

District of West Vancouver



Sewer and Drainage Utility Fee Bylaw No. 4538, 2007

Effective Date: January 14, 2008

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw	Effective Date
Bylaw No. 5094, 2020	January 1, 2021
Bylaw No. 5038, 2019	January 1, 2020
Bylaw No. 4998, 2018	January 1, 2019
Bylaw No. 4956, 2017	January 1, 2018
Bylaw No. 4924, 2016	December 12, 2016
Bylaw No. 4860, 2015	December 14, 2015
Bylaw No. 4822, 2015	March 2, 2015
Bylaw No. 4820, 2014	December 15, 2014
Bylaw No. 4773, 2013	December 2, 2013
Bylaw No. 4742, 2012	December 3, 2012
Bylaw No. 4705, 2011	December 14, 2011
Bylaw No. 4665, 2010	December 6, 2010
Bylaw No. 4623, 2009	December 18, 2009
Bylaw No. 4588, 2008	December 15, 2008
Bylaw No. 4585, 2008	October 27, 2008

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the parent bylaw (Sewer and Drainage Utility Fee Bylaw No. 4538, 2007). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

District of West Vancouver

Sewer and Drainage Utility Fee Bylaw No. 4538, 2007

Table of Contents

Part 1	Citation	1
Part 2	Severability	1
Part 3	Previous Bylaw Repeal.....	1
Part 4	Definitions.....	2
Part 5	Part and Section Titles.....	3
Part 6	Offence and Penalty	5
	Schedules	5
	Schedule A – Sewer Meter Base Rates	7
	Schedule B – Sewer Meter Volume Rates	8
	Schedule C – Schedule of Services Charges.....	9

District of West Vancouver

Sewer and Drainage Utility Fee Bylaw No. 4538, 2007

A bylaw to impose rates and connection fees for the use of the
Municipal sewerage and drainage system.

Previous amendments: *Amendment Bylaw 4585, 4588, 4623, 4665, 4705 4742, 4773, 4820, 4822, 4860, 4924, 4956, 4998, and 5094.*

WHEREAS pursuant to Part 7 Division (2) of the *Community Charter*
The Corporation of the District of West Vancouver deems it expedient to provide
for the imposition of charges for the provision of Municipal Sewer and Drainage
connections and for use of a sewerage system;

NOW THEREFORE, the Council of the District of West Vancouver enacts as
follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Sewer and Drainage Utility Fee Bylaw
No. 4538, 2007.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent
jurisdiction, then the invalid portion must be severed and the remainder of
this bylaw is deemed to have been adopted without the severed section,
subsection, paragraph, subparagraph, clause or phrase.

Part 3 Previous Bylaw Repeal

- 3.1 Sewer and Drainage Utility Fee Bylaw No. 3749, 1992 (adopted on
June 3, 1992) and the following amendment bylaws are hereby repealed:

Amendment Bylaw	Effective Date
Bylaw No. 4494	December 18, 2006
Bylaw No. 4458	December 14, 2005
Bylaw No. 4411	December 13, 2004

Bylaw No. 4355	December 15, 2003
Bylaw No. 4319	December 16, 2002
Bylaw No. 4274	December 17, 2001
Bylaw No. 4238	December 18, 2000
Bylaw No. 4198	January 26, 2000
Bylaw No. 4082	December 14, 1997
Bylaw No. 4028	December 16, 1996
Bylaw No. 3968	December 11, 1995
Bylaw No. 3914	December 19, 1994
Bylaw No. 3858	December 20, 1993
Bylaw No. 3816	June 07, 1993
Bylaw No. 3780	December 16, 1992

Part 4 Definitions

Amendment
Bylaw 4705

4.1 In the construction and for the purposes of this bylaw the following words shall have the meanings hereinafter assigned to them:

“**Business Day**” shall mean regular business days (Monday to Friday except Statutory Holidays) between the hours of 8:30 am and 4:30 pm;

“**Council**” shall mean the Council of The Corporation of the District of West Vancouver;

“**Engineer**” shall mean the Director of Engineering and Transportation appointed by Council, or his/her designated representative;

“**Metered Customer**” shall mean any person connected to the water system and being charged based on a volumetric rate;

“**Treasurer**” shall mean the Director of Finance appointed by Council;

“**Town House**” shall mean a dwelling type, where individual dwellings share one or more walls, while maintaining a separate entrance that maintains water usage patterns similar to that of single family residential customers”;

“**Winter Period Usage**” shall mean the volume rate applied (as shown in Schedule A and B of this bylaw) to single family residential customers and Town Homes based on the average consumption of the two winter periods (Quarter 4 of the previous year and Quarter 1 of the current year).”

Part 5 Part and Section Titles

5.1 Connection Fees

Any person making an application for the installation, connection, or disconnection of a sewer or drainage service pipe or street main shall pay the fees set out in Schedule "C" attached hereto. The work shall be carried out by the District of West Vancouver.

Any person making an application for the laying of any sewer or drainage pipe other than the standard connection described in Schedule "C" shall, at the time of such application, deposit at the Engineer's office a security amount prior to the commencement of the works. The security amount shall be 150% of the estimated cost of providing such service. The estimated cost shall be the estimated installation cost plus 20% for administration and overhead. Upon receipt of such security amount the Engineer shall, if in his opinion such connection is necessary, as soon as is convenient thereafter provide such sewer or drainage pipe if the installation cost of the work plus 20% of the overhead is greater than the security amount, the applicant shall pay to the District the difference between such amount and the security amount and before a water turn on is effected.

5.2 Sewer Utility Fees

Amendment
Bylaw 4588

Where the water supply to a property is metered, a quarterly charge, to be called a "metered sewer utility fee" is hereby imposed on the owner of such property for the use of the Municipal Sewer System according to the quantity of water delivered by the Municipal waterworks system as set forth in Schedule "A" and Schedule "B" attached hereto and is due and payable quarterly on the last days of May, August, November and February, in arrears. The rate payable in Schedule "A" and Schedule "B" shall remain in effect until the completion of the demolition of all buildings and structures on the site and a water disconnect has been made. Where a new meter has been installed during any quarter (with the quarters beginning on the first days of January, April, July and October) the metered sewer utility fee for that partial quarter is due at the end of that quarter. The metered sewer utility fee for single family residential properties shall be based on the average winter water consumption for properties of a similar type and usage.

Amendment
Bylaw 4623

5.2.1 The fee due and payable that are shown in Schedule “A” and Schedule “B” shall be subject to a discount of ten (10) percent, provided rates for the current billing are paid in full on or before the close of business on the due date set out on the billing form. If all or a portion of the fee due and payable is received after the due date set out on the billing form then it shall be the amount shown in Schedule “A” and Schedule “B”.

5.2.2 Upon the discretion of the Treasurer or the Director of Engineering and Transportation the sewer utility fee may be adjusted as special circumstances exist. Adjustments will be subject to a Sewer Utility Fee Adjustment administration fee in accordance with Schedule “C”.

5.3 **Collection of Unpaid Utility Fees**

Sewer Utility fees payable under the provisions of this bylaw shall be collected in the same manner and with like remedies as ordinary taxes on the land and improvements. Such fees, if not paid by the 31st day of December in the year in which such fees were imposed, shall be deemed to be taxes in arrears and be so entered on the Tax Roll by the Treasurer. Sewer utility fees that cannot be entered on to the Tax Roll shall be sent to a collection agency.

5.4 **Rebates or Refunds**

No rebate, refund or credit whatever of any monies paid or payable for sewer shall be made except as follows. A rebate for the metered sewer utility fee will be considered to compensate for the sewer charge calculation formula at the discretion of the Treasurer when a firm that has repaired the water leak provides an attestation to the District confirming the following conditions:

- a) That water leak occurred during the winter period Quarter 4 (October - December) and or Quarter 1 (January - March);
- b) That they have properly repaired the leak; and
- c) A leak of that nature would have caused the volume of excess winter period usage; and
- d) An application for adjustment has been received in writing within 30 days of mailing the most recent utility statement.

If conditions are met, the Treasurer will recalculate the metered sewer utility fee for the most recent quarterly period by estimating the normal winter period usage based on usage history and trends over the previous two years. The recalculated metered sewer utility fee will be the sum of the following:

- a) Normal volume multiplied by the unit rate in Schedule “B”.
- b) Excess volume multiplied by 25% of the unit rate of Schedule “B”.
- c) Metered Sewer Utility Fee Adjustment administration fee in accordance with Schedule “C”.

Provided that the total recalculated fee as determined above is less than the original quarterly billing, the Treasurer may rebate the difference.

5.5 Special Fees

Amendment
Bylaw 4742

Special fees may be collected as property taxes as per section 258(1) of the Community Charter. If the owner does not pay the cost of a Sewer Leak Administration Fee on or before December 31 in the year in which the service was done the cost shall be added to and form part of the taxes payable on the parcel as taxes in arrears.

Amendment
Bylaw 4998

Part 6 Offence and Penalty

- 6.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable to the penalties imposed under this bylaw, and is guilty of a separate offence each day that a violation continues to exist.
- 6.2 Every person who commits an offence is liable on summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*.

Amendment
Bylaw 4998

Schedules

- Schedule A – Sewer Meter Base Rates
- Schedule B – Sewer Meter Volume Rates
- Schedule C – Schedule of Service Charges

READ A FIRST TIME on December 17, 2007

READ A SECOND TIME on December 17, 2007

READ A THIRD TIME on December 17, 2007

ADOPTED by the Council on January 14, 2008

Mayor

Municipal Clerk

Amendment Bylaw 5094

Schedule A – Sewer Meter Base Rates

1. Sewer Base Charge Per Unit (Quarterly)

Customer Class	Sanitary Local Levy	Sanitary Regional Levy	Drainage Levy	Quarterly Fixed Charge: Total
Single Family Residential	\$18.63	\$29.39	\$131.74	\$179.76
Multi-Family Residential	\$18.63	\$29.39	\$131.74	\$179.76
Commercial	\$18.63	\$29.39	\$131.74	\$179.76
No Water Sewer*				\$296.55

*No Water Sewer: customers, who are not charged metered water, pay a flat rate based on the median SFR quarterly bill.

Amendment Bylaw 5094

Schedule B – Sewer Meter Volume Rates

1. Metered Sewer Volume Rates Based on Quarterly Consumption

Customer Class	Volume Charge Per Cubic Metre (m ³) Local	Volume Charge Per Cubic Metre (m ³) Regional
Single Family Residential*	\$1.32	\$1.83
Multi-Family Residential**	\$1.32	\$1.83
Commercial**	\$1.32	\$1.83

*Single Family Residential Volume Rate applied quarterly to average winter period usage.

**All other class rates applied to total water usage.

For discharge of contaminated groundwater to the sewer system the fee is \$1.50 per cubic meter for groundwater discharged.

Per section 5.2.1 of “Sewer and Drainage Utility Fee Bylaw No. 4538, 2007” the rates shown in Schedule “A” and Schedule “B” shall be subject to a discount of ten (10) per cent, provided full payment for the current billing is made on or before the close of business on the due date set out on the billing form.

Schedule C – Schedule of Services Charges

Amendment Bylaw 4773	1	Sewer Leak Administration Fee	10% of Original Sewer Charge up to \$200
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For work other than listed above or where extraordinary conditions prevail such as rock excavation, creek crossings, other utility interference, sidewalks etc. the estimated cost to be actual installation cost plus 20% overhead. Estimated cost plus 50% contingency to be paid in advance as security see Section 5.1 Connection Fees in this Bylaw.