APPENDIX A

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4648

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A BYLAW TO AMEND FEES AND CHARGES FOR UTILITY SERVICES AND LIQUID WASTE DISPOSAL WITHIN THE SALT SPRING ISLAND ELECTORAL AREA (BYLAW NO. 3864)

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WHEREAS:

A. Under Bylaw No. 3864, “Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012”, the Regional Board established services and facilities to collect, convey, treat and dispose of sewage in the participating area of Salt Spring Island Electoral Area;

B. Amendments to the Electoral Area utilities fees and charges bylaws are recommended annually to reflect the rates included in the services budgets and financial plan for the forthcoming year;

C. Pursuant to Section 378 and Section 397 of the *Local Government Act*, the Board may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the district or the exercise of regulatory authority by the Board;

D. Changes in fees and charges are required for local utility services in the Electoral Areas to maintain adequate levels of funding for annual operating costs inclusive of reserve contributions and debt servicing; and

E. Bylaw No. 4648 covers all Salt Spring Island Electoral Area Sewer, Water and Liquid Waste Disposal Fees and Charges.

NOW THEREFORE, The Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. Bylaw No. 3864, "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012", is hereby amended as follows:

   a) By removing Schedule “B” in its entirety and replacing it with Schedule “B” attached hereto.

   b) By removing Schedule “C” in its entirety and replacing it with Schedule “C” attached hereto.

2. This Bylaw shall take effect January 1, 2025.

3. This Bylaw may be cited as “Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 18, 2024”.

READ A FIRST TIME THIS	day of	20___
READ A SECOND TIME THIS	day of	20___
READ A THIRD TIME THIS	day of	20___
ADOPTED THIS	day of	20___

CHAIR

CORPORATE OFFICER

Schedule "B"

1. Water Service Turn On and Turn Off Fee

Pursuant to Section 4, the fee for turning on or turning off the water supply at the curb stop is the following. The fees payable herein shall be paid to the CRD on application for the service.

(a) During Normal Working Hours (07:30 – 16:00) Monday through Friday (non-inclusive of statutory holidays): $75.00
Fulford Water only $150.00

(b) During Non-Working Hours: $200.00

(Schedule "B" continued on next page)

2. Water and Sewer User Fees

The user fees payable shall include a fixed fee and a variable consumption charge based on the volume of water metered as outlined below:

(a) Fixed Fee

Service Area	Annual Charge, 25% of which is billed each three months
Cedars of Tuam	$2,628.82 per single family dwelling unit or equivalent
Cedar Lane	$1,673.38 per single family dwelling unit or equivalent
Beddis	$1,193.95 per single family dwelling unit or equivalent
Highland	$0 per single family dwelling unit or equivalent
Fernwood	$0 per single family dwelling unit or equivalent
Highland and Fernwood	$1,361.06 per single family dwelling unit or equivalent
Maliview	$2,091.08 per single family dwelling unit or equivalent
Fulford	$1,781.26 per single family dwelling unit or equivalent Other users: No Fixed Fee

(b) Consumption Charge based on volume of water metered

The Consumption Charge for water or sewer will be the total volume of water metered to the water service connection, measured in cubic metres (or other units converted to cubic metres) over a three-month billing period, at a rate as follows:

Service Area	Volume of Water	Charge
Cedars of Tuam	First 38.0 cubic metres or portion	$9.00 per cubic metre
	Greater than 38.0 cubic metres	$18.00 per cubic metre
Cedar Lane	First 30.0 cubic metres or portion	$2.50 per cubic metre
	31.0 to 60.0 cubic metres or portion	$9.00 per cubic metre
	Greater than 61 cubic metres	$25.00 per cubic metre
Beddis	First 38.0 cubic metres or portion	$3.10 per cubic metre
	Next 68.0 cubic metres or portion	$6.30 per cubic metre
	Greater than 106 cubic metres	$8.50 per cubic metre
Highland and Fernwood	First 38.0 cubic metres or portion	$0.64 per cubic metre
	Next 68.0 cubic metres or portion	$2.00 per cubic metre
	Greater than 106 cubic metres	$5.13 per cubic metre
Maliview	$1.75 per cubic metre of total water provided or delivered to the single family dwelling unit or equivalent served by the sewer connection to the CRD Highland Water System	
Fulford	Single Family Residential: No Consumption Charge Other users: $3.71 per cubic metre Minimum Consumption Charge per three months is $445.32 per service connection.	

Schedule "C"

Liquid Waste Receiving Facility

1. Disposal Fees and Charges

Every Hauler depositing Liquid Waste at the Liquid Waste Receiving Facility shall pay the following fees and charges:

Fees:	
Septage	$125.38 per cubic metre ($0.570 per imperial gallon)
Sewage	$125.38 per cubic metre ($0.570 per imperial gallon)
Facility User Permit	$50.00 per Septage waste disposal truck per annum (valid for a period from January 1 of each year until December 31 of the subject year). This fee is not pro-rated in the first year of this schedule coming into force.
Charges:	
Call Out Charge	$75.00 per hour; minimum charge $150 first 2 hours
After Hours Call Out	$75.00 per hour; minimum charge $150 first 2 hours

2. Definitions:

The following terms, words and phrases when used in this schedule shall have the meanings set forth in this contained in this schedule:

"**CRD**" means the Capital Regional District.

"**Call Out Charge**" means a charge issued to any person who uses the Liquid Waste Receiving Facility due to an event directly attributable to a person(s) actions requiring CRD personnel to attend the Liquid Waste Receiving Facility.

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

"**Facility Access Permit**" means a Facility Access Permit issued by the CRD.

"**Generator**" means an owner or occupier of property from which the Liquid Waste originates that is being trucked to a facility for disposal.

"**Hauler**" means a person or company who transports Liquid Waste from a Generator to a Liquid Waste facility for disposal.

"**Local Service Area**" means the Local Service Area established under bylaw 2118 Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993.

"**Load of Liquid Waste**" means the Liquid Waste being delivered by the hauling vehicle.

"**Liquid Waste**" means Septage and/or Sewage Sludge.

"**Liquid Waste Receiving Facility**" means the Salt Spring Liquid Waste facility that receives Trucked Liquid Waste, more particularly described as located off Burgoyne Bay Road, Salt Spring Island (part of the North ½ of Section 4, Range 1, South Salt Spring Island, Cowichan District).

"**Measured volume**" means the actual volume of Liquid Waste Discharged at the designated Liquid Waste Receiving Facility as measured by the flow meter installed at the facility.

"**Municipality**" means a municipality or electoral area participating in the Local Service Area and/or the CRD itself.

"**Prohibited Waste**" means Hazardous Waste as defined by the *Hazardous Waste Regulation*.

"**Septage**" means a combination of liquid and solid wastes and/or settled solids from residences, businesses, institutions and industries normally collected in a Septic Tank or holding tank.

"**Septic Tank**" means a chamber made of concrete, fiberglass, PVC or plastic, through which domestic wastewater flows for primary treatment

"**Sewage Sludge**" means the primary or secondary Sewage Sludge from a sewage treatment plant.

"**Sewer**" means all pipes, conduits, drains and other equipment and facilities owned or otherwise under the control or jurisdiction of the CRD for collecting, pumping and transporting wastewater, either to a Sewage Facility or otherwise.

"**Trucked Liquid Waste**" means any Liquid Waste that is collected and transported from the site where the Liquid Waste originated by means other than Discharge to a Sewer, including but not limited to: Septic Tank waste, chemical toilet contents, oil and grease from interceptors or traps and other sludges of organic or inorganic origin.

"**Trucked Waste Manifest**" means a form provided by the CRD to be completed by the Generator, or agent acting on behalf of the Generator, and Hauler of Septage as a condition of using a Liquid Waste Receiving Facility.

3. User Fees:

   a) The Liquid Waste disposal fee set out in Section 1 will be imposed on every Hauler depositing Liquid Waste at the Liquid Waste Receiving Facility and shall be paid in accordance with this bylaw.

   b) The fees charged will be calculated by multiplying the measured volume of Liquid Waste Discharged by the unit rate set out in Section 1. Where no measured volume is available, the fees charged will be calculated by multiplying the unit rate by the volume of a full load of Liquid Waste from the Haulers truck as specified in the operator's manual for the Haulers truck.

4. Credit:

   a) Persons depositing Liquid Waste at the Liquid Waste Receiving Facility on a regular basis may apply to the CRD for credit. If the CRD is satisfied of the credit worthiness of the

Hauler, credit may be granted, in which case payment of the user fees imposed under Section 3 shall be made and credit extended under the following conditions:

i. The person receiving credit shall pay to the CRD all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The CRD will invoice monthly for Liquid Waste delivered during the preceding month. The invoice amount will be based on the total quantity of the waste delivered during the month, and the posted rates in effect at the time of delivery.

ii. Late payment(s) will be subject to an interest penalty of 1.5% per month.

iii. The CRD reserves the right to cancel, upon five (5) days' notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the CRD.

5. Regulations:

a) Persons, including Generators or Haulers of Liquid Waste, shall only use the Liquid Waste Receiving Facility upon the following conditions:

i. That they agree to comply with all provisions within this Bylaw.

ii. They have received a Facility Access Permit from the CRD.

iii. That the Liquid Waste meets the operating criteria to be received and processed at the facility.

iv. That they agree to comply with all operating protocols governing the use of the Liquid Waste Receiving Facility as prescribed in Section 6, as stated on any signage or materials published by the CRD, or as directed by an employee or agent of the CRD.

b) Any person making a Discharge at the Trucked Liquid Waste Receiving Facility shall immediately stop the Discharge at the instructions of an employee of the CRD if that employee has reasonable grounds to believe the Discharge does not meet the provisions of this bylaw or any other enactment.

c) A Hauler or other person is liable for any damage to a Liquid Waste Receiving Facility or CRD property caused by the Hauler or other person or caused by the functioning or operation of a Hauler or other person's vehicle, tank, or equipment.

d) The CRD may suspend or revoke a permit to access and use of the Liquid Waste Receiving Facility if the Generator or Hauler falsifies or omits information on a Trucked Waste Manifest.

e) Sections 5 (a) to 5 (d) do not apply to a Municipality or agent of a Municipality, where Liquid Waste is removed from a water, Sewer or sewage facility or the Liquid Waste Receiving Facility for purposes of maintenance activities on the water, Sewer or sewage facility or the Liquid Waste Receiving facility.

6. Operating Protocols:

a) The Liquid Waste Receiving Facility is an unattended facility and is controlled by a locked gate. In order to access the site a Hauler must have a valid Facility Access Permit.

i. Permits can be obtained by making application to the CRD on the application form attached hereto in Schedule "E", and paying the annual fee as set out in section 1.

ii. Each vehicle owned by the Hauler that is used for the purposes of Septage waste disposal at the Liquid Waste Receiving Facility must be listed on the Facilty Access Permit.

iii. Once approved a Facility Access Permit sticker, gate access key and/or codes will issued to the Hauler.

iv. A Facility Access Permit Sticker will be issued for each vehicle listed on the Facility Access Permit.

v. The CRD may suspend or revoke a Facility Access Permit:

(1) for any or all vehicles licensed to any one Hauler for any violation of, or noncompliance with, the terms and conditions of this bylaw, or any enactment applicable to the Discharge of waste into a Liquid Waste Receiving Facility, when the violation or noncompliance interferes with the operation of the Liquid Waste Receiving Facility.

(2) if a Generator or Hauler falsifies or omits information regarding the source, type, or quality of Septage Discharged at the Liquid Waste Receiving Facility.

(3) for any or all vehicles licensed to any one Hauler for failure to pay fees described in this bylaw within 60 days of being invoiced by the CRD or the Operator.

b) While on site at the Liquid Waste Receiving Facility, all Haulers, persons, employees, and agents of the CRD shall abide by WorkSafeBC and CRD protocols and regulations, and conduct their activities in a safe and respectful manner.

c) The designated intake connection at the Liquid Waste Receiving Facility must be used. Discharging Liquid Waste directly or indirectly into any other point at the Liquid Waste Receiving Facility is strictly prohibited and may result in suspension or revocation of a Facility Access Permit.

d) Information regarding the Liquid Waste to be Discharged including the waste manifest must be properly entered into the log-in Hauler's panel or may result in suspension or revocation of a Facility Access Permit.

e) The solid to Liquid Waste content shall not contain any solid rocks or debris larger than 38mm in diameter. Failure to comply with this requirement may lead to Call Out Charges as set out in Section 1, if CRD staff are required to attend the Liquid Waste Receiving Facility, and could result in liability to repair the facility if damage is caused.

f) Should the Liquid Waste Receiving Facility alarm go into effect and the inlet valve close, Haulers must wait until the Liquid Waste Receiving Facility has been reset before continuing to off-load. No Liquid Waste shall be deposited anywhere else on site while waiting for CRD personnel to respond.

g) All hauling vehicles using the site must have connection devices compatible with those of the facility.

h) The Hauler is responsible for connecting and disconnecting hoses from the hauling vehicle to the facility Discharge coupling, and the operation of the equipment associated with the hauling vehicle.

i) The Discharge of Liquid Waste shall be conducted without spillage. Hoses shall not be drained to the ground. In the event that an environmental spill occurs, the Hauler must immediately discontinue discharging and contact the CRD and report the a) date / time; b) volume; c) material spilled.

j) Each vehicle owned by the Hauler that is used for the purpose of waste disposal at the Liquid Waste Receiving Facility must provide sufficient containment of loads to prevent spillage in transit, including spillage from hoses and other appurtenances.

k) Parking for Haulers' or other persons' vehicles on site is permitted only while discharging Liquid Waste.

l) There is a limited supply of water to operate the Liquid Waste Receiving Facility. No person shall use water for washing or servicing their vehicles.

m) The Hauler shall designate on the Trucked Waste Manifest the type of Liquid Waste being Discharged.

n) Users shall observe and comply with all posted speed limit requirements on the road access and on the Liquid Waste Receiving Facility.

o) Hours of Operation:

i. Liquid Waste will only be accepted at the Liquid Waste Receiving Facility during regular hours of operation.

ii. The regular hours of operation at the Liquid Waste Receiving Facility are as follows:

Monday to Friday, excluding statutory holidays	7:30 am to 4:00 pm

iii. During the regular hours of operation, the Liquid Waste Receiving Facility will be open for Haulers to dispose of Liquid Waste. CRD staff will only be available to respond to any issues or alarms during regular hours of operation.

iv. After hours access may be considered under emergency situations.

v. No person shall make use of the Liquid Waste Receiving Facility at any time other than the regular hours and days of operation, unless:

(1) that person is an employee, contractor or agent of the CRD; or

(2) there is an emergency situation, and the person using the Liquid Waste Receiving Facility pays the after hour charges as set out in Section 1.

p) A flow meter is provided and shall be used to measure the volume of each Discharge. The CRD will bill each Hauler based on the total volume of Liquid Waste Discharged.

7. Offences and Penalties:

a) A person who contravenes this bylaw is guilty of an offence and is liable, upon conviction, to a fine not exceeding $10,000.

b) Where an offence is committed, or continues on for more than one day, a person shall be deemed to have committed separate offences for each day on or during which an offence occurs or continues, and separate fines, each not exceeding $10,000, may be imposed for each day on or during which an offence occurs or continues.

Nothing in this bylaw shall limit the CRD from utilizing any other remedy that would otherwise be available to the CRD at law.