

## DISTRICT OF LAKE COUNTRY

### BYLAW 1188, 2022

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#### A BYLAW TO ESTABLISH UTILITIES CONNECTION CHARGES

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The Council of the District of Lake Country, in open meeting assembled, enacts as follows:

##### 1. INTERPRETATION

- 1.1. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time and any Bylaw referred to herein is a reference to an enactment of the Council of the District of Lake Country, as amended, revised, consolidated or replaced from time to time.
- 1.2. Unless otherwise defined in this bylaw, a word or expression used in this bylaw has the meaning assigned to it in the Local Government Act, Interpretation Act, Community Charter, Transportation Act or Land Title Act or any of successor legislation.
- 1.3. The headings contained in this bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this bylaw.
- 1.4. Schedule A through B is attached to and form part of this bylaw and is enforceable in the same manner as this bylaw.

##### 2. PURPOSE

- 2.1. The purpose of this bylaw is to impose charges in respect of the installation by the District, or its agent, for that purpose of water or sewer service, to permit the owners of real property in the area to which the bylaw applies to connect to and use the services of the District.

##### 3. DEFINITIONS

In this bylaw:

**“Customer”** means the type of classification as determined by the **Director**, and includes any person who is:

- (a) the owner or owner’s agent, of any parcel to which a **Service Connection** is supplied from the **District**;
- (b) any person who is the occupier of any such parcel identified in (a) above in this definition; or
- (c) any person who is a user of a **Service Connection** to any parcel or by any service from the **District**.

**“Connection Area”** means a specific area of properties benefiting from prior infrastructure works undertaken by the **District**.

**“Connection Charge”** means a fee charged at the time of connection in an effort to recuperate cost expended by the **District** in construction of infrastructure.

**“Director”** means the **District’s** director responsible for the **Water System or Sanitary Sewer System** and related infrastructure, or their designate.

**“District”** means the organization of the District of Lake Country or the area within the municipal boundaries of the District of Lake Country, as the context may require.

**“Sanitary Sewer System”** means any sewerage works, facilities, installations and appurtenances thereto owned by the **District**.

**“Service Connection”** means a pipe that connects to the **Sanitary Sewer System** or **Waterworks System**.

**“Single Family Equivalency (SFE)”** means the equivalency unit used to calculate connection charges for buildings, properties of various land use designations or zoning categories, equivalent to a single dwelling unit by means of the table shown in Schedule 1.

**“Waterworks System”** means the entire water system of the **District**, including without limitation, the distribution system and the intake, reservoirs, and any water treatment facilities.

#### 4. APPLICATION

- 4.1. A **Customer** must make an application to the **District** to connect to the **Waterworks System** or **Sanitary Sewer System** and pay all related fees prior to connection.

#### 5. CONNECTION CHARGE

- 5.1. All **Customers** of real property located within a **Connection Area** identified in the Schedules attached hereto, shall pay, in addition to fees set out in other **District** bylaws, the associated **Connection Charge** identified for that **Connection Area** for each parcel to be serviced.
- 5.2. Where, prior to connecting to **District** services, a parcel is subdivided or developed in a **Connection Area**, a **SFE** will be calculated as per the **Single Family Equivalency** Calculation shown in the Schedules attached hereto, and each calculated **SFE** will be subject to one (1) **Connection Charge**.

#### 6. TERMS OF CONNECTION

- 6.1. All **Service Connections** must be completed in accordance with the **District’s** Water Regulation and Rates Bylaw, Sanitary Sewer Regulation and Rates Bylaw, and Subdivision and Development Servicing Bylaw, and amendments thereto, or as otherwise approved by the **Director** in writing. In the case of any conflict in such requirements, the **Director** shall determine which requirements are applicable.
- 6.2. A **Customer** located within the **Connection Areas** as shown in the Schedules attached hereto, shall not connect unless written approval from both the **District’s** Building Inspector and the **Director** is first received in writing and all applicable fees are paid in full.

#### 7. PENALTIES

- 7.1. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 7.2. Any person who violates a provision of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) plus the cost of prosecution.
- 7.3. Each day that the violation continues to exist shall constitute a separate offence.

**8. SEVERABILITY**

- 8.1. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

**9. EFFECTIVE DATE**

- 9.1. This bylaw shall come into full force and effect on the date of adoption.

**10. CITATION**

- 10.1. This bylaw may cited as "Connection Fee Bylaw 1188"

READ A FIRST TIME this 6 day of September, 2022.

READ A SECOND TIME this 6 day of September, 2022.

READ A THIRD TIME this 6 day of September, 2022.

ADOPTED this this \_\_\_\_ day of \_\_\_\_\_, YEAR.

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Mayor

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Corporate Officer

**Schedule A****Single Family Equivalency Calculation**

**Single Family Equivalency's** (SFE) are calculated for a building or parcel. Any building or land resulting in less than one SFE will be rounded up to one SFE. Calculations that result in greater than one SFE will be calculated to two decimal points, using standard algebraic rounding.

Category	SFE
Residential <sup>1</sup>	1.0
Multifamily Residential	0.65 per unit
Commercial, Industrial, Public and Institutional	1 SFE per 297.63m <sup>2</sup> of floor area.

1- Equivalent to one single family lot parcel, including a registered secondary or accessory suite.

## Schedule B

1. Properties identified on the map below outlined in dark blue and shaded in light blue shall be considered part of the **Connection Area** – Bottom Wood Lake Road and Beaver Lake Road.
2. Properties identified to be within the **Connection Area** shall be responsible for paying a Sewer **Connection Charge** of Thirty Thousand Eight Hundred Fifty-Four dollars (\$30,854) per parcel or calculated **Single Family Equivalency**.
3. The **Connection Area** – Bottom Wood Lake Road and Beaver Lake Road and the associated **Connection Charge** shall expire effective December 31, 2042.

