



**DISTRICT OF HIGHLANDS**

**BYLAW NO. 373**

**RIVERS CROSSING AREA SEWER SYSTEM ESTABLISHMENT AND USER FEE AND REGULATION  
BYLAW NO. 373, 2015**

**This Bylaw is consolidated by the Corporate Officer in accordance with Bylaw No. 301.**

**It includes amendments up to December 19, 2016 (Bylaw No. 388)**

*This bylaw has been consolidated for convenience purposes only and may or may not contain the latest amendment (s). Electronic and On-Line Consolidated bylaws are not certified copies and they should not be used in place of actual district bylaws. If you require an accurate, up to date copy of the district bylaw, please contact the District Office.*



**DISTRICT OF HIGHLANDS**  
**BYLAW NO. 373**

**A Bylaw to Impose Sewer User Fees and Certain Sewer User Requirements  
and Regulations for The Rivers Crossing Area at 1150 Bear Mountain Parkway**

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WHEREAS the District has entered, into an inter-municipal agreement with the City of Langford and West Shore Environmental Services Inc., and a connection agreement with West Shore Environmental Services Inc., for connecting the Rivers Crossing Area to the City of Langford's sewer service;

AND WHEREAS pursuant to section 8(3)(a) of the *Community Charter*, the District may, by bylaw, regulate, prohibit and impose requirements in relation to its services.

AND WHEREAS pursuant to Section 194 of the *Community Charter*, the District may impose fees payable in respect of all or part of a service of the District and may, among other things, establish terms and conditions for payment, including discounts, interest and penalties;

NOW THEREFORE the Council of the District of Highlands, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw hereby establishes a service of sewage disposal within the boundaries of the Rivers Crossing Area.

2. This bylaw may be cited for all purposes as the "Rivers Crossing Area Sewer System Establishment and User Fee and Regulation Bylaw No. 373, 2015".

3. In this bylaw:

"parcel" means any lot, block or other area in which land is held or into which it is subdivided, including a bare land strata lot, located in the Rivers Crossing Area.

"prohibited waste" means those substances set out in Schedule B to this bylaw.

"restricted waste" means those substances set out in Schedule C to this bylaw.

"Rivers Crossing Area" means that area of the District known as "Rivers Crossing" or "1150 Bear Mountain Parkway", having a parent parcel legally described as PID 028-961-056, Lot A, Section 4, Range 3 West and Section 4 and 5 Range 4, West Highland District, Plan EPP24734.

"sewer system" means the privately owned sewage collection system servicing the Rivers Crossing Area, adjacent to Bear Mountain Parkway which discharges into the City of Langford's sewer system, as operated by West Shore Environmental Services Inc.

"special waste" means special waste as defined in the *Environmental Management Act*.

**Sewer User Fees**

4. On January 1 of every calendar year, an annual sewer user fee is hereby imposed on the owner of a parcel that is connected, directly or indirectly, to the sewer system as of January 1 of the calendar year, in an amount calculated in accordance with Schedule A attached to and forming part of this bylaw. For clarity, a separate annual fee is imposed under this section for each parcel that is connected or capable of being connected to the sewer system as of January 1 of the particular year.

5. All fees imposed under this bylaw are due and payable by the owner of the parcel to which the fee relates on July 2 of the calendar year in which the fee is imposed.
6. If all or part of any fee imposed on an owner under this bylaw that is due and payable before December 31 of a calendar year remains unpaid on December 31 of that calendar year, the outstanding amount is deemed to be taxes in arrear with respect to the parcel in respect of which the fee was imposed.

## Regulations

7. No person shall destroy, injure or tamper with any of the sewer works comprised in the sewer system, including any valves, pumps, meters, pipes, fittings, connections, and any other things or appurtenances used for the purposes of the collection of sewage, and no person or persons shall in any manner interfere or meddle with any such sewer works or make any additions or alterations to any such sewer works without the express written approval of the District.
8. No person may discharge or allow or cause to be discharged into the sewer system any:
  - (a) prohibited waste (Schedule B);
  - (b) restricted waste (Schedule C);
  - (c) special waste;
  - (d) water or any other substance for the purpose of diluting any non-domestic waste discharged into a sewer to meet acceptable tolerance standards within this bylaw; or
  - (e) anything in a concentration or quantity which may be or may become a health or safety hazard to personnel operating or maintaining the sewer system or which may cause damage or interfere with the proper operation of a sewer or the sewer system or which may injure or is capable of injuring any property, or health of any person or any life form.
9. No person may discharge or continue to allow to be discharged any storm water directly into the sewer system.
10. Every person who contravenes a provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine not exceeding \$10,000.00, costs of prosecution, and imprisonment for any time not exceeding six (6) months, and every offence under this bylaw is deemed to be a new and separate offence for each day during which it takes place.
11. If any section or lesser portion of this bylaw is held to be invalid by a Court, the invalid portions shall be severed from this bylaw and such invalidity shall not affect the remaining portions of the bylaw.

|                                      |                  |        |             |
|--------------------------------------|------------------|--------|-------------|
| READ A FIRST TIME THIS               | 20 <sup>th</sup> | DAY OF | APRIL, 2015 |
| READ A SECOND TIME THIS              | 20 <sup>th</sup> | DAY OF | APRIL, 2015 |
| READ A THIRD TIME THIS               | 20 <sup>th</sup> | DAY OF | APRIL, 2015 |
| GIVEN FINAL READING AND ADOPTED THIS | 4 <sup>th</sup>  | DAY OF | MAY, 2015   |

**ORIGINAL SIGNED**

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Mayor

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Corporate Officer

**SCHEDULE A**

1. The user fee will be calculated based on the District's actual cost of providing the sewer service, as invoiced by West Shore Environmental Services Inc., divided between all parcels located in the Rivers Crossing Area that are connected to the sewer service.

2. In the first year after connection, only:

The user fee will be the invoiced cost from West Shore Environmental Services Inc., calculated as the greater of:

- (a) \$0.814 per cubic metre of water consumed in the Rivers Crossing Area, based on winter domestic water consumption averaged over 12 months as provided by CRD Water to District of Highlands, divided by the number of parcels within the Rivers Crossing Area, and
- (b) \$184.34 per parcel within the Rivers Crossing Area.

## **SCHEDULE B**

Prohibited waste means:

1. Hazardous Waste

Hazardous waste as defined by the *Environmental Management Act*.

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 fowland 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 (149 degrees Fahrenheit) or more.

7. Biomedical Waste

Any of the following categories of biomedical waste: human anatomical waste, animal waste, untreated microbiology laboratory, clinical and laboratory waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in the Transportation of Dangerous Goods Regulations.

## SCHEDULE B - continued

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### 8. 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 sewer or sewage treatment process;
- (c) may cause a discharge from a sewage facility to contravene any requirements by or under any permit issued under the *Environmental Management Act* or any other act, approved Liquid Waste Management Plan, or any other 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 *Organic Matter Recycling Regulation* (British Columbia) deposited February 2002, 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 hazardous waste under the *Environmental Management Act*.

**SCHEDULE C**

Restricted waste means:

1. Specified Waste

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 Hazardous Waste Regulation Leachate Quality Standards will qualify that waste, regardless of the sampling method used, as a hazardous waste.

| Table A - CONVENTIONAL CONTAMINANTS [mg/L] |      |
|--|------|
| • Biochemical Oxygen Demand                | 500  |
| • Chemical Oxygen Demand (COD)             | 1000 |
| • Oil and Grease*                          | 100  |
| • Suspended Solids                         | 350  |

Note: \*Total oil and grease includes oil and grease (hydrocarbons) (see table (b))

| Table B - ORGANIC CONTAMINANTS [mg/L] |      |
|---------------------------------------|------|
| • Benzene                             | 0.1  |
| • Ethyl Benzene                       | 0.2  |
| • Toluene                             | 0.2  |
| • Xylenes                             | 0.2  |
| • Polynuclear Aromatic Hydrocarbons   | 0.05 |
| • Phenols                             | 1    |
| • Oil and Grease (hydrocarbons)       | 15   |

Note: \*\*Polynuclear Aromatic Hydrocarbons (PAH) include:

|                |                        |
|----------------|------------------------|
| naphthalene    | benzo(a)anthracene     |
| acenaphthylene | chrysene               |
| acenaphthene   | benzo(b)fluoranthene   |
| fluorene       | benzo(k)fluoranthene   |
| phenanthrene   | benzo(a)pyrene         |
| anthracene     | dibenzo(a,h)anthracene |
| fluoranthene   | indeno(1,2,3-cd)pyrene |
| pyrene         | benzo(g,h,i)perylene   |

## Schedule C – Continued

| Table C - INORGANIC CONTAMINANTS [mg/L] |   |                               |   |
|---|---|-------------------------------|---|
| • Arsenic (As)                          | 0 | • Manganese (Mn)              | 5 |
| • Cadmium (Cd)                          | 0 | • Mercury (Hg)                | 0 |
| • Chloride (Cl)                         | 1 | • Molybdenum (Mo)             | 5 |
| • Chromium (Cr)                         | 4 | • Nickel (Ni)                 | 3 |
| • Cobalt (Co)                           | 5 | • Selenium (Se)               | 0 |
| • Copper (Cu)                           | 1 | • Silver (Ag)                 | 0 |
| • Cyanide (CN)                          | 1 | • Sulphate (SO <sub>4</sub> ) | 1 |
| • Iron (Fe)                             | 5 | • Sulphide (S)                | 1 |
| • Lead (Pb)                             | 1 | • Zinc (Zn)                   | 3 |

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, exceeds radioactivity limitations as established by the Canadian Nuclear Safety Commission.

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 11.0, 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.

6. Miscellaneous Restricted Wastes

Any of the following wastes as defined in the Bylaw.

- (a) seawater
- (b) PCBs
- (c) chlorinated phenols \*\*\*
- (d) pesticides
- (e) tetrachloroethylene
- (f) organa-tin compounds

\*\*\* Chlorinated phenols include:

- chlorophenol (ortho, meta, para)
- dichlorophenol (2,3, 2,4-, 2,5-, 2,6-, 3,4-, 3,5-)
- trichlorophenol (2,3,4-, 2,3,5-, 2,3,6-, 2,4,5-, 2,4,6-, 3,4,5-)
- tetrachlorophenol (2,3,4,5-, 2,3,4,6-, 2,3,5,6-)
- pentachlorophenol