



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, November 22nd, 2016 at 6:00 p.m. – Council Chambers

AGENDA

- | | Page # |
|---|---------------|
| 1. <u>CALL TO ORDER</u> | |
| <u>INTRODUCTION OF LATE ITEMS</u> (if applicable) | |
| 2. <u>APPROVAL OF AGENDA</u> | |
| 3. <u>ADOPTION OF MINUTES</u> | |
| (a) Minutes of the Regular Meeting of Council held on October 25 th , 2016. | 3 |
| 4. <u>BUSINESS ARISING AND UNFINISHED BUSINESS</u> | |
| 5. <u>DELEGATIONS AND REPRESENTATIONS</u> | |
| None. | |
| 6. <u>CORRESPONDENCE</u> | |
| (a) Action Items | |
| (i) Vancouver Island Regional Library Re: 2017 Board Appointments. | 8 |
| (b) Information or Consent Items - (a member may ask that an item be dealt with separately) | |
| (i) Malcolm D. Brodie, Mayor of Richmond, Re: George Massey Tunnel Replacement Project – Highway Infrastructure Features. | 15 |
| 7. <u>REPORTS</u> | |
| (a) <u>Council and Other Committee Reports</u> | |
| (i) Finance & Administration Councillor McGonigle | |
| • November 8 th , 2016. | 24 |
| (ii) Public Works & Environmental Services Councillor Austin | |
| • November 1 st , 2016. | 26 |
| (iii) Parks, Recreation & Culture Councillor Vomacka | |
| • November 1 st , 2016. | 29 |
| (iv) Economic & Sustainable Development Councillor Day | |
| • November 8 th , 2016. | 32 |
| (v) Cowichan Lake Recreation Commission Mayor Forrest | |
| (vi) V.I.R.L. Councillor Vomacka | |
| (vii) Advisory Planning Commission Councillor McGonigle | |
| (viii) Community Forest Co-op Councillor McGonigle | |

- (b) **Other Reports**
 - (i) Cowichan Valley Regional District Board Meeting – Councillor Day.
 - (ii) Community Outreach Team Committee - Councillor Austin.
 - (iii) Seniors’ Care Facility Steering Committee – Councillor McGonigle.

- (c) **Staff Reports**
 - (i) CAO: Centennial Park Upgrades – Contract Administration.
 - (ii) CAO: Contract Approval for Fire Risk Management Services.

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F/C

8. BYLAWS

- (a) “Town of Lake Cowichan Water Regulations and Rates Bylaw No. 982-2016” may be given first, second and third readings.
- (b) “Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 983-2016” may be given first, second and third readings.
- (c) “Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 984-2016” may be given first, second and third readings.

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47
56

9. NEW BUSINESS

None.

10. MAYOR’S REPORT

11. NOTICES OF MOTION

**12. MEDIA / PUBLIC QUESTION PERIOD
- Limited to items on the agenda**

13. IN CAMERA

14. ADJOURNMENT



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, October 25th, 2016

PRESENT: Mayor Ross Forrest
Councillor Carlyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

PUBLIC: 2

1. **CALL TO ORDER**

Mayor Forrest called the meeting to order at 6:01 p.m.

2. **AGENDA**

No. R.00133/16

Moved: Councillor Day
Seconded: Councillor Vomacka
that the agenda be approved with the following additions
under:

Reports

- Cowichan Safety Advisory Committee.

CARRIED.

3. **ADOPTION OF MINUTES**

No. R.00134/16

(a) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Regular Meeting of Council held on
September 20th, 2016 be adopted.

CARRIED.

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

5. **DELEGATIONS AND REPRESENTATIONS**

(a) Cindy Lise, Our Cowichan Communities Health Network, gave a presentation on the 'Our Cowichan Smoking Prevention Campaign 2016'. In the presentation, she gave facts about the hazards of cigarette smoke, e-cigarettes, and marijuana affecting our specific area. She also touched on the current bylaws that each surrounding municipality do or do not have on these issues.

6. **CORRESPONDENCE**

(a) **Action Items**

(i) The correspondence from Peter and Youhi Richmond in regards to 87 South Shore Road was treated as information.

(ii) The correspondence on behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), which extended congratulations for our

successful efforts on measuring and reducing corporate greenhouse gas emissions for the 2015 reporting year.

- No. R.00135/16
- (b) Information or Consent Items**
(i) Moved: Councillor Day
 Seconded: Councillor Austin
 that staff forward the information for the Youth Parliament of British Columbia to Lake Cowichan School and approve coverage of the costs of attendance by a student delegate.
 CARRIED.
- (ii)** The correspondence from the Canadian Union of Postal Workers re: Another Opportunity to Have Your Say in Canada Post Review was treated as information.

7. REPORTS

- No. R.00136/16
 Finance and Administration
- Moved: Councillor McGonigle
 Seconded: Councillor Day
 that the minutes of the Finance and Administration Committee meeting held on October 11th, 2016 be approved with the following:
- 1- Community Outreach Team
 that the committee appoint Councillor Austin as a council representative on the Community Outreach Team with Councillor McGonigle as the alternate representative; and
- 2- Fire Department Incident Report
 that Council approve the Lake Cowichan Fire Department's incident report for August, 2016 for expenditures totaling \$9680.22.
 CARRIED.

- No. R.00137/16
 Public Works and Environmental Services
- Moved: Councillor Austin
 Seconded: Councillor McGonigle
 that the minutes of the Public Works and Environmental Services Committee meeting held on October 4th, 2016 be approved with the following:
- 1- Terms of Acceptance With Catalyst
 that the Committee support staff in their terms of acceptance while working with Catalyst on their temporary terms;
- (i) the current proposal as submitted for the modifications be accepted as a temporary measure only;
 - (ii) the Town accepts no responsibility for the operation and maintenance of the installed equipment; and
 - (iii) permanent modifications which would necessitate the lowering of the water intake inlet be completed by April, 2018 so long as these are acceptable to the Town and the responsible Approving Authorities.
 CARRIED.

- No. R.00138/16
 Parks, Recreation and Culture
- Moved: Councillor Vomacka
 Seconded: Councillor McGonigle
 that the minutes of the Parks, Recreation and Culture Committee meeting held on October 4th, 2016 be approved with the following:
- 1-Centennial Park Upgrades
 that Western Watershed Designs Inc. be awarded the tender

for the Centennial Park Upgrades at the amount of \$1,152,900.00 inclusive of taxes.

CARRIED.

No. R.00139/16
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor Austin
that the minutes of the Economic and Sustainable Development Committee meeting held on October 11th, 2016 be approved as presented.

CARRIED.

Cowichan Lake Recreation

Mayor Forrest informed the committee that he had no report for the Cowichan Lake Recreation Commission as he had attended the UBCM conference.

Vancouver Island Regional
Library

Councillor Vomacka informed the committee that there was no library meeting.

Ohtaki Twinning Committee

The minutes of the Ohtaki Twinning Committee meeting from October 4th, 2016 was treated as information.

Advisory Planning Commission

Councillor McGonigle advised that the next meeting of the Advisory Planning Commission will occur on October 27th, 2016. He reported that last meeting had discussed the wye entrance sign and the west-end entrance sign for the Town.

Community Forest Co-
operative

Councillor McGonigle updated the committee on the last meeting of the Community Forest Co-operative and the next meeting which will occur on October 27th, 2016.

Cowichan Valley Regional
District Board

(b) Other Reports

(i) Councillor Day gave a verbal report to Council on his attendance at the October, 2016 Cowichan Valley Regional District's Board meeting.

Community Outreach Team

(ii) Councillor Austin attended the Community Outreach Team meeting on October 20th, 2016 where it discussed emergency kits for the vulnerable, the possibility of the Roots of Empathy program starting again at Palsson School, and Principle Doyle trying to secure funding to have a rock climbing wall installed at Lake Cowichan School.

Seniors' Care Facility

(iii) Councillor McGonigle updated the committee of the last Senior Care Facility meeting that dealt with the development of a strategic plan in order to focus on their specific needs for the area.

Community Safety Advisory

(iv) Councillor Austin informed council on highlights from the last meeting held in October, 2016. The next meeting is scheduled for November 3rd, 2016.

Staff Reports

No. R.00140/16

(b) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the Town re-insure with Aon Reed Stenhouse for the November 1st, 2016 to November 1st, 2017 term at a cost of \$29,127 for property insurance renewal.

CARRIED.

8. BYLAWS

No. R.00141/16
No. 981-2016
Revitalization Tax
Exemption Programme

- (a) Moved: Councillor McGonigle
Seconded: Councillor Day
that the "Town of Lake Cowichan Revitalization Tax Exemption Programme Bylaw No. 981-2016" be reconsidered and adopted
CARRIED.

9. NEW BUSINESS

No. R.00142/16

- (a) Moved: Councillor Day
Seconded: Councillor Austin
that the committee approve a Development Permit to the Riverside in Parcel with the following conditions:
1. Paint colours for wall, trim and the roof (use manufacturer's name and colour name) must be in accordance with the Downtown Development Permit Guidelines (DPA 4);
 2. Approval of the Development Permit does not constitute approval of the roof sign shown in the illustration contained in the application;
 3. Any new or replacement exterior light fixtures shall be shielded; and
 4. Building permit must meet Building Codes and Bylaws and Worksafe BC requirements.

CARRIED.

10. MAYOR'S REPORT

The Mayor presented his report for October, 2016 with the following highlights:

- The Town is pleased to be receiving funds totaling \$1,129,093 from the Clean Water and Wastewater Fund for Water Main Upgrades;
- The tender for Centennial Park upgrade was awarded to Western Watershed Designs Inc. at an amount of \$1,152,900 inclusive of taxes;
- The Town website has a new look, thanks to Ryan Maizis for undertaking this project as part of webmaster practicum;
- Our sister city of Ohtaki, Japan had a delegation visit Lake Cowichan from October 6th-10th, 2016. Although the visit was short, many new friendships were made with the event being a huge success;
- Chamber of Commerce and the Town of Lake Cowichan will be hosting an event on November 30th, 2016 with Bridget Horel on her study on the Sunfest Weekend; and
- Council is half way through its term and is looking forward to another two years of meeting the goals it has established for the community.

11. NOTICES OF MOTION

None.

12. MEDIA/PUBLIC QUESTIONS

13. IN CAMERA

No. R.00143/16
In Camera

- Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that Council close the meeting to the public to deal with issues

relating to labour relations or other employee relations and land matters under Section 90(1) (c) and (g) of the Community Charter respectively (7:29 p.m.).

13. ADJOURNMENT

No. R.00144/16
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Day
that we adjourn (8:30 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Mayor



RECEIVED NOV 08 2016

Administration
Box 3333 | 6250 Hammond Bay Road
Nanaimo, BC Canada V9R 5N3
t: 250.758.4697 f: 250.758.2482
e: info@virl.bc.ca w: www.virl.bc.ca

November 2, 2016

Original sent via email

Mayor Ross Forrest
Town of Lake Cowichan
PO Box 860
Lake Cowichan, BC V0R 2G0

Dear Mayor Forrest,

Re: Appointment to the 2017 Vancouver Island Regional Library Board

As the new year approaches, it is time to consider your representation on the Board of Trustees of Vancouver Island Regional Library – the fifth largest library system in British Columbia serving more than 410,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the Central Coast. Vancouver Island Regional Library enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

As per the *British Columbia Library Act*, "each municipality and/or regional district that is party to the regional library district must, by resolution, appoint a representative and an alternate representative each December at the first meeting of the municipal council or regional district board. A member of the library board holds office for a term of one year: January 1 - December 31, or for the remainder of the year for which the appointment is made. A member is eligible for reappointment, but no member may serve for more than eight consecutive years. Reappointment of sitting members is encouraged in the interest of continuity..."

Provincial legislation requires certified resolutions be submitted to Vancouver Island Regional Library by December 15, 2016. VIRL Board of Trustees also requires its members to complete a *Statement of Financial Disclosure* on an annual basis (a copy of the form on file with your municipality/district is acceptable). Thus, please find enclosed both a 2017 Appointment form and statement of financial disclosure form for your appointed Board member and Alternate member. Also attached is a nominations form, should your appointed Board member be interested in running for a position on the VIRL Executive Committee.

Please complete the enclosed forms and return with a copy of the certified resolution by December 15, 2016 to the attention of Heather Mink Zuvich, Executive Assistant, by mail, email: hminkzuvich@virl.bc.ca or fax: 250.758.2482.

If you require additional information, please contact Ms. Mink Zuvich by phone: 250-729-2310 or email. Thank you for your continued support of Vancouver Island Regional Library!

Sincerely,

Rosemary Bonanno, BA MLS
Executive Director

Cc: Joseph Fernandez, CAO, Town of Lake Cowichan

Encs.

Strong Libraries ■ Strong Communities

Bella Coola Bowser Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo North Nanaimo Wellington Parksville Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte/Sandspit Sayward Sidney/North Saanich Sointula Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss



**Board of Trustees
2017 Appointment Form
Trustee**

The _____ has appointed _____ as *Trustee* on the
Municipality/ Regional District *name and title*
Vancouver Island Regional Library Board for the year 2017. The term of the appointment is
January 1 – December 31, 2017. This appointment will continue until a successor is appointed, as
provided under Section 18(3) of the Library Act, unless the member is removed for cause as provided
under Section 18(4) of the Library Act.

Representative's Information

Home Address: _____
City: _____ Postal Code: _____

Courier Address: _____
 check if same as above _____
City: _____ Postal Code: _____

Email (please check preferred email address)

Home: _____ Municipal: _____
 Other: _____

Phone (please check preferred contact number)

Home: _____ Municipal: _____
 Other: _____

Birthdate (required for insurance purposes)

Day: _____ Month: _____ Year: _____

Staff Contact

Name: _____ Position: _____
Telephone: _____ Email: _____

Signature *Date*

Please attach a certified copy of the resolution.



**Board of Trustees
2017 Appointment Form
Alternate**

The _____ has appointed _____ as *Alternate* on the
Municipality/ Regional District *name and title*
Vancouver Island Regional Library Board for the year 2017. The term of the appointment is
January 1 – December 31, 2017. This appointment will continue until a successor is appointed, as
provided under Section 18(3) of the Library Act, unless the member is removed for cause as provided
under Section 18(4) of the Library Act.

Representative's Information

Home Address: _____
City: _____ Postal Code: _____

Courier Address: _____
 check if same as above _____
City: _____ Postal Code: _____

Email (please check preferred email address)

Home: _____ Municipal: _____
 Other: _____

Phone (please check preferred contact number)

Home: _____ Municipal: _____
 Other: _____

Birthdate (required for insurance purposes)

Day: _____ Month: _____ Year: _____

Staff Contact

Name: _____ Position: _____
Telephone: _____ Email: _____

Signature *Date*

Please attach a certified copy of the resolution.



Statement of Disclosure Financial Disclosure Act

You must complete a Statement of Disclosure form if you are:

- a nominee for election to provincial or local government office*, as a school trustee or as a director of a francophone education authority
- an elected local government official
- an elected school trustee, or a director of a francophone education authority
- an employee designated by a local government, a francophone education authority or the board of a school district
- a public employee designated by the Lieutenant Governor in Council

**("local government" includes municipalities, regional districts and the Islands Trust)*

Who has access to the information on this form?

The Financial Disclosure Act requires you to disclose assets, liabilities and sources of income. Under section 6 (1) of the Act, statements of disclosure filed by nominees or municipal officials are available for public inspection during normal business hours. Statements filed by designated employees are not routinely available for public inspection. If you have questions about this form, please contact your solicitor or your political party's legal counsel.

What is a trustee? – s. 5 (2)

In the following questions the term "trustee" does not mean school trustee or Islands Trust trustee. Under the Financial Disclosure Act a trustee:

- holds a share in a corporation or an interest in land for your benefit, or is liable under the Income Tax Act (Canada) to pay income tax on income received on the share or land interest
- has an agreement entitling him or her to acquire an interest in land for your benefit

Person making disclosure:	<input type="text"/> <i>last name</i>	<input type="text"/> <i>first & middle name(s)</i>
Street, rural route, post office box:	<input type="text"/>	
City:	<input type="text"/>	Province: <input type="text"/>
		Postal Code: <input type="text"/>
Level of government that applies to you:	<input type="radio"/> provincial <input type="radio"/> local government <input type="radio"/> school board/francophone education authority	

If sections do not provide enough space, attach a separate sheet to continue.

Assets – s. 3 (a)

List the name of each corporation in which you hold one or more shares, including shares held by a trustee on your behalf:

Liabilities – s. 3 (e)

List all creditors to whom you owe a debt. Do not include residential property debt (mortgage, lease or agreement for sale), money borrowed for household or personal living expenses, or any assets you hold in trust for another person:

<i>creditor's name(s)</i>	<i>creditor's address(es)</i>

Income – s. 3 (b-d)

List each of the businesses and organizations from which you receive financial remuneration for your services and identify your capacity as owner, part-owner, employee, trustee, partner or other (e.g. director of a company or society).

- Provincial nominees and designated employees must list all sources of income in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only income sources within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position

<i>your capacity</i>	<i>name(s) of business(es)/organization(s)</i>

Real Property – s. 3 (f)

List the legal description and address of all land in which you, or a trustee acting on your behalf, own an interest or have an agreement which entitles you to obtain an interest. Do not include your personal residence.

- Provincial nominees and designated employees must list all applicable land holdings in the province
- Local government officials, school board officials, francophone education authority directors and designated employees must list only applicable land holdings within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position

<i>legal description(s)</i>	<i>address(es)</i>

Corporate Assets – s. 5

Do you individually, or together with your spouse, child, brother, sister, mother or father, own shares in a corporation which total more than 30% of votes for electing directors? (Include shares held by a trustee on your behalf, but not shares you hold by way of security.)

no yes

If yes, please list the following information below & continue on a separate sheet as necessary:

- the name of each corporation and all of its subsidiaries
- in general terms, the type of business the corporation and its subsidiaries normally conduct
- a description and address of land in which the corporation, its subsidiaries or a trustee acting for the corporation, own an interest, or have an agreement entitling any of them to acquire an interest
- a list of creditors of the corporation, including its subsidiaries. You need not include debts of less than \$5,000 payable in 90 days
- a list of any other corporations in which the corporation, including its subsidiaries or trustees acting for them, holds one or more shares.

_____ *signature of person making disclosure*

_____ *date*

Where to send this completed disclosure form:

Local government officials:

... **to your local chief election officer**

- with your nomination papers, and

... **to the officer responsible for corporate administration**

- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

School board trustees/ Francophone Education Authority directors:

... **to the secretary treasurer or chief executive officer of the authority**

- with your nomination papers, and
- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

Nominees for provincial office:

- with your nomination papers. If elected you will be advised of further disclosure requirements under the *Members' Conflict of Interest Act*

Designated Employees:

... **to the appropriate disclosure clerk (local government officer responsible for corporate administration, secretary treasurer, or Clerk of the Legislative Assembly)**

- by the 15th of the month you become a designated employee, and
- between the 1st and 15th of January of each year you are employed, and
- by the 15th of the month after you leave your position

Print Form

Clear Form



City of
Richmond

Malcolm D. Brodie
Mayor

6911 No. 3 Road
Richmond, BC V6Y 2C1
Telephone: 604-276-4123
Fax No: 604-276-4332
www.richmond.ca

October 17, 2016

The Honourable Christy Clark
Premier of British Columbia
Office of the Premier
PO Box 9041 STN PROV GOVT
Victoria B.C. V8W 9B1

The Honourable Todd Stone
Minister of Transportation and Infrastructure
and Deputy House Leader
PO Box 9409 STN PROV GOVT
Victoria B.C. V8W 9V1

Dear Premier Clark and Minister Stone:

Re: George Massey Tunnel Replacement Project – Highway Infrastructure Features

In December 2015, the Project Definition Report for the George Massey Tunnel Replacement Project (the Project) was released that contained conceptual drawings of the Project, including detail of the proposed Steveston Highway and Highway 17A interchange ramps in plan view with limited information on the proposed vertical profiles.

Beginning in late June 2016, scaled model displays of the proposed new bridge and the two interchanges at Steveston Highway and Highway 17A have been available for public viewing at the Ministry of Transportation and Infrastructure's (the Ministry) Project office in Richmond.

As the latest project models revealed new information in terms of the vertical profiles of the structures and their relation to adjacent existing structures and buildings, Richmond City Council, at its Regular Council meeting held on Tuesday, October 11, 2016, considered a staff report regarding the highway infrastructure features of the Project and adopted the following resolution:

- (1) *Richmond City Council reconfirms its significant concerns regarding the proposed bridge project to replace the George Massey Tunnel and encourages the Province of British Columbia to work with the Cities of Richmond and Delta, Metro Vancouver, Translink and other interested parties to implement solutions to the urgent problem of congestion on Highway 99 that are more compatible with the regional transportation network, the enhancement of public transportation in the region, protection of the environment, protection of farmland, consistency with the Regional Growth Strategy, protection of our quality of life and other important factors;*

- (2) *If the Province decides to proceed with the current proposal to replace the Massey Tunnel, that the Ministry of Transportation and Infrastructure be strongly urged to significantly reduce the size and project scope of the Steveston Highway interchange and Highway 99, including:*
 - (a) *measures be incorporated into the design of the Steveston Highway Interchange ramps to mitigate the noise, lighting and visual impacts of the ramps such as the installation of a green wall/vertical garden or other decorative concrete forms on the vertical walls;*
 - (b) *principles to ensure the security of transit passengers (i.e., Crime Prevention Through Environmental Design) and mitigation measures to address the noise, visual and air quality impacts be incorporated into the design of the transit exchange located within the Steveston Highway Interchange; and*
 - (c) *the design for the widening of Highway 99 near the Steveston Highway Interchange be re-examined with a view to minimizing the extent of widening while not comprising safety and its functions;*
- (3) *That a follow-up letter be sent to the Provincial Agricultural Land Commission reiterating the City's concerns regarding the Ministry's application for Transportation, Utility and Recreational Trail Use along the Highway 99 corridor to allow for the widening of Highway 99 as part of the Project;*
- (4) *That the report titled "George Massey Tunnel Replacement Project – Highway Infrastructure Features" dated September 28, 2016 be forwarded to the British Columbia Environmental Assessment Office for consideration as part of the City's second round of comments further to the initial 30-day Working Group review period on the Provincial Environmental Assessment Application for the George Massey Tunnel Replacement Project; and*
- (5) *That a letter containing this resolution and the report entitled George Massey Tunnel Replacement Project – Highway Infrastructure Features; dated September 28, 2016 and related information be sent to the Premier, the Minister of Transportation and Infrastructure, Richmond MPs and MLAs, the Mayor of Delta, Metro Vancouver, Translink, and to BC Mayors and Councils (through CivicInfo).*

Further details of Richmond City Council's on-going and unresolved concerns with the Project since its announcement in September 2013 are provided in the attached past Council resolutions and staff reports.

We trust that the above Council resolutions will be considered seriously by the Ministry before this project is advanced any further and that your collaboration with all regional stakeholders is committed now to seek a collectively supported solution to the current transportation crisis.

Yours truly,



Malcolm D. Brodie
Mayor

Att. 1

pc: The Honourable Alice Wong, Member of Parliament for Richmond Centre
Mr. Joe Peschisolido, Member of Parliament for Steveston-Richmond East
The Honourable Linda Reid, Member of the Legislative Assembly for Richmond East and Speaker of the Legislature
The Honourable Teresa Wat, Member of the Legislative Assembly for Richmond Centre and Minister for International Trade and Minister Responsible for the Asia Pacific Strategy and Multiculturalism
Mr. John Yap, Member of the Legislative Assembly for Richmond-Steveston and Parliamentary Secretary for Liquor Reform Policy to the Minister of Small Business, Red Tape Reduction and Minister Responsible for the Liquor Distribution Branch
Mayor Lois Jackson (Corporation of Delta)
Metro Vancouver
TransLink
BC Mayors and Councils (CivicInfo)

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
<p>March 11, 2013</p>	<p><i>WHEREAS:</i></p> <ul style="list-style-type: none"> (A) <i>the Richmond Official Community Plan envisions the protection of existing farm lands and the improvement to provincial highways be restricted only to within the existing corridors such as Highway 99 in Richmond;</i> (B) <i>any proposed new highway corridors through existing farm lands would be detrimental to the City and the region; and</i> (C) <i>Richmond has continuously expressed opposition to any new highway crossing in the vicinity of No. 8 Road;</i> <p><i>THEREFORE BE IT RESOLVED</i></p> <ul style="list-style-type: none"> (1) <i>That the City of Richmond send a letter to the Minister of Transportation and Infrastructure, with copies to the Richmond MLA's, the leader of the Official Opposition, Richmond Agricultural Advisory Committee, the Metro Vancouver Agricultural Advisory Committee, and the Agricultural Land Commission, formally opposing any proposed river crossing options that would significantly impact existing farm lands and communities, particularly Scenario 5 in their recently released documents for Phase 2 public consultation for the George Massey Tunnel Replacement project;</i> (2) <i>That all Metro Vancouver municipalities be advised of the above resolution; and</i> (3) <i>That staff review and report back on the implications of the George Massey Tunnel improvement options once further details of the options are determined.</i>
<p>June 23, 2014</p>	<ul style="list-style-type: none"> (1) <i>That the proposed project objectives for the replacement of the George Massey Tunnel as described in the staff report dated May 23, 2014 from the Director, Transportation be endorsed and forwarded to the Ministry of Transportation & Infrastructure for its consideration in the development of a preferred project scope of improvements; and</i> (2) <i>That the above Council resolution and a copy of the above report be forwarded to Richmond MLAs, TransLink, the Corporation of Delta, and the Cities of Surrey, White Rock and Vancouver for information.</i>
<p>July 27, 2015</p>	<ul style="list-style-type: none"> (1) <i>That the staff report titled "Update on George Massey Tunnel Replacement Project" dated July 10, 2015 from the Director, Transportation, be forwarded to the Ministry of Transportation & Infrastructure's George Massey Tunnel Replacement project team for consideration in the development of the Project Definition Report;</i> (2) <i>That a letter be sent to BC Hydro advising that, should the George Massey Tunnel be decommissioned, the City's preferred options for the relocation of the BC Hydro transmission line from the tunnel would be either an underground crossing of the Fraser River or attached to the new bridge; and</i> (3) <i>That a letter be sent to the Auditor General for British Columbia outlining Council's concerns with respect to the replacement of the George Massey Tunnel.</i>

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
October 13, 2015	<p>(1) That the staff report titled "Update on George Massey Tunnel Replacement Project – Highway 99 Widening," dated September 28, 2015, from the Director, Transportation, be forwarded to the Ministry of Transportation and Infrastructure's George Massey Tunnel Replacement project team for consideration in the development of the Project Definition Report;</p> <p>(2) That a letter be sent by Mayor Brodie, on behalf of Council, to the Agriculture Land Commission and the Minister of Transportation and Infrastructure, with copies to all Richmond MLA's, advising of the City's concerns with any potential widening of Highway 99 on the west side impacting existing established institutions and farming of their backlands, and reiterating the City's request for the early provision of the Project Definition Report and financing strategy; and</p> <p>(3) That a letter be sent to the Agriculture Land Commission confirming that the City wishes to be fully engaged in any discussions regarding the use of Agricultural Land Reserve lands for the George Massey Tunnel Replacement Project.</p>
January 25, 2016	<p>(1) That the Ministry of Transportation and Infrastructure (MoTI) be advised that while the City supports the objectives of the George Massey Tunnel Replacement Project to ease traffic congestion at the existing tunnel area, improve transit and cycling connections and replace aging highway infrastructure to enhance public safety, as described in their Project Definition Report, the following issues must be addressed by MoTI prior to advancing the project for further design and the procurement process:</p> <p>(a) Provision of further details to demonstrate how the overall project will:</p> <ul style="list-style-type: none"> (i) Have a net zero or positive impact to agricultural land, and (ii) Maintain, protect and enhance the City's riparian management areas and environmentally sensitive areas through a net gain approach; <p>(b) Determination of how the toll rate will be implemented so that it would be fair, equitable and part of a region-wide mobility pricing policy consistent with the Mayors' Council vision for regional transportation investments in Metro Vancouver;</p> <p>(c) Immediate commencement of discussions by MoTI with the Cities of Vancouver and Richmond to jointly establish a contingency plan to address any potential increased traffic queuing on Highway 99 at the approach to the Oak Street Bridge;</p> <p>(d) Collaboration with the City to identify appropriate infrastructure improvements to minimize any negative impacts from the widened bridge crossing and associated interchanges on the local road network including Steveston Highway, Westminster Highway, No. 5 Road, Van Horne Way, and Rice Mill Road;</p> <p>(e) Encouragement of project proponents by MoTI to achieve a creative and innovative iconic design of the new bridge that recognizes its significance of being the largest bridge to be built in British Columbia; and</p> <p>(f) Facilitate excellence in supporting sustainable transportation options through:</p> <ul style="list-style-type: none"> (i) Partnership with TransLink to ensure that the transit stops within the Steveston Highway and Highway 17A interchanges are operational on opening day, (ii) Provision of a multi-use path for pedestrians and cyclists on each side of the

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
	<p><i>new bridge of sufficient width to safely accommodate all users in order to:</i></p> <ul style="list-style-type: none"> <i>i. Improve safety by minimizing the crossing of Highway 99 on- and off-ramps at Steveston Highway that are planned as free flow,</i> <i>ii. Minimize circuitousness and maximize convenience, and</i> <i>iii. Better address existing and future demand;</i> <p><i>(iii) Inclusion of pedestrian and cycling facilities as part of the new Steveston Highway and Westminster Highway interchanges and on both sides of the Blundell Road overpass, and</i></p> <p><i>(iv) Provision of improved pedestrian and cycling facilities on Shell Road as part of the widened Shell Road overpass.</i></p> <p><i>(2) That the BC Environmental Assessment Office be requested to extend the deadline for comments on the draft Application Information Requirements from February 10, 2016 to March 15, 2016 to provide the City with sufficient time to provide meaningful input.</i></p> <p><i>(3) That the matter be referred to Metro Vancouver for comments on the compatibility of the new bridge with the Regional Growth Strategy;</i></p> <p><i>(4) That overall Richmond City Council prefers a new or improved tunnel rather than a new bridge;</i></p> <p><i>(5) That a letter be sent to the City of Vancouver request that they involve the City of Richmond in the discussions regarding the Oak Street Bridge and 70th Avenue and Oak Street situations following the completion of construction;</i></p> <p><i>(6) That a letter be sent to Agricultural Land Commission seeking information on the potential encroachment on the farm land; and</i></p> <p><i>(7) That a copy of the resolution be sent to the Prime Minister, Premier, City of Vancouver, local MPs and local MLAs.</i></p>
February 22, 2016	<p><i>(1) That the City of Richmond request that the Provincial Government provide copies of all reports and studies – including but not limited to business plans, feasibility studies, technical studies, seismic studies, and/or environmental impact studies – that relate to the original plan to twin the George Massey Tunnel and/or provide Rapid Bus service that were considered during the period from 2006 to 2008; and that if necessary, that the foregoing request be made as an official Freedom of Information request;</i></p> <p><i>(2) That a letter be sent to the Auditor General requesting comments on the process leading up to the decision related to the George Massey Tunnel Replacement Project; and</i></p> <p><i>(3) That the City of Richmond send a letter to the Federal Minister of the Environment requesting that the George Massey Tunnel Replacement Project be referred to a Canadian Environmental Assessment Review Panel for review under the Environmental Assessment Act.</i></p>

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
<p>July 25, 2016</p>	<p><i>That a letter be sent to the Provincial Agricultural Land Commission:</i></p> <p>(1) <i>Requesting that the following further detailed information, as outlined in the attached report, be provided by the Ministry of Transportation and Infrastructure regarding its application for Transportation, Utility and Recreational Trail Use along the Highway 99 corridor to allow for the widening of Highway 99 as part of the George Massey Tunnel Replacement Project:</i></p> <p style="padding-left: 40px;">(a) <i>Substantiate the claims of transportation benefits and specify how Rice Mill Road could become a farm route alternative to Steveston Highway without assuming any improvement costs to be borne by the municipality;</i></p> <p style="padding-left: 40px;">(b) <i>Demonstrate how the Project will maintain, protect and enhance the City's riparian management areas and environmentally sensitive areas on both sides of Highway 99 through a net gain approach;</i></p> <p style="padding-left: 40px;">(c) <i>Clarify how topsoil conservation will be undertaken;</i></p> <p style="padding-left: 40px;">(d) <i>Ensure that the highway right-of-way identified for potential return to agricultural use will be farmed upon completion of the Project;</i></p> <p style="padding-left: 40px;">(e) <i>Clarify how the Project will improve the highway right-of-way identified for potential return to agricultural use;</i></p> <p style="padding-left: 40px;">(f) <i>Conduct a soils analysis study to better document and assess the soil capability of the parcels required for the Project and the highway right-of-way identified for potential return to agricultural use; and</i></p> <p style="padding-left: 40px;">(g) <i>Validate that the highway right-of-way identified for potential return to agricultural use will be improved to a soil capability class equal to or better than that of the parcels required for the Project to ensure a net gain in soil quality, not just total area;</i></p> <p>(2) <i>Expressing the following concerns regarding the proposed acquisition of a parcel of the City land comprising the Gardens Agricultural Park:</i></p> <p style="padding-left: 40px;">(a) <i>Reduction in the overall size of the park by 17.8 percent;</i></p> <p style="padding-left: 40px;">(b) <i>Reduction in the size of the park elements of the community gardens, agricultural demonstration gardens, and parking lot by 50 percent;</i></p> <p style="padding-left: 40px;">(c) <i>Impact on the approved park design such that a new park design process must be undertaken including public consultation; and</i></p> <p style="padding-left: 40px;">(d) <i>Additional costs and resources required to undertake the park design process; and</i></p> <p>(3) <i>Expressing concern that the Province is taking farm land from the west side of Highway 99 as opposed to the east side, as property on the west side of Highway 99 is dedicated to farming purposes pursuant to agreements between the City of Richmond and third parties in the Agricultural Land Reserve; and</i></p> <p>(4) <i>Requesting that the approval of the application not be granted until the above information is submitted for further review and the above issues are considered by the Agricultural Land Commission and the City of Richmond, as well as other relevant stakeholders such as the Agricultural Advisory Committee, to be satisfactory</i></p>

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
	<i>addressed.</i>
September 12, 2016	<i>That the City's comments on the Provincial Environment Assessment Application for the George Massey Tunnel Replacement Project for the first round of the 30-day Working Group review period, as outlined in Attachment 1 of the staff report, titled "George Massey Tunnel Replacement Project - Application Comments for the British Columbia Environmental Assessment Process" dated August 26, 2016, be conveyed to the BC Environmental Assessment Office for consideration and response provided that comments be added regarding BC Hydro overhead transmission lines and that copies be sent to Metro Vancouver.</i>
October 3, 2016	<i>That a follow-up letter be sent to the Provincial Agricultural Land Commission reiterating the City's concerns regarding the Ministry's application for Transportation, Utility and Recreational Trail Use along the Highway 99 corridor to allow for the widening of Highway 99 as part of the Project.</i>
October 11, 2016	<p>(1) <i>Richmond City Council reconfirms its significant concerns regarding the proposed bridge project to replace the George Massey Tunnel and encourages the Province of British Columbia to work with the Cities of Richmond and Delta, Metro Vancouver, Translink and other interested parties to implement solutions to the urgent problem of congestion on Highway 99 that are more compatible with the regional transportation network, the enhancement of public transportation in the region, protection of the environment, protection of farmland, consistency with the Regional Growth Strategy, protection of our quality of life and other important factors;</i></p> <p>(2) <i>If the Province decides to proceed with the current proposal to replace the Massey Tunnel, that the Ministry of Transportation and Infrastructure be strongly urged to significantly reduce the size and project scope of the Steveston Highway interchange and Highway 99, including:</i></p> <p style="padding-left: 40px;">(a) <i>measures be incorporated into the design of the Steveston Highway Interchange ramps to mitigate the noise, lighting and visual impacts of the ramps such as the installation of a green wall/vertical garden or other decorative concrete forms on the vertical walls;</i></p> <p style="padding-left: 40px;">(b) <i>principles to ensure the security of transit passengers (i.e., Crime Prevention Through Environmental Design) and mitigation measures to address the noise, visual and air quality impacts be incorporated into the design of the transit exchange located within the Steveston Highway Interchange; and</i></p> <p style="padding-left: 40px;">(c) <i>the design for the widening of Highway 99 near the Steveston Highway Interchange be re-examined with a view to minimizing the extent of widening while not comprising safety and its functions;</i></p> <p>(3) <i>That a follow-up letter be sent to the Provincial Agricultural Land Commission reiterating the City's concerns regarding the Ministry's application for Transportation, Utility and Recreational Trail Use along the Highway 99 corridor to allow for the widening of Highway 99 as part of the Project;</i></p> <p>(4) <i>That the report titled "George Massey Tunnel Replacement Project – Highway Infrastructure Features" dated September 28, 2016 be forwarded to the British Columbia Environmental Assessment Office for consideration as part of the City's second round of comments further to the initial 30-day Working Group review period on the Provincial Environment Assessment Application for the George Massey Tunnel Replacement Project; and</i></p>

George Massey Tunnel Replacement Project – History of Council Resolutions

Council Meeting	Resolution
	<p><i>(5) That a letter containing this resolution and the report entitled George Massey Tunnel Replacement Project – Highway Infrastructure Features, dated September 28, 2016 and related information be sent to the Premier, the Minister of Transportation and Infrastructure, Richmond MPs and MLAs, the Mayor of Delta, Metro Vancouver, Translink, and to BC Mayors and Councils (through CivicInfo).</i></p>



TOWN OF LAKE COWICHAN
Minutes of Finance & Administration Committee
Tuesday, November 8th, 2016

PRESENT: Councillor Tim McGonigle, Chair
Mayor Ross Forrest
Councillor Carolyne Austin
Councillor Bob K. Day
Councillor Lorna Vomacka

STAFF: Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

PUBLIC: 0

1. CALL TO ORDER

The Chair called the meeting to order at 5:02 p.m.

2. AGENDA

No. FA.0055/16

Moved: Councillor Vomacka
Seconded: Councillor Austin
that the agenda be approved with the following additions:

Reports- Chief Administrative Officer: Clean water and wastewater fund -second intake; and

New Business- LGLA, Local Government Leadership Academy: for 2016 Chief Elected Officials Forum.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

Ongoing Items Still Being Addressed:

- (a) There was no update on the policy on the community gardens at this time.
- (b) Mayor Forrest updated that the Chief Administrative Officer had sent an email to the architect with concerns on the delay of the project. There has been no response by the time of the meeting.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

- (a) The correspondence from Liam Edwards, Ministry of Community , Sport and Cultural Development, in regards to 2017 Local Government Grants Program- Infrastructure Planning Grants and Clean Water and Wastewater Fund was treated as information.

6. REPORTS

- (a) The financial report for the period ending October 31st, 2016 was treated as information.
- (b) The Building Inspector's Service Report for October, 2016 was treated as information.

No. FA.0056/16 (c) Moved: Councillor Day

Seconded: Councillor Vomacka
that the Committee recommend approval of the Lake Cowichan Fire Department's Incident report for September 2016 in the total amount totaling \$5,756.01.

CARRIED.

No. FA.0057/16 (d) Moved: Councillor Austin
Seconded: Councillor Day
that the committee recommend submission of a grant application under the Clean Water and Wastewater Fund Program for a project described as the Lake Cowichan Wastewater Phase 2 Upgrades for the total eligible project costs of \$2,360,000 with the Town's contribution for the project to be 17% of the total project costs.

CARRIED.

No. FA.0058/16 (e) Moved: Mayor Forrest
Seconded: Councillor Austin
that the Task Force for Economic Development Project Plan be recommended for approval with Councillor Day as the alternate for the Town representation.

CARRIED.

No. FA.0059/16 (f) Moved: Councillor Day
Seconded: Councillor Vomacka
that a recommendation be made to forward Councillor Day's name as the alternate to the Task Force for Economic Development Project Plan.

CARRIED.

7. NEW BUSINESS

(a) The Council had a discussion on the possible dates available for the Budget Estimate Discussions. November 29th, 2016 was selected.

No. FA.0060/16 (b) Moved: Councillor Austin
Seconded: Councillor Vomacka
that Mayor Forrest be registered for the Local Government Leadership Academy (LGLA) in Richmond, BC on December 6th-7th, 2016.

CARRIED.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

(a) Mayor Forrest and Councillor McGonigle were invited to present a talk on water usage in Lake Cowichan from the Girl Guides. The discussion will take place on November 16th, 2016 at the Baptist Church.

(b) A wreath will be laid by Council at this year's Remembrance Day.

(c) Councillor McGonigle extended his thanks to all involved in the financial presentations that were made from Timberwest.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. FA.0061/16
Adjournment

Moved: Councillor Day
Seconded: Mayor Forrest
that we adjourn (5:40 p.m.).

CARRIED.

Certified correct _____ .

Confirmed on the _____ day of _____ , 2016.

Chair



TOWN OF LAKE COWICHAN
Minutes of Public Works and Environmental Services Committee
Tuesday, November 1st, 2016

PRESENT: Councillor Carlyne Austin, Chair
Mayor Ross Forrest
Councillor Bob K. Day
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Karl Lingren, Recording Secretary

1. **CALL TO ORDER**

The Chair called the meeting to order at 5:04 p.m.

2. **AGENDA**

No. PW.0029/16 Moved: Councillor McGonigle
Seconded: Councillor Day
that the agenda be approved.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

(a) There was no update on the parking regulations for the business district area of town.

(b) **Ongoing Items Still Being Addressed:**

(i) There was no current update on the sidewalks and walking trail for North Shore Road at this time. The Chief Administrative Officer reported that we would have to apply for grant money in order to move forward on this project.

(ii) The Superintendent, Public Works and Engineering Services updated the committee of the timeline that would take place for the Water Treatment Plant upgrades. He said that as of now, the Town is already a month and a half behind schedule.

(iii) The Chief Administrative Officer said the matter of organic waste was still an ongoing issue and would be looked at in the February 2017 meeting.

4. **DELEGATIONS**

None.

5. **CORRESPONDENCE**

The Chief Administrative Officer circulated Information from ICBC that listed the grants provided for upgrades to sidewalks and the entrance sign.

6. REPORTS

- (a) Moved: Councillor Day
 Seconded: Mayor Forrest
 that rate increases of 3% for water and sewer charges and 1% for garbage fees are recommended for each of 2017 and 2018.
 CARRIED.

7. NEW BUSINESS

- (a) Councillor Vomacka asked about the possibility of re-painting the car bridge. The Superintendent, Public Works and Engineering Services said the bridge belongs to the Ministry of Transportation and would have to be their decision.

- No. PW.0030/16 (b) Moved: Councillor Day
 Seconded: Mayor Forrest
 that it be recommended that Councillor McGonigle sit on the upcoming Airshed roundtable committee meeting to be held on November 30th, 2016 from 1:00 p.m.- 4:00 p.m. be approved.
 CARRIED.

8. NOTICES OF MOTION

On November 2nd, 2016 Timberwest will be presenting its donations to certain groups. The event is to take place at the Town Square.

9. PUBLIC RELATIONS ITEMS

- (a) Councillor Austin announced that the EPIC (Eldercare Project In Cowichan) meeting will take place on November 24th, 2016 at the Ramada Inn in Duncan.
- (b) Mayor Forrest mentioned that Community Services will be holding its hamper day on Tuesday, December 20th, 2016. Council will be cooking and serving the meal.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

- No. PW.0031/16 Moved: Councillor Vomacka
 Adjournment Seconded: Councillor Day
 that this meeting adjourn. (5:50 p.m.)
 CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



TOWN OF LAKE COWICHAN
Minutes of Parks, Recreation and Culture Committee
Tuesday, November 1st, 2016

PRESENT: Councillor Lorna Vomacka, Chair
Mayor Ross Forrest
Councillor Carlyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

PUBLIC: 1

1. CALL TO ORDER

The Chair called the meeting to order at 6:03 p.m.

2. AGENDA

No. PR.0033/16

Moved: Councillor Austin
Seconded: Councillor Day
that the agenda be approved with the following:
1. New Business- Trans Canada Trail Kiosk.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

- (i)** The Chief Administrative Officer reported that the Lady of the Lake Society made the transfer of the Town truck on October 5th, 2016. The society understands that they will be notified to move the float once construction begins on the Town Hall upgrades.
- (ii)** The Superintendent, Public Works and Engineering Services reported that the Centennial Park Upgrade has begun with equipment being brought into town but some of the work is weather dependent. He added that Phase 2 is being worked on and that a grant application has been submitted.
- (iii)** The Chief Administrative Officer informed the committee that a contractor will be coming in on November 21st, 2016 to install the fencing and public works will be working on the drainage issue. The Superintendent, Public Works and Engineering Services added that water will be installed in the new year. The policy on the community garden will be finalized soon, once an agreement is made on a couple of matters.
- (b) Ongoing Items:**
- (i) Riverfront Parkway and Trail Connections:**
- There is no update on the trail connection plans.
- (ii)** The water park proposal will remain on the agenda but it is not in the 5 year capital.

- (iii) Councillor Austin asked for the matter of re-staining of the kiosk be kept on the agenda so the Trans Canada Trail Kiosk will look presentable for Canada 150.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

- No. PR.0034/16 (a) Moved: Councillor Austin
Seconded: Councillor Day
that Council recommend approval to the execution of a five year lease for the facility at 58 Cowichan Avenue effective April 1, 2016 with the Minister of Technology, Innovation and Citizens' Services with the Town agreeing to undertake work itemized under Schedule H of the Lease.

CARRIED.

7. NEW BUSINESS

- (a) The Chief Administrative Officer said that a site survey has to be completed for the area to be used for the columbarium site. He added that bylaw amendments may be required.

Mayor Forrest suggested that this topic be added to the agenda for the Town Meeting on November 21st, 2016.

- (b) The Chief Administrative Officer reported that due to inclement weather, the gateway sign project at the wye entrance to town is behind schedule and is projected to be finished sometime in December.
- (c) The Chief Administrative Officer said that a walkabout was done at the Riverside Park and there was a recommendation to upgrade the washrooms and park for a JCP project.
- (d) The Chief Administrative Officer also mentioned that during the walkabout, improvements to the footbridge with new lighting and aesthetically fixing up the bridge should be considered. The work is not in the budget for 2017 but could maybe be included in the 2018 budget discussions.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

- No. PR.0035/16 Moved: Councillor Austin



TOWN OF LAKE COWICHAN

Minutes of Economic and Sustainable Development Committee

Tuesday, November 8th, 2016

PRESENT: Councillor Bob K. Day, Chair
Mayor Ross Forrest
Councillor Carolyne Austin
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

OTHER: 0

1. CALL TO ORDER

The Chair called the meeting to order at 5:54 p.m.

2. AGENDA

No. SPD.0026/16 Moved: Councillor Vomacka
Seconded: Councillor Austin
that the agenda be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) The community Hall in Lake Cowichan has been booked on November 30th, 2016 for a meeting to go over Bridget Horel's, Island Coastal economic Trust, study on the Sunfest weekend.

(b) Ongoing Items Still Being Addressed:

(i) There was no update on the seasonal pay parking issue at this time. We are still waiting to hear from the Town planner.

(ii) The article by Karla Zubrycki, "From Waste to Resource – Using drain and land maintenance waste for bioenergy and compost", was treated as information.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

None.

7. NEW BUSINESS

(a) The committee discussed various ways of trying to entice people to stay longer in our beautiful community and enjoy the many natural assets in our area.

(b) The committee chair encouraged the members to visualize how they saw the future of our community. He wanted to focus on means of maintaining a strong and sustainable town.

(c) The article by Dianne Saxe, "The Energy Footprint of Water",

was treated as information. The Superintendent, Public Works and Engineering Services elaborated on this issue. Water as an important and finite resource was stressed.

- (d) The committee discussed the events calendar that is issued by the Chamber of Commerce for Lake Cowichan.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. SPD.0027/16
Adjournment

Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the meeting adjourn. (8:01 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



Memo

TO: Mayor and Council
SUBJECT: Centennial Park Upgrades – Contract Administration
DATE: November 18, 2016
FROM: Chief Administrative Officer

BACKGROUND

Lees and Associates undertook detailed design work and the preparation of construction tender documents for Centennial Park upgrades. It appears that it would be reasonable then to have this same firm provide contract administration and additional consultant services, as are listed in the attached schedule.

The Superintendent, Public Works and Engineering Services, has had discussions with David Gibbons of the firm on this matter.

STAFF RECOMMENDATION

that council approve entering into a contract with Lees and Associates Consulting Ltd. to undertake contract administration and additional consulting services for the Centennial Park upgrades for an amount not to exceed \$33,040 plus taxes.

A handwritten signature in black ink, appearing to read "Joseph A. Fernandez".

Joseph A. Fernandez

**Town of Lake Cowichan - Centennial Park Improvements Project
Contract # 1 - Athletic Field Construction**

October 23, 2016

Preliminary Estimate of Time & Costs for Contract Administration Services

Item	Principal (EL) \$150/hr	Contract Admin (DG) \$120/hr	Tech. Staff (SD) \$100/h	Office Admin Staff (JT) \$100/hr	Other Costs	Notes
1. Draft contract award letter		Incl.				
2. Contractor & client communication		4				
3. Assemble contract documents - Owner file; Owner working copy; Contractor; Contract Administrator .; ELAC office		8				5 binders
4. Contract signing @ ToLC		1			\$80.00*	Travel-Ferry & mileage*
5. Start-up Meeting		2			\$80.00*	
6. Site Inspections - 23 week contract to Mar. 31 - Estimate 35 visits		105			\$2,800.00*	Allow 2 hrs per visit for site time & travel Allow 1 hr for write-up
7. Change Orders - Allow for approx. 40 COs		40	8			Allow 1 hr per CO for write-up & circulation Tech time as required
8. Site Instructions -Allow for approx. 35 SIs		35				Allow 1hr per SI for write-up and circulation
9. Submittal Review -Allow for 5 contractor submittals		10				Allow 2hrs per submittal for review, circulation & response
10. Progress Claim review -Allow for monthly progress claims (6)		6				Allow 1hr per claim for review & processing
11. Inspection for Substantial Completion		4			\$80.00*	Walk-through, write-up & communication
12. Inspection for Construction Completion		4			\$80.00*	Walk-through,, write-up & communication
13. Contract Close-out - review close-out details - review as-constructed drawings & documents		2	10			As-constructed drawings, contractor's operating manuals, warranties, etc.
14. Inspection for Total Performance (12 month review)		1			\$80.00*	Walk-through, detailed inspection, write-up & communication
15. General Administration	4			8		Erik - 4 @ \$150 Jennifer - 8 @ \$100
						*Site visits: flat charge for ferry & mileage -\$80 per visit (same as 2014 contract) Travel time \$0.00
Total Hours	4	222	18	8		Total Est. Time & charges : \$33,040.
Total Costs	\$600.	\$26,640.	\$1,800	\$800.	\$3,200.	

Comparison: ToLC Town Square project Contract Admin
 - 14 week duration (10May - 18Aug)
 - 29 site visits (average 2 per week)
 - 16 meetings (start up, progress, completion)
 - 5 progress claims
 - 23 Change Orders
 - 13 Site Instructions
 - Contract administration: 232 hrs / average 17hrs/wk

**TOWN OF LAKE COWICHAN
BYLAW NO. 982-2016**

**A BYLAW TO REGULATE THE TERMS AND CONDITIONS
UNDER WHICH WATER FROM THE MUNICIPAL
WATER UTILITY MAY BE SUPPLIED AND USED**

WHEREAS Section 8 of the *Community Charter* permits a Municipal Council to operate and maintain such services as it deems desirable and through bylaw provide for the classification of users and prescribe different rates, terms and conditions for the provision of water utility services;

AND WHEREAS the Municipal Council deems it necessary to establish regulations and rates for the use of municipal water;

NOW THEREFORE the Council of the Town of Lake Cowichan, in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the "Town of Lake Cowichan Water Regulations and Rates Bylaw No. 982-2016".

2. DEFINITION

In this bylaw unless the context otherwise requires,

COMMERCIAL means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, industrial activities, retail or personal service use or any other Town approved commercial or business activity which results in the land and improvements in whole or part thereof being assessed at industrial or business tax rates for tax purposes;

CONSUMER means any person, company or corporation who is the owner or agent for the owner of any premises to which water is supplied or made available from the waterworks and also any person who is the occupier of any such premises, and also includes any person who is actually a user of water supplied to any premises or by a service from the said waterworks;

DUPLEX means a residential building containing two (2) segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and sharing at least one (1) common wall;

INSPECTOR means the Building Inspector for the Town or such person as the Town may from time to time designate;

OWNER in respect to real property means the registered owner of an estate in fee simple and includes:

- (a) the registered holder of the last registered agreement for sale; and
- (b) an agent authorized in writing by the owner to act on his behalf;

OUTSIDE USER means any consumer located outside the boundaries of the Town of Lake Cowichan;

PRIVATE HYDRANT means a fire hydrant required by regulation, but owned and maintained by a private property owner, for use by the Fire Department;



SINGLE FAMILY UNIT means a single segregated self-contained residential dwelling used for, or intended for the domestic use of one (1) or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities;

SUPERINTENDENT means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

TOWN means the Town of Lake Cowichan;

MULTI-FAMILY means a residential building containing three (3) or more segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and with each unit sharing at least one (1) common wall with the adjacent unit;

STAGE means the Stages 1, 2, and 3 of Water Use Restrictions prescribed by Section 15.6 of this bylaw:

- "Stage 1" water supply conditions shall also be known as Normal;
- "Stage 2" water supply conditions shall also be known as Moderate; and
- "Stage 3" water supply conditions shall also be known as Acute.

WATER CONNECTION means the water line extending from the water main to the property line of the property being serviced or about to be serviced;

WATER MAINS means any pipes used for the distribution of the waterworks that is under the control of the Town of Lake Cowichan;

WATER SERVICE means the supply of water from the waterworks to any person and all the taps, valves, meter, connections and other things necessary to any actual use for the purpose of such supply;

WATERWORKS means any water system intended for public use that is under the control of the Town of Lake Cowichan.

3. CHARGES TO OWNER

There shall be charged against the owner of the land or real property where a water or drain connection has been installed to the property and where plumbing is installed on the premises and is connected to the Town water system, water rate charges as set forth in Schedule "A" of this bylaw.

4. APPLICATION FOR SERVICE

- 4.1 Application in the form as prescribed from time to time must be completed and signed by the owner of such property or his duly authorized agent before water service will be provided. The owner by submission of the completed application agrees to abide by the terms and conditions of this Bylaw and pay all appropriate fees or assessments for works or services.
- 4.2 Application for water connection and payment for same must be completed in conjunction with the application being made for a building permit.
- 4.3 Connection fees and inspection fees as outlined in Schedule "A" of this bylaw are payable at the time of the application for such service.



5. INDEPENDENT RATES

Where multiple independent users or multiple classifications of uses exist in what is commonly referred to as common connection line, the individual rates as defined in Schedule "A" of this bylaw shall be applicable whether or not independent water services have been installed to the property.

6. CHARGES WHEN VACANT

- 6.1 All of the Town is a specified water service area; therefore, the owner of a premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all water rates whether the services are actually used or not.
- 6.2 A separate charge will be applicable on each non-metered duplex unit whether vacant or not.

7. COLLECTION OF FEES

- 7.1 All accounts will be billed annually in January for the period January 1st to December 31st and payable in advance. The due date for annual billings is March 31st. These rates shall be payable at any place designated by Council, but in all cases, the owner shall be subject to the provisions of Section 258 of the *Community Charter* and shall be paid at the rates set forth in Schedule "A" attached to this bylaw.
- 7.2 Invoicing for water service shall commence on issuance of an occupancy permit and no later than six (6) months after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.3 Metered accounts will be billed the minimum monthly charge annually on their annual January bill, and will receive additional bills for usage in excess of the minimum consumption charge quarterly or at a minimum semi-annually.
- 7.4 When a building containing multiple units is being supplied metered service through a common connection line and each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each unit.
- 7.5 When a building containing multiple units is being supplied metered service through a common connection line and the entire building is under one title, the minimum usage charge per unit will apply to each unit.
- 7.6 A minimum charge per unit applies except in the case of a non-strata duplex which shall be treated as a single-family dwelling.

8. DISCOUNTS AND PENALTIES

- 8.1 All accounts shall be allowed a discount of ten percent (10%) for prompt payment of the annual January billing or portion thereof if paid on or before the last day of February.



- 8.2 The annual January billing is due and payable on or before March 31st of the current year. If the account remains unpaid after the first business day in July, a five percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30th an additional five percent (5%) penalty will be applied to the outstanding balance.
- 8.3 Excess usage billings will be due thirty (30) days from the invoice date. If the account remains unpaid after sixty (60) days from the billing date, monthly interest charges will be applied at two percent (2%) until the account is paid.
- 8.4 All outstanding balances as of December 31st will be transferred to taxes as arrears the following year.

9. MANDATORY CONNECTIONS

- 9.1 If a parcel of land, upon which is situated a building occupied and/or used by one (1) or more persons, abuts a street or land or right-of-way upon or under which there is laid a public water system, the owner of such building shall connect or cause to be connected the said building with the public water system in the manner provided by this bylaw.
- 9.2 It shall be compulsory for any owner whose property is capable of being serviced by municipal water to connect or cause to be connected such building with the public water system.
- 9.3 It shall be compulsory for all new construction to install a water meter as approved by the Town at the owner's cost.
- 9.4 The property owner is responsible for all costs associated with the works required for the installation of a water connection to that property.

10. CONSTRUCTION RATES

- 10.1 Where water has been provided by the Town to land upon which a building is being constructed, a construction rate for water shall apply from the date of the building permit until occupancy of the building or six months, whichever occurs first. Regular water billings start at the time of occupancy or six months after the building permit is issued.
- 10.2 Every application for a construction rate shall be made under the hand of the owner of the property to which the water is to be supplied.
- 10.3 The rate shall be the same as the single-family unit rate.

11. OWNER REFUSES OR NEGLECTS

Where the owner of any parcel of land in the Town which is required to be connected to the public water system of this bylaw, neglects, omits or refuses to comply with the provisions of this bylaw, within sixty (60) days of receipt of such notice, then the Town may serve the owner with a second registered notice to comply with this bylaw. If the owner neglects, omits or refuses to comply within sixty (60) days of receipt of the second notice, the Town may contract a private contractor to make the connection, and the charges of this connection are to be charges as per provisions of Schedule "A" of this bylaw.



12. SERVICE PIPES

- 12.1 Before any person shall install or construct any water service, or commence doing any construction work in relation to or in connection with such service, he shall notify the Town in writing. If required by the Inspector, he shall furnish a plan and specifications which shall show:
- (a) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation;
 - (b) a description of the material which the applicant proposed to use in connection with such installation or construction.
- 12.2 The installation of service pipes shall be the responsibility of the property owners but shall conform to specifications approved by the Town.
- 12.3 The Town shall not be liable for the cost of any work done in connection with any service on private property, nor shall any employee of the Town carry out any work on private property.
- 12.4 It shall be the duty of every owner to provide that all taps, fittings and other things connected with the service within the premises are in good order and installed and connected in accordance with the provisions of the Building and Plumbing Bylaws.
- 12.5 Every premise shall have a properly placed stop and waste cock.
- 12.6 When the owner's service pipe plans and water connection application have been approved, he may proceed with the installation of the service pipes. When the service pipes have been installed, but before the excavation is backfilled, the Town shall be notified that such work is ready for inspection.
- 12.7 The backfilling of the service pipes shall not be commenced until the Town has signified in writing that it is satisfied that the materials and workmanship employed are to its satisfaction and that the pertinent sections of this and other bylaws have been adhered to.
- 12.8 The Town shall refuse to turn on water to any premises not complying with Section 12.7.
- 12.9 (a) In the event of leakage, freezing or other conditions which causes the interruption of supply in the service pipe, repairs shall be the responsibility of the owner. If the owner feels that such conditions are present in the Municipality's connection pipe, the owner shall notify the Town requesting repairs.
- (b) In the event that the Town's connection pipe is faulty and is the cause of the owner's complaint, the Town shall repair such faults. If there is no fault found in the Town's connection pipe, the owner shall be invoiced for all costs of the work. The owner may have the right to inspect the site of the excavation by the Town and satisfy himself as to the condition of the connection pipe.
- 12.10 Every consumer shall provide for his own service to his premises a pressure reducing valve, also pressure relief valve, if required in



accordance with the Plumbing Code.

13. WATER METERS

- 13.1 Each new water connection shall be equipped with a water meter.
- 13.2 Applicants for building permits shall pay the deposit amount outlined in the Town of Lake Cowichan Water Regulations and Rates before the issuance of a building permit to ensure that the water meter is installed in accordance with the Town requirements.
- 13.3 It shall be an offence under this bylaw for anyone to disconnect, remove, tamper with or bypass any water meter.

14. REGULATIONS

- 14.1 No person shall use, destroy, injure or tamper with any hydrant, or other fixture of the waterworks, and no person shall in any manner interfere or meddle with the water connection or waterworks in any street, or make any additions or alterations to the water system or any connection, or turn on or off any corporation stop-cock, service valve or gate valve without express approval of the Town.
- 14.2 No person shall sell or dispose of water from the municipal water system, or give it away to any person or persons whatsoever or permit it to be taken or carried away by any person or persons, whomsoever, or use or supply it to the use or benefit of others where such sale or use exceeds one thousand gallons (1,000 imp. gals.) per day.
- 14.3 No connection or cross connection between the municipal water system and any other water system or source of water supply shall be permitted.
- 14.4 The Town requires that every new consumer of water shall provide the proper valves, fittings and wire as established in the utility requirements of the Town of Lake Cowichan. The consumer is responsible for all costs relating to the installation of this service.
- 14.5 The inspection of premises and the review of engineered plans of new plumbing systems for cross connections is to be conducted by the Town and should meet all required specifications.
- 14.6 The Town may refuse to supply water at any time to any property owner or to any premises otherwise than by metered service.
- 14.7 The Town may establish a schedule by which premises will be converted to metered service.
- 14.8 Sprinkling restrictions may be enforced from time to time by the Town.
- 14.9 No person shall install a swimming pool with a connection to a water service coming from the Town's system, nor shall any below ground sprinklers be installed, or any addition to a water service made that may have cross connection implications, without first installing proper and approved backflow prevention. All such installations must first be approved by the Town after detail and design of the proposed installation has been made, and no work shall proceed without first obtaining such approval.



- 14.10 No person is permitted to connect equipment adapted for use on service pipes or mains for pressure spraying of fertilizer, pesticides or any other materials of a toxic or non-toxic nature unless proper protection for back flow has been installed and approved by the Town.
- 14.11 No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock or other fixture connected with the waterworks, and should any person obstruct such access the Town may remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending, and on nonpayment thereof, on demand, the municipality may recover pursuant to Section 258 of the *Community Charter*.
- 14.12 The employees of the Town shall have free access to all lands and all parts of every building, upon request, and at reasonable time, where water is delivered and consumed.

15. ADMINISTRATION

- 15.1 The Superintendent is hereby authorized and directed to have a general supervision over the municipal waterworks system and to see that the provisions of this bylaw are carried out.
- 15.2 The Town shall have the power to appoint assistants and inspectors for the purpose of effectually carrying out the provisions of this bylaw, and wherever the Superintendent is authorized or directed to perform any act or duty under this bylaw, such act or duty may be performed by an employee authorized by the Town to perform such act or duty.
- 15.3 Nothing contained in this bylaw shall be construed to impose any liability on the municipality to service any person or premises or to give a continuous supply of water to any person or premises.
- 15.4 The Town shall not be liable for the failure of the water supply in consequence of any accident or damage to the waterworks, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the municipality or other person whomsoever, or through natural deterioration or obsolescence of the municipality's system or otherwise.
- 15.5 The Town may, without notice, disconnect the water service to any premises for any of the following reasons, and the municipality shall not be liable for damages by reason of discontinuing water service for such reasons:
- (a) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;
 - (b) non-payment of water rates;
 - (c) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water;



- (d) for repairs;
- (e) for want of supplies;
- (f) for employing any pump, booster or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without obtaining the approval of the Town;
- (g) for violation of any of the provisions of this bylaw.

15.6 The Town may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the municipal water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used in accordance with restrictions that Council may impose from time to time when the following occur:

- (a) STAGE 1 - When Water Supply Conditions are deemed "Normal" watering restrictions not to exceed 2 hours per scheduled day and as regulated by council shall apply between May 1 and October 31 unless exempted by Permit for newly planted lawns or landscaping;
- (b) STAGE 2 - When Water Supply Conditions are deemed "Moderate" under Stage 2, a person may:
 - only continue to sprinkle as permitted by council policy;
 - under the authority of an existing Permit issued under Stage 1, continue to water a recently seeded or sodded (un-established) lawn;
 - not apply for a New Permit during Stage 2;
 - not water more than 2 hours per scheduled day;
- (c) STAGE 3 - When Water Supply Conditions are deemed "Acute", sprinkling is not permitted and any hand-watering is to be in accordance with restrictions imposed by Council; and includes the proviso that a person shall:
 - not fill a swimming pool or hot tub except to replace evaporated water or water lost from general use of the pool or tub;
 - not use fountains or ponds unless using re-circulated water; and
 - not use water unless specifically permitted by council policy when this stage is declared.

16. CONNECTION - DEMOLISHED BUILDINGS

When a building within the Town is removed or demolished, it shall be the duty of the owner to immediately supply to the office of the Town upon such forms as prescribed by the Town for a permit to disconnect from the public water system, at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Town.



17. RECONNECTION FEES

If the owner of any property where the water line has been disconnected wishes to reconnect to the public water system, he shall make application upon such forms as prescribed by the Town for the reconnection. He shall pay the estimated cost, with minimum fees being charged pursuant to Schedule "A" of this bylaw. Upon completion of the reconnection, the owner shall be sent a statement showing the actual cost of the work and he shall be refunded any over-payment or conversely he shall pay the Town any cost over and above the estimated cost of this work.

18. INSPECTION/RE-INSPECTION FEES

18.1 An inspection fee shall be paid to the Town for the initial inspection.

18.2 A re-inspection fee shall be paid to the Town for each additional inspection required after the first inspection because of defective materials or workmanship.

19. PRIVATE HYDRANTS

19.1 The owner or occupant of private property shall provide an annual report of inspection, service and maintenance by September 30 of each calendar year.

19.2 Records shall be kept of the inspections and tests and these records shall be made available to the Town for inspection.

19.3 The owner or occupier of premises on which a private fire hydrant is installed, must ensure that the hydrant is maintained in good working condition at all times and that the hydrant is inspected, serviced and tested at least yearly by a Fire Protection Technician in accordance with the requirements of the Fire Code.

19.4 Where the owner of a parcel of land containing private hydrant(s) elects to contract with the Town, in writing, to maintain and service private hydrant(s) fees will apply as established by Schedule "A" of this bylaw and included in the January billings where feasible.

19.5 If an owner or occupier fails to comply with an order issued under Section 19.3 within the time specified in the order, the Town may enter onto the property and carry out such work at the cost of the owner. Any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real properties of the owner or owners affected by this section as taxes in arrears.

20. RIGHT OF ENTRY

20.1 The Superintendent and all employees of the Town, acting under the Superintendent's direction, are authorized to enter upon any property in the Water Service Area at any reasonable time in order to ascertain whether the provisions of this bylaw are being observed.

20.2 No person shall interfere with or obstruct the entry of an authorized official onto any property under Section 20.1.



21. CONTRAVENTION AND PENALTIES

- 21.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.
- 21.2 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
- 21.3 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.

22. REPEAL

That upon adoption of the bylaw, Bylaw No. 968-2015 being the "Town of Lake Cowichan Water Regulations and Rates Bylaw" is hereby repealed.

READ A FIRST TIME on the ___th day of _____, 2016.

READ A SECOND TIME on the ___th day of _____, 2016.

READ A THIRD TIME on the ___th day of _____, 2016.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___nd day of _____, 2016.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



**TOWN OF LAKE COWICHAN
SCHEDULE "A"**

ATTACHED TO AND FORMING PART OF WATER BYLAW NO. 982-2016

WATER RATES		2017	2018
Residential – monthly metered rates	Cubic Meters per Month		
Single family unit	up to 35 m ³	\$ 25.34	\$ 26.10
Townhouse per unit	up to 30 m ³	21.74	22.38
Apartment or condo per unit	up to 25 m ³	18.10	18.65
Outside user per unit	up to 35 m ³	46.24	47.60
RV site per unit	up to 20 m ³	14.52	14.95
Fee for use over maximum allowed per month	per m ³	0.51	0.52
Residential – monthly non-metered rates			
Single family or each duplex unit		33.84	34.85
Multi-family per unit		29.05	29.92
Outside user per unit		51.45	53.00
Commercial – monthly metered rates			
Commercial fee for up to 20 m ³ per month	(or 240 m ³ annually)	14.52	14.96
Charge for use over 20 m ³ per month	per m ³	0.51	0.52
Commercial - monthly non-metered rates			
Coffee shop/ café/ office or store/ Strata RV Site		\$ 19.47	\$ 20.05
Church/ hall/ auto body or machine shop/ beauty shop		33.68	34.70
Garage or service station		44.20	45.50
Hotel & Motels – per room		9.75	10.05
Licensed clubs or lounges and pubs		109.10	112.38
Restaurant		66.15	68.14
Grocery store (larger than 5,000 square feet)		204.50	211.75
Schools – Per Room (classroom, shop, office, etc.)		34.45	35.10
Fire hydrant service and maintenance fee *		150.00	150.00
* Cost of materials will be charged separately, if required		Actual cost	Actual cost
Water meter inspection fee		50.00	50.00
Water charge – during six-month construction period - minimum of		150.00	150.00

CONNECTION FEES	Existing Un-served Lots	Existing Served Lots
3/4 inch including meter	Actual Cost *	-
3/4 inch meter only	-	\$ 500
3/4 inch meter, fittings and box	-	Actual Cost *
1 inch including meter	Actual Cost *	-
1 inch meter only	-	Actual Cost **
1 inch meter, fittings and box	-	Actual Cost *
larger than 1 inch	Actual Cost *	Actual Cost *
Disconnection fee	\$ 50.00	
Reconnection fee	50.00	
Inspection fee	25.00	
Re-inspection fee	25.00	
	* Minimum Charge \$1,300.00	
	** Minimum Charge \$750.00	



**TOWN OF LAKE COWICHAN
BYLAW NO. 983-2016**

**A BYLAW TO REGULATE THE RATES, TERMS AND CONDITIONS UNDER WHICH
MUNICIPAL SANITARY SEWER UTILITY SERVICE
MAY BE SUPPLIED AND USED**

WHEREAS Section 8 of the *Community Charter* permits a Municipal Council to operate and maintain such services as it deems desirable and by bylaw may provide for the classification of users and prescribe different rates, terms and conditions of sanitary sewer utility services;

AND WHEREAS it is deemed advisable that the Town of Lake Cowichan shall establish regulations and rates for the sewage system;

NOW THEREFORE, the Council of the Town of Lake Cowichan in open meeting assembled ENACTS as follows:

1. TITLE

This bylaw may be cited as the "Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 983-2016".

2. DEFINITION

In this bylaw unless the context otherwise requires,

COMMERCIAL means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, industrial activities, retail or personal service use or any other Town approved commercial or business activity which results in the land and improvements in whole or part thereof being assessed at industrial or business tax rates for tax purposes;

CONSUMER means any person, company or corporation who is the owner or agent for the owner of any premises to which a sewer connection is supplied or made available from the public sewer and also any person who is the occupier of any such premises, and also includes any person who is actually a user of the public sewer;

DUPLEX means a residential building containing two segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and sharing at least one (1) common wall;

INSPECTOR means the Building Inspector for the Town or such person as the Town may from time to time designate;

OUTSIDE USER means any consumer located outside the boundaries of the Town of Lake Cowichan;

OWNER in respect to real property means the registered owner of an estate in fee simple and includes:

- (a) the registered holder of the last registered agreement for sale; and
- (b) an agent authorized in writing by the owner to act on his behalf;

OWNER'S SEWER LINE means the sewer pipe extending from the property line of the property concerned to the building situated thereon and joining the sewer pipe to the plumbing system of the building;

PUBLIC SEWER SYSTEM means any sewer line, sewer system or portion thereof used or intended to be used for public use under the control of the Town;

SEWER CONNECTION means the sewer pipe extending from the public sewer to the property line of the property being served or about to be served;



SINGLE FAMILY UNIT means 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;

SUPERINTENDENT means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

TOWN means the Town of Lake Cowichan;

MULTI-FAMILY means a residential building containing three (3) or more single family units with cooking, living, sleeping and sanitary facilities, and with each single family unit sharing at least one common wall with the adjacent unit.

3. CHARGES TO OWNER

There shall be charged against the owner of the land or real property where a sewer or drain connection has been installed to the property and where plumbing is installed on the premises and is connected to the Town sewer system, sewer rate charges as set forth in Schedule "A" of this bylaw.

4. APPLICATION FOR SERVICE

4.1 Application in the form as prescribed from time to time must be completed and signed by the owner of such property or his duly authorized agent. Each application, when signed by the potential customer agrees to abide by the terms and conditions of this Bylaw and pay all appropriate fees or assessments for works or services.

4.2 Application for sewer connection and payment for same must be completed in conjunction with the application being made for a building permit.

4.3 Connection fees and inspection fees as outlined in Schedule "A" of this bylaw are payable at the time of the application for such service.

5. INDEPENDENT RATES

Where multiple independent users or multiple classifications of uses exist in what is commonly referred to as Common Connection line, the individual rates as defined in Schedule "A" of this bylaw shall be applicable whether or not an independent sewer or drain has been installed to the property.

6. CHARGES WHEN VACANT

6.1 The entire Town is a specified sewer service area; therefore, the owners of premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all sewer rates whether the services are actually used or not.

6.2 A separate charge will be applicable on non-metered duplex unit whether vacant or not.



7. COLLECTION OF FEES

- 7.1 All accounts will be billed annually in January for the period January 1st to December 31st and payable in advance. The due date is March 31st. These rates shall be payable at any place designated by Council, but in all cases, the owner shall be subject to the provisions of Section 258 of the Community Charter and shall be paid at the rates set forth in Schedule "A" attached to this bylaw.
- 7.2 Invoicing for water service shall commence on issuance of an occupancy permit and no later than six (6) months after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.3 Metered accounts will be billed the minimum monthly charge annually on their annual January bill, and will receive additional bills for usage in excess of the minimum consumption charge quarterly or at a minimum semi-annually.
- 7.4 When a building containing multiple units is being supplied metered water service through a common connection line, and each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each single family unit.
- 7.5 When a building containing multiple units is being supplied metered water service through a common connection line, and the entire building is under one title, the minimum usage charge will apply to each single family unit.
- 7.6 A minimum charge per unit applies except in the case of a non-strata duplex which shall be treated as a single-family dwelling.

8. DISCOUNTS AND PENALTIES

- 8.1 All accounts shall be allowed a discount of ten percent (10%) for prompt payment of the annual January billing or portion thereof if paid on or before the last day of February.
- 8.2 The annual January billing is due and payable on or before March 31st of the current year. If the account remains unpaid after the first business day in July a five percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30th an additional five percent (5%) penalty will be applied to the outstanding balance.
- 8.3 Excess usage billings will be due thirty (30) days from the invoice date. If the account remains unpaid after sixty (60) days from the billing date, monthly interest charges will be applied at two percent (2%) until the account is paid.
- 8.4 All outstanding balances as of December 31st will be transferred to taxes as arrears.

9. MANDATORY CONNECTIONS

- 9.1 If a parcel of land, upon which is situated a building occupied and/or used by one (1) or more persons, abuts a street or land or right-of-way upon or under which there is laid a public sewer, the owner of such building shall connect or cause to be connected the said building with the public sewer system in the manner provided by this bylaw.



- 9.2 It shall be compulsory for any owner or owners whose property is capable of being serviced as described by Section 9.1 to connect or cause to be connected such building with the public sewer system.
- 9.3 The property owner shall be responsible for all costs associated with the works required for the installation of a sewer connection to that property.

10. OWNER REFUSES OR NEGLECTS

Where the owner or owners of any parcel of land in the Town which is required to be connected to the public sewer system, neglects, omits or refuses to comply with the provisions of this bylaw, within sixty (60) days of receipt of such notice, then the Town may serve the owner with a second registered notice to comply with this bylaw. If the owner neglects, omits or refuses to comply within sixty (60) days of receipt of the second notice, the Town may contract a private contractor to make the connection, and the charges of this connection to be charges as per provisions of Schedule "A" of this bylaw.

11. SEPTIC TANKS

Where, in the opinion of the Town, a public sewer connection is incapable of serving a said parcel of land, no permit will be issued and no such connection allowed; however, an adequate septic tank service may be installed to conform with the Bylaws of the Town. The septic tank service may be used until such time as it becomes a hazard in the opinion of the Public Health Inspector, or an adequate service is provided.

Where a hazard is reported all reasonable costs and expenses incurred in resolving that health hazard or unsanitary condition as a result of an order issued by the Public Health Inspector shall be added to the tax roll against the property of the owner and shall be treated as taxes in arrears under the Community Charter.

12. CAR/TRUCK WASH OUTLETS

Car and truck washing outlets shall not normally connect to a sanitary sewer system. This however, may be reconsidered by the Town if there is no other acceptable outlet to waste the sewer to. All connections to a sanitary sewer must provide for the removal of all oils and greases, etc. and other pollutants, acids and gritty materials.

13. UNCOVERED FOR EXAMINATION

- 13.1 The Inspector shall inspect the owner's sewer system when advised by the owner that the said sewer has been laid and is ready for inspection.
- 13.2 All of the owner's sewer system shall be left uncovered and convenient for examination until it has been inspected by the Inspector.
- 13.3 The owner or his agent shall test the house connection for sewer tightness in the presence of the Inspector. The test shall be performed by sealing the owner's sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than two point five meters (2.5m) (eight feet - 8') is placed on all sections of the building sewer. The rate at which water escapes from the owner's sewer, when calculated under this test shall not exceed half litre ($\frac{1}{2}$ L) (one tenth



gallon - 1/10 gal.) per hour for each three meters (3m) (ten feet -10') of owner sewer. This section may be waived at the discretion of the Town.

- 13.4 The owner's sewer shall not be covered nor backfilled until the Inspector has given written approval of the installation.
- 13.5 After final inspection has been made, it shall be incumbent upon the property owner to see that the sewer connection does not become obstructed from rocks, gravel, sand, sticks, garbage, or any other foreign material, grease build-up and the freezing of lines. Property owners shall see that clean out caps are not removed except for inspection by either property owners or other authorized person. In instances where an act of nature causes damage such as landslide, shifting of earth, washouts caused by rainfall or water tables, manmade instances such as contractors digging and breaking sewer, water and gas lines, construction of new streets or any other work that would cause damage or break sewer service lines on Town street, right-of-way or easement, the Town shall determine the cause of such damage, report or cause to have repaired the said line and further, determine who shall be liable for payment.

14. DEFECTIVE MATERIAL AND WORKMANSHIP

Where the Inspector finds that the materials or workmanship of an owner's sewer are defective or otherwise not in accordance with the provisions of the bylaw, he shall so notify the owner who shall forthwith replace the defective material or correct the faulty workmanship, and notify the Inspector when the installation is again ready for inspection.

15. INSPECTION/RE-INSPECTION FEES

- 15.1 An inspection fee shall be paid to the Town for the initial inspection.
- 15.2 A re-inspection fee shall be paid to the Town for each additional inspection required after the first inspection because of defective materials or workmanship.

16. CONNECTION FEES

- 16.1 The sewer connection fee does not embrace works within the property of the applicant.
- 16.2 No person other than the Town, its employees or its contractors, shall install or cause to be installed any part of the sewer connection provided for in this bylaw, or in any way to break, interfere or tamper with any public sewer of the Town.

17. RIGHT OF ENTRY

- 17.1 The Superintendent and all employees of the Town, acting under the Superintendent's direction, are authorized to enter upon any property in the Sewer Service Area at any reasonable time in order to ascertain whether the provisions of this bylaw are being observed.
- 17.2 No person shall interfere with or obstruct the entry of an authorized official onto any property under Section 18.1.



18. INDEPENDENT SERVICE

Each lot or potential lot must be independently and separately connected with the public sewer.

19. MINIMUM DIAMETER

The minimum diameter of every owner's sewer shall be one hundred millimeters (100 mm) (four inches – 4").

20. OWNER'S EXCAVATION

The owner's sewer line shall be excavated and backfilled at his or her expense and the Town shall not be held responsible for any or all damages resulting from said excavating or backfilling. The owner shall supply all pipe and appurtenances and shall be constructed of one of the following materials:

Concrete pipe shall conform to **CSA A 257.1**, "Concrete Sewer, Storm Drain and Culvert Pipe" or **CSA A257.2**, "Reinforced Concrete Culvert, Storm Drain and Sewer Pipe" of CSA Series A257, "Standards for Concrete Pipe".

Plastic sewer pipe (polyvinyl) chloride as approved in the BC Plumbing Code.

Such other material as the Town may from time to time approve.

21. SLOPE OF CONNECTION

21.1 The owner's sewer shall be laid to an even slope of not less than one to fifty millimeter (1 to 50 mm) (one-quarter inch to the foot - 1/4" to the 1') in the direction of the flow in all cases up to one hundred fifty millimeter (150 mm) (six inches - 6") lines and not less than one to one hundred millimeter (1 to 100 mm) (one-eighth inch to the foot - 1/8" to the 1') may be approved if installed under the direction of the Inspector.

21.2 The pipe shall be not less than point five meter (0.5m) (eighteen inches - 18") below the finished surface of the ground as measured to the top of the pipe, and it is mandatory that the property owner adequately protect it from freezing.

21.3 The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even and free of any internal obstruction.

21.4 Where couplings are provided by the manufacturer as in the case of asbestos cement, or plastic pipes, the couplings shall be installed in accordance with the manufacturer's specifications.

21.5 In no case will cement, mortar and oakum joints be permitted.

21.6 Bell and spigot shall be laid with the spigot end facing the direction of the flow.

21.7 Where the owner's connection is laid over filled ground or in ground which may be subject to settling, the Inspector may require that cast iron soil pipe or materials other than those stated in Section 21 of this bylaw be used.

21.8 It shall be the responsibility of the owner to provide a one hundred millimeter (100 mm) (four inch - 4") clean out at the downstream end of the building sewer, totally inside the property line. It shall be suitably



capped and protected from mechanical damage. The exact location shall be marked for ease of reference.

- 21.9 The pipe shall not bear on any plank, timber, rock or other unyielding object, nor shall any such object be placed against the pipe in backfilling.
- 21.10 Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Inspector may require that special joint material be used.
- 21.11 The owner's sewer pipe shall have a hundred and fifty millimeter (150 mm) (six inch - 6") bed of sand prior to being installed and shall be covered with a layer of sand not less than three hundred millimeter (300 mm) (twelve inch - 12") thick over top of pipe. Select site material may be used if prior approval is obtained from Inspector.

22. REGULATIONS

- 22.1 Nothing in the bylaw shall be construed to permit the connection of surface water to the public sewer. The connection either directly or indirectly of roof leaders, foundation drains, sumps or any other collector of surface or ground water is not permitted. The owner of property who connects, permits or causes to be connected, any storm or surface or ground water from his premises or property to the public sewer shall be guilty of an infraction of this bylaw and shall rectify at his/her expense.
- 22.2 No gasoline, naphtha or other inflammable liquid or explosive substance and no grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay or any other trade or industrial wastes which may injure or impair the efficiency or safety of the public sewer or causes an upset or malfunction of the sewage treatment through deposits forming in the same or owing to the attacking and weakening of such public sewer shall be discharged into any public sewer within the Town.
- 22.3 In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as are described in Section 23.2 of this bylaw may be discharged into the public sewer, a permit to connect to the sewer shall not be issued until the Inspector has examined fully and approved the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said wastes into the sanitary sewer.

23. ADMINISTRATION

The Town shall not be liable for any interruption or discontinuance of service provided by sewer facilities installed and maintained by the Town.

24. DISCONNECTION - DEMOLISHED BUILDINGS

When a building within the Town is removed or demolished, it shall be the duty of the owner or his agent to immediately supply to the office of the Town upon such forms as prescribed by the Town for a permit to disconnect from the public sewer, at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Town.



25. CONTRAVENTION AND PENALTIES

- 25.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.
- 25.2 Should the owner of a premises that has been scheduled for conversion to metered water service refuse the conversion, the premises will be charged twice the normal flat rate charge until such conversion has been made.
- 25.3 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
- 25.4 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.

26. REPEAL

That upon adoption of the bylaw, Bylaw No. 972-2016 being the "Town of Lake Cowichan Sewer Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the ___ day of _____, 2016.

READ A SECOND TIME on the ___ day of _____, 2016.

READ A THIRD TIME on the ___ day of _____, 2016.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___ day of _____, 2016.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



**TOWN OF LAKE COWICHAN
SCHEDULE "A"**

ATTACHED TO AND FORMING PART OF SEWER BYLAW NO. 983-2016

SEWER RATES	2017	2018
Residential – monthly rates based on metered water consumption per unit:	Cubic Meters per Month	
Single family unit	up to 35 m ³ 22.30	22.97
Townhouse per unit	up to 30 m ³ 19.12	19.70
Apartment or condo per unit	up to 25 m ³ 15.92	16.40
Outside user per unit	up to 35 m ³ 40.68	41.90
RV site per unit	up to 20 m ³ 12.78	13.16
Charge for use over maximum allowed per month	per m ³ 0.45	0.46
Residential – monthly rates based on non-metered rates for water		
Single family or each duplex unit	29.78	30.67
Multi-family per unit	25.56	26.33
Outside user per unit fee	45.28	46.64
Metered customers - the following rates apply based on water consumption:		
Commercial – monthly rates based on metered water use		
Commercial charge for up to 20 m ³ per month	12.78	13.16
Fee for use over 20 m ³ per month	per m ³ 0.45	0.46
Commercial – monthly rates based on non-metered rates for water		
Coffee shop/ café/ office or store/ RV sites	17.12	17.64
Churches/ halls/ auto body or machine shop/ beauty shop	29.64	30.54
Garage or service station	38.88	40.05
Hotel & motel – per room	8.60	8.85
Licensed clubs or lounges and pubs	96.00	98.88
Restaurants	58.20	59.95
Grocery store (larger than 5,000 square feet)	180.00	186.30
Schools – per room (classroom, shop, office, etc.)	30.32	31.94
CONNECTION FEES - Existing un-serviced or serviced lots		
4 inch Sewer connection	Actual Cost *	Actual Cost *
4 inch Storm connection	Actual Cost *	Actual Cost *
Larger than 4 inch	Actual Cost *	Actual Cost *
Inspection fee	25.00	25.00
Re-inspection fee	25.00	25.00
* Minimum Charge of \$1,300.00 will apply		



**TOWN OF LAKE COWICHAN
BYLAW 984-2016**

**A BYLAW TO AUTHORIZE AND REGULATE
THE COLLECTION OF WASTE**

WHEREAS under Section 8 of the *Community Charter*, the Council may by bylaw regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS it is deemed advisable that the Town of Lake Cowichan shall establish and operate a system of collection for garbage, organic material, rubbish and other unwholesome and discarded material;

NOW THEREFORE, the Council of the Town of Lake Cowichan in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 984-2016".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

COMMERCIAL ENTERPRISE shall mean any business requiring a business licence to operate a business in the Town of Lake Cowichan;

CONSTRUCTION WASTE means

- (a) waste resulting from or produced by the alteration, renovation or construction of residential structures such as buildings, houses, sheds, garages, driveways, and other related improvements; and
- (b) includes any waste associated with the construction trades;

CORRUGATED CARDBOARD means any Kraft paper board product, consisting of rippled paper inserts and liners, that is free of contaminants such as blood, grease, oil, chemicals, food residue, and wax;

GARBAGE shall mean and include any and all rubbish and household waste and any items designated by the Town as acceptable for refuse collection but excludes construction waste, kitchen organics, prohibited waste, recyclable materials, and garden and yard waste;

HYDRAULIC BIN shall be a container designed to meet safety requirements, and to be handled by garbage trucks operating for the Town, and having a capacity of 3 cubic yards (2.3m³) and not weighing more than 225 kgs;

INSTITUTION shall only mean facilities owned and operated by the Vancouver Island Regional Library;

KITCHEN ORGANICS is kitchen waste that is compostable and includes food scraps, egg shells, fish, seafood, nuts, shells, bones, tea bags, coffee grounds, paper filters, dairy products, fruits, vegetables, breads, cereals, pasta, cakes, biscuits, paper towels, napkins, paper plates, paper cups, pizza boxes and other food soiled cardboard, gable top milk and wax coated ice cream containers, houseplants and for certainty excludes yard and garden waste and non-compostable bags;

OCCUPIER shall mean any person occupying any dwelling, habitation, place of residence, or trade premises within the Town, but shall not include any person who is merely a boarder, roomer, or lodger therein;



OWNER shall mean and include a person as defined in the **SCHEDULE — DEFINITIONS AND RULES OF INTERPRETATION** to the *Community Charter*;

PROHIBITED WASTE includes:

- (a) explosive material, radioactive substances, hazardous waste, petroleum products, and industrial chemical waste;
- (b) furniture, appliances, motor vehicle tires, motor vehicle bodies, and farm tools or equipment;
- (c) anything that is on fire or is smouldering;
- (d) dead animals, or parts thereof, including:
 - (i) road kill, wildlife, or pets; but
 - (ii) excludes what is considered food waste by the Town; and
- (e) any other matter that is so considered by the Town;

RECYCLABLE CORRUGATED CARDBOARD shall mean a container for goods which is composed of an inner fluting (wave-like) of material and one or two outer liners of material (liner board) which is not lined with contaminants such as oil, grease and food;

RECYCLABLES are materials accepted under a recycling program of the Cowichan Valley Regional District.

REGULATION GARBAGE RECEPTACLE shall mean a tote provided by the Town for the purpose of garbage storage and collection with a good fitting, water tight cover and a capacity of not more than eighty (80 litres or 34 kg), or one hundred twenty (120) litres, or two hundred and forty (240) litres, when full. A receptacle may be used with a plastic bag liner for removal. Plastic bags shall not be permitted for use as a normal garbage receptacle unless plastic bag is placed in an approved container marked with a tag;

REGULATION ORGANICS RECEPTACLE shall mean a tote provided by the Town for the purpose of organics storage and collection with a good fitting, water tight cover and a capacity of not more than eighty (80 litres or 34 kg), or one hundred twenty (120) litres, or two hundred and forty (240) litres, when full. A receptacle may be used with a compostable plastic bag liner for removal. Plastic bags shall not be permitted for use as a normal organics receptacle;

RESIDENTIAL DWELLING shall mean 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;

RESIDENTIAL PROPERTY means a property within the City limits that is used for residential purposes, and includes single-family homes, duplexes, townhouses, multi-family apartments, condominiums, and co-ops;

SUPERINTENDENT means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

TAG shall mean a garbage tag obtainable at the Town of Lake Cowichan for use in connection with a regulation garbage receptacle;

TOWN means the Town of Lake Cowichan.



WASTE COLLECTOR shall mean the Town or person appointed from time to time by resolution of the Municipal Council to collect garbage and trade waste or kitchen organics within the Town of Lake Cowichan;

YARD AND GARDEN WASTE is organic materials, other than kitchen organics, including grass, lawn and hedge clippings, sod, earth, flowers, weeds, leaves, shrubs and branches.

3. GENERAL PROVISIONS

- 3.1 No person within the Town of Lake Cowichan shall dispose of garbage or waste except in accordance with the provisions of this bylaw.
- 3.2 No person shall place anything other than garbage into the garbage receptacle or kitchen organics into the kitchen organics receptacle.
- 3.3 Every occupier or owner of any dwelling, apartment house and trade premises within the Town shall ensure that regulation garbage receptacles are put out prior to pick-up times only on the days specified for pick up.
- 3.4 A residential dwelling within the Town limits will be issued one garbage receptacle and one kitchen organics receptacle.
- 3.5 Receptacles provided by the Town shall, at times, remain the property of the Town and may not removed from the premises. Where this should occur the new owner will be held responsible for the replacement costs.
- 3.6 Where the property owner requests a change in organics and garbage services applicable charges as determined in this bylaw or by council shall apply.

4. ACCESSIBILITY OF WASTE RECEPTACLE

- 4.1 **RESIDENTIAL:** all regulation garbage receptacles shall be accessible within 1 meter (3 feet) of the curb or curb line on a public road site on all designated collection days or edge of pavement. Such days shall be designated by the Town. No garbage will be removed from private property or driveways on private property. Every occupier or owner of a dwelling shall place all garbage and recyclable containers before 7:00 a.m. on the day designated by the Superintendent for collection.
- 4.2 **COMMERCIAL:** all garbage receptacles shall be accessible to the Waste Collector at a predetermined location, and sites and days will be approved by the Town. Every commercial enterprise shall place all garbage and recyclable containers before 7:00 a.m. on the day designated by the Superintendent for collection.

5. PROPER RECEPTACLE

- 5.1 Every occupier or owner of a dwelling, apartment house and trade premises shall use the correct receptacle for garbage or kitchen organics at all times.
- 5.2 Where garbage or kitchen organics is not contained within the receptacle or where the occupier or owner causes the garbage or kitchen organics to be strewn in or outside the dwelling, apartment house or trade premises the Superintendent may order the clean-up of the garbage. The costs of the clean-up will be assessed against the owner of the property responsible for the cause of the clean-up.

6. CONTAINER REQUIREMENTS

- 6.1 No liquids or free water shall be put or placed in or allowed to run or accumulate in any regulation garbage receptacle, and all such regulation garbage receptacles shall, at all times, be kept securely covered with a water-tight cover.



- 6.2 No person shall place any explosive substance in any regulation garbage receptacle.
- 6.3 All garbage shall be drained and dry before being deposited in a garbage receptacle.
- 6.4 No person shall place kitchen scraps into a kitchen organics receptacle unless the kitchen scraps are securely contained in a paper bag or a compostable bag.
- 6.5 No person shall place garbage or kitchen organics for pick-up in receptacles owned by others without that owner's permission.
- 7. PROHIBITED MATERIALS**
- 7.1 No owner or occupier shall deposit for the collection by the Waste Collector of prohibited materials, yard and garden waste and glass or recyclable materials.
- 8. CONDITION OF RECEPTACLE**
- 8.1 All regulation garbage receptacles shall at all times be kept in good and sanitary condition and shall be accessible for inspection at all reasonable times.
- 9. MANDATORY SERVICE**
- 9.1 All premises within the Town must have all trade waste and house rubbish removed and disposed of by the Town of Lake Cowichan and shall comply with all regulations.
- 9.2 Notwithstanding section 9.1, commercial and institutional enterprises may opt out of municipal waste collection service by notifying the Town in writing of the effective date it has entered into a garbage collection and recycling contract with a bona fide garbage and recycling contractor.
- 10. INDEPENDENT SERVICE**
- 10.1 In the case of building or premises being used as separate units, each must pay the independent garbage user fee of the Town, as prescribed in the schedule attached to this bylaw.
- 10.2 The property owner is responsible for the purchase of organics and waste totes for secondary suites, where required, and the property owner also responsible for the monthly waste collections fees in accordance with Schedule A.
- 11. CHARGES WHEN VACANT**
- 11.1 All of the Town has a specified garbage district, therefore, the owners of premises, whether occupied or vacant, on which a premise exists, shall be responsible for the payment of all annual garbage user fees, whether the service is actually used or not.
- 12. COLLECTION OF FEES**
- 12.1 All accounts will be billed annually in January for the period January 1st to December 31st and payable in advance. The due date is March 31st. These rates shall be payable at any place designated by Council, but in all cases, the owner shall be subject to the provisions of Section 258 of the *Community Charter* and shall be paid at the rates set forth for the respective year in Schedule "A" attached to this bylaw.
- 12.2 Invoicing for new customers will commence six (6) months after the Building Permit is issued. It is the responsibility of the customer to inform the Town if the premises are not occupied at the time.



- 12.3 Tags for use with additional regulation garbage receptacles may be bought at the Town office during regular business hours at the rate established in Schedule "A".

13. DISCOUNTS AND PENALTIES

- 13.1 All accounts shall be allowed a discount of 10 percent (10%) for prompt payment of the annual billing or portion thereof if paid on or before the last day of February.
- 13.2 The annual billing is due and payable on or before March 31st of the current year. If the account remains unpaid after the first business day in July a 5 percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30th an additional 5 percent (5%) penalty will be applied to the outstanding balance.
- 13.3 Excess toter pickup billings will be due 30 days from the invoice date. If the account remains unpaid after 60 days from the billing date, monthly interest charges will be applied at 2% until the account is paid.
- 13.4 All outstanding balances as at December 31st will be transferred to taxes as arrears.

14. DUTIES OF WASTE COLLECTOR

- 14.1 It shall be the duty of the Waste Collector:
- a) To collect all garbage, trade waste, recycling and organics;
 - b) To report any infraction of this bylaw;
 - c) To answer all complaints courteously and promptly;
 - d) Not to trespass needlessly on private property, but to follow pedestrian walks and not cross from one property to another;
 - e) To have all garbage collection equipment accessible to the Public Health Inspector at all times; and
 - f) To maintain a list of users who fail to meet the requirements set forth in this bylaw.

15. COLLECTION OF GARBAGE FROM RESIDENTIAL DWELLINGS

- 15.1 Garbage shall be collected and carried away by the Waste Collector from all dwellings a minimum of once every second week in each year. (See Schedule "A" for multiplying factor relative to pick-up.) The schedule for the pick-up of garbage from dwellings each year shall be determined prior to December 31st of the current year.
- 15.2 Garbage shall be collected and carried away by the Waste Collector from all strata corporations weekly provided the strata corporation signs a waiver of liability in the form attached as Schedule "B" to this bylaw.

16. COLLECTON OF ORGANICS FROM RESIDENTIAL DWELLINGS

- 16.1 Organics, after implementation, shall be collected and carried away by the Waste Collector from all dwellings once every week.
- 16.2 The designated kitchen organics container, as specified by the Town, must be used. To prevent a pest problem and for odour control the lid must be tightly sealed.
- 16.3 If a liner is used in the organics container, the liner must be compostable.



17. COLLECTION FROM TRADE PREMISES

17.1 Garbage and Kitchen Organics shall be collected and carried away from trade premises, apartment houses and buildings in which more than two families dwell, at such periods as the Waste Collector may establish. (See Schedule "A" for multiplying factor relative to pick-ups).

18. REGULATION RECEPTACLE

18.1 For the purpose of this bylaw, a garbage or kitchen organics service shall consist of the removal of the contents of not more than one garbage receptacle for a residential or commercial can, of a size specified in the definition "Regulation Garbage Receptacle" or "Trade Waste".

18.2 Notwithstanding the foregoing, any residential or commercial user is entitled to extra pick-ups at the scheduled time of garbage pick-up if each additional regulation garbage receptacle is affixed with a prepaid tag.

19. CONTRAVENTION AND PENALTIES

19.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.

19.2 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.

19.3 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.

20. REPEALED

20.1 That upon adoption of the bylaw, Bylaw No. 964-2016 being the "Town of Lake Cowichan Garbage Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the ___th day of _____, 2016.

READ A SECOND TIME on the ___th day of _____, 2016.

READ A THIRD TIME on the ___th day of _____, 2016.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___th day of _____, 2016.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



SCHEDULE "A"**ATTACHED TO AND FORMING PART OF BYLAW NO. 984-2016****WASTE COLLECTION RATES****WASTE COLLECTION RATES - 2017**

The rates reflected in this schedule are based on a flat rate billing system and include fees for garbage, organics and recycling.

The monthly minimum fee payable for the removal of waste shall be as follows:

- a) **Residential** - based on a maximum of one regulation size garbage can per bi-weekly pick-up and one regulation size organics pickup per week for each single family unit at:
 - i) \$14.50 per month for 80 litre tote
 - ii) \$21.75 per month for 120 litre tote
 - iii) \$43.50 per month for 240 litre tote (only applicable to multi-family residential)

- b) **Commercial** - offices, warehouses, small retail and wholesale outlets, industrial and other small commercial enterprises for each enterprise based on a maximum of one regulation size garbage and where applicable one regulation size organics can at:
 - i) \$14.50 per month for 80 litre tote with bi-weekly garbage pickups
 - ii) \$4.30 per pickup for 80 litre tote (one pickup per week minimum)
 - iii) \$6.45 per pickup for 120 litre tote (one pickup per week minimum)
 - iv) \$8.15 per pickup for commercial tote (one pickup per week minimum)
 - v) \$55.60 per hydraulic bin pickup

WASTE COLLECTION RATES - 2018

The rates reflected in this schedule are based on a flat rate billing system and include fees for garbage and recycling.

The monthly minimum fee payable for the removal of waste shall be as follows:

- a) **Residential** - based on a maximum of one regulation size garbage tote collected bi-weekly and one regulation size organics tote collected weekly for each single family unit at:
 - i) \$14.65 per month for 80 litre tote
 - ii) \$22.00 per month for 120 litre tote
 - iii) \$43.95 per month for 240 litre tote (only applicable to multi-family)

- b) **Commercial** - offices, warehouses, small retail and wholesale outlets, industrial and other small commercial enterprises for each enterprise based on a maximum of one regulation size garbage and where applicable one regulation size organics can at:
 - i) \$14.65 per month for 80 litre tote with bi-weekly pickups
 - ii) \$4.40 per pickup for 80 litre tote (one pickup per week minimum)
 - iii) \$6.60 per pickup for 120 litre tote (one pickup per week minimum)
 - iv) \$8.55 per pickup fee for commercial tote (one pickup per week minimum)
 - v) \$56.15 per hydraulic bin pickup



GENERAL FEES APPLICABLE

1. Container rental fee where applicable shall be levied as follows:

Toter	\$ 4.00 per month
Hydraulic bin	\$ 62.40 per month
2. Change of Receptacle Size \$ 30.00 per change
3. Lost, damaged or new receptacle Actual cost
4. Replacement Recycling Bags \$ 1.00 each, including applicable taxes
5. Replacement keys \$ 5.00 each, including applicable taxes
6. Extra Garbage Container Tag \$ 3.80 each, including applicable taxes



SCHEDULE "B"

ATTACHED TO AND FORMING PART OF BYLAW NO. 967-2015

INDEMNIFYING RELEASE

In consideration of the restricted access available to larger vehicles and in relation to the collection of
garbage in or about

Lake Cowichan, B.C.

I/We,

agree to save harmless and keep indemnified any or all of the staff, members of Council, agents,
servants and representatives of the Town of Lake Cowichan (hereinafter referred to as the "Town") from
and against all claims, actions, expenses and demands in respect to injuries, death, loss and damage to
my/our property howsoever caused, arising out of or in connection with the collection of garbage from
these premises.

Dated this _____ day of _____, _____.

WITNESS TO:

AUTHORIZED SIGNATORY

Print Name Occupation

) _____
) Print Name

Address

) _____
) Address

Signature

) _____
) Signature

)

