



## ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE

WEDNESDAY, JANUARY 27, 2010 - 3:30 P.M.

CVRD BOARDROOM, 175 INGRAM STREET

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### AGENDA

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6. **NEW BUSINESS:**

7. **CLOSED SESSION** . Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsection as noted in accordance with each agenda item.

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8. **NEXT MEETING:** February 24, 2010

9. **ADJOURNMENT:**

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**Distribution:**

Director Cossey, Chair  
Director Kuhn, Vice-Chair  
Director Dorey  
Director Duncan  
Director Giles  
Director Harrison  
Director Haywood  
Director Iannidinardo  
Director Kent  
Director Marcotte  
Director Morrison

**As Well As:**

Warren Jones, Administrator  
Brian Dennison, General Manager, Engineering & Environmental Services  
Bob McDonald, Manager, Recycling & Waste Diversion  
Dave Leitch, AScT., Manager, Water Management  
Kate Miller, Manager, Regional Environmental Policy  
Mark Kueber, Manager, Corporate Services

**Agenda Cover Only:**

Directors Hutchins, McGonigle, Seymour, Walker  
Tom Anderson, General Manager, Planning & Development  
Joe Barry, Corporate Secretary

**The Full Agenda Package is available on-line at: <http://cvrld.bc.ca/Archive.asp?AMID=50>**

Minutes of the special budget meeting of the Engineering & Environmental Services Committee held in the CVRD Boardroom, 175 Ingram Street, Duncan, on December 9, 2009 at 4:30 p.m.

**PRESENT:** Director Cossey, Chair  
Director Haywood, Vice-Chair  
Directors, Duncan, Giles, Harrison, Iannidinardo, Kent,  
Kuhn, Marcotte, Morrison

**ABSENT:** Director Dorey

**ALSO**

**PRESENT:** B. Dennison, P. Eng., General Manager, E & E  
D. Leitch, ASCT., Manager, Water Management  
B. McDonald, Manager, Recycling & Waste Management  
Kate Miller, Manager, Regional Environmental Policy  
Mark Kueber, Treasurer  
Sharon Moss, Manager, Financial Services  
Steve Hurcombe, Budget Coordinator  
J. Bath, Recording Secretary

**APPROVAL  
OF AGENDA**

**New Business item NB1 – Feasibility Fleet Maintenance was added to the agenda.**

**It was moved and seconded that the agenda be approved as amended.**

**MOTION CARRIED**

**ADOPTION  
OF MINUTES**

**It was moved and seconded that the minutes of the November 25, 2009 regular Engineering & Environmental Services Committee meeting be adopted.**

**MOTION CARRIED**

**BUSINESS ARISING  
OUT OF MINUTES**

No business arising

**REPORTS**

**R1**

The 2010 Engineering and Environmental Services Budget was presented.

Budget 575 – Engineering Control Budget

**It was moved and seconded that it be recommended that 2010 Budget 575 – Control Budget, including the supplemental items, be submitted to the Board for approved.**

**MOTION CARRIED**

Budget 515 – Curbside Collection

It was moved and seconded that it be recommended that 2010 Budget 515 – Curbside Collection be submitted to the Board for consideration in relation to the 2010 Budget.

**MOTION CARRIED**

Budget 520 – Solid Waste

Staff were asked to look at where to budget funding in order to provide programs for rain barrels, woodstoves and low-flush toilets for all Electoral Area residents.

It was moved and seconded that it be recommended that 2010 Budget 520 – Solid Waste Complex be submitted to the Board for consideration in relation to the 2010 Budget, including a \$100,000 transfer to Capital Reserve, and \$20,000 towards composter sales.

**MOTION CARRIED**

South Cowichan Water Plan Study

It was moved and seconded that it be recommended that 2010 South Cowichan Water Plan Study Budget, including supplemental item, be submitted to the Board for consideration in relation to the 2010 Budget.

**MOTION CARRIED**

Utility Budgets

It was moved and seconded that it be recommended that all the 2010 Utility Budgets be forwarded to the Board for consideration in relation to the 2010 Budget.

**MOTION CARRIED**

It was moved and seconded that Maple Hills Drainage function be removed from 2010 Budget.

**NEW BUSINESS**

**NB1**

It was moved and seconded that staff explore fleet maintenance being provided through external sources.

**ADJOURNMENT**

**It was moved and seconded that the meeting be adjourned.**

**MOTION CARRIED**

The meeting adjourned at 5:40 pm

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

Dated: \_\_\_\_\_

Ref: 133305

NOV 26 2009

Ms. Gerry Giles  
Chair  
Cowichan Valley Regional District  
175 Ingram Street  
Duncan, BC V9L 1N8

Dear Chair Giles:

Thank you for your letter of July 20, 2009, advising that the Board of Directors (Board) for the Cowichan Valley Regional District (CVRD) passed a resolution requesting provincial legislation to transfer liability for sidewalk maintenance from regional districts to homeowners. I apologize for the delay in my response.

In areas located beyond the boundary of a municipality, sidewalks that are situated on a road right-of-way are the responsibility of the Ministry of Transportation and Infrastructure (MoTI). Since no regional district has established sidewalks as a service, they have no responsibility for sidewalk maintenance or liability for claims.

I understand that discussions are taking place between staff of the Ministry of Community and Rural Development (Ministry), the MoTI, and the CVRD about the possibility of the CVRD having a sidewalk constructed for a property located at the northeast corner of Deloume Road and the Trans-Canada Highway that is owned by Peninsula Consumer Services Co-operative (Peninsula Co-op). It is proposed that the MoTI issue a licence of occupation to the CVRD for the sidewalk. The CVRD would then assign responsibility for the maintenance of the sidewalk to Peninsula Co-op by way of an agreement.

Additional discussions are necessary before the matter can be finalized. However, it would appear that the CVRD will not be able to proceed unless it is granted an additional authority by Cabinet to undertake the sidewalk service. Section 799 of the *Local Government Act* is the mechanism by which the additional authority might be granted. If the Board supports this idea,

Ministry of Community  
and Rural Development  
Office of the Minister



Original	File
By	Chair
Committee(s)	ES.E

Dave  
Brian  
Low

PO Box 9056 Stn Prov Govt  
Victoria BC V8W 9E2

Phone: 250 387-2283  
Fax: 250 387-4312  
www.gov.bc.ca/cd

Ms. Gerry Giles, Chair  
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the Ministry will require a resolution to this effect and an indication whether the service is to be undertaken in specific electoral areas. As part of the Ministry's review of the Board's request, we will need to consult with the MoTI. It should be noted that even if the Board's request is approved, it will not be possible to exempt the CVRD's liability with regard to the sidewalk service, or any service.

If you require further information about the issue of sidewalks, please contact Mr. Don Sutherland, Director, Advisory Services Branch, by telephone at: 250 387-4025, or by email at: [Don.Sutherland@gov.bc.ca](mailto:Don.Sutherland@gov.bc.ca).

Thank you, again, for writing about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Bennett", with a long horizontal flourish extending to the right.

Bill Bennett  
Minister

pc: Honourable Gordon Campbell  
Premier

Mr. Don Sutherland  
Director  
Advisory Services Branch  
Ministry of Community and Rural Development



## STAFF REPORT

# R1

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF WEDNESDAY, JANUARY 27, 2010

**DATE:** January 18, 2010 **FILE NO:** Bylaws  
**FROM:** Louise Knodel-Joy, Senior Engineering Technologist  
**SUBJECT:** Arbutus Ridge Drainage System Management Amendment Bylaw

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**Recommendation:**

That it be recommended that " CVRD Bylaw No. 3351 – Arbutus Ridge Drainage System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.

**Purpose:** To revise Bylaw No. 3307 - Arbutus Ridge Drainage System Management Bylaw, 2009 to include Schedule B – 2010 Flat Rate Charge for Tax Requisition Equivalent.


**Financial Implications:** equivalent to parcel tax collection for 2010.

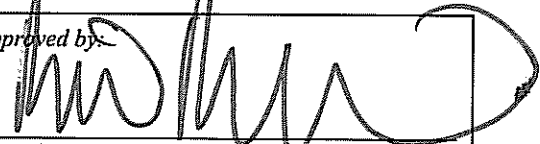
**Interdepartmental/Agency Implications:** not applicable

**Background:**

Schedule B – 2010 Flat Rate Charges for the Arbutus Ridge Drainage System reflects a pro-rated flat rate charge for 2010, as the effective CVRD takeover date for this system did not meet the date required to submit tax requisition requests to the Province.

Submitted by,

  
Louise Knodel-Joy  
Senior Engineering Technologist

Approved by:   
Brian Dennison, General Manager,  
Engineering and Environmental Services

LKJ:jlb

Bath: ZAESMemos2010\BylawAmendment-ArbutusRidgeDrainageSystem-Jan2710.doc





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 3351

#### A Bylaw to Amend the Arbutus Ridge Drainage System Management Bylaw No. 3307

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**WHEREAS** the Board of the Cowichan Valley Regional District established the management of the *Arbutus Ridge Drainage System* pursuant to Bylaw No. 3307, cited as "CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009";

**AND WHEREAS** the Board of the Cowichan Valley Regional District deems it desirable to add Schedule B;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as "Cowichan Valley Regional District Bylaw No. 3351 - Arbutus Ridge Drainage System Management Amendment Bylaw, 2010".

2. **AMENDMENTS**

a) That the attached Schedule B be added to and form part of this Bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary



**C·V·R·D**

**SCHEDULE B**

**TO CVRD BYLAW NO. 3307**

**2010 FLAT RATE CHARGE**

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A flat rate charge in the amount of 0.1315 per day will be invoiced in **2010** to each of the properties within the service area boundary of the Arbutus Ridge Drainage System, from the takeover date to December 31, 2010.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Tax Requisition.



## STAFF REPORT

**R2**

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF WEDNESDAY, JANUARY 27, 2010

**DATE:** January 18, 2010 **FILE NO:** Bylaws  
**FROM:** Louise Knodel-Joy, Senior Engineering Technologist  
**SUBJECT:** Dogwood Ridge Water System Management Amendment Bylaw

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**Recommendation:**

That it be recommended that "CVRD Bylaw No. 3352 – Dogwood Ridge Water System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.

**Purpose:** To revise the Management Bylaw to include Schedule H – 2010 Flat Rate Charge for Parcel Tax Equivalent.


**Financial Implications:** Parcel Tax equivalent for 2010.

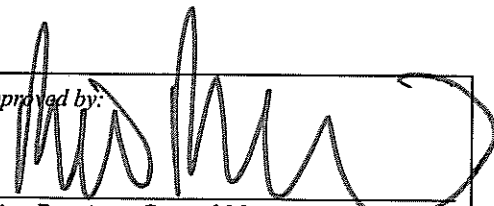
**Interdepartmental/Agency Implications:** not applicable

**Background:**

Schedule H – 2010 Flat Rate Charges for the Dogwood Ridge Water System reflects a pro-rated flat rate charge for 2010, as the effective CVRD takeover date for this system did not meet the date required to submit parcel taxes to the Province.

Submitted by,

  
Louise Knodel-Joy  
Senior Engineering Technologist

Approved by:  
  
Brian Dennison, General Manager,  
Engineering and Environmental Services

LKJ:jlb

Bath: Z:\ESMemos\2010\BylawAmendment-DogwoodWaterSystems-Jan2710.doc



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 3352

#### A Bylaw to Amend the Dogwood Ridge Water System Management Bylaw No. 3313

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**WHEREAS** the Board of the Cowichan Valley Regional District established the management of the *Dogwood Ridge Water System* pursuant to Bylaw No. 3313, cited as "CVRD Bylaw No. 3313 – Dogwood Ridge Water System Management Bylaw, 2009";

**AND WHEREAS** the Board of the Cowichan Valley Regional District deems it desirable to add Schedule H;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3352 - Dogwood Ridge Water System Management Amendment Bylaw, 2010**".

2. **AMENDMENTS**

a) That the attached Schedule H be added to and form part of this Bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Chairperson

---

Corporate Secretary



**C·V·R·D**

**SCHEDULE H**

**TO CVRD BYLAW NO. 3313**

**2010 FLAT RATE CHARGE**

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A flat rate charge in the amount of \$3.5616/day will be invoiced in **2010** to each of the properties within the service area boundary of the Dogwood Ridge Water System, for the period January 4 – December 31, 2010. Properties within this area that do not have homes on them will pay only \$1.9178/day.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Parcel Tax Roll.



## STAFF REPORT

**R3**

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JANUARY 27, 2010

**DATE:** January 19, 2010 **FILE NO:** 2360-30-LAMBOURN  
**FROM:** Jeralyn Jackson, Capital Projects, Engineering & Environment  
**SUBJECT:** Lambourn Estates Subdivision – Removal of Covenants on six lots

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**Recommendation:**

That it be recommended that the Board approve the removal of “no-build” covenants on six of thirty lots within the Lambourn Estates Sewer and Water Systems Service Area; two in the Hiles development and four in the Royal Island development. All of the remaining 24 lots in the two developments will retain their “no-build” covenants.

**Purpose:** To release the restrictive covenants to prevent building on six of thirty lots in the Royal Island and Hiles developments in the Lambourn Estates Subdivision.

**Financial Implications:** The release of the covenants will generate user fee revenue income from the six lots for the existing residents of the Lambourn Estates Sewer and Water Systems.

**Interdepartmental/Agency Implications:** Not applicable

**Background:**

The CVRD has worked with the Lambourn Estates residents, Ministry of Health and the Ministry of Environment since 2004 to orchestrate CVRD takeover of the existing water and sewer systems, and to complete the required upgrades to bring the water and sewer systems into regulatory compliance. The upgrade of the systems was designed to accommodate the 137 existing Lambourn Estates residents and the connection of two developments, consisting of thirty lots (Hiles and Royal Island), seventeen lots for the Wilcuma Development, three to Denny Williams and ten to the CVRD.

The CVRD took over ownership of the sewer and water systems in September, 2008, and the two developments, consisting of thirty lots, were permitted to register their lots with the provision that they would place a restrictive covenant on each lot title that prevented building on the land until such time that the upgrades are complete.

The upgrades are estimated to cost approximately \$1.6 million, with the CVRD contributing 47% (2/3 Gas Tax Funding and 1/3 MFA Funding), and the developers contributing 53% of the cost of the upgrades (\$16,792 per lot developed). The Consultants working on the upgrades estimated that the upgrades would be completed by July, 2008, but delays, due to late payment from one of the partners and with the Ministry of Environment on requirements for the upgrade of the sewer outfall, have extended the start date of the Wastewater Treatment component of the upgrades until at least spring of 2010.

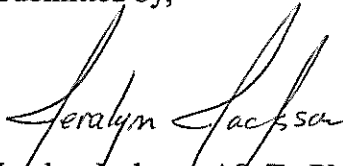
January 19, 2010

Staff Report - Lambourn Estates Subdivision – Removal of Covenants on six lots

Page 2

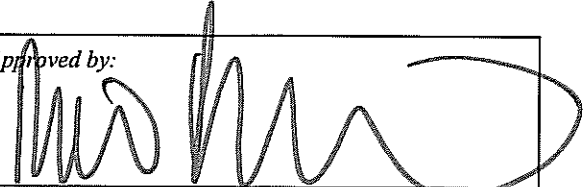
The removal of the “no-build” covenants will allow the developers to sell several lots each and free up some of their financial investment, which has been tied up for many years in the development and upgrades of the subdivisions. All other lots in the two subdivisions will remain registered with “no-build” covenants on title until such time as the upgrade works are complete.

Submitted by,



Jeralyn Jackson, ASCT., PMP  
Project Engineer  
Capital Projects Division

Approved by:



Brian Dennison, General Manager,  
Engineering and Environmental Services

JHJ:jlb

Bath: Z:\ES\Memos2010\LambournCovenant Removal Jan27-10.docx



## STAFF REPORT

# R4

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JANUARY 27, 2010

**DATE:** January 19, 2010

**FILE NO:**

**5330-30-BPS**

**FROM:** Louise Knodel-Joy, Senior Engineering Technologist

**SUBJECT:** Brulette Place Sewer System Management Bylaws and Utility Transfer Agreement

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#### **Recommendation:**

1. That the Board accept the Utility Transfer Agreement between the CVRD and James and Karen Taggart for CVRD takeover of the sewer system in Electoral Area A, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
2. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
  - .1 CVRD Bylaw No. 3340 – Brulette Place Sewer System Management Bylaw, 2010
  - .2 CVRD Bylaw No. 3341 – Brulette Place Sewer Water Capital Reserve Bylaw, 2010
  - .3 CVRD Bylaw No. 3342 – Brulette Place Sewer Parcel Tax Bylaw, 2010

**Purpose:** To review the Utility Transfer agreement (to be distributed at meeting) for CVRD takeover of the Brulette Place sewer system and introduce bylaws for management of it.

**Financial Implications:** Not applicable

**Interdepartmental/Agency Implications:** not applicable.

#### **Background:**

The Establishment Bylaw has been approved by the Ministry for the above utility, and staff have now prepared the "*Utility Transfer Agreement*" for the Board's consideration, which transfers all assets of the sewer system to the CVRD. It is recommended that the attached agreement be signed and management bylaws be forwarded to the Board for consideration of three readings and adoption. Proposed takeover of the sewer system is March 1, 2010.

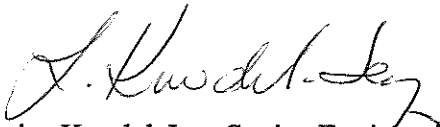
The Utility Transfer Agreement is the CVRD's standard document with a the following extra items negotiated between the CVRD and the owner:

- The owner has stated from the initial take-over discussions, that he wishes to maintain ownership of the "utility lands" (lands which contain Sewer Treatment Plant and Drainage Fields). We have negotiated that a blanket right-of-way be established over the "utility lands" and that, in the future, when development occurs, a boundary adjustment can be made by mutual agreement of the CVRD and the owner, and the remainder of the utility lands will be transferred to the CVRD, at the time of subdivision registration. This will enable Mr. Taggart to recoup some of this land for his purposes.



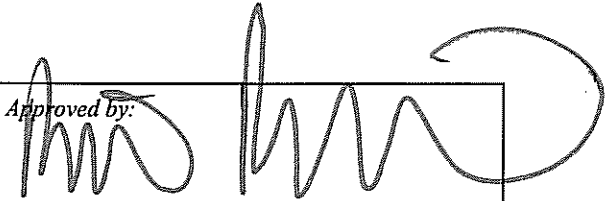
- The owner has concerns regarding his ability to develop the remaining portion of his land, currently within the service area. The lands in the service area, owned by the Taggart's, will have the same ability to be developed and connected as any other lands in the service area, on the same terms and conditions, and providing there is sufficient capacity in the sewage treatment plant at the time.
- The owner has requested reimbursement of the parcel taxes over the "utility lands".

Submitted by,



Louise Knodel-Joy, Senior Engineering Technologist  
Water Management Division

Approved by:



Brian Dennison, General Manager  
Engineering & Environmental Services

LKJ:jlb

Bath: Z:\ESMemos2010\Brulette PlaceManagementBylaws-Jan2710.doc



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 3340

#### A Bylaw for the Regulation and Management of the Brulette Place Sewer System

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**WHEREAS** the Board of the Cowichan Valley Regional District established the Brulette Place Sewer System Service Area under the provision of CVRD Bylaw No. 3296, cited as "*CVRD Bylaw 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009.*" for the purpose of providing services to a defined portion of Electoral Area A – Mill Bay/Malahat;

**AND WHEREAS** it is deemed necessary and expedient that provisions be made for the regulation and management of the Brulette Place Sewer System, and for terms and conditions upon which sewer services may be provided, and for a tariff of charges for such services;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

#### 1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3340 - Brulette Place Sewer System Management Bylaw, 2010.**"

#### 2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

**"Air"** means the atmosphere but, except in a *Sewer* or a *Sewage Facility* or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

**"Air Contaminant"** means any *Substance* or odour whether gaseous, liquid, solid, or a combination that is emitted into the *Air* and that:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with visibility;
- (d) interferes with or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person, or,
- (f) damages or is capable of damaging the environment.

.../2

**"Applicant"** means a request for one of the following:

- (a) a **Waste Discharge Permit**;
- (b) to amend, add or delete a term or condition of a **Waste Discharge Permit**;
- (c) to change the activity that is the subject of a **Waste Discharge Permit**;
- (d) to renew a **Waste Discharge Permit**;
- (e) an **Authorization**.

**"Brulette Place Sewer System"** means the **Sewer** system currently servicing the **Brulette Place Sewer System Service Area** including all **District** buildings, structures, sewage, collection, treatment, disposal facilities, equipment, electrical works, pumping stations, forcemains, **Sanitary Sewermains**, appurtenances, **Sewer Service Connections**, and all sewage works designated for the collection and disposal of sewage together with all lands appropriated for such purposes and uses.

**"Brulette Place Sewer System Service Area"** means a service area established and defined by bylaw, within which the **District** manages and operates a Sewer System Service Area.

**"Authorized"** or **"Authorization"** means that **Authorization** in writing by the **Manager** upon such terms and conditions as specified therein;

**"Biomedical Waste"** means biomedical waste as defined in the "Guidelines for the Management of Biomedical Waste" established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992, or the most current regulations and guidelines as determined by the **Manager**.

**"Biosolids"** means treated municipal **Wastewater Sludge** that meets quality criteria for beneficial use as a fertilizer or soil amendment product.

**"BOD"** means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic **Substances** under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in **Standard Methods**.

**"Capable of Connection"** means that the parcel of land abuts a street, lane, public **Sewer** right-of-way or easement, upon or under which there is a **Sewermain** with excess capacity and that the **Sewer** service connection will have adequate cover at the property line, and drain towards the **Sewer**, and allowing the house or building to be connected to the service connection by either a gravity building **Sewer**, or a pump and forcemain.

**"COD"** means Chemical Oxygen Demand, being a measure of the equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in **Standard Methods**.

**"Combined Sewer"** means a **Sewer** designed for the collection and transmission of **Uncontaminated Water**, **Wastewater**, and **Stormwater**.

.../3

**"Committee"** means a standing committee, comprised of representatives from the *Regional Board*, which the Engineering & Environmental Services Department reports to.

**"Composite Sample"** means a sample of *Waste* which is composed of equivalent portions of a specified number of *Grab Samples* collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

**"Condensed Water"** means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.

**"Consumer"** means the owner or occupant of property that is serviced by, connected to and uses the *Brulette Place Sewer System*.

**"Contaminate"** means any *Substance*, whether gaseous, liquid or solid, whether dissolved or suspended, or any *Wastewater* quality parameter that, when present above a certain concentration in *Wastewater*:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with the proper operation of a *Sewer* or sewerage facility;
- (d) causes or is capable of causing material physical discomfort to a person; or
- (e) damages or is capable of damaging the environment.

**"Daily Flow"** means the total flow over a 24-hour period, as measured by an approved calibrated flow meter.

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

**"District"** means the Cowichan Valley Regional District.

**"District Water"** means water carried by a community water system operated and managed by the *District*.

**"Domestic Sewage"** means *Sanitary Waste* produced on a *Residential Property*.

**"Domestic Waste"** means *Sanitary Waste* or the water-carried wastes from drinking, culinary purposes, washing, bathing, laundering or food processing which is produced on a *Residential Property* and is *Discharged* directly or indirectly into a *Sewer* connected to a *Sewage Facility* operated by the *District*.

**"Enactment"** means any applicable act, regulation, bylaw, or *Authorization*, by a federal, provincial, regional or municipal government or their *Authorized* representatives.

**"Environmental Management Act"** means the Environmental Management Act of the Province of British Columbia or any legislation that replaces the Environmental Management Act.

**"Grab Sample"** means a sample of *Waste* collected at a particular time and place.

**"Hazardous Waste"** means hazardous waste as defined in the Environmental Management Act.

**"Hazardous Waste Regulation"** means the Hazardous Waste Regulation enacted pursuant to the Environmental Management Act.

**"Hazardous Waste Regulation Leachate Quality Criteria"** means the *Contaminant* concentrations for leachate set out in Schedule 4 of the *Hazardous Waste Regulation*.

**"High Volume Discharge"** means any *Discharge* of *Non-domestic Waste* into a *Sewer* in excess of 2.57 cubic metres per day (550 Imperial Gallons per day) or 90 cubic metres over any consecutive 30-day period, but not including water from a *Pool*.

**"Improvement District"** means an Improvement District incorporated under the Local Government Act.

**"Manager"** means the person duly appointed General Manager of the Engineering & Environmental Services Department by the *Regional Board*, or his designate.

**"Mass Loading"** means the concentration of a constituent multiplied by the flow rate.

**"Metered District Water"** means *District* water supplied to *Consumers* through individual meters located on serviced connections from a community water system operated and managed by the CVRD.

**"Monitoring Point"** means an access point to a *Sewer*, *Private Drainage Systems* or other *Sewer* for the purpose of:

- (a) measuring the rate of flow or volume of *Wastewater* being *Discharged* from a *Premises*;
- (b) collecting representative samples of *Wastewater* being *Discharged* from a *Premises*.

**"Monthly Average"** means the arithmetic mean of all measurements taken over a calendar month.

**"Municipality"** means any participating member city, town, or other incorporated area of the *District*.

**"Non-domestic Waste"** means all *Waste* except *Domestic Waste*, *Trucked Waste*, *Sanitary Waste*, *Stormwater* and *Uncontaminated Water*.

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**"Oil and Grease"** means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures *Authorized* by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes and high-molecular weight carboxylic acids.

**"Owner"** means any person who is registered under the Land Title Act as the owner of land, or any other person who is in lawful possession of land, or who is in lawful possession or occupancy of any buildings situated on the land.

**"Parcel Tax"** means an annual tax levied on each parcel of land within the *Brulette Place Sewer System Service Area*.

**"PCB"** means any mono-chlorinated, de-chlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

**"Pesticides"** means pesticides regulated under the Pesticide Control Act of British Columbia.

**"pH"** means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

**"Phenols"** means the hydroxyl derivatives of aromatic hydrocarbons as determined by the appropriate procedure described in *Standard Methods*.

**"Pool"** means any water receptacle designed for decorative purposes or used for swimming, or as a bath or hot tub designed to accommodate more than one bather at a time, or designed for decorative purposes.

**"Premises"** means any land or building or both, or any part thereof.

**"Private Drainage System"** means a privately owned assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey *Wastewater*, *Uncontaminated Water*, *Stormwater*, or foundation drainage to a *Sewer*, *Sewage Facility*, or a private *Wastewater* disposal system.

**"Private Sewer Service Pipe"** means that part of the *Sewer Service Pipe* located within the boundaries of the property being serviced, or outside the boundaries of a CVRD Statutory right-of-way, and which is connected to, or intended to connect to the *Brulette Place Sewer System* via a *Sewer Service Connection*.

**"Prohibited Waste"** means prohibited waste in Article A of Schedule F of this bylaw.

**"Radioactive Materials"** means radioactive materials as defined in the Atomic Energy Control Act of Canada and Regulations under that Act.

**"Regional Board"** means the Board of Directors of the Cowichan Valley Regional District.

**"Residential Property"** means a property that is used primarily for the purposes of residence by persons on a permanent, temporary or seasonal basis.

**"Restricted Waste"** means restricted waste as defined in Article "B" of Schedule F of this bylaw.

**"Sanitary Sewer"** means a *Sewer* which carries *Sanitary Waste* or *Wastewater*, but which is not intended to carry *Stormwater* or *Uncontaminated Water*.

**"Sanitary Waste"** means *Waste* that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

**"Seasonal Use"** means the use of the *Sewer Service(s)* for a dwelling, unit or recreational accommodation that is not continuously inhabited for more than three months in any calendar year or that is inhabited from time to time for not more than four months in any calendar year.

**"Sewer"** means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the *District*, or one or more municipalities, for collecting, pumping, and transporting *Wastewater* either to a *Sewage Facility*, or otherwise and includes all such pipes, conduits, drains, and other equipment and facilities, which connect with those of the *District* or one or more municipalities.

**"Sewer Charges"** means the charges set out in the applicable Schedule(s) forming part of this bylaw.

**"Sewer Extension"** means any installation requiring the construction of a 200-mm diameter *Sewermain*, or larger, within a public road allowance or right-of-way or easement, from the most convenient existing *Sewer*, but does not include a *Sewer Service Connection* or a *Private Sewer Service Pipe*.

**"Sewer Extension Application Charge"** means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

**"Sewage Facility"** means works owned or otherwise under the control, or jurisdiction of the *District*.

**"Sewermain"** means a pipe forming part of the community sewage collection system, other than those pipes serving as *Sewer Service Connections*.

**"Sewer Service Charges"** means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

**"Sewer Service Connection Charges"** means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

**"Sewer Surcharge Rates"** means the rates as set out in the applicable Schedule(s) forming part of this bylaw, and are applied in proportion to the amount of *Metered District Water* consumed by a user.

**"Sewer Rates"** means the rates set out in the applicable Schedule(s) forming part of this bylaw.

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**"Sewer Service(s)"** means the collection, treatment and disposal of sewage.

**"Sewer Service Connection"** means the *Sewer* pipe and its integral appurtenances that are placed from the *Sewermain* to the boundary of the property being serviced; or from the *Sewermain* to the boundary of the right-of-way, when the *Sewermain* is located in a right-of-way in favour of the *District*.

**"Sewer Service Pipe"** means the conduit connecting a *Sewermain* that is part of the *Brulette Place Sewer System* with lands or buildings and consisting of both a *Sewer Service Connection* and a *Private Sewer Service Pipe*.

**"Sharps"** means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects that have acute rigid corners, edges or protuberances.

**"Sludge"** means *Wastewater* containing more than 0.5% total solids.

**"Spill Reporting Regulation"** means the Spill Reporting Regulation enacted pursuant to the Environmental Management Act Regulation.

**"Standard Methods"** means the latest edition of "Standard Methods of Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

**"Storm Sewer"** means a *Sewer* for the collection and transmission of *Stormwater* or *Uncontaminated Water*.

**"Stormwater"** means water resulting from natural precipitation from the atmosphere that is intended to be transported in a *Storm Sewer*, or a *Combined Sewer* or a *Watercourse*.

**"Substance"** includes any solid, liquid or gas.

**"Suspended Solids"** means the portion of total solids retained by a filter, as determined by the appropriate procedure in *Standard Methods*.

**"Trucked Waste"** means any *Waste* that is collected and transported from the site where the *Waste* originated by means other than *Discharge* to a *Sewer* including, but not limited to, holding tank water, septic tank waste, chemical toilet contents, *Oil and Grease* from interceptors or traps, and other *Sludge* of organic or inorganic origin.

**"Total Ammonia"** means the sum of the concentrations or masses of ionized ammonia and un-ionized ammonia.

**"TN (Total Nitrogen)"** means the sum of the concentrations or masses of organic nitrogen, *Total Ammonia*, nitrite and nitrate.



**"TP (Total Phosphorus)"** means the sum of the concentrations or masses of organic phosphates, ortho-phosphates and polyphosphates.

**"Treasurer"** means the person duly appointed *Treasurer* by the *Regional Board*, or his duly appointed delegate.

**"Uncontaminated Water"** means any water excluding *Stormwater*, but including cooling water, *Condensed Water* and water from municipal *Waterworks*, or a private water supply to which no *Contaminate* has been added as a consequence of its use, or to modify its use by any person.

**"Unit"** means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

**"Waste"** means any *Substance* whether gaseous, liquid or solid, that is or is intended to be *Discharged* or discarded, directly or indirectly, to a *Sewer* or *Sewage Facility*.

**"Waste Discharge Permit"** means a *Waste Discharge Permit* issued by the *Manager*.

**"Wastewater"** means the composite of water and water-carried *Wastes* from residential, commercial, industrial or institutional *Premises*, or any other source.

**"Wastewater Sludge"** means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of *Wastewater*.

**"Water"** includes seawater, surface water, groundwater and ice.

**"Watercourse"** means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.

**"Waterworks"** means any works owned, or otherwise under the control or jurisdiction of the *District*, or one or more of its member *Municipalities*, or a privately owned water system, or an *Improvement District* that collects, treats, transports, or stores drinking water.

**"Works"** includes:

- (a) a drain, ditch, *Sewer* or *Waste* disposal system including a sewage treatment plant, pumping station or outfall;
- (b) a device, equipment, land or a structure that:
  - (i) measures, handles, transports, stores, treats, or destroys *Waste* or a *Contaminant*; or
  - (ii) introduces *Waste* or a *Contaminant* into the environment;

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(c) an installation, plant, machinery, equipment, land; or a process that causes or may cause a release of a **Contaminant** into the environment, or is designed, or used to measure or control, the introduction of **Waste** into the environment, or to measure or control a **Contaminant**;

(d) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a **Contaminant** or **Waste**.

### 3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the **Brulette Place Sewer System** is hereby vested in the **Manager** who shall operate the same under the established policy of the **Regional Board**.

(b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw, shall be performed on the whole or any part of the **Brulette Place Sewer System** except as **Authorized** in writing by the **Manager**.

(c) Ownership of **Brulette Place Sewer System**: The **Brulette Place Sewer System** required for treatment, disposal and collection of sewage from the **Owner's** property, and constructed, whether at the **Owner's** expense or **District's** expense in present or future public highways or within **District** right-of-way property, shall be the property of the **District**.

2. (a) The **District** may supply **Sewer Service** as circumstances, collection, treatment and disposal capacity permit.

(b) No **Sewer Service(s)** shall be supplied to any parcel of land or **Premises** outside of the **Brulette Place Sewer System Service Area** except by special agreement with the **District**, and/or the expansion of the sewer system service area by CVRD bylaw.

(c) No person shall allow wastewater, sewage, septage or any form of liquid or substance to be brought into the **Brulette Place Sewer System Service Area** for the sole purpose of disposal directly or indirectly into the **Brulette Place Sewer System** unless otherwise approved by the CVRD and other agencies having jurisdiction.

(d) All reasonable efforts will be made to ensure a continuous **Sewer Service**; however, the **District** does not guarantee to the **Consumer** an uninterrupted discharge of sewage, nor shall any failure to provide an uninterrupted supply of **Sewer Service**, or to meet any such standard be construed as neglect on the part of the **District**.

3. Any person authorized by the **Manager** shall have free access, at all reasonable times and upon reasonable notice given and request made, to all parts of every building or other **Premises** to which **Sewer Services(s)** are supplied for the purpose of inspecting, repairing, or disconnecting any **Sewer Service Pipe** and appurtenances within a serviced structure or located on the lands in question.

4. (a) The **Manager** may, upon reasonable notice, limit or restrict **Sewer Services** within all or any part of the **Brulette Place Sewer System Service Area**, however, in emergency situations, notice may not be given.

- (b) The *District* is not liable for damages caused by the breakage or failure of the *Brulette Place Sewer System Service Area*.
5. Any person before proceeding with, or authorizing any construction that is, or is proposed to be located under, across or along any sanitary *Sewer*, forcemain, or other sewage works forming part of the *Brulette Place Sewer System*, shall notify the *Manager* in writing of his intention to proceed with the same and if it shall, in the opinion of the *Manager*, become necessary as a consequence to support or relocate such *Sanitary Sewer*, or other sewage works, the cost of supporting or relocating the same shall be charged against that person and the *Manager* shall supervise and direct the supporting or relocating of such *Sanitary Sewer* or other sewage works.
6. Any person(s) who has proceeded with, or who has authorized any construction that is located under, over, across or along any *Sewermain* or other *Sewer* works forming apart of the *Brulette Place Sewer System* shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the *Manager* in reasonable time as determined by him, the *Manager* may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

#### 4. SEWER RATES AND SEWER CHARGES

1. (a) Revenues for the *Brulette Place Sewer System* may be raised by *Sewer Rates*, *Sewer Charges* and *Parcel Taxes*.
- (b) If in any fiscal year the revenues generated by the rates and charges set out in sub-section (a) do not meet the expenditures of the *Brulette Place Sewer System Service Area*, the deficit may be covered by a duly authorized increase in any or all of the charges set out in sub-section (a) for the succeeding fiscal year.
- (c) All revenue raised by the methods herein described or *Authorized* shall be applied to the *Brulette Place Sewer System*.
2. (a) *Consumers* of *Sewer Service(s)* who receive *Metered District Water* shall be charged the *Sewer Charges* set out in Schedule A.
- (b) *Consumers* of *Sewer Service(s)* who do not receive *Metered District Water* shall pay the *Sewer Charges* set out in Schedule B.
- (c) Person(s) desiring the extension of the *Brulette Place Sewer System* to lands which they own, or occupy, shall make formal application and pay the appropriate charges as set out in Schedule E and comply with Parts 5 and 6 of this bylaw.
- (d) Person(s) requiring the miscellaneous services set out in Part 7 of this bylaw shall pay the charges therefore set out in Schedule D.
3. (a) The *Sewer Rates* and *Sewer Charges* set out in Schedules A, B, C, D and E shall be subject to periodic review by the *Manager* and the *Committee* who may make recommendations on the revision of the said Schedules to the *Regional Board*.

(b) Schedules A, B, C, D, E, and F may be revised by bylaws enacted by the *Regional Board*.

## 5. SEWER CONNECTION SERVICE

1. (a) An *Owner* of lands within the *Brulette Place Sewer System Service Area* which abut a Sewer, line that is part of the *Brulette Place Sewer System* may apply to have his property connected to the *Brulette Place Sewer System*.

(b) No connection shall be made to the *Brulette Place Sewer System* until an application for *Sewer Service* has been completed and approved by the *Manager*.

(c) A *Sewer Service Connection* application shall be in the form provided by the *Manager*, and shall be certified to be correct and signed by the *Applicant*, and shall be submitted at least four (4) weeks prior to the date by which connection to the *Brulette Place Sewer System* is required.

(d) *Sewer Service Connection* applications for property located within the *Brulette Place Sewer System Service Area* must be made prior to the issuance of a building permit, where such permit is necessary.

(e) Waste Discharge Permit Applications:

i.) Where a *Sewer Service Connection* is to be installed for other than single-family residential use, or where more than 90 m<sup>3</sup> of *Non-domestic Wastewater* will be discharged in any 30-day period, or where any *Restricted Waste* will be deposited in the *Sanitary Sewer* system, an application will be submitted to the *District* in the form of a Schedule F to this bylaw, and a *Waste Discharge Permit* shall be completed before connecting the *Premises* to the *Sanitary Sewer* system.

ii) All *Sewer Service Connection(s)* for other than single-family residential use which is in existence at the date of adoption of the bylaw will complete a *Waste Discharge Permit*.

iii) An *Owner* or occupier who intends to expand or alter a facility, for other than single-family use, which is in existence at the date of adoption of this bylaw such that the effluent flow rate would increase by more than 25% (based on a monthly average of the effluent *Daily Flow* rates), or would increase the effluent concentration of any contaminant listed under Article "B" of Schedule F to this bylaw by of more than 25% (based on a monthly average of one-operating-day *Composite Sample* concentrations), or would increase the effluent mass load of any *Contaminant* of more than 25% (based on a monthly average of the effluent *Daily Flow* rates multiplied by the *Monthly Average* of one-operating-day *Composite Sample* concentrations) will require the discharger to apply for a new *Waste Discharge Permit*. The *Manager* may require the discharger to apply for a new *Waste Discharge Permit* if the flow in any one-day increases to a volume that would limit the capacity of the downstream users.

(f) Applications for *Sewer Service Connection(s)* shall be accompanied by a deposit equal to the *Sewer Service Connection Charge(s)* as set out in Schedule C.

- (g) The *Manager* may refuse a *Sewer Service Connection* application where, in his opinion, the *Brulette Place Sewer System* might be adversely affected, or where, in his opinion, there is insufficient sewage collection and treatment disposal available.
2. (a) *Applicants* for *Sewer Service Connection* shall pay the *Sewer Service Connection Charge* set out in Schedule C and upon completion of the *Sewer Service Connection*, the deposit made pursuant to Section 5.1 (f) shall be applied in payment of such charges.
- (b) When a new *Sewer Service Connection* is installed, the *Sewer Rate* levied shall be prorated in accordance with appropriate charges set out in the appropriate Schedule and shall be computed as determined by the *Treasurer*.
- (c) Where an abandoned *Sewer Service Connection* is in place on or adjacent to an *Applicant's* lands, the *Applicant* may apply to have the *Sewer Service Connection* reconnected and shall at such time apply to have the *Sewer Service Connection* inspected, shall pay the inspection fee set out in Schedule C, and shall expose the *Sewer Service Connection* and prepare it for inspection, provided, however, that the *Manager* may, upon inspecting such a *Sewer Service Connection*, refuse to reconnect it if it is in his opinion defective, and his opinion on this matter shall be final.
3. (a) All work involved in the installation and maintenance of *Sewer Service Connections* to the *Brulette Place Sewer System* is to be performed by duly *Authorized* employees or agents of the *District*.
- (b) Where the *Applicant* for a *Sewer Service Connection* indicates in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as indicated providing the proposed location is approved by the *Manager*.
- (c) Where the *Applicant* for a *Sewer Service Connection* does not indicate in his application a desired location for the *Sewer Service Connection*, the *Sewer Service Connection* will be located as determined by the *Manager*, and if the *Applicant* subsequently requires a relocation of the *Sewer Service Connection*, such relocation is to be at the expense of the *Applicant*.
4. (a) Unless otherwise directed by the *Manager*, all *Sewer Service Connections* shall conform to the Cowichan Valley Regional District specifications and standards, and shall not be less than 100 mm in diameter for single-family dwellings or units and shall be laid at a minimum grade of two percent (2%), and shall not be less than 150 mm in diameter, complete with inspection chamber, for commercial, industrial, institutional or multi-unit dwellings, and shall be laid at a minimum grade of one percent (1%).

- (b) Where practicable as governed by the depth of the *Sewer*, the minimum depth of the *Sewer Service Connection* at the property line shall be one (1) metre. Where possible, the *Sewer Service Connection* will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the *Sewer* and the lowest floor of the building or structure.
- (c) No *Sewer Service Pipe* may be installed in, over or across the property of another person or located on an easement, or statutory right-of-way except by the written consent of the *Owners* concerned and the approval of the *District* in writing.
- (d) Except as otherwise provided in this section, or directed in writing by the *Manager*, separate and independent *Private Sewer Service Pipes* shall be provided to each building served by the *Brulette Place Sewer System*.
- (e) Separate and independent *Sewer Service Connections* shall be supplied to semi-detached residential *Units* where each *Unit* is separately owned and to row housing *Units*, other than dwelling *Units* registered or to be registered under the B.C. The Strata Property Act, where each *Unit* is separately owned.
- (f) Where more than one (1) parcel of land or *Premises* under separate ownership are served by a single *Sewer Service Pipe*, the *Manager* may order the affected *Consumers* to disconnect from the single *Sewer Service Pipe* and connect directly to the *Sewermain* and all connection and plumbing alteration costs shall be borne by the *Consumers*.
- (g) If any *Sewer Service Pipe* is found not to comply with the drawings submitted, and approved by the *Manager*, pursuant to Section 5.4 (a) and (b), the *District* shall not accept sewage from the *Premises* served by the said pipe until such time as the installation is made to agree with the approved drawings.
- (h) Where CVRD records indicate a *Sewer Service Connection* exists to the property line of a parcel of land, the applicant shall make a reasonable effort at his own expense to find the service in a workman-like manner based on the information available. If the service cannot be found in consultation with the CVRD, the CVRD will determine a course of action which may include looking for the existing service or installing a new *Sewer Service Connection*. This cost shall be borne by the *Applicant*.
- (i) If it is determined that "as-constructed" records were incorrect and a *Sewer Service Connection* does not exist, then an extension to the existing service or a new service connection will be installed at the *Applicant's* cost based on the direct and indirectly related cost incurred by the CVRD to carry out the work.
5. (a) The *Owners* of land shall be responsible for the installation of *Private Sewer Service Pipes* joining *Sewer Service Connection*.

- (b) The **Owners** or occupants of land whose **Premises** are served by the **Brulette Place Sewer System** are responsible for providing a readily accessible 100-mm diameter clean-out, inspection chamber, pursuant to Section 5.4 (a) and (b), as near as possible at the point of connection between the **Private Sewer Service Pipe** and the **Sewer Service Connection**.
- (c) **Private Sewer Service Pipe** shall be installed in accordance with the requirements of the British Columbia Plumbing Code, and the requirements of other agencies having jurisdiction, and shall be constructed by the **Owner** entirely at his own expense. The **Private Sewer Service Pipe** shall be inspected by a CVRD representative prior to backfilling.
- (d) The **Private Sewer Service Pipe** shall be maintained by the property **Owner** at his sole expense. Where any **Sewer Service Pipe** becomes stopped, or otherwise fails to function, the **Owner** or occupier of the **Premises** served shall first determine that the blockage is not located in his **Private Sewer Service Pipe**, and then notify the **Manager** forthwith, and the **Manager** shall, as soon as practicable, arrange to have said **Brulette Place Sewer System** or **Sewer Service Connection** unstopped or otherwise restored to serviceable condition.
- (d) Where any stoppage or failure is found to exist in the **Sewer Service Connection** or **Private Sewer Service Pipe** and can be attributed to the user or occupant, then all costs incurred by the **District** in restoring service and unstopping the **Sewer Service Connection** or **Private Sewer Service Pipe** shall be paid by such **Owner** upon demand and if unpaid on the thirty-first (31) day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.
- (f) When any **Private Sewer Service Pipe** is abandoned, the **Owner** or his agent shall notify the **Manager** and the **Owner** shall effectively block up the building **Sewer** at the **Sewer Service Connection** with a watertight seal to be inspected and approved by the **Manager**.
- (g) Whenever practical the **Sewer Service Connection** shall be installed prior to installation of the **Private Sewer Service Pipe** and connection of the **Private Sewer Service Pipe** to the **Sewer Service Connection** shall be made by the **Owner**. The **District** shall not be responsible to meet the elevation or connect to an existing **Private Sewer Service Pipe** installed by the **Owner** prior to installation of the **Sewer Service Connection**.
- (h) No **Private Sewer Service Pipe** shall be connected to a **Sewer Service Connection** until it has been inspected and approved by the **Manager**.
- (i) Where, in the opinion of the **Manager**, the infiltration and inflow from a **Private Sewer Service Pipe** exceeds that which would normally be associated with such pipe works and plumbing fixtures forming part of the **Private Sewer Service Pipe**, the **Manager** may require the **Owner** to rectify the problem within reasonable time and entirely at the **Owner's** cost.

6. (a) Where, in the opinion of the *Manager*, the *Sewer Service Connection* necessitates the installation of a manhole or inspection chamber at the property line, then the installation of the manhole or inspection chamber shall be the responsibility of the *Applicant* or *Owner* and the costs of such installation shall be borne by the *Applicant* or *Owner*.
- (b) The *Manager* may connect if required a *Sewer Service Connection* to an existing manhole.
- (c) Where, in the opinion of the *Manager*, a manhole or inspection chamber is required on the *Sewer Service Connection* but not yet constructed, the *Manager* may install the *Sewer* pipe and leave it plugged until a manhole or inspection chamber is constructed.
- (d) Where a manhole or inspection chamber is connected after the installation of a *Sewer Service Connection*, the person constructing the manhole or inspection chamber shall connect the *Sewer Service Pipe* to the manhole or inspection chamber, as directed by the *Manager*, advise the *Manager* that such connection has taken place and request that the connection be inspected by the *Manager*.
7. Where a *Consumer* requires the replacement of a *Sewer Service Connection*, the existing *Sewer Service Connection* shall be disconnected and the cost of disconnecting the *Sewer Service Connection* as set out in Schedule C, is to be borne by the *Consumer*.
8. No person shall make any temporary connection to any *Sanitary Sewer* except by special agreement with the *District*.

#### **6. EXTENSION TO THE BRULETTE PLACE SEWER SYSTEM SERVICE AREA**

1. All extensions of the *Brulette Place Sewer System* shall be undertaken upon the recommendation of the *Committee* and pursuant to bylaws and policy of the *Regional Board* authorizing such extensions.
2. (a) *Owner(s)* of land within the *Brulette Place Sewer System Service Area* may file with the *Manager* a written request for an extension of the *Brulette Place Sewer System* and shall supply the *Manager* with such information with regard to the proposed extension as he may request. Such application shall be accompanied by a *Sewer Extension Application Charge* as set out in Schedule E.
- (b) The *Manager* shall forward all requests for extensions of the *Brulette Place Sewer System* to the *Committee*.
3. Extensions of the *Brulette Place Sewer System* may be undertaken upon such terms and conditions as the *Regional Board* may from time to time impose, including, but not limited to:

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(a) In the event an *Applicant* wishes to proceed with an extension to the *Brulette Place Sewer System*, the *Manager* may, with the approval of the *Committee*, allow the extension, provided that the *Applicant* shall install the extension entirely at his own expense. The final cost to the *Applicant* of the *Brulette Place Sewer System* extension shall be the actual cost of design and construction together with a supervision charge in the amount stated in the approval to construct the extension and may include costs directly associated with upgrading existing facilities to accommodate the proposed development together with legal costs or other related costs incurred by the *District* and the *Applicant*.

(b) Any extension to the *Brulette Place Sewer System* shall be constructed in accordance with the plans and specifications of the *District* and to the approval of the *Manager*.

(c) Where a *Sewer* is extended, the minimum inside diameter shall be 200 mm and shall extend from the most convenient existing *Sewer* having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension. The decision regarding the point of connection to the public *Sewer* rests with the *Manager*.

## **7. MISCELLANEOUS SERVICES**

1. The *District* is responsible for the flushing, cleaning, rodding, unblocking and repairing of *Sewer Service Connections*.
2. Where any *Private Sewer Service Pipe* is found to have been blocked or damaged through the action of the *Consumer* occupying the property served by the pipe, or through the actions of any other person, the cost of labour and materials used to repair such blockage or damage shall be the responsibility of the *Owner*.
3. The *Treasurer* shall, upon written request accompanied by payment of the fee set out in Schedule D in respect to each separate parcel of land or *Premises*, furnish any *Applicant* with a written certificate showing the arrears of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges* and *Parcel Tax* due on, or in respect of, any parcel of land or *Premises* up to the date to which such *Sewer Rates* and *Sewer Charges* were last computed, the duration of the last billing period, and the net amount billed during that period.
4. Cheques submitted by *Consumers* for the payment of *Sewer Rates*, *Sewer Surcharge Rates*, *Sewer Charges*, or *Parcel Tax* and subsequently dishonoured by the banks on which they are drawn, will be processed by the *Treasurer* for the charge set out in Schedule D.

**8. BILLING AND COLLECTING SEWER  
SURCHARGE RATES AND SEWER CHARGES**

1. (a) All *Sewer Rates*, *Sewer Surcharge Rates*, and *Sewer Charges* shall be payable for services provided and shall be due and payable when rendered.  
(b) Subject to sub-section (c), regular billings for *Sewer Rates* or *Sewer Surcharge Rates* may be rendered annually, quarterly, monthly or bimonthly at the discretion of the *Treasurer*.  
(c) The *Treasurer* may in writing direct that any *Consumer* receive regular billings for *Sewer Rates* or *Sewer Surcharge Rates* at any periodic interval other than the intervals set out in sub-section (b).  
(d) The *Treasurer* may with reasonable notice advance or delay any regular billing of *Sewer Rates* or *Sewer Surcharge Rates*.  
(e) To protect the *District* against potential losses from unpaid *Sewer Charges*, the *Treasurer* may, at his discretion, demand in writing a security deposit by way of cash, certified cheque, letter of credit or guarantee from a *Consumer* from whom delinquent charges and fees can not be applied to property taxes.  
(f) The amount of the security deposit shall be no less than an amount equal to a *Consumer's* estimated *Sewer* bill for a period of 180 days.
2. (a) All *Sewer Rates* and *Sewer Surcharge Rates* are established in amounts that reflect a discount for prompt payment in the percentage set out in the Schedules of this bylaw.  
(b) Where any billing for *Sewer Rates* or *Sewer Surcharge Rates* remains unpaid after sixty (60) calendar days after the invoice date, the *Consumer* shall lose the discount for prompt payment set out in Schedules A and B, and/or as shown on the *Sewer* bill after the due date established by the *Treasurer*.
3. (a) All *Sewer* bills shall be distributed to *Consumers* by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the *Treasurer*.  
(b) *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* may, at the discretion of the *Treasurer*, be charged and billed to:
  - (i) the person requesting that *Sewer* services be provided, or
  - (ii) the person in occupation of the *Premises* served by the *Brulette Place Sewer System*, or
  - (iii) the *Owner* of the *Premises* served by the *Brulette Place Sewer System*.  
(c) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings having multiple *Units* but served by a single *Sewer Service Connection* shall be charged and billed to the *Owner* of the building unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.

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(d) All *Sewer Rates*, *Sewer Surcharge Rates* and *Sewer Charges* for services rendered to buildings registered under The Strata Property Act shall be billed to the strata corporation unless otherwise directed in writing by the *Treasurer* and agreed to by the *Treasurer*.

(e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the Cowichan Valley Regional District office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8, or by telephone or internet banking.

## 9. OFFENCES AND SANCTIONS

### 1. Every person who:

(a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted, the *District*, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;

(b) lays or causes to be laid any pipe or *Sewer* to communicate with any pipe or *Sewer* of the *Brulette Place Sewer System*, or in any way obtains use of *Sewer Services* without the consent of the *District*;

(c) wilfully causes the *Brulette Place Sewer System* to be blocked, obstructed, or damaged in any way;

(d) discharges or throws, or causes, allows or permits to be discharged, deposited or thrown into any Sewer Service Area, plumbing fixtures connected thereto, manhole, inspection chamber or any other part of the *Sewer* system, any substance of any kind whatsoever that would tend to obstruct or injure the *Brulette Place Sewer System*, or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the *Sewer Service*, and will be dealt with under Schedule F of this bylaw.

(e) maliciously, wilfully, or negligently breaks, damages, destroys, uncovers, defaces, mars or tamper with any part of the Sewer Service Area is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00.

### 2. Pursuant to the Local Government Act, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the Local Government Act.

## 10. SOURCE CONTROL

### 1. Refer to Schedule F for details.

**11. REMAINDER OF BYLAW TO REMAIN INTACT**

In the event that a Court of competent jurisdiction declares any portion of this bylaw ultra vires, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

**12. FORCE AND EFFECT – SCHEDULE A**

Schedule A (Sewer Surcharge Rates {Metered Water Consumption}) may come into force and effect once a CVRD metered water system is in place.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary



**SCHEDULE A**  
**TO BYLAW NO. 3340**

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**SEWER SURCHARGE RATES (METERED WATER CONSUMPTION)**

Not applicable.



## SCHEDULE B

### TO CVRD BYLAW NO. 3340

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#### **SEWER SERVICE CHARGES**

(a) *Consumers of Sewer Services* who do not receive *Metered District Water*, shall pay the minimum billing set out in sub-section (c) below.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<b><u>Classification</u></b>	<b><u>Charge</u></b>	<b><u>10% Discount</u></b>	<b><u>Discounted Amount</u></b>
<b>Single Family Dwelling: – Per Dwelling</b>	210.00	21.00	189.00
<b>Step System – Per Dwelling</b>	178.50	17.85	160.65
<b>Apartment: – Per Unit</b>	178.50	17.85	160.65
<b>Mobile/Modular Home Park: – Per Unit</b>	210.00	21.00	189.00
<b>RV Trailer Park/Campground:</b>			
<b>Site Connected to Sewer: Per serviced pad or site</b>	105.00	10.50	94.50
<b>Site not Connected to Sewer: Per pad or site</b>	21.00	2.10	18.90
<b>Hotel/Motel:</b>			
a) <u>Room or Suite: - Per room or suite</u>	84.00	84.0	75.60
b) <u>Kitchenette or Housekeeping Unit - Per room or suite</u>	126.00	12.60	113.40
<b>Restaurants - Per seat:</b>	12.60	1.26	11.34
<b>Licensed Premises - per seat:</b>	12.60	1.26	11.34
<b>Laundromat: Minimum charge for each washing machine:</b>	210.00	21.00	189.00
<b>Commercial:</b>			
<b>Minimum charge for the first 5 employees or portion thereof per shift</b>	105.00	10.50	94.50

<b>School:</b> Minimum charge per classroom	210.00	21.00	189.00
<b>Continuing Care Facility:</b> Minimum charge for <u>each bed</u>	157.50	15.75	141.75

**Bed & Breakfast/Rooming House:**

The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom

1. Single Family Dwelling	210.00	21.00	189.00
2. Per guest room	84.00	8.40	75.60

**Others** (for each 259 lgal. of daily metered or estimated water consumption). There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number.

**Single Family Dwelling:**

Applies to any connection servicing 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.

**Septic Tank Effluent Pumping (STEP):**

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-Family Dwelling rate to offset the cost of septic tank pump outs (typically a maximum of every 5 years).

**Apartment:**

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

**Mobile Home Park:**

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

**RV Trailer Park/Campground:**

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

**Other:**

The minimum charge and the volume of discharge to be apportioned for a six (6) month period for other types of developments that, in the opinion of the *Manager*, do not fall within the above classifications, shall be determined by the *Manager* and his decision shall be final.

**Hotel/Motel:**

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

**Restaurant:**

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

**Licensed Premises:**

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

**Laundromat:**

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

**Commercial:**

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience stores, service establishments, and light industrial uses.

**School:**

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.



**Continuing Care Facility:**

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

**Bed & Breakfast:**

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

**Rooming House:**

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



SCHEDULE C

TO CVRD BYLAW NO. 3340

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1. **Parcel Tax Being Paid**

The *Sewer Service Connection Charges* for property, which has been paying the annual Parcel Tax, are outlined below:

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Sewer Service* shall be accompanied by a payment equal to the *Sewer Service Connection Charge* of:

100-mm or 150-mm diameter connection.....\$300.00

plus a deposit in the amount of the *Manager's* estimate to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Sewer Service Connection* installation.

(b) Where the *Sewer Service Connection* has been installed by the subdivider entirely at his cost and the *Sewer Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Sewer Service* shall only be required to complete a Sewer Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- \*First lot exempt.....n/a

- Each additional lot created.....\$3,500.00

\*Where the existing *Sewer Service Connection* is not utilized, the *Subdivider* will pay a *Sewer Service Connection Charge* of \$300.00

(b) Lot not presently serviced:

- First lot.....\$300.00

- Each additional lot created.....\$3,500.00

.../2

(c) Pre-installed Sewer Connection – where the *Sewer Service Connection* has been installed by the subdivider entirely at his own cost, but the *Sewer Service Connection Charge* has not been prepaid, then the *Applicant* for *Sewer Service* shall be required to complete a *Sewer Service Connection* Application and pay the *Sewer Service Connection Charge* of \$3,500.00.

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:  
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building.....n/a  
(included under Sub-Section 1.1)  
Each additional unit or building.....\$3,500.00
- (b) Presently Occupied and Serviced  
Each additional *Unit* or building.....\$3,500.00

2. Parcel Tax Not Being Paid

.1 EXISTING LOT:  
(permits servicing of one *unit* or *building*) .....\$3,500.00

.2 EXISTING LOT TO BE SUBDIVIDED:  
Each and every newly created *Lot* .....\$3,500.00

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:  
Where a *Sewer Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First *Unit* or building..... n/a  
(Included under Section 2.1 above)  
Each additional *Unit* or building.....\$3,500.00
- (b) Presently Occupied and Serviced  
Each additional *Unit* or building.....\$3,500.00

3. High Flow Rates

The above *Sewer Service Connection Charge* shall be levied where applicable; however, where in the opinion of the *District*, the flow rates from the intended use or from a change in use of a *Lot*, *Unit* or *Building*, exceeds maximum daily flow of 2.5 cubic metres per day (550 Imperial gallons per day), then the *Applicant* may be required to pay additional *Sewer Service Connection Charges* in proportion to the flow rates as determined by the *District*, and/or complete an application of a Waste Discharge Permit. The decision of the *District* shall be final.

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**4. Other**

The above Sewer Service Connection Charge shall be levied where applicable, however, where in the opinion of the *District*, the flow rates from the intended use or change in use of a *Lot, Unit* or *Building* may be limited, temporary or seasonal, the *Applicant* may submit a detailed report for review by the *District* to determine if the *Sewer Service Connection Charge* may be adjusted to suit the intended use. The decision of the *District* shall be final.

**5. Disconnection of a Sewer Service Connection**

Where a *Sewer Service Connection* is to be abandoned and must be disconnected as determined by the *Manager*, the cost to the *Owner* of the property serviced shall be based on the actual cost to complete the work required plus a 10% administration charge.

**6. Re-use of Abandoned Sewer Service Connection**

Inspection fee of previously abandoned, or disused,  
*Sewer Service Connection* -----\$50.00, plus the actual cost of a video inspection



**SCHEDULE D**

**TO CVRD BYLAW NO. 3340**

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**MISCELLANEOUS CHARGES**

1. Supply statement of account  
pursuant to Section 7 (3) .....No Charge
2. Processing dishonoured cheques  
pursuant to Section 7 (4).....No Charge



**SCHEDULE E**  
**TO CVRD BYLAW NO. 3340**

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**SEWER EXTENSION CHARGES**

All applications for extension of the *Brulette Place Sewer System* shall be accompanied by a *Sewer Extension Application Fee* calculated as follows:

(a) Applications to Serve Subdivisions:

A fee of **\$500.00**, plus \$50.00 per lot to be created by the proposed subdivision.

(b) Other Applications:

A fee of **\$25.00** plus \$100.00 per hectare (or part thereof) of land proposed to be serviced.





## SCHEDULE F

### TO CVRD BYLAW NO. 3340

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#### SOURCE CONTROL

##### 1. DISCHARGES TO SEWERS

- .1 No person shall directly or indirectly ***Discharge*** or allow or cause to be ***Discharged*** into a ***Sewer*** connected to a ***Sewage Facility*** operated by the ***District***, any waste which, at the point of discharge, contains:
  - (a) Any ***Prohibited Waste***, as described in Article "A".
  - (b) Any ***Restricted Waste***, at a concentration in excess of the limits set out in Article "B"; unless that person has first obtained a ***Waste Discharge Permit*** or ***Authorization***.
  - (c) Any ***High Volume Discharge*** unless that person has first obtained a ***Waste Discharge Permit*** or ***Authorization***; or
  - (d) Any ***Uncontaminated Water*** in a volume greater than 2.0 cubic metres per day without prior ***Authorization*** from the ***Manager***.
  - (e) Any ***Stormwater*** without prior ***Authorization*** from the ***Manager***.
- .2 No person shall directly or indirectly ***Discharge***, or allow or cause to be ***Discharged*** into a ***Sewer*** connected to a ***Sewage Facility*** operated by the ***District*** any water or other ***Substances*** for the purpose of diluting any ***Non-domestic Waste***.
- .3 In order to obtain and maintain the ***Authorization*** referred to in paragraph 2.1(d), where the ***Uncontaminated Water*** is produced on property, other than ***Residential Property***, and is from a source other than a ***Waterworks***, a person shall:
  - (a) install and thereafter maintain, at that person's expense, a meter on the water supply generating the ***Authorized Discharge***; and
  - (b) supply to the ***Manager***, by the tenth (10<sup>th</sup>) of each month, an accurate calculation of the volume of water measured pursuant to paragraph 2.4(a).

.../2



- 4 Every person who directly or indirectly *Discharges Waste* or *Substances* produced, treated, handled, or stored on property other than *Residential Property* into a *Sewer* connected to a *Sewer Facility* operated by the *District* shall, as a condition of that *Discharge*:
- (a) provide and maintain facilities to prevent accidental *Discharge*, or a *Discharge* contrary to this Schedule for *Substances* which, if accidentally *Discharged*, would constitute *Prohibited* or *Restricted Waste*;
  - (b) post, and keep posted, permanent signs in conspicuous locations on the *Premises* displaying the name, telephone number of the person to call as prescribed in Article "C" in the event of accidental *Discharge* of a *Prohibited* or *Restricted Waste*; and
  - (c) inform employees, who may cause or discover the *Discharge* of *Prohibited* or *Restricted Waste*, of the notification procedures set out in Section 5 of this Schedule.
- .5 *Oil and Grease* interceptors shall be installed for all food preparation facilities including restaurants, canning operations, killing and processing facilities, as close to the source of the *Waste* material as practical.
- .6 *Oil and Grease* and sand interceptors shall be installed for all vehicle repair and maintenance establishments and service stations, as close to the source of the *Waste* material as practical.
- .7 Separate sand traps and *Oil and Grease* interceptors shall be installed for all establishments that provide vehicle or equipment washing facilities. Sand traps shall be located upstream from the *Oil and Grease* interceptors, and shall have a minimum liquid depth of 1 metre and a maximum overflow rate of 8 L/m/m<sup>2</sup> under peak flow conditions. Sand and silt shall be removed from sand traps before these materials occupy 25 percent of the liquid depth. Accumulated *Oil and Grease* shall be skimmed off the surface of the interceptors and other sumps often enough to prevent these materials from escaping to the *Sewer*.
- .8 Interceptors are required for all industries or commercial establishments as necessary for the removal of grease, flammable wastes, sand, grit or other restricted substances.
- .9 All interceptors shall be installed on the parcel, upstream of the *Service Connection* and shall be located as to be readily accessible for cleaning and inspection.
- .10 All interceptors shall be maintained by the *Owner* or occupier in efficient operation at all times.
- .11 Volume Restriction: *Wastewater* or other *Water* shall not be *Discharged* into the *Sanitary Sewer* System in a volume that causes the *Sanitary Sewer* System to back up or leak at any point.

- .12 Special Control Manholes and Flow Meters: Any *Owner* or occupier of *Premises* that are the location of a facility that is discharging or likely to *Discharge Wastewater* to the *Sanitary Sewer* System in a volume that exceeds 90 m<sup>3</sup> per month shall install a control manhole and flow meter on the building *Sewer* at a location that is suitable for the inspection and sampling of the discharged waters.
- .13 The rate or rates of *Discharge* for various times of a twenty-four hour period for any industry connected to the *Sanitary Sewer* system shall not exceed the extra capacity of the *Sanitary Sewer* system after all the other regular users have been accommodated. Such industries shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the *Manager* to ensure that the specified flow rates shall not be exceeded.
- .14 The control manhole shall be installed and maintained at the expense of the *Owner* or occupier of the *Premises* and shall be accessible at all times to the *District*.
- .15 The control manhole shall have a barrel diameter of 1200-mm, and shall be located on a straight run of building sewer extending at least 3 metres upstream of the manhole and 2 metres downstream. The section of building sewer on which the manhole is located shall have a gradient not exceeding 2 percent.
- .16 If the *Manager* deems necessary, a permanent flow meter (e.g. "Palmer Bowlus") shall be installed as an integral part of the control manhole, and shall be sized to suit the peak design flows.

## 2. WASTE DISCHARGE PERMITS AND AUTHORIZATIONS

- .1 The *Manager* may issue a *Waste Discharge Permit* or *Authorization* to allow a *High Volume Discharge*, or to allow the *Discharge* of *Waste* other than *Domestic Sewage* upon such terms and conditions as the *Manager* considers appropriate for the protection of *Sewers*, sewage facilities, human or animal health and safety, and the environment, and without limiting the generality of the foregoing, may in the *Waste Discharge Permit* or *Authorization*;
  - (a) place limits and restrictions on the quantity, frequency of *Discharge*, and the nature of the *Waste* permitted to be discharged;
  - (b) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to repair, alter, remove, or add works, or construct new works to ensure that the *Discharge* will comply with the *Waste Discharge Permit* or *Authorization*, this Schedule, and any *Enactment*;

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- (c) require the holder of a *Waste Discharge Permit* or *Authorization*, at his expense, to monitor the *Waste* being discharged under the *Waste Discharge Permit* or *Authorization* in the manner specified by the *Manager*, and to provide information concerning the *Discharge* as requested by the *Manager* including, but not limited to, routine maintenance check dates, cleaning and *Waste* removal dates, and the means of disposal of accumulated *Wastes* and *Waste* treatment residuals;
  - (d) require the holder of the *Waste Discharge Permit* or *Authorization* to submit to the *Manager* detailed plans and operating procedures for all existing facilities installed on the *Premises* for the purpose of preventing accidental *Discharge*;
  - (e) require compliance by the holder of the *Waste Discharge Permit* or *Authorization* with such other *Enactments* as the *Manager* considers necessary or desirable in the circumstances;
  - (f) make such other requirements as the *Manager* deems necessary or desirable.
- .2 Notwithstanding paragraphs 2.1(b) and (c), the *Manager* may require any *Applicant* or person to obtain a *Waste Discharge Permit* or *Authorization* for the *Discharge* of any *Non-domestic Waste* that is not a *High Volume Discharge* or a *Restricted Waste*.
- .3 Upon receipt of notice under subsection 3.2, the *Applicant* or person receiving the notice shall, within 30 days, apply for a *Waste Discharge Permit* or *Authorization* and shall provide to the *Manager* such information relating to the *Discharge* of *Non-domestic Waste* by that person as the *Manager* may require.
- .4 The *Manager* may suspend or revoke a *Waste Discharge Permit* or *Authorization* for a failure to comply with the terms and conditions of the *Waste Discharge Permit* or *Authorization*, or for any failure to comply with this Schedule, or any *Enactment* applicable to the *Discharge* of *Waste* into a *Sanitary Sewer* connected to a *Sewage Facility* operated by the *District*.
- .5 (a) A *Waste Discharge Permit* or *Authorization* may not be transferred or assigned without the *Manager's* consent in writing.
- (b) The *Manager* may withhold consent where there has been a breach of this Schedule or a condition of the *Waste Discharge Permit* or *Authorization*.
- .6 An application for a *Waste Discharge Permit* for a new *Discharge*, or an amendment to an existing *Waste Discharge Permit*, shall be made to the *Manager* on the form attached hereto as Article "C", and shall be accompanied by such information, drawings, and specifications as may be required under Article "C".

### 3. MAINTENANCE OF WORKS AND PROCEDURES

- .1 It is a condition of the *Discharge* of *Waste* (produced on property other than *Residential Property*) into a *Sanitary Sewer* by a person who holds a *Waste Discharge Permit* or *Authorization*, or who otherwise discharges *Waste*, that all measures be taken to keep all equipment and facilities maintained and in good repair as may be necessary to ensure compliance with the terms and conditions of this Schedule, a *Waste Discharge Permit* or *Authorization*.
- .2 No person shall Discharge or allow or cause to be discharged, into a *Sewage Facility* or a *Sewer* connected to a *Sewage Facility* operated by the *District*, *Non-domestic Waste*, which has bypassed any *Waste* control works *Authorized* and required by the *Manager*, or which is not otherwise in compliance with this Schedule.

### 4. RECORDS RETENTION

- .1 Holders of a *Waste Discharge Permit* or *Authorization* permitting the *Discharge* of *Waste* produced on property other than *Residential Property*;
  - (a) shall retain and preserve for not less than six (6) years after their creation, any records, books, documents, memoranda, reports, correspondence, and any and all summaries of such documents, relating to monitoring, sampling and chemical analysis required by the *Manager*, a *Waste Discharge Permit*, or *Authorization*.
  - (b) shall retain and preserve all records that pertain to issues that are the subject of administrative action or any other enforcement or litigation activities by the *District* until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

### 5. NOTIFICATION

- .1 Any person who discharges *Waste* or allows the *Discharge* of *Waste* into a *Sewer* or a *Sewage Facility* in contravention of any *Waste Discharge Permit*, or *Authorization*, or that is otherwise in contravention of this Schedule, after becoming aware of the *Discharge*, shall stop the *Discharge*, and after reporting the *Discharge* in accordance with the *Spill Reporting Regulation* shall immediately notify:
  - (a) the *Manager* by telephone and provide the information specified in Sub-section 6.2;
  - (b) the *Owner* of the *Premises*; and
  - (c) any other person whom the person reporting knows, or reasonably should know, may be directly affected by the *Discharge*.
- .2 The *Manager* shall be supplied with the following information:
  - (a) identification of the *Premises* where the *Discharge* occurred;

- (b) location of the *Discharge*;
  - (c) name of the person reporting the *Discharge* and telephone number, or numbers, where that person can be reached;
  - (d) date, time and duration of the *Discharge*;
  - (e) type and concentration of all *Substances* discharged and any known associated hazards;
  - (f) total weight or volume of the material discharged; and
  - (g) corrective action being taken, or anticipated to be taken, to control the *Discharge* or to prevent similar *Discharges*.
- .3 A person who discharged or allowed a *Discharge of Waste* referred to in Subsection 6.1 shall, as soon as that person becomes aware, or reasonably should have become aware of the *Discharge*, take all reasonable measures to:
- (a) confine, minimize, counteract, mitigate, remedy, and repair the effects of the *Discharge*; and
  - (b) remove or otherwise dispose of the *Substance* discharged in a manner consistent with this Schedule and other applicable *Enactments*.
- .4 A person operating under a *Waste Discharge Permit* shall notify the *Manager* in writing not less than 90 days prior to:
- (a) commencing a new activity; or
  - (b) expanding or changing an existing activity;
- which affects or may affect the average composition, or the total volume of *Waste* discharged by that person.

## 6. POWERS OF THE MANAGER

- .1 The *Manager* may enforce the provisions of this Schedule.
- .2 The *Manager*, or any person *Authorized* by the *Manager*, may at any reasonable time and upon presentation of proof of his identity, enter upon any property or *Premises* in order to ascertain whether the terms of a *Waste Discharge Permit*, an *Authorization* have been, or are being complied with, or the regulations of this Schedule are being observed.
- .3 Nothing in this Schedule shall be interpreted as restricting the powers of the Regional Manager of the Ministry of Environment under the *Environmental Management Act* of British Columbia and Regulations, or of the *Manager*.

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## **7. MONITORING OF DISCHARGES**

- .1 A *Manager*, may require that a person who is discharging any *Waste* other than *Domestic Sewage* into a *Sewer* shall, at his expense, install one or more *Monitoring Points* suitable for inspection, flow monitoring, and sample collection at locations determined by the *Manager*, to be constructed in accordance with plans approved by the *Manager* and maintained in good working order by the person.
- .2 A *Monitoring Point* required under subsection 7.1 shall be installed in a manner so as not to be affected by any *Discharge* of *Domestic Waste* from a *Premises*, unless otherwise *Authorized* by the *Manager*.
- .3 A *Monitoring Point* required under subsection 7.1 shall, for the purposes of enforcing this Schedule, be deemed to be the point or points at which a *Discharge* into a *Sewer* or *Sewage Facility* is made.
- .4 In the absence of a *Monitoring Point* under subsection 7.1, the point of *Discharge* into a *Sewer* or *Sewage Facility* shall, for the purposes of enforcing this Schedule, be the location determined by the *Manager* where access can be had to the *Waste* for the purpose of sampling.
- .5 Where a person is required to install a *Monitoring Point* under subsection 7.1, and the person cannot comply with such requirement within 60 days of being notified of the requirement by the *Manager*, the person shall, within 60 days of the notice being issued by the *Manager*, inform the *Manager* of his inability to install the *Monitoring Point* and the *District* may install, or cause to be installed, the *Monitoring Point* at the person's expense.
- .6 The *Owner* of a *Premises* shall ensure that all *Monitoring Points*, flow measuring devices and other devices specified in the *Waste Discharge Permit*, including water meters, are accessible for inspection by the *Manager* at all times.
- .7 The *Manager* may require that a person who is discharging *Waste* into a *Sewer* undertake, at that person's expense, sampling and analysis of the *Waste* discharged.
- .8 All sampling and analysis required by a *Manager* shall be carried out in accordance with methods and procedures specified in *Standard Methods* or in a manner specified by the *Manager*.
- .9 Samples which have been collected as the result of a requirement of the *Manager* shall be analysed by an independent agency or by a laboratory *Authorized* by the *Manager*.

## **8. OFFENCES AND PENALTIES**

- .1 A person who contravenes this Schedule, a *Waste Discharge Permit*, or *Authorization* issued under this Schedule, or other requirement made or imposed under this Schedule, is guilty of an offence and is liable to a fine not exceeding \$10,000.00.

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- .2 Where an offence is committed or continues for more than one day, a person shall be deemed to have committed separate offences for each day on, or during which an offence occurs or continues, and separate fines, each not exceeding \$10,000.00 may be imposed for each day on or during which an offence occurs or continues.
- .3 Nothing in this Schedule shall limit the *District* from pursuing any other remedy that would otherwise be available to the *District* at law.

## 9. GENERAL

- .1 No person shall hinder or prevent the *Manager*, or a Bylaw Enforcement Officer, from entering any *Premises* or from carrying out his duties with respect to the administration of this bylaw.
- .2 Nothing in this Schedule shall be interpreted as relieving a person discharging *Waste* from complying with federal, provincial and local government *Enactments* governing the *Discharge of Waste into Sewers*.
- .3 Where the *Regional Board* has authority to direct that a matter or thing be done by a person, the *Regional Board* may also direct that, if the person fails to take the required action, the matter, or thing, shall be done at the expense of the person in default in accordance with the Local Government Act. If action in default is taken, the *Regional Board* may recover the expense from the person, together with costs and interest at the rate prescribed under Section 11(3) of the Taxation (Rural Area) Act, in the same manner as municipal taxes.
- .4 The Articles annexed hereto shall be deemed to be an integral part of this Schedule.
- .5 If any provision of this Schedule is found to be invalid by a court of competent jurisdiction it may be severed from the Schedule.
- .6 The headings in this Schedule are inserted for convenience of reference only.

**ARTICLE "A"**  
**PROHIBITED WASTE**

*Prohibited Waste* means:

1. **Special Waste:**

*Special Waste* as defined by the Environmental Management Act of British Columbia and its Regulations.

2. **Air Contaminant Waste:**

Any *Waste* other than *Sanitary Waste* which, by itself or in combination with another *Substance*, is capable of creating, causing or introducing an *Air Contaminant* outside any *Sewer* or *Sewage Facility*, or is capable of creating, causing or introducing an *Air Contaminant* within any *Sewer* or *Sewage Facility* which would prevent safe entry by *Authorized* personnel.

3. **Flammable or Explosive Waste:**

Any *Waste*, which by itself or in combination with another *Substance*, is capable of causing, or contributing to an explosion, or supporting combustion in any *Sewer* or *Sewage Facility* including, but not limited to gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

4. **Obstructive Waste:**

Any *Waste* which by itself, or in combination with another *Substance*, is capable of obstructing the flow of, or interfering with, the operation or performance of any *Sewer* or *Sewage Facility* including, but not limited to, earth, sand, sweepings, gardening, or agricultural waste, ash, chemicals, paint, metal, glass, *Sharps*, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

5. **Corrosive Waste:**

Any *Waste* with corrosive properties which, by itself, or in combination with any other *Substance*, may cause damage to any *Sewer* or *Sewage Facility*, or which may prevent safe entry by *Authorized* personnel.

6. **High Temperature Waste:**

(a) Any *Waste* which, by itself or in combination with another *Substance*, will create heat in amounts which will interfere with the operation and maintenance of a *Sewer* or *Sewage Facility*, or with the treatment of *Waste* in a *Sewage Facility*;

(b) Any *Waste* which will raise the temperature of *Waste* entering any *Sewage Facility* to 40 degrees Celsius (104 degrees Fahrenheit), or more;

(c) Any *Non-domestic Waste* with a temperature of 65 degrees Celsius (150 degrees Fahrenheit), or more.



7. **Biomedical Waste:**

Any of the following categories of **Biomedical Waste**; human anatomical waste, animal waste, untreated microbiological waste, waste **Sharps** and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Bio-safety Guidelines" published by Health and Welfare Canada and dated 1990.

8. **PCBs, Pesticides:**

Any **Waste** containing **PCBs** or **Pesticides**.

9. **Miscellaneous Wastes:**

Any **Waste**, other than **Sanitary Waste**, which by itself, or in combination with another **Substance**:

- (a) constitutes or may constitute a significant health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a **Discharge** from a **Sewage Facility** to contravene any requirements by or under any BC Waste Management Discharge Permit, or any other act, law or regulation governing the quality of the **Discharge**, or may cause the **Discharge** to result in a hazard to people, animals, property or vegetation;
- (d) may cause **Biosolids** to fail criteria for beneficial land application in British Columbia as set out in the draft "Guidelines for the Disposal of Domestic Sludge under the Environmental Management Act, prepared by the Ministry of Water, Land and Air Protection and dated 1983, or may cause the emissions from a **Wastewater Sludge** combustion facility to be out of compliance with appropriate permits, or may cause the ashes from a **Wastewater Sludge** combustion facility to be considered a **Special Waste** under the Environmental Management Act of British Columbia.

## ARTICLE "B"

### RESTRICTED WASTE

**Restricted Waste** means:

1. Any **Waste** which, at the point of **Discharge** into a **Sewer**, contains any **Contaminant** at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the **Contaminant**, whether dissolved or undissolved. The concentration limits apply to both **Grab** and **Composite Samples**. **Contaminant** definitions and methods of analysis are outlined in **Standard Methods** or methods specified by the **Manager**.

Any of the **Contaminants** listed below in tables (a), (b) or (c) that are present in a **Waste** at dissolved concentrations in excess of the **Special Waste Regulation Leachate Quality Criteria** will qualify that **Waste**, regardless of the sampling method used, as a **Special Waste**.

(a) CONVENTIONAL CONTAMINANTS (mg/L)	
Biochemical Oxygen Demand ( <b>BOD</b> )	300
Chemical Oxygen Demand ( <b>COD</b> )	600
<b>Oil and Grease</b>	100
Suspended Solids	350
Total Nitrogen	80
Total Phosphorous	10

NOTE: \*Total **Oil and Grease** includes Petroleum Hydrocarbons (see table (b)).

(b) ORGANIC CONTAMINANTS (mg/L)	
Benzene, Ethyl Benzene, Toluene, Xylene (BETX)	1
Chlorinated <b>Phenols</b>	1.0
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
Phenols	1
Petroleum Hydrocarbons	15

(c) INORGANIC CONTAMINANTS (mg/L)	
Aluminium (Al)	50.0
Arsenic (As)	1.0
Boron (B)	50.0
Cadmium (Cd)	0.2
Chromium (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	1.0
Iron (Fe)	10.0
Lead (Pb)	1.0
Manganese (Mn)	5.0
Mercury (Hg)	0.05
Molybdenum (Mo)	1.0
Nickel (Ni)	2.0
Silver (Ag)	1.0
Sulphate (SO <sub>4</sub> )	1500

Sulphide (S)	1.0
Tin (Sn)	5.0
Zinc (Zn)	3.0

2. **Food Waste:**

Any *Non-domestic Waste* from cooking and handling of food that, at the point of *Discharge* into a *Sewer*, contains particles larger than 0.5 centimetres in any dimension.

3. **Radioactive Waste:**

Any *Waste* containing *Radioactive Materials* that, at the point of *Discharge* into a *Sewer*, exceed radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. **pH Waste:**

Any *Non-domestic Waste* which, at the point of *Discharge* into a *Sewer*, has a *pH* lower than 5.5 or higher than 9.5 as determined by either a *Grab* or a *Composite Sample*.

5. **Dyes and Colouring Material:**

Dyes or colouring materials which may pass through a *Sewage Facility* and discolour the effluent from a *Sewage Facility* except where the dye is used by the *District*, or one or more of its *Municipalities*, as a tracer.

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## ARTICLE "C"

### WASTE DISCHARGE PERMIT APPLICATION

This Information Sheet is provided to assist you in the preparation and submission of an application for a *Waste Discharge Permit* under the CVRD – Brulette Place Sewer System Management Bylaw No. 3340, 2009. Once the form has been completed, initial each page and sign the declaration. To assist the CVRD Engineering & Environmental Services Department in processing of the application, please make an accurate, readable and complete submission to the address provided below.

#### A. APPLICATION FORMS

1. COMPANY INFORMATION:

Indicate the company name, incorporation number, type of business, and location of the business. If your business or organization has more than one site address, please copy this form and complete a separate application for each site.

2. SUMMARY OF EFFLUENT DISCHARGE CHARACTERISTICS:

Complete this section to indicate *Discharge* duration, volume and quality.

3. NUMBER OF CONNECTIONS:

List the number and type of connections to *Sewer*.

4. SOURCES OF WASTEWATER:

Where *Non-domestic Waste* is being discharged to *Sanitary Sewer* or *Storm Sewer*, list any pre-treatment works and the actual source of the wastewater.

5. SITE PLAN:

A site plan must be submitted. Clearly mark the plant boundary, buildings, and approximate locations of new and existing works, *Monitoring Points* and *Sewer* connections.

6. DECLARATION FORM:

The application form must be signed. Please ensure that the first box in the Declaration Section is complete. An application may be filed by an agent of the *Applicant* and, unless the *Manager* deems otherwise, an obligation imposed by this Schedule on an *Applicant* may be carried out by his agent. If you wish to appoint an agent, please complete the appropriate box in the Declaration Section.

#### B. ADDITIONAL INFORMATION

1. Specifications and drawings of process equipment and control works associated with the *Discharge* should be submitted to assist the CVRD's Engineering & Environmental Services Department with the evaluation of the application. The *Manager* may request submission of additional details relevant to the application. Should additional application forms be required, they may be obtained from:

Cowichan Valley Regional District  
Engineering & Environmental Services Department  
175 Ingram Street  
Duncan, BC V9L 1N8

2. In the event of accidental *Discharge* of a *Prohibited* or *Restricted Waste* to a *Sewer* (as described under Articles A and B of this Schedule), please contact *CVRD Engineering & Environmental Services Department*, Tel (250) 746-2530, Fax (250) 746-2543.

## APPLICATION FOR A WASTE DISCHARGE PERMIT

Application for a *Waste Discharge Permit* under the Brulette Place Sewer System Management Bylaw No. 3340, 2009. This application is to be filed with the *Manager*, as described in Article C, Section B.1, not less than 90 days prior to the date for which a Permit is required.

1. I, \_\_\_\_\_  
(Full name - if a company, British Columbia Registered Name)

Registered Address: \_\_\_\_\_  
\_\_\_\_\_

Incorporation Number: \_\_\_\_\_

hereby apply for a *Waste Discharge Permit* to *Discharge Non-domestic Waste* into *Sanitary Sewer* from a:

\_\_\_\_\_  
(Type of Business)

Located at: \_\_\_\_\_

### 2. Summary of Wastewater Discharge Characteristics:

Maximum Duration of Operation: (hours/day) \_\_\_\_\_  
(days/week) \_\_\_\_\_  
(weeks/year) \_\_\_\_\_

#### Flow:

Is the *Discharge* greater than 90 m<sup>3</sup> in a 30 day period?: ☐ yes ☐ no

#### Frequency:

Maximum *Discharge* flow rate: \_\_\_\_\_ (m<sup>3</sup>/day)

Average daily *Discharge* flow rate: \_\_\_\_\_ (m<sup>3</sup>/day)

Method of flow rate determination: \_\_\_\_\_

☐ measured ☐ estimated

(NOTE: 1 m<sup>3</sup> = 220 Imperial gallons, or 264 U.S. gallons)

#### Type of Discharge:

☐ continuous ☐ batch ☐ both

#### Quality:

Use the check boxes to indicate whether any of the following types of *Wastes* are discharged:

Flammable or explosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Obstructive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
<i>Air Contaminant</i> waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
High temperature waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
Corrosive waste	<input type="checkbox"/> yes	<input type="checkbox"/> no

<b>Biomedical Waste</b>	<input type="checkbox"/> yes	<input type="checkbox"/> no
Food waste	<input type="checkbox"/> yes	<input type="checkbox"/> no
<b>Radioactive Waste</b>	<input type="checkbox"/> yes	<input type="checkbox"/> no

***Special Waste:***

Does any process within the plant produce ***Special Waste*** as defined under the ***Special Waste Regulation*** of the ***Environmental Management Act*** of British Columbia?

☐ yes ☐ no ☐ do not know

***Wastewater Characteristics:***

In the space provided below, check the appropriate box for each ***Wastewater Contaminant*** to indicate whether the ***Contaminant*** listed is "known to be present", "suspected to be present", "suspected to be absent", or "known to be absent", in the ***Wastewater Discharge***.

If a ***Contaminant*** is "known to be present", or "suspected to be present", estimate the expected average and maximum daily ***Contaminant*** concentrations in the spaces provided.

If ***Wastewater Discharges*** have been sampled and analysed in the past, please attach examples of sampling data.

<b>Wastewater Contaminants</b>	<i>Known to be present</i>	<i>Suspected to be present</i>	<i>Suspected to be absent</i>	<i>Known to be absent</i>	<i>Expected Concentration mg/L (ppm)</i>	
					<u>Average</u>	<u>Maximum</u>
<b><u>Conventional Contaminants:</u></b>						
Ammonia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Biochemical Oxygen Demand (BOD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chemical Oxygen Demand (COD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Phosphorous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Suspended Solids	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Total Nitrogen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Oil and Grease (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
pH max__ min__	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<b><u>Organic Contaminants:</u></b>						
Petroleum Hydrocarbons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (total)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Phenols (chlorinated)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Polycyclic Aromatic Hydrocarbons (PAH)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Ethylbenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Toluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

<b>Wastewater Contaminants</b>	<i>Known to be present</i>	<i>Suspected to be present</i>	<i>Suspected to be absent</i>	<i>Known to be absent</i>	<i>Expected Concentration mg/L (ppm)</i>	
					<u>Average</u>	<u>Maximum</u>
Xylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Solvents (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<b><u>Inorganic Contaminants</u></b>						
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Chromium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cobalt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cyanide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Iron	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Lead	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Manganese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Mercury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Molybdenum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Sulphate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Tin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Zinc	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____



**3. Number of Connections to Sewer:****a. Sanitary Sewer:***Domestic Waste* only \_\_\_\_\_*Non-domestic Waste* only \_\_\_\_\_Combined domestic and *Non-domestic Waste* \_\_\_\_\_

(Note connection locations on attached site plan.)

Will *Stormwater* be *discharged* to *Sanitary Sewer*?Yes ☐ Volume \_\_\_\_\_ m<sup>3</sup>/dayNo ☐Will contaminated or uncontaminated water be *discharged* to *Sanitary Sewer*?

(Note connection locations on attached site plan.)

Yes ☐ Volume \_\_\_\_\_ m<sup>3</sup>/dayNo ☐**4. Sources of Wastewater Discharge to Sewer:**

(Note location of sources and control works on attached site plan.)

SOURCE OF *WASTEWATER* CONTROL WORKS TREATING EACH SOURCE  
PRIOR TO *DISCHARGE TO SEWER*\* (e.g. Trade Waste Interceptor)**a. Sanitary Sewer:**

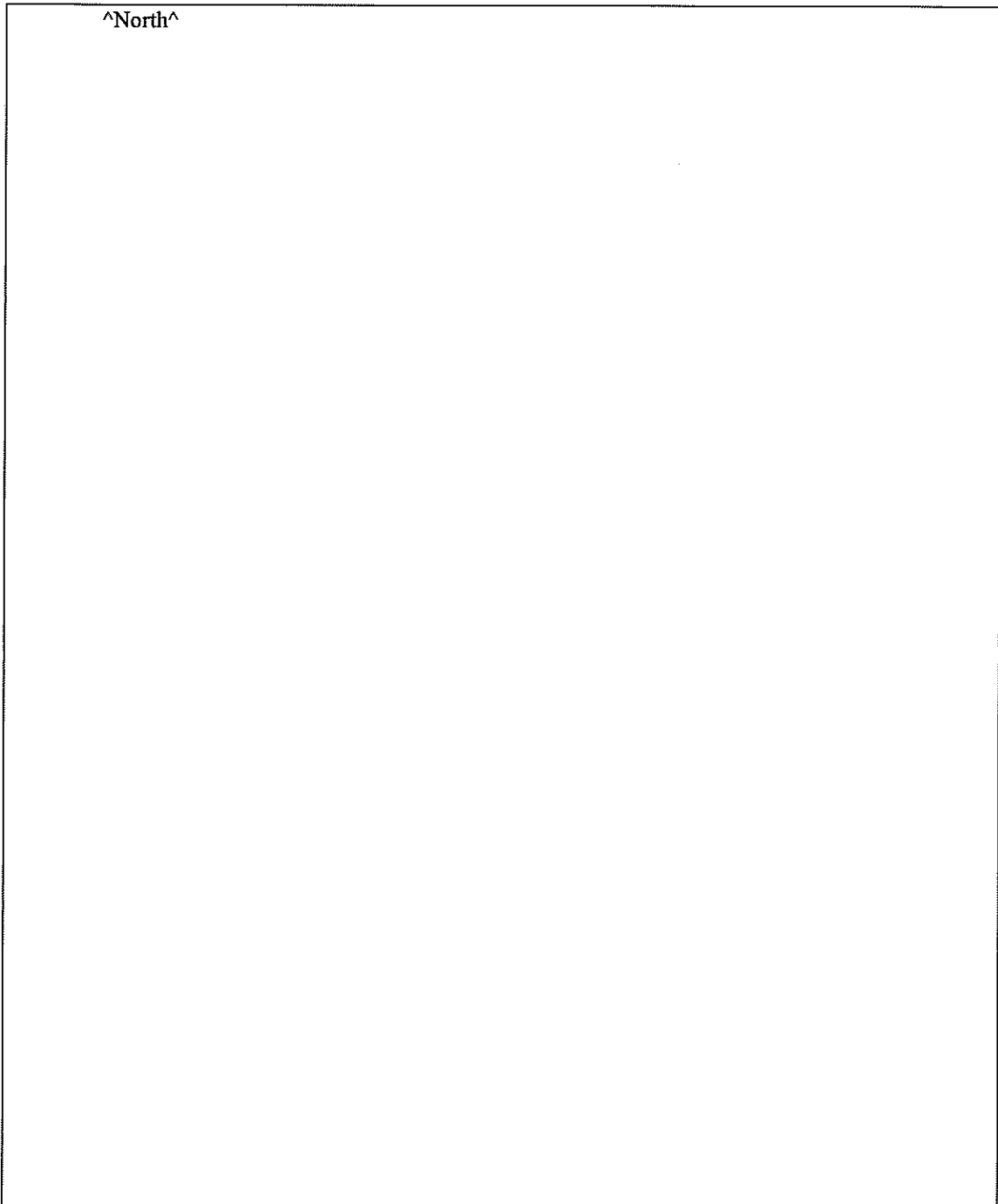
\*Control Works include: oil/water separators, grease traps, filters, electrolytic precipitators, reverse osmosis units, ion exchange units, neutralization facilities and other *Wastewater* pre-treatment works.

**5. Site Plan:**

Sketch a site plan in the area provided below or attach a site plan to this application form. The plan shall include property lines, buildings, pre-treatment works, effluent lines, sanitary and *Storm Sewer* connections, flow measuring devices, and *Monitoring Points* (or available sampling locations).

(Include approximate scale on site plan.)

^North^



**6. Declaration:**

I, _____, declare that the information given on this application form is correct to the best of my knowledge.	
Signature of Applicant or Agent	Date
Title	Phone Number

If you elect to appoint an Agent, please complete the following:	
I, _____	/
Print Name	Title
Signature	
hereby authorize _____	/
Print Name	Affiliation
to deal with you directly on all aspects of the subject application.	



**SCHEDULE G**  
**TO CVRD BYLAW NO. 3340**  
**2010 FLAT RATE CHARGE**

---

A flat rate charge in the amount of 2.3013/day will be invoiced in **2010** to each of the properties within the service area boundary of the Brulette Place Sewer System, for the period "Takeover Date" to December 31, 2010. Properties within this area that do not have homes on them will pay only \$1.1506/day.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2011 by the application of the Parcel Tax Roll.



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 3341

#### A Bylaw to Establish a Capital Reserve Fund for the Brulette Place Sewer System

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Brulette Place Sewer System Service Area* under the provisions of the CVRD Bylaw No. 3296, cited as "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009";

**WHEREAS** the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

**AND WHEREAS** the Board wishes to establish a Capital Reserve Fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Brulette Place Sewer System;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District enacts as follows:

#### 1. CITATION

This bylaw may be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3341 – Brulette Place Sewer System Capital Reserve Fund Establishment Bylaw, 2010**".

#### 2. ESTABLISHMENT OF FUND

A Capital Reserve Fund to be known as the "Brulette Place Sewer System Capital Reserve Fund" is hereby established.

#### 3. PAYMENTS INTO FUND

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

#### 4. EXPENDITURES FROM FUND

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Brulette Place Sewer System Service Area.

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- b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 3342

#### A Bylaw to Authorize the Preparation of a Parcel Tax Roll for the Brulette Place Sewer System

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Brulette Place Sewer System Service Area* under the provisions of CVRD Bylaw No. 3296, cited as "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009";

**AND WHEREAS** the Board of the Cowichan Valley Regional District is empowered under Section 803 of the *Local Government Act* and Section 5 of CVRD Bylaw No. 3342 to recover annual servicing costs by imposing a parcel tax on lands within the service area;

**AND WHEREAS** it is deemed desirable and expedient to impose a parcel tax on land benefiting from such service to meet such costs;

**AND WHEREAS** for the purpose of imposing a parcel tax the Board must, pursuant to Section 806.1 of the *Local Government Act*, provide for the preparation of a parcel tax roll for the service area;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District enacts as follows:

#### **1. CITATION**

This bylaw may be cited as "**Cowichan Valley Regional District Bylaw No. 3342 – Brulette Place Sewer System Parcel Tax Roll Bylaw, 2010**".

#### **2. DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

.../2

**3. PREPARATION OF PARCEL TAX ROLL**

Beginning in the year 2010 and annually thereafter, a parcel tax roll shall be prepared in accordance with Division 4 of Part 7 of the *Community Charter* and will include all parcels of land within the boundary of the Brulette Place Sewer System Service Area.

**4. BASIS OF PARCEL TAX**

The said parcel tax shall be imposed on the basis of a single amount for each parcel.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary





C·V·R·D

STAFF REPORT

R5

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING  
OF JANUARY 27, 2010

DATE: January 20, 2010

FILE NO: 2010Budget

FROM: Brian Dennison, P. Eng., General Manager, Engineering & Environment

SUBJECT: Regional Environmental Initiatives

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**Recommendation:**

1. That it be recommended that Budget 520 be increased by \$15,000 to accommodate a regionally funded woodstove rebate program for 2010 only.
2. That staff proceed with the steps to establish a regional environmental initiatives function with sufficient flexibility for a variety of environmental initiatives; and further that this function include the costs currently attributable to the Environmental Policy Division.

**Purpose:** To discuss a number of regional environmental initiatives brought forward by committee members and explore potential funding mechanisms.

**Financial Implications:** As discussed below.

**Interdepartmental/Agency Implications:** not applicable.

**Background:** At recent Committee meetings, Directors have requested that consideration be given to including the following three environmentally related initiatives in the 2010 budget. Discussion of the implementation issues follows each initiative.

1. Extend the existing \$75.00 toilet rebate program, currently offered in member municipalities and CVRD water and sewer service areas, to the remaining homes in the electoral areas;

After discussion with Mark Kueber, General Manager, Corporate Services, it has been clarified that there is not a CVRD function for only the electoral areas, which could be used to pay for the cost of the subsidy for the toilet rebates. In order to do this a new function would have to be created.

2. Provide a rebate program for replacement of older, less efficient woodstoves with new high efficiency wood stoves, such as is being implemented in the North Cowichan and the City of Duncan.

CVRD Waste Management and Recycling staff have been working on a woodstove rebate program for which a provincial contribution is also in place for 2010. As the program is being established in Duncan and North Cowichan, the remaining areas of interest are the electoral areas and possibly the Town of Lake Cowichan and Ladysmith. Once again no function exists for which these areas could be covered. However, it is possible to utilize the solid waste function (520) because woodstoves typically are used to burn wood waste from landclearing. The CVRD program would then cover the electoral areas and the Towns of Lake Cowichan and Ladysmith, while the cost for the programs in the City of Duncan and North Cowichan would then be reimbursed through the CVRD program so that all the areas in the region would benefit from this regionally paid for function.

The recommended increase in the 520 budget to cover the anticipated expenses based on a CVRD rebate of \$100, added to the provincial rebate of \$300 and the retailers rebate of \$50, is \$15,000. This would provide rebates for 175 customers within the CVRD and its member municipalities.

In the long term, it would be better to establish this program regionally, so that rules, benefits and procedures are consistent and to minimize confusion.

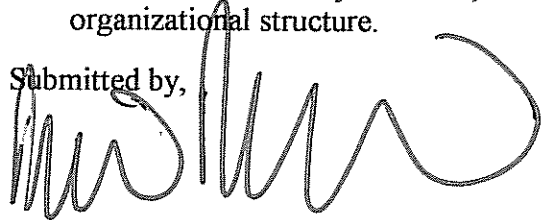
3. Establish a program of sales of rain barrels for catchment and storage of rainwater runoff from roofs, the cost for which would be subsidized similar to the popular back yard composter sales.

Once again there is no function that enables the CVRD to use taxes to pay for subsidized rain barrel sales. As the issue has to do with water conservation and awareness, not solid waste, the 520 function cannot be used for this purpose. It would be possible to establish a program only for customers of CVRD water systems; however, it is anticipated that restricting a public sale to just these customers would be highly problematic and lead to confusion and many complaints. A new function is required to provide for this type of program.

It is anticipated that in the future there will be more focus on environmental issues and more ideas for programs and initiatives will surface. In consideration of this issue, the Corporate Leadership Team recommended that in order to provide for the programs noted above and have flexibility for future programs, a regional function for environmental initiatives be established. In cases where member municipalities wish to administer their own programs, the cost to the municipality could simply be reimbursed so that everyone in the region can benefit from a given program.

One additional consideration for the proposed environmental initiatives function could be to include the financial aspects of the existing Regional Environmental Policy Division. Currently the costs for this division, which includes the Environment Commission, are embedded in the CVRD administrative Function 100. This results in confusion over costs for the environmental initiatives carried out by the division, which often have funding partners, and the general administrative costs. Also the General Manager responsible for the CVRD's administration is not the same as the one responsible for the Regional Environmental Policy Division, leading to unnecessary complexity in decision making and organizational structure.

Submitted by,



Brian Dennison, P. Eng., General Manager,  
Engineering & Environment

Approved by:

NOT REQUIRED

Brian Dennison, General Manager, E&E Services

BWDD:jlb

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**R6**

## STAFF REPORT

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JANUARY 27, 2010

DATE: January 19, 2010

FILE NO: 5600-30-CBS/09

FROM: Louise Knodel-Joy, Senior Engineering Technologist

SUBJECT: Cowichan Bay Sewer System Service Establishment Amendment Bylaw

#### Recommendation:

That it be recommended to the Board:

1. That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Cowichan Bay Sewer System Service Area be received.
2. That the boundaries of the Cowichan Bay Sewer System Service Area be amended to include "Lot A, Section 8, Range 2, Plan 22974, Cowichan District".
3. That "CVRD Bylaw No. 2128 – Cowichan Bay Sewer System Establishment Bylaw, 2000", be amended to include Lot A, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

**Purpose:** To obtain approval to proceed with extension to the boundaries of the Cowichan Bay Sewer System Service Area to include one additional property.

**Financial Implications:** New users brought into the service area will generate user fees, which will reduce overall charges to the existing customers. The property owners are responsible for all construction costs.

**Interdepartmental/Agency Implications:** A service amendment bylaw would require the approval of the service area voters before it can be adopted. In cases where a sufficient petition for services has been received, voter approval may be obtained by the Area Director consenting, in writing, to the adoption of the Bylaw. Engineering and Environmental Services are responsible for the operation and administration of this service. A valid and sufficient petition for Services has been received.

**Background:** This property, described as "Lot A, Section 8, Range 2, Plan 22974, Cowichan District" has requested inclusion into the Cowichan Bay Sewer System, due to a failure of the septic system. On January 12, 2010, Vancouver Island Health Authority issued a Public Health Order (attached) with instructions the owners to "cease & desist discharge of sewage onto the ground surface" and to construct a sewage system or connect to a community sewage system.

The Cowichan Bay Sewer System, which collects and pumps sewage to the JUB lagoon site in Duncan, is currently at capacity and is not normally able to process out-of-area applications. A policy, subject to approval of the CVRD Board, is currently being developed supporting the purchase of "Sewer Units" from the Eagle Heights Sewer System. In the interim, due to the urgency of this request, a substantial deposit will be collected from the property owner. Other fees required will include the \$3,500 Cowichan Bay Connection Fee and \$2,864 towards a share of STEP System costs.

Submitted by

Louise Knodel-Joy  
Senior Engineering Technologist

Approved by:

Brian Dennison, General Manager,  
Engineering and Environmental Services



## CERTIFICATE OF SUFFICIENCY

I hereby certify that the petition for inclusion in the *Cowichan Bay Sewer System Service Area* within a portion of Electoral Area D – Cowichan Bay is sufficient, pursuant to section 797.4 of the *Local Government Act*.

DATED at Duncan, British Columbia )  
this 18<sup>th</sup> day of January, 2010 )

)  
)  
)  
)  
Kathleen Harrison, Deputy Corporate Secretary

### Cowichan Bay Sewer System Service Area

Total Number of Parcels requesting inclusion in Service Area:	1
Net Taxable Value of All Land and Improvements of Parcels requesting inclusion in the Service Area:	\$393,000.00
Number of Petitions received:	1
Net Taxable Value of Petitions received (Land and Improvements):	\$393,000.00

JAN 12 2010

Engineering &  
Environmental Services

**ORDER**

**Section 31, Public Health Act, S.B.C. 2008, Chapter 28 & Section 11 of the Sewerage System Regulation, BC Reg. 326/04**

To: Marta Marie Hooper/Murray Alfred Hooper  
2220 Cowichan Bay Rd, RR 1  
Cowichan Bay, BC  
V0R 1N1

Pursuant to section 25 of the British Columbia *Public Health Act*, I Cole Diplock Environmental Health Officer, of the Vancouver Island Health Authority, on January 8, 2010 conducted an inspection of your property located at 2220 Cowichan Bay Rd, Cowichan Bay BC and legally described as: Lot A, Plan 22974, Section 8, Range 2, Cowichan Land District, (the "**Property**"). The property is owned by Marta Marie Hooper/Murray Alfred Hooper.

As a result of my inspection, I have reasonable and probable grounds to believe and do believe that you are in contravention of the Sewerage System Regulation (BC Regulation 326/2004) hereafter referred to as the "**Regulation**". This opinion is based on the following:

At the time of the inspection on January 8, 2010 the following was observed:  
Dye from a dye test conducted by Save-on-Septic was observed to be entering the ditch at the bottom of the property from pipe originating on the property.

According to Section 3 (1) (b) of the Regulation, it is the duty of the owner of every parcel on which a structure is constructed or located to ensure that all domestic sewage originating from the structure does not cause or contribute to a health hazard.

Whereas you have violated that duty, effective upon receipt of this Order, I exercise my authority under section 31 of the Public Health Act and order you to:

- 1) Immediately cease and desist discharge of sewage onto the ground surface.
- 2) Construct a sewerage system which complies with this Regulation, to be completed no later than, February 12, 2010 pursuant to Section 11(b)(iii) of BC Regulation 326/2004;

OR

Connect the property to a Community Sewerage System.

**Duncan Office**

**Health Protection and Environmental Services**

City of Duncan, 218 Gorge Road, Suite 100, Duncan, BC V9L 6A5 • Phone: 250-737-2010 • Fax: 250-737-2008

Our Vision: Healthy People, Healthy Island Communities, Seamless Service

Original:	Copies to:
Board:	BWDD
Committee(s):	DL
Directed by:	LK
Date:	AL

It is an offence under section 99 (1) (k) of the Public Health Act to fail to comply with an order of a health officer, such as this Order.

Section 43 of the Public Health Act gives you the right to request the issuing health officer to reconsider the Order.

I request your co-operation with this Order.

Dated at Duncan B.C. this 12 day of January, 2010

A handwritten signature in black ink, appearing to read 'Cole Diplock', written over a horizontal line.

Cole Diplock CPHI(C)  
Environmental Health Officer  
Vancouver Island Health Authority