



## TOWN OF LAKE COWICHAN

### Regular Meeting of Council

*Tuesday, November 27<sup>th</sup>, 2018 at 6:00 p.m. – Council Chambers*

<b>1. <u>AGENDA</u></b>	
<b>1. <u>CALL TO ORDER</u></b>	<b>Page #</b>
<b><u>INTRODUCTION OF LATE ITEMS</u></b> (if applicable)	
<b>2. <u>APPROVAL OF AGENDA</u></b>	
<b>3. <u>ADOPTION OF MINUTES</u></b>	
(a) Minutes of the Regular Meeting of Council held on October 23 <sup>rd</sup> , 2018.	<b>3</b>
(b) Minutes of the Inaugural Meeting of Council held November 6 <sup>th</sup> , 2018.	<b>8</b>
<b>4. <u>BUSINESS ARISING AND UNFINISHED BUSINESS</u></b>	
None.	
<b>5. <u>DELEGATIONS AND REPRESENTATIONS</u></b>	
(a) Bob Day, CLECS re: Introduction of Members.	
(b) Gilbert Beaudry re: Business Plan for 87 and 89 South Shore Road.	
<b>6. <u>VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA</u></b> – (maximum 3 minutes per speaker and maximum time allotted 15 minutes)	
<b>7. <u>CORRESPONDENCE</u></b>	
(a) <b>Action Items</b>	
(i) Linda Blatchford, Manager, CVRD re: Application for Community Child Care Planning.(See Staff Report (iv)).	<b>11</b>
(b) <b>Information or Consent Items-</b> (a member may ask that an item be dealt with separately)	
(i) Natasha Horsman, District of North Cowichan re: Public Engagement Training.	<b>12</b>
<b>8. <u>REPORTS</u></b>	
(a) <b><u>Council and Committee Reports</u></b>	
(i) Finance & Administration	Councillor McGonigle
• October 13th, 2018.	<b>13</b>
(ii) Public Works & Environmental Services	Councillor Vomacka
• No Meeting.	
(iii) Parks, Recreation & Culture	Councillor Austin
• No Meeting.	
(v) Cowichan Lake Recreation Commission	
(vi) V.I.R.L.	Councillor Vomacka
(vii) Advisory Planning Commission	Councillor McGonigle

(b) **Other Reports**

- (i) Cowichan Valley Regional District Board Meeting – Councillor McGonigle.
- (ii) Community Outreach Team Committee - Councillor Austin.
- (iii) Vancouver Island Economic - Councillor Austin.

(c) **Staff Reports**

- (i) CAO re: Application for a Development Permit for 267 North Shore Road, Lot 14, Section 5 Renfrew District Plan 50930.
- (ii) CAO re: Community Resiliency Investment (CRI) program.
- (iii) CAO re: Evacuation Route Planning Grant Application.
- (iv) CAO re: Community Child Care Planning Resolution.

**15****17****19****20****9. BYLAWS**

- (a) "Town of Lake Cowichan Inter Community Business Licence Bylaw No. 1012-2018" be reconsidered and adopted.
- (b) "Town of Lake Cowichan Water Regulations and Rates Bylaw No. 1013-2018" be reconsidered and adopted.
- (c) "Town of Lake Cowichan Sewer Regulations and Rates Bylaw No. 1014-2018" be reconsidered and adopted.
- (d) "Town of Lake Cowichan Waste Regulations and Rates Bylaw No. 1015-2018" be reconsidered and adopted.
- (e) "Town of Lake Cowichan Zoning Amendment Bylaw No. 1016-2018" be given first and second readings.

**21****27****38****47****57****10. NEW BUSINESS**

- (a) FCM Conference Attendance Approvals for 2019-2022.

**59****11. MAYOR'S REPORT****12. NOTICES OF MOTION**

- 13. QUESTION PERIOD** (maximum 3 minutes per speaker and maximum time allotted 15 minutes)  
**- Limited to items on the agenda**

**14. 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) (f) law enforcement affecting the municipality.

**15. ADJOURNMENT**



## TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council  
Tuesday, October 23rd, 2018

**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  
Jill Walters, Recording Secretary

**PUBLIC:** 16

**1. CALL TO ORDER**

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

**2. AGENDA**

No. R.00134/18

Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that the agenda be approved as amended with the following additions under:

**Business Arising**

(a) Economic Alliance Summit; and

**Staff Reports**

(b) Property Insurance Renewal.

CARRIED.

**3. ADOPTION OF MINUTES**

No. R.00135/18

(a) Moved: Councillor Vomacka  
Seconded: Councillor Austin  
that the minutes of the Regular Meeting of Council held on September 25th, 2018 be adopted.

CARRIED.

No. R.00136/18

Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the minutes of the Special Meeting of Council held on October 9th, 2018 be adopted.

CARRIED.

**4. BUSINESS ARISING AND UNFINISHED BUSINESS**

No. R.00137/18

(a) Moved: Councillor McGonigle  
Seconded: Councillor Day  
that Councillor Austin and Councillor Vomacka be delegated to attend the Vancouver Island Economic Summit.

CARRIED.

**5. DELEGATIONS AND REPRESENTATIONS**

None.

**6. CORRESPONDENCE**

**(a) Action Items**

No. R.00138/18

(i) Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that the Town of Lake Cowichan consent to the adoption of

"CVRD Bylaw No. 4237-Transit Service Amendment Bylaw, 2018".

CARRIED.

**(b) Information or Consent Items**

**(i)** The letter from the Ministry of Attorney General re: Retail sale of non-medical cannabis was treated as information.

**(ii)** The letter of thanks from Hon. Claire Trevana, Minister of Transportation and Infrastructure re: UBCM meeting was treated as information.

**7. REPORTS**

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

No. R.00139/18  
Finance and  
Administration

**(i)** Moved: Councillor McGonigle  
Seconded: Councillor  
that the minutes of the Finance and Administration Committee meeting held on October 9th, 2018 be approved with the following:

1-Water, Sewer, Garbage Rate Increase

that rate increases of a minimum of 3% for water and sewer charges and 2% for garbage fees be recommended for each of 2019 and 2020;

2-Meade Creek Recycling Centre Site Access and Storage.

that execution of a Memorandum of Understanding between Cowichan Valley Regional District and The Town of Lake Cowichan regarding Meade Creek Recycling Centre Site Access and Storage be approved; and

3-75<sup>th</sup> Birthday Celebration

that approval of a \$2000.00 grant be made to the 75<sup>th</sup> Birthday Celebration to the of the new "not for profit" society tasked with the celebration of the event.

CARRIED.

No. R.00140/18  
Public Works and  
Environmental  
Services

**(ii)** Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that the minutes of the Public Works and Environmental Committee meeting held on October 2nd, 2018, be approved as presented.

CARRIED.

No. R.00141/18  
Parks, Recreation  
and Culture

**(iii)** Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the minutes of the Parks, Recreation and Culture Committee meeting held on October 2nd, 2018 be approved as presented.

CARRIED.

No. R.00142/18  
Economic and  
Sustainable  
Development

**(iv)** Moved: Councillor Day  
Seconded: Councillor Vomacka  
that the minutes of the Economic and Sustainable Development Committee meeting held on October 9th, 2018 be approved as presented.

CARRIED.

Cowichan Lake  
Recreation

**(v)** No report was available for the Cowichan Lake Recreation Commission. The next meeting is being held October 25<sup>th</sup>, 2018.

- |   |                          |  |
|---|--------------------------|--|
| Vancouver Island Regional Library       | <b>(vi)</b>              | No report was available for the Vancouver Island Regional Library.   |
| Advisory Planning Commission            | <b>(vii)</b>             | No report was available for the Advisory Planning Commission. The next meeting is being held October 25 <sup>th</sup> , 2018.  |
| Community Forest Co-op                  | <b>(viii)</b>            | Councillor McGonigle reported that the final report on the transition has been prepared following the two workshops. Logging plans which have been submitted have been approved. The profits will be shared equally between the Pacheedaht First Nation and the Community Forest Co-op.  |
| Cowichan Valley Regional District Board | <b>(b)</b><br><b>(i)</b> | <b><u>Other Reports</u></b><br>Councillor Day and Councillor McGonigle were both unable to attend the last CVRD meeting. Councillor Day reported on the inclusion of Ladysmith in the Commuter Transit Service.  |
| Community Outreach Team                 | <b>(ii)</b>              | Councillor Austin presented the following highlights from the meeting of the Community Outreach Team: <ul style="list-style-type: none"> <li>• The Cowichan Lake Resource Directory has been updated;</li> <li>• Team Daily Dose transports addicts to their appointments;</li> <li>• Chemainus has a new urgent care unit;</li> <li>• There is a new Community Kitchen in Lake Cowichan;</li> <li>• Flu shots at Kaatza Health Unit are for children and families only;</li> <li>• Lake Cowichan School will have a full time counselor twice a week;</li> <li>• Establishment of a Youth and Senior's read together program; and</li> <li>• The next meeting is on Thursday November 15<sup>th</sup>, 2018.</li> </ul> |
| No. R.00143/18                          | <b>(c)</b>               | <b><u>Staff Reports</u></b><br>Moved: Councillor McGonigle<br>Seconded: Councillor Vomacka<br>that Council approve the renewal of property insurance with Aon Reed Stenhouse in the amount of \$41,924<br><div style="text-align: right;">CARRIED.</div>   |
| No. R.0144/18                           | <b>8.</b><br><b>(a)</b>  | <b><u>BYLAWS</u></b><br>Moved: Councillor McGonigle<br>Seconded: Councillor Austin<br>that "Town of Lake Cowichan Bylaw to Amend Subdivision, Works and Services Bylaw No. 974-2016 Bylaw No. 1009-2018" be reconsidered and adopted.<br><div style="text-align: right;">CARRIED.</div>  |
| No. R.0145/18                           | <b>(b)</b>               | Moved: Councillor Austin<br>Seconded: Councillor McGonigle<br>that "Town of Lake Cowichan Council Remuneration and Expenses Bylaw No. 1010-2018" be reconsidered and adopted.<br><div style="text-align: right;">CARRIED.</div>  |

- No. R.00146/18      **(c)**      Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that the "Town of Lake Cowichan Permissive Exemption from  
Taxation for the Royal Canadian Legion Lake Cowichan Branch  
210 Bylaw No. 1011-2018" be reconsidered and adopted.  
CARRIED.
- No. R.00147/18      **(d)**      Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the "Town of Lake Cowichan Inter Community Business  
Licence Bylaw No. 1012-2018" be given first, second and third  
readings.  
CARRIED.
- No. R.00148/18      **(e)**      Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the "Town of Lake Cowichan Water Regulations and Rates  
Bylaw No. 1013-2018" be given first, second and third readings.  
CARRIED.
- No. R.00149/18      **(f)**      Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the "Town of Lake Cowichan Sewer Regulations and Rates  
Bylaw No. 1014-2018" be given first, second and third readings.  
CARRIED.
- No. R.00150/18      **(g)**      Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the "Town of Lake Cowichan Waste Regulations and Rates  
Bylaw No. 1015-2018" be given first, second and third readings.  
CARRIED.

**9.      NEW BUSINESS**

None.

**10.     MAYOR'S REPORT**

The Mayor presented his report for October 2018 with the following highlights:

- Congratulations extended to Mayor-elect Rod Peters and the new council consisting of Carolyne Austin, Tim McGonigle, Kristine Sandhu and Lorna Vomacka;
- Appreciation of thanks to our dedicated staff and employees;
- Thank you to his family for their support over the years; and
- His thanks to the citizens of the Town.

**11.     NOTICES OF MOTION**

**12.     QUESTION PERIOD**

**13.     IN CAMERA**

- No. R.00151/18      Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
(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) labor relations or other employee relations (6:45pm).

**14. ADJOURNMENT**

Adjourned  
No. R.00152/18

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that we arise and adjourn (7:20 p.m.), without report.

CARRIED.

Certified correct \_\_\_\_\_.

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

## **TOWN OF LAKE COWICHAN**

Minutes of the Inaugural Meeting of Council held at the Upper Centennial Hall, 309 South Shore Road on Tuesday, November 6th, 2018



**PRESENT:** Mayor Rod Peters  
Councillor Carolyne Austin  
Councillor Kristine Sandhu  
Councillor Tim McGonigle  
Councillor Lorna Vomacka

**STAFF:** Joseph A. Fernandez, Chief Administrative Officer  
Ronnie Gill, Director of Finance  
Jill Walters, Recording Secretary

**PUBLIC:** 60

### **1. INAUGURATION CEREMONY**

Patricia Foster, Master of Ceremonies, asked the public to rise at 6:00 p.m.

The piper, Dr. Peter Leckie followed by Judge MacCarthy, Mayor-elect Rod Peters, Councillors-elect Carolyne Austin, Tim McGonigle, Kristine Sandhu and Lorna Vomacka entered the Multi-Purpose room just after 6 pm.

Mrs. Foster called upon "The 4 Tenors" to sing the national anthem. She next called on Chief Georgina Livingston and Aaron Hamilton of the Lake Cowichan First Nations to welcome and offer their congratulations to the new Mayor and Council. She next called on Pastor Terry Hale to perform the invocation.

### **2. OATHS OF OFFICE**

The Master of Ceremonies introduced His Honor Judge MacCarthy and then called on him to administer the Oaths of Office to the incoming members of council.

Judge MacCarthy first administered the Oath of Office and the Code of Ethics to Mayor-elect Rod Peters. He then administered the Oaths of Office and the Code of Ethics to each of Councillor-elect Carolyne Austin, Councillor-elect Tim McGonigle, Councillor-elect Kristine Sandhu and Councilor-elect Lorna Vomacka.

Judge MacCarthy was given an opportunity to issue charges to the newly elected members of council. His Honor congratulated all of the new members of council and wished them well.

In Mrs. Foster's closing words, she stated that it was a great honor and privilege for the new elected members of Council to serve the residents of Lake Cowichan. She also stated that any criticism of them is not to be taken personally. She stated it was a pleasure and privilege to be part of the proceedings and wished the Council the very best in their term of office.

The Swearing in Ceremony was adjourned at 6:32 p.m.

The new council then took a short recess.

### **3. MAYOR'S ADDRESS**

Mayor Peters stated that as he is semi-retired, he is able to commit to the time required of the Mayor's position. He also asked the



public be patient with him as he adapts to his new position. He also stated that he could not have asked for a better Council and he looked forward to working with them.

#### 4. CALL TO ORDER

His Worship Mayor Rod Peters called the first meeting of the new Council to order. He requested the public be seated. The meeting was called to order at 6:43 p.m.

#### 5. APPOINTMENTS

Mayor made the following appointments to Committees:

Finance & Administration Chair	Councillor McGonigle
Finance & Administration Vice-Chair	Councillor Sandhu
Parks, Recreation & Culture Chair	Councillor Austin
Parks, Recreation & Culture Vice-Chair	Councillor Sandhu
Public Works & Environmental Services Chair	Councillor Vomacka
Public Works & Environmental Services Vice-Chair	Councillor Austin

No R.00153/18  
Deputy Mayor

Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that the following Deputy Mayor appointment be approved:

Deputy Mayor Nov 2018 – Oct 2019 Councillor McGonigle  
CARRIED.

#### 6. REQUIRED RESOLUTIONS

No R.00154/18  
CVRD Director

Moved: Councillor Sandhu  
Seconded: Councillor Austin  
that Councillor McGonigle be appointed as the Town's Director on the Cowichan Valley Regional District Board.

CARRIED.

No R.00155/18  
CVRD Alternate Director

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that Councillor Sandhu be appointed as the Town's alternate Director on the Cowichan Valley Regional District Board.

CARRIED.

No R.00156/18  
VIRL Board Appointment

Moved: Councillor Austin  
Seconded: Councillor McGonigle  
that Councillor Vomacka be appointed as the Town's representative on the Vancouver Island Regional Library Board.

CARRIED.

No R.00157/18  
VIRL Alternate Board Appointment

Moved: Councillor McGonigle  
Seconded: Councillor Sandhu  
that Councillor Austin be appointed as the Town's alternate representative on the Vancouver Island Regional Library Board.

CARRIED.

No.R.00158/18  
Board of Variance

Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that Council confirm the appointment of Rolli Gunderson, Barbara Olson and Deena McPhee as members of the Board of Variance.  
CARRIED.

No R.00159/18  
Spending Authority

Moved: Councillor McGonigle  
Seconded: Councillor Sandhu  
that until the adoption of the 2019 budget, expenditures for 2019 will be as per the 5-Year Financial Plan adopted in 2018;  
and that capital expenditures for 2019 prior to the adoption of the budget for the year shall only be incurred by prior Council approval.  
CARRIED.

No R.00160/18  
Signing Authority  
for Town

Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that subject to compliance with applicable requirements of the Community Charter, the Local Government Act or any other enactment, all agreements or other documents which the Town has the authority to make or enter into shall be deemed to be properly executed if they are signed by the Mayor and the Chief Administrative Officer.  
CARRIED.

No R.00161/18  
Banking and  
Cheque Signing  
Authority for Town

Moved: Councillor Vomacka  
Seconded: Councillor Sandhu  
that any two of the following: one of the Mayor or Chair of the Finance and Administration Committee AND one of the Chief Administrative Officer or the Director of Finance be authorized to be the bank signatories for the Town.  
CARRIED.

No R.00162/18  
MFA Signing  
Authority

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that any two of the Mayor, the Chair of the Finance and Administration Committee and the Chief Administrative Officer be authorized to sign documents relating to Municipal Finance Authority.  
CARRIED.

## **7. ADJOURNMENT**

No R.00163/18  
Adjournment

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that this meeting be adjourned (6:50 p.m.).  
CARRIED.

Certified correct \_\_\_\_\_

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor



175 Ingram Street  
Duncan, BC V9L 1N8  
[www.cvrld.bc.ca](http://www.cvrld.bc.ca)

Office: 250.746.2500  
Fax: 250.746.2513  
Toll Free: 1.800.665.3955

Council Members,  
Town of Lake Cowichan  
39 South Shore Rd,  
Lake Cowichan, BC,  
V0R 2G0

November 5, 2018

Dear Mayor and Town Council Members:

At the meeting of October 10, 2018, the Board requested that an application be submitted to the UBCM Community Child Care Planning and Community Child Care Space Creation Programs, and the Childcare BC New Spaces Fund, to undertake a childcare needs assessment within the Cowichan Region. Further to this, the Board requested that member municipalities be approached to consider a partnered application with the CVRD.

To submit on your behalf, we would need a copy of a Town Council resolution indicating that you are in favour of collaborating to apply for the \$25,000 per local government that is available for a region wide childcare space creation action plan. With five local governments in the region, this would give a total amount of \$125,000 for this project.

For additional information, please refer to the attached Childcare BC document.

Sincerely,

Linda Blatchford  
Manager,  
Cowichan Lake Recreation  
PO Box 777  
Lake Cowichan, BC,  
V0R 2G0  
250-749-6742  
[lblatchford@cvrd.bc.ca](mailto:lblatchford@cvrd.bc.ca)

cc: John Elzinga, General Manager,  
Community Services Department, CVRD

## Joseph Fernandez

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**From:** Natasha Horsman <natasha.horsman@northcowichan.ca>  
**Sent:** November 15, 2018 9:05 AM  
**To:** 'kschumacher@cprd.bc.ca'; 'Joanna Winter (jwinter@ladysmith.ca)'; Joseph Fernandez; 'Paige MacWilliam <Paige@duncan.ca> (Paige@duncan.ca)'; peter@duncan.ca; 'gferrero@ladysmith.ca'  
**Cc:** Tammy Isaachsen  
**Subject:** Public Engagement Training - February 2019?  
**Importance:** High

Good morning everyone,

I am finding increasingly that public engagement is important to our Council. I am also finding that we have limited training and capacity at the staff level to deliver public engagement.

I will be booking a trainer to come to the Cowichan Valley in **late February** to provide half-day decision-maker's training and full-day staff training using the framework provided by the International Association for Public Participation (IAP2). IAP2 is an international association that is a leader in public participation and has developed various tools to assist in designing and delivering engagement activities. The training will roughly cover:

- What is Public Participation?
- Who is the "Public"?
- IAP2's Public Participation Spectrum
- Why or Why Not Engage the Public?
- Critical Components and Considerations for Effective Public Participation
- The Decision Maker's Role and Commitment
- Overview of the IAP2 planning process (five steps)
- Using impact analysis to identify stakeholders and create a dialogue framework
- Engagement as a risk-management tool

The cost per person will depend on how many individuals participate, but is expected to be between **\$250-350/person**. This is very economical.

The CVRD has already confirmed that they will participate and send both staff and elected officials. **I am writing to invite Ladysmith, Lake Cowichan, and Duncan to participate in this training, and ask that you please confirm by Wednesday, November 21 whether your organizations would like to participate and if so, approximately how many elected officials and staff you would like to send.** Rough numbers are important, as each training session can accommodate about 24 people. Our numbers will dictate how many sessions we need to do.

As a point of reference, North Cowichan will be sending all 7 elected officials and around 40 staff. I am focusing on staff that deliver public-facing products, such as our Engineering staff, Parks staff, Planning staff, and even some Finance staff.

Thanks, and I look forward to hearing from you!



**TOWN OF LAKE COWICHAN**  
Minutes of Finance & Administration Committee  
*Tuesday, November 13th, 2018*

**PRESENT:** Councillor Tim McGonigle  
Mayor Rod Peters  
Councillor Carolyne Austin  
Councillor Kristine Sandhu  
Councillor Vomacka

**STAFF:** Joseph A. Fernandez, Chief Administrative Officer  
Ronnie Gill, Director of Finance  
Jill Walters, Recording Secretary

**PUBLIC:** 9

- No. FA.0068/18
1. **CALL TO ORDER**  
The Chair called the meeting to order at 5:01 p.m.
  2. **AGENDA**  
Moved: Councillor Vomacka  
Seconded: Mayor Peters  
that the agenda be approved as presented.  

CARRIED.
  3. **BUSINESS ARISING AND UNFINISHED BUSINESS**  
**Ongoing Items Still Being Addressed:**
    - (a) See Staff Report 6(e).
  4. **DELEGATIONS AND REPRESENTATIONS**
    - (a) Loretta Puckrin of the 75<sup>th</sup> and Beyond Society presented documentation of Society status and a budget for 2018/2019. She requested that the Town provide them with the \$2000.00 grant in aid.
  5. **CORRESPONDENCE**
    - (a) Darryl Slater, Water Manager, Catalyst re: Town of Lake Cowichan's objection to Catalyst Paper's application for a 10 year water license was treated as information.
    - (b) The Correspondence item for Don Beldessl, Cowichan Lake Elder Care Society re: Property adjacent to the Library is to be referred to the next council meeting.
  6. **REPORTS**
    - (a) The Financial Report for the period ending October 31<sup>st</sup>, 2018 was treated as information.
    - (b) The Building Inspector's Service Report for October, 2018 was treated as information.
    - (c) Motioned: Councillor Sandhu
    - (i) Seconded: Mayor Peters  
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for September, 2018 in the total amount of \$10,058.08.  

CARRIED.
    - (ii) Motioned: Councillor Austin  
Seconded: Mayor Peters  
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for October, 2018 in the total amount of \$6,798.05.  

CARRIED.

- (d) The Bylaw Officers report for the months of September, 2018 and October, 2018 was treated as information.
- (e) The Chief Administrative Officer's report on the municipal hall recommended that the Committee carefully review its options regarding the Municipal Hall renovations before making its choice taking into consideration the following: the best location for the municipal hall; how best to manage its fire alarm system; avoid increasing our assets that provide no returns; and that any decision not be made on a whim.

**7. NEW BUSINESS**

None.

**8. NOTICES OF MOTION**

- (a) Motioned: Mayor Peters  
Seconded: Councillor Austin  
that the request from Cowichan Lake Elder Care Society regarding the procurement of the property identified as Plan VIP 73709 be discussed at a council meeting.

CARRIED.

- (b) The Business Walkabout report will be discussed at the Finance and Administration meeting of December 11<sup>th</sup>, 2018.

**9. PUBLIC RELATIONS ITEMS**

None.

**10. MEDIA/PUBLIC QUESTION PERIOD**

**11. ADJOURNMENT**

No. FA.0069/18  
Adjournment

Moved: Councillor Vomacka  
Seconded: Councillor Austin  
that we adjourn (5:35p.m.).

CARRIED.

Certified correct \_\_\_\_\_ .

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Chair

# Staff Report



Date: October 25, 2018  
To: Mayor and Council  
From: Chief Administrative Officer  
Re: Application for a Development Permit for 267 North Shore Road, Lot 14,  
Section 5 Renfrew District Plan 50930

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## APPLICATION

The applicant requests a Development Permit to support the construction of a single-family residence.

## BACKGROUND

The subject property is zoned **R-1 Urban Residential** and is currently undeveloped. The character of the adjacent properties is single family residential.

## RELEVANT TOWN BYLAWS

### Official Community Plan .Development Permit Areas

The proposal is subject to Natural Hazard Lands DPA 2 guidelines.

Relevant guidelines are cited below, with a brief comment on the extent to which the proposal satisfies the guideline.

### ***Guidelines for Natural Hazard Lands DPA 2***

#### ***17.5.4.3***

##### Steep slopes

a) Significant excavation or filling to accommodate buildings or structures or to alter existing slopes shall not be undertaken, nor shall any building or structure be erected, constructed or placed in areas subject to bank instability or potential damage from bank instability. To avoid areas subject to unstable slopes, buildings and structures shall be sited in accordance with building setbacks and other requirements as determined by a geotechnical engineer registered as a Professional Engineer in British Columbia.

b) All lands shown on Map 4 Natural Hazard Lands Development permit Area (DPA 2) with slopes of greater than 10% shall be subject to slope stability studies to determine where hazardous conditions exist prior to any development being permitted. These studies shall include but not be limited to identifying

areas of slope equal to or greater than 30%, areas of springs and seepage and organic soils, the 200-year flood plain, and any areas with a high water table, and other studies as required. Reports shall be prepared, signed and sealed by a qualified practising engineer, licensed to practise in British Columbia. If fish habitat areas are potentially affected by proposed development, Council shall require a report prepared by a qualified fish biologist specifying how the proposal will meet all applicable Federal and Provincial regulations.

### ***Comments:***

The site is already subdivided for residential use and the majority of lots in the area are already developed. The applicant notes that retaining walls will not likely be necessary and all grades will be taken up with the design of the residence and associated stairways. In the event that retaining walls be are required to 'take up grade' on the property, an engineered design for walls over 1 metre in height shall be required.

The concern to be addressed with the issuance of a development permit is to ensure long term safety for future residents of the property. This can be accomplished by mitigation of the steep slope risks by appropriate grading or via professionally engineered retaining walls and structures in all proposed locations on the property.

### **RECOMMENDATION**

That the approval of a Development Permit to the owner of Lot 14, Section 5 Renfrew District, Plan 50930 at 267 North Shore Road, with the following conditions:

- 1) Prior to the issuance of a building permit, any retaining walls and structures higher than 1.0 metres in the rear, front, and side yards must be designed by a professional geoscientist or structural engineer to the satisfaction of the town's building inspector and must be located entirely on the parcel.
- 2) A rainwater management plan prepared by a qualified consultant must be submitted as part of the building permit application. The plan must demonstrate that all rainwater and run-off will be managed on-site and will not impact the downstream or adjacent properties.
- 3) Prior to the issuance of a building permit, the driveway access point on North Shore Road and its slope and configuration on a site plan must be approved by the Superintendent of Public Works.

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Joseph A. Fernandez





# Memo

**TO:** Mayor and Council

**SUBJECT:** Community Resiliency Investment (CRI) program

**DATE:** November 23, 2018

**FROM:** Chief Administrative Officer

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## **BACKGROUND**

Council had received approvals in 2017 for two separate applications under the Strategic Wildfire Initiative, one for a grant of \$10,000 for FireSmart Planning and the other a grant of \$22,500 for a Community Wildfire Protection Plan and CWPP Update Program.

The old fire smart programs have been restructured and the new provincial program is now called the Community Resiliency Investment (CRI) program which is also intended to reduce the risk and impact of wildfire to communities in BC through community funding, supports and priority fuel management activities on provincial Crown lands.

Funding is scaled to offer eligible applicants with lower risk of wildfire to apply for up to \$25,000 and applicants with a demonstrated higher risk of wildfire to apply for up to \$100,000 per year.

The application deadline is December 7, 2018.

The BC Wildfire Service has determined that Lake Cowichan has a higher risk of wildfire and recommends an application for the higher grant.

The intent of the funding is to cover among other things, the following:

- ongoing community education and engagement of FireSmart Principles through various public sessions;
- creation of a FireSmart Demonstration Project at Friendship Park;
- installation of permanent public Fire Danger Rating and Public education signs on Highway 18 as well as in the Town;
- appropriate amendments to the Official Community Plan dealing with Development Permit Areas for wildfire hazards and including wildfire prevention considerations that must be taken into account in the design of new subdivisions; and

- FireSmart assessments undertaken on all of the Town of Lake Cowichan's parks, buildings and properties to identify areas in need of mitigation work.

**STAFF RECOMMENDATION**

that council approve the making of a grant application under the Community Resiliency Investment (CRI) program for a minimum of \$100,000;

and that it further provides assurance that it would support all of the proposed activities under the plan and would undertake the overall proper fiscal management of the grant.



\_\_\_\_\_  
Joseph A. Fernandez



# Memo

**TO:** Mayor and Council

**SUBJECT:** Evacuation Route Planning Grant Application

**DATE:** November 23, 2018

**FROM:** Chief Administrative Officer

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## **BACKGROUND**

UBCM has just announced a funding stream of a maximum of \$25,000 for applications to develop evacuation plans. Given public concerns and the recent events elsewhere it is prudent for the Town to put in an application for a grant amount not exceeding \$25,000.

The Evacuation Route Planning funding stream can contribute a maximum of 100% of the cost of eligible activities. The deadline for applications is November 30<sup>th</sup>, 2018!

A completed application will be finalized and submitted once council gives its approval.

All funded activities have to be completed within one year of notification of the funding approval and the final report is due within 30 days of project completion.

The Town can be particularly challenged to successfully undertake an evacuation operation during an emergency given its location.

## **STAFF RECOMMENDATION**

that council approve the submission and support for the proposed evacuation route planning grant under the Community Emergency Preparedness Fund administered by the Union of British Columbia Municipalities for an amount not to exceed \$25,000;

and that it further provides assurance that it would support all of the proposed activities under the plan and would undertake the overall management of the grant.

Joseph A. Fernandez

# Memo

**TO:** Mayor and Council  
**FROM:** Chief Administrative Officer  
**DATE:** November 23, 2018  
**SUBJECT:** Proposed Resolution for Childcare Planning

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The Cowichan Valley Regional District through John Elsinga, General Manager, Community Services and Linda Blatchford, Manager, Cowichan Lake Recreation extended an invitation for me to attend a workshop on a planning session on childcare planning needs. The Ministry of Children and Family Development is providing \$3 million for the Community Child Care Planning Program.

The funding is limited to \$25,000 for each community and it makes sense that we undertake a planning study that is driven at the regional level which then allows the CVRD to access funding of at least \$125,000

To that end, council will have to authorize the CVRD to be the primary applicant for the grant under the Community Child Care Planning Program.

## **REQUIRED RESOLUTION.**

that the Town of Lake Cowichan authorizes the Cowichan Valley Regional District to be the primary applicant to the Community Child Care Planning Program to apply for, receive and manage the grant funding, on its behalf, to create a child care space creation action plan.



Joseph A. Fernandez  
Chief Administrative Officer

## THE TOWN OF LAKE COWICHAN

### BYLAW NO. 1012-2018

#### A BYLAW TO ESTABLISH A SCHEME FOR INTER-COMMUNITY LICENCING AND REGULATING OF TRADES, OCCUPATIONS AND BUSINESSES.

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**WHEREAS** Council may, pursuant to Section 8(6) of the *Community Charter*, regulate in relation to business;

**AND WHEREAS** pursuant to Section 14 of the *Community Charter*, two or more municipalities may, by bylaw adopted by the Council of each participating municipality, establish an inter-community scheme in relation to one or more matters;

**AND WHEREAS** pursuant to Section 15(1) of the *Community Charter*, Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and conditions and who may impose them;

**AND WHEREAS** Council has given notice of its intention to adopt this bylaw by publishing such notice in two consecutive issues of a newspaper, the last publication appearing not less than three (3) and not more than ten (10) days before the hearing and has provided an opportunity for persons who consider they are affected by this bylaw to make representations to Council at a hearing pursuant to Section 59 of the *Community Charter*.

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

#### **1. CITATION**

This bylaw may be cited as "Town of Lake Cowichan Inter-Community Business Licence, Bylaw No. 1012-2018".

#### **2. DEFINITIONS**

In this bylaw, unless the context otherwise requires,

**"BUSINESS"** has the meaning as defined by the *"Community Charter Schedule – Definitions and Rules of Interpretation"*.

**"EXCLUDED BUSINESS"** means a Business excluded from application for an Inter-Community Business Licence and includes those Businesses referred to in *Schedule A* attached hereto and forming part of this bylaw.

**"INTER-COMMUNITY BUSINESS"** means a Business that performs a service or activity within more than one Participating Municipality by moving from client to client rather than having clients come to them. This includes but is not limited to trades, plumbers, electricians, cleaning services, pest control or other similar businesses. This does not include fruit stands, flea markets, trade shows or other similar businesses.

**"INTER-COMMUNITY BUSINESS LICENCE"** means a business licence which authorizes Inter-Community Business to be carried on within the boundaries of any or all of the Participating Municipalities in accordance with this Bylaw and will be in addition to a Municipal Business Licence.



**"MUNICIPAL BUSINESS LICENCE"** means a licence or permit, other than an Inter-Community Business Licence, issued by a Participating Municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality.

**"PARTICIPATING MUNICIPALITY"** means the following local governments that have adopted the Inter-Community Business Licence Bylaw and any other municipalities that adopt this bylaw at a later date:

- City of Campbell River
- City of Courtenay
- City of Duncan
- City of Nanaimo
- City of Parksville
- City of Port Alberni
- District of North Cowichan
- District of Lantzville
- Town of Comox
- Town of Lake Cowichan
- Town of Ladysmith
- Town of Qualicum Beach
- Village of Cumberland
- Corp. of the District of Saanich
- Corp. of the District of Esquimalt

**"PERSON"** has the meaning ascribed to it by the Interpretation Act.

**"PREMISE"** means a fixed or permanent location where the applicant ordinarily carries on Business.

**"PRINCIPAL MUNICIPALITY"** means the Participating Municipality where a Business is physically located, or has a Premise, or, where the licensee does not maintain a Premise in any of the Participating Municipalities, the municipality that issues the Inter-Community Business Licence.

### **3. REGULATIONS**

- (a) Subject to Section (c) and (e), a person who has obtained an Inter-Community Business Licence may carry on business within a Participating Municipality for the term authorized by the Inter-Community Business Licence without obtaining a Municipal Business Licence in the other Participating Municipalities.
- (b) A Participating Municipality may issue an Inter-Community Business Licence to an applicant for an Inter-Community Business Licence provided the business type is an Inter-Community Business and is not an Excluded Business, the applicant has a valid Municipal Business Licence issued by that Participating Municipality, and the applicant meets the requirements of this Bylaw.
- (c) A person holding an Inter-Community Business Licence must comply with all other regulations and bylaws of the Participating Municipality in which they are carrying on business.
- (d) A business that operates under an Inter-Community Business Licence in more than one Participating Municipality shall only apply for an Inter-Community Business Licence from the Participating Municipality in which they maintain a Premise.
- (e) Notwithstanding the issuance of an Inter Municipal Business Licence, every person who carries on, maintains, owns or operates, within a Participating Municipality, any profession, business, trade, occupation, calling, undertaking or thing in or from more than one branch, office,



place, premise or store shall obtain a separate Municipal Business Licence for each branch, office, place, premise or store. And further notwithstanding Sections (b), (c), and (d), the Participating Municipalities agree that where an applicant for an Inter-Community Business Licence:

- i. Does not maintain Premises in any of the Participating Municipalities, then the applicant may apply at any one of them; or
- ii. Maintains a Premise in more than one of the Participating Municipalities, the applicant must apply at one of the Participating Municipalities where they maintain a Premise.

#### **4. FEES**

- (a) The fee for an Inter-Community Business licence is \$150 and shall be paid in full at the time of application and retained by the Participating Municipality that issues the licence.
- (b) The fee for an Inter-Community Business licence is separate and additional to any Municipal Business Licence fee that may be required.
- (c) The annual Inter-Community Business Licence fees prescribed in this bylaw may be reduced pro-rate in respect of any person who becomes liable to be licenced AFTER the commencement of the licence period, on the same basis as the municipal business licence.

#### **5. APPLICATION**

- (a) Every Inter-Community Business Licence shall be issued on a standard form provided for that purpose, as agreed upon from time to time by the Participating Municipalities and including, as a minimum, the following information:
  - Disclosing the nature and character of the profession, business, trade, occupation, calling, undertaking or thing to be carried on, maintained, owned or operated by the applicant;
  - Declaring the mailing address and contact information for such profession, business, trade, occupation, calling, undertaking or thing;
  - Declaring the number of persons engaged or occupied in such profession, business, trade, occupation, calling, undertaking or thing;
  - Disclosing the number of distinctive lines of goods sold or offered for sale;
  - Including any other information concerning the profession, business, trade, occupation, calling, undertaking or thing which the Participating Municipality may require.
- (b) Each Participating Municipality shall provide to all other Participating Municipalities standardized information regarding the Inter-Community Business Licences issued, by way of at least weekly updates on a shared database available to all Participating Municipalities.

#### **6. SUSPENSION OR CANCELLATION OF AN INTER-COMMUNITY BUSINESS LICENCE**

- (a) A Council or Designated Officer or Employee of a participating municipality may exercise the authority of the Principal Municipality in accordance with



Sections 15 and 60 of the *Community Charter* to suspend or cancel an Inter-Community Business Licence. The suspension or cancellation shall be in effect throughout all of the Participating Municipalities and it shall be unlawful for the holder to carry on the Business authorized by the Inter-Community Business Licence in any Participating Municipalities for the period of the suspension or cancellation.

- (b) Before suspending or canceling an Inter-Community Business Licence under Section 6(a), the Participating Municipality must give the licence holder notice of the proposed action and must inform the licence holder of their right to be heard.
  - i. If the licence holder wishes to exercise this right, the Participating Municipality shall communicate in writing to the licence holder and Principal Municipality that issued the Inter-Community Business Licence, together with such documentary evidence of the reasons for suspension or cancellation as may be available and the request to be heard. Such Principal Municipality shall then as soon thereafter as reasonably possible provide the Licence Holder an opportunity to address their respective Council who will then consider whether to suspend or cancel the Inter-Community Business Licence.
  - ii. If the licence holder does not exercise their right to be heard, the Participating Municipality may suspend or cancel the Inter-Community Business Licence in accordance with Section 6(a).
- (c) Any conduct by a licence holder resulting in a hearing made under Section 6(b)(i) shall be considered by the Council of the Principal Municipality as though it happened within the jurisdiction of the Principal Municipality.
- (d) A decision by a Principal Municipality or Participating Municipality to cancel or suspend an Inter-Community Business Licence under Section 6 (b) shall be honoured by all Participating Municipalities.
- (e) Nothing in this Bylaw impedes the authority of a Participating Municipality to suspend or cancel any business licence issued by that Municipality, or to enact regulations in respect of any class of Business Licence in accordance with Section 15 of the Community Charter and amendments thereto.

## **7. MISCELLANEOUS**

- (a) A Participating Municipality may, by notice in writing to each of the other Participating Municipalities, withdraw from the Inter-Community Business Licence scheme established by this bylaw.

### **Notice Must:**

- i. Set out the date on which the withdrawing Municipality will no longer recognize the validity within its boundaries of business licences issued pursuant to this Bylaw, which date must be at least six months from the date of the notice; and
- ii. Include a certified copy of the Bylaw authorizing the withdrawal.





- (b) An Inter-Community Business Licence issued prior to the effective date of the withdrawal shall, until it expires, remain valid within the boundaries of the withdrawing Municipality.

**8. SEVERABILITY**

- (a) If any section, paragraph or phrase in this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in full force and effect.

**9. EFFECTIVE DATE**

- (a) This Bylaw shall come into full force and effect on the first day of January 2019.

READ A FIRST TIME on the 9<sup>th</sup> day of October, 2018.

READ A SECOND TIME on the 9<sup>th</sup> day of October, 2018.

READ A THIRD TIME on the 9<sup>th</sup> day of October, 2018.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Rod Peters  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer



## Schedule A

Attached to and forming part of Bylaw No. 1012-2018

The following Business types are Excluded Businesses for the purposes of application for an Inter-Community Business Licence under the Inter Community Business Licence Scheme set out in the bylaw:

- Social escort services
- Vehicles for hire (for example, taxis, limousines, or buses)
- Body-rub services (which includes the manipulating, touching or stimulating by any means, of a Person or part thereof, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities or a therapeutic touch technique)
- Cannabis related businesses (a business which involves the sale of cannabis)



**TOWN OF LAKE COWICHAN  
BYLAW NO. 1013-2018**

**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. 1013-2018".

**2. DEFINITION**

In this bylaw unless the context otherwise requires,

**COMMERCIAL** means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, industrial activities, retail or personal service use or any other Town approved commercial or business activity which results in the land and improvements in whole or part thereof being assessed at industrial or business tax rates for tax purposes;

**CONSUMER** means any person, company or corporation who is the owner or agent for the owner of any premises to which water is supplied or made available from the waterworks and also any person who is the occupier of any such premises, and also includes any person who is actually a user of water supplied to any premises or by a service from the said waterworks;

**DUPLEX** means a residential building containing two (2) segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and sharing at least one (1) common wall;

**INSPECTOR** means the Building Inspector for the Town or such person as the Town may from time to time designate;

**OWNER** in respect to real property means the registered owner of an estate in fee simple and includes:

- (a) the registered holder of the last registered agreement for sale; and
- (b) an agent authorized in writing by the owner to act on his behalf;

**OUTSIDE USER** means any consumer located outside the boundaries of the Town of Lake Cowichan;

**PRIVATE HYDRANT** means a fire hydrant required by regulation, but owned and maintained by a private property owner, for use by the Fire Department;



***SINGLE FAMILY UNIT*** means a single segregated self-contained residential dwelling used for, or intended for the domestic use of one (1) or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities;

***SUPERINTENDENT*** means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

***TOWN*** means the Town of Lake Cowichan;

***MULTI-FAMILY*** means a residential building containing three (3) or more segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and with each unit sharing at least one (1) common wall with the adjacent unit;

***NON-PROFIT HOUSING*** means residential housing that is owned and operated by community based, non-profit society and has fifteen (15) units or more. Most non-profit housing societies receive some form of financial assistance from government to enable them to operate.

***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 31<sup>st</sup> and payable in advance. The due date for annual billings is March 31<sup>st</sup>. 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 Involving for water service shall commence on issuance of an occupancy permit and no later than six (6) months after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.3 Metered accounts will be billed the minimum monthly charge annually on their annual January bill, and will receive additional bills for usage in excess of the minimum consumption charge quarterly or at a minimum semi-annually.
- 7.4 When a building containing multiple units is being supplied metered service through a common connection line and each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each unit.
- 7.5 When a building containing multiple units is being supplied metered service through a common connection line and the entire building is under one title, the minimum usage charge per unit will apply to each unit.
- 7.6 A minimum charge per unit applies except in the case of a non-strata duplex which shall be treated as a single-family dwelling.



**8. DISCOUNTS AND PENALTIES**

- 8.1 All accounts shall be allowed a discount of ten percent (10%) for prompt payment of the annual January billing or portion thereof if paid on or before the last day of February.
- 8.2 The annual January billing is due and payable on or before March 31<sup>st</sup> of the current year. If the account remains unpaid after the first business day in July, a five percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30<sup>th</sup> 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 31<sup>st</sup> will be transferred to taxes as arrears the following year.

**9. MANDATORY CONNECTIONS**

- 9.1 If a parcel of land, upon which is situated a building occupied and/or used by one (1) or more persons, abuts a street or land or right-of-way upon or under which there is laid a public water system, the owner of such building shall connect or cause to be connected the said building with the public water system in the manner provided by this bylaw.
- 9.2 It shall be compulsory for any owner whose property is capable of being serviced by municipal water to connect or cause to be connected such building with the public water system.
- 9.3 It shall be compulsory for all new construction to install a water meter as approved by the Town at the owner's cost.
- 9.4 The property owner is responsible for all costs associated with the works required for the installation of a water connection to that property.

**10. CONSTRUCTION RATES**

- 10.1 Where water has been provided by the Town to land upon which a building is being constructed, a construction rate for water shall apply from the date of the building permit until occupancy of the building or six months, whichever occurs first. Regular water billings start at the time of occupancy or six months after the building permit is issued.
- 10.2 Every application for a construction rate shall be made under the hand of the owner of the property to which the water is to be supplied.
- 10.3 The rate shall be the same as the single-family unit rate.



**11. OWNER REFUSES OR NEGLECTS**

Where the owner of any parcel of land in the Town which is required to be connected to the public water system of this bylaw, neglects, omits or refuses to comply with the provisions of this bylaw, within sixty (60) days of receipt of such notice, then the Town may serve the owner with a second registered notice to comply with this bylaw. If the owner neglects, omits or refuses to comply within sixty (60) days of receipt of the second notice, the Town may contract a private contractor to make the connection, and the charges of this connection are to be charges as per provisions of Schedule "A" of this bylaw.

**12. SERVICE PIPES**

- 12.1 Before any person shall install or construct any water service, or commence doing any construction work in relation to or in connection with such service, he shall notify the Town in writing. If required by the Inspector, he shall furnish a plan and specifications which shall show:
- (a) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation;
  - (b) a description of the material which the applicant proposed to use in connection with such installation or construction.
- 12.2 The installation of service pipes shall be the responsibility of the property owners but shall conform to specifications approved by the Town.
- 12.3 The Town shall not be liable for the cost of any work done in connection with any service on private property, nor shall any employee of the Town carry out any work on private property.
- 12.4 It shall be the duty of every owner to provide that all taps, fittings and other things connected with the service within the premises are in good order and installed and connected in accordance with the provisions of the Building and Plumbing Bylaws.
- 12.5 Every premise shall have a properly placed stop and waste cock.
- 12.6 When the owner's service pipe plans and water connection application have been approved, he may proceed with the installation of the service pipes. When the service pipes have been installed, but before the excavation is backfilled, the Town shall be notified that such work is ready for inspection.
- 12.7 The backfilling of the service pipes shall not be commenced until the Town has signified in writing that it is satisfied that the materials and workmanship employed are to its satisfaction and that the pertinent sections of this and other bylaws have been adhered to.
- 12.8 The Town shall refuse to turn on water to any premises not complying with Section 12.7.
- 12.9 (a) In the event of leakage, freezing or other conditions which causes the interruption of supply in the service pipe, repairs shall be the responsibility of the owner. If the owner feels that such conditions are present in the Municipality's connection pipe, the owner shall notify the Town requesting repairs.



- (b) In the event that the Town's connection pipe is faulty and is the cause of the owner's complaint, the Town shall repair such faults. If there is no fault found in the Town's connection pipe, the owner shall be invoiced for all costs of the work. The owner may have the right to inspect the site of the excavation by the Town and satisfy himself as to the condition of the connection pipe.

12.10 Every consumer shall provide for his own service to his premises a pressure reducing valve, also pressure relief valve, if required in accordance with the Plumbing Code.

### **13. WATER METERS**

- 13.1 Each new water connection shall be equipped with a water meter.
- 13.2 Applicants for building permits shall pay the deposit amount outlined in the Town of Lake Cowichan Water Regulations and Rates before the issuance of a building permit to ensure that the water meter is installed in accordance with the Town requirements.
- 13.3 It shall be an offence under this bylaw for anyone to disconnect, remove, tamper with or bypass any water meter.

### **14. REGULATIONS**

- 14.1 No person shall use, destroy, injure or tamper with any hydrant, or other fixture of the waterworks, and no person shall in any manner interfere or meddle with the water connection or waterworks in any street, or make any additions or alterations to the water system or any connection, or turn on or off any corporation stop-cock, service valve or gate valve without express approval of the Town.
- 14.2 No person shall sell or dispose of water from the municipal water system, or give it away to any person or persons whatsoever or permit it to be taken or carried away by any person or persons, whomsoever, or use or supply it to the use or benefit of others where such sale or use exceeds one thousand gallons (1,000 imp. gals.) per day.
- 14.3 No connection or cross connection between the municipal water system and any other water system or source of water supply shall be permitted.
- 14.4 The Town requires that every new consumer of water shall provide the proper valves, fittings and wire as established in the utility requirements of the Town of Lake Cowichan. The consumer is responsible for all costs relating to the installation of this service.
- 14.5 The inspection of premises and the review of engineered plans of new plumbing systems for cross connections is to be conducted by the Town and should meet all required specifications.
- 14.6 The Town may refuse to supply water at any time to any property owner or to any premises otherwise than by metered service.
- 14.7 The Town may establish a schedule by which premises will be converted to metered service.
- 14.8 Sprinkling restrictions may be enforced from time to time by the Town.





- 14.9 No person shall install a swimming pool with a connection to a water service coming from the Town's system, nor shall any below ground sprinklers be installed, or any addition to a water service made that may have cross connection implications, without first installing proper and approved backflow prevention. All such installations must first be approved by the Town after detail and design of the proposed installation has been made, and no work shall proceed without first obtaining such approval.
- 14.10 No person is permitted to connect equipment adapted for use on service pipes or mains for pressure spraying of fertilizer, pesticides or any other materials of a toxic or non-toxic nature unless proper protection for back flow has been installed and approved by the Town.
- 14.11 No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock or other fixture connected with the waterworks, and should any person obstruct such access the Town may remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending, and on nonpayment thereof, on demand, the municipality may recover pursuant to Section 258 of the *Community Charter*.
- 14.12 The employees of the Town shall have free access to all lands and all parts of every building, upon request, and at reasonable time, where water is delivered and consumed.

## **15. ADMINISTRATION**

- 15.1 The Superintendent is hereby authorized and directed to have a general supervision over the municipal waterworks system and to see that the provisions of this bylaw are carried out.
- 15.2 The Town shall have the power to appoint assistants and inspectors for the purpose of effectually carrying out the provisions of this bylaw, and wherever the Superintendent is authorized or directed to perform any act or duty under this bylaw, such act or duty may be performed by an employee authorized by the Town to perform such act or duty.
- 15.3 Nothing contained in this bylaw shall be construed to impose any liability on the municipality to service any person or premises or to give a continuous supply of water to any person or premises.
- 15.4 The Town shall not be liable for the failure of the water supply in consequence of any accident or damage to the waterworks, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the municipality or other person whomsoever, or through natural deterioration or obsolescence of the municipality's system or otherwise.
- 15.5 The Town may, without notice, disconnect the water service to any premises for any of the following reasons, and the municipality shall not be liable for damages by reason of discontinuing water service for such reasons:



- (a) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;
  - (b) non-payment of water rates;
  - (c) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water;
  - (d) for repairs;
  - (e) for want of supplies;
  - (f) for employing any pump, booster or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without obtaining the approval of the Town;
  - (g) for violation of any of the provisions of this bylaw.
- 15.6 The Town may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the municipal water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used in accordance with restrictions that Council may impose from time to time when the following occur:
- (a) STAGE 1 - When Water Supply Conditions are deemed "Normal" watering restrictions not to exceed 2 hours per scheduled day and as regulated by council shall apply between May 1 and October 31 unless exempted by Permit for newly planted lawns or landscaping;
  - (b) STAGE 2 - When Water Supply Conditions are deemed "Moderate" under Stage 2, a person may:
    - only continue to sprinkle as permitted by council policy;
    - under the authority of an existing Permit issued under Stage 1, continue to water a recently seeded or sodded (un-established) lawn;
    - not apply for a New Permit during Stage 2;
    - not water more than 2 hours per scheduled day;
  - (c) STAGE 3 - When Water Supply Conditions are deemed "Acute", sprinkling is not permitted, and any hand-watering is to be in accordance with restrictions imposed by Council; and includes the proviso that a person shall:
    - not fill a swimming pool or hot tub except to replace evaporated water or water lost from general use of the pool or tub;
    - not use fountains or ponds unless using re-circulated water; and
    - not use water unless specifically permitted by council policy when this stage is declared.

#### **16. CONNECTION - DEMOLISHED BUILDINGS**

When a building within the Town is removed or demolished, it shall be the duty of the owner to immediately supply to the office of the Town upon such forms as prescribed by the Town for a permit to disconnect from the public water system,



at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Town.

**17. RECONNECTION FEES**

If the owner of any property where the water line has been disconnected wishes to reconnect to the public water system, he shall make application upon such forms as prescribed by the Town for the reconnection. He shall pay the estimated cost, with minimum fees being charged pursuant to Schedule "A" of this bylaw. Upon completion of the reconnection, the owner shall be sent a statement showing the actual cost of the work and he shall be refunded any over-payment or conversely, he shall pay the Town any cost over and above the estimated cost of this work.

**18. INSPECTION/RE-INSPECTION FEES**

18.1 An inspection fee shall be paid to the Town for the initial inspection.

18.2 A re-inspection fee shall be paid to the Town for each additional inspection required after the first inspection because of defective materials or workmanship.

**19. PRIVATE HYDRANTS**

19.1 The owner or occupant of private property shall provide an annual report of inspection, service and maintenance by September 30 of each calendar year.

19.2 Records shall be kept of the inspections and tests and these records shall be made available to the Town for inspection.

19.3 The owner or occupier of premises on which a private fire hydrant is installed, must ensure that the hydrant is maintained in good working condition at all times and that the hydrant is inspected, serviced and tested at least yearly by a Fire Protection Technician in accordance with the requirements of the Fire Code.

19.4 Where the owner of a parcel of land containing private hydrant(s) elects to contract with the Town, in writing, to maintain and service private hydrant(s) fees will apply as established by Schedule "A" of this bylaw and included in the January billings where feasible.

19.5 If an owner or occupier fails to comply with an order issued under Section 19.3 within the time specified in the order, the Town may enter onto the property and carry out such work at the cost of the owner. Any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real properties of the owner or owners affected by this section as taxes in arrears.

**20. RIGHT OF ENTRY**

20.1 The Superintendent and all employees of the Town, acting under the Superintendent's direction, are authorized to enter upon any property in the Water Service Area at any reasonable time in order to ascertain whether the provisions of this bylaw are being observed.

20.2 No person shall interfere with or obstruct the entry of an authorized official onto any property under Section 20.1.



**21. CONTRAVENTION AND PENALTIES**

- 21.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.
- 21.2 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
- 21.3 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.

**22. REPEAL**

That upon adoption of the bylaw, Bylaw No. 982-2016 being the "Town of Lake Cowichan Water Regulations and Rates Bylaw" is hereby repealed.

READ A FIRST TIME on the \_\_\_<sup>nd</sup> day of \_\_\_, 2018.

READ A SECOND TIME on the \_\_\_<sup>nd</sup> day of \_\_\_, 2018.

READ A THIRD TIME on the \_\_\_<sup>nd</sup> day of \_\_\_, 2018.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_\_<sup>th</sup> day of \_\_\_, 2018.

\_\_\_\_\_  
Rod Peters  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer



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

ATTACHED TO AND FORMING PART OF WATER BYLAW NO. 1013-2018

WATER RATES		2019	2020
<b>Residential – monthly metered rates</b>			
	Cubic Meters per Month		
Single family unit	up to 35 m <sup>3</sup>	\$ 26.85	\$ 27.70
Townhouse per unit	up to 30 m <sup>3</sup>	23.05	23.75
Apartment or condo per unit	up to 25 m <sup>3</sup>	19.20	19.80
Outside user per unit	up to 35 m <sup>3</sup>	49.00	50.50
RV site per unit	up to 20 m <sup>3</sup>	15.40	15.85
Non-profit apartment rate	up to 15 m <sup>3</sup>	11.55	11.85
Fee for use over maximum allowed per month	per m <sup>3</sup>	0.53	0.54
<b>Residential – monthly non-metered rates</b>			
Single family or each duplex unit		35.90	37.00
Multi-family per unit		30.80	31.75
Outside user per unit		54.60	56.20
<b>Commercial – monthly metered rates</b>			
Commercial fee for up to 20 m <sup>3</sup> per month	(or 240 m <sup>3</sup> annually)	15.40	15.90
Charge for use over 20 m <sup>3</sup> per month	per m <sup>3</sup>	0.53	0.54
<b>Commercial - monthly non-metered rates</b>			
Coffee shop/ café/ office or store/ Strata RV Site		\$ 20.65	\$ 21.27
Church/ hall/ auto body or machine shop/ beauty shop		35.75	36.80
Garage or service station		46.85	48.27
Hotel & Motels – per room		10.35	10.65
Licensed clubs or lounges and pubs		115.75	119.22
Restaurant		70.20	72.30
Grocery store (larger than 5,000 square feet)		220.00	225.00
Schools – Per Room (classroom, shop, office, etc.)		35.80	36.50
Fire hydrant service and maintenance fee *		150.00	160.00
* Cost of materials will be charged separately, if required		Actual cost	Actual cost
Water meter inspection fee		50.00	50.00
Water charge – during six-month construction period - minimum of		150.00	150.00

CONNECTION FEES	Existing Un-serviced Lots	Existing Serviced Lots
3/4 inch including meter	Actual Cost *	-
3/4 inch meter only	-	\$ 500
3/4 inch meter, fittings and box	-	Actual Cost *
1 inch including meter	Actual Cost *	-
1 inch meter only	-	Actual Cost **
1 inch meter, fittings and box	-	Actual Cost *
larger than 1 inch	Actual Cost *	Actual Cost *
Disconnection fee	\$ 50.00	
Reconnection fee	50.00	
Inspection fee	30.00	
Re-inspection fee	30.00	
* Minimum Charge \$1,300.00		
** Minimum Charge \$750.00		

**TOWN OF LAKE COWICHAN  
BYLAW NO. 1014-2018**

**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. 1014-2018".

**2. DEFINITION**

In this bylaw unless the context otherwise requires,

**COMMERCIAL** means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, industrial activities, retail or personal service use or any other Town approved commercial or business activity which results in the land and improvements in whole or part thereof being assessed at industrial or business tax rates for tax purposes;

**CONSUMER** means any person, company or corporation who is the owner or agent for the owner of any premises to which a sewer connection is supplied or made available from the public sewer and also any person who is the occupier of any such premises, and also includes any person who is actually a user of the public sewer;

**DUPLEX** means a residential building containing two segregated self-contained housekeeping units with cooking, living, sleeping and sanitary facilities, and sharing at least one (1) common wall;

**INSPECTOR** means the Building Inspector for the Town or such person as the Town may from time to time designate;

**OUTSIDE USER** means any consumer located outside the boundaries of the Town of Lake Cowichan;

**OWNER** in respect to real property means the registered owner of an estate in fee simple and includes:

- (a) the registered holder of the last registered agreement for sale; and
- (b) an agent authorized in writing by the owner to act on his behalf;

**OWNER'S SEWER LINE** means the sewer pipe extending from the property line of the property concerned to the building situated thereon and joining the sewer pipe to the plumbing system of the building;

**PUBLIC SEWER SYSTEM** means any sewer line, sewer system or portion thereof used or intended to be used for public use under the control of the Town;

**SEWER CONNECTION** means the sewer pipe extending from the public sewer to the property line of the property being served or about to be served;



***SINGLE FAMILY UNIT*** means a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities;

***SUPERINTENDENT*** means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

***TOWN*** means the Town of Lake Cowichan;

***MULTI-FAMILY*** means a residential building containing three (3) or more single family units with cooking, living, sleeping and sanitary facilities, and with each single family unit sharing at least one common wall with the adjacent unit.

***NON-PROFIT HOUSING*** means residential housing that is owned and operated by community based, non-profit society and has fifteen (15) units or more. Most non-profit housing societies receive some form of financial assistance from government to enable them to operate.

### **3. CHARGES TO OWNER**

There shall be charged against the owner of the land or real property where a sewer or drain connection has been installed to the property and where plumbing is installed on the premises and is connected to the Town sewer system, sewer rate charges as set forth in Schedule "A" of this bylaw.

### **4. APPLICATION FOR SERVICE**

- 4.1 Application in the form as prescribed from time to time must be completed and signed by the owner of such property or his duly authorized agent. Each application, when signed by the potential customer agrees to abide by the terms and conditions of this Bylaw and pay all appropriate fees or assessments for works or services.
- 4.2 Application for sewer connection and payment for same must be completed in conjunction with the application being made for a building permit.
- 4.3 Connection fees and inspection fees as outlined in Schedule "A" of this bylaw are payable at the time of the application for such service.

### **5. INDEPENDENT RATES**

Where multiple independent users or multiple classifications of uses exist in what is commonly referred to as Common Connection line, the individual rates as defined in Schedule "A" of this bylaw shall be applicable whether or not an independent sewer or drain has been installed to the property.

### **6. CHARGES WHEN VACANT**

- 6.1 The entire Town is a specified sewer service area; therefore, the owners of premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all sewer rates whether the services are actually used or not.
- 6.2 A separate charge will be applicable on non-metered duplex unit whether vacant or not.



**7. COLLECTION OF FEES**

- 7.1 All accounts will be billed annually in January for the period January 1st to December 31st and payable in advance. The due date is March 31st. These rates shall be payable at any place designated by Council, but in all cases, the owner shall be subject to the provisions of Section 258 of the Community Charter and shall be paid at the rates set forth in Schedule "A" attached to this bylaw.
- 7.2 Invoicing for water service shall commence on issuance of an occupancy permit and no later than six (6) months after the date of the issuance of the building permit whether or not the premises are occupied or an occupancy permit has been issued.
- 7.3 Metered accounts will be billed the minimum monthly charge annually on their annual January bill, and will receive additional bills for usage in excess of the minimum consumption charge quarterly or at a minimum semi-annually.
- 7.4 When a building containing multiple units is being supplied metered water service through a common connection line, and each unit has its own certificate of indefeasible title, the minimum usage charge will apply to each single family unit.
- 7.5 When a building containing multiple units is being supplied metered water service through a common connection line, and the entire building is under one title, the minimum usage charge will apply to each single family unit.
- 7.6 A minimum charge per unit applies except in the case of a non-strata duplex which shall be treated as a single-family dwelling.

**8. DISCOUNTS AND PENALTIES**

- 8.1 All accounts shall be allowed a discount of ten percent (10%) for prompt payment of the annual January billing or portion thereof if paid on or before the last day of February.
- 8.2 The annual January billing is due and payable on or before March 31<sup>st</sup> of the current year. If the account remains unpaid after the first business day in July a five percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30<sup>th</sup> 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 31<sup>st</sup> will be transferred to taxes as arrears.

**9. MANDATORY CONNECTIONS**

- 9.1 If a parcel of land, upon which is situated a building occupied and/or used by one (1) or more persons, abuts a street or land or right-of-way upon or under which there is laid a public sewer, the owner of such building shall connect or cause to be connected the said building with the public sewer system in the manner provided by this bylaw.





9.2 It shall be compulsory for any owner or owners whose property is capable of being serviced as described by Section 9.1 to connect or cause to be connected such building with the public sewer system.

9.3 The property owner shall be responsible for all costs associated with the works required for the installation of a sewer connection to that property.

**10. OWNER REFUSES OR NEGLECTS**

Where the owner or owners of any parcel of land in the Town which is required to be connected to the public sewer system, neglects, omits or refuses to comply with the provisions of this bylaw, within sixty (60) days of receipt of such notice, then the Town may serve the owner with a second registered notice to comply with this bylaw. If the owner neglects, omits or refuses to comply within sixty (60) days of receipt of the second notice, the Town may contract a private contractor to make the connection, and the charges of this connection to be charges as per provisions of Schedule "A" of this bylaw.

**11. SEPTIC TANKS**

Where, in the opinion of the Town, a public sewer connection is incapable of serving a said parcel of land, no permit will be issued and no such connection allowed; however, an adequate septic tank service may be installed to conform with the Bylaws of the Town. The septic tank service may be used until such time as it becomes a hazard in the opinion of the Public Health Inspector, or an adequate service is provided.

Where a hazard is reported all reasonable costs and expenses incurred in resolving that health hazard or unsanitary condition as a result of an order issued by the Public Health Inspector shall be added to the tax roll against the property of the owner and shall be treated as taxes in arrears under the Community Charter.

**12. CAR/TRUCK WASH OUTLETS**

Car and truck washing outlets shall not normally connect to a sanitary sewer system. This however, may be reconsidered by the Town if there is no other acceptable outlet to waste the sewer to. All connections to a sanitary sewer must provide for the removal of all oils and greases, etc. and other pollutants, acids and gritty materials.

**13. UNCOVERED FOR EXAMINATION**

13.1 The Inspector shall inspect the owner's sewer system when advised by the owner that the said sewer has been laid and is ready for inspection.

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

13.3 The owner or his agent shall test the house connection for sewer tightness in the presence of the Inspector. The test shall be performed by sealing the owner's sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than two point five meters (2.5m) (eight feet - 8') is placed on all sections of the building sewer. The rate at which water escapes from the owner's sewer, when calculated under this test shall not exceed half litre (½ L) (one tenth



gallon - 1/10 gal.) per hour for each three meters (3m) (ten feet -10') of owner sewer. This section may be waived at the discretion of the Town.

- 13.4 The owner's sewer shall not be covered nor backfilled until the Inspector has given written approval of the installation.
- 13.5 After final inspection has been made, it shall be incumbent upon the property owner to see that the sewer connection does not become obstructed from rocks, gravel, sand, sticks, garbage, or any other foreign material, grease build-up and the freezing of lines. Property owners shall see that clean out caps are not removed except for inspection by either property owners or other authorized person. In instances where an act of nature causes damage such as landslide, shifting of earth, washouts caused by rainfall or water tables, manmade instances such as contractors digging and breaking sewer, water and gas lines, construction of new streets or any other work that would cause damage or break sewer service lines on Town street, right-of-way or easement, the Town shall determine the cause of such damage, report or cause to have repaired the said line and further, determine who shall be liable for payment.

**14. DEFECTIVE MATERIAL AND WORKMANSHIP**

Where the Inspector finds that the materials or workmanship of an owner's sewer are defective or otherwise not in accordance with the provisions of the bylaw, he shall so notify the owner who shall forthwith replace the defective material or correct the faulty workmanship, and notify the Inspector when the installation is again ready for inspection.

**15. INSPECTION/RE-INSPECTION FEES**

- 15.1 An inspection fee shall be paid to the Town for the initial inspection.
- 15.2 A re-inspection fee shall be paid to the Town for each additional inspection required after the first inspection because of defective materials or workmanship.

**16. CONNECTION FEES**

- 16.1 The sewer connection fee does not embrace works within the property of the applicant.
- 16.2 No person other than the Town, its employees or its contractors, shall install or cause to be installed any part of the sewer connection provided for in this bylaw, or in any way to break, interfere or tamper with any public sewer of the Town.

**17. RIGHT OF ENTRY**

- 17.1 The Superintendent and all employees of the Town, acting under the Superintendent's direction, are authorized to enter upon any property in the Sewer Service Area at any reasonable time in order to ascertain whether the provisions of this bylaw are being observed.
- 17.2 No person shall interfere with or obstruct the entry of an authorized official onto any property under Section 18.1.



**18. INDEPENDENT SERVICE**

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

**19. MINIMUM DIAMETER**

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

**20. OWNER'S EXCAVATION**

The owner's sewer line shall be excavated and backfilled at his or her expense and the Town shall not be held responsible for any or all damages resulting from said excavating or backfilling. The owner shall supply all pipe and appurtenances and shall be constructed of one of the following materials:

Concrete pipe shall conform to **CSA A 257.1**, "Concrete Sewer, Storm Drain and Culvert Pipe" or **CSA A257.2**, "Reinforced Concrete Culvert, Storm Drain and Sewer Pipe" of CSA Series A257, "Standards for Concrete Pipe".

Plastic sewer pipe (polyvinyl) chloride as approved in the BC Plumbing Code.

Such other material as the Town may from time to time approve.

**21. SLOPE OF CONNECTION**

21.1 The owner's sewer shall be laid to an even slope of not less than one to fifty millimeter (1 to 50 mm) (one-quarter inch to the foot - 1/4" to the 1') in the direction of the flow in all cases up to one hundred fifty millimeter (150 mm) (six inches - 6") lines and not less than one to one hundred millimeter (1 to 100 mm) (one-eighth inch to the foot - 1/8" to the 1') may be approved if installed under the direction of the Inspector.

21.2 The pipe shall be not less than point five meter (0.5m) (eighteen inches - 18") below the finished surface of the ground as measured to the top of the pipe, and it is mandatory that the property owner adequately protect it from freezing.

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

21.4 Where couplings are provided by the manufacturer as in the case of asbestos cement, or plastic pipes, the couplings shall be installed in accordance with the manufacturer's specifications.

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

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

21.7 Where the owner's connection is laid over filled ground or in ground which may be subject to settling, the Inspector may require that cast iron soil pipe or materials other than those stated in Section 21 of this bylaw be used.



- 21.8 It shall be the responsibility of the owner to provide a one hundred millimeter (100 mm) (four inch - 4") clean out at the downstream end of the building sewer, totally inside the property line. It shall be suitably capped and protected from mechanical damage. The exact location shall be marked for ease of reference.
- 21.9 The pipe shall not bear on any plank, timber, rock or other unyielding object, nor shall any such object be placed against the pipe in backfilling.
- 21.10 Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Inspector may require that special joint material be used.
- 21.11 The owner's sewer pipe shall have a hundred and fifty millimeter (150 mm) (six inch - 6") bed of sand prior to being installed and shall be covered with a layer of sand not less than three hundred millimeter (300 mm) (twelve inch - 12") thick over top of pipe. Select site material may be used if prior approval is obtained from Inspector.

## **22. REGULATIONS**

- 22.1 Nothing in the bylaw shall be construed to permit the connection of surface water to the public sewer. The connection either directly or indirectly of roof leaders, foundation drains, sumps or any other collector of surface or ground water is not permitted. The owner of property who connects, permits or causes to be connected, any storm or surface or ground water from his premises or property to the public sewer shall be guilty of an infraction of this bylaw and shall rectify at his/her expense.
- 22.2 No gasoline, naphtha or other inflammable liquid or explosive substance and no grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay or any other trade or industrial wastes which may injure or impair the efficiency or safety of the public sewer or causes an upset or malfunction of the sewage treatment through deposits forming in the same or owing to the attacking and weakening of such public sewer shall be discharged into any public sewer within the Town.
- 22.3 In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as are described in Section 23.2 of this bylaw may be discharged into the public sewer, a permit to connect to the sewer shall not be issued until the Inspector has examined fully and approved the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said wastes into the sanitary sewer.

## **23. ADMINISTRATION**

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

## **24. DISCONNECTION - DEMOLISHED BUILDINGS**

When a building within the Town is removed or demolished, it shall be the duty of the owner or his agent to immediately supply to the office of the Town upon such forms as prescribed by the Town for a permit to disconnect from the public sewer, at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Town.



**25. CONTRAVENTION AND PENALTIES**

- 25.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.
- 25.2 Should the owner of a premises that has been scheduled for conversion to metered water service refuse the conversion, the premises will be charged twice the normal flat rate charge until such conversion has been made.
- 25.3 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
- 25.4 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.

**26. REPEAL**

That upon adoption of the bylaw, Bylaw No. 983-2016 being the "Town of Lake Cowichan Sewer Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

READ A SECOND TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

READ A THIRD TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Rod Peters  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer



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

ATTACHED TO AND FORMING PART OF SEWER BYLAW NO. 1014-2018

SEWER RATES		2019	2020
Residential – monthly rates based on metered water consumption per unit:	Cubic Meters per Month		
Single family unit	up to 35 m <sup>3</sup>	23.65	24.40
Townhouse per unit	up to 30 m <sup>3</sup>	20.30	20.90
Apartment or condo per unit	up to 25 m <sup>3</sup>	16.90	17.40
Outside user per unit	up to 35 m <sup>3</sup>	43.15	44.45
RV site per unit	up to 20 m <sup>3</sup>	13.55	13.95
Non-profit apartment rate	Up to 15 m <sup>3</sup>	10.15	10.45
Charge for use over maximum allowed per month	per m <sup>3</sup>	0.47	0.48
Residential – monthly rates based on non-metered rates for water			
Single family or each duplex unit		31.60	32.55
Multi-family per unit		27.10	27.95
Outside user per unit fee		48.05	49.50
<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 <sup>3</sup> per month		13.55	14.00
Fee for use over 20 m <sup>3</sup> per month	per m <sup>3</sup>	0.47	0.48
Commercial – monthly rates based on non-metered rates for water			
Coffee shop/ café/ office or store/ RV sites		18.18	18.70
Churches/ halls/ auto body or machine shop/ beauty shop		31.45	32.40
Garage or service station		41.25	42.50
Hotel & motel – per room		9.10	9.40
Licensed clubs or lounges and pubs		101.85	104.90
Restaurants		61.75	63.60
Grocery store (larger than 5,000 square feet)		193.60	198.00
Schools – per room (classroom, shop, office, etc.)		32.00	32.10
<b>CONNECTION FEES - Existing un-serviced or serviced lots</b>			
4 inch Sewer connection	Actual Cost *		Actual Cost *
4 inch Storm connection	Actual Cost *		Actual Cost *
Larger than 4 inch	Actual Cost *		Actual Cost *
Inspection fee	25.00		25.00
Re-inspection fee	25.00		25.00
* Minimum Charge of \$1,300.00 will apply			

**TOWN OF LAKE COWICHAN  
BYLAW 1015-2018**

**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. 1015-2018".

**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 (2.3m<sup>3</sup>) 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 organic 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 31<sup>st</sup> and payable in advance. The due date is March 31<sup>st</sup>. 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 31<sup>st</sup> of the current year. If the account remains unpaid after the first business day in July a 5 percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30<sup>th</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> of the current year.
- 15.2 Garbage shall be collected and carried away by the Waste Collector from all strata corporations weekly or biweekly (depending on service levels) provided the strata corporation signs a waiver of liability in the form attached as Schedule "B" to this bylaw.
- 15.3 A strata corporation, on behalf of all of the owners of the residential strata lots in the strata plan that are townhouses or bare land strata lots, may apply to the Town for individual service for municipal collection services provided under the garbage, recyclables and organics as set out in this bylaw.
- 15.4 The Town will accept the application if the Town is satisfied that the residential strata lots can be safely, efficiently and legally serviced by the Town's automated collection system. If accepted, the owners of each residential strata lot will be provided with basic standard carts and pay the fees according to Schedule "A".

15.5 The owners shall, as a condition of the Town actually providing municipal collection services from the residential strata lots but without affecting the owners' obligations to pay the fees, comply with any terms and conditions imposed from time to time by the Town in order to ensure that the Town can safely, efficiently and legally service the residential strata lots.

15.6 The strata council must ensure that access through the strata corporation is kept clear of snow and debris at all times and no part the access will be blocked to the automated garbage collection system.

**16. COLLECTION 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. 984-2016 being the "Town of Lake Cowichan Garbage Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

READ A SECOND TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

READ A THIRD TIME on the \_\_\_<sup>nd</sup> day of \_\_\_\_\_, 2018.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Rod Peters  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer

**SCHEDULE "A"****ATTACHED TO AND FORMING PART OF BYLAW NO. 1015-2018****WASTE COLLECTION RATES****WASTE COLLECTION RATES - 2019**

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) \$14.80 per month for 80 litre tote
  - ii) \$22.20 per month for 120 litre tote
  - iii) \$44.40 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) \$14.80 per month for 80 litre tote with bi-weekly garbage pickups
  - ii) \$4.90 per pickup for 80 litre tote (one pickup per week minimum)
  - iii) \$7.35 per pickup for 120 litre tote (one pickup per week minimum)
  - iv) \$9.40 per pickup for commercial tote (one pickup per week minimum)
  - v) \$57.25 per hydraulic bin pickup

**WASTE COLLECTION RATES - 2020**

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) \$14.95 per month for 80 litre tote
  - ii) \$22.45 per month for 120 litre tote
  - iii) \$44.85 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) \$14.95 per month for 80 litre tote with bi-weekly pickups
  - ii) \$5.10 per pickup for 80 litre tote (one pickup per week minimum)
  - iii) \$7.65 per pickup for 120 litre tote (one pickup per week minimum)
  - iv) \$10.20 per pickup fee for commercial tote (one pickup per week minimum)
  - v) \$58.40 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

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature

) \_\_\_\_\_  
) Print Name  
) \_\_\_\_\_  
) Address  
) \_\_\_\_\_  
) \_\_\_\_\_  
) Signature  
) \_\_\_\_\_  
)





**TOWN OF LAKE COWICHAN**

**BYLAW NO. 1016-2018**

**A Bylaw to Amend Zoning Bylaw No. 935-2013**

**WHEREAS** the Local Government Act authorizes a local government to enact bylaws, pursuant to Section 903 which would designate different zones pertaining to land use and development of the Town of Lake Cowichan;

**AND WHEREAS** the Council of the Town of Lake Cowichan deems it expedient to amend Bylaw 935-2013 to allow for changes with respect to land use and zoning regulations;

**AND WHEREAS** the passage of this bylaw has met all of the requirements pursuant to the Local Government Act;

**NOW THEREFORE** the Council of the Town of Lake Cowichan in open meeting assembled, enacts the following:

**1. TITLE**

This bylaw may be cited for all purposes as the "Town of Lake Cowichan Zoning Amendment Bylaw No. 1016-2018".

**2. AMENDMENTS**

1) Schedule "A" to Zoning Bylaw No. 935-2013 is amended by rezoning a property from General Commercial (C-1) to Limited Commercial (R-3), which is outlined in heavy black ink and identified on Schedule "A" to this Bylaw and legally described as:

Lot 1, VIP66385 – PID 023-975-091.

**3. FORCE AND EFFECT**

That upon adoption the "Town of Lake Cowichan Zoning Amendment Bylaw No. 1016-2018", the "Town of Lake Cowichan Zoning Bylaw No. 935-2013" shall hereby be amended and take effect with the amendment hereto attached.

READ A FIRST TIME on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ A SECOND TIME on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ A THIRD TIME on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

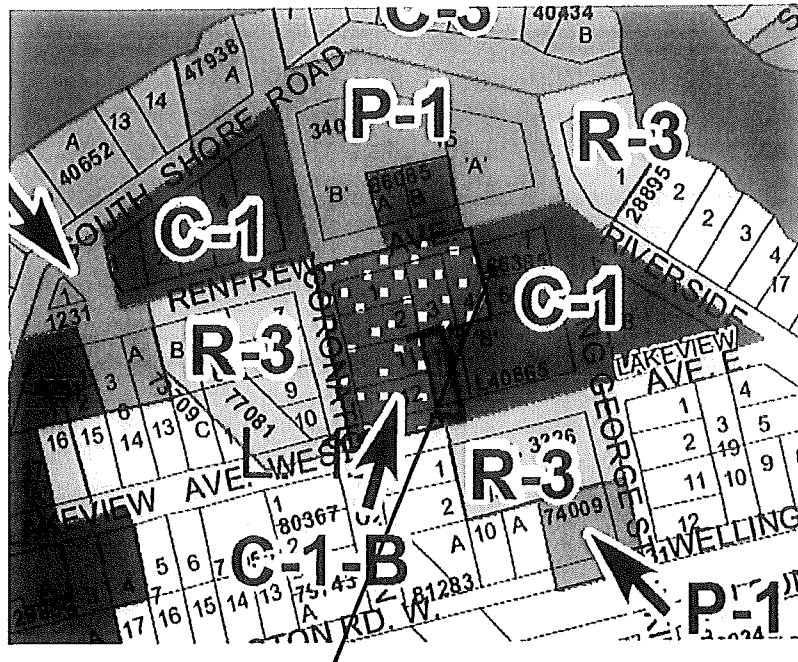
RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Rod Peters  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer

# SCHEDULE "A"

Attached to and Forming Bylaw No. 971-2016



Rezone from General Commercial  
(C-1) to Multi-Family Residential Use  
(R-3)

**Federation of Canadian Municipalities Conference for the years 2019-2022**

May 30-June 2, 2019	Quebec City	Mayor Peters/Lorna Vomacka
June 4-June 7, 2020	Toronto	Mayor Peters/Kristine Sandhu
June 3-June 6, 2021	Montreal	Mayor Peters/Tim McGonigle
June 2-June 5, 2022	Regina	Mayor Peters/Carolyn Austin

