

BYLAW NO. 381	
Bylaw name:	Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 5
Participants:	Electoral Area 'C' (Puntledge – Black Creek) and Strathcona Regional District's Electoral Area 'D' (Oyster Bay – Buttle Lake)
Purpose:	A bylaw to amend the amend the Black Creek – Oyster Bay water service regulations, fees and charges bylaw to increase fees and charges effective July 1, 2015
Amends bylaw:	5
Repeals bylaw:	N/A
Staff contact:	M. Rutten, general manager of engineering services

STATUS	
Board approval:	<p>March 24, 2015:</p> <p>“THAT Bylaw No. 5 being the “Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” be amended to reflect the following rates effective July 1, 2015:</p> <ul style="list-style-type: none"> • Residential minimum charge of \$23.00 flat fee per month for up to 24m³ per month; • Residential tier 1 charge of \$1.30/m³ for over 24m³ up to 45m³ per month; • Residential tier 2 charge of \$1.90/m³ for over 45m³ per month; • Commercial minimum charge of \$33.00 flat fee per month for up to 24m³ per month; • Commercial tier 1 charge of \$1.30/m³ for over 24m³ per month up to 45m³ per month; • Commercial tier 2 charge of \$1.90/m³ for over 45m³ per month.” <p>NOTE: additional administrative updates proposed to develop consistency in language among Comox Valley Regional District bylaws.</p>
1st & 2nd readings:	
3rd reading:	
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 381

A bylaw to amend the amend the Black Creek – Oyster Bay water service regulations, fees and charges bylaw to increase fees and charges effective July 1, 2015

WHEREAS the Comox Valley Regional District adopted Bylaw No. 5 being the “Black Creek / Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” on March 25, 2008

AND WHEREAS the board desires to update the bylaw to increase fees and charges effective July 1, 2015 and to conduct an administrative update to reflect consistent language in Comox Valley Regional District bylaws;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

1. Bylaw No. 5 being “Black Creek / Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” is hereby amended by
 - (a) Deleting from section 1 (definitions) the following:
 - “board” means the board of the Comox Valley Regional District.
 - “commercial” means those properties zoned commercial.
 - “disconnection” means the turning off, or complete removal, of a water connection.
 - “duplex” means any building used or designed to be used by two households.
 - “multi family residence” means any building, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied, as the home or residence of three or more families living independently of each other and doing their own cooking within their apartment or suite.
 - “single family residence” means a detached building having independent exterior walls and designed or used exclusively for residential purposes by not more than one person or family.
 - (b) Inserting to section 1 (definitions) the following in alphabetic order:
 - “board” means the board of directors of the Comox Valley Regional District;
 - “commercial” means those properties zoned commercial/industrial in the Comox Valley zoning bylaw;
 - “disconnection” means the complete removal of a water connection from the water main;
 - “dwelling unit” means a self-contained residential unit consisting of one or more habitable rooms designed, occupied or intended for occupancy as a separate household of only one person or family with a separate entrance and sleeping, sanitary and cooking facilities, with not more than one kitchen room;
 - “multifamily” means a building, or series of buildings, containing two or more separate dwelling units used or intended for residential use on a single property, excluding a secondary suite;

"residential" means a single family residential dwelling zoned residential OR rural/resource in the Comox Valley zoning bylaw, which may include a secondary suite;

"secondary suite" means a dwelling unit of less than 90 m² or 40% of the habitable floor space of the main dwelling unit, whichever is less, which is located within a single family residential building, which is self-contained and accessory to the principal use being made of the lot upon which the secondary suite is located, with a separate entrance and exit;

"single family residential dwelling" means a detached free-standing building or mobile home containing one dwelling unit used or intended for residential use;

"turn on / turn off" means the operation of the curb stop valve(s) by the regional district at the water service connection;

- (c) Inserting a new section 4 (applications to disconnect) as follows and renumbering subsequent sections as required:

"Applications for a water service disconnection from the water main shall be accompanied by the proper fee as specified in schedule 'B' of this bylaw."

- (d) Replacing section 6(3) and (4) (access to meters), which reads:

"(3) Failure to provide access may result in extra charges as specified in schedule 'B' of this bylaw.

(4) If access is not provided, fees and charges may be determined as per schedule 'B', section 2(c). Further a letter will accompany the billing indicating a date by which access must be provided. If access is not provided, extra charges may apply."

with the following:

"(3) If access is not provided, fees and charges may be determined as per schedule 'B' of this bylaw. Further, a letter will accompany the billing indicating a date by which access must be provided."

- (e) Replacing section 7 (maintenance of meters), which reads:

"The owner/agent or occupier of the premises to whom water is supplied shall;

(a) Keep the service pipes, stop cocks, fixtures and fittings on their premises in good order and repair, and protect them from frost at their own risk and expense; and

(b) Turn off the stop cock when the premise is vacated."

with the following:

"The owner/agent or occupier of the premises to whom water is supplied shall keep the service pipes, curb stop, fixtures, and fittings on their premises in good order and repair, and protect them from frost at their own risk and expense."

- (f) Deleting section 8(3), which reads:

"Water service disconnected under this bylaw shall not be reconnected unless the following has been paid to the regional district:

(a) The fees and charges that are overdue; and

(b) The sum of \$25.00 to cover the cost of turning the water on."

- (g) Replacing the heading for section 13 from "summary conviction" to "penalty".

(h) Replacing section 1(a) of schedule ‘B’, which reads:

“All residential/commercial metered accounts are subject to a monthly minimum charge. The charge for the quantity of water used each month shall be calculated at the following rate (effective April 1, 2012).

Water volume	Rate
1.0 m ³ to 24 m ³	\$18.00 per month minimum rate
24.1 m ³ to 30 m ³	\$1.08 per m ³
30.1 m ³ to 1136 m ³	\$1.62 per m ³
1136.1 m ³ to 1500 m ³	\$2.16 per m ³
1500.1 m ³ and over	\$3.24 per m ³ ”

with the following:

“All metered accounts are subject to a monthly minimum charge. The charge for the quantity of water used each month shall be calculated at the following rate (effective July 1, 2015).

Charge	Water volume	Rate
Residential minimum	Up to 24 m ³	\$23.00 per month minimum rate
Residential tier 1	Over 24 m ³ and up to 45 m ³	\$1.30 per m ³
Residential tier 2	Over 45 m ³	\$1.90 per m ³
Commercial minimum	Up to 24 m ³	\$33 per month minimum rate
Commercial tier 1	Over 24 m ³ and up to 45 m ³	\$1.30 per m ³
Commercial tier 2	Over 45 m ³	\$1.90 per m ³

(i) Replacing section 3 (connection charges) of schedule ‘B’, which reads:

“Connection charges

3. The following charges apply to service connections:

- (a) 19 mm connection - \$1000.00;
- (b) 25 mm and greater – At cost (minimum \$1000.00); and
- (c) Reconnection of any water service disconnected pursuant to the bylaw - \$25.00.”

with the following:

“Connection and disconnection charges

3. (1) The following charges apply to service connections:

- (a) 19 mm connection - \$1000.00;
- (b) 25 mm and greater – At cost (minimum \$1000.00).

(2) The following charges apply to service disconnections:

- (a) 19 mm disconnection - \$1000.00;
- (b) 25 mm and greater – At cost (minimum \$1000.00).”

(j) Inserting a new section 4 (turn on / turn off charges) to schedule 'B' as follows:

"Turn on / turn off charges

4. The following charges apply to turning on OR turning off water supply at the service connection and do not preclude payment of the minimum charge in Schedule B

- (a) Turn on - \$25.00;
- (b) Turn off - \$25.00."

Effective date

2. This bylaw comes into effect on July 1, 2015.

Citation

This Bylaw No. 381 may be cited as "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 5".

Read a first and second time this	day of	2015.
Read a third time this	day of	2015.
Adopted this	day of	2015.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 381 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 5" as adopted by the board of the Comox Valley Regional District on the _____ day of _____ 2015.

Corporate Legislative Officer