



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, December 20th, 2016 at 6:00 p.m. – Council Chambers

AGENDA

1. **CALL TO ORDER**

Page #

INTRODUCTION OF LATE ITEMS (if applicable)

2. **APPROVAL OF AGENDA**

3. **ADOPTION OF MINUTES**

- (a) Minutes of the Regular Meeting of Council held on November 22nd, 2016.

3

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

5. **DELEGATIONS AND REPRESENTATIONS**

None.

6. **CORRESPONDENCE**

- (a) **Action Items**
None.

- (b) **Information or Consent Items**- (a member may ask that an item be dealt with separately)

- (i) British Columbia Achievement Foundation- Re: 2017 BC Community Achievement Awards.

8

7. **REPORTS**

(a) **Council and Other Committee Reports**

- | | | |
|--|----------------------|----|
| (i) Finance & Administration | Councillor McGonigle | |
| • December 13 th , 2016. | | 9 |
| (ii) Public Works & Environmental Services | Councillor Austin | |
| • December 6 th , 2016. | | 11 |
| (iii) Parks, Recreation & Culture | Councillor Vomacka | |
| • December 6 th , 2016. | | 13 |
| (iv) Economic & Sustainable Development | Councillor Day | |
| • December 13 th , 2016. | | 15 |
| (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) Safety Advisory Committee - Councillor Austin.
 - (iv) Seniors’ Care Facility Steering Committee – Councillor McGonigle.

- (c) **Staff Reports**
None.

8. BYLAWS

- (a) “Town of Lake Cowichan Water Regulations and Rates Bylaw No. 982-2016” may be reconsidered and adopted.
- (b) “Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 983-2016” may be reconsidered and adopted.
- (c) “Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 984-2016” may be reconsidered and adopted.
- (d) “Town of Lake Cowichan Fees and Charges for Services Bylaw No. 985-2016” may be read a first and second reading.

17
28
37
46

9. NEW BUSINESS

- (a) Mayor Forrest- Re: Leave of Absence for Committee meetings on January 3rd, 2017 and January 10th, 2017.

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, November 22nd, 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: 0

1. **CALL TO ORDER**

Mayor Forrest called the meeting to order at 6:02 p.m.

2. **AGENDA**

No. R.00146/16

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

Reports

- Cowichan Safety Advisory Committee;

Staff Reports

- Fire Risk Management Services; and

New Business

- 2017 Regular Meeting Dates.

CARRIED.

3. **ADOPTION OF MINUTES**

No. R.00147/16

(a) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Regular Meeting of Council held on
October 25th, 2016 be adopted.

CARRIED.

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

5. **DELEGATIONS AND REPRESENTATIONS**

None.

6. **CORRESPONDENCE**

(a) **Action Items**

No. R.00148/16

(i) Moved: Councillor McGonigle
Seconded: Councillor Austin
that Councillor Vomacka be appointed to the 2017 Vancouver
Island Regional Library board as a Trustee with Councillor
Austin as the alternate representative.

CARRIED.

(b) Information or Consent Items

- (i)** The correspondence from Malcolm D. Brodie, Mayor of Richmond, on the George Massey Tunnel Replacement Project - Highway Infrastructure Features was treated as information.

7. REPORTS

No. R.00149/16
Finance and Administration

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Finance and Administration Committee meeting held on November 8th, 2016 be approved with the following:

1- Fire Department Incident Report

that Council approve the Lake Cowichan Fire Department's incident report for September, 2016 for expenditures totaling \$5,756.01;

2- Task Force for Economic Development Project

that the Task Force for Economic Development Project Plan include the following Brian Farquhar, Ian Morrison, Klaus Kuhn, Aaron Hamilton, Mayor Ross Forrest and Joseph A. Fernandez;

3- Task Force for Economic Development Project Plan

that Councillor Day be the alternate to Mayor Forrest on the Task Force for Economic Development Project; and

4- Local Government Leadership Academy (LGLA)

that Mayor Forrest be registered for the Local Government Leadership Academy (LGLA) in Richmond, BC on December 6th-7th, 2016.

CARRIED.

No. R.00150/16
Public Works and
Environmental Services

Moved: Councillor Austin
Seconded: Councillor Day
that the minutes of the Public Works and Environmental Services Committee meeting held on November 1st, 2016 be approved with the following:

1- Rates for Water, Sewer, and Garbage

that rate increases of 3% for water and sewer charges and 1% for garbage fees for each of 2017 and 2018 be implemented; and

2- Airshed Roundtable Committee

that Councillor McGonigle sit on the upcoming Airshed roundtable committee.

CARRIED.

No. R.00151/16
Parks, Recreation and Culture

Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the minutes of the Parks, Recreation and Culture Committee meeting held on November 1st, 2016 be approved with the following:

1- Lease for facility at 58 Cowichan Avenue

that a five year lease for the facility at 58 Cowichan Avenue effective April 1, 2016 with the Minister of Technology, Innovation and Citizens' Services be executed with the Town agreeing to undertake work itemized under Schedule H of the Lease.

CARRIED.

No. R.00152/16
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor Austin
that the minutes of the Economic and Sustainable Development
Committee meeting held on November 8th, 2016 be approved
as presented.

CARRIED.

Cowichan Lake Recreation

Mayor Forrest informed council on the Cowichan Lake
Recreation Commission meeting he attended.

Vancouver Island Regional
Library

Councillor Vomacka informed council that the opening of the
new Hornby Island library branch will be occurring soon.

Advisory Planning Commission

Councillor McGonigle advised that the next meeting of the
Advisory Planning Commission is slated for November 24th,
2016. He reported that at the last meeting the columbarium,
parking in Town, and age specific plans for the community plan
were discussed.

Community Forest Co-
operative

Councillor McGonigle updated Council on the last meeting of
the Community Forest Co-operative and advised that the next
meeting will occur on November 24th, 2016.

Cowichan Valley Regional
District Board

(b) Other Reports

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

Community Outreach Team

(ii) Councillor Austin attended the Community Outreach Team and
updated council of last week's meeting.

Seniors' Care Facility

(iii) Councillor McGonigle updated council of the last Senior Care
Facility meeting. He said that the strategic plan has now been
completed.

Community Safety Advisory

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

(c) Staff Reports

No. R.00153/16

(i) Moved: Councillor McGonigle
Seconded: Councillor Austin
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.

CARRIED.

Councillor Day declared a conflict of interest on the next item
and left the Council Chambers.

No. R.00154/16

(ii) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that Council approve entering into a contract with Steven
Vatcher to undertake fire management services for the Town of
Lake Cowichan for a three-year term.

CARRIED.

Councillor Day returned to the meeting.

- No. R.00155/16 (iii) Moved: Councillor McGonigle
 Seconded: Councillor Vomacka
 that staff submit an application for grant funding application for the "Lake Cowichan Sewer Treatment Plant Upgrades – Phase 2" through the Clean water and Wastewater Fund; and

 that Council supports the project and commits to its share of \$447,100 of the project; and

 that the full scope of this project would not otherwise have been undertaken in the fiscal years 2016-17 or 2017-18.
 CARRIED.

8. BYLAWS

- No. R.00156/16 (a) Moved: Councillor Day
 No. 982-2016 Seconded: Councillor Austin
 Water Regulations and Rates that the "Town of Lake Cowichan Water Regulations and Rates Bylaw No. 982-2016" be given a first, second and third readings.
 CARRIED.

- No. R.00157/16 (b) Moved: Councillor Austin
 No. 983-2016 Seconded: Councillor Day
 Sewer Regulations and Rates that the "Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 983-2016" be given a first, second and third readings.

- No. R.00158/16 (c) Moved: Councillor McGonigle
 No. 984-2016 Seconded: Councillor Austin
 Waste Collection Regulations and Rates that the "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 984-2016" be given a first, second and third readings.
 CARRIED.

9. NEW BUSINESS

- No. R.00159/16 (a) Moved: Councillor Day
 Seconded: Councillor Austin
 that the committee approve the schedule for the Town of Lake Cowichan Regular Council meeting dates for 2017.
 CARRIED.

- No. R.00160/16 (b) Moved: Councillor Vomacka
 Seconded: Councillor Austin
 that upon completion of the Centennial Park, one of the ball fields will be named after Dawn Coe-Jones.
 CARRIED.

10. MAYOR'S REPORT

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

- The passing of Dawn Coe-Jones is a great loss for our community. Dawn was a proud ambassador of her hometown and always spoke highly of it no matter where her career took her. She was a trailblazer for woman's golf in Canada and well respected in the sporting world. Dawn was inducted into the Canadian Golf Hall of Fame in 2003. She will be sadly missed by

- all;
- Some exciting revitalization projects are underway in Lake Cowichan, the Co-op gas station, the historic Riverside Inn, and Laketown Ranch are new or undergoing improvements;
- Sidewalk improvements are underway at Coronation Street, Cowichan Avenue, and Wellington Road thanks to the generous funding assistance from ICBC;
- We are seeing an increase in private investments in Lake Cowichan; BC Hydro continues to improve their capacity within our town and thanks to Timberwest for its over \$8,000 donations to some local not-for-profits organizations; and
- Work on two major capital projects in Lake Cowichan has been made possible by significant investments from senior levels of government. Centennial Park received approval of a \$500,000 investment from the federal government and the water treatment plant has received funding approval of a \$5,000,000 investment contribution through federal and provincial governments under the gas tax funding programme.

11. NOTICES OF MOTION

None.

12. MEDIA/PUBLIC QUESTIONS

None.

13. IN CAMERA

None.

14. ADJOURNMENT

No. R.00161/16
Adjournment

Moved: Councillor Vomacka
Seconded: Councillor Austin
that we adjourn (8:30 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Mayor

BRITISH COLUMBIA
ACHIEVEMENT FOUNDATION

December 5, 2016

Mayor Ross Forrest
Town of Lake Cowichan
PO Box 860 – 39 South Shore Rd
Lake Cowichan, BC V0R 2G0

Board of Directors

*Keith Mitchell, QC
Chair*

Hon. Christy Clark

Kathleen Bartels

Kevin Bent

*Hon. Peter
Fassbender*

*Christopher Gaze,
OBC*

*Carol Henriquez,
CM*

Marvin Hunt, MLA

Olga Ilich

Wendy John, OBC

*C.T. (Manny) Jules,
OBC*

Scott McIntyre, CM

Michael Stevenson

Jackie Tegart, MLA

Max Wyman, OC

Re: 2017 BC Community Achievement Awards

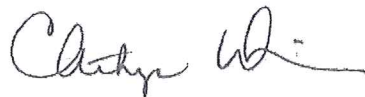
Dear Mayor Forrest,

Thank you for your nomination of Dena McPhee for a BC Community Achievement Award. I am writing to remind you that nominations are active for a three-year period. Therefore, your nomination will be brought forward for consideration for the 2017 BC Community Achievement Awards.

If you wish to update your nomination and/or submit additional information, please do so prior to January 20, 2017. Nomination updates can be emailed to gayleandavies@bcachievement.com or mailed to 4276 Musqueam Dr, Vancouver, BC, V6N 3R7.

We will resubmit the package currently on file if we do not hear from you. Please do not hesitate to contact us at 604-261-9777 or 1-866-882-6088 with any questions or concerns.

Kind regards,



Cathryn Wilson
Executive Director | BC Achievement Foundation



TOWN OF LAKE COWICHAN
Minutes of Finance & Administration Committee
Tuesday, December 13th, 2016

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

ABSENT: 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: 4

1. CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.

2. AGENDA

No. FA.0062/16

Moved: Councillor Austin
Seconded: Councillor Day
that the agenda be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

Ongoing Items Still Being Addressed:

No. FA.0063/16

(a) Moved: Councillor Austin
Seconded: Councillor Day
that the policy on the Community Gardens be approved.

CARRIED.

(b) The Chief Administrative Officer is hoping that the Municipal Hall upgrades would begin sooner rather than later because of leaks.

4. DELEGATIONS AND REPRESENTATIONS

(a) Laurie Johnson and Wayne Stinchcombe, Cowichan Lake Elder Care Initiative, made a presentation to Council requesting support of funding. Wayne gave background information on their committee and also gave a 2017 budget sheet with estimated costs.

(b) Loretta Puckrin, Cowichan Lake Arts & Culture Society, made a presentation to council asking for a long term partnership with the Town for the use of the Kasapi building. She said that they would be willing to give the Town \$3,000.00 dollars to help with the costs of an environmental assessment to be done on the building.

5. CORRESPONDENCE

None.

6. REPORTS

(a) The financial report for the period ending November 30th, 2016 was treated as information.

- (b) The Building Inspector's Service Report for November, 2016 was treated as information.

No. FA.0064/16 (c) Moved: Councillor Austin
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 \$10,245.80.
CARRIED.

No. FA.0065/16 (d) Moved: Councillor Day
Seconded: Councillor Austin
that the committee recommend disposal of the lot at 89 Lakeview Avenue.
CARRIED.

7. NEW BUSINESS

None.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

- (a) Councillor Vomacka reminded the committee of the unveiling of the new sign at the wye entrance to town that is to take place on December 13th at 11:00am.

- (b) Mayor Forrest reminded everyone that they will be cooking and serving lunch at the Community Service hamper event.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. FA.0066/16 Moved: Councillor Vomacka
Adjournment Seconded: Councillor Austin
that we adjourn (5:50 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, December 6th, 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
Kari Lingren, Recording Secretary

1. **CALL TO ORDER**

The Chair called the meeting to order at 5:03 p.m.

2. **AGENDA**

No. PW.0033/16

Moved: Councillor Vomacka

Seconded: Councillor Day

that the agenda be approved with the following addition:

New Business:

- Councillor McGonigle Re: Leave of Absence.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

- (a) The Chief Administrative Officer said that the contract planner for the Town did a walkabout in order to make recommendations for on street parking in Lake Cowichan.

The Superintendent, Public Works and Engineering Services said that he will look at the recommendations and report back to the table at the next meeting.

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

- (i) The Chief Administrative Officer reported that the North Shore Road sidewalk and trail plan would have to be a long term project as the budget does not allow for this work to be done in 2017. He also added that a site survey had to be done first before moving forward.
- (ii) The Superintendent, Public Works and Engineering Services updated the committee that the Water Treatment Plant upgrades was granted an small extension for the design and re-design stage of this project.
- (iii) The excerpts from Environment Canada technical documents on composting were for information only.

4. **DELEGATIONS**

None.

5. **CORRESPONDENCE**

None.

6. REPORTS

None.

7. NEW BUSINESS

No. PW.0034/16 **(a)** Moved: Councillor Vomacka
Seconded: Councillor Day
that a request of absence be given to Councillor McGonigle for the Finance and the Economic and Sustainable Development committee meetings held on December 13th, 2016 be approved.
CARRIED.

No. PW.0035/16 **(b)** Moved: Councillor Day
Seconded: Councillor Vomacka
that a request of absence be given to Councillor McGonigle for the Regular Council meeting held on December 20th, 2016 be approved.
CARRIED.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PW.0036/16 Moved: Councillor McGonigle
Adjournment Seconded: Councillor Day
that this meeting adjourn. (5:29 p.m.)
CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



TOWN OF LAKE COWICHAN
Minutes of Parks, Recreation and Culture Committee
Tuesday, December 6th, 2016

PRESENT: Councillor Lorna Vomacka, Chair
Mayor Ross Forrest
CouncillorCarolyn 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 5:37 p.m.

2. AGENDA

No. PR.0036/16

Moved: Councillor Austin
Seconded: Councillor McGonigle
that the agenda be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

No. PR.0037/16 (i)

Moved: Councillor Austin
Seconded: Councillor McGonigle
that Council recommend approval of the re-design to the
Centennial Park upgrade in order to expand the length behind
the backstop of the ball field for an amount not to exceed
\$20,000 dollars that included the consulting fees.

CARRIED.

(ii) The Chief Administrative Officer informed the committee on the
Columbarium site improvement schedule and that a site survey
needs to be done as well as possibly changing the bylaw
requirements before any work can commence.

(iii) The Superintendent, Public Works and Engineering Services
updated the committee that the wye entrance sign is almost
complete with only the bears still to be mounted. He said that
work will be completed prior to the unveiling of the new sign.

(iv) The Chief Administrative Officer said that Job Creation
Programme application will be submitted for upgrades to be
done at Riverside Park (Duck Pond). If approved, work may be
able to begin in 2017.

(b) Ongoing Items:

(i) There is no update on the trail connection plans for the
Riverfront Parkway.

(ii) The water park proposal will remain on the agenda as a possible

project for the future. The committee is hoping to have another meeting with Tara Bushby once she returns from maternity leave.

- (iii) 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 it will be notified to move the float once construction begins on the improvements to the Town Hall.
- (iv) The Chief Administrative Officer informed the committee that the fencing has been completed and the installation of a water meter is the only outstanding issue for the Community Garden. The policy that has been drafted will be brought to the Finance meeting on December 6th, 2016 and a lease will also be drafted soon.

4. DELEGATIONS

None.

5. CORRESPONDENCE

- (a) Rebecca Scheer, Art Teacher at Lake Cowichan School, sent in an email requesting to create lamppost banners as a project. The Chief Administrative Office and the Superintendent, Public Works and Engineering Services will have a meeting with her to discuss the details of the project .
- (b) Correspondence item from Canada 150 Infrastructure Program Application was stating that funding would not be provided for the second phase of improvements at Centennial Park project.

6. REPORTS

None.

7. NEW BUSINESS

None.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PR.0038/16
Adjournment

Moved: Councillor Austin
Seconded: Councillor Day
that the meeting be adjourned. (6:25 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

_____ Chair



TOWN OF LAKE COWICHAN
 Minutes of Economic and Sustainable Development Committee
 Tuesday, December 13th, 2016

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

OTHER: 2

1. CALL TO ORDER

The Chair called the meeting to order at 6:15 p.m.

2. AGENDA

No. SPD.0030/16

Moved: Councillor Vomacka
 Seconded: Councillor Austin
 that the agenda be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) Mayor Forrest expressed his thanks to Bridget Horel, the Cowichan Lake Chamber of Commerce, and everyone involved with the meeting on the Sunfest weekend review. There were many great ideas that were generated on how to improve on aspects of that weekend for the future.

(b) Ongoing Items Still Being Addressed:

(i) The Chief Administrative Officer said that this matter will be looked at in February 2017 once the reports and statistics are available.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

No. SPD.0031/16

(a) Moved: Councillor Vomacka
 Seconded: Councillor Austin
 that the committee recommend acceptance of the proposal from Urbanics Consultants to undertake the Economic Readiness Assessment.

CARRIED.

7. NEW BUSINESS

(a) The Role of Elected Officials in Economic Development articles on (i) Changing from passive to reactive to proactive and (ii) 10 Things you should know were discussed and treated as information.

- (b) The article from the Municipal World on Celebrating Success-British Columbia Community Energy Association's Climate & Energy Action Awards was discussed and treated as information.
- (c) Councillor Day asked the committee its view on the next five years of Economic and Sustainable Development in Lake Cowichan. He asked that this topic be forwarded to the next month's agenda for another discussion.
- (d) Councillor Day informed that there are already other dates set for festivals and events at Laketown ranch in 2017 and it should have a very positive impact on our town.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

- (a) The new Town of Lake Cowichan sign at the wye entrance will be unveiled on December 14th, at 11:00 am.

10. MEDIA/PUBLIC QUESTION PERIOD

None.

No. SPD.0032/16
Adjournment

11. ADJOURNMENT

Moved: Councillor Vomacka
Seconded: Councillor Austin
that the meeting adjourn. (7:25 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair

**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 22nd day of November, 2016.

READ A SECOND TIME on the 22nd day of November, 2016.

READ A THIRD TIME on the 22nd day of November, 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-serviced Lots	Existing Serviced 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	30.00	
Re-inspection fee	30.00	
* 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 22nd day of November, 2016.

READ A SECOND TIME on the 22nd day of November, 2016.

READ A THIRD TIME on the 22nd day of November, 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
<i>Metered customers - the following rates apply based on water consumption:</i>		
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 22nd day of November, 2016.

READ A SECOND TIME on the 22nd day of November, 2016.

READ A THIRD TIME on the 22nd day of November, 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

)



TOWN OF LAKE COWICHAN
Bylaw No. 985-2016

Fees and Charges for Services

WHEREAS the Council of the Town of Lake Cowichan is empowered to establish fees and charges for various services under Section 194 of the Community Charter;

AND WHEREAS Council deems the fees and charges useful and necessary to recover costs incurred in the provision of these services;

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

1. This bylaw may be cited for all purposes as "Town of Lake Cowichan Fees and Charges for Services Bylaw No. 985-2016".

2. Fees listed in Schedule "A" attached to and forming part of this bylaw shall apply for the use of the Lakeview Park Campground.

Notwithstanding the charges stipulated in the foregoing schedule, off-season rates and terms may be varied and approved by resolution of council.

3. Fees listed in Schedule "B" attached to and forming part of this bylaw shall apply for the use of the Cowichan Lake Outdoor Education Centre.

Notwithstanding the charges stipulated in the foregoing schedule, group rates may be varied through contract negotiations approved by Council.

4. Fees listed in Schedule "C" attached to and forming part of this bylaw shall apply to other goods and services provided by the municipality on a demand basis.

5. Fees listed in Schedule "D" attached to and forming part of this bylaw shall apply to miscellaneous development charges.

6. The fees and charges contained in this bylaw shall become effective on passage of this bylaw.

7. That the fees and charges contained in Bylaw 960-2015 being the "Town of Lake Cowichan Fees and Charges for Services Bylaw" and all amendments 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



TOWN OF LAKE COWICHAN**Schedule "A"**

(attached to and forming part of Bylaw No. 985-2016)

Lakeview Park Campground:

The following rates, inclusive of applicable taxes, apply to all rentals of camp sites in Lakeview Park:

● In-season site fee per night *	\$ 33.00
● Off-season site fee per night **	23.00
● Tenting site fee per night	20.00
● Serviced site fee - water and electrical services	9.00
Call-in Reservations booking fee (non-refundable) – per camp site per night to a maximum of 3 nights.	11.00
***Cancellations made at least 10 days prior to reservation date shall receive a refund of the campsite fee, less \$22 per site per reservation.	22.00
Additional person(s) 19 years and over in camp site per night	11.00
Additional vehicle per night	16.00
Moorage per night	16.00
Fire wood sales	6.00
Ice for resale	Cost plus \$ 1.00
Campsite clean-up fee	100.00
Daily rental of propane powered campfire unit (deposit required)	12.00

* a Site will accommodate the following:

- One to four persons 19 years of age or older. Additional fees for adults apply as set above.
- A maximum of eight persons including children (18 years of age and younger).
- Vehicles per Camp Site:
One vehicle and trailer. Either one (but not both) may be an RV.

A second vehicle (non-RV) may be allowed for the additional nightly charge of \$16.00. Additional Vehicle(s) and/or person(s) will be charged according to fees set above.

There will be NO exceptions to Camp Site size and vehicle numbers.

** Off-Season is from the end of the Labour Day long weekend in September, to prior to the May long weekend.

*** Cancellations made less than 10 (ten) days prior to reservation date will receive no refund.



TOWN OF LAKE COWICHAN**Schedule "B"**

(attached to and forming part of Bylaw No. 985-2016)

Cowichan Lake Outdoor Education Centre

The following rates, exclusive of applicable taxes, apply to all rentals of space at the Cowichan Lake Outdoor Education Centre:

		<u>Off-Season</u>	<u>In Season</u> July & August
Adult	per person, double occupancy, inclusive of 3 meals and overnight accommodation, minimum group size 20	\$ 111.00	\$ 120.00
School	per student, inclusive of 3 meals and shared dormitory-style accommodation, no bedding provided, two and one-half day package inclusive of all on-site programmes.	179.00	194.00
Youth / School	3 meals and shared overnight accommodation, no bedding provided	73.00	80.00
Exclusive Day Use	per day, meals not included	675.00	1,450.00
Other Uses	Small meeting room	87.00	100.00
	Programming charges will be levied on a cost recovery basis	132.00	155.00



TOWN OF LAKE COWICHAN**Schedule "C"**

(attached to and forming part of Bylaw No. 985-2016)

The following charges, inclusive of taxes where applicable, apply:

Photocopies	8 ½" X 11"	\$ 0.75/page
	8 ½" X 14"	1.50/page
	11" X 17"	2.00/page
	Town documents	.50/page
Faxes	Outgoing	1.50/page
Email	Locate and send digital copy	5.00/document
	Produce digital copy	2.00/page
Maps	Zoning Map – Large	28.00
	Official Community Plan Map	28.00
	Town Street Map	28.00
Tax Certificates	(Except for those making a request under Section 249(1) of the <i>Community Charter</i>)	25.00
Tax Certificates	Commissioned through BC Online	15.00
Building Permit Register	Per Monthly Report	15.00
Zoning Compliance	Confirmation	100.00
Non Sufficient Funds	Per returned cheque	20.00
Mortgage Lenders bank fees	Recovery of bank charges (wire transfer fees) on property tax payments by mortgage companies	up to \$4.00/folio
Digital Property Tax Information	Per request made	100.00
Replicate Town Document	To recreate an original document	10.00
Garbage/organics totes: 80L 120L	Replacement costs	At cost – minimum 70.00
		At cost – minimum 90.00



TOWN OF LAKE COWICHAN

Schedule "D"

(attached to and forming part of Bylaw No. 985-2016)

Sign Fees

Sign fee	As per the sign bylaw	\$ 50.00
Portable sign fee	Sign placed in front of premises	25.00
Portable sign fee	Not fronting business or on public right of way	50.00
Wayfinding sign (Directional)	Business / company sign plate - cost varies depending on location	Max \$100 / year

Other Fees

Use of public facilities is as per Town Policies and Regulations, and fees are applicable for-profit entities.

Miscellaneous Development Fees

The following charges apply for all miscellaneous development applications:

Subdivision	Preliminary Subdivision – strata and fee simple lots (excludes parent lot if principal structures exist)	\$ 100.00 per lot
	Final Subdivision – strata and fee simple lots	250.00 per lot
Strata Conversion	Per unit	300.00

