

THE CORPORATION OF THE CITY OF COURTENAY

BY-LAW NO. 1402

A By-law to regulate the use of storm sewers within the municipality, and to regulate the extension of and connections to the storm sewer system of the municipality and to impose sewer connection fees.

WHEREAS the City has constructed and is operating and maintaining drainage works for the impounding, conveying and discharging of surface and other water separate and apart from the sanitary sewer system of the City;

AND WHEREAS the purpose of the City's storm sewer system is to provide surface drainage for the lands occupied by the public road system, and if sufficient capacity exists in the storm sewerage system to drain additional lands other than public roads, extension of the system and service connection to private property may be permitted and constructed as provided in this By-law;

AND WHEREAS it is deemed just that the cost of making such extensions and connections to the said storm sewer system should not be permitted to place any undue burden upon the revenues of this system;

AND WHEREAS it is expedient to provide for the connection of storm sewers from lands other than public roads, and to regulate the use of the storm sewer system;

THEREFORE the Municipal Council of the Corporation of the City of Courtenay, in open meeting assembled, enacts as follows:

PART I DEFINITIONS

1. In this By-law unless the context specifically indicates otherwise, the meaning of terms used in this By-law shall be as follows:

"Applicant" means an owner or his agent making application for storm sewer connection;

"Building drain" means a pipe, including manholes, catch basins, interceptors, and inspection chambers laid on private property connecting a service connection with a drainage facility on such private property;

"Building Inspector" means the Building Inspector of the City of Courtenay, and his duly authorized representative;

"City" means the Corporation of the City of Courtenay;

"Collector" means the Collector of the City duly appointed by Council pursuant to the provisions of the Municipal Act;

"Owner" shall have the meaning assigned to it by Section (1) of the "Municipal Act", being Chapter 290, R.S.B.C. 1979;

"Person" means any person, firm, partnership or corporation or any trustee, manager or other person owning or occupying any building or place either individually or jointly with others, and includes any agent, workman or employee of such person, firm, partnership or corporation;

"Public Works Superintendent" means the Public Works Superintendent of the City, or his duly authorized representatives;

"Service connection" means the pipe which may include an inspection chamber or cleanout connecting a storm sewer to the drainage system constructed upon private property.

PART II USE OF STORM SEWER SYSTEM

2.1 Illegal Connections

No person shall connect or attempt to connect, or allow to be connected or allow to remain connected to the storm sewer system any property or premises otherwise than in accordance with the provisions of this By-law.

2.2 Connection Application

Each application for a connection to a storm sewer shall be made through the Public Works Superintendent by the owner or his authorized agent in the form prescribed by the City. The application shall be accompanied by a drainage plan for the areas to be drained by the building sewer. If such connection is practicable to the Public Works Superintendent will, within thirty days, supply to the applicant a statement setting out the cost of a connection to the storm sewer as hereinafter provided:

- (a) If a storm sewer main has been installed in the street abutting the applicant's property by the City and if sufficient capacity exists in the system, the Public Works Superintendent shall so inform the applicant and the applicant shall pay to the Collector the connection fee as set out in this By-law;
- (b) In the event that the storm sewer system must be extended or altered to accommodate the private connection applied for, the Public Works Superintendent shall advise the applicant of the total cost of such extension or alteration including the restoration of any surface works and installation of the connection to property line and the total cost as advised shall be the connection fee to the applicant and the applicant shall pay the same to the Collector.

2.3 Connections

Upon receipt of the connection fee, the Public Works Superintendent will, within thirty days, provide and install a service connection to the applicant's property. If such connection is not practicable the Public Works Superintendent will so notify the applicant within thirty days and the City shall refund charges or fees paid to the City by the applicant.

2.4 Individual Connections

Each property shall have its own service connection which shall be installed by the City.

2.5 Connection Location

Where possible the service connection will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the Public Works Superintendent shall designate the location of such service connection to each parcel of land or premises.

2.6 Tampering with Storm Sewer System

No person shall make any connection whatsoever to the storm sewer or in any way tamper with the storm sewer without first obtaining written permission from the Public Works Superintendent.

2.6 Tampering with Storm Sewer System (cont'd)

No person shall discharge, deposit or throw or cause, allow or permit to be discharged, deposited or thrown into any drain, manhole, inspection chamber or any other part of the storm sewer system any substance of any kind whatsoever tending to obstruct or injure the storm sewer, or to cause any nuisance which will in any manner interfere with the proper functioning, maintenance or repair of the said storm sewer.

No person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface, mar or tamper with any storm sewer or any of the appurtenances thereto or thereunto belonging.

2.7 No Discharge to Storm Sewer

No person shall discharge or cause or allow to be discharged into the storm sewer system any of the following:

- a) any sewerage containing human waste;
- b) any industrial waste other than uncontaminated cooling water or car wash water;
- c) any liquid having a temperature at or higher than 65 degrees celsius;
- d) any vapour or gaseous substance;
- e) any waters or wastes which contain fats, oil or grease;
- f) any noxious or malodourous substance;
- g) any sewerage, waters or waste containing a toxic or poisonous substance;
- h) any gasoline, benzine, naptha, solvent, fuel oil or other flammable or explosive liquids, solids or gas;
- i) any radioactive wastes or sewage;
- j) any garbage whether ground or otherwise;
- k) any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, coal tar, asphalt, cement, plastics, wood, paunch manure or any other solids or fiscous substance;
- l) any waters containing more than 500 parts per million by weight of suspended solids;
- m) any sludge or deposit contained in septic tanks or removed from septic tanks.

2.8 Disconnecting Illegal Connections

Any building or drain connected to a storm sewer service connection without a permit therefore, pursuant to this By-law and any service connection connected to the storm sewer system and discharging there-into any substance or matter prohibited by this By-law, may be disconnected, stopped up and closed at the direction of the Public Works Superintendent and at the owner's cost.

2.9 Interceptors

Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments that drain their buildings or properties into a storm sewer. Interceptors will be required for other types of industries or commercial establishments when they are necessary for the proper handling of liquid waste containing grease or any flammable waste, sand, grit or other harmful ingredients except that such interceptors shall not be required if specifically exempted by permit issued by the Public Works Superintendent. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times.

2.10 Sampling Chambers

The owner of each industrial enterprise or premise connected to the storm sewer system shall provide suitable means of inspection to facilitate operation, sampling and measurement of the waste waters draining into the storm sewer system.

2.11 Measurement and Testing

All measurements, tests and analysis of the characteristics of water flowing into the storm sewer system shall be determined in accordance with the "standard method of the examination of water and sewage" and shall be determined at the sampling point. In the event that no special sampling chamber has been required, the control manhole shall be considered to be the nearest downstream manhole in this storm sewer from the service connection point.

PART III STORM SEWER SYSTEM EXTENSIONS

3.1 Extension Applications

All applications for storm sewer extension shall be made in writing to the Public Works Superintendent by the owner or owners of the property to be served by such extension.

3.2 Extension by Council Resolution

The Council of the City may designate storm sewer system extensions for any budget planning unit covering one or more years and such designated extensions shall be included in a construction By-law.

3.3 Extensions Other Than By Council Resolution

In the event an applicant wishes to proceed with a storm sewer system extension which has not been designated by Council, the Public Works Superintendent may, with the approval of Council, proceed with the extension provided that the applicant shall pay to the City in advance the total cost of construction as estimated by the Public Works Superintendent. The final cost to the applicant of the storm sewer system extension shall be the actual cost to the City of construction of the same. The service connection costs for parcels of land owned by the applicant to be served by such extensions shall be as set out in Schedule "A" to this By-law and shall be added to and paid with such construction costs.

3.4 Extension Limits

Where a storm sewer main is extended by other than Council Resolution, the minimum inside diameter shall be 25.4 centimetres (10 inches) and shall extend from the most convenient existing storm sewer having sufficient surface capacity and grade to carry the additional water flow resulting from the said extension to a point opposite the furthest boundary of the last parcel of land to be served by the storm sewer extension.

3.5 Costs Shareable for Oversized Extensions

Where any storm sewer is extended other than by Council Resolution and where the City may desire to install a facility of greater capacity than is required to provide service to the applicant for the storm sewer and all of the lands requiring drainage to storm sewer between the land of the applicant and the existing storm sewer system, and if such excess capacity will be available to permit further extensions beyond the boundaries of the land of the applicant the City shall pay the difference in cost of installation between the actual cost of storm sewer installation with the excess capacity and the estimated cost of a 45.72 centimetres (18 inches) storm sewer. This is provided, however, that the funds required therefore are available and have been allocated specifically for storm sewer construction in the current annual budget of the City.

PART IV CHARGES FOR SERVICE

4.1 Connection Fee

The owner or his agent shall on making application for a service connection to a storm sewer pay to the City the applicable connection fee prescribed in Schedule "A" attached to and forming part of this By-law.

4.2 Collection of Outstanding Fees

For the purpose of collecting any fees that remain outstanding the provisions of the Municipal Act apply.

4.3 Installation of Building Drains

All building drains shall be installed in accordance with the City's Building By-law, and shall be installed by and at the cost of the property owner.

PART V INSPECTION

5.1 The Public Works Superintendent or any City Fireman, or Building Inspector may enter at all reasonable times upon any property subject to the regulations of this By-law in order to ascertain whether such regulations or directions are being obeyed.

PART VI OFFENCES AND PENALTIES

6.1 Offences

Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything to be done by any of the provisions of this By-law, or who does any act which violates any of the provisions of this By-law is guilty of an offence against this By-law and liable to the penalties hereby imposed.

6.2 Each day that a violation is permitted to exist shall constitute a separate offence.

6.3 Penalties

Every person who commits an offence against this By-law is liable to a fine and penalty of not less than \$200.00 or more than \$2,000.00 for each offence, and in default of payment thereof or, in the alternative, to imprisonment for any period not exceeding two months.

6.4 Every person who commits an offence of a continuing nature is liable to a fine not exceeding \$50.00 for each day such offence is continued.

6.5 Offences and penalties shall not contravene Section 34 of the Waste Management Act.

7. "Storm Drain Connection Fee By-law 1978, No. 1201" and "Storm Drain Connection Fee By-law Amendment By-law 1983, No. 1329" are hereby repealed.

8. This By-law shall come into force and take effect upon final passage and adoption.


9. This By-law may be cited for all purposes as "Storm Sewer By-law No. 1402, 1986".

Read a first time the 3rd day of February , 1986.

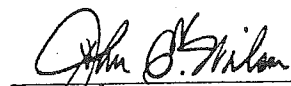
Read a second time the 3rd day of February , 1986.

Read a third time the 3rd day of February , 1986.

Reconsidered, finally passed and adopted the 17th day of February , 1986.



Mayor



Clerk/DEPUTY

THE CORPORATION OF THE CITY OF COURTENAY

BY-LAW NO. 1402

STORM SEWER SYSTEM

SCHEDULE "A"

Connection Fees

Pursuant to Section 4.1 every applicant shall pay to the City, before any work is done, a connection fee as follows:

- | (a) | <u>Connection Size</u> | <u>Connection Fee</u> |
|-----|------------------------------|-----------------------|
| | 10.16 centimetres (4 inches) | \$400.00 |
| | 15.24 centimetres (6 inches) | \$650.00 |
- (b) Where curb and gutter has been installed on the street prior to the storm sewer connection application being received, the extra cost of connection over and above the connection fee in (a) above shall be two hundred dollars (\$200.00) to cover repairs to the curb, gutter, and road pavement.
- (c) Where a concrete sidewalk exists prior to the storm sewer connection application being received, the extra cost of connection over and above the connection fee in (a) above shall be two hundred dollars (\$200.00).
- (d) Where two or more utility service connections are installed in the one trench, a reduction of twenty-five percent (25%) of the connection fees listed above shall apply.

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1550

A bylaw to amend "Storm Sewer Bylaw No. 1402, 1986

WHEREAS due to increased costs, the Council of the Corporation of the City of Courtenay deems it necessary to increase the connection fee for the City's storm sewer system;

NOW THEREFORE, the Council of the Corporation of the City of Courtenay in open meeting assembled, enacts as follows:

1. "Storm Sewer Bylaw No. 1402, 1986" is hereby amended by deleting all of Schedule 'A' of the bylaw and substituting therefore the following:

SCHEDULE "A"

CONNECTION FEES

- (a) Pursuant to Section 4.1, every applicant shall pay to the City before any work is done, a connection fee as follows:

<u>Connection Size</u>	<u>Connection Fee</u>
10.16 centimetres (4 inches)	\$700.00
15.24 centimetres (6 inches)	\$950.00

Where a larger connection than the ones listed above is required, the connection will be installed at City cost, plus 25% with a minimum cost of one thousand dollars (\$1000.00 to be charged.

- (b) Where two or more utility service connections are installed in one trench, a reduction of twenty-five percent (25%) of the connection fees listed above shall apply.
2. This Bylaw may be cited for all purposes as "Storm Sewer Amendment Bylaw No. 1550, 1990".

Read a first time the 5th day of February, 1990.

Read a second time the 5th day of February, 1990.

Read a third time the 5th day of February, 1990.

Reconsidered, finally passed and adopted the 19th day of February, 1990.


Mayor


Clerk

CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1701

A bylaw to amend "Storm Sewer Bylaw No. 1402, 1986 and amendments thereto.

WHEREAS due to increased costs, the Council of the Corporation of the City of Courtenay deems it necessary to increase the connection fee for the City's storm sewer system;

AND WHEREAS the Municipal Act provides that the fees or charges levied in connection to the services outlined in this bylaw may be established by bylaw;

The Corporation of the City of Courtenay in open meeting enacts as follows:

1. "Storm Sewer Bylaw No. 1402, 1986" is hereby amended as follows:

(a) Part 1 DEFINITIONS is amended by:

1. That the definition for "Superintendent of Public Works" is hereby deleted, and is substituted therefore by the following:

"Public Works Superintendent" means the Director of Engineering and Public Works and his duly authorized representatives.

2. That the following definition be added:

(a) "Connection Fees" means storm sewer connection fees shown in the current City of Courtenay Fees and Charges Bylaw.

(b) That Section 2.2 (a) is hereby deleted and is substituted therefore by the following:

(a) If a storm sewer main has been installed in the street abutting the applicant's property by the City and if sufficient capacity exists in the system, the Director shall so inform the applicant and the applicant shall pay to the Collector the applicable connection fee.

(c) That Section 3.3 is hereby deleted and substituted therefore by the following:

Extensions Other Than By Council Resolution

In the event an applicant wishes to proceed with a storm sewer system extension which has not been designated by Council, the Director may, proceed with the extension provided that the applicant shall pay to the City in advance the total cost of construction as estimated by the Director. The final cost to the applicant of the storm sewer system extension shall be the actual cost to the City of construction of the same. The service connection costs for parcels of land owned by the applicant to be served by such extensions shall be added to and paid with such construction costs.

(d) That Section 4.1 is hereby deleted and is substituted therefore by the following:

4.1 Connection Fee

The owner or his agent shall on making application for a service connection to a storm sewer pay to the City the applicable connection fee.

(e) That "Schedule A" is hereby deleted.

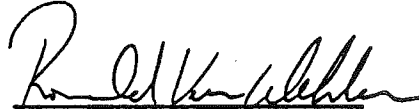
2. This bylaw may be cited as Storm Sewer Amendment Bylaw No. 1701, 1994.

Read a first time this 7th day of September, 1994.

Read a second time this 7th day of September, 1994.

Read a third time this 7th day of September, 1994.

Reconsidered, finally passed and adopted this 3rd day of October, 1994.



Mayor



Clerk