

**DISTRICT OF LANTZVILLE
BYLAW NO. 139, 2018**

**A BYLAW TO AMEND
DISTRICT OF LANTZVILLE
MISCELLANEOUS FEES AND CHARGES BYLAW NO. 26 - 2004**

The Council of the District of Lantzville in open meeting assembled, enacts as follows:

1. District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 – 2004, is hereby amended as follows:
 - a) By adding Schedule ‘C’, as attached to and forming part of this Bylaw.
 - b) By adding the following:

Late Penalties

4. Late payment penalties must be added to all fees that remain unpaid after their due dates as follows:
 - a) ten (10) percent on unpaid water and sewer usage fees, and
 - b) one percent per month, compounded simply, on all other fees.

Taxes

5. Except where noted, all fees in this bylaw exclude provincial and federal taxes, which will be charged as applicable.

Severability

6. If any provision of this bylaw is, for any reason, found invalid by a court of competent jurisdiction, the provision must be severed and the remainder of the bylaw left valid and enforceable.

2. This Bylaw may be cited for all purposes as “District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 – 2004, Amendment Bylaw No. 139, 2018”.

READ A FIRST TIME this 26th day of February, 2018.

READ A SECOND TIME this 26th day of February, 2018.

READ A THIRD TIME this 9th day of April, 2018.

ADOPTED this 23rd day of April, 2018.

ORIGINAL SIGNED

Mayor

ORIGINAL SIGNED

Corporate Officer

**SCHEDULE ‘C’
DISTRICT OF LANTZVILLE BYLAW NO. 26**

INTERPRETATION

1. In this Schedule,

“**billing period**” means the period of time over which water consumption is recorded and for which a charge is levied upon each owner of real property supplied with water by the system. There shall be four billing periods in each twelve (12) month period for each owner of real property supplied with water by the system.

“**Campground**” means the use of land for providing the temporary accommodation of persons for vacation or recreational purposes in Recreational Vehicles or tents; but excludes Mobile Home Parks, hotels, or camps licensed under the *Community Care and Assisted Living Act*, SBC 2002, c75, or any enactment that replaces it.

“**Commercial**” means any use of land or Buildings for any commercial use, including, but not limited to: retail, tourist accommodation, restaurant, office, personal or professional service, or recreation or entertainment.

“**Director of Financial Services**” means the Director of Financial Services for the District of Lantzville or a person duly authorized to act in the place of the Director;

“**Director of Public Works**” means the Director of Public Works for the District of Lantzville or a person duly authorized to act in the place of the Director;

“**Dwelling Unit**” means a habitable self-contained unit with cooking, sleeping, and sanitary facilities and a separate entrance that is used for the residential accommodation of only one family, and excludes a Mobile Home, Recreational Vehicle, and tent.

“**Gross Floor Area**” means the gross floor area of a Building or Structure calculated to the outside of the exterior walls, including floor areas over 1.8 metres in height, canopies with an occupancy or use, and parking structures as the principle use, with the following exemptions: stairwells and elevators exceeding one floor only, gas canopies and parking portions of a Structure.

“**Industrial**” means any industrial use of land or Buildings, including, but not limited to uses related to the co-generation, manufacturing, processing, assembling, fabricating, servicing, testing, repair, storing, transporting, warehousing, or distributing of goods, materials, or things, wholesaling provided that the merchandise being sold is distributed from the Lot, and includes accessory offices that occupy less than 10% of the total Gross Floor Area of any Building on the Lot.

“**Institutional**” means the institutional use of land or Buildings including, but not limited to, use for a school, hospital, correctional facility, or for a care facility including a senior's care residence where a minimum of 20 percent of the floor area of all Buildings located on the Lot are operated under a license issued pursuant to the *Community Care and Assisted Living Act* or any enactments that replace it.

“**Mobile Home**” means a dwelling unit built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of its manufacture, and includes mobile home and modular homes that are either completely self-contained or mobile homes that are incomplete and are assembled outside of the place their manufacture.

“**Mobile Home Park**” means a use of land, carried out in accordance with the Zoning Bylaw, for the purpose of providing pads for the accommodation of two or more Mobile Homes.

“**Multi-Family**” means the residential use of land for a Building consisting of two or more Dwelling Units, carried out in accordance with the Zoning Bylaw, and does not include an Institutional use of land.

“**residential purpose**” means the occupation of a dwelling unit as the usual home residence of individuals permanently residing in British Columbia, and does not include accommodation within a hotel, motel, strata resort unit, or any other parcel or strata development used for tourist or other temporary accommodation; and further that solely has Class 1, Residential Assessment or a combination of Class 1, Residential and Class 9, Farm Assessment from BC Assessment.

“**Single Family**” means the residential use of land for a Lot that contains a Building consisting of a single Dwelling Unit, and which Building may include a Secondary Suite.

“**Water System Bylaw**” means the *District of Lantzville Water System Bylaw No. 140, 2018*, as amended or replaced from time to time;

unless otherwise indicated, terms used in this Schedule have the same meaning as defined in the *Water System Bylaw*.

CONNECTION FEES

2. The following fees are payable for connection to the water system and represent the City of Nanaimo one-time Connection Cost Recovery Fee:

| Category | Amount | Unit |
|------------------|------------|------------------------------------|
| Single Family | \$5,912.26 | Dwelling Unit |
| Multi-Family | \$35.47 | m ² of Gross Floor Area |
| Commercial | \$34.36 | m ² of Gross Floor Area |
| Institutional | \$34.36 | m ² of Gross Floor Area |
| Industrial | \$8.77 | m ² of Gross Floor Area |
| Mobile Home Park | \$3,611.38 | Service Connection |
| Campground | \$849.74 | Service Connection |

INSTALLATION FEES

3. For a property where the service connection has not been installed and paid for as part of a subdivision servicing requirement, the following installation fees, complete with meter, are payable at the time of application for the service connection:

| Pipe Size | Installation Fee |
|--|-----------------------------------|
| 19 mm diameter connection | |
| less than 6 metres in length | \$ 1,300.00 |
| exceeding 6 metres | Actual cost of installation + 20% |
| 25 mm diameter connection, | |
| less than 6 metres in length | \$1,500.00 |
| exceeding 6 metres | Actual cost of installation + 20% |
| 38 mm diameter connection, | |
| less than 6 metres in length | \$1,750.00 |
| exceeding 6 metres | Actual cost of installation + 20% |
| 50 mm diameter connection or greater size, or multiple meters | Actual cost of installation + 20% |

4. Where the service connection to a property was installed and paid for as part of a subdivision servicing requirement, the following fees are payable, at the time of application, for meter installation and service:

| Pipe Size | Meter Installation Fee |
|--|--|
| 19 mm diameter connection | \$220.00 |
| 25 mm diameter connection | \$220.00 |
| 38 mm diameter connection | \$550.00 |
| 55 mm diameter connection or greater size, or multiple meters | \$1,100.00 deposit; Actual Cost of installation payable on completion |

5. Any latecomer charges that apply to a property must be paid in addition to all other fees and charges applicable under this Schedule and *Water System Bylaw No. 140, 2018*.
6. Where a previous application was made, but the water service was not installed prior to the adoption of the *Water System Bylaw No. 140, 2018*, or this Schedule, whichever is later, the connection charge previously paid will apply. If the owner fails to connect the water service to the water system within six (6) months of the date the application is approved, the owner must reapply and pay an additional fee of \$250.00 for administration costs.

DISCONNECTION

7. The fees for disconnecting a service connection shall be the actual cost of disconnection plus an administration fee of \$110.00.
8. The fee for turning on or turning off a service at the request of a consumer shall be \$35.00, and \$50.00 for after hours.

FIRE HYDRANT

9. The fee for connection of a standard fire hydrant on strata or other private property to the water system is \$275.00 per hydrant.

RESIDENTIAL PURPOSE RATES

10. The following rates shall apply for each billing period to each dwelling unit on a parcel, group of parcels or strata development that is used exclusively for residential purposes:

| | |
|---|---------|
| The first seventy-five (75) m ³ | \$64.63 |
| Each additional m ³ for consumption from seventy-six (76) m ³ to one hundred (100) m ³ | \$1.41 |
| Each additional m ³ for consumption from one hundred and one (101) m ³ to one hundred and twenty-five (125) m ³ | \$1.72 |
| Each additional m ³ for consumption from one hundred and twenty-six (126) m ³ to one hundred and fifty (150) m ³ | \$2.29 |
| Each additional m ³ for consumption over and above one hundred and fifty-one (151) m ³ | \$2.92 |

NON-RESIDENTIAL PURPOSE RATES

11. For any property, parcel, group of parcels or strata development that is used for other than exclusively a Class 1, Residential and/or Class 9, Farm Assessment from BC Assessment residential purpose, the following rates per unit shall apply:

| | |
|---|---------|
| The first seventy-five (75) m ³ | \$82.36 |
| Per m ³ of water consumed in excess of 75 m ³ | \$2.19 |

DETERMINATION OF QUANTITY

12. Where one or more meter services one or more parcels, group of parcels, or strata developments, the quantity of water supplied by the District's water system will be divided:
- (a) evenly among the number of dwelling or business units associated with the parcel, group of parcels, or strata developments that are serviced by the meter(s); or
 - (b) upon approval by the Director of Financial Services, as provided by the property owners or strata council, as applicable.
13. The quantity of water supplied by the District to a property shall be determined by the most recent amount recorded by the meter(s) through which water is delivered, less the immediately previous amount recorded.
14. If a meter is not installed, is not operational, or cannot be read, the fees charged will be an amount estimated by the Director of Public Works to have been consumed for the billing period, based on the normal consumption for that use and taking into account any circumstances particular to the use of water at that property.

METER READINGS

15. In relation to a transfer of property, the fee for reading a meter to calculate charges owing for water shall be \$40.00.
16. The fee for re-reading or re-inspection of a meter shall be \$55.00.

INSPECTION FEES

17. The following fees shall apply to each water service inspection carried out by or on behalf of the District:

| | |
|--|------------------------|
| Initial inspection (developer installed) | \$85.00 per building |
| re-inspection of water service to building | \$55.00 per inspection |
| water usage during construction period | \$30.00 per building |