	\$163.00
Commercial:	
a) Minimum charge for the first 5 employees or portion thereof per shift.	\$81.50
b) Each additional 5 employees or portion thereof per shift:	\$81.50
Golf Course:	
Based on 3.5% of total sewer system operating budget or minimum of:	\$5,796.00

<u>Classification</u>	<u>Charge</u>
School: Minimum charge per classroom	\$163.00
Continuing Care Facility: Minimum charge for <u>each bed</u>	\$122.25
Bed & Breakfast/Rooming House:	
The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom	
a) Single Family Dwelling	\$163.00
b) Per guest room	\$65.20

Other (for each 259 lgal. of daily metered or estimated water consumption).
 There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached residential home, duplex or a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience stores, service establishments, and light industrial uses.

Golf Course:

Rates are based on 3.5% of the Arbutus Ridge Sewer System total operating budget, or minimum of \$11,592 annually.

Elementary School and/or High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

.../4

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The minimum charge and the volume of discharge to be apportioned for a six (6) month period for other types of developments that, in the opinion of the *Manager*, do not fall within the above classifications, shall be determined by the *Manager* and his decision shall be final.



SCHEDULE C

TO CVRD BYLAW NO. 3306

1. Parcel Tax Being Paid

The *Sewer Service Connection Charges* for property, which has been paying the annual Parcel Tax, are outlined below:

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Sewer Service* shall be accompanied by a payment equal to the *Sewer Service Connection Charge* of:

100-mm or 150-mm diameter connection.....\$300.00

plus a deposit in the amount of the *Manager's* estimate to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Sewer Service Connection* installation.

(b) Where the *Sewer Service Connection* has been installed by the subdivider entirely at his cost and the *Sewer Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Sewer Service* shall only be required to complete a Sewer Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- *First lot exempt.....n/a
- Each additional lot created.....\$3,500.00

*Where the existing *Sewer Service Connection* is not utilized, the *Subdivider* will pay a *Sewer Service Connection Charge* of \$300.00

(b) Lot not presently serviced:

- First lot.....\$300.00
- Each additional lot created.....\$3,500.00

.../2

(c) Pre-installed Sewer Connection – where the *Sewer Service Connection* has been installed by the subdivider entirely at his own cost, but the *Sewer Service Connection Charge* has not been prepaid, then the *Applicant* for *Sewer Service* shall be required to complete a *Sewer Service Connection* Application and pay the *Sewer Service Connection Charge* of \$3,500.00.

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or buildingn/a
(included under Sub-Section 1.1)
Each additional unit or building.....\$3,500.00
- (b) Presently Occupied and Serviced
Each additional *Unit* or building.....\$3,500.00

2. Parcel Tax Not Being Paid

.1 EXISTING LOT:
(permits servicing of one *unit* or *building*)\$3,500.00

.2 EXISTING LOT TO BE SUBDIVIDED:
Each and every newly created *Lot*\$3,500.00

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building n/a
(Included under Section 2.1 above)
Each additional *Unit* or building.....\$3,500.00
- (b) Presently Occupied and Serviced
Each additional *Unit* or building.....\$3,500.00

3. High Flow Rates

The above *Sewer Service Connection Charge* shall be levied where applicable; however, where in the opinion of the *District*, the flow rates from the intended use or from a change in use of a *Lot, Unit* or *Building*, exceeds maximum daily flow of 2.5 cubic metres per day (550 Imperial gallons per day), then the *Applicant* may be required to pay additional *Sewer Service Connection Charges* in proportion to the flow rates as determined by the *District*, and/or complete an application of a Waste Discharge Permit. The decision of the *District* shall be final.

.../3

4. Other

The above Sewer Service Connection Charge shall be levied where applicable, however, where in the opinion of the *District*, the flow rates from the intended use or change in use of a *Lot, Unit* or *Building* may be limited, temporary or seasonal, the *Applicant* may submit a detailed report for review by the *District* to determine if the *Sewer Service Connection Charge* may be adjusted to suit the intended use. The decision of the *District* shall be final.

5. Disconnection of a Sewer Service Connection

Where a *Sewer Service Connection* is to be abandoned and must be disconnected as determined by the *Manager*, the cost to the *Owner* of the property serviced shall be based on the actual cost to complete the work required plus a 10% administration charge.

6. Re-use of Abandoned Sewer Service Connection

Inspection fee of previously abandoned, or disused,
Sewer Service Connection -----\$50.00, plus the actual cost of a video inspection



C·V·R·D

SCHEDULE D

TO CVRD BYLAW NO. 3306

MISCELLANEOUS CHARGES

1. Supply statement of account
pursuant to Section 7 (3)No Charge
2. Processing dishonoured cheques
pursuant to Section 7 (4).No Charge



C·V·R·D

SCHEDULE E

TO CVRD BYLAW NO. 3306

SEWER EXTENSION CHARGES

All applications for extension of the *Arbutus Ridge Sewer System* shall be accompanied by a *Sewer Extension Application Fee* calculated as follows:

(a) Applications to Serve Subdivisions:

A fee of **\$500.00**, plus \$50.00 per lot to be created by the proposed subdivision.

(b) Other Applications:

A fee of **\$25.00** plus \$100.00 per hectare (or part thereof) of land proposed to be serviced.



C·V·R·D

SCHEDULE F

TO CVRD BYLAW NO. 3306

SOURCE CONTROL

1. DISCHARGES TO SEWERS

- .1 No person shall directly or indirectly *Discharge* or allow or cause to be *Discharged* into a *Sewer* connected to a *Sewage Facility* operated by the *District*, any waste which, at the point of discharge, contains:
 - (a) Any *Prohibited Waste*, as described in Article "A".
 - (b) Any *Restricted Waste*, at a concentration in excess of the limits set out in Article "B"; unless that person has first obtained a *Waste Discharge Permit* or *Authorization*.
 - (c) Any *High Volume Discharge* unless that person has first obtained a *Waste Discharge Permit* or *Authorization*; or
 - (d) Any *Uncontaminated Water* in a volume greater than 2.0 cubic metres per day without prior *Authorization* from the *Manager*.
 - (e) Any *Stormwater* without prior *Authorization* from the *Manager*.
- .2 No person shall directly or indirectly *Discharge*, or allow or cause to be *Discharged* into a *Sewer* connected to a *Sewage Facility* operated by the *District* any water or other *Substances* for the purpose of diluting any *Non-domestic Waste*.
- .3 In order to obtain and maintain the *Authorization* referred to in paragraph 2.1(d), where the *Uncontaminated Water* is produced on property, other than *Residential Property*, and is from a source other than a *Waterworks*, a person shall:
 - (a) install and thereafter maintain, at that person's expense, a meter on the water supply generating the *Authorized Discharge*; and
 - (b) supply to the *Manager*, by the tenth (10th) of each month, an accurate calculation of the volume of water measured pursuant to paragraph 2.4(a).

.../2

- 4 Every person who directly or indirectly *Discharges Waste* or *Substances* produced, treated, handled, or stored on property other than *Residential Property* into a *Sewer* connected to a *Sewer Facility* operated by the *District* shall, as a condition of that *Discharge*:
 - (a) provide and maintain facilities to prevent accidental *Discharge*, or a *Discharge* contrary to this Schedule for *Substances* which, if accidentally *Discharged*, would constitute *Prohibited* or *Restricted Waste*;
 - (b) post, and keep posted, permanent signs in conspicuous locations on the *Premises* displaying the name, telephone number of the person to call as prescribed in Article "C" in the event of accidental *Discharge* of a *Prohibited* or *Restricted Waste*; and
 - (c) inform employees, who may cause or discover the *Discharge* of *Prohibited* or *Restricted Waste*, of the notification procedures set out in Section 5 of this Schedule.
- .5 *Oil and Grease* interceptors shall be installed for all food preparation facilities including restaurants, canning operations, killing and processing facilities, as close to the source of the *Waste* material as practical.
- .6 *Oil and Grease* and sand interceptors shall be installed for all vehicle repair and maintenance establishments and service stations, as close to the source of the *Waste* material as practical.
- .7 Separate sand traps and *Oil and Grease* interceptors shall be installed for all establishments that provide vehicle or equipment washing facilities. Sand traps shall be located upstream from the *Oil and Grease* interceptors, and shall have a minimum liquid depth of 1 metre and a maximum overflow rate of 8 L/m/m² under peak flow conditions. Sand and silt shall be removed from sand traps before these materials occupy 25 percent of the liquid depth. Accumulated *Oil and Grease* shall be skimmed off the surface of the interceptors and other sumps often enough to prevent these materials from escaping to the *Sewer*.
- .8 Interceptors are required for all industries or commercial establishments as necessary for the removal of grease, flammable wastes, sand, grit or other restricted substances.
- .9 All interceptors shall be installed on the parcel, upstream of the *Service Connection* and shall be located as to be readily accessible for cleaning and inspection.
- .10 All interceptors shall be maintained by the *Owner* or occupier in efficient operation at all times.
- .11 Volume Restriction: *Wastewater* or other *Water* shall not be *Discharged* into the *Sanitary Sewer* System in a volume that causes the *Sanitary Sewer* System to back up or leak at any point.

.../3

- .12 Special Control Manholes and Flow Meters: Any *Owner* or occupier of *Premises* that are the location of a facility that is discharging or likely to *Discharge Wastewater* to the *Sanitary Sewer* System in a volume that exceeds 90 m³ per month shall install a control manhole and flow meter on the building *Sewer* at a location that is suitable for the inspection and sampling of the discharged waters.
- .13 The rate or rates of *Discharge* for various times of a twenty-four hour period for any industry connected to the *Sanitary Sewer* system shall not exceed the extra capacity of the *Sanitary Sewer* system after all the other regular users have been accommodated. Such industries shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the *Manager* to ensure that the specified flow rates shall not be exceeded.
- .14 The control manhole shall be installed and maintained at the expense of the *Owner* or occupier of the *Premises* and shall be accessible at all times to the *District*.
- .15 The control manhole shall have a barrel diameter of 1200-mm, and shall be located on a straight run of building sewer extending at least 3 metres upstream of the manhole and 2 metres downstream. The section of building sewer on which the manhole is located shall have a gradient not exceeding 2 percent.
- .16 If the *Manager* deems necessary, a permanent flow meter (e.g. "Palmer Bowlus") shall be installed as an integral part of the control manhole, and shall be sized to suit the peak design flows.

2. WASTE DISCHARGE PERMITS AND AUTHORIZATIONS

- .1 The *Manager* may issue a *Waste Discharge Permit* or *Authorization* to allow a *High Volume Discharge*, or to allow the *Discharge* of *Waste* other than *Domestic Sewage* upon such terms and conditions as the *Manager* considers appropriate for the protection of *Sewers*, sewage facilities, human or animal health and safety, and the environment, and without limiting the generality of the foregoing, may in the *Waste Discharge Permit* or *Authorization*;
 - (a) place limits and restrictions on the quantity, frequency of *Discharge*, and the nature of the *Waste* permitted to be discharged;
 - (b) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to repair, alter, remove, or add works, or construct new works to ensure that the *Discharge* will comply with the *Waste Discharge Permit* or *Authorization*, this Schedule, and any *Enactment*;

.../4

- (c) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to monitor the *Waste* being discharged under the *Waste Discharge Permit* or *Authorization* in the manner specified by the *Manager*, and to provide information concerning the *Discharge* as requested by the *Manager* including, but not limited to, routine maintenance check dates, cleaning and *Waste* removal dates, and the means of disposal of accumulated *Wastes* and *Waste* treatment residuals;
 - (d) require the holder of the *Waste Discharge Permit* or *Authorization* to submit to the *Manager* detailed plans and operating procedures for all existing facilities installed on the *Premises* for the purpose of preventing accidental *Discharge*;
 - (e) require compliance by the holder of the *Waste Discharge Permit* or *Authorization* with such other *Enactments* as the *Manager* considers necessary or desirable in the circumstances;
 - (f) make such other requirements as the *Manager* deems necessary or desirable.
- .2 Notwithstanding paragraphs 2.1(b) and (c), the *Manager* may require any *Applicant* or person to obtain a *Waste Discharge Permit* or *Authorization* for the *Discharge* of any *Non-domestic Waste* that is not a *High Volume Discharge* or a *Restricted Waste*.
 - .3 Upon receipt of notice under subsection 3.2, the *Applicant* or person receiving the notice shall, within 30 days, apply for a *Waste Discharge Permit* or *Authorization* and shall provide to the *Manager* such information relating to the *Discharge* of *Non-domestic Waste* by that person as the *Manager* may require.
 - .4 The *Manager* may suspend or revoke a *Waste Discharge Permit* or *Authorization* for a failure to comply with the terms and conditions of the *Waste Discharge Permit* or *Authorization*, or for any failure to comply with this Schedule, or any *Enactment* applicable to the *Discharge* of *Waste* into a *Sanitary Sewer* connected to a *Sewage Facility* operated by the *District*.
 - .5 (a) A *Waste Discharge Permit* or *Authorization* may not be transferred or assigned without the *Manager's* consent in writing.
(b) The *Manager* may withhold consent where there has been a breach of this Schedule or a condition of the *Waste Discharge Permit* or *Authorization*.
 - .6 An application for a *Waste Discharge Permit* for a new *Discharge*, or an amendment to an existing *Waste Discharge Permit*, shall be made to the *Manager* on the form attached hereto as Article "C", and shall be accompanied by such information, drawings, and specifications as may be required under Article "C".

.../5

3. MAINTENANCE OF WORKS AND PROCEDURES

- .1 It is a condition of the *Discharge* of *Waste* (produced on property other than *Residential Property*) into a *Sanitary Sewer* by a person who holds a *Waste Discharge Permit* or *Authorization*, or who otherwise discharges *Waste*, that all measures be taken to keep all equipment and facilities maintained and in good repair as may be necessary to ensure compliance with the terms and conditions of this Schedule, a *Waste Discharge Permit* or *Authorization*.
- .2 No person shall Discharge or allow or cause to be discharged, into a *Sewage Facility* or a *Sewer* connected to a *Sewage Facility* operated by the *District*, *Non-domestic Waste*, which has bypassed any *Waste* control works *Authorized* and required by the *Manager*, or which is not otherwise in compliance with this Schedule.

4. RECORDS RETENTION

- .1 Holders of a *Waste Discharge Permit* or *Authorization* permitting the *Discharge* of *Waste* produced on property other than *Residential Property*;
 - (a) shall retain and preserve for not less than six (6) years after their creation, any records, books, documents, memoranda, reports, correspondence, and any and all summaries of such documents, relating to monitoring, sampling and chemical analysis required by the *Manager*, a *Waste Discharge Permit*, or *Authorization*.
 - (b) shall retain and preserve all records that pertain to issues that are the subject of administrative action or any other enforcement or litigation activities by the *District* until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

5. NOTIFICATION

- .1 Any person who discharges *Waste* or allows the *Discharge* of *Waste* into a *Sewer* or a *Sewage Facility* in contravention of any *Waste Discharge Permit*, or *Authorization*, or that is otherwise in contravention of this Schedule, after becoming aware of the *Discharge*, shall stop the *Discharge*, and after reporting the *Discharge* in accordance with the *Spill Reporting Regulation* shall immediately notify:
 - (a) the *Manager* by telephone and provide the information specified in Sub-section 6.2;
 - (b) the *Owner* of the *Premises*; and
 - (c) any other person whom the person reporting knows, or reasonably should know, may be directly affected by the *Discharge*.
- .2 The *Manager* shall be supplied with the following information:
 - (a) identification of the *Premises* where the *Discharge* occurred;

.../6

- (b) location of the *Discharge*;
 - (c) name of the person reporting the *Discharge* and telephone number, or numbers, where that person can be reached;
 - (d) date, time and duration of the *Discharge*;
 - (e) type and concentration of all *Substances* discharged and any known associated hazards;
 - (f) total weight or volume of the material discharged; and
 - (g) corrective action being taken, or anticipated to be taken, to control the *Discharge* or to prevent similar *Discharges*.
- .3 A person who discharged or allowed a *Discharge* of *Waste* referred to in Subsection 6.1 shall, as soon as that person becomes aware, or reasonably should have become aware of the *Discharge*, take all reasonable measures to:
- (a) confine, minimize, counteract, mitigate, remedy, and repair the effects of the *Discharge*; and
 - (b) remove or otherwise dispose of the *Substance* discharged in a manner consistent with this Schedule and other applicable *Enactments*.
- .4 A person operating under a *Waste Discharge Permit* shall notify the *Manager* in writing not less than 90 days prior to:
- (a) commencing a new activity; or
 - (b) expanding or changing an existing activity;
- which affects or may affect the average composition, or the total volume of *Waste* discharged by that person.

6. POWERS OF THE MANAGER

- .1 The *Manager* may enforce the provisions of this Schedule.
- .2 The *Manager*, or any person *Authorized* by the *Manager*, may at any reasonable time and upon presentation of proof of his identity, enter upon any property or *Premises* in order to ascertain whether the terms of a *Waste Discharge Permit*, an *Authorization* have been, or are being complied with, or the regulations of this Schedule are being observed.
- .3 Nothing in this Schedule shall be interpreted as restricting the powers of the Regional Manager of the Ministry of Environment under the *Environmental Management Act* of British Columbia and Regulations, or of the *Manager*.

.../7

7. MONITORING OF DISCHARGES

- .1 A *Manager*, may require that a person who is discharging any *Waste* other than *Domestic Sewage* into a *Sewer* shall, at his expense, install one or more *Monitoring Points* suitable for inspection, flow monitoring, and sample collection at locations determined by the *Manager*, to be constructed in accordance with plans approved by the *Manager* and maintained in good working order by the person.
- .2 A *Monitoring Point* required under subsection 7.1 shall be installed in a manner so as not to be affected by any *Discharge* of *Domestic Waste* from a *Premises*, unless otherwise *Authorized* by the *Manager*.
- .3 A *Monitoring Point* required under subsection 7.1 shall, for the purposes of enforcing this Schedule, be deemed to be the point or points at which a *Discharge* into a *Sewer* or *Sewage Facility* is made.
- .4 In the absence of a *Monitoring Point* under subsection 7.1, the point of *Discharge* into a *Sewer* or *Sewage Facility* shall, for the purposes of enforcing this Schedule, be the location determined by the *Manager* where access can be had to the *Waste* for the purpose of sampling.
- .5 Where a person is required to install a *Monitoring Point* under subsection 7.1, and the person cannot comply with such requirement within 60 days of being notified of the requirement by the *Manager*, the person shall, within 60 days of the notice being issued by the *Manager*, inform the *Manager* of his inability to install the *Monitoring Point* and the *District* may install, or cause to be installed, the *Monitoring Point* at the person's expense.
- .6 The *Owner* of a *Premises* shall ensure that all *Monitoring Points*, flow measuring devices and other devices specified in the *Waste Discharge Permit*, including water meters, are accessible for inspection by the *Manager* at all times.
- .7 The *Manager* may require that a person who is discharging *Waste* into a *Sewer* undertake, at that person's expense, sampling and analysis of the *Waste* discharged.
- .8 All sampling and analysis required by a *Manager* shall be carried out in accordance with methods and procedures specified in *Standard Methods* or in a manner specified by the *Manager*.
- .9 Samples which have been collected as the result of a requirement of the *Manager* shall be analysed by an independent agency or by a laboratory *Authorized* by the *Manager*.

8. OFFENCES AND PENALTIES

- .1 A person who contravenes this Schedule, a *Waste Discharge Permit*, or *Authorization* issued under this Schedule, or other requirement made or imposed under this Schedule, is guilty of an offence and is liable to a fine not exceeding \$10,000.00.

.../8

- .2 Where an offence is committed or continues 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 \$10,000.00 may be imposed for each day on or during which an offence occurs or continues.
- .3 Nothing in this Schedule shall limit the *District* from pursuing any other remedy that would otherwise be available to the *District* at law.

9. GENERAL

- .1 No person shall hinder or prevent the *Manager*, or a Bylaw Enforcement Officer, from entering any *Premises* or from carrying out his duties with respect to the administration of this bylaw.
- .2 Nothing in this Schedule shall be interpreted as relieving a person discharging *Waste* from complying with federal, provincial and local government *Enactments* governing the *Discharge of Waste* into *Sewers*.
- .3 Where the *Regional Board* has authority to direct that a matter or thing be done by a person, the *Regional Board* may also direct that, if the person fails to take the required action, the matter, or thing, shall be done at the expense of the person in default in accordance with the Local Government Act. If action in default is taken, the *Regional Board* may recover the expense from the person, together with costs and interest at the rate prescribed under Section 11(3) of the Taxation (Rural Area) Act, in the same manner as municipal taxes.
- .4 The Articles annexed hereto shall be deemed to be an integral part of this Schedule.
- .5 If any provision of this Schedule is found to be invalid by a court of competent jurisdiction it may be severed from the Schedule.
- .6 The headings in this Schedule are inserted for convenience of reference only.

ARTICLE "A"
PROHIBITED WASTE

Prohibited Waste means:

1. *Special Waste:*
Special Waste as defined by the Environmental Management Act of British Columbia and its Regulations.
2. *Air Contaminant Waste:*
Any *Waste* other than *Sanitary Waste* which, by itself or in combination with another *Substance*, is capable of creating, causing or introducing an *Air Contaminant* outside any *Sewer* or *Sewage Facility*, or is capable of creating, causing or introducing an *Air Contaminant* within any *Sewer* or *Sewage Facility* which would prevent safe entry by *Authorized* personnel.
3. *Flammable or Explosive Waste:*
Any *Waste*, which by itself or in combination with another *Substance*, is capable of causing, or contributing to an explosion, or supporting combustion in any *Sewer* or *Sewage Facility* including, but not limited to gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.
4. *Obstructive Waste:*
Any *Waste* which by itself, or in combination with another *Substance*, is capable of obstructing the flow of, or interfering with, the operation or performance of any *Sewer* or *Sewage Facility* including, but not limited to, earth, sand, sweepings, gardening, or agricultural waste, ash, chemicals, paint, metal, glass, *Sharps*, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.
5. *Corrosive Waste:*
Any *Waste* with corrosive properties which, by itself, or in combination with any other *Substance*, may cause damage to any *Sewer* or *Sewage Facility*, or which may prevent safe entry by *Authorized* personnel.
6. *High Temperature Waste:*
 - (a) Any *Waste* which, by itself or in combination with another *Substance*, will create heat in amounts which will interfere with the operation and maintenance of a *Sewer* or *Sewage Facility*, or with the treatment of *Waste* in a *Sewage Facility*;
 - (b) Any *Waste* which will raise the temperature of *Waste* entering any *Sewage Facility* to 40 degrees Celsius (104 degrees Fahrenheit), or more;
 - (c) Any *Non-domestic Waste* with a temperature of 65 degrees Celsius (150 degrees Fahrenheit), or more.

7. **Biomedical Waste:**

Any of the following categories of **Biomedical Waste**; human anatomical waste, animal waste, untreated microbiological waste, waste **Sharps** and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Bio-safety Guidelines" published by Health and Welfare Canada and dated 1990.

8. **PCBs, Pesticides:**

Any **Waste** containing **PCBs** or **Pesticides**.

9. **Miscellaneous Wastes:**

Any **Waste**, other than **Sanitary Waste**, which by itself, or in combination with another **Substance**:

- (a) constitutes or may constitute a significant health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a **Discharge** from a **Sewage Facility** to contravene any requirements by or under any BC Waste Management Discharge Permit, or any other act, law or regulation governing the quality of the **Discharge**, or may cause the **Discharge** to result in a hazard to people, animals, property or vegetation;
- (d) may cause **Biosolids** to fail criteria for beneficial land application in British Columbia as set out in the draft "Guidelines for the Disposal of Domestic Sludge under the Environmental Management Act, prepared by the Ministry of Water, Land and Air Protection and dated 1983, or may cause the emissions from a **Wastewater Sludge** combustion facility to be out of compliance with appropriate permits, or may cause the ashes from a **Wastewater Sludge** combustion facility to be considered a **Special Waste** under the Environmental Management Act of British Columbia.

ARTICLE "B"

RESTRICTED WASTE

Restricted Waste means:

1. Any *Waste* which, at the point of *Discharge* into a *Sewer*, contains any *Contaminant* at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the *Contaminant*, whether dissolved or undissolved. The concentration limits apply to both *Grab* and *Composite Samples*. *Contaminant* definitions and methods of analysis are outlined in *Standard Methods* or methods specified by the *Manager*.

Any of the *Contaminants* listed below in tables (a), (b) or (c) that are present in a *Waste* at dissolved concentrations in excess of the *Special Waste Regulation Leachate Quality Criteria* will qualify that *Waste*, regardless of the sampling method used, as a *Special Waste*.

(a) CONVENTIONAL CONTAMINANTS (mg/L)	
Biochemical Oxygen Demand (<i>BOD</i>)	300
Chemical Oxygen Demand (<i>COD</i>)	600
<i>Oil and Grease</i>	100
Suspended Solids	350
Total Nitrogen	80
Total Phosphorous	10

NOTE: *Total *Oil and Grease* includes Petroleum Hydrocarbons (see table (b)).

(b) ORGANIC CONTAMINANTS (mg/L)	
Benzene, Ethyl Benzene, Toluene, Xylene (BETX)	1
Chlorinated <i>Phenols</i>	1.0
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
Phenols	1
Petroleum Hydrocarbons	15

(c) INORGANIC CONTAMINANTS (mg/L)	
Aluminium (Al)	50.0
Arsenic (As)	1.0
Boron (B)	50.0
Cadmium (Cd)	0.2
Chromium (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	1.0
Iron (Fe)	10.0
Lead (Pb)	1.0
Manganese (Mn)	5.0
Mercury (Hg)	0.05
Molybdenum (Mo)	1.0
Nickel (Ni)	2.0
Silver (Ag)	1.0
Sulphate (SO ₄)	1500

Sulphide (S)	1.0
Tin (Sn)	5.0
Zinc (Zn)	3.0

2. **Food Waste:**
Any *Non-domestic Waste* from cooking and handling of food that, at the point of *Discharge* into a *Sewer*, contains particles larger than 0.5 centimetres in any dimension.

3. **Radioactive Waste:**
Any *Waste* containing *Radioactive Materials* that, at the point of *Discharge* into a *Sewer*, exceed radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. **pH Waste:**
Any *Non-domestic Waste* which, at the point of *Discharge* into a *Sewer*, has a *pH* lower than 5.5 or higher than 9.5 as determined by either a *Grab* or a *Composite Sample*.

5. **Dyes and Colouring Material:**
Dyes or colouring materials which may pass through a *Sewage Facility* and discolour the effluent from a *Sewage Facility* except where the dye is used by the *District*, or one or more of its *Municipalities*, as a tracer.

.../13

ARTICLE "C"

WASTE DISCHARGE PERMIT APPLICATION

This Information Sheet is provided to assist you in the preparation and submission of an application for a *Waste Discharge Permit* under the CVRD – Arbutus Ridge Sewer System Management Bylaw No. 3306, 2009. Once the form has been completed, initial each page and sign the declaration. To assist the CVRD Engineering & Environmental Services Department in processing of the application, please make an accurate, readable and complete submission to the address provided below.

A. APPLICATION FORMS

1. COMPANY INFORMATION:

Indicate the company name, incorporation number, type of business, and location of the business. If your business or organization has more than one site address, please copy this form and complete a separate application for each site.

2. SUMMARY OF EFFLUENT DISCHARGE CHARACTERISTICS:

Complete this section to indicate *Discharge* duration, volume and quality.

3. NUMBER OF CONNECTIONS:

List the number and type of connections to *Sewer*.

4. SOURCES OF WASTEWATER:

Where *Non-domestic Waste* is being discharged to *Sanitary Sewer* or *Storm Sewer*, list any pre-treatment works and the actual source of the wastewater.

5. SITE PLAN:

A site plan must be submitted. Clearly mark the plant boundary, buildings, and approximate locations of new and existing works, *Monitoring Points* and *Sewer* connections.

6. DECLARATION FORM:

The application form must be signed. Please ensure that the first box in the Declaration Section is complete. An application may be filed by an agent of the *Applicant* and, unless the *Manager* deems otherwise, an obligation imposed by this Schedule on an *Applicant* may be carried out by his agent. If you wish to appoint an agent, please complete the appropriate box in the Declaration Section.

B. ADDITIONAL INFORMATION

1. Specifications and drawings of process equipment and control works associated with the *Discharge* should be submitted to assist the CVRD's Engineering & Environmental Services Department with the evaluation of the application. The *Manager* may request submission of additional details relevant to the application. Should additional application forms be required, they may be obtained from:

Cowichan Valley Regional District
Engineering & Environmental Services Department
175 Ingram Street
Duncan, BC V9L 1N8

2. In the event of accidental *Discharge* of a *Prohibited* or *Restricted Waste* to a *Sewer* (as described under Articles A and B of this Schedule), please contact *CVRD Engineering & Environmental Services Department*, Tel (250) 746-2530, Fax (250) 746-2543.

APPLICATION FOR A WASTE DISCHARGE PERMIT

Application for a *Waste Discharge Permit* under the Arbutus Ridge Sewer System Management Bylaw No. 3306, 2009. This application is to be filed with the *Manager*, as described in Article C, Section B.1, not less than 90 days prior to the date for which a Permit is required.

1. I, _____
(Full name - if a company, British Columbia Registered Name)

Registered Address: _____

Incorporation Number: _____

hereby apply for a *Waste Discharge Permit* to *Discharge Non-domestic Waste* into *Sanitary Sewer* from a:

(Type of Business)

Located at: _____

2. Summary of Wastewater Discharge Characteristics:

Maximum Duration of Operation: (hours/day) _____
(days/week) _____
(weeks/year) _____

Flow:

Is the *Discharge* greater than 90 m³ in a 30 day period?: yes no

Frequency:

Maximum *Discharge* flow rate: _____ (m³/day)

Average daily *Discharge* flow rate: _____ (m³/day)

Method of flow rate determination: _____

measured estimated

(NOTE: 1 m³ = 220 Imperial gallons, or 264 U.S. gallons)

Type of *Discharge*:

continuous batch both

Quality:

Use the check boxes to indicate whether any of the following types of *Wastes* are discharged:

Flammable or explosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Obstructive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
<i>Air Contaminant</i> waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
High temperature waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Corrosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no

Biomedical Waste

yes

no

Food waste

yes

no

Radioactive Waste

yes

no

Special Waste:

Does any process within the plant produce *Special Waste* as defined under the *Special Waste Regulation* of the *Environmental Management Act* of British Columbia?

yes

no

do not know

Wastewater Characteristics:

In the space provided below, check the appropriate box for each *Wastewater Contaminant* to indicate whether the *Contaminant* listed is "known to be present", "suspected to be present", "suspected to be absent", or "known to be absent", in the *Wastewater Discharge*.

If a *Contaminant* is "known to be present", or "suspected to be present", estimate the expected average and maximum daily *Contaminant* concentrations in the spaces provided.

If *Wastewater Discharges* have been sampled and analysed in the past, please attach examples of sampling data.

Wastewater Contaminants	<i>Known to be present</i>	<i>Suspected to be present</i>	<i>Suspected to be absent</i>	<i>Known to be absent</i>	<i>Expected Concentration mg/L (ppm)</i>	
					<u>Average</u>	<u>Maximum</u>
<u>Conventional Contaminants:</u>						
Ammonia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Biochemical Oxygen Demand (BOD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chemical Oxygen Demand (COD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Phosphorous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Suspended Solids	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Nitrogen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Oil and Grease (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
pH max__ min ____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<u>Organic Contaminants:</u>						
Petroleum Hydrocarbons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (chlorinated)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Polycyclic Aromatic Hydrocarbons (PAH)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Ethylbenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Toluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Wastewater Contaminants	<i>Known to be present</i>	<i>Suspected to be present</i>	<i>Suspected to be absent</i>	<i>Known to be absent</i>	<i>Expected Concentration mg/L (ppm)</i>	
					<u>Average</u>	<u>Maximum</u>
Xylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Solvents (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<u>Inorganic Contaminants</u>						
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chromium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cobalt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cyanide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Iron	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Lead	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Manganese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Mercury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Molybdenum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Sulphate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Tin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Zinc	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

3. **Number of Connections to Sewer:**

a. **Sanitary Sewer:**

Domestic Waste only _____

Non-domestic Waste only _____

Combined domestic and *Non-domestic Waste* _____

(Note connection locations on attached site plan.)

Will *Stormwater* be *discharged* to *Sanitary Sewer*?

Yes Volume _____ m³/day No

Will contaminated or uncontaminated water be *discharged* to *Sanitary Sewer*?

(Note connection locations on attached site plan.)

Yes Volume _____ m³/day No

4. **Sources of Wastewater Discharge to Sewer:**

(Note location of sources and control works on attached site plan.)

SOURCE OF *WASTEWATER* CONTROL WORKS TREATING EACH SOURCE
PRIOR TO *DISCHARGE TO SEWER** (e.g. Trade Waste Interceptor)

a. **Sanitary Sewer:**

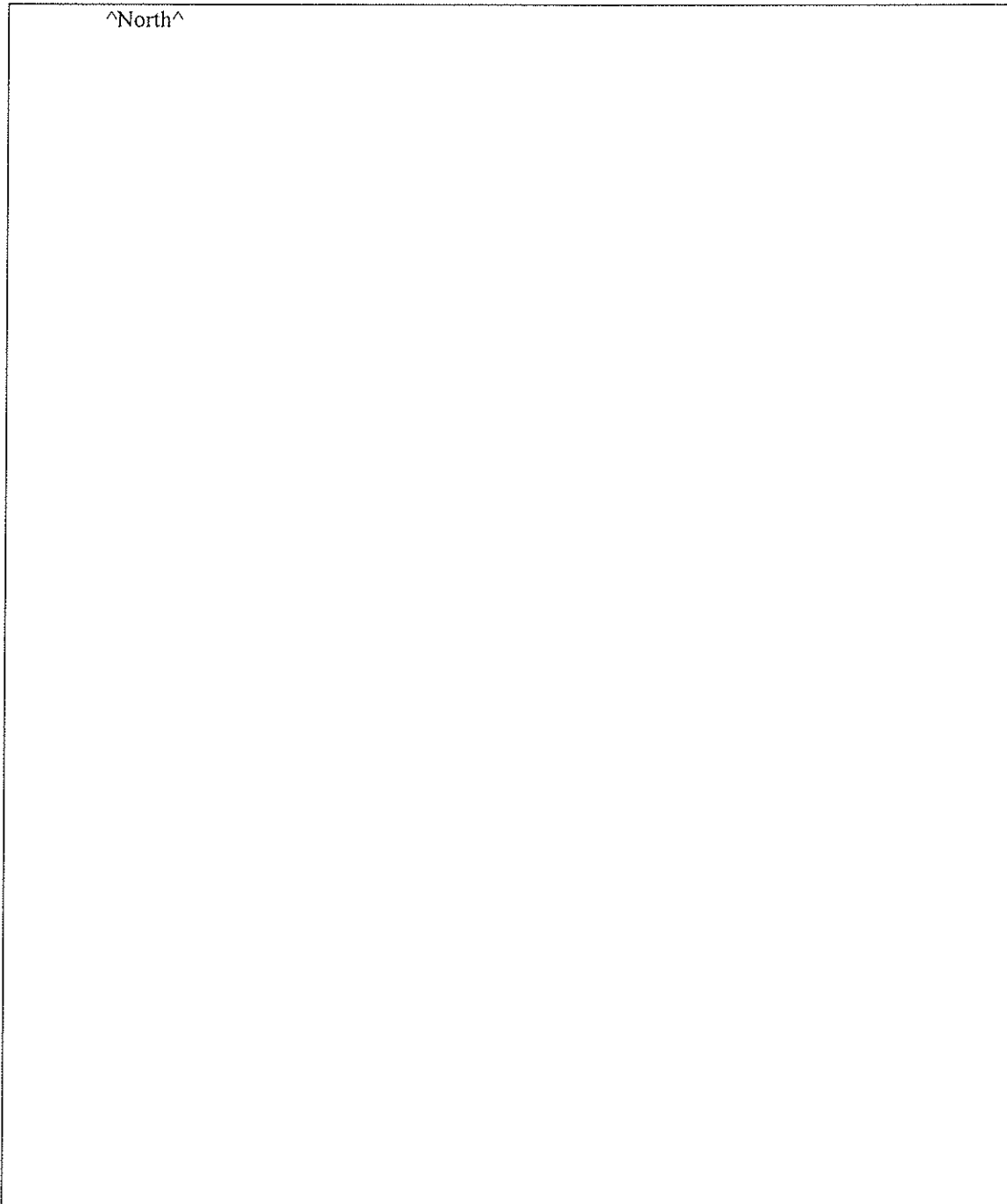
*Control Works include: oil/water separators, grease traps, filters, electrolytic precipitators, reverse osmosis units, ion exchange units, neutralization facilities and other *Wastewater* pre-treatment works.

5. **Site Plan:**

Sketch a site plan in the area provided below or attach a site plan to this application form. The plan shall include property lines, buildings, pre-treatment works, effluent lines, sanitary and *Storm Sewer* connections, flow measuring devices, and *Monitoring Points* (or available sampling locations).

(Include approximate scale on site plan.)

^North^



6. Declaration:

I, _____, declare that the information given on this application form is correct to the best of my knowledge.

Signature of Applicant or Agent	Date
Title	Phone Number

If you elect to appoint an Agent, please complete the following:

I, _____ / _____
Print Name Title

_____ / _____
Signature

hereby authorize _____ / _____
Print Name Affiliation

to deal with you directly on all aspects of the subject application.



C·V·R·D

SCHEDULE G

TO CVRD BYLAW NO. 3306

2009 FLAT RATE CHARGE

A flat rate charge in the amount of \$0.893 per day will be invoiced in January 2010 for each single family dwelling within the Arbutus Ridge Sewer System Service Area effective from the CVRD takeover date to December 31, 2009.

A flat rate charge in the amount of \$31.759 per day will be invoiced for the golf course property in 2009.

Properties within the service area, without homes, will not be charged in 2009.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3307

**A Bylaw for the Regulation and Management of the
Arbutus Ridge Drainage System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Drainage System Service Area* under the provision of CVRD Bylaw No. 3290, cited as "CVRD Bylaw 3290 – Arbutus Ridge Drainage System Service Establishment Bylaw, 2009" for the purpose of providing services to a defined portion of Electoral Area C – Cobble Hill;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of discharge of waste into the storm sewers and watercourses, and for terms and conditions upon which storm drainage services may be provided, and for a tariff of charges for such services;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009**".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

"*Active Floodplain*" means an area of land within a boundary that is indicated by the visible high water mark or water level of a *Stream* that is reached during annual flood events as evidenced by *Riparian Area* conditions described in the definition of "*Riparian Area*".

"*Air*" means the atmosphere but, except in a *Storm Drain* or a *Stormwater Management Facility* or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

"*Air Contaminant*" means any *Substance* or odour whether gaseous, liquid, solid, or a combination that is emitted into the air and that:

.../2

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with visibility;
- (d) interferes with or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person; or
- (f) damages or is capable of damaging the environment.

"**Biomedical waste**" means biomedical waste as defined in "Guidelines for the Management of Biomedical Waste" established by the Canadian Council of Ministers of the Environment (CCME) and dated February, 1992, or the most current regulations and guidelines as determined by the *Manager*.

"**Board**" means the Board of Directors of the Cowichan Valley Regional District.

"**Colour**" means the true *Colour* of water from which turbidity has been removed, as determined by the appropriate procedure in *Standard Methods*.

"**Composite Sample**" means a sample which is composed of equivalent portions of a specified number of *Grab Samples* collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

"**Condensed Water**" means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air-conditioning equipment and steam heating systems.

"**Contaminant**" means any *Substance*, whether dissolved or suspended, or any *Wastewater* quality parameter that, when present above a certain concentration in *Wastewater*:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with the proper operation of a sewer or *Stormwater Management Facility*;
- (d) causes or is capable of causing material physical discomfort to a person; or
- (e) damages or is capable of damaging the environment.

"**Development**" includes the construction of a building or structure, the placement of fill, the paving of land or any other alteration to land, which causes a change to the existing drainage characteristics.

"**Discharge**" means to directly or indirectly introduce a *Substance* by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

.../3

"**Domestic Waste**" means *Waste, Sanitary Waste* and the water-carried wastes from drinking, culinary uses, washing, bathing, laundering or food processing which is produced on a *Residential Property*.

"**Enactment**" means any applicable act, regulation, bylaw, order, or authorization, by a federal, provincial, regional, municipal government or their authorized representatives.

"**Fecal Coliform**" means the portion of coliform bacteria from fecal sources, as determined by the appropriate procedure in *Standard Methods*.

"**Fish-bearing Stream**" means a *Stream* in which fish are present or potentially present if introduced barriers or obstructions are either removed or made passable for fish.

"**Grab Sample**" means a sample of water or *Stormwater* collected at a particular time and place.

"**Impermeable Material**" means a paved or roof surface that prevents or retards the entry of water into the soil and which causes *Stormwater* to run off the surface in quantities and at increased flow rates greater than the quantities and the flow rates of the natural environment.

"**Improvement District**" means an Improvement District incorporated under the *Local Government Act*.

"**Manager**" means the General Manager of Engineering and Environmental Services for the *Regional District*, or his designate.

"**Non-Domestic Waste**" means all *Waste*, except domestic *Waste, Trucked Liquid Waste, Sanitary Waste, Stormwater*, and *Uncontaminated Water*.

"**Non Fish-bearing Stream**" means a *Stream* that:

- (a) is not inhabited by fish; and
- (b) provides water, food and nutrients to a downstream fish-bearing stream or other water body.

"**Oil and Grease**" means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures authorized by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids.

"**Owner**" means any person who is registered under the Land Title Act as the *Owner* of land, or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any buildings situated on the land.

"**PCB**" means any monochlorinated, dechlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

"**Permanent**" means, in relation to a *Fish-bearing Stream*, that it typically contains continuous surface waters or flows for periods more than six months in duration.

"**Permanent Structure**" means any building or structure that was lawfully constructed, placed or erected on a secure and long-lasting foundation on land in accordance with any local government bylaw or approval condition in effect at the time of construction, placement or erection.

"**Pesticides**" means *Pesticides* regulated under the Pesticide Control Act of British Columbia.

"**pH**" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

"**Pollution**" means the presence in the environment of *Substances* or *Contaminants* that substantially alter or impair the usefulness of the environment.

"**Pool**" means any water receptacle designed for decorative purposes or used for swimming, or as a bath or hot tub designed to accommodate more than one bather at a time.

"**Potential Vegetation**" is considered to exist if there is a reasonable ability for regeneration either with assistance through enhancement or naturally and is considered to not exist on that part of an area covered by a *Permanent Structure*.

"**Premises**" means any land or building or both or any part thereof.

"**Prohibited Waste**" means *Prohibited Waste* as defined in Schedule "A" to this bylaw.

"**Radioactive Materials**" means radioactive material as defined in the Atomic Energy Control Act of Canada and Regulations under that Act.

"**Ravine**" means a narrow, steep-sided valley that is commonly eroded by running water and with slope grades greater than 3:1.

"**Regional District**" means the Cowichan Valley Regional District.

"**Regional District Drainage System**" means *Storm Drains* and *Stormwater* management facilities owned or operated by the *Regional District*.

"**Residential Property**" means a property that is used primarily for the purpose of residence by persons on a *Permanent*, temporary or seasonal basis.

"**Riparian Area**" means the area adjacent to a *Stream* that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of

inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

"*Sanitary Waste*" means waste that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"*Special Waste*" means *Special Waste* as defined in the Waste Management Act of British Columbia or any legislation that replaces the Waste Management Act.

"*Special Waste Regulation*" means the *Special Waste Regulation* enacted pursuant to the Waste Management Act or any legislation that replaces the Waste Management Act.

"*Standard Methods*" means the 20th edition of "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Environment Federation, published in 1998.

"*Storm Drain*" means a pipe, conduit, drain or other equipment or facilities for the collection and transmission of *Stormwater* or *Uncontaminated Water*.

"*Stormwater*" means water resulting from natural precipitation from the atmosphere.

"*Stormwater Management Facility*" means an impoundment and appurtenant structures, connections and controls for containment, detention or retention of *Stormwater* and its delayed release at a controlled rate to a receiving *Storm Drain* or *Watercourse*.

"*Stream*" includes a pond, lake, river, creek, brook, spring or wetland.

"*Streamside Protection Area*" means an area adjacent to a *Stream* that links aquatic or terrestrial ecosystems and includes both the *Riparian Area* vegetation and the adjacent upland vegetation that exerts an influence on the *Stream*, the width of which is determined according to Section 5.

"*Substance*" includes any solid, liquid or gas.

"*Suspended Solids*" means the portion of total solids retained by a filter, as determined by the appropriate procedure in *Standard Methods*.

"*Top of Bank*" means the point closest to the wetted boundary of a *Stream* where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break.

"*Top of Ravine Bank*" means the first significant break in a *Ravine* slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the *Ravine* that could be developed.

"*Trucked Liquid Waste*" means any *Waste* that is collected and transported from the site where the *Waste* originated by means other than *Discharge* to a sewer including, but not limited to, holding tank *Waste*, septic tank *Waste*, chemical toilet contents, catch basin

Waste, Oil and Grease from interceptors or traps, and other sludge of organic or inorganic origin.

"*Uncontaminated Water*" means any water excluding *Stormwater*, but including cooling water, *Condensed Water* and water from municipal waterworks or a private water supply to which no *Contaminant* has been added.

"*Waste*" means any *Substance* whether gaseous, liquid or solid, that is or is intended to be discharged or discarded, directly or indirectly, to the *Regional District Drainage System*.

"*Wastewater*" means the composite of water and water-carried wastes from residential, commercial, industrial or institutional *Premises* or any other source.

"*Wastewater Quality Parameter*" means any parameter used to describe the quality of *Wastewater*.

"*Water*" includes surface water, groundwater and ice.

"*Watercourse*" means:

- (a) a *Stream*; or
- (b) a canal, ditch, reservoir, *Stormwater Management Facility* or other man-made surface feature designed to carry or hold water or *Stormwater*; whether it contains or conveys water continuously or intermittently.

"*Waterworks*" means any works owned by or otherwise under the control or jurisdiction of the *Regional District* that distributes, transports, or stores drinking water.

3.0 DISCHARGES TO STORM DRAINS AND WATERCOURSES

- 1) No person shall *Discharge* or allow or cause to be discharged into a *Storm Drain* or *Watercourse* any *Domestic Waste, Trucked Liquid Waste, Prohibited Waste, or Sanitary Waste*.
- 2) Despite the prohibition contained in Subsection 3(1), a person may *Discharge* into a *Storm Drain* or *Watercourse* water resulting from domestic activities customarily incidental to a residential use of land including:
 - (a) water resulting from natural precipitation, and drainage of such water;
 - (b) water resulting from garden and lawn maintenance, non-commercial car washing, building washing and driveway washing; and
 - (c) *Uncontaminated Water*.

- 3) Despite the prohibition contained in Subsection 3(1), a person may *Discharge* into a *Storm Drain* or *Watercourse* water resulting from the following non-domestic activities:
 - (a) street, hydrant and water main flushing; and
 - (b) firefighting activities.

4.0 APPROVAL FOR WORK IN REGIONAL DISTRICT DRAINAGE SYSTEM

- 1) No person shall, without the prior written approval of the *Manager*,
 - (a) alter, repair, remove, fill in, reconstruct, divert or carry out any other works within the *Regional District Drainage System*;
 - (b) enclose any *Watercourse* in a drain or culvert; or
 - (c) cut or remove a tree, cut or remove vegetation, remove or deposit soil, construct or build structures, or install drainage works within a *Streamside Protection Area* of a *Watercourse* where the proposed activity or work is likely to impair the quality of *Stormwater* or alter *Stormwater* flow patterns or flow rates in a manner that is likely to increase the risk of flooding or environmental damage or interfere with the proper functioning of the *Regional District Drainage System*.
- 2) A person who wishes to do work referred to in Subsection (1) shall submit to the *Manager*:
 - (a) a plan of the proposed work showing the design;
 - (b) a written report evaluating the potential impacts of the proposed work on the quality of *Stormwater* and the *Regional District Drainage System* or *Watercourse* including changes in water flow patterns, hydraulic changes and the potential for flooding; and
 - (c) a written report indicating measures that the applicant will take to minimize adverse effects on the environment while the work is carried out.
- 3) The *Manager* may waive the requirement under Subsection (2), if, in the opinion of the *Manager*, the proposed works are of such a minor nature that they are unlikely to have any appreciable impact on a *Watercourse* or on the *Regional District Drainage System*.
- 4) If the *Manager* reviews an application for approval under this section and determines that the proposed work:
 - (a) will not impair the quality of *Stormwater*; and
 - (b) will not alter *Stormwater* flow patterns and flow rates in a manner which is likely to increase the risk of flooding or environmental damage or interfere with the proper functioning of the *Regional District Drainage System*, then the *Manager* may issue the approval.

5.0 DETERMINATION OF THE WIDTH OF STREAMSIDE PROTECTION AREAS

- 1) *Streamside Protection Areas* are those areas determined with reference to the following existing or *Potential Vegetation* conditions by measuring perpendicularly away from the top of the bank or top of the *Ravine* bank on either side of a *Stream*:
 - (a) intact and continuous areas of existing or *Potential Vegetation* equal to or greater than 50 metres wide;
 - (b) limited but continuous areas of existing or *Potential Vegetation* equal to 30 metres wide or discontinuous but occasionally wider areas of existing or *Potential Vegetation* between 30 and 50 metres wide;
 - (c) narrow but continuous areas of existing or *Potential Vegetation* equal to 15 metres wide or discontinuous but occasionally wider areas of existing or *Potential Vegetation* between 15 and 30 metres wide;
 - (d) very narrow but continuous areas of existing or *Potential Vegetation* up to 5 metres wide or discontinuous but occasionally wider areas of existing or *Potential Vegetation* between 5 and 15 metres wide interspersed with *Permanent Structures*.
- 2) With reference to vegetation conditions in Subsection (1), *Streamside Protection Areas* must be:
 - (a) if Subsection(1)(a) or (b) applies, 30 metres wide measured perpendicularly away from the *Top of the Bank* for all *Fish-bearing Streams* or for *Non Fish-bearing Streams* that are *Permanent*;
 - (b) if Subsection (1)(a), (b) or (c) applies, 15 metres wide measured perpendicularly away from the *Top of the Bank* for *Non Fish-bearing Streams* that are non-*Permanent*;
 - (c) if Subsection (1)(c) applies, 15 metres wide measured perpendicularly away from the *Top of the Bank* for *Non Fish-bearing Streams* that are *Permanent*;
 - (d) if Subsection (1)(d) applies, 15 metres wide measured perpendicularly away from the *Top of the Bank* for all *Fish-bearing Streams*;
 - (e) if Subsection (1)(d) applies, 5 metres wide measured perpendicularly away from the *Top of the Bank* for all *Non Fish-bearing Streams*.
- 3) If a *Stream* is in a *Ravine* that is less than 60 metres in total width from *Top of Ravine Bank* to *Top of Ravine Bank*, not including the *Stream* channel within its *Active Floodplain* boundaries, protection must be consistent with Subsection (2)(a) through (e), where appropriate, from the *Top of Ravine Bank*.
- 4) If a *Stream* is in a *Ravine* that is more than 60 metres in total width from top of the *Ravine* bank to *Top of Ravine Bank*, not including the *Stream* channel within its *Active Floodplain* boundaries, a *Streamside Protection Area* must be 10 metres wide measured perpendicularly away from the *Top of Ravine Bank*.

6.0 OBSTRUCTING WATERCOURSES

- 1) No person shall obstruct or impede the flow of a *Stream*, creek, waterway, *Watercourse*, waterworks, ditch, drain or *Storm Drain* whether or not it is located on private property.

7.0 AUTHORITY OF THE MANAGER, ENGINEERING SERVICES

- 1) The *Manager* has the powers set out in this bylaw and the responsibilities in relation to the administration of this bylaw as set out in the bylaw.

8.0 INSPECTION

- 1) The *Manager*, an employee of the *Regional District* authorized by the *Manager*, or a bylaw enforcement officer may enter at all reasonable times, on any property that is subject to this bylaw to ascertain whether the regulations of this bylaw are being observed or the requirements of this bylaw are being met.

9.0 DISCONNECTION

- 1) Where an *Owner* or occupier of real property discharges any *Domestic Waste*, trucked *Waste* or *Prohibited Wastes* into a *Storm Drain*, and where a Court of competent jurisdiction determines that the *Discharge* creates a nuisance, then the *Manager* is authorized to require the *Owner* or occupier of the real property to immediately abate the nuisance, and where the nuisance is not abated, the *Manager* is authorized to cause the nuisance to be abated by the disconnection or plugging of any *Storm Drain* connection at the expense of the person in default.
- 2) If action in default is taken under Subsection (1), the expense may be recovered from the *Owner* of the real property in accordance with Section 376 of the Local Government Act.

10.0 OFFENCES AND PENALTIES

- 1) A person who contravenes this bylaw commits an offence and is liable upon conviction to a fine not exceeding \$2,000.00.
- 2) Each day that a violation occurs or continues shall constitute a separate offence.

.../10

11.0 GENERAL

- 1) No person shall hinder or prevent the *Manager*, a person authorized by the *Manager*, or a bylaw enforcement officer from entering any *Premises* or from carrying out his duties with respect to the administration of this bylaw.
- 2) The Schedules annexed to this bylaw shall be deemed to be an integral part of this bylaw.
- 3) If any provision of this bylaw is found to be invalid by a Court of competent jurisdiction it may be severed from the bylaw.
- 4) The headings in this bylaw are inserted for convenience and reference only.
- 5) This bylaw, other than section 7, comes into force upon adoption.

12.0 PURPOSE

- 1) This bylaw must be interpreted in accordance with this section despite any other provision of this bylaw.
- 2) This bylaw is enacted for the purpose of regulating *Discharges* to, and works and activities in relation to *Watercourses* and the *Regional District Drainage System* in order to reduce the risk of flooding or *Pollution* or interference with the proper functioning of the *Regional District Drainage System*. The purpose of this bylaw does not extend:
 - (a) to the protection of any person from economic loss;
 - (b) to the assumption by the *Regional District* of responsibility for ensuring that any *Discharge* of *Wastewater* to a *Watercourse* or the *Regional District Drainage System*, or activity or works in relation to *Watercourses* or the *Regional District Drainage System* does not cause flooding, *Pollution* or interference with the proper functioning of the *Regional District Drainage System*; or
 - (c) to provide any person with a warranty that any *Discharge* of *Wastewater* or activity or works referred to in paragraph (b) will not cause flooding, *Pollution* or other nuisance to any person.
- 3) Nothing in this bylaw shall be interpreted as relieving a person discharging *Wastewater* from complying with federal, provincial and local government *Enactments* governing the *Discharge* of *Wastewater* into *Storm Drains* and *Watercourses*, and in the event of a conflict between the provisions of this bylaw and a federal or provincial *Enactment*, the provisions of the federal or provincial *Enactment* shall prevail.

READ A FIRST TIME this _____ day of _____ , 2010.

READ A SECOND TIME this _____ day of _____ , 2010.

READ A THIRD TIME this _____ day of _____ , 2010.

ADOPTED this _____ day of _____ , 2010.

Chairperson

Corporate Secretary



SCHEDULE A

TO CVRD BYLAW NO. 3307

PROHIBITED WASTE

Prohibited Waste means:

1. **Special Waste**

Special Waste as defined by the Waste Management Act (British Columbia) and its Regulations or any legislation that replaces the Waste Management Act.

2. **Biomedical Waste**

Any *Biomedical Waste*.

3. **Air Contaminant Waste**

Any *Waste* which, by itself or in combination with another *Substance*, is capable of creating, causing or introducing an *Air Contaminant*, causing *Air Pollution* outside any *Storm Drain* or *Stormwater Management Facility* or is capable of creating, causing or introducing an *Air Contaminant* within any *Storm Drain* or *Stormwater Management Facility* which would prevent safe entry by authorized personnel.

4. **Flammable or Explosive Waste**

Any *Waste*, which by itself or in combination with another *Substance*, is capable of causing or contributing to an explosion or supporting combustion in any *Storm Drain*, *Watercourse* or *Stormwater Management Facility* including, but not limited to gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

5. **Obstructive Waste**

Any *Waste* which by itself or in combination with another *Substance* is capable of obstructing the flow of, or interfering with, the operation, performance or flow of any *Storm Drain*, *Watercourse* or *Stormwater Management Facility* including, but not limited to earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl, and solidified fat.

.../2

6. Corrosive Waste

Any *Waste* with corrosive properties which, by itself, or in combination with any other *Substance*, may cause damage to any *Storm Drain* or *Stormwater Management Facility* or which may prevent safe entry by authorized personnel.

7. High Temperature Waste

(a) Any *Waste* which, by itself or in combination with another *Substance*, will create heat in amounts which will interfere with the operation and maintenance of a *Storm Drain* or *Stormwater Management Facility*;

(b) Any *Waste* which will raise the temperature of *Waste* discharged by a *Storm Drain*, *Watercourse* or *Stormwater Management Facility* by 1 degree Celsius or more;

(c) Any *Waste* with a temperature of 18 degrees Celsius or more at the point of *Discharge*.

8. PCB's and Pesticides

Any *Waste* containing *PCB's* or *Pesticides*.

9. Pool Water

Any water from a *Pool* containing residual chlorine, chloramine, bromine or chloride.

10. Radioactive Waste

Any *Waste* containing *Radioactive Materials* that, prior to the point of *Discharge* into a *Storm Drain* or *Watercourse*, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

11. pH Waste

Any *Waste* which, prior to the point of *Discharge* into a *Storm Drain* or *Watercourse*, has a *pH* lower than 6.5 or higher than 9.0 as determined by either a *Grab Sample* or *Composite Sample*.

12. Dyes and Colouring Material

Dyes or colouring materials that produce, in a *Grab Sample* or *Composite Sample*, a *Colour* value greater than or equal to 50 true *Colour* units, or that causes discolouration of water to such an extent that the *Colour* cannot be determined by the visual comparison method as set out in *Standard Methods* except where the dye is used by a municipality or *Regional District* as a tracer.

13. Miscellaneous Wastes

Any *Waste* which by itself or in combination with another *Substance*:

(a) constitutes or may constitute a health or safety hazard to any person;

(b) causes *Pollution* in any *Storm Drain*, *Watercourse* or *Stormwater Management Facility*.

.../3

14. Disinfectant Process Water

Any water from a waterworks containing residual chlorine or chloramine remaining from the disinfection of the waterworks or any part of the waterworks.

15. Fill

Soil, sand, clay, gravel, rock or other material of which land is composed.

16. Oily Wastewater

Any *Wastewater* that contains visible oil floating on the surface.

17. Wastewater containing *Suspended Solids*

Any *Wastewater* that contains *Suspended Solids* in concentrations that would:

(a) exceed 75 milligrams per litre as determined by either a *Grab Sample* or a *Composite Sample*, or

(b) cause the *Water Quality* in the *Watercourse* receiving the *Wastewater* to exceed the *Suspended Solids* criteria as set out in Table 2, "Summary of Approved Water Quality Criteria for Particulate Matter" in the "British Columbia Approved Water Quality Guidelines (Criteria): 1998 Edition, Updated June 28, 2000" published by the Ministry of Environment.

18. Wastewater containing *Fecal Coliform*

Any *Wastewater* that contains *Fecal Coliform* in concentrations above 200 colony counts/100-ml as determined by a *Grab Sample* or *Composite Sample*.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3308

**A Bylaw to Establish a Capital Reserve Fund for the
Arbutus Ridge Water System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Water System Service Area* under the provisions of the CVRD Bylaw No. 3286, cited as "CVRD Bylaw No. 3286 – Arbutus Ridge Water System Service Establishment Bylaw, 2009";

WHEREAS the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

AND WHEREAS the Board wishes to establish a Capital Reserve Fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Arbutus Ridge Water System;

NOW THEREFORE the Board of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3308 – Arbutus Ridge Water System Capital Reserve Fund Establishment Bylaw, 2009**".

2. ESTABLISHMENT OF FUND

A Capital Reserve Fund to be known as the "Arbutus Ridge Water System Capital Reserve Fund" is hereby established.

3. PAYMENTS INTO FUND

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

4. EXPENDITURES FROM FUND

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Arbutus Ridge Water System Service Area.
- b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

B5

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3310

**A Bylaw to Establish a Capital Reserve Fund for the
Arbutus Ridge Sewer System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Sewer System Service Area* under the provisions of the CVRD Bylaw No. 3288, cited as "CVRD Bylaw No. 3288 – Arbutus Ridge Sewer System Service Establishment Bylaw, 2009";

WHEREAS the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

AND WHEREAS the Board wishes to establish a Capital Reserve Fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Arbutus Ridge Sewer System;

NOW THEREFORE the Board of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3310 – Arbutus Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009**".

2. ESTABLISHMENT OF FUND

A Capital Reserve Fund to be known as the "Arbutus Ridge Sewer System Capital Reserve Fund" is hereby established.

3. PAYMENTS INTO FUND

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

.../2

4. EXPENDITURES FROM FUND

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Arbutus Ridge Sewer System Service Area.
- b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

B6

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3340

A Bylaw for the Regulation and Management of the
Brulette Place Sewer System

WHEREAS the Board of the Cowichan Valley Regional District established the *Brulette Place Sewer System Service Area* under the provision of CVRD Bylaw No. 3296, cited as "CVRD Bylaw 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009" for the purpose of providing services to a defined portion of Electoral Area A – Mill Bay/Malahat;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the Brulette Place Sewer System, and for terms and conditions upon which sewer services may be provided, and for a tariff of charges for such services;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3340 - Brulette Place Sewer System Management Bylaw, 2010**".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

"Air" means the atmosphere but, except in a *Sewer* or a *Sewage Facility* or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

"Air Contaminant" means any *Substance* or odour whether gaseous, liquid, solid, or a combination that is emitted into the *Air* and that:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with visibility;
- (d) interferes with or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person, or,
- (f) damages or is capable of damaging the environment.

.../2

"*Applicant*" means a request for one of the following:

- (a) a *Waste Discharge Permit*;
- (b) to amend, add or delete a term or condition of a *Waste Discharge Permit*;
- (c) to change the activity that is the subject of a *Waste Discharge Permit*;
- (d) to renew a *Waste Discharge Permit*;
- (e) an *Authorization*.

"*Brulette Place Sewer System*" means the *Sewer* system currently servicing the *Brulette Place Sewer System Service Area* including all *District* buildings, structures, sewage, collection, treatment, disposal facilities, equipment, electrical works, pumping stations, forcemains, *Sanitary Sewermains*, appurtenances, *Sewer Service Connections*, and all sewage works designated for the collection and disposal of sewage together with all lands appropriated for such purposes and uses.

"*Brulette Place Sewer System Service Area*" means a service area established and defined by bylaw, within which the *District* manages and operates a Sewer System Service Area.

"*Authorized*" or "*Authorization*" means that *Authorization* in writing by the *Manager* upon such terms and conditions as specified therein;

"*Biomedical Waste*" means biomedical waste as defined in the "Guidelines for the Management of Biomedical Waste" established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992, or the most current regulations and guidelines as determined by the *Manager*.

"*Biosolids*" means treated municipal *Wastewater Sludge* that meets quality criteria for beneficial use as a fertilizer or soil amendment product.

"*BOD*" means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic *Substances* under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in *Standard Methods*.

"*Capable of Connection*" means that the parcel of land abuts a street, lane, public *Sewer* right-of-way or easement, upon or under which there is a *Sewermain* with excess capacity and that the *Sewer* service connection will have adequate cover at the property line, and drain towards the *Sewer*, and allowing the house or building to be connected to the service connection by either a gravity building *Sewer*, or a pump and forcemain.

"*COD*" means Chemical Oxygen Demand, being a measure of the equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in *Standard Methods*.

"*Combined Sewer*" means a *Sewer* designed for the collection and transmission of *Uncontaminated Water*, *Wastewater*, and *Stormwater*.

.../3

"Committee" means a Standing Committee, comprised of representatives from the **Regional Board**, which the Engineering & Environmental Services Department reports to.

"Composite Sample" means a sample of **Waste** which is composed of equivalent portions of a specified number of **Grab Samples** collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

"Condensed Water" means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.

"Consumer" means the owner or occupant of property that is serviced by, connected to and uses the **Brulette Place Sewer System**.

"Contaminate" means any **Substance**, whether gaseous, liquid or solid, whether dissolved or suspended, or any **Wastewater** quality parameter that, when present above a certain concentration in **Wastewater**:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with the proper operation of a **Sewer** or sewerage facility;
- (d) causes or is capable of causing material physical discomfort to a person; or
- (e) damages or is capable of damaging the environment.

"Daily Flow" means the total flow over a 24-hour period, as measured by an approved calibrated flow meter.

"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.

"District" means the Cowichan Valley Regional District.

"District Water" means water carried by a community water system operated and managed by the **District**.

"Domestic Sewage" means **Sanitary Waste** produced on a **Residential Property**.

"Domestic Waste" means **Sanitary Waste** or the water-carried wastes from drinking, culinary purposes, washing, bathing, laundering or food processing which is produced on a **Residential Property** and is **Discharged** directly or indirectly into a **Sewer** connected to a **Sewage Facility** operated by the **District**.

"Enactment" means any applicable act, regulation, bylaw, or **Authorization**, by a federal, provincial, regional or municipal government or their **Authorized** representatives.

.../4

"Environmental Management Act" means the *Environmental Management Act* of the Province of British Columbia or any legislation that replaces the *Environmental Management Act*.

"Grab Sample" means a sample of *Waste* collected at a particular time and place.

"Hazardous Waste" means hazardous waste as defined in the *Environmental Management Act*.

"Hazardous Waste Regulation" means the *Hazardous Waste Regulation* enacted pursuant to the *Environmental Management Act*.

"Hazardous Waste Regulation Leachate Quality Criteria" means the *Contaminant concentrations for leachate set out in Schedule 4 of the Hazardous Waste Regulation*.

"High Volume Discharge" means any *Discharge* of *Non-domestic Waste* into a *Sewer* in excess of 2.57 cubic metres per day (550 Imperial Gallons per day) or 90 cubic metres over any consecutive 30-day period, but not including water from a *Pool*.

"Improvement District" means an Improvement District incorporated under the *Local Government Act*.

"Manager" means the person duly appointed General Manager of the Engineering & Environmental Services Department by the *Regional Board*, or his designate.

"Mass Loading" means the concentration of a constituent multiplied by the flow rate.

"Metered District Water" means *District* water supplied to *Consumers* through individual meters located on serviced connections from a community water system operated and managed by the CVRD.

"Monitoring Point" means an access point to a *Sewer, Private Drainage Systems* or other *Sewer* for the purpose of:

- (a) measuring the rate of flow or volume of *Wastewater* being *Discharged* from a *Premises*;
- (b) collecting representative samples of *Wastewater* being *Discharged* from a *Premises*.

"Monthly Average" means the arithmetic mean of all measurements taken over a calendar month.

"Municipality" means any participating member city, town, or other incorporated area of the *District*.

"Non-domestic Waste" means all *Waste* except *Domestic Waste, Trucked Waste, Sanitary Waste, Stormwater* and *Uncontaminated Water*.

"Oil and Grease" means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures *Authorized* by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes and high-molecular weight carboxylic acids.

"Owner" means any person who is registered under the *Land Title Act* as the owner of land, or any other person who is in lawful possession of land, or who is in lawful possession or occupancy of any buildings situated on the land.

"Parcel Tax" means an annual tax levied on each parcel of land within the *Brulette Place Sewer System Service Area*.

"PCB" means any mono-chlorinated, de-chlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

"Pesticides" means pesticides regulated under the *Pesticide Control Act* of British Columbia.

"pH" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

"Phenols" means the hydroxyl derivatives of aromatic hydrocarbons as determined by the appropriate procedure described in *Standard Methods*.

"Pool" means any water receptacle designed for decorative purposes or used for swimming, or as a bath or hot tub designed to accommodate more than one bather at a time, or designed for decorative purposes.

"Premises" means any land or building or both, or any part thereof.

"Private Drainage System" means a privately owned assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey *Wastewater*, *Uncontaminated Water*, *Stormwater*, or foundation drainage to a *Sewer*, *Sewage Facility*, or a private *Wastewater* disposal system.

"Private Sewer Service Pipe" means that part of the *Sewer Service Pipe* located within the boundaries of the property being serviced, or outside the boundaries of a CVRD Statutory right-of-way, and which is connected to, or intended to connect to the *Brulette Place Sewer System* via a *Sewer Service Connection*.

"Prohibited Waste" means prohibited waste in Article "A" of Schedule F of this bylaw.

"Radioactive Materials" means radioactive materials as defined in the *Atomic Energy Control Act* of Canada and Regulations under that *Act*.

"Regional Board" means the Board of Directors of the Cowichan Valley Regional District.

"Residential Property" means a property that is used primarily for the purposes of residence by persons on a permanent, temporary or seasonal basis.

"Restricted Waste" means restricted waste as defined in Article "B" of Schedule F of this bylaw.

"Sanitary Sewer" means a *Sewer* which carries *Sanitary Waste* or *Wastewater*, but which is not intended to carry *Stormwater* or *Uncontaminated Water*.

"Sanitary Waste" means *Waste* that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"Seasonal Use" means the use of the *Sewer Service(s)* for a dwelling, unit or recreational accommodation that is not continuously inhabited for more than three months in any calendar year or that is inhabited from time to time for not more than four months in any calendar year.

"Sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the *District*, or one or more municipalities, for collecting, pumping, and transporting *Wastewater* either to a *Sewage Facility*, or otherwise and includes all such pipes, conduits, drains, and other equipment and facilities, which connect with those of the *District* or one or more municipalities.

"Sewer Charges" means the charges set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Extension" means any installation requiring the construction of a 200-mm diameter *Sewermain*, or larger, within a public road allowance or right-of-way or easement, from the most convenient existing *Sewer*, but does not include a *Sewer Service Connection* or a *Private Sewer Service Pipe*.

"Sewer Extension Application Charge" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewage Facility" means works owned or otherwise under the control, or jurisdiction of the *District*.

"Sewermain" means a pipe forming part of the community sewage collection system, other than those pipes serving as *Sewer Service Connections*.

"Sewer Service Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Service Connection Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Surcharge Rates" means the rates as set out in the applicable Schedule(s) forming part of this bylaw, and are applied in proportion to the amount of *Metered District Water* consumed by a user.

"Sewer Rates" means the rates set out in the applicable Schedule(s) forming part of this bylaw.

.../7

"*Sewer Service(s)*" means the collection, treatment and disposal of sewage.

"*Sewer Service Connection*" means the *Sewer* pipe and its integral appurtenances that are placed from the *Sewermain* to the boundary of the property being serviced; or from the *Sewermain* to the boundary of the right-of-way, when the *Sewermain* is located in a right-of-way in favour of the *District*.

"*Sewer Service Pipe*" means the conduit connecting a *Sewermain* that is part of the *Brulette Place Sewer System* with lands or buildings and consisting of both a *Sewer Service Connection* and a *Private Sewer Service Pipe*.

"*Sharps*" means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects that have acute rigid corners, edges or protuberances.

"*Sludge*" means *Wastewater* containing more than 0.5% total solids.

"*Spill Reporting Regulation*" means the Spill Reporting Regulation enacted pursuant to the *Environmental Management Act* Regulation.

"*Standard Methods*" means the latest edition of "Standard Methods of Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

"*Storm Sewer*" means a *Sewer* for the collection and transmission of *Stormwater* or *Uncontaminated Water*.

"*Stormwater*" means water resulting from natural precipitation from the atmosphere that is intended to be transported in a *Storm Sewer*, or a *Combined Sewer* or a *Watercourse*.

"*Substance*" includes any solid, liquid or gas.

"*Suspended Solids*" means the portion of total solids retained by a filter, as determined by the appropriate procedure in *Standard Methods*.

"*Trucked Waste*" means any *Waste* that is collected and transported from the site where the *Waste* originated by means other than *Discharge* to a *Sewer* including, but not limited to, holding tank water, septic tank waste, chemical toilet contents, *Oil and Grease* from interceptors or traps, and other *Sludge* of organic or inorganic origin.

"*Total Ammonia*" means the sum of the concentrations or masses of ionized ammonia and un-ionized ammonia.

"*TN (Total Nitrogen)*" means the sum of the concentrations or masses of organic nitrogen, *Total Ammonia*, nitrite and nitrate.

"**TP (Total Phosphorus)**" means the sum of the concentrations or masses of organic phosphates, ortho-phosphates and polyphosphates.

"**Treasurer**" means the person duly appointed *Treasurer* by the *Regional Board*, or his duly appointed delegate.

"**Uncontaminated Water**" means any water excluding *Stormwater*, but including cooling water, *Condensed Water* and water from municipal *Waterworks*, or a private water supply to which no *Contaminate* has been added as a consequence of its use, or to modify its use by any person.

"**Unit**" means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

"**Waste**" means any *Substance* whether gaseous, liquid or solid, that is or is intended to be *Discharged* or discarded, directly or indirectly, to a *Sewer* or *Sewage Facility*.

"**Waste Discharge Permit**" means a *Waste Discharge Permit* issued by the *Manager*.

"**Wastewater**" means the composite of water and water-carried *Wastes* from residential, commercial, industrial or institutional *Premises*, or any other source.

"**Wastewater Sludge**" means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of *Wastewater*.

"**Water**" includes seawater, surface water, groundwater and ice.

"**Watercourse**" means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.

"**Waterworks**" means any works owned, or otherwise under the control or jurisdiction of the *District*, or one or more of its member *Municipalities*, or a privately owned water system, or an *Improvement District* that collects, treats, transports, or stores drinking water.

"**Works**" includes:

- (a) a drain, ditch, *Sewer* or *Waste* disposal system including a sewage treatment plant, pumping station or outfall;
- (b) a device, equipment, land or a structure that:
 - (i) measures, handles, transports, stores, treats, or destroys *Waste* or a *Contaminant*; or
 - (ii) introduces *Waste* or a *Contaminant* into the environment;

- (c) an installation, plant, machinery, equipment, land; or a process that causes or may cause a release of a *Contaminant* into the environment, or is designed, or used to measure or control, the introduction of *Waste* into the environment, or to measure or control a *Contaminant*;
- (d) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a *Contaminant* or *Waste*.

3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the *Brulette Place Sewer System* is hereby vested in the *Manager* who shall operate the same under the established policy of the *Regional Board*.
 - (b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw, shall be performed on the whole or any part of the *Brulette Place Sewer System* except as *Authorized* in writing by the *Manager*.
 - (c) Ownership of *Brulette Place Sewer System*: The *Brulette Place Sewer System* required for treatment, disposal and collection of sewage from the *Owner's* property, and constructed, whether at the *Owner's* expense or *District's* expense in present or future public highways or within *District* right-of-way property, shall be the property of the *District*.
2. (a) The *District* may supply *Sewer Service* as circumstances, collection, treatment and disposal capacity permit.
 - (b) No *Sewer Service(s)* shall be supplied to any parcel of land or *Premises* outside of the *Brulette Place Sewer System Service Area* except by special agreement with the *District*, and/or the expansion of the sewer system service area by CVRD bylaw.
 - (c) No person shall allow wastewater, sewage, septage or any form of liquid or substance to be brought into the *Brulette Place Sewer System Service Area* for the sole purpose of disposal directly or indirectly into the *Brulette Place Sewer System* unless otherwise approved by the CVRD and other agencies having jurisdiction.
 - (d) All reasonable efforts will be made to ensure a continuous *Sewer Service*; however, the *District* does not guarantee to the *Consumer* an uninterrupted discharge of sewage, nor shall any failure to provide an uninterrupted supply of *Sewer Service*, or to meet any such standard be construed as neglect on the part of the *District*.
3. Any person authorized by the *Manager* shall have free access, at all reasonable times and upon reasonable notice given and request made, to all parts of every building or other *Premises* to which *Sewer Services(s)* are supplied for the purpose of inspecting, repairing, or disconnecting any *Sewer Service Pipe* and appurtenances within a serviced structure or located on the lands in question.
4. (a) The *Manager* may, upon reasonable notice, limit or restrict *Sewer Services* within all or any part of the *Brulette Place Sewer System Service Area*, however, in emergency situations, notice may not be given.

- (b) The *District* is not liable for damages caused by the breakage or failure of the *Brulette Place Sewer System Service Area*.
5. Any person before proceeding with, or authorizing any construction that is, or is proposed to be located under, across or along any sanitary *Sewer*, forcemain, or other sewage works forming part of the *Brulette Place Sewer System*, shall notify the *Manager* in writing of his intention to proceed with the same and if it shall, in the opinion of the *Manager*, become necessary as a consequence to support or relocate such *Sanitary Sewer*, or other sewage works, the cost of supporting or relocating the same shall be charged against that person and the *Manager* shall supervise and direct the supporting or relocating of such *Sanitary Sewer* or other sewage works.
6. Any person(s) who has proceeded with, or who has authorized any construction that is located under, over, across or along any *Sewermain* or other *Sewer* works forming apart of the *Brulette Place Sewer System* shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the *Manager* in reasonable time as determined by him, the *Manager* may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

4. SEWER RATES AND SEWER CHARGES

1. (a) Revenues for the *Brulette Place Sewer System* may be raised by *Sewer Rates*, *Sewer Charges* and *Parcel Taxes*.
- (b) If in any fiscal year the revenues generated by the rates and charges set out in subsection (a) do not meet the expenditures of the *Brulette Place Sewer System Service Area*, the deficit may be covered by a duly authorized increase in any or all of the charges set out in subsection (a) for the succeeding fiscal year.
- (c) All revenue raised by the methods herein described or *Authorized* shall be applied to the *Brulette Place Sewer System*.
2. (a) *Consumers* of *Sewer Service(s)* who receive *Metered District Water* shall be charged the *Sewer Charges* set out in Schedule A.
- (b) *Consumers* of *Sewer Service(s)* who do not receive *Metered District Water* shall pay the *Sewer Charges* set out in Schedule B.
- (c) Person(s) desiring the extension of the *Brulette Place Sewer System* to lands which they own, or occupy, shall make formal application and pay the appropriate charges as set out in Schedule E and comply with Parts 5 and 6 of this bylaw.
- (d) Person(s) requiring the miscellaneous services set out in Part 7 of this bylaw shall pay the charges therefore set out in Schedule D.
3. (a) The *Sewer Rates* and *Sewer Charges* set out in Schedules A, B, C, D and E shall be subject to periodic review by the *Manager* and the *Committee* who may make recommendations on the revision of the said Schedules to the *Regional Board*.

- (b) Schedules A, B, C, D, E, and F may be revised by bylaws enacted by the *Regional Board*.

5. SEWER CONNECTION SERVICE

1. (a) An *Owner* of lands within the *Brulette Place Sewer System Service Area* which abut a Sewer, line that is part of the *Brulette Place Sewer System* may apply to have his property connected to the *Brulette Place Sewer System*.
- (b) No connection shall be made to the *Brulette Place Sewer System* until an application for *Sewer Service* has been completed and approved by the *Manager*.
- (c) A *Sewer Service Connection* application shall be in the form provided by the *Manager*, and shall be certified to be correct and signed by the *Applicant*, and shall be submitted at least four (4) weeks prior to the date by which connection to the *Brulette Place Sewer System* is required.
- (d) *Sewer Service Connection* applications for property located within the *Brulette Place Sewer System Service Area* must be made prior to the issuance of a building permit, where such permit is necessary.
- (e) Waste Discharge Permit Applications:
- i) Where a *Sewer Service Connection* is to be installed for other than single-family residential use, or where more than 90 m³ of *Non-domestic Wastewater* will be discharged in any 30-day period, or where any *Restricted Waste* will be deposited in the *Sanitary Sewer* system, an application will be submitted to the *District* in the form of a Schedule F to this bylaw, and a *Waste Discharge Permit* shall be completed before connecting the *Premises* to the *Sanitary Sewer* system.
- ii) All *Sewer Service Connection(s)* for other than single-family residential use which is in existence at the date of adoption of the bylaw will complete a *Waste Discharge Permit*.
- iii) An *Owner* or occupier who intends to expand or alter a facility, for other than single-family use, which is in existence at the date of adoption of this bylaw such that the effluent flow rate would increase by more than 25% (based on a monthly average of the effluent *Daily Flow* rates), or would increase the effluent concentration of any contaminant listed under Article "B" of Schedule F to this bylaw by of more than 25% (based on a monthly average of one-operating-day *Composite Sample* concentrations), or would increase the effluent mass load of any *Contaminant* of more than 25% (based on a monthly average of the effluent *Daily Flow* rates multiplied by the *Monthly Average* of one-operating-day *Composite Sample* concentrations) will require the discharger to apply for a new *Waste Discharge Permit*. The *Manager* may require the discharger to apply for a new *Waste Discharge Permit* if the flow in any one-day increases to a volume that would limit the capacity of the downstream users.

- (f) Applications for *Sewer Service Connection(s)* shall be accompanied by a deposit equal to the *Sewer Service Connection Charge(s)* as set out in Schedule C.
- (g) The *Manager* may refuse a *Sewer Service Connection* application where, in his opinion, the *Brulette Place Sewer System* might be adversely affected, or where, in his opinion, there is insufficient sewage collection and treatment disposal available.
2. (a) *Applicants* for *Sewer Service Connection* shall pay the *Sewer Service Connection Charge* set out in Schedule C and upon completion of the *Sewer Service Connection*, the deposit made pursuant to Section 5.1 (f) shall be applied in payment of such charges.
- (b) When a new *Sewer Service Connection* is installed, the *Sewer Rate* levied shall be prorated in accordance with appropriate charges set out in the appropriate Schedule and shall be computed as determined by the *Treasurer*.
- (c) Where an abandoned *Sewer Service Connection* is in place on or adjacent to an *Applicant's* lands, the *Applicant* may apply to have the *Sewer Service Connection* reconnected and shall at such time apply to have the *Sewer Service Connection* inspected, shall pay the inspection fee set out in Schedule C, and shall expose the *Sewer Service Connection* and prepare it for inspection, provided, however, that the *Manager* may, upon inspecting such a *Sewer Service Connection*, refuse to reconnect it if it is in his opinion defective, and his opinion on this matter shall be final.
3. (a) All work involved in the installation and maintenance of *Sewer Service Connections* to the *Brulette Place Sewer System* is to be performed by duly *Authorized* employees or agents of the *District*.
- (b) Where the *Applicant* for a *Sewer Service Connection* indicates in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as indicated providing the proposed location is approved by the *Manager*.
- (c) Where the *Applicant* for a *Sewer Service Connection* does not indicate in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as determined by the *Manager*, and if the *Applicant* subsequently requires a relocation of the *Sewer Service Connection*, such relocation is to be at the expense of the *Applicant*.
4. (a) Unless otherwise directed by the *Manager*, all *Sewer Service Connections* shall conform to the Cowichan Valley Regional District specifications and standards, and shall not be less than 100 mm in diameter for single-family dwellings or units and shall be laid at a minimum grade of two percent (2%), and shall not be less than 150 mm in diameter, complete with inspection chamber, for commercial, industrial, institutional or multi-unit dwellings, and shall be laid at a minimum grade of one percent (1%).

- (b) Where practicable as governed by the depth of the *Sewer*, the minimum depth of the *Sewer Service Connection* at the property line shall be one (1) metre. Where possible, the *Sewer Service Connection* will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the *Sewer* and the lowest floor of the building or structure.
 - (c) No *Sewer Service Pipe* may be installed in, over or across the property of another person or located on an easement, or statutory right-of-way except by the written consent of the *Owners* concerned and the approval of the *District* in writing.
 - (d) Except as otherwise provided in this section, or directed in writing by the *Manager*, separate and independent *Private Sewer Service Pipes* shall be provided to each building served by the *Brulette Place Sewer System*.
 - (e) Separate and independent *Sewer Service Connections* shall be supplied to semi-detached residential *Units* where each *Unit* is separately owned and to row housing *Units*, other than dwelling *Units* registered or to be registered under the B.C. The *Strata Property Act*, where each *Unit* is separately owned.
 - (f) Where more than one (1) parcel of land or *Premises* under separate ownership are served by a single *Sewer Service Pipe*, the *Manager* may order the affected *Consumers* to disconnect from the single *Sewer Service Pipe* and connect directly to the *Sewermain* and all connection and plumbing alteration costs shall be borne by the *Consumers*.
 - (g) If any *Sewer Service Pipe* is found not to comply with the drawings submitted, and approved by the *Manager*, pursuant to Section 5.4 (a) and (b), the *District* shall not accept sewage from the *Premises* served by the said pipe until such time as the installation is made to agree with the approved drawings.
 - (h) Where CVRD records indicate a *Sewer Service Connection* exists to the property line of a parcel of land, the applicant shall make a reasonable effort at his own expense to find the service in a workman-like manner based on the information available. If the service cannot be found in consultation with the CVRD, the CVRD will determine a course of action which may include looking for the existing service or installing a new *Sewer Service Connection*. This cost shall be borne by the *Applicant*.
 - (i) If it is determined that "as-constructed" records were incorrect and a *Sewer Service Connection* does not exist, then an extension to the existing service or a new service connection will be installed at the *Applicant's* cost based on the direct and indirectly related cost incurred by the CVRD to carry out the work.
5. (a) The *Owners* of land shall be responsible for the installation of *Private Sewer Service Pipes* joining *Sewer Service Connection*.

.../14

- (b) The *Owners* or occupants of land whose *Premises* are served by the *Brulette Place Sewer System* are responsible for providing a readily accessible 100 mm diameter clean-out, inspection chamber, pursuant to Section 5.4 (a) and (b), as near as possible at the point of connection between the *Private Sewer Service Pipe* and the *Sewer Service Connection*.
- (c) *Private Sewer Service Pipe* shall be installed in accordance with the requirements of the *British Columbia Plumbing Code*, and the requirements of other agencies having jurisdiction, and shall be constructed by the *Owner* entirely at his own expense. The *Private Sewer Service Pipe* shall be inspected by a CVRD representative prior to backfilling.
- (d) The *Private Sewer Service Pipe* shall be maintained by the property *Owner* at his sole expense. Where any *Sewer Service Pipe* becomes stopped, or otherwise fails to function, the *Owner* or occupier of the *Premises* served shall first determine that the blockage is not located in his *Private Sewer Service Pipe*, and then notify the *Manager* forthwith, and the *Manager* shall, as soon as practicable, arrange to have said *Brulette Place Sewer System* or *Sewer Service Connection* unstopped or otherwise restored to serviceable condition.
- (d) Where any stoppage or failure is found to exist in the *Sewer Service Connection* or *Private Sewer Service Pipe* and can be attributed to the user or occupant, then all costs incurred by the *District* in restoring service and unstopping the *Sewer Service Connection* or *Private Sewer Service Pipe* shall be paid by such *Owner* upon demand and if unpaid on the thirty-first (31) day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.
- (f) When any *Private Sewer Service Pipe* is abandoned, the *Owner* or his agent shall notify the *Manager* and the *Owner* shall effectively block up the building *Sewer* at the *Sewer Service Connection* with a watertight seal to be inspected and approved by the *Manager*.
- (g) Whenever practical the *Sewer Service Connection* shall be installed prior to installation of the *Private Sewer Service Pipe* and connection of the *Private Sewer Service Pipe* to the *Sewer Service Connection* shall be made by the *Owner*. The *District* shall not be responsible to meet the elevation or connect to an existing *Private Sewer Service Pipe* installed by the *Owner* prior to installation of the *Sewer Service Connection*.
- (h) No *Private Sewer Service Pipe* shall be connected to a *Sewer Service Connection* until it has been inspected and approved by the *Manager*.
- (i) Where, in the opinion of the *Manager*, the infiltration and inflow from a *Private Sewer Service Pipe* exceeds that which would normally be associated with such pipe works and plumbing fixtures forming part of the *Private Sewer Service Pipe*, the *Manager* may require the *Owner* to rectify the problem within reasonable time and entirely at the *Owner's* cost.

6. (a) Where, in the opinion of the *Manager*, the *Sewer Service Connection* necessitates the installation of a manhole or inspection chamber at the property line, then the installation of the manhole or inspection chamber shall be the responsibility of the *Applicant* or *Owner* and the costs of such installation shall be borne by the *Applicant* or *Owner*.
 - (b) The *Manager* may connect if required a *Sewer Service Connection* to an existing manhole.
 - (c) Where, in the opinion of the *Manager*, a manhole or inspection chamber is required on the *Sewer Service Connection* but not yet constructed, the *Manager* may install the *Sewer* pipe and leave it plugged until a manhole or inspection chamber is constructed.
 - (d) Where a manhole or inspection chamber is connected after the installation of a *Sewer Service Connection*, the person constructing the manhole or inspection chamber shall connect the *Sewer Service Pipe* to the manhole or inspection chamber, as directed by the *Manager*, advise the *Manager* that such connection has taken place and request that the connection be inspected by the *Manager*.
7. Where a *Consumer* requires the replacement of a *Sewer Service Connection*, the existing *Sewer Service Connection* shall be disconnected and the cost of disconnecting the *Sewer Service Connection* as set out in Schedule C, is to be borne by the *Consumer*.
 8. No person shall make any temporary connection to any *Sanitary Sewer* except by special agreement with the *District*.

6. EXTENSION TO THE BRULETTE PLACE SEWER SYSTEM SERVICE AREA

1. All extensions of the *Brulette Place Sewer System* shall be undertaken upon the recommendation of the *Committee* and pursuant to bylaws and policy of the *Regional Board* authorizing such extensions.
2. (a) *Owner(s)* of land within the *Brulette Place Sewer System Service Area* may file with the *Manager* a written request for an extension of the *Brulette Place Sewer System* and shall supply the *Manager* with such information with regard to the proposed extension as he may request. Such application shall be accompanied by a *Sewer Extension Application Charge* as set out in Schedule E.
- (b) The *Manager* shall forward all requests for extensions of the *Brulette Place Sewer System* to the *Committee*.
3. Extensions of the *Brulette Place Sewer System* may be undertaken upon such terms and conditions as the *Regional Board* may from time to time impose, including, but not limited to:

- (a) In the event an *Applicant* wishes to proceed with an extension to the *Brulette Place Sewer System*, the *Manager* may, with the approval of the *Committee*, allow the extension, provided that the *Applicant* shall install the extension entirely at his own expense. The final cost to the *Applicant* of the *Brulette Place Sewer System* extension shall be the actual cost of design and construction together with a supervision charge in the amount stated in the approval to construct the extension and may include costs directly associated with upgrading existing facilities to accommodate the proposed development together with legal costs or other related costs incurred by the *District* and the *Applicant*.
- (b) Any extension to the *Brulette Place Sewer System* shall be constructed in accordance with the plans and specifications of the *District* and to the approval of the *Manager*.
- (c) Where a *Sewer* is extended, the minimum inside diameter shall be 200 mm and shall extend from the most convenient existing *Sewer* having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension. The decision regarding the point of connection to the public *Sewer* rests with the *Manager*.

7. MISCELLANEOUS SERVICES

1. The *District* is responsible for the flushing, cleaning, rodding, unblocking and repairing of *Sewer Service Connections*.
2. Where any *Private Sewer Service Pipe* is found to have been blocked or damaged through the action of the *Consumer* occupying the property served by the pipe, or through the actions of any other person, the cost of labour and materials used to repair such blockage or damage shall be the responsibility of the *Owner*.
3. The *Treasurer* shall, upon written request accompanied by payment of the fee set out in Schedule D in respect to each separate parcel of land or *Premises*, furnish any *Applicant* with a written certificate showing the arrears of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges* and *Parcel Tax* due on, or in respect of, any parcel of land or *Premises* up to the date to which such *Sewer Rates* and *Sewer Charges* were last computed, the duration of the last billing period, and the net amount billed during that period.
4. Cheques submitted by *Consumers* for the payment of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges*, or *Parcel Tax* and subsequently dishonoured by the banks on which they are drawn, will be processed by the *Treasurer* for the charge set out in Schedule D.

8. BILLING AND COLLECTING SEWER SURCHARGE RATES AND SEWER CHARGES

1. (a) All *Sewer Rates*, *Sewer Surcharge Rates*, and *Sewer Charges* shall be payable for services provided and shall be due and payable when rendered.
- (b) Subject to subsection (c), regular billings for *Sewer Rates* or *Sewer Surcharge Rates* may be rendered annually, quarterly, monthly or bimonthly at the discretion of the *Treasurer*.
- (c) The *Treasurer* may in writing direct that any *Consumer* receive regular billings for *Sewer Rates* or *Sewer Surcharge Rates* at any periodic interval other than the intervals set out in subsection (b).
- (d) The *Treasurer* may with reasonable notice advance or delay any regular billing of *Sewer Rates* or *Sewer Surcharge Rates*.
- (e) To protect the *District* against potential losses from unpaid *Sewer Charges*, the *Treasurer* may, at his discretion, demand in writing a security deposit by way of cash, certified cheque, letter of credit or guarantee from a *Consumer* from whom delinquent charges and fees can not be applied to property taxes.
- (f) The amount of the security deposit shall be no less than an amount equal to a *Consumer's* estimated *Sewer* bill for a period of 180 days.
2. (a) All *Sewer Rates* and *Sewer Surcharge Rates* are established in amounts that reflect a discount for prompt payment in the percentage set out in the Schedules of this bylaw.
- (b) Where any billing for *Sewer Rates* or *Sewer Surcharge Rates* remains unpaid after sixty (60) calendar days after the invoice date, the *Consumer* shall lose the discount for prompt payment set out in Schedules A and B, and/or as shown on the *Sewer* bill after the due date established by the *Treasurer*.
3. (a) All *Sewer* bills shall be distributed to *Consumers* by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the *Treasurer*.
- (b) *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* may, at the discretion of the *Treasurer*, be charged and billed to:
 - (i) the person requesting that *Sewer* services be provided, or
 - (ii) the person in occupation of the *Premises* served by the *Brulette Place Sewer System*, or
 - (iii) the *Owner* of the *Premises* served by the *Brulette Place Sewer System*.
- (c) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings having multiple *Units* but served by a single *Sewer Service Connection* shall be charged and billed to the *Owner* of the building unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.

- (d) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings registered under *The Strata Property Act* shall be billed to the strata corporation unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the Cowichan Valley Regional District office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8, or by telephone or internet banking.

9. OFFENCES AND SANCTIONS

1. Every person who:
 - (a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted, the *District*, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;
 - (b) lays or causes to be laid any pipe or *Sewer* to communicate with any pipe or *Sewer* of the *Brulette Place Sewer System*, or in any way obtains use of *Sewer Services* without the consent of the *District*;
 - (c) wilfully causes the *Brulette Place Sewer System* to be blocked, obstructed, or damaged in any way;
 - (d) discharges or throws, or causes, allows or permits to be discharged, deposited or thrown into any Sewer Service Area, plumbing fixtures connected thereto, manhole, inspection chamber or any other part of the *Sewer* system, any substance of any kind whatsoever that would tend to obstruct or injure the *Brulette Place Sewer System*, or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the *Sewer Service*, and will be dealt with under Schedule F of this bylaw.
 - (e) maliciously, wilfully, or negligently breaks, damages, destroys, uncovers, defaces, mars or tamper with any part of the Sewer Service Area is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00.
2. Pursuant to the *Local Government Act*, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the *Local Government Act*.

10. SOURCE CONTROL

1. Refer to Schedule F for details.

11. REMAINDER OF BYLAW TO REMAIN INTACT

In the event that a Court of competent jurisdiction declares any portion of this bylaw *ultra vires*, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

12. FORCE AND EFFECT – SCHEDULE A

Schedule A (Sewer Surcharge Rates {Metered Water Consumption}) may come into force and effect once a CVRD metered water system is in place.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE A

TO BYLAW NO. 3340

SEWER SURCHARGE RATES (METERED WATER CONSUMPTION)

Not applicable.



SCHEDULE B

TO CVRD BYLAW NO. 3340

SEWER SERVICE CHARGES

(a) *Consumers* of *Sewer Services* who do not receive *Metered District Water*, shall pay the minimum billing set out in subsection (c) below.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>	<u>10% Discount</u>	<u>Discounted Amount</u>
Single Family Dwelling: – Per Dwelling	210.00	21.00	189.00
Step System – Per Dwelling	178.50	17.85	160.65
Apartment: – Per Unit	178.50	17.85	160.65
Mobile/Modular Home Park: – Per Unit	210.00	21.00	189.00
RV Trailer Park/Campground:			
Site Connected to Sewer: Per serviced pad or site	105.00	10.50	94.50
Site not Connected to Sewer: Per pad or site	21.00	2.10	18.90
Hotel/Motel:			
a) <u>Room or Suite:</u> - Per room or suite	84.00	84.0	75.60
b) <u>Kitchenette or Housekeeping Unit</u> - Per room or suite	126.00	12.60	113.40
Restaurants - Per seat:	12.60	1.26	11.34
Licensed Premises - per seat:	12.60	1.26	11.34
Laundromat: Minimum charge for each washing machine:	210.00	21.00	189.00
Commercial:			
Minimum charge for the first 5 employees or portion thereof per shift	105.00	10.50	94.50
Each additional 5 employees or portion thereof per shift	105.00	10.50	94.50

School: Minimum charge per classroom	210.00	21.00	189.00
Continuing Care Facility: Minimum charge for <u>each bed</u>	157.50	15.75	141.75

Bed & Breakfast/Rooming House:

The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom

1. Single Family Dwelling	210.00	21.00	189.00
2. Per guest room	84.00	8.40	75.60

Others (for each 259 lgal. of daily metered or estimated water consumption). There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number.

	210.00	21.00	189.00
--	--------	-------	--------

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached residential home, duplex or a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-Family Dwelling rate to offset the cost of septic tank pump outs (typically a maximum of every 5 years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the *Mobile Home Act*.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Other:

The minimum charge and the volume of discharge to be apportioned for a six (6) month period for other types of developments that, in the opinion of the *Manager*, do not fall within the above classifications, shall be determined by the *Manager* and his decision shall be final.

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience stores, service establishments, and light industrial uses.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the *School Act*.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



SCHEDULE C

TO CVRD BYLAW NO. 3340

1. Parcel Tax Being Paid

The *Sewer Service Connection Charges* for property, which has been paying the annual Parcel Tax, are outlined below:

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Sewer Service* shall be accompanied by a payment equal to the *Sewer Service Connection Charge* of:

100-mm or 150-mm diameter connection.....\$300.00

plus a deposit in the amount of the *Manager's* estimate to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Sewer Service Connection* installation.

(b) Where the *Sewer Service Connection* has been installed by the subdivider entirely at his cost and the *Sewer Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Sewer Service* shall only be required to complete a Sewer Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- *First lot exempt.....n/a
- Each additional lot created.....\$3,500.00

*Where the existing *Sewer Service Connection* is not utilized, the *Subdivider* will pay a *Sewer Service Connection Charge* of \$300.00

(b) Lot not presently serviced:

- First lot.....\$300.00
- Each additional lot created.....\$3,500.00

- (c) Pre-installed Sewer Connection – where the *Sewer Service Connection* has been installed by the subdivider entirely at his own cost, but the *Sewer Service Connection Charge* has not been prepaid, then the *Applicant* for *Sewer Service* shall be required to complete a *Sewer Service Connection* Application and pay the *Sewer Service Connection Charge* of \$3,500.00.

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building.....n/a
(included under Subsection 1.1)
Each additional unit or building.....\$3,500.00
- (b) Presently Occupied and Serviced
Each additional *Unit* or building.....\$3,500.00

2. Parcel Tax Not Being Paid

- .1 EXISTING LOT:
(permits servicing of one *unit* or *building*)\$3,500.00

- .2 EXISTING LOT TO BE SUBDIVIDED:
Each and every newly created *Lot*\$3,500.00

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building..... n/a
(Included under Section 2.1 above)
Each additional *Unit* or building.....\$3,500.00
- (b) Presently Occupied and Serviced
Each additional *Unit* or building.....\$3,500.00

3. High Flow Rates

The above *Sewer Service Connection Charge* shall be levied where applicable; however, where in the opinion of the *District*, the flow rates from the intended use or from a change in use of a *Lot, Unit* or *Building*, exceeds maximum daily flow of 2.5 cubic metres per day (550 Imperial gallons per day), then the *Applicant* may be required to pay additional *Sewer Service Connection Charges* in proportion to the flow rates as determined by the *District*, and/or complete an application of a Waste Discharge Permit. The decision of the *District* shall be final.

.../3

4. Other

The above *Sewer Service Connection Charge* shall be levied where applicable, however, where in the opinion of the *District*, the flow rates from the intended use or change in use of a *Lot, Unit* or *Building* may be limited, temporary or seasonal, the *Applicant* may submit a detailed report for review by the *District* to determine if the *Sewer Service Connection Charge* may be adjusted to suit the intended use. The decision of the *District* shall be final.

5. Disconnection of a Sewer Service Connection

Where a *Sewer Service Connection* is to be abandoned and must be disconnected as determined by the *Manager*, the cost to the *Owner* of the property serviced shall be based on the actual cost to complete the work required plus a 10% administration charge.

6. Re-use of Abandoned Sewer Service Connection

Inspection fee of previously abandoned, or disused,
Sewer Service Connection----- \$50.00, plus the actual cost of a video inspection



C·V·R·D

SCHEDULE D

TO CVRD BYLAW NO. 3340

MISCELLANEOUS CHARGES

1. Supply statement of account
pursuant to Section 7 (3)No Charge

2. Processing dishonoured cheques
pursuant to Section 7 (4).....No Charge



SCHEDULE E

TO CVRD BYLAW NO. 3340

SEWER EXTENSION CHARGES

All applications for extension of the *Brulette Place Sewer System* shall be accompanied by a *Sewer Extension Application Fee* calculated as follows:

(a) Applications to Serve Subdivisions:

A fee of **\$500.00**, plus \$50.00 per lot to be created by the proposed subdivision.

(b) Other Applications:

A fee of **\$25.00** plus \$100.00 per hectare (or part thereof) of land proposed to be serviced.



SCHEDULE F

TO CVRD BYLAW NO. 3340

SOURCE CONTROL

1. DISCHARGES TO SEWERS

- .1 No person shall directly or indirectly *Discharge* or allow or cause to be *Discharged* into a *Sewer* connected to a *Sewage Facility* operated by the *District*, any waste which, at the point of discharge, contains:
 - (a) Any *Prohibited Waste*, as described in Article "A".
 - (b) Any *Restricted Waste*, at a concentration in excess of the limits set out in Article "B"; unless that person has first obtained a *Waste Discharge Permit* or *Authorization*.
 - (c) Any *High Volume Discharge* unless that person has first obtained a *Waste Discharge Permit* or *Authorization*; or
 - (d) Any *Uncontaminated Water* in a volume greater than 2.0 cubic metres per day without prior *Authorization* from the *Manager*.
 - (e) Any *Stormwater* without prior *Authorization* from the *Manager*.
- .2 No person shall directly or indirectly *Discharge*, or allow or cause to be *Discharged* into a *Sewer* connected to a *Sewage Facility* operated by the *District* any water or other *Substances* for the purpose of diluting any *Non-domestic Waste*.
- .3 In order to obtain and maintain the *Authorization* referred to in paragraph 2.1(d), where the *Uncontaminated Water* is produced on property, other than *Residential Property*, and is from a source other than a *Waterworks*, a person shall:
 - (a) install and thereafter maintain, at that person's expense, a meter on the water supply generating the *Authorized Discharge*; and
 - (b) supply to the *Manager*, by the tenth (10th) of each month, an accurate calculation of the volume of water measured pursuant to paragraph 2.4(a).

.../2

- 4 Every person who directly or indirectly *Discharges Waste* or *Substances* produced, treated, handled, or stored on property other than *Residential Property* into a *Sewer* connected to a *Sewer Facility* operated by the *District* shall, as a condition of that *Discharge*:
- (a) provide and maintain facilities to prevent accidental *Discharge*, or a *Discharge* contrary to this Schedule for *Substances* which, if accidentally *Discharged*, would constitute *Prohibited* or *Restricted Waste*;
 - (b) post, and keep posted, permanent signs in conspicuous locations on the *Premises* displaying the name, telephone number of the person to call as prescribed in Article "C" in the event of accidental *Discharge* of a *Prohibited* or *Restricted Waste*; and
 - (c) inform employees, who may cause or discover the *Discharge* of *Prohibited* or *Restricted Waste*, of the notification procedures set out in Section 5 of this Schedule.
- .5 *Oil and Grease* interceptors shall be installed for all food preparation facilities including restaurants, canning operations, killing and processing facilities, as close to the source of the *Waste* material as practical.
- .6 *Oil and Grease* and sand interceptors shall be installed for all vehicle repair and maintenance establishments and service stations, as close to the source of the *Waste* material as practical.
- .7 Separate sand traps and *Oil and Grease* interceptors shall be installed for all establishments that provide vehicle or equipment washing facilities. Sand traps shall be located upstream from the *Oil and Grease* interceptors, and shall have a minimum liquid depth of 1 metre and a maximum overflow rate of 8 L/m/m² under peak flow conditions. Sand and silt shall be removed from sand traps before these materials occupy 25 percent of the liquid depth. Accumulated *Oil and Grease* shall be skimmed off the surface of the interceptors and other sumps often enough to prevent these materials from escaping to the *Sewer*.
- .8 Interceptors are required for all industries or commercial establishments as necessary for the removal of grease, flammable wastes, sand, grit or other restricted substances.
- .9 All interceptors shall be installed on the parcel, upstream of the *Service Connection* and shall be located as to be readily accessible for cleaning and inspection.
- .10 All interceptors shall be maintained by the *Owner* or occupier in efficient operation at all times.
- .11 Volume Restriction: *Wastewater* or other *Water* shall not be *Discharged* into the *Sanitary Sewer* System in a volume that causes the *Sanitary Sewer* System to back up or leak at any point.

- .12 Special Control Manholes and Flow Meters: Any *Owner* or occupier of *Premises* that are the location of a facility that is discharging or likely to *Discharge Wastewater* to the *Sanitary Sewer* System in a volume that exceeds 90 m³ per month shall install a control manhole and flow meter on the building *Sewer* at a location that is suitable for the inspection and sampling of the discharged waters.
- .13 The rate or rates of *Discharge* for various times of a twenty-four hour period for any industry connected to the *Sanitary Sewer* system shall not exceed the extra capacity of the *Sanitary Sewer* system after all the other regular users have been accommodated. Such industries shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the *Manager* to ensure that the specified flow rates shall not be exceeded.
- .14 The control manhole shall be installed and maintained at the expense of the *Owner* or occupier of the *Premises* and shall be accessible at all times to the *District*.
- .15 The control manhole shall have a barrel diameter of 1200 mm, and shall be located on a straight run of building sewer extending at least 3 metres upstream of the manhole and 2 metres downstream. The section of building sewer on which the manhole is located shall have a gradient not exceeding 2 percent.
- .16 If the *Manager* deems necessary, a permanent flow meter (e.g. "Palmer Bowlus") shall be installed as an integral part of the control manhole, and shall be sized to suit the peak design flows.

2. WASTE DISCHARGE PERMITS AND AUTHORIZATIONS

- .1 The *Manager* may issue a *Waste Discharge Permit* or *Authorization* to allow a *High Volume Discharge*, or to allow the *Discharge* of *Waste* other than *Domestic Sewage* upon such terms and conditions as the *Manager* considers appropriate for the protection of *Sewers*, sewage facilities, human or animal health and safety, and the environment, and without limiting the generality of the foregoing, may in the *Waste Discharge Permit* or *Authorization*;
 - (a) place limits and restrictions on the quantity, frequency of *Discharge*, and the nature of the *Waste* permitted to be discharged;
 - (b) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to repair, alter, remove, or add works, or construct new works to ensure that the *Discharge* will comply with the *Waste Discharge Permit* or *Authorization*, this Schedule, and any *Enactment*;

.../4

- (c) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to monitor the *Waste* being discharged under the *Waste Discharge Permit* or *Authorization* in the manner specified by the *Manager*, and to provide information concerning the *Discharge* as requested by the *Manager* including, but not limited to, routine maintenance check dates, cleaning and *Waste* removal dates, and the means of disposal of accumulated *Wastes* and *Waste* treatment residuals;
 - (d) require the holder of the *Waste Discharge Permit* or *Authorization* to submit to the *Manager* detailed plans and operating procedures for all existing facilities installed on the *Premises* for the purpose of preventing accidental *Discharge*;
 - (e) require compliance by the holder of the *Waste Discharge Permit* or *Authorization* with such other *Enactments* as the *Manager* considers necessary or desirable in the circumstances;
 - (f) make such other requirements as the *Manager* deems necessary or desirable.
- .2 Notwithstanding paragraphs 2.1(b) and (c), the *Manager* may require any *Applicant* or person to obtain a *Waste Discharge Permit* or *Authorization* for the *Discharge* of any *Non-domestic Waste* that is not a *High Volume Discharge* or a *Restricted Waste*.
- .3 Upon receipt of notice under subsection 3.2, the *Applicant* or person receiving the notice shall, within 30 days, apply for a *Waste Discharge Permit* or *Authorization* and shall provide to the *Manager* such information relating to the *Discharge* of *Non-domestic Waste* by that person as the *Manager* may require.
- .4 The *Manager* may suspend or revoke a *Waste Discharge Permit* or *Authorization* for a failure to comply with the terms and conditions of the *Waste Discharge Permit* or *Authorization*, or for any failure to comply with this Schedule, or any *Enactment* applicable to the *Discharge* of *Waste* into a *Sanitary Sewer* connected to a *Sewage Facility* operated by the *District*.
- .5 (a) A *Waste Discharge Permit* or *Authorization* may not be transferred or assigned without the *Manager's* consent in writing.
- (b) The *Manager* may withhold consent where there has been a breach of this Schedule or a condition of the *Waste Discharge Permit* or *Authorization*.
- .6 An application for a *Waste Discharge Permit* for a new *Discharge*, or an amendment to an existing *Waste Discharge Permit*, shall be made to the *Manager* on the form attached hereto as Article "C", and shall be accompanied by such information, drawings, and specifications as may be required under Article "C".

3. MAINTENANCE OF WORKS AND PROCEDURES

- .1 It is a condition of the *Discharge* of *Waste* (produced on property other than *Residential Property*) into a *Sanitary Sewer* by a person who holds a *Waste Discharge Permit* or *Authorization*, or who otherwise discharges *Waste*, that all measures be taken to keep all equipment and facilities maintained and in good repair as may be necessary to ensure compliance with the terms and conditions of this Schedule, a *Waste Discharge Permit* or *Authorization*.
- .2 No person shall Discharge or allow or cause to be discharged, into a *Sewage Facility* or a *Sewer* connected to a *Sewage Facility* operated by the *District, Non-domestic Waste*, which has bypassed any *Waste* control works *Authorized* and required by the *Manager*, or which is not otherwise in compliance with this Schedule.

4. RECORDS RETENTION

- .1 Holders of a *Waste Discharge Permit* or *Authorization* permitting the *Discharge* of *Waste* produced on property other than *Residential Property*;
 - (a) shall retain and preserve for not less than six (6) years after their creation, any records, books, documents, memoranda, reports, correspondence, and any and all summaries of such documents, relating to monitoring, sampling and chemical analysis required by the *Manager*, a *Waste Discharge Permit*, or *Authorization*.
 - (b) shall retain and preserve all records that pertain to issues that are the subject of administrative action or any other enforcement or litigation activities by the *District* until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

5. NOTIFICATION

- .1 Any person who discharges *Waste* or allows the *Discharge* of *Waste* into a *Sewer* or a *Sewage Facility* in contravention of any *Waste Discharge Permit*, or *Authorization*, or that is otherwise in contravention of this Schedule, after becoming aware of the *Discharge*, shall stop the *Discharge*, and after reporting the *Discharge* in accordance with the *Spill Reporting Regulation* shall immediately notify:
 - (a) the *Manager* by telephone and provide the information specified in subsection 6.2;
 - (b) the *Owner* of the *Premises*; and
 - (c) any other person whom the person reporting knows, or reasonably should know, may be directly affected by the *Discharge*.
- .2 The *Manager* shall be supplied with the following information:
 - (a) identification of the *Premises* where the *Discharge* occurred;

- (b) location of the *Discharge*;
 - (c) name of the person reporting the *Discharge* and telephone number, or numbers, where that person can be reached;
 - (d) date, time and duration of the *Discharge*;
 - (e) type and concentration of all *Substances* discharged and any known associated hazards;
 - (f) total weight or volume of the material discharged; and
 - (g) corrective action being taken, or anticipated to be taken, to control the *Discharge* or to prevent similar *Discharges*.
- .3 A person who discharged or allowed a *Discharge* of *Waste* referred to in subsection 6.1 shall, as soon as that person becomes aware, or reasonably should have become aware of the *Discharge*, take all reasonable measures to:
- (a) confine, minimize, counteract, mitigate, remedy, and repair the effects of the *Discharge*; and
 - (b) remove or otherwise dispose of the *Substance* discharged in a manner consistent with this Schedule and other applicable *Enactments*.
- .4 A person operating under a *Waste Discharge Permit* shall notify the *Manager* in writing not less than 90 days prior to:
- (a) commencing a new activity; or
 - (b) expanding or changing an existing activity;
- which affects or may affect the average composition, or the total volume of *Waste* discharged by that person.

6. POWERS OF THE MANAGER

- .1 The *Manager* may enforce the provisions of this Schedule.
- .2 The *Manager*, or any person *Authorized* by the *Manager*, may at any reasonable time and upon presentation of proof of his identity, enter upon any property or *Premises* in order to ascertain whether the terms of a *Waste Discharge Permit*, an *Authorization* have been, or are being complied with, or the regulations of this Schedule are being observed.
- .3 Nothing in this Schedule shall be interpreted as restricting the powers of the Regional Manager of the Ministry of Environment under the *Environmental Management Act* of British Columbia and Regulations, or of the *Manager*.

.../7

7. MONITORING OF DISCHARGES

- .1 A *Manager*, may require that a person who is discharging any *Waste* other than *Domestic Sewage* into a *Sewer* shall, at his expense, install one or more *Monitoring Points* suitable for inspection, flow monitoring, and sample collection at locations determined by the *Manager*, to be constructed in accordance with plans approved by the *Manager* and maintained in good working order by the person.
- .2 A *Monitoring Point* required under subsection 7.1 shall be installed in a manner so as not to be affected by any *Discharge* of *Domestic Waste* from a *Premises*, unless otherwise *Authorized* by the *Manager*.
- .3 A *Monitoring Point* required under subsection 7.1 shall, for the purposes of enforcing this Schedule, be deemed to be the point or points at which a *Discharge* into a *Sewer* or *Sewage Facility* is made.
- .4 In the absence of a *Monitoring Point* under subsection 7.1, the point of *Discharge* into a *Sewer* or *Sewage Facility* shall, for the purposes of enforcing this Schedule, be the location determined by the *Manager* where access can be had to the *Waste* for the purpose of sampling.
- .5 Where a person is required to install a *Monitoring Point* under subsection 7.1, and the person cannot comply with such requirement within 60 days of being notified of the requirement by the *Manager*, the person shall, within 60 days of the notice being issued by the *Manager*, inform the *Manager* of his inability to install the *Monitoring Point* and the *District* may install, or cause to be installed, the *Monitoring Point* at the person's expense.
- .6 The *Owner* of a *Premises* shall ensure that all *Monitoring Points*, flow measuring devices and other devices specified in the *Waste Discharge Permit*, including water meters, are accessible for inspection by the *Manager* at all times.
- .7 The *Manager* may require that a person who is discharging *Waste* into a *Sewer* undertake, at that person's expense, sampling and analysis of the *Waste* discharged.
- .8 All sampling and analysis required by a *Manager* shall be carried out in accordance with methods and procedures specified in *Standard Methods* or in a manner specified by the *Manager*.
- .9 Samples which have been collected as the result of a requirement of the *Manager* shall be analysed by an independent agency or by a laboratory *Authorized* by the *Manager*.

8. OFFENCES AND PENALTIES

- .1 A person who contravenes this Schedule, a *Waste Discharge Permit*, or *Authorization* issued under this Schedule, or other requirement made or imposed under this Schedule, is guilty of an offence and is liable to a fine not exceeding \$10,000.00.

.../8

- .2 Where an offence is committed or continues 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 \$10,000.00 may be imposed for each day on or during which an offence occurs or continues.
- .3 Nothing in this Schedule shall limit the *District* from pursuing any other remedy that would otherwise be available to the *District* at law.

9. GENERAL

- .1 No person shall hinder or prevent the *Manager*, or a Bylaw Enforcement Officer, from entering any *Premises* or from carrying out his duties with respect to the administration of this bylaw.
- .2 Nothing in this Schedule shall be interpreted as relieving a person discharging *Waste* from complying with federal, provincial and local government *Enactments* governing the *Discharge* of *Waste* into *Sewers*.
- .3 Where the *Regional Board* has authority to direct that a matter or thing be done by a person, the *Regional Board* may also direct that, if the person fails to take the required action, the matter, or thing, shall be done at the expense of the person in default in accordance with the *Local Government Act*. If action in default is taken, the *Regional Board* may recover the expense from the person, together with costs and interest at the rate prescribed under Section 11(3) of the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.
- .4 The Articles annexed hereto shall be deemed to be an integral part of this Schedule.
- .5 If any provision of this Schedule is found to be invalid by a court of competent jurisdiction it may be severed from the Schedule.
- .6 The headings in this Schedule are inserted for convenience of reference only.

ARTICLE "A"

PROHIBITED WASTE

Prohibited Waste means:

1. *Special Waste:*

Special Waste as defined by the *Environmental Management Act* of British Columbia and its Regulations.

2. *Air Contaminant Waste:*

Any *Waste* other than *Sanitary Waste* which, by itself or in combination with another *Substance*, is capable of creating, causing or introducing an *Air Contaminant* outside any *Sewer* or *Sewage Facility*, or is capable of creating, causing or introducing an *Air Contaminant* within any *Sewer* or *Sewage Facility* which would prevent safe entry by *Authorized* personnel.

3. *Flammable or Explosive Waste:*

Any *Waste*, which by itself or in combination with another *Substance*, is capable of causing, or contributing to an explosion, or supporting combustion in any *Sewer* or *Sewage Facility* including, but not limited to gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

4. *Obstructive Waste:*

Any *Waste* which by itself, or in combination with another *Substance*, is capable of obstructing the flow of, or interfering with, the operation or performance of any *Sewer* or *Sewage Facility* including, but not limited to, earth, sand, sweepings, gardening, or agricultural waste, ash, chemicals, paint, metal, glass, *Sharps*, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

5. *Corrosive Waste:*

Any *Waste* with corrosive properties which, by itself, or in combination with any other *Substance*, may cause damage to any *Sewer* or *Sewage Facility*, or which may prevent safe entry by *Authorized* personnel.

6. *High Temperature Waste:*

(a) Any *Waste* which, by itself or in combination with another *Substance*, will create heat in amounts which will interfere with the operation and maintenance of a *Sewer* or *Sewage Facility*, or with the treatment of *Waste* in a *Sewage Facility*;

(b) Any *Waste* which will raise the temperature of *Waste* entering any *Sewage Facility* to 40 degrees Celsius (104 degrees Fahrenheit), or more;

(c) Any *Non-domestic Waste* with a temperature of 65 degrees Celsius (150 degrees Fahrenheit), or more.

7. **Biomedical Waste:**

Any of the following categories of **Biomedical Waste**; human anatomical waste, animal waste, untreated microbiological waste, waste **Sharps** and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Bio-safety Guidelines" published by Health and Welfare Canada and dated 1990.

8. **PCBs, Pesticides:**

Any **Waste** containing **PCBs** or **Pesticides**.

9. **Miscellaneous Wastes:**

Any **Waste**, other than **Sanitary Waste**, which by itself, or in combination with another **Substance**:

- (a) constitutes or may constitute a significant health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a **Discharge** from a **Sewage Facility** to contravene any requirements by or under any BC Waste Management Discharge Permit, or any other act, law or regulation governing the quality of the **Discharge**, or may cause the **Discharge** to result in a hazard to people, animals, property or vegetation;
- (d) may cause **Biosolids** to fail criteria for beneficial land application in British Columbia as set out in the draft "Guidelines for the Disposal of Domestic Sludge" under the **Environmental Management Act**, prepared by the Ministry of Water, Land and Air Protection and dated 1983, or may cause the emissions from a **Wastewater Sludge** combustion facility to be out of compliance with appropriate permits, or may cause the ashes from a **Wastewater Sludge** combustion facility to be considered a **Special Waste** under the **Environmental Management Act** of British Columbia.

ARTICLE "B"

RESTRICTED WASTE

Restricted Waste means:

1. Any *Waste* which, at the point of *Discharge* into a *Sewer*, contains any *Contaminant* at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the *Contaminant*, whether dissolved or undissolved. The concentration limits apply to both *Grab* and *Composite Samples*. *Contaminant* definitions and methods of analysis are outlined in *Standard Methods* or methods specified by the *Manager*.

Any of the *Contaminants* listed below in tables (a), (b) or (c) that are present in a *Waste* at dissolved concentrations in excess of the *Special Waste Regulation Leachate Quality Criteria* will qualify that *Waste*, regardless of the sampling method used, as a *Special Waste*.

(a) CONVENTIONAL CONTAMINANTS (mg/L)	
Biochemical Oxygen Demand (<i>BOD</i>)	300
Chemical Oxygen Demand (<i>COD</i>)	600
<i>Oil and Grease</i>	100
Suspended Solids	350
Total Nitrogen	80
Total Phosphorous	10

NOTE: *Total *Oil and Grease* includes Petroleum Hydrocarbons (see table (b)).

(b) ORGANIC CONTAMINANTS (mg/L)	
Benzene, Ethyl Benzene, Toluene, Xylene (BETX)	1
Chlorinated <i>Phenols</i>	1.0
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
Phenols	1
Petroleum Hydrocarbons	15

(c) INORGANIC CONTAMINANTS (mg/L)	
Aluminium (Al)	50.0
Arsenic (As)	1.0
Boron (B)	50.0
Cadmium (Cd)	0.2
Chromium (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	1.0
Iron (Fe)	10.0
Lead (Pb)	1.0
Manganese (Mn)	5.0
Mercury (Hg)	0.05
Molybdenum (Mo)	1.0
Nickel (Ni)	2.0
Silver (Ag)	1.0
Sulphate (SO ₄)	1500

Sulphide (S)	1.0
Tin (Sn)	5.0
Zinc (Zn)	3.0

2. **Food Waste:**
Any *Non-domestic Waste* from cooking and handling of food that, at the point of *Discharge* into a *Sewer*, contains particles larger than 0.5 centimetres in any dimension.

3. **Radioactive Waste:**
Any *Waste* containing *Radioactive Materials* that, at the point of *Discharge* into a *Sewer*, exceed radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. **pH Waste:**
Any *Non-domestic Waste* which, at the point of *Discharge* into a *Sewer*, has a *pH* lower than 5.5 or higher than 9.5 as determined by either a *Grab* or a *Composite Sample*.

5. **Dyes and Colouring Material:**
Dyes or colouring materials which may pass through a *Sewage Facility* and discolour the effluent from a *Sewage Facility* except where the dye is used by the *District*, or one or more of its *Municipalities*, as a tracer.

.../13

ARTICLE "C"

WASTE DISCHARGE PERMIT APPLICATION

This Information Sheet is provided to assist you in the preparation and submission of an application for a **Waste Discharge Permit** under the CVRD – Brulette Place Sewer System Management Bylaw No. 3340, 2009. Once the form has been completed, initial each page and sign the declaration. To assist the CVRD Engineering & Environmental Services Department in processing of the application, please make an accurate, readable and complete submission to the address provided below.

A. APPLICATION FORMS

1. COMPANY INFORMATION:

Indicate the company name, incorporation number, type of business, and location of the business. If your business or organization has more than one site address, please copy this form and complete a separate application for each site.

2. SUMMARY OF EFFLUENT DISCHARGE CHARACTERISTICS:

Complete this section to indicate **Discharge** duration, volume and quality.

3. NUMBER OF CONNECTIONS:

List the number and type of connections to **Sewer**.

4. SOURCES OF WASTEWATER:

Where **Non-domestic Waste** is being discharged to **Sanitary Sewer** or **Storm Sewer**, list any pre-treatment works and the actual source of the wastewater.

5. SITE PLAN:

A site plan must be submitted. Clearly mark the plant boundary, buildings, and approximate locations of new and existing works, **Monitoring Points** and **Sewer** connections.

6. DECLARATION FORM:

The application form must be signed. Please ensure that the first box in the Declaration Section is complete. An application may be filed by an agent of the **Applicant** and, unless the **Manager** deems otherwise, an obligation imposed by this Schedule on an **Applicant** may be carried out by his agent. If you wish to appoint an agent, please complete the appropriate box in the Declaration Section.

B. ADDITIONAL INFORMATION

1. Specifications and drawings of process equipment and control works associated with the **Discharge** should be submitted to assist the CVRD's Engineering & Environmental Services Department with the evaluation of the application. The **Manager** may request submission of additional details relevant to the application. Should additional application forms be required, they may be obtained from:

Cowichan Valley Regional District
Engineering & Environmental Services Department
175 Ingram Street
Duncan, BC V9L 1N8

2. In the event of accidental **Discharge** of a **Prohibited** or **Restricted Waste** to a **Sewer** (as described under Articles A and B of this Schedule), please contact **CVRD Engineering & Environmental Services Department**, Tel (250) 746-2530, Fax (250) 746-2543.

APPLICATION FOR A WASTE DISCHARGE PERMIT

Application for a *Waste Discharge Permit* under the Brulette Place Sewer System Management Bylaw No. 3340, 2009. This application is to be filed with the *Manager*, as described in Article C, Section B.1, not less than 90 days prior to the date for which a Permit is required.

1. I, _____
(Full name - if a company, British Columbia Registered Name)

Registered Address: _____

Incorporation Number: _____

hereby apply for a *Waste Discharge Permit* to *Discharge Non-domestic Waste* into *Sanitary Sewer* from a:

(Type of Business)

Located at: _____

2. Summary of Wastewater Discharge Characteristics:

Maximum Duration of Operation: (hours/day) _____
(days/week) _____
(weeks/year) _____

Flow:

Is the *Discharge* greater than 90 m³ in a 30 day period?: yes no

Frequency:

Maximum *Discharge* flow rate: _____ (m³/day)

Average daily *Discharge* flow rate: _____ (m³/day)

Method of flow rate determination: _____

measured estimated

(NOTE: 1 m³ = 220 Imperial gallons, or 264 U.S. gallons)

Type of *Discharge*:

continuous batch both

Quality:

Use the check boxes to indicate whether any of the following types of *Wastes* are discharged:

Flammable or explosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Obstructive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
<i>Air Contaminant</i> waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
High temperature waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Corrosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no

Biomedical Waste yes no
Food waste yes no
Radioactive Waste yes no

Special Waste:

Does any process within the plant produce *Special Waste* as defined under the *Special Waste Regulation* of the *Environmental Management Act* of British Columbia?

yes no do not know

Wastewater Characteristics:

In the space provided below, check the appropriate box for each *Wastewater Contaminant* to indicate whether the *Contaminant* listed is "known to be present", "suspected to be present", "suspected to be absent", or "known to be absent", in the *Wastewater Discharge*.

If a *Contaminant* is "known to be present", or "suspected to be present", estimate the expected average and maximum daily *Contaminant* concentrations in the spaces provided.

If *Wastewater Discharges* have been sampled and analysed in the past, please attach examples of sampling data.

Wastewater Contaminants	Known to be present	Suspected to be present	Suspected to be absent	Known to be absent	Expected Concentration mg/L (ppm)	
					Average	Maximum
Conventional Contaminants:						
Ammonia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Biochemical Oxygen Demand (BOD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chemical Oxygen Demand (COD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Phosphorous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Suspended Solids	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Nitrogen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Oil and Grease (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
pH max_ min ____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Organic Contaminants:						
Petroleum Hydrocarbons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (chlorinated)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Polycyclic Aromatic Hydrocarbons (PAH)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Ethylbenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Toluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Wastewater Contaminants	Known to be present	Suspected to be present	Suspected to be absent	Known to be absent	Expected Concentration mg/L (ppm)	
					Average	Maximum
Xylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Solvents (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<u>Inorganic Contaminants</u>						
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chromium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cobalt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cyanide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Iron	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Lead	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Manganese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Mercury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Molybdenum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Sulphate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Tin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Zinc	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

3. Number of Connections to Sewer:

a. Sanitary Sewer:

Domestic Waste only _____

Non-domestic Waste only _____

Combined domestic and Non-domestic Waste _____

(Note connection locations on attached site plan.)

Will Stormwater be discharged to Sanitary Sewer?

Yes Volume ____ m³/day No

Will contaminated or uncontaminated water be discharged to Sanitary Sewer?

(Note connection locations on attached site plan.)

Yes Volume ____ m³/day No

4. Sources of Wastewater Discharge to Sewer:

(Note location of sources and control works on attached site plan.)

SOURCE OF WASTEWATER CONTROL WORKS TREATING EACH SOURCE
PRIOR TO DISCHARGE TO SEWER* (e.g. Trade Waste Interceptor)

a. Sanitary Sewer:

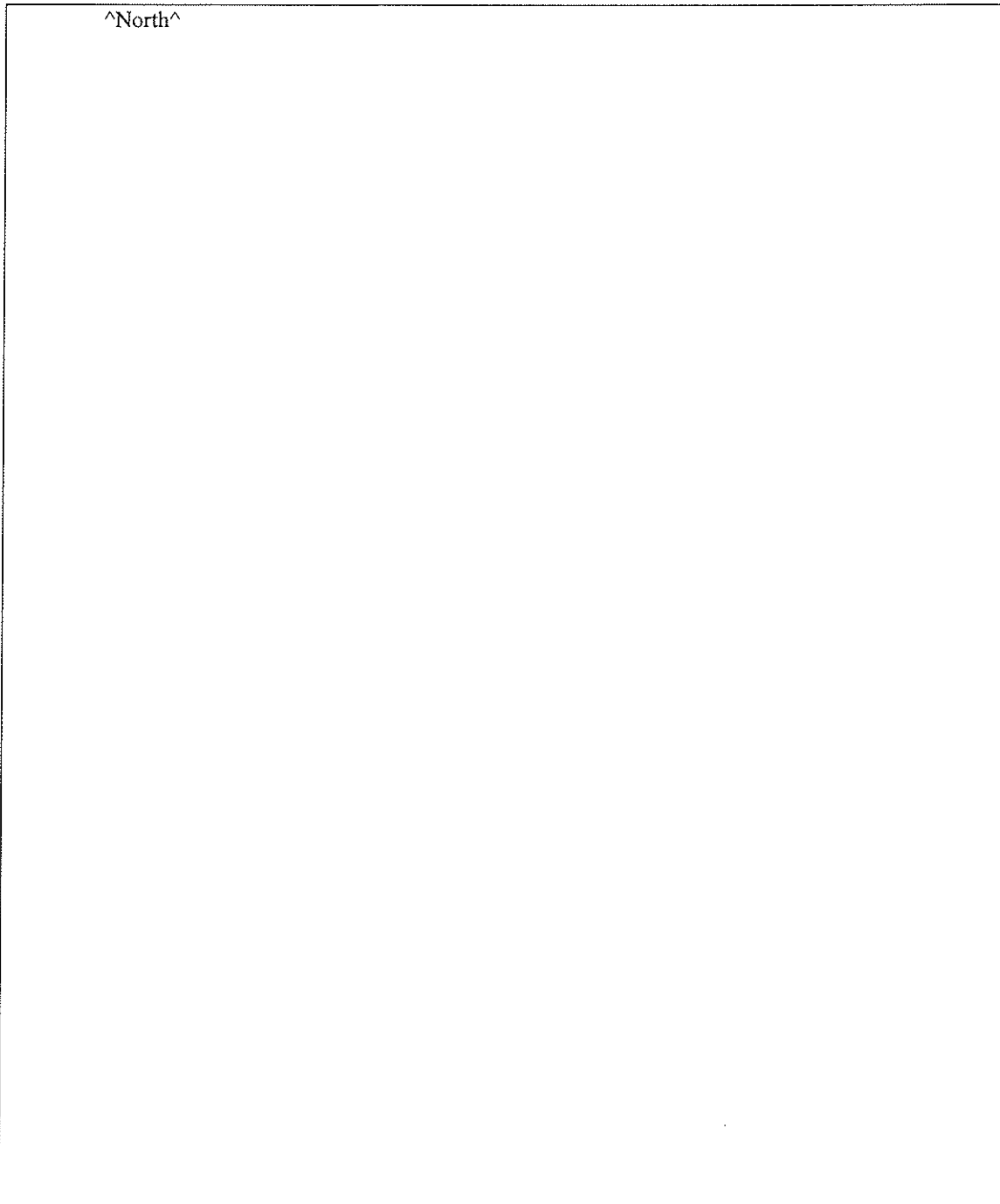
*Control Works include: oil/water separators, grease traps, filters, electrolytic precipitators, reverse osmosis units, ion exchange units, neutralization facilities and other Wastewater pre-treatment works.

5. Site Plan:

Sketch a site plan in the area provided below or attach a site plan to this application form. The plan shall include property lines, buildings, pre-treatment works, effluent lines, sanitary and *Storm Sewer* connections, flow measuring devices, and *Monitoring Points* (or available sampling locations).

(Include approximate scale on site plan.)

^North^



6. Declaration:

I, _____, declare that the information given on this application form is correct to the best of my knowledge.

_____ Signature of Applicant or Agent	_____ Date
_____ Title	_____ Phone Number

If you elect to appoint an Agent, please complete the following:

I, _____ / _____
Print Name Title

Signature

hereby authorize _____ / _____
Print Name Affiliation

to deal with you directly on all aspects of the subject application.



SCHEDULE G
TO CVRD BYLAW NO. 3340
2010 FLAT RATE CHARGE

A flat rate charge in the amount of \$2.3013/day will be invoiced in **2010** to each of the properties within the service area boundary of the Brulette Place Sewer System, for the period "Takeover Date" to December 31, 2010. Properties within this area that do not have homes on them will pay only \$1.1506/day.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Parcel Tax Roll.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3341

**A Bylaw to Establish a Capital Reserve Fund for the
Brulette Place Sewer System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Brulette Place Sewer System Service Area* under the provisions of the CVRD Bylaw No. 3296, cited as "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009";

WHEREAS the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

AND WHEREAS the Board wishes to establish a Capital Reserve Fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Brulette Place Sewer System;

NOW THEREFORE the Board of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3341 – Brulette Place Sewer System Capital Reserve Fund Establishment Bylaw, 2010**".

2. ESTABLISHMENT OF FUND

A Capital Reserve Fund to be known as the "Brulette Place Sewer System Capital Reserve Fund" is hereby established.

3. PAYMENTS INTO FUND

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

4. EXPENDITURES FROM FUND

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Brulette Place Sewer System Service Area.

.../2

b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3342

**A Bylaw to Authorize the Preparation of a
Parcel Tax Roll for the Brulette Place Sewer System**

WHEREAS the Board of the Cowichan Valley Regional District established the *Brulette Place Sewer System Service Area* under the provisions of CVRD Bylaw No. 3296, cited as "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009";

AND WHEREAS the Board of the Cowichan Valley Regional District is empowered under Section 803 of the *Local Government Act* and Section 5 of CVRD Bylaw No. 3342 to recover annual servicing costs by imposing a parcel tax on lands within the service area;

AND WHEREAS it is deemed desirable and expedient to impose a parcel tax on land benefiting from such service to meet such costs;

AND WHEREAS for the purpose of imposing a parcel tax the Board must, pursuant to Section 806.1 of the *Local Government Act*, provide for the preparation of a parcel tax roll for the service area;

NOW THEREFORE the Board of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited as "**Cowichan Valley Regional District Bylaw No. 3342 – Brulette Place Sewer System Parcel Tax Roll Bylaw, 2010**".

2. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

.../2

3. PREPARATION OF PARCEL TAX ROLL

Beginning in the year 2010 and annually thereafter, a parcel tax roll shall be prepared in accordance with Division 4 of Part 7 of the *Community Charter* and will include all parcels of land within the boundary of the Brulette Place Sewer System Service Area.

4. BASIS OF PARCEL TAX

The said parcel tax shall be imposed on the basis of a single amount for each parcel.

READ A FIRST TIME this _____ day of _____ , 2010.

READ A SECOND TIME this _____ day of _____ , 2010.

READ A THIRD TIME this _____ day of _____ , 2010.

ADOPTED this _____ day of _____ , 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3344

A Bylaw to Establish a Drainage Service in a Portion of
Electoral Area B – Shawnigan Lake

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a drainage service in a portion of Electoral Area B – Shawnigan Lake;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

AND WHEREAS the Director of Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3344 – Shawnigan Creek Drainage System Service Establishment Bylaw, 2010**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the operation and maintenance of a drainage service system.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area B – Shawnigan Lake shown outlined in Schedule A of this bylaw. The service area shall be known as the "Shawnigan Creek Drainage System Service Area".

4. **PARTICIPATING AREA**

Electoral Area B – Shawnigan Lake is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area, as per the *Local Government Act*;
- (b) revenues raised by other means authorized by the *Local Government Act*.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$18,000. or an amount that equals the amount raised by applying a property value tax rate of \$0.04485 per \$1,000.00 to the net taxable value of land and improvements in the service area.

READ A FIRST TIME this _____ day of _____ , 2010.

READ A SECOND TIME this _____ day of _____ , 2010.

READ A THIRD TIME this _____ day of _____ , 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3344 as given Third Reading on the _____ day of _____ , 2010.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2010.

ADOPTED this _____ day of _____ , 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3345

A Bylaw to Provide for the Borrowing of Money in Anticipation of Revenue

WHEREAS the Regional District does not have sufficient money on hand to meet the current lawful expenditures of the Regional District;

AND WHEREAS it is provided by Section 821 of the *Local Government Act* that the Regional Board may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the Regional District;

AND WHEREAS there are no liabilities outstanding under Section 821;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION:**

This bylaw may be cited as “**CVRD Bylaw No. 3345 – Cowichan Valley Regional District Revenue Anticipation Borrowing Bylaw, 2010.**”

- 2. The Regional Board shall be and is hereby empowered and authorized to borrow upon the credit of the Regional District an amount or amounts not exceeding the sum of Nine Million Dollars (\$9,000,000.).
- 3. The form of obligation to be given as acknowledgement of the liability shall be a Promissory Note or Notes bearing the corporate seal and signed by the Chair and the Treasurer.
- 4. All anticipated revenue of the current year or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3346

A Bylaw to Authorize the Entering into of an Agreement Respecting Financing Between the Cowichan Valley Regional District and the Municipal Finance Authority of British Columbia

WHEREAS the Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS the District of North Cowichan is a member municipality of the Cowichan Valley Regional District:

AND WHEREAS the Regional District is to finance from time to time on behalf of and at the sole cost of the member municipalities, under the provisions of Section 824 of the Local Government Act, the works to be financed pursuant to the following loan authorization bylaw(s):

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
3391	Chemainus Wells	\$1,750,000.	\$0.	\$1,750,000.	20 years	\$1,750,000.
TOTAL		\$1,750,000.	\$0.	\$1,750,000.		\$1,750,000.

Total financing under Section 824 \$1,750,000.

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

NOW THEREFORE the Regional Board of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "Cowichan Valley Regional District Bylaw No. 3346 - Security Issuing (Loan Authorization Bylaw No. 3391) Bylaw, 2010".

2. The Regional Board hereby consents to financing the debt of the District of North Cowichan in the amount of One Million, Seven Hundred and Fifty Thousand Dollars (\$1,750,000.), in accordance with the following terms.

3. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Regional District and its member municipalities up to, but not exceeding One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000.) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$1,750,000. in Canadian dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.
4. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and Treasurer of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule A and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
5. The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 of this bylaw and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
6. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.
7. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chair and Treasurer.
8. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
9. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of the District of North Cowichan Bylaw No. 3391 – Chemainus Wells Loan Authorization Bylaw, 2009, there shall be requisitioned annually an amount sufficient to meet the annual payment of interest and the repayment of principal.
10. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however, that if the sum provided for in the Agreement is not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.

11. At the request of the Treasurer of the Authority and pursuant to Section 15 of the "Municipal Finance Authority of British Columbia Act", the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the "Municipal Finance Authority of British Columbia Act", to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

READ A FIRST TIME this _____ day of _____, 2010

READ A SECOND TIME this _____ day of _____, 2010

READ A THIRD TIME this _____ day of _____, 2010

ADOPTED this _____ day of _____, 2010

Chair

Corporate Secretary



C.V.R.D

SCHEDULE "A"

to CVRD Bylaw No. 3346

CANADA

PROVINCE OF BRITISH COLUMBIA

Dollars

AGREEMENT

COWICHAN VALLEY REGIONAL DISTRICT

The Cowichan Valley Regional District hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ (\$ _____) in lawful money of Canada, together with interest thereon from the _____ day of _____ at varying rates of interest calculated semi-annually in each and every year during the currency of this Agreement; and payments shall be as specified in the table appearing on the reverse hereof commencing on the _____ day of _____ provided that in the event of payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _____ day of _____.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 3346 cited as "Cowichan Valley Regional District Bylaw No. 3346 - Security Issuing (Loan Authorization Bylaw 3391) Bylaw, 2010." This Agreement is sealed with the Corporate Seal of the Cowichan Valley Regional District and signed by the Chair and Treasurer thereof.

Chair

Treasurer

11. At the request of the Treasurer of the Authority and pursuant to Section 15 of the "Municipal Finance Authority of British Columbia Act", the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the "Municipal Finance Authority of British Columbia Act", to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chair

Corporate Secretary



B12

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3347

**A Bylaw to Authorize the Entering into an Agreement Respecting Financing
Between the Cowichan Valley Regional District and the
Municipal Finance Authority of British Columbia**

WHEREAS the Municipal Finance Authority of British Columbia (the “Authority”) may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS under the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
3019	Upgrade of Sewage Treatment Plant & Disposal Field for Kerry Village Sewer System	\$80,000	Nil	\$80,000	20 Years	\$80,000
3197	Renovation of Cowichan Lake Arena	\$7,500,000	\$2,500,000	\$5,000,000	20 Years	\$3,700,000
3272	Mobile Water Tender Firefighting Apparatus Sahtlam Fire Protection Service	\$130,000	Nil	\$130,000	10 Years	\$130,000
3278	Construct a new Bings Creek Operations Facility	\$590,000	Nil	\$590,000	20 Years	\$590,000
TOTAL		\$8,300,000	\$2,500,000	\$5,800,000		\$4,500,000

TOTAL Financing under Section 825 \$4,500,000

.../2

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

NOW THEREFORE the Regional Board of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as “**Cowichan Valley Regional District Bylaw No. 3347 - Security Issuing (Loan Authorization Bylaw No. 3019, Loan Authorization Bylaw No. 3197, Loan Authorization Bylaw No. 3272, and Loan Authorization Bylaw No. 3278) Bylaw, 2010**”.

2. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Cowichan Valley Regional District up to, but not exceeding Four Million, Five Hundred Thousand Dollars, (\$4,500,000.) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$4,500,000. in Canadian dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.
3. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and Treasurer of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule A and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
4. The Agreement in the form of Schedule A shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 of this bylaw and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
5. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.

6. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chair and Treasurer.
7. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
8. During the currency of the obligations incurred under the said Agreement to secure borrowings in respect of "CVRD Bylaw No. 3019 – Kerry Village Sewer System Service Loan Authorization Bylaw, 2007", "CVRD Bylaw No. 3197 – Cowichan Lake Sports Arena Renovation Loan Authorization Bylaw, 2008", "CVRD Bylaw No. 3272 – Sahtlam Fire Protection Service Loan Authorization Bylaw, 2009", and "CVRD Bylaw No. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009" the anticipated revenues accruing to the Regional District from the operation of the Kerry Village Sewer System, Cowichan Lake Sports Arena, Sahtlam Fire Protection and Solid Waste Management are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.
9. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however, that if the sum provided for in the Agreement is not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
10. At the request of the Treasurer of the Authority and pursuant to Section 15 of the *Municipal Finance Authority Act*, the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the *Municipal Finance Authority Act*, to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chair

Corporate Secretary



C·V·R·D

SCHEDULE "A"

to CVRD Bylaw No. 3347

CANADA

PROVINCE OF BRITISH COLUMBIA

Dollars

AGREEMENT

COWICHAN VALLEY REGIONAL DISTRICT

The Cowichan Valley Regional District hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ (\$ _____) in lawful money of Canada, together with interest thereon from the _____ day of _____ at varying rates of interest calculated semi-annually in each and every year during the currency of this Agreement; and payments shall be as specified in the table appearing on the reverse hereof commencing on the _____ day of _____ provided that in the event of payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _____ day of _____, 20____.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 3347 cited as "Cowichan Valley Regional District Bylaw No. 3347 - Security Issuing (Loan Authorization Bylaw 3019, Loan Authorization Bylaw 3197, Loan Authorization Bylaw 3272, and Loan Authorization Bylaw 3278) Bylaw, 2010." This Agreement is sealed with the Corporate Seal of the Cowichan Valley Regional District and signed by the Chair and Treasurer thereof.

Chair

Treasurer



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3351

A Bylaw to Amend the Arbutus Ridge Drainage System Management Bylaw No. 3307

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Arbutus Ridge Drainage System pursuant to Bylaw No. 3307, cited as "CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to add Schedule B;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Cowichan Valley Regional District Bylaw No. 3351 - Arbutus Ridge Drainage System Management Amendment Bylaw, 2010".

2. AMENDMENTS

a) That the attached Schedule B be added to and form part of this Bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE B

TO CVRD BYLAW NO. 3307

2010 FLAT RATE CHARGE

A flat rate charge in the amount of \$0.1315 per day will be invoiced in **2010** to each of the properties within the service area boundary of the Arbutus Ridge Drainage System, from the takeover date to December 31, 2010.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Tax Requisition.



B14

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3352

**A Bylaw to Amend the Dogwood Ridge Water System Management
Bylaw No. 3313**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Dogwood Ridge Water System* pursuant to Bylaw No. 3313, cited as "CVRD Bylaw No. 3313 – Dogwood Ridge Water System Management Bylaw, 2009";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to add Schedule H;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3352 - Dogwood Ridge Water System Management Amendment Bylaw, 2010**".

2. **AMENDMENTS**

a) That the attached Schedule H be added to and form part of this Bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE H

TO CVRD BYLAW NO. 3313

2010 FLAT RATE CHARGE

A flat rate charge in the amount of \$3.5616 per day will be invoiced in **2010** to each of the properties within the service area boundary of the Dogwood Ridge Water System, for the period January 4 – December 31, 2010. Properties within this area that do not have homes on them will pay only \$1.9178 per day.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Parcel Tax Roll.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3353

A Bylaw to Amend the Boundaries of the Shawnigan Lake North Water System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Shawnigan Lake North Water System Service Area* under the provisions of Bylaw No. 1911, cited as "CVRD Bylaw No. 1911 – Shawnigan Lake North Water System Service Establishment Bylaw, 1999", as amended;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to extend the boundaries of the service area to include the following three properties:

- PID 009-481-079 - District Lot 16, Shawnigan District;
- PID 009-255-702 - Lot 1, Block 33, Shawnigan Suburban Lots, Shawnigan District, Plan 218A;
- PID 009-255-753 - Lot 2, Block 33, Shawnigan Suburban Lots, Shawnigan District, Plan 218A;

AND WHEREAS the owners of the above noted properties have petitioned the Regional District to have their properties included in the service area;

AND WHEREAS the Director of Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

NOW THEREFORE the Board of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3353 – Shawnigan Lake North Water System Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That Bylaw No. 1911 be amended by deleting and replacing the existing Schedule A with the Schedule A attached to this bylaw.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



B16

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 2981

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2600
Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area F – Cowichan Lake South/Skutz Falls, that being Zoning Bylaw No. 2600;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2600;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 2981 - Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (CVRD for Ministry of Environment), 2009**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2600, as amended from time to time, is hereby amended in the following manner:

.../2

- a) That Schedule B (Zoning Map) to Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning Lot 1, Section 37, Renfrew District (situate in Cowichan Lake District), Plan VIP82826, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-2981, from A-1 (Agricultural Resource) and F-1 (Forest Resource) to P-1 (Parks).

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

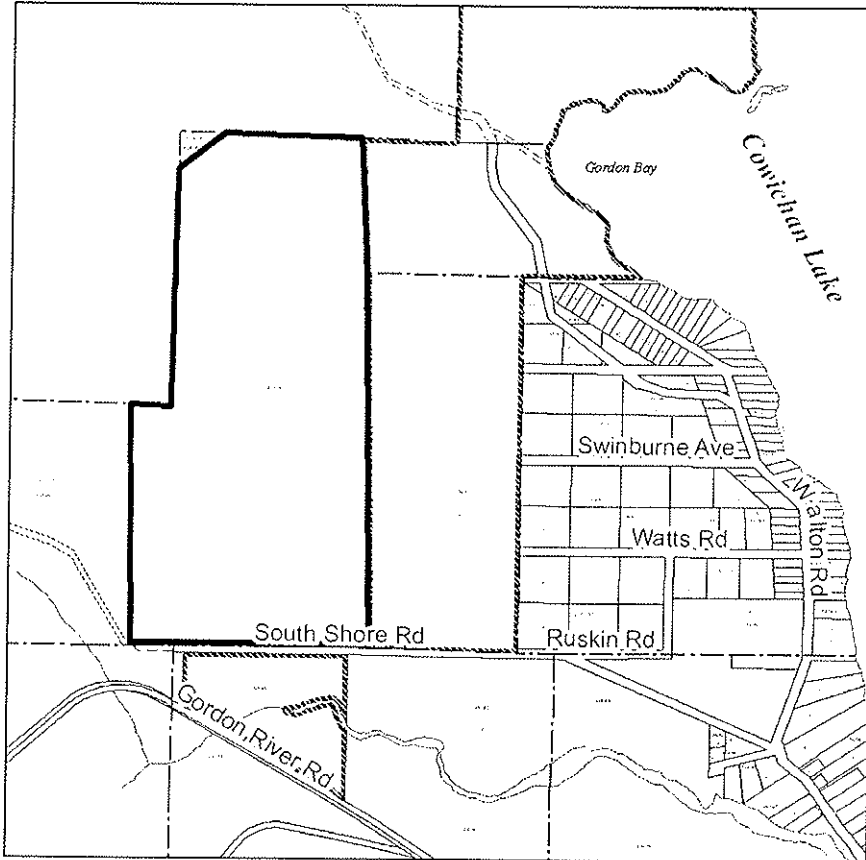
READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

A-1 (Agricultural Resource) and F-1 (Forest Resource) TO

P-1 (Parks) APPLICABLE

TO ELECTORAL AREA F



B17

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3324

**A Bylaw for the Purpose of Amending Official Settlement Plan Bylaw No. 925,
Applicable to Electoral Area D – Cowichan Bay**

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend official settlement plan bylaws;

AND WHEREAS the Regional District has adopted an official settlement plan bylaw for Electoral Area D – Cowichan Bay, that being Official Settlement Plan Bylaw No. 925;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Official Settlement Plan Bylaw No. 925;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3324 - Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Parhar), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Settlement Plan Bylaw No. 925, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

.../2

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No 3324

Schedule A to Official Settlement Plan Bylaw No. 3324, is hereby amended as follows:

1. That Policies 8.12 to 8.14 under the TOURIST-RECREATION COMMERCIAL heading be re-numbered as Policies 8.15 to 8.17.
2. That Policies 8.15 to 8.18 under the NEIGHBOURHOOD PUB COMMERCIAL heading be re-numbered Policies 8.18 to 8.21.
3. That the following be added to Section 8, Commercial – General Policies, after Policy 8.13:

Policy 8.14

The Board may consider rezoning land for “Business Park” development in those areas designated Commercial in this Plan without a Plan Amendment, provided the proposed use is consistent with the Business Park Commercial Policies specified in this Plan.

3. That the following heading be added after Policy 8.21:

c) BUSINESS PARK COMMERCIAL

4. That the following policies be added under the BUSINESS PARK COMMERCIAL heading:

Policy 8.22

The Board may consider designating lands for Business Park Commercial uses subject to appropriate environmental analysis, traffic impact and site servicing requirements. Sites considered suitable for Business Park Commercial use shall comply with the following criteria:

- a) The site must be located between the north end of the Koksilah Frontage Road and the Chaster Road/Trans Canada Highway intersection;
- b) The site must have a minimum area of 2.5 hectares;
- c) The site must be outside of the Agricultural Land Reserve.

.../2

Policy 8.23

The Business Park Commercial designation is intended to accommodate low intensity light industrial uses and service oriented commercial uses. It is also intended to promote economic development by providing a location for commercial and light industrial businesses. Uses considered suitable for the designation include research and development, business and medical office, personal service establishment, manufacturing contained within a building, food processing, and warehousing.

Policy 8.24

Business Park Commercial sites shall be designed and developed to comply with the following objectives:

- a) minimize impacts on adjacent residential and agricultural uses;
- b) provide a safe, comfortable and attractive environment for employees, customers and others;
- c) achieve a consistent and unified theme for site, building, landscape and signage design;
- d) Utilize sustainable development practices such as on-site storm water management, energy efficient building design and water consumption reduction measures.

Policy 8.25

Lands designated Business Park Commercial shall be designed and constructed so as to allow uses and occupants to change over time.

Policy 8.26

All lands designated Business Park Commercial shall be included within a development permit area.

Policy 8.27

Accessory residential use may be permitted above a permitted principal use to improve on-site security, promote economic development and to encourage housing affordability. Residential density shall not exceed 5 units per hectare.

Policy 8.28

Accessory residential dwellings shall not be subdivided as individual strata units, unless attached to a permitted principal use.

5. That the TABLE OF CONTENTS be amended by adding "Business Park Commercial" after Part Four, 8. b).

6. That the following development permit area be added after Section 13.7.

13.8 Business Park Commercial Development Permit Area

13.8.1 CATEGORY

This development permit area is designated pursuant to Sections 919.1 (a) and (e) of the *Local Government Act* for the protection of the natural environment and establishment of objectives for the form and character of commercial and industrial development.

13.8.2 JUSTIFICATION

Lands within the Business Park Commercial Development Permit Area are within the Cowichan River – Koksilah flood plain. Commercial and industrial activity on the lands could potentially impact ground and surface water quality. The lands are also adjacent to non industrial/commercial uses and are at a prominent location at the south entrance to Duncan. Thoughtful site planning and building and landscape design are necessary reduce potential impacts on the environment, to encourage compatibility between commercial and industrial uses and to achieve a high quality, attractive form of development.

13.8.3 APPLICATION

Lands within the Business Park Commercial Development Permit Area are identified on Figure 7.

13.8.4 EXEMPTIONS

A development permit shall not be required for the following:

- interior renovations;
- repair to an existing structure that was previously authorized by development permit;
- the subdivision of land;
- changes to the text or message of a sign previously authorized by development permit.

13.8.5 GUIDELINES

Unless specifically exempted under Section 13.8.4 of this Bylaw, within the Business Park Commercial Development Permit Area, no person shall:

- alter land, including the removal of trees or vegetation and remove, deposit or excavate soil;
- utilize the land for a commercial or industrial purpose;
- construct a building or structure or undertake site works;

prior to the owner of land obtaining a development permit that is deemed by the Regional District to be in substantial compliance with the following guidelines:.

.../4

Site Design:

- 1.1 Exterior storage areas will be contained and screened from public view with a combination of landscaping and fencing;
- 1.2 Internal roadways will be designed to accommodate heavy truck and emergency vehicles.
- 1.3 Parking areas will be designed to encourage safe pedestrian travel between parking lots and building entrances;
- 1.4 Exterior lighting shall be designed with the objective of providing security for persons and property while also minimizing glare and light trespass on adjacent properties;
- 1.5 Refuse and recycling shall be screened and contained within a fenced and gated compound;

Building Design:

- 2.1 Where the building promotes public activity adjacent to agriculturally zoned land, buildings shall be setback a minimum of 15 metres from the agricultural boundary;
- 2.2 Buildings facing public roadways will be articulated so as to create visual interest and an attractive building façade facing the street;
- 2.3 Roof lines and exterior walls exceeding 15 metres in length will be articulated with architectural treatment;
- 2.4 Buildings shall be designed with a consistent architectural theme;
- 2.5 Low maintenance, durable finishes such as coloured split-faced concrete block, cement composite siding or metal cladding is encouraged;
- 2.6 Smooth concrete block and vinyl siding will not be permitted as exterior finishes;
- 2.7 Building materials indigenous to the west coast are to be incorporated into the building design;
- 2.8 Roof top equipment shall be screened from public view;
- 2.9 The perceived height and mass of buildings facing residential land should be minimized through the use of setback variations, building orientation, the choice of exterior finishes and landscaping adjacent to exterior walls;

Landscaping and Buffers:

- 3.1 A public pathway shall be constructed across the primary public road frontage. Where approved by the Ministry of Transportation and Infrastructure, the pathway may be located within the road allowance. Where the trail is not authorized in the road allowance it shall be provided on the subject property;

- 3.2 A fenced, landscaped buffer shall be provided along all residential and Agricultural Land Reserve boundaries. The buffer shall be designed and constructed to the “Level 2D” standard specified in the *Guide to Edge Planning*¹;
- 3.3 No parking, outdoor storage or other intrusion into required landscaped buffers shall be permitted. Required buffers may be protected by covenants, fencing, or a combination thereof;
- 3.3 Street trees shall be provided along public road ways and within parking areas;
- 3.4 Native and drought tolerant plant species shall be utilized;
- 3.5 All landscaped areas shall be serviced with an automatic irrigation system designed to minimize water consumption;
- 3.6 All landscaping shall be designed and supervised by a member of the BC Society of Landscape Architects or BC Nursery Trades Association.

Environmental Protection:

- 4.1 A storm water management plan that achieves zero discharge from the subject property will be required, utilizing detention and infiltration methods. Preliminary design for the entire site will be required at the development permit stage, with detailed design required prior to issuance of building permit;
- 4.2 Storm drainage works will be designed to include water quality protection measures such as oil-water separators. Uses that could potentially threaten ground water or surface water will require additional spill containment measures;
- 4.3 Energy efficient building design, including all exterior lighting, shall be designed and constructed to reduce energy consumption;
- 4.4 Low water consumption fixtures and appliances shall be incorporated into the building design;

.../6

¹ Ministry of Environment and Lands, June, 2009.

Signage:

- 5.1 Free standing signage shall be consolidated into multi-tenant sign located at main driveway entrances. The sign should be low and not exceed 5 metres in height. No more than two freestanding signs will be permitted.
- 5.2 No signs, other than the multi-tenant signs, may directly face the public road way.
- 5.3 Facia or canopy signs are permitted over the main public entrance to individual businesses, provided they are designed to complement building architecture. Signage attached to the building shall only be placed on locations designated in the approved development permit.
- 5.4 All exterior signage must be consistent throughout the development.

13.8.6 VARIANCES

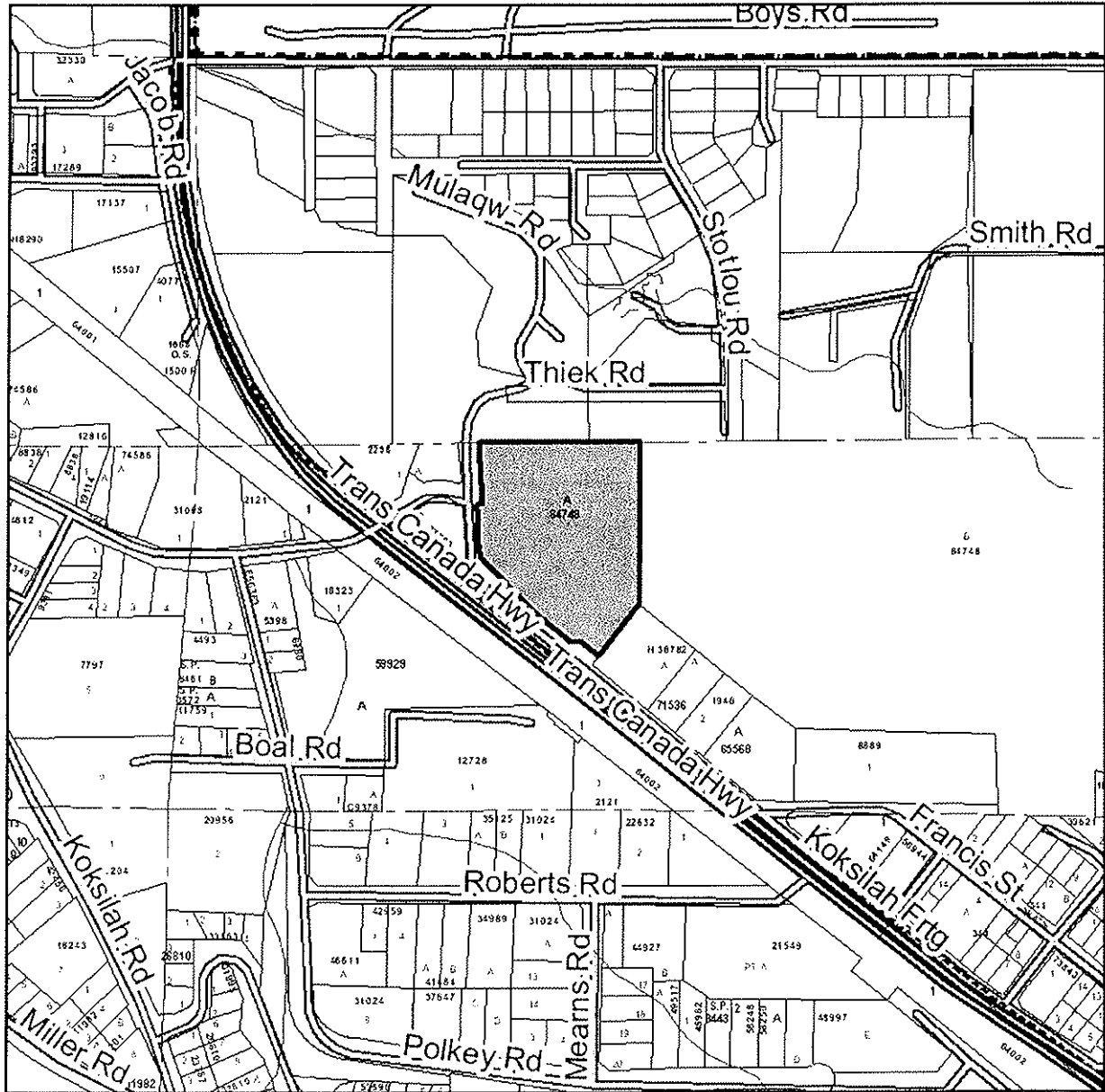
Where a proposed development plan adheres to the guidelines of this Development Permit Area, the Regional Board may give favourable consideration to variances to zoning, sign, and parking bylaws, where such variances are deemed by the Regional Board to enhance the aesthetics of the site or otherwise achieve compliance with the applicable guidelines.

13.8.7 APPLICATION REQUIREMENTS

Before the CVRD Board considers authorization of a development permit for land within the Business Park Commercial Development Permit Area, the applicant for a development permit shall submit a development permit application, which at a minimum, shall include:

- a) A written description of the proposed project, including a design rationale;
 - b) A current certificate of title and copies of all easements, statutory rights of way, covenants and other relevant charges;
 - c) Three sets of conceptual design drawings, including a site plan, floor plans, building elevations prepared by a professional engineer or designer;
 - d) Development data, including site area, site coverage, gross floor area, number of units and parking calculations;
 - e) A conceptual landscape plan showing all proposed hard and soft landscaping, and the locations, quantities, sizes and species of proposed plantings;
 - f) A storm management plan prepared by a professional engineer;
 - g) Conceptual servicing information.
7. That Section 13.1 – Highway Development Permit Area and Section 13.6 - Commercial/Light Industrial Development Permit Area be amended to remove Lot A, Section 13, Range 7, Quamichan District, Plan VIP84748.

FIGURE 7



**BUSINESS PARK COMMERCIAL
DEVELOPMENT PERMIT AREA**



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3325

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 1015
Applicable to Electoral Area D – Cowichan Bay**

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area D – Cowichan Bay, that being Zoning Bylaw No. 1015;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1015;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3325 - Area D – Cowichan Bay Zoning Amendment Bylaw (Parhar), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1015, as amended from time to time, is hereby amended in the following manner:

- a) Section 6.1 is amended by deleting "C-2(A) Local Commercial" and by adding "C-7 Business Park Commercial" following "C-6 Country Village Commercial".
- b) Section 9.2.1 C-2A ZONE- LOCAL COMMERCIAL is deleted.

- c) That the following definition be added to Section 3.1 after “secondary suite”:

“service industry” means the processing, manufacturing, testing, assembling, cleaning, distribution, servicing, printing, repair and maintenance of goods and materials;

- d) The following is added after Section 9.6:

9.7 C-7 ZONE - BUSINESS PARK COMMERCIAL

(a) Permitted Uses

The following principal uses and no others are permitted in the C-2A Zone:

- (1) Auction sales, excluding livestock auction;
- (2) Automotive repair and painting;
- (3) Automobile part sales, excluding auto wrecking;
- (4) Boat building and repair;
- (5) Building component manufacturing;
- (6) Building supply sales;
- (7) Convenience store;
- (8) Dry cleaning;
- (9) Eating and drinking establishment, excluding bars, public houses and drive-thru restaurants;
- (10) Equipment repair, sales, storage and rental;
- (11) Financial institution;
- (12) Food processing, storage and packaging, excluding fish processing and slaughterhouse;
- (13) Garden supply sales;
- (14) Laboratory;
- (15) Laundromat;
- (16) Medical and dental clinic;
- (17) Office, including medical office;
- (18) Publishing;
- (19) Personal services establishment;
- (20) Retail store;
- (21) Recreational vehicle repair
- (22) Sale of feed, seed and agricultural supplies;
- (23) Service industry;
- (24) Veterinary clinic;
- (25) Warehousing, mini-warehousing, wholesaling, freight storage and distribution;
- (26) Single family residential dwelling accessory to a principal use permitted use listed in subsections (1) through (25) above.

(b) Conditions of Use

For any parcel in the C-7 Zone:

- (1) the parcel coverage shall not exceed 45% for all buildings and structures
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the minimum setbacks for the type of parcel lines in Column I of this section are specified in Column II:

COLUMN I Type of Parcel Line	COLUMN II Building and Structures
Front	4.0 metres
Side (Interior)	0 metres
Side (Exterior)	7.5 metres
Rear	6.0 metres
Any parcel line adjacent to a Residential or Agricultural Zone	9.0 metres

- 4) Outdoor storage area shall not exceed 10% of the total gross non-residential floor area;
- 5) All permitted uses must take place within a building;
- 6) Accessory residential dwellings shall not exceed a density of 5 units per hectare and shall not have a maximum permitted gross floor area greater than 100 m²;
- 7) Notwithstanding CVRD Off-Street Parking Bylaw No. 1001, or other CVRD Bylaws that specifying required parking spaces, the minimum number of off-street parking spaces in the C-7 zone shall be 1 space per 48 m² of gross floor area (plus one space per residential dwelling).

d) Section 13.1 is amended by deleting “C-2(A) Local Commercial” and by adding the following after “C-5 Neighbourhood Pub Commercial”:

Zone Classification Under Zoning Bylaw	Parcel Serviced by Community Water and Sewer	Parcel Serviced by Community Water System Only	Parcels Neither Serviced by Community Water or Sewer
C-7 Business Park Commercial	0.2 ha.	0.4 ha.	0.8 ha.

e) Schedule B (Zoning Map) to Electoral Area D – Cowichan Bay Zoning Bylaw No. 1015 is amend by rezoning Lot A, Section 13, Range 7, Quamichan District, Plan VIP84748, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3325, from C-2A (Local Commercial) to C-7 (Business Park Commercial).

- f) Schedule B (Zoning Map) is amended by deleting Local Commercial (C-2(A)) and adding Business Park Commercial (C-7) to the legend.

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

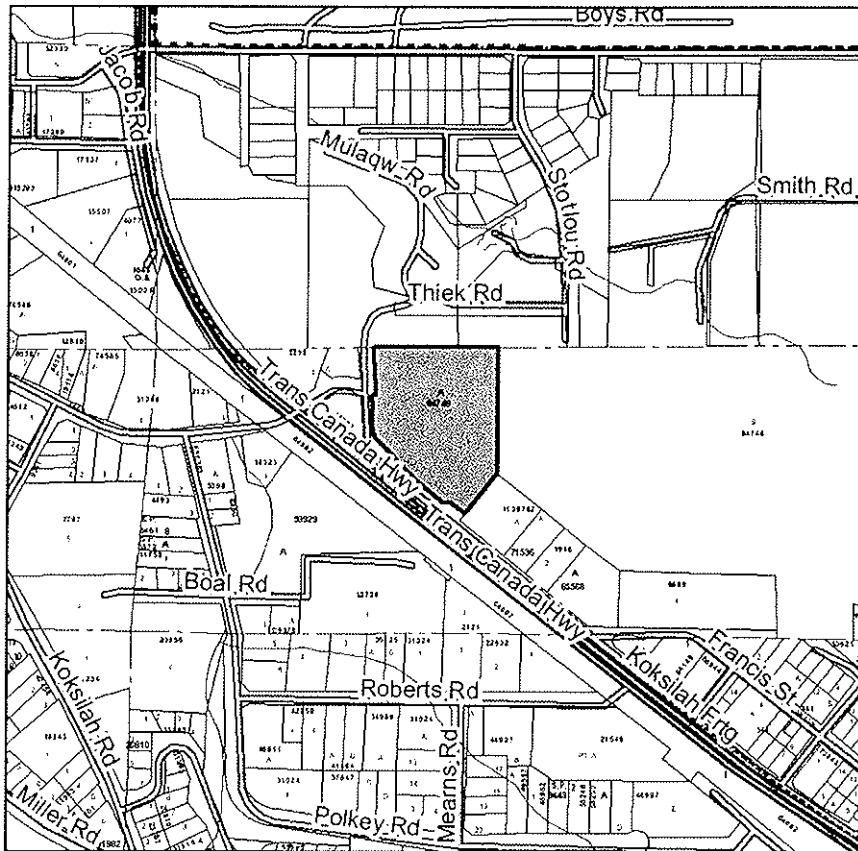
READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary

**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-2A (Local Commercial)

TO

C-7 (Business Park Commercial)

APPLICABLE

TO ELECTORAL AREA D



RES1

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF FEBRUARY 10, 2010

DATE: January 18, 2010

FROM: Director Morrison

SUBJECT: Electoral Area F
- Cowichan Lake South/Skutz Falls Advisory Planning Commission

Recommendation:

That the following appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission be approved:

Term to expire November 30, 2010:

Joe Allan
Dave Anderson
Phil Archbold
Shirley Burden
Peter Devana
David Lowther
Joan McKenzie
Brian Peters



RES2

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF FEBRUARY 10, 2010

Date: January 18, 2009
FROM: Director Dorey
Subject: Electoral Area G - Saltair/Gulf Islands Advisory Planning Commission

Recommendation:

That the following appointments to the Electoral Area G - Saltair/Gulf Islands Advisory Planning Commission be approved:

Term to expire November 30, 2011:

Ruth Blake
Ted Brown
Gary Dykema
Karen Porter
David Thomas



RES3

COMMISSION APPOINTMENTS

**REGULAR BOARD MEETING
OF FEBRUARY 10, 2010**

Date: January 26, 2010

FROM: Director Iannidinardo

Subject: Electoral Area D - Cowichan Bay Advisory Planning Commission

Recommendation:

That the following appointment to the Electoral Area D - Cowichan Bay Advisory Planning Commission be approved:

Term to Expire: November 30, 2011

Robert M. Stitt



RES4

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF FEBRUARY 10, 2010

Date: February 3, 2010
FROM: Director Morrison
Subject: Electoral Area F
- Cowichan Lake South/Skutz Falls Parks and Recreation Commission

Recommendation:

That the following appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Parks and Recreation Commission be approved:

Elected:

David Lowther
Shirley Burden
Sharon Wilcox

Term to Expire: December 31, 2011

Appointed:

Dave Darling
Peter Van Buiten

Term to Expire: December 31, 2010



RES5

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF FEBRUARY 10, 2010

Date: February 4, 2010
FROM: Director Duncan
Subject: Electoral Area E
- Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission

Recommendation:

That the following appointments to the Electoral Area E - Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission be approved:

Elected:

Irene Evans
Phil Gates
Howard Heyd
Frank McCorkell
Paul Slade

Term to Expire: November 30, 2010

Appointed:

Mike Lees
John Ramsey
Ron smith
Larry Whetstone

Term to Expire: November 30, 2010