

**Bylaw No. 350  
Fees and Charges Bylaw**

**Cowichan Bay Waterworks District**

**Fees and Charges Bylaw**

***A bylaw to establish fees and charges for services and information***

The Trustees of the Cowichan Bay Waterworks District enact as follows:

1. Whereas s. 697 of the *Local Government Act* authorizes Improvement Districts, by bylaw, to levy other fees and charges for the provision of various services and information;
2. And Whereas the Trustees deem it necessary and desirable to exercise the authority provided by the *Local Government Act* to cover costs providing various services and information;
3. Now Therefore, the Trustees of Cowichan Bay Waterworks District, in open meeting lawfully assembled, ENACT AS FOLLOWS:
4. The Cowichan Bay Waterworks District hereby imposes fees for the provision of services and information as specified in Schedules "A", "B", "C", and "D" attached to this Bylaw.
5. The Trustees hereby establish the following penalties for failure to comply with bylaws of Cowichan Bay Waterworks District.
  - a. The Trustees may, on twenty-four (24) hours written notice, turn off the supply of water to any person in default of the requirements of a bylaw. The person in default shall not be entitled to receive any further water from the District until such person has remedied the default. It will be unlawful for any person whose water has been turned off, pursuant to this section, to turn such water on again, or take any water from the District's works until such time as the Trustees again turn on the water.
  - b. No occupier of land will cause, suffer or allow irrigation water to flow onto, or to be released on, or to be used on the land which he/she occupies or any part of such land, unless the water is being lawfully supplied to such land in accordance with the provisions of this bylaw.
  - c. A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.
6. The following Bylaws or sections of the following Bylaws are hereby repealed:

<b>Bylaw</b>	<b>Section</b>
Bylaw 249, Cross Connection Regulation 2011	The reference to a fee of \$50 in S. 5 and S. 6.
Bylaw 283, Miscellaneous Service Charge 2015	In its entirety
Bylaw 288, Connection Charge 2016	The reference to a fee of \$200 in Section 3.a and \$2000 and \$3000 in Section 5.
Bylaw 323, Subdivision Water Regulation 2020	Section 4.1(c) and Section 5.
Bylaw 341, Water Toll Bylaw 2022	Section 14

7. This Bylaw shall come into effect on September 20, 2022.
8. Wherever this Bylaw sets out fees and charges with respect to other Cowichan Bay Waterworks District bylaws and such other bylaws contain similar fees and charges, this Bylaw is deemed to prevail.
9. This Bylaw shall be cited for all purposes as the Fees and Charges Bylaw No 350, 2022.

Introduced and given first reading by the Trustees on the 19<sup>th</sup> day of September, 2022.

Reconsidered and finally passed by the Trustees on the 19<sup>th</sup> day of September, 2022.

ORIGINAL SIGNED BY

Lew Penney, Chairperson

ORIGINAL SIGNED BY

Cheryl Wirsz, District Administrator

**Schedules of Bylaw No. 350, 2022**

**Fees and Charges**

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Schedule A – General Administration

Schedule B – Subdivision, Development and Connection

Schedule C – Latecomer Charges

Schedule D – Capital Expenditure Charges

**2023 Fees and Charges Amendment Bylaw  
Bylaw No. 362**

**Cowichan Bay Waterworks District  
Fees and Charges Amendment Bylaw 362**

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*A bylaw to update and amend the schedules in fees and charges bylaw.*

The Trustees of the Cowichan Bay Waterworks District enact as follows:

1. That Cowichan Bay Waterworks District Bylaw 350, passed by the Trustees on September 19, 2022, is hereby amended by deleting Schedules A to D and substituting the following.
2. The Cowichan Bay Waterworks District hereby imposes fees for the provision of services and information as specified in Schedules "A", "B", "C", and "D" attached to this Bylaw.
3. This Bylaw shall be cited for all purposes as the 2023 Fees and Charges Amendment Bylaw No 362.

Introduced and given first reading by the Trustees on the 17<sup>th</sup> day of April, 2023.

Reconsidered and finally passed by the Trustees on the 17<sup>th</sup> day of April, 2023.

  
\_\_\_\_\_  
Calvin Slade, Chairperson

I hereby certify that this is a true copy of Bylaw No. 362

  
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Cheryl Wirsz, District Administrator

**Schedule A, Bylaw 362 – General Administration**

General Document and Services fees and other charges payable to the District and the terms of payment thereof:

Type	Charge
1. NSF cheque fee due to insufficient funds.	\$40
2. Property transfer	\$50
3. State of Title Certificate [internal use]	\$10
4. State of Title Certificate [external use]	\$20
5. New Lawn Watering permit	\$250
6. Hydrant use permit	\$20 per load up to 4 m <sup>3</sup> or 3000 gal \$50 per load greater than 4.01 m <sup>3</sup> .
7. Registered letter required in the notification of shut-off for failure to pay water tolls.	\$15
8. Water disconnection / shut off. <ul style="list-style-type: none"> <li>• Upon request</li> <li>• If necessary for failure to pay water toll charges</li> </ul>	\$75
9. Water reconnection <ul style="list-style-type: none"> <li>• Upon request.</li> <li>• Upon receipt of outstanding water toll charges.</li> </ul>	\$75
10. Water Meter Read between cycles	\$50
11. Field Locate	\$50
12. Minimum fee for removal to clear meter areas if a landowner does not comply with the bylaw requirements to keep the area accessible.	\$75 minimum or the higher of Actual cost + 20%
13. Complaint regarding the efficiency of a meter that is found to not be faulty.	\$50/hour
14. A fee may be charged for locating and retrieving a record, preparing it for disclosure and/or producing it manually.	\$10 / ¼ hour
15. Photocopies or Scans per page	\$0.50
16. Costs for reproduction, duplication or shipping	Actual cost + 20%
17. Information request[s] pursuant to the <i>Freedom of Information and Protection of Privacy Act</i> , a maximum fee may be charged for locating and retrieving a record, preparing it for disclosure or producing it manually.	As set out in the Regulation for the Act.
18. Interest rate	The same calculation as per Bylaw 346.
19. Damage to the District's works caused by a property owner or his agent or caused by failure of the property owner's fittings, including backflow preventer [must be repaired by the District].	Actual cost of labour and materials + 20%

20. Where staff, contractors, or equipment are required to render work, services, or materials, the charge to the Owner will be:	<ul style="list-style-type: none"> <li>a. For the Water Operator - current wage rate + 20%.</li> <li>b. For staff - current wage rate + 20%.</li> <li>c. For equipment, at actual cost, + 20%</li> </ul>
21. Film permit	\$200/production per year
22. Film Location fee	\$1 000 / day
23. Property owners will be charged cost plus 20% for locating and raising covered over curb stop risers, meter boxes, valve boxes, fire hydrants, air release boxes or other works of the District that were previously set to grade.	
24. Property owners of land newly created but not yet on the annual parcel tax roll or newly admitted to the boundary of the Improvement District by Order in Council, will be charged a annual tax in lieu based upon the annual parcel tax rate for that particular year.	
25. There will be no service charge when the connection fee has been paid by the owner of the property and they require the District to turn the water service on.	
26. Charges in excess of \$10 will be invoiced at month end. Terms of payment will be due upon receipt. If payment in full is not received the charges will be added to the account for the property subject to the service.	

**Schedule B, Bylaw 362 – Subdivision, Development and Connections**

B.1 – Cowichan Bay Waterworks District follows the principle of cost recovery and in all transactions, the District will remain cost neutral.

B.2 - All charges incurred by Cowichan Bay Waterworks District associated with a development will be charged back to the developer and an administration fee of 20% will be added to these charges.

Type	Charge
Boundary Inclusion Application	\$500
Subdivision Application Fee	\$500 + \$25 per lot
Development Application Deposit <sup>1</sup>	Minimum of \$3000
Road Bore Deposit [if required] <sup>2</sup>	\$3000 per connection
Road Bore	Actual cost + 20%
Connection Application	\$500
Connection Fee	\$300 per connection
New Meter - meter only	\$600
New Meter - meter and meter box	\$1000
State of Title Certificate Search	\$35
<p>The landowner must pay to the District the total cost of labour, engineering fees, legal fees, materials, permits and any other items required to review, approve and install the works, plus a 20% administration fee.</p>	
<p>Where the cost of labour and materials expended by the District in installing a connection exceeds the minimum deposit against actual cost plus 20%, the District will recover the balance to be paid forthwith after the installation of the service connection, and the water will not be turned on until this balance is paid.</p>	
<p>Where the cost of labour and materials expended by the District in installing the connection is less than the minimum deposit against the actual cost plus 20%, the District will refund the balance to the applicant as soon as practical.</p>	

<sup>1</sup> Refundable after reconciliation at completion of project.

<sup>2</sup> “

**Schedule C, Bylaw 362 – Latecomer Charges**

I. **Cowichan Bay Estates Development**

a. Latecomer Charges as specified in Schedule E of Bylaw 347

<b>Type of Lot</b>	<b>Latecomer Charge</b>
Single Family Home	\$12 635.98 per lot
Secondary Dwelling	\$12 635.98 per dwelling
Apartment	\$9 719.98 per unit
Townhouse	\$9719.98 per unit
Commercial / Retail	\$29.16 per m <sup>2</sup>
Application Fee	\$250
Interest	See Bylaw 346



**Schedule D, Bylaw 362 – Capital Expenditure Charge**

Capital Expenditure Charges shall be as specified in Bylaw 348

<b>Capital Expenditure Charge by Land Type:</b>		
<b>Land Type</b>	<b>Criteria</b>	<b>Cost</b>
<b>RESIDENTIAL</b>		
Single Family Residential	Per lot being created, included or connected.	\$6 735
Two Family Residential	Per residential unit per lot created, included or connected.	\$6 735
Three Family Residential	Per residential unit per lot created, included or connected.	\$6 375
Medium Density Residential	Per residential unit created, included or connected where gross density is greater than 20 units per ha and less than 50 units per ha.	\$5 700
High Density Residential	Per residential unit created, included or connected with a gross density greater than 50 units per ha.	\$3 885
<b>INSTITUTIONAL</b>		
Institutional Residential	Per bed created, included or connected.	\$2 525
Institutional	Per each square metre of gross floor area created, included or connected.	\$5.61
<b>COMMERCIAL</b>		
Commercial	Per each square metre of gross floor area created, included or connected.	\$33.60
<b>COMMERCIAL RECREATION</b>		
Marina [full service]	Per slip created, included or connected	\$1 035
Campground [central services]	Per central building created, included or connected	\$2 072
Campground / RV Park [individual services]	Per serviced site created, included or connected	\$1 036
<b>INDUSTRIAL</b>		
Industrial	Per each square metre of gross floor area created, included or connected.	\$33.68