

AGENDA

TOWN OF LAKE COWICHAN

**Regular meeting of Council to be held on
Tuesday, December 22nd, 2015 at 6:00 p.m.**



Page #

1. CALL TO ORDER

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 24th, 2015.

3

4. BUSINESS ARISING AND UNFINISHED BUSINESS

5. DELEGATIONS AND REPRESENTATIONS

6. CORRESPONDENCE

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

- (b) **Information or Consent Items-** (a member may ask that an item be dealt with separately)
None.

7. REPORTS

(a) Council and Other Committee Reports

- | | | |
|--|----------------------|-----------|
| 1. Finance & Administration | Councillor McGonigle | |
| • December 8 th , 2015. | | 8 |
| 2. Public Works & Environmental Services | Councillor Austin | |
| • December 1 st , 2015. | | 11 |
| 3. Parks, Recreation & Culture | Councillor Vomacka | |
| • December 1 st , 2015. | | 14 |
| 4. Economic & Sustainable Development | Councillor Day | |
| • December 15 th , 2015. | | 17 |
| 5. Cowichan Lake Recreation Commission | Mayor Forrest | |
| • November 19 th , 2015. | | 19 |
| 6. V.I.R.L | Councillor Vomacka | |
| 7. Ohtaki Twinning Committee | Mayor Forrest | |
| 8. Advisory Planning Commission | Councillor McGonigle | |
| 9. Community Forest Co-op | Councillor McGonigle | |

(b) Other Reports

1. Cowichan Valley Regional District Board Meeting – Councillor Day.
2. Social Planning Cowichan – Councillor Austin.
3. Community Safety Advisory Committee - Councillor Austin.

Staff Reports

- (a) CAO re: Council approval to defer or allow unfinished projects to be completed in 2016. **F/C**

8. BYLAWS

- (a) "Town of Lake Cowichan Fee and Charges for Services Bylaw No. 960-2015" may be reconsidered and adopted. **22**

- (b) "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 967-2015" – third reading is rescinded.

- (c) "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 967-2015" – as amended may be given third reading. **28**

- (d) "Town of Lake Cowichan Water Regulations and Rates Bylaw No. 968-2015" may be reconsidered and adopted. **37**

- (e) "Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 969-2015" may be reconsidered and adopted. **49**

9. NEW BUSINESS

- (a) Notice of Regular Meetings for 2016. **58**

10. MAYOR'S REPORT

11. NOTICES OF MOTION

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

13. IN CAMERA

- (a) Section 92 of the *Community Charter* requires that before a meeting or part of a meeting is closed to the public, the council must state, by resolution, that the meeting is to be closed, and
 (b) The basis on which the meeting is to be closed falls under the following:
 s.90 (1) (c) – labour relations or other employee relations;
 s.90 (1) (e) – the acquisition, disposition or expropriation of land or improvements; and
 s.90 (1) (k) – negotiations concerning discussions relating to the provision of a municipal service.

14. ADJOURNMENT



Wishing you all a Merry Christmas and a Happy New Year.

TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council held on
Tuesday, November 24th, 2015



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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Roni-Lee Roach, Executive Secretary

PUBLIC: 3

1. **CALL TO ORDER**

Mayor Forrest called the meeting to order at 6:00 p.m.

2. **AGENDA**

No. R.163/15

Moved: Councillor Vomacka
Seconded: Councillor Austin
that the agenda be approved with the following addition under:
New Business

- Lake Cowichan First Nation re: Letter of Support for Logging of District Lots 10 and 14.

CARRIED.

3. **ADOPTION OF MINUTES**

No. R.164/15

(a) Moved: Councillor Day
Seconded: Councillor McGonigle
that the minutes of the Regular Meeting of Council held on October 27th, 2015 be adopted.

CARRIED.

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

5. **DELEGATIONS AND REPRESENTATIONS**

6. **CORRESPONDENCE**

No. R.165/15
VIRL Board Appointment

Moved: Councillor McGonigle
Seconded: Councillor Austin
that Councillor Lorna Vomacka be appointed as the Town's representative to the Vancouver Island Regional Library Board for the year 2016.

CARRIED.

No. R.166/15
VIRL Alternate Board Appointment

Moved: Councillor Day
Seconded: Councillor Vomacka
that Councillor Carolyne Austin be appointed as the Town's alternate representative to the Vancouver Island Regional Library Board for the year 2016.

CARRIED.

7. REPORTS

No. R.167/15
Finance and Administration

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Finance and Administration Committee meeting held on November 10th, 2015 be approved with the following recommendations:

1—Insurance Services

that the Town continue with the current insurance provider – Aon Reed Stenhouse for the November 1st, 2015 to November 1st, 2016 term at a cost of \$29,119;

2—Secondary Access to 9 King George Street N. via Wellington Road

that Council approve the installation of a secondary asphalt access to 9 King George Street N. from Wellington Road E. at no cost to the homeowner;

3—Contract for Architectural Services for Town Hall

that Council award the contract for architectural services for the Town Hall to CEI Architecture for an amount not to exceed 216,500 plus GST; and

4—Local Government Leadership Academy Forum

that approval be given to members of Council to attend the Local Government Leadership Academy forum to be held February 3rd to 5th, 2016 in Richmond, BC.

CARRIED.

No. R.168/15
Public Works and
Environmental Services

Moved: Councillor Austin
Seconded: Councillor McGonigle
that the minutes of the Public Works and Environmental Services Committee meeting held on November 3rd, 2015 be approved as presented.

CARRIED.

No. R.169/15
Parks, Recreation and Culture

Moved: Councillor Vomacka
Seconded: Councillor Day
that the minutes of the Parks, Recreation and Culture Committee meeting held on November 3rd, 2015 be approved as presented.

CARRIED.

No. R.170/15
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor Austin
that the minutes of the Economic and Sustainable Development Committee meeting held on November 17th, 2015 be approved with the following recommendation:

1 -- Council Chamber Renovation

that the Town of Lake Cowichan under its Wood First Policy utilize wood material in the construction of the ceiling of its council chamber and the lobby of the municipal hall.

CARRIED.

Cowichan Lake Recreation

The minutes of the Cowichan Lake Recreation Commission meeting held on Thursday, October 29th, 2015 were treated as information.

Councillor Day who attended the meeting on behalf of Mayor Forrest reported on the matter of swimming lessons being provided within the Town.

He further reported that a new humidifier and electrical upgrades in the amount of \$23,000 are to be included in the 2016 budget.

Vancouver Island Regional Library

Councillor Vomacka reported that the Heart and Stroke Foundation was meeting with the local library branches on Vancouver Island to look at the feasibility of installing defibrillators in its 38 branches.

Councillor Vomacka spoke on the Moose Hide Campaign, a grass roots movement started in 2011 of Aboriginal and non-Aboriginal men who are standing up against violence towards aboriginal women and children.

Ohtaki Twinning Committee

No Report.

Advisory Planning Commission

Councillor McGonigle advised that the Advisory Planning Commission will be holding its next meeting on Thursday, December 3rd, 2015.

Community Forest Co-operative

Councillor McGonigle advised that the Forest Co-op would be hosting the provincial annual meeting with approximately 100 delegates in attendance between May 27th and 29th, 2016.

No. R.171/15
Lake Cowichan Fire
Department – Incident Report

(b) Moved: Councillor Austin
Seconded: Councillor Vomacka
that the Fire Department Monthly Incident Report for September, 2015 and payment in the amount of \$6,616.19 be approved.

CARRIED.

Cowichan Valley Regional District Board

Councillor Day read out the Chair’s report of the Regional District meeting that was held on November 12th, 2015.

He also reported on the following highlights:

- the Lake Cowichan Fire Department budget has been approved;
- the Alternate Approval Process for the arts and culture matter had 980 submissions against it, less than the required 10%; and
- regional recreation matter will be brought forward again to the Regional Services committee for its consideration.

Social Planning Cowichan

Councillor Austin reported that the Social Planning Cowichan Committee meeting will be held January 28th, 2016 with presentations to local communities to be made in January and February, 2016.

Community Safety Advisory

Councillor Austin reported on her attendance at the recent Community Safety Advisory meeting.

No. R.172/15
2015 Sewer CCTV and Smoke
Testing Programme

- (c) Moved: Councillor McGonigle
Seconded: Councillor Day
that the award of the contract to 1051732 BC Ltd (formally
Coast Hydrovac Inc) in the amount not to exceed \$65,291.22
plus applicable taxes for the 2015 CCTV inspection and smoke
testing programme and the 2015 sewer rehabilitation
programme be approved.
- CARRIED.

8. BYLAWS

No. R.173/15
Bylaw No. 960-2015
Fee and Charges for
Services

- (a) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the "Town of Lake Cowichan Fee and Charges for Services
Bylaw No. 960-2015" be read a first, second and third time.
- CARRIED.

No. R.174/15
Bylaw No. 967-2015
Waste Collection
Regulations and Rates

- (b) Moved: Councillor Day
Seconded: Councillor Vomacka
that the "Town of Lake Cowichan Waste Collection Regulations
and Rates Bylaw No. 967-2015" be read a first, second and
third time.
- CARRIED.

No. R.175/15
Bylaw No. 968-2015
Water Regulations and
Rates

- (c) Moved: Councillor Day
Seconded: Councillor Vomacka
that the "Town of Lake Cowichan Water Regulations and Rates
Bylaw No. 968-2015" be read a first, second and third time.
- CARRIED.

No. R.176/15
Bylaw No. 969-2015
Sewer Regulations and
Rates

- (d) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the "Town of Lake Cowichan Sewer Regulations and Rates
Bylaw No. 969-2015" be read a first, second and third time.
- CARRIED.

9. NEW BUSINESS

No. R.177/15
Letter of Support

- (a) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that Council send a letter of support to the Ministry of Forests,
Lands and Natural Resource Operations on the Lake Cowichan
First Nation's application to develop a forest tenure opportunity
that would see the First Nation being issued a license to
harvest timber on Crown lands within the Town on District Lots
10 and 14, being properties adjacent to the Lakeview Park
Campground and the Education Centre.
- CARRIED.

10. MAYOR'S REPORT

The Mayor presented his report for November, 2015
highlighting the following:

- Totem pole raising ceremony held on November 14th,
2015;
- Remembrance Day ceremonies;
- Lake Cowichan School for its recognition of
Remembrance Day and the behavior and respect
demonstrated by all the participating students;
- Appreciation to the Regional District for hosting the

forum on the alternative approval processes for the proposed service establishment bylaws;

- The information session held by Catalyst Paper on its short term application for pumping water from the lake;
- Future economic opportunities in our community and the recent meetings held on the subject;
- The midget and bantam Lakers hockey tournaments recently held in Lake Cowichan;
- The receipt of \$1,148,520 from the Union of BC Municipalities for phase 1 of the Waste Water Treatment plant upgrades;
- Age friendly action plan being completed and available on the Town’s website once the final draft is completed; and
- Appreciation to those who have given generously of their time to decorate the Town with Christmas lights.

11. NOTICES OF MOTION

None.

12. IN CAMERA

None.

13. ADJOURNMENT

No. R.178/15
Adjournment

Moved: Councillor Austin
Seconded: Councillor Vomacka
that we adjourn (6:59 p.m.).

CARRIED.

Certified correct _____

Confirmed on the _____ day of _____, 2015.

Mayor

TOWN OF LAKE COWICHAN

Minutes of Finance & Administration Committee held on
Tuesday, December 8th, 2015



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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Nagi Rizk, Superintendent, Public Works and Engineering Services
Roni-Lee Roach, Executive Secretary

1. CALL TO ORDER

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

2. AGENDA

No. FA.062/15

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

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) Mayor Forrest advised the Committee that the Chamber of Commerce will meet with Council to discuss the renewal of its lease for the Information Centre on Tuesday, December 22nd, 2015.

(ii) The Superintendent, Public Works and Engineering Services reported on the works being completed at the Little League Ball Field and advised that further upgrades to fencing, posts, and the backstop fencing as required could be accomplished within the budget allocated.

He further reported on the proposal for adding irrigation to the field and will obtain quotes. Mayor Forrest advised of the meeting between the Chief Administrative Officer, the president of minor baseball and himself to deal with the matter of irrigation.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

(a) The correspondence received from the Union of BC Municipalities regarding the gas tax agreement community works fund payment was treated as information.

The Chief Administrative Officer advised the Committee that the gas tax monies are for green projects and would be used for implementing green initiatives. He also advised that there is a requirement to account annually for the funds received under this programme.

6. REPORTS

- (a) The financial report for the period ending November 30th, 2015 was treated as information.

The Committee was advised that the interim audit was now complete with the remaining fieldwork scheduled for 2016.

The Committee was also advised that the job creation programme was over budget and that more revenue was seen at the Education Centre and Campground due to the length of the operating season due to the sunnier weather.

- (b) The Building Inspector's Service Report for November, 2015 was treated as information.

7. NEW BUSINESS

- (a) The Chief Administrative Officer spoke on the best management practice on the five-year operating plan and the need to look at the long-term through implementation of appropriate reserve funds to finance future capital projects.

- (ii) Chief Administrative Officer spoke on the matter of the review process with timelines and advised that staff is currently working on getting operational estimates for review by Council in the New Year with the intent of completing the budget process by the end of March, 2016.

Councillor Day shared his concern with project delays in while budget discussions are underway. The Chief Administrative Officer advised that Council by resolution can approve capital prior to final budget approval.

No. FA.063/15
Lake Cowichan Fire
Department –
Incident Report

- (b) Moved: Councillor Vomacka
Seconded: Councillor Day
that the Committee recommend that the Fire Department Monthly Incident Report for October, 2015 and payment in the amount of \$8,946.70 be approved.

CARRIED.

No. FA.064/15
Lake Cowichan Fire
Department –
Incident Report

- (c) Moved: Councillor Austin
Seconded: Councillor Day
that the Committee recommend that the Fire Department Monthly Incident Report for November, 2015 and payment in the amount of \$9,063.68 be approved.

CARRIED.

The Committee directed that the Lake Cowichan Fire Department monthly incident reports be brought forward to the Finance and Administration Committee meetings for approval prior to subsequent ratification by Council.

No. FA.065/15
BC Hydro Tree
Canada Grant
Funding

- (d) Moved: Councillor Day
Seconded: Councillor Vomacka
that the Committee recommend that the Town of Lake Cowichan submit an application under the BC Hydro tree planting grant for an amount of \$10,000.

CARRIED.

The Committee members discussed possible locations for trees and landscaping that included the centres of the roundabout, newly redesigned entrance signs on the West

and East entrances to Town and adjacent to the Library facility.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

Mayor Forrest spoke on the public hearing that was held on Monday, December 7th, 2015 on the matter of the rezoning application by Laketown Ranch.

The Committee members were reminded of the following events:

- The Christmas hamper and luncheon for the volunteers is occurring on December 16, 2015; and
- The Economic Development meeting for members of the community is scheduled for December 17, 2015.

10. MEDIA/PUBLIC QUESTION PERIOD

12. ADJOURNMENT

No. FA.066/15
Adjournment

Moved: Councillor Vomacka
Seconded: Councillor Austin
that we adjourn (5:54 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2015.

Chair

TOWN OF LAKE COWICHAN
Minutes of Public Works and Environmental Services
Committee held on
Tuesday, December 1st, 2015



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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendant, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Roni-Lee Roach, Executive Secretary

1. CALL TO ORDER

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

2. AGENDA

No. PW.0035/15 Moved: Councillor McGonigle
Seconded: Mayor Forrest
that the agenda be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

- (a)** The Chief Administrative Officer advised the Committee members that the redesign plans for the welcome sign at the Wye entrance would be ready for this Thursday.

Councillor McGonigle advised that the comments sheets provided at the public meeting have been forwarded to the Chair of the Advisory Planning Commission.

- (b)** The CAO reported that the implementation of the engineering study for the sidewalks for North Shore Road could not be considered in 2016 because of financial constraints. He indicated that the construction of the sidewalks could occur the year after and may be done in concert with the planning for bike lanes.

Mayor Forrest asked if a bike lane could be considered as part of that study. The Superintendent, Public Works and Engineering Services responded that it would require widening of the road on the lake side.

(c) Ongoing Items Still Being Addressed:

(i) Bike BC Grant Programme:

The Chief Administrative Officer advised that the matter has been referred to the Town Planner.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

None.

7. NEW BUSINESS

- (a) The Municipal World November 2015 article "Stormwater Fees You Pave, You Pay" was treated as information.

The Committee members discussed the following points:

- Impact of cost in upgrading to the storm water system;
- Use of rain gardens and pervious materials in new developments;
- Inclusion of recommendations from the storm water study recently undertaken; and
- Within the municipal hall upgrades, look at green initiatives;

- (b) The Municipal World November 2015 article "Strength Through Partnerships" dealing with the watershed plan was treated as information.

Councillor Day shared his view that it was important that partnerships be created to allow the sharing of information on matters such as these.

- (c) The Superintendent, Public Works and Engineering Services advised the Committee that the contract for the 2015 sewer CCTV inspection and smoke testing programme has been awarded and that the next step is to execute the contract.

The Superintendent, Public Works and Engineering Services reviewed the scope of the work cross connections and leaks. He gave the new Committee an understanding of the requirements set out by the Ministry to ensure compliance of the Town's operating license which is to ensure that the Town is not exceeding its effluent.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

The Committee members were advised of the announcement which will be made public soon on the additional funding of approximately \$200,000 that Palsson Elementary School will receive for exterior upgrades.

The Superintendent, Public Works and Engineering Services spoke on the need to temporarily close access to the Saywell Park dock for the winter.

Mayor Forrest reminded the Committee members of the United Way breakfast that will be held on Friday, December 4th, 2015 from 7:00 a.m. to 9:00 a.m. with tickets sold at the door.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PW.0036/15
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that this meeting adjourn. (5:55 p.m.)

CARRIED.

Certified correct _____

Confirmed on the _____ day of _____, 2015.

Chair

TOWN OF LAKE COWICHAN

Minutes of Parks, Recreation and Culture Committee held on
Tuesday, December 1st, 2015



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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendant, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Roni-Lee Roach, Executive Secretary

1. CALL TO ORDER

The Chair called the meeting to order at 6:10 p.m.

2. AGENDA

No. PR.024/15

Moved: Councillor Day
Seconded: Councillor Austin
that the agenda with the addition of the following items:

Notices of Motion

- Park events held by community organizers;
- Duck Pond and Partnership with Kinsmen; and
- Swimming Lessons in Lake Cowichan

be approved.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

- (a)** Mayor Forrest felt that the Committee should look at the Trans Canada Trail Partners for 2017 event in further detail beginning in the New Year.

Councillor Day requested that the Kaatza Art Group and Kirstin Schrader, Manager of Arts and Culture, Cowichan Valley Regional District be invited to the March or April, 2016 Committee meeting to discuss the matter.

The Superintendent, Public Works and Engineering Services advised that the signs at the Western Terminus were deteriorating and would require major maintenance.

- (b) Ongoing Items:**

- (i) Riverfront Parkway and Trail Connections:**

Telus: The Chief Administrative Officer advised that a right-of-way is registered across the Telus property and the planner was looking into whether it was wide enough for a pathway/trailway from the Kasapi Centre to the municipal office.

Lake Cowichan First Nation / North Shore Road: The Chief Administrative Officer reported that this was at the discussion stage and perhaps both Councils would like to meet to discuss a partnership on a walkway or path and other matters.

The Superintendent, Public Works and Engineering Services asked that the matter of the North Shore Road sidewalk plans

be brought forward to this meeting for information.

(ii) Kasapi Centre:

The Chief Administrative Officer reported that the building may be assessed in further detail in early 2016 which would include an account of the extent of remediation required.

4. DELEGATIONS

None.

5. CORRESPONDENCE

- (a)** The correspondence item received from Tourism Vancouver Island regarding a trails partner update for November, 2015 was treated as information.

6. REPORTS

None.

7. NEW BUSINESS

- (a)** The Committee discussed the schedule for Centennial Park upgrades.

The Chief Administrative Officer reported that the tender documents would need to be issued by April, 2015 with the project to be completed by October, 2017.

The Committee directed the following:

- The process of acquiring a consultant for the project;
- Additional phases of future upgrades based on public input; and
- Direction to identify and prioritize the needs of the community for the park.

8. NOTICES OF MOTION

Councillor Day brought forward the following notices of motion for the January 5th, 2016 meeting:

- Park events held by other community organizers and committees and the usage of washroom facilities;
- Duck Pond upgrades and the potential partnership with the Kinsmen; and
- Swimming lessons to be provided at Lake Cowichan and a review of the Cowichan Lake Recreation report.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. IN CAMERA

No. PR.025/15
In-Camera

Moved: Councillor McGonigle
Seconded: Councillor Day
that the Committee close the meeting to the public to deal

with issues relating to land matters under Section 90(1) (e) of
the Community Charter (6:58 p.m.)

CARRIED.

12. ADJOURNMENT

No. PR.026/15
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that we arise without report and adjourn (8:20 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2015.

Chair

TOWN OF LAKE COWICHAN

Minutes of Economic and Sustainable Development Committee held on
Tuesday, December 15th, 2015



PRESENT: Councillor Bob K. Day, Chair
Mayor Ross Forrest
Councillor Carlyne Austin
Councillor Lorna Vomacka
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: 1

1. CALL TO ORDER

The Chair called the meeting to order at 5:07 p.m.

2. AGENDA

No. SPD.024/15

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

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) The Committee reviewed the fourth heading of the article "13 Ways to Kill Your Community" that was previously provided at the October 20th, 2015 meeting.

(b) Regional Flood Management Service- The committee was informed that the relevant bylaw has been adopted by the Regional District as a result of the alternate approval process.

(c) Ongoing Items Still Being Addressed:

(i) **Affordable Housing:** No report.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

None.

7. NEW BUSINESS

(a) The Committee was informed that the Economic Development Leadership Team has been formed and it has started planning for economic development needs for Lake Cowichan.

(b) The Chair advised the Committee that the public has been asking if there is an Emergency Preparedness Plan in place in the event of a flood, evacuation, or other emergency occurrence. It wants re-assurance on what to do in case of an emergency.

(c) The Committee was updated that the bylaw for Arts and Culture

Funding Initiative has been passed by the Regional District. It can now begin the planning process to promote Arts and Culture in Lake Cowichan.

- (d) Vancouver Island Motorsport Resort- The CAO gave an update on phase one of the project.
- (e) The Committee discussed that the Aerie Resort on Malahat has been purchased by Vancouver Island Motorsport Resort consortium.
- (f) The CAO informed the committee that the National Rowing Centre of Excellence is being relocated to Quamichan Lake in 2020 at a cost of \$18 million dollars.
- (g) The Committee discussed Procurement Guidelines and what is required to ensure appropriate purchasing procedures are in place for the Town. Councillor McGonigle would like this matter brought forward for further discussion.

8. NOTICES OF MOTION

Councillor McGonigle wanted ideas or comments on diversification of municipal revenue sources.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. SPD.025/15
Adjournment

Moved: Councillor Austin
Seconded: Councillor Vomacka
that the meeting adjourn (6:14 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2015.

Chair

Minutes of the Cowichan Lake Recreation Commission Meeting held on Thursday, November 19, 2015 in the Cowichan Lake Sports Arena Meeting Room, 311 South Shore, Lake Cowichan BC at 7:00 PM.

PRESENT: Chairperson D. Darling
Director I. Morrison
Director K. Kuhn
Deputy Mayor B. Day
R. Wise
L. Johnson
E. Fearon
J. Rowley
B. Peters

ALSO PRESENT: J. Elzinga, General Manager, Community Services, CVRD
J. Wakeham, Manager, Facilities and Transit
L. Blatchford, Manager, Cowichan Lake Recreation
R. Frost, West Cowichan Facilities Coordinator
R. Piechnik, Recording Secretary

ABSENT: Mayor R. Forrest

CLOSED SESSION

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

CS M1 - Closed Session Minutes of December 18, 2014

CS M2 - Report from the Manager, Cowichan Lake Recreation Re: Employee Relations {Sub (1)(c)}

MOTION CARRIED

R.Piechnik left the room at 7:01 pm.

Regular meeting resumed at 7:10 pm. R.Piechnik returned to the meeting at 7:10pm.

APPROVAL OF AGENDA

It was moved and seconded that the agenda be amended with the addition of BA1: Trophy Case.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Cowichan Lake Recreation Commission meeting of October 29, 2015

It was moved and seconded that the minutes be adopted with the corrections:

- 1) Under R1 the word installation to be replaced with consulting.**
- 2) Under R5 the name Centennial to be replaced with Little League.**

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

BA1 The new museum curator will be taking care of the Recreation Notables display case. It will take a few weeks to find items for display. In the meantime, an art display from the Cowichan Lake Recreation After School Art Sampler participants will be featured.

REPORTS

R1 Report, Manager Cowichan Lake Recreation Re: Swimming Lessons in Lake Cowichan in 2016

It was moved and seconded that swimming lessons not be provided by Cowichan Lake Recreation in the Town of Lake Cowichan in 2016.

MOTION CARRIED

R2 Report, Manager Cowichan Lake Recreation Re: Cowichan Lake Recreation Budget 2016

It was moved and seconded that the draft 2016 budget for function 405 – Cowichan Lake Recreation, be adopted as presented with the addition of:

- \$150,000 funded through short term borrowing to cover the purchase and installation of a new dehumidifier for the Cowichan Lake Sports Arena; and**
- \$23,052 funded through short term borrowing to cover the cost of the electrical upgrades identified through the energy audit.**

It was moved and seconded that the motion be amended by replacing “\$150,000 funded through short term borrowing to cover the purchase and installation of a new dehumidifier for the Cowichan Lake Sports Arena” with “A new dehumidifier for the Cowichan Lake Sports Arena with half of the cost coming from short term borrowing and the other half coming from a transfer from reserves”.

MOTION CARRIED

Director K. Kuhn left the meeting at 7:50 pm.

THE MAIN MOTION AS AMENDED IS SHOWN FOR CONVENIENCE

It was moved and seconded that the draft 2016 budget for function 405 – Cowichan Lake Recreation, be adopted as presented with the addition of:

- A new dehumidifier for the Cowichan Lake Sports Arena with half of the cost coming from short term borrowing and the other half coming from a transfer from**

reserves; and

- \$23,052 funded through short term borrowing to cover the cost of the electrical upgrades identified through the energy audit.

MOTION CARRIED

It was moved and seconded that the previous motion to adopt the draft 2016 Budget for function 405 be rescinded.

MOTION CARRIED

It was moved and seconded that the draft 2016 budget for function 405 – Cowichan Lake Recreation, be adopted as presented with the addition of:

- MFA short-term borrowing of up to \$150,000 for the purchase and installation of a new dehumidifier for Cowichan Lake Recreation to be paid back over five years as per the Liabilities under Agreement Section 175 of the Community Charter; and
- \$23,052 funded through requisition to cover the cost of the electrical upgrades identified through the energy audit: and therefore
- An increase in Requisition of \$54, 821.

MOTION CARRIED

R3

Directors Morrison & Kuhn Verbal Report : CVRD Board Update

- Asset management
- Surplus funds into an operational reserve fund
- Public Hearing concerning rezoning for the Laketown Ranch will be held Monday, December 7, 2015 in the Youbou Main Hall at 7:00 pm.

R4

Deputy Mayor B. Day, Verbal Report Re: Town of Lake Cowichan Update

- A consultant was hired through the Age Friendly grant. Consultant's report is finished and will be shared once adopted.
- Public Meeting on November 30, 2015 in Centennial Hall at 7:00 pm.
- A Community Economic Development Committee has been created and will meet the third Tuesday of every month at the Town Hall.
- A new Town Hall will commence being built in 2016.
- Vancouver Island Economic Summit was attended
- 41,000 visitors to the Visitor's Center so far in 2015.

ADJOURNMENT

The meeting adjourned at 8:30 pm.

Chair

Recording Secretary

Dated: _____

TOWN OF LAKE COWICHAN
Bylaw No. 960-2015

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. 960-2015".
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 939-2013 being the "Town of Lake Cowichan Fees and Charges for Services Bylaw" and all amendments are hereby repealed.

READ A FIRST TIME on the 24th day of November, 2015.

READ A SECOND TIME on the 24th day of November, 2015.

READ A THIRD TIME on the 24th day of November, 2015.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___th day of December, 2015.



Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Fees and Charges for Services Bylaw No. "960-2015" as adopted on the ___th day of December, 2015.

Corporate Officer



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

(attached to and forming part of Bylaw No. 960-2015)

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	\$ 8.00
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. 960-2015)

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	\$ 118.00
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	\$ 190.00
Youth / School	3 meals and shared overnight accommodation, no bedding provided	\$ 73.00	\$ 78.00
Exclusive Day Use	per day, meals not included	\$ 675.00	\$ 1,425.00
Other Uses	Small meeting room	\$ 87.00	\$ 100.00
	Programming charges will be levied on a cost recovery basis	\$ 132.00	\$ 150.00



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

(attached to and forming part of Bylaw No. 960-2015)

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	20.00
	Official Community Plan Map	20.00
	Town Street Map	25.00
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



TOWN OF LAKE COWICHAN**Schedule "D"**

(attached to and forming part of Bylaw No. 960-2015)

Sign Fees

Wayfinding sign (Directional)	Business / company sign plate - cost varies depending on location	Max \$100 / year
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Other Fees

Use of public facilities is as per written Town Policy, fees may apply. Please contact the Town office for more information.

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



**TOWN OF LAKE COWICHAN
BYLAW 967-2015**

**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. "967-2015".

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 July 2nd 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. 957-2014 being the "Town of Lake Cowichan Garbage Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 24th day of November, 2015.

READ A SECOND TIME on the 24th day of November, 2015.

READ A THIRD TIME on the 24th day of November, 2015.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___th day of December, 2015.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



SCHEDULE "A"**ATTACHED TO AND FORMING PART OF BYLAW NO. 967-2015****WASTE COLLECTION RATES****WASTE COLLECTION RATES - 2016**

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) \$14.35 per month for 80 litre tote
 - ii) \$21.50 per month for 120 litre tote
 - iii) \$43.05 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) \$14.35 per month for 80 litre tote with bi-weekly garbage pickups
 - ii) \$4.25 per pickup for 80 litre tote
 - iii) \$6.00 per pickup for 120 litre tote
 - iv) \$7.85 per pickup for commercial tote
 - v) \$55.05 per hydraulic bin pickup

WASTE COLLECTION RATES - 2017

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) \$14.50 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)

- 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 pickups
 - ii) \$4.40 per pickup for 80 litre tote
 - iii) \$6.25 per pickup for 120 litre tote
 - iv) \$8.15 per pickup fee for commercial tote
 - v) \$55.60 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. 968-2015**

**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. 968-2015".

2. DEFINITION

In this bylaw unless the context otherwise requires,

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;

SERVICE PIPES means that portion of the water supply line extending from the property line of the property concerned to the building situated thereon, and joining the water connection to the plumbing system of the building;



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 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*.
- 7.2 Invoicing for new consumers will commence four (4) months after the Building Permit is issued unless the owner informs the Town, in writing, that the premises are not occupied at the time.
- 7.3 Notwithstanding Section 7.2 of this bylaw, billing for water service shall commence on issuance of an occupancy permit and no later than two (2) years after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.4 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.
- 7.5 When a building containing multiple units is being supplied metered service through a common connection line, if each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each unit. Should the entire building be under one title, one minimum usage charge per unit will apply 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 July 2nd 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 within three (3) months after the date that the water main is completed and rendered operational.
- 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.

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. 964-2015 being the "Town of Lake Cowichan Water Regulations and Rates Bylaw" is hereby repealed.

READ A FIRST TIME on the 24th day of November, 2015.

READ A SECOND TIME on the 24th day of November, 2015.

READ A THIRD TIME on the 24th day of November, 2015.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___rd day of _____, 2015.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Water Regulations and Rates Bylaw No. 968-2015" as adopted on the ___nd day of _____, 2015.

Corporate Officer



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

ATTACHED TO AND FORMING PART OF WATER BYLAW NO. 968-2015

WATER RATES		2016	2017
Residential – monthly metered rates	Cubic Meters per Month		
Single family unit	up to 35 m ³	\$ 24.60	\$ 25.10
Townhouse per unit	up to 30 m ³	21.10	21.50
Apartment or condo per unit	up to 25 m ³	17.57	17.92
Outside user per unit	up to 35 m ³	44.88	45.78
RV site per unit	up to 20 m ³	14.10	14.30
Fee for use over maximum allowed per month	per m ³	0.50	0.51
Residential – monthly non-metered rates			
Single family or each duplex unit		32.85	33.50
Multi-family per unit		28.20	28.75
Outside user per unit		49.95	50.95
Commercial – monthly metered rates			
Commercial fee for up to 20 m ³ per month	(or 240 m ³ annually)	14.10	14.30
Charge for use over 20 m ³ per month	per m ³	0.50	0.51
Commercial - monthly non-metered rates			
Coffee shop/ café/ office or store/ Strata RV Site		\$ 18.90	\$ 19.28
Church/ hall/ auto body or machine shop/ beauty shop		32.70	33.35
Garage or service station		42.90	43.75
Hotel & Motels – per room		9.48	9.65
Licensed clubs or lounges and pubs		105.92	108.05
Restaurant		64.22	65.50
Grocery store (larger than 5,000 square feet)		197.65	201.60
Schools – Per Room (classroom, shop, office, etc.)		33.78	33.78
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 months 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	25.00	
Re-inspection fee	25.00	

* Minimum Charge \$1,300.00
** Minimum Charge \$750.00



**TOWN OF LAKE COWICHAN
BYLAW NO. 969-2015**

**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. 969-2015".

2. DEFINITION

In this bylaw unless the context otherwise requires,

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 segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and with each 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 new customers will commence four (4) months after the Building Permit is issued unless the customer informs the Town, in writing, that the premises are not occupied at the time.
- 7.3 Notwithstanding Section 7.2 of this bylaw, billing for water service shall commence on issuance of an occupancy permit and no later than two (2) years after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.4 Accounts with metered water service will be charged the metered sewer rates set forth in Schedule "A" attached to this bylaw based on their water consumption. Metered accounts will be billed the minimum monthly charge on their annual January bill, and will receive additional bills for usage in excess of the minimum usage charge at least twice annually.
- 7.5 When a building containing multiple units is being supplied metered water service through a common connection line, if each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each unit. Should the entire building be under one title, only one minimum usage charge will apply.

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 July 2nd 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 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 within three (3) months after the date that the sewer is completed and rendered operational.



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. SWIMMING POOLS

Swimming pools shall not normally be connected to the sanitary sewer, but may be permitted by the Town on the understanding that the outflow from the pool is controlled to avoid overloading and surging in the sanitary line. It shall be the responsibility of the swimming pool owner to obtain permission and notify the Town of any drainage.

13. 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.

14. UNCOVERED FOR EXAMINATION

14.1 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.

14.2 All of the owner's sewer system shall be left uncovered and convenient for examination until it has been inspected by the Inspector.

14.3 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.

- 14.4 The owner's sewer shall not be covered nor backfilled until the Inspector has given written approval of the installation.
- 14.5 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.

15. 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.

16. INSPECTION/RE-INSPECTION FEES

- 16.1 An inspection fee shall be paid to the Town for the initial inspection.
- 16.2 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.

17. CONNECTION FEES

- 17.1 The sewer connection fee does not embrace works within the property of the applicant.
- 17.2 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.

18. RIGHT OF ENTRY

- 18.1 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.



18.2 No person shall interfere with or obstruct the entry of an authorized official onto any property under Section 18.1.

19. INDEPENDENT SERVICE

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

20. MINIMUM DIAMETER

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

21. 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.

22. SLOPE OF CONNECTION

22.1 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.

22.2 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.

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

22.4 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.

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

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



- 22.7 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.
- 22.8 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.
- 22.9 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.
- 22.10 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.
- 22.11 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.

23. REGULATIONS

- 23.1 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.
- 23.2 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.
- 23.3 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.

24. ADMINISTRATION

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



25. 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.

26. CONTRAVENTION AND PENALTIES

- 26.1 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.
- 26.2 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.
- 26.3 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.
- 26.4 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*.

27. REPEAL

That upon adoption of the bylaw, Bylaw No. 956-2014 being the "Town of Lake Cowichan Sewer Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 24th day of November, 2015.

READ A SECOND TIME on the 24th day of November, 2015.

READ A THIRD TIME on the 24th day of November, 2015.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 22nd day of December, 2015.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 969-2015" as adopted on the 22nd day of December, 2015.

Corporate Officer



TOWN OF LAKE COWICHAN
SCHEDULE "A"
ATTACHED TO AND FORMING PART OF SEWER BYLAW NO. 969-2015

SEWER RATES	2016	2017
Residential – monthly rates based on metered water consumption:		
	Cubic Meters per Month	
Single family unit	up to 35 m ³ \$ 21.65	\$ 22.09
Townhouse per unit	up to 30 m ³ 18.57	18.92
Apartment or condo per unit	up to 25 m ³ 15.46	15.77
Outside user per unit	up to 35 m ³ 39.50	40.30
RV site per unit	up to 20 m ³ 12.40	12.58
Charge for use over maximum allowed per month	per m ³ 0.44	0.45
Residential – monthly rates based on non-metered rates for water		
Single family or each duplex unit	28.90	29.48
Multi-family per unit	24.82	25.30
Outside user per unit fee	43.95	44.84
<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	12.40	12.58
Fee for use over 20 m ³ per month	per m ³ 0.44	0.45
Commercial – monthly rates based on non-metered rates for water		
Coffee shop/ café/ office or store/ RV sites	16.62	16.97
Churches/ halls/ auto body or machine shop/ beauty shop	28.78	29.35
Garage or service station	37.75	38.50
Hotel & motel – per room	8.34	8.50
Licensed clubs or lounges and pubs	93.20	95.08
Restaurants	56.50	57.64
Grocery store (larger than 5,000 square feet)	173.92	177.40
Schools – per room (classroom, shop, office, etc.)	29.74	29.74
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

Notice Regular Meeting Dates - 2016

Please note that the Regular Meeting dates for Council of the Town of Lake Cowichan for 2016 are as follows:

- January 26th
- February 23rd
- March 22nd
- April 26th
- May 10th *
- May 24th
- June 28th
- July 26th
- August 23rd
- September 20th
- October 25th
- November 22nd
- December 20th

The start time for the regular meetings is 6:00 pm. and the meetings are held at 39 South Shore Road, Lake Cowichan (Municipal Hall).

* This special meeting of Council will be held on May 10th, 2016 at 5:00 p.m.

Dated this 22nd day of December, 2015.

Joseph A. Fernandez,
Chief Administrative Officer