

Consolidated March 28, 2022

CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY OF BYLAW NO. 3189, 3852



DISTRICT OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 2926

A BYLAW FOR INSTALLING STORM DRAIN CONNECTIONS AND FOR COMPELLING OWNERS TO CONNECT THEIR LANDS AND BUILDINGS, STRUCTURES OR IMPROVEMENTS THEREON TO SUCH CONNECTIONS.

WHEREAS it is deemed desirable and expedient that storm drain connections be laid from the storm drain system mains to parcels of land required to be drained;

AND WHEREAS it is deemed desirable and expedient that owners shall be compelled to connect their lands and the buildings, structures, or improvements thereon, to such storm drain connections, and pay the charges hereinafter set out for such storm drain connections;

NOW THEREFORE the Council of the District of Campbell River, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "**Storm Drain System Connections Bylaw No. 2926, 2001**".

2. In this Bylaw unless the context otherwise requires:

"Authority having jurisdiction" means the Council of the District of Campbell River and the Agent or Agents thereof that have authority over the subject that is regulated.

"Property" means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Title Office.

3. Storm drain connections shall be installed from the storm drain mains to properties:

(a) which have been altered from the natural state of the property in such a manner that the authority having jurisdiction is of the opinion that it is necessary or advisable that the property be drained,

(b) when surface water from the majority of the land parcel can drain to the right of way in which the storm drain is located,

(c) when existing drainage pipes from the land parcel discharge to the right of way in which the storm drain is located,

(d) when the storm drain main is of adequate depth to service the primary building and perimeter drains,

(e) when the property owner requests a connection, or

(f) when the storm drain mains to service the said properties are being constructed, or at some other time, if so directed by the authority having jurisdiction.

4. Notice of Decision to Install:

Immediately following the decision to install a storm drain system, the owners of properties to which storm drain connections will be installed will be formally notified by

the Municipal Engineer, of the decision and given an explanation as to why the drains are necessary. The property owners shall also be advised that, upon completion of the works they will receive another notice advising them that they will be required to pay the connection fee and connect their lands and improvements to the system within one year of the date of the notice of completion.

5. Notice of Completion:

Upon completion of the storm drain works a notice of completion will be sent to property owners describing the size of the connection, the property owners obligation, the payment options, who to contact for more information. The property owners will also be advised that they will be required to pay the connection fee and connect their lands and improvements to the system within one year of the date of the notice of completion. The notice will differ depending on whether the connection was capped at the property line or connected to a pipe, which formerly discharged to a ditch or a culvert.

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6. *There is hereby imposed upon the owners of real properties to which sanitary sewer connections are laid, the following charge for each connection (hereinafter referred to as "the connection charge"):*

- (a) *When installed at the same time as the construction of the storm drain main:*
- (1) *for a 150 millimeter (6 inch) diameter pipe connection, the charge shall be \$1,300.00*
 - (2) *connections larger than 150 millimeters shall be charged on a cost plus 10 % administration fee basis with a minimum charge of \$1,300.00.*
 - (3) *where a building exists on a lot at the time of the adoption of this Bylaw, the connection charge to such property shall be in accordance with the charge established by Section 6 (a)(1) for the first two (2) connections and an equivalent amount thereafter for each additional connection in excess of the said two (2) connections.*
- (b) *When installed subsequent to the construction of the storm drain main:*
- (1) *for a 150 millimeter (6 inch) diameter pipe connection, the charge shall be \$1,800.00.*
 - (2) *connections larger than 150 millimeters shall be charged on a cost plus 10 % administration fee basis with a minimum charge of \$1,8300.00.*

7. The connection charge, or a deposit in the amount of 125% of the estimated cost for a connection larger than 150 millimeters diameter, shall be paid at the time application is made for a storm sewer connection permit or 365 calendar days after the date upon which the storm drain connection becomes available to the property, whichever comes first.

8. An owner of a property to which a storm drain connection is installed pursuant to Section 3 hereof may, within thirty (30) days from the date of the connection charge invoice, elect to pay the connection charge together with interest at the rate of ten and one half percentum (10.5%) per annum in ten (10) equal annual installments by completing and signing an application form and delivering same to the Finance Manager of the District. The said installments shall thereafter become a charge against the said property and shall be placed annually on the real property tax roll for collection.

9. Notwithstanding Section 6, no connection charge shall be imposed upon the owner of property receiving a storm drain connection if the said owner is requested to and signs a storm drain connection easement in favour of the District for the purpose of installing storm drain mains on that property, provided, however, that this exemption shall not

apply to the owner of property if the provision of storm drain easement on the property was a condition of subdivision or such other condition that may have been imposed by the authority of having jurisdiction.

10. Every owner of property which is to be served by a storm drain main:

- (a) which is of adequate depth to service the primary building and perimeter drains, or
- (b) which has been altered from its natural state in such a manner that the authority having jurisdiction is of the opinion that it is necessary or advisable that the property is drained,

must connect such property and each building, structure, or improvement thereon to the storm drain connection installed pursuant to Section 3 not later than 365 calendar days after the date upon which storm drain service becomes available to the said property. In the event of such owner failing to make the necessary connection by the prescribed date, the authority having jurisdiction may have the work done at the expense of such owner and such expense shall be a charge against the property.

11. Every owner of property which is served by a storm drain main and who:

- (a) erects a building, structure or improvement thereon, or
- (b) alters the natural state of the property in such a manner that the authority having jurisdiction is of the opinion that it is necessary or advisable that the property be drained,

shall, unless a storm drain connection has already been installed, make application to the authority having jurisdiction for a storm drain connection prior to receiving a building permit or at such earlier time as may be prescribed by the authority having jurisdiction and shall pay in advance the appropriate connection charge as set out in Sections 6 and 7. The said owner of the property shall connect such building, structure or improvement or such property to the storm drain connection. In the event of such owner failing to make the necessary connection, the authority having jurisdiction may have the work done at the expense of such owner and such expense shall be a charge against the property.

12. An owner of property which is to be served by a storm drain main and

- (a) upon which no building, structure or improvement is situated, or
- (b) which has not been altered from its natural state in such a manner so that the authority having jurisdiction is of the opinion that it is necessary or advisable for the property to be drained,

may make application to the authority having jurisdiction for a storm drain connection to be laid to the said property at the time of constructing the storm drain main, and upon payment in advance of the appropriate connection charge as set out in Sections 6 and 7 shall be entitled to receive such storm drain connection.

- 13.**
- (a) Where more than one building, structure or improvement is erected on any property, or
 - (b) Where the natural state of the property has been altered in such a manner that the authority having jurisdiction is of the opinion that it is necessary or advisable that the property be drained, or
 - (c) Where a building or structure is other than a single family dwelling.

the authority having jurisdiction shall prescribe the size and number of storm drain connections required to adequately serve such buildings, structures or improvements of such property.

- 14. All connections to the storm drain system shall be made in accordance with the regulations contained in the Province of British Columbia Plumbing Code.
- 15. No person or persons shall connect to the storm drains system, any sanitary sewage for the purpose of disposing of such sanitary sewage nor shall any substance or matter other than storm water be admitted to the storm drain system.
- 16. The authority having jurisdiction may order any person or persons which, in the opinion of the authority having jurisdiction, are contravening the provisions of Section 14 to forthwith disconnect any or all illegal connections to the storm drain system, and if such disconnection has not been completed within the time specified in the order, the District may disconnect at the cost of the owner of the property, and such cost when incurred shall become a charge against the property.
- 17. Where a property adjoins Willow Creek, Simms Creek, Camp Creek, Nunns Creek, Quinsam River, Campbell River, Discovery Passage or the Straits of Georgia, no storm sewer connections shall be required, whether or not a storm sewer is laid adjacent to the property, if, in the opinion of the authority having jurisdiction, the property can be adequately serviced by discharging storm water into any of the said water courses.

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- 18. Every person who:
 - (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
 - (b) fails to comply with any of the provisions of this bylaw;
 - (c) neglects or refrains from doing anything required under this bylaw; or
 - (d) who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw;is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to a fine not less than \$5,000 and a maximum of \$50,000, or to imprisonment for not more than six months, or to both.
For continuing offences, each day that such violation is caused, or allowed to continue, constitutes a separate offence.
- 19. This bylaw will come into full force and effect January 1, 2002.
- 20. "Storm Drain System Connections Bylaw No. 2802, 2000" is hereby repealed.

Read a first time on the	11 th	day of	December	2001.
Read a second time on the	11 th	day of	December	2001.
Read a third time on the	11 th	day of	December	2001.
Adopted on the	18 th	day of	December	2001.

Original bylaw signed by

**Mary Ashley
A/MAYOR**

**William T. Halstead
CLERK**