



DISTRICT OF LANTZVILLE

MISCELLANEOUS FEES AND CHARGES BYLAW NO. 26, 2004

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of Bylaw No. 26 with the bylaws listed below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. The Corporation does not warrant that the information contained in this consolidation is current. Certified copies of the original bylaws should be consulted to ensure accurate, current bylaw provisions.

Date of Adoption:	Amending Bylaw:	Bylaw Citation:
May 12, 2014	Bylaw No. 109	Freedom of Information and Protection of privacy Bylaw No. 108, 2014
April 25, 2016	Bylaw No. 126	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 126, 2016
February 15, 2017	Bylaw No. 138	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 138, 2017
April 23, 2018	Bylaw No. 139	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 139, 2018
May 7, 2018	Bylaw No. 155	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 155, 2018
March 4, 2019	Bylaw No. 176	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 176, 2019
February 24, 2020	Bylaw No. 223	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 223, 2020
April 6, 2020	Bylaw No. 231	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 231, 2020
April 27, 2020	Bylaw No. 228	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment Bylaw No. 228, 2020
July 30, 2020	Bylaw No. 247	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Planning & Building Permit Fees) Bylaw No. 247, 2020
October 5, 2020	Bylaw No. 251	Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (ALR Applications) Bylaw No. 251, 2020

The bylaw numbers in bold in the margin of this consolidation refer to the last bylaw that amended each section of the principal bylaw: District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004.

**DISTRICT OF LANTZVILLE
BYLAW NO. 26 – 2004**

**A BYLAW TO ESTABLISH AND IMPOSE FEES AND CHARGES FOR THE PROVISION OF
SERVICES AND INFORMATION**

WHEREAS section 194 of the *Community Charter* enables Council to impose a fee payable in respect of a service of the municipality;

NOW THEREFORE the Municipal Council of the District of Lantzville in open meeting assembled hereby enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as “District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004”.

Imposition

(Bylaw No. 228, 2020)

2. This bylaw shall apply to anyone who requires a service or goods supplied by the District of Lantzville provided for in this bylaw.

The various fees and charges as set out in Schedules 'A', 'C', 'D' and 'E' attached to and forming part of this bylaw are hereby imposed.

Repeal

3. “Subdivision and Tax Certificate Fee for Service Bylaw No. 225” “Records Administration Bylaw No. 255”, “N.S.F. Cheque Bylaw No. 256” and any amendments thereto are hereby repealed.

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

(Bylaw No. 139, 2018)

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

Severability

(Bylaw No. 139, 2018)

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.

READ A FIRST TIME this 28th day of June, 2004.

READ A SECOND TIME this 12th day of July, 2004.

READ A THIRD TIME this 26th day of July, 2004.

RECONSIDERED AND FINALLY ADOPTED this 13th day of September, 2004.

ORIGINAL SIGNED

Mayor

ORIGINAL SIGNED

Corporate Administrator

SCHEDULE 'A'
DISTRICT OF LANTZVILLE BYLAW NO. 26

(Bylaw No. 228, 2020)

1. INFORMATION

- General Photocopying (per page) \$0.30
- Maps
 - Civic address – all municipality \$15.00
 - Cadastral – all municipality \$15.00
 - Contour – all municipality \$5.00
- Tax certificates \$35.00
- Tax notice (other than for Homeowner) \$3.00
- Tax roll \$50.00
- Affidavit to witness – signature only \$5.00
- Certification of documents \$5.00
- Comfort letter (due diligence) \$100.00
- Official Community Plan Bylaw \$30.00
- Engineering Standards and Specifications Bylaw \$40.00

2. ADMINISTRATION

- N.S.F. Cheques (per cheque) \$25.00

3. PUBLIC WORKS

- Driveway Access Permit Fee \$200.00
 Requires a \$2,000 security bond

(Bylaw No. 247, 2020)

4. PLANNING

Subdivision:

- Preliminary Subdivision Review \$1,000.00 +
 (PSR) \$200.00 per each
 new additional
 parcel
- PSR Amendment \$500.00
- PSR Extension \$500.00
- Subdivision Approval \$500.00 + 50.00
 per each new
 additional parcel

Bylaw Amendments:

- Official Community Plan Bylaw \$3,000.00
 Amendment*
- Zoning Bylaw Amendment* \$3,000.00
- Concurrent OCP & Zoning Bylaw \$5,000.00
 Amendment*
- Amendment to any other bylaw \$1,500.00

***\$1,000.00 refunded if bylaw
 amendment does not proceed to
 Public Hearing stage.**

Development Permits:

- Development Permit \$1,500.00
- Development Permit (Delegated Authority) \$500.00
- Development Permit Amendment \$500.00
- Development Permit Extension \$500.00

Development Variance Permits:

- Development Variance Permit \$1,000.00

Board of Variance:

- Board of Variance Appeal \$1,000.00

Temporary Use Permits:

- Temporary Use Permit \$1,500.00

(Bylaw No. 251, 2020)

Agricultural Land Reserve Applications:

- Non-Adhering Residential Use* \$450.00
- Non-Farm Use** \$750.00
- Subdivision** \$750.00
- Soil Use for Placement of Fill or Removal of Soil** \$750.00
- Request to District to Initiate Exclusion*** \$3,000.00

***Additional \$450 fee to be paid directly to the Agricultural Land Commission if District of Lantzville Council approves the application.**

****Additional \$750 fee to be paid directly to the Agricultural Land Commission if District of Lantzville Council approves the application.**

*****If request does not proceed to a public hearing, \$2,000 will be returned to the applicant.”**

5. BUILDING PERMITS

Standard Building:

- Duplex \$5,000.00
- House \$3,500.00
- House (Manufactured Home) \$1,500.00
- Carriage House (new construction) \$3,500.00
- Carriage House (conversion of existing building) \$3,000.00
- Addition > 50 m² gross floor area \$3,000.00
- Addition ≤ 50 m² gross floor area \$1,500.00
- Secondary Building \$2,000.00
- Structural Alteration \$2,000.00
- Conversion to Secondary Suite \$1,500.00

Complex Building:

- New Construction or Addition \$2,000.00
- Structural Alteration or Tenant Improvement \$1,000.00

Additional Inspections, Extensions, and Amendments:

- Additional Inspection (Due to Failed Inspection) \$500.00
- Building Permit Extension \$500.00
- Building Permit Amendment \$250.00

If the Building Permit application is cancelled prior to the written request for the first inspection, the fee will be refunded, less \$500 which will be retained by the Municipality.”

6. OTHER SERVICES

- Memorial Park Bench Installation \$2,500.00/bench
- Residential Solid Waste Collection - Annual \$138.63/unit*
- Mobile Home Recycling Collection - Annual \$24.83/unit*
- Extra Residential Garbage Collection Tags \$3.00 per tag
- Green Bin food waste containers No charge for new residents
- Paid Fire Department Callout \$400.00/hr per fire engine

**Rates expire when the Automated Collection Service provided by the Regional District of Nanaimo begins.*

- Special or Custom Work or Service:

For any custom work or service not specified in another District bylaw, the District may impose an additional fee equal to the costs incurred by the District to provide that work or service, plus an additional charge of 18% thereof. Labour costs for District Staff time would be charged at the following rates:

Managerial Staff	\$55.00 per hour
Public Works Employees	\$31.00 per hour
Administrative Staff	\$30.00 per hour

7. LATE PENALTIES

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,
- b) one percent per month, compounded simply, on all other fees.

Despite the foregoing, the ten (10) percent penalty shall not be imposed under paragraph (a) of this Section on unpaid water and sewer usage fees for the first two quarterly billing periods in the calendar year 2020, being those from January 1, 2020 to March 31, 2020, and from April 1, 2020 through June 30, 2020.

8. TAXES

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

9. SEVERABILITY

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.

SCHEDULE 'B'
DISTRICT OF LANTZVILLE BYLAW NO. 26
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
FEES FOR AN ACCESS TO INFORMATION REQUEST

(Bylaw No. 109, 2014)

DELETED

(Bylaw No. 223, 2020)

SCHEDULE 'C'
DISTRICT OF LANTZVILLE BYLAW NO. 26
WATER RATES

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 + 25%
25 mm diameter connection,	
less than 6 metres in length	\$1,500.00
exceeding 6 metres	Actual cost of installation + 25%
38 mm diameter connection,	
less than 6 metres in length	\$1,750.00
exceeding 6 metres	Actual cost of installation + 25%
50 mm diameter connection or greater size, or multiple meters	Actual cost of installation + 25%

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	\$65.28
Each additional m ³ for consumption from seventy-six (76) m ³ to one hundred (100) m ³	\$1.42
Each additional m ³ for consumption from one hundred and one (101) m ³ to one hundred and twenty-five (125) m ³	\$1.74
Each additional m ³ for consumption from one hundred and twenty-six (126) m ³ to one hundred and fifty (150) m ³	\$2.31
Each additional m ³ for consumption over and above one hundred and fifty-one (151) m ³	\$2.95

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	\$83.18
Per m ³ of water consumed in excess of 75 m ³	\$2.21

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

(Bylaw No. 223, 2020)

**SCHEDULE 'D'
 DISTRICT OF LANTZVILLE BYLAW NO. 26
 SEWER RATES**

INSTALLATION FEES

- 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 are payable at the time of application for the service connection:

Pipe Size	Installation Fee
50 mm diameter pressure connection	
less than 6 metres in length	\$ 2,000.00
exceeding 6 metres	Actual cost of installation + 25%
100 mm diameter connection,	
less than 6 metres in length	\$2,250.00
exceeding 6 metres	Actual cost of installation + 25%
150 mm diameter connection,	
less than 6 metres in length	\$2,500.00
exceeding 6 metres	Actual cost of installation + 25%
50 mm diameter connection or greater size	Actual cost of installation + 25%

DISCONNECTION

- The fees for disconnecting a service connection shall be the actual cost of disconnection plus an administration fee of \$110.00.

RESIDENTIAL USERS

For all properties used exclusively for residential purposes, a minimum quarterly rate will apply.

Quarterly Rate Minimum

<u>Effective Date</u>	<u>January 1, 2020</u>
<u>Classification</u>	
Single Family Dwelling	\$123.30
Mobile Home	\$123.30
Cabin	\$123.30
Cottage	\$123.30

In addition to the minimum quarterly rate, charges will be based on 66% of water consumed beyond the minimum allowable consumption as follows:

- | | | |
|-------|--|--------|
| (i) | each additional cubic meter consumption from 76 to 100 cubic meters | \$2.13 |
| (ii) | each additional cubic meter consumption from 101 to 125 cubic meters | \$2.27 |
| (iii) | each additional cubic meter consumption from 126 to 150 cubic meters | \$2.40 |
| (iv) | each additional cubic meter consumption beyond 151 cubic meters | \$2.53 |

COMMERCIAL USERS

For all properties used for commercial purposes, a minimum quarterly rate will apply.

Quarterly Rate Minimum

Effective Date January 1, 2020

Classification

Duplex or Multiple Family Dwelling (per dwelling unit)	\$123.30
Community Halls	\$123.30
Church	\$123.30
School	\$123.30
Commercial or Business Property	\$123.30

In addition to the minimum quarterly rate, charges will be based on 66% of water consumed beyond the minimum allowable consumptions as follows:

- (i) each additional cubic meter consumption thereafter \$3.07

Billing and Payment

1. The sewer user charges are billed and issued at the end of every quarter. Quarterly billing period is as follows:

- 1st – January, February and March
- 2nd – April, May and June
- 3rd – July, August and September
- 4th – October, November and December

2. The sewer charges are due and payable upon receipt and are overdue thirty (30) days thereafter.

(Bylaw No. 231, 2020)

3. Any such charge remaining unpaid thirty (30) days after the accounts are due and payable shall have a penalty added thereto in the amount of ten percent (10%) of the amount of the unpaid charge. Bills, in all cases will be mailed to the registered owner of the property to which the sewer bill applies, and the owner shall be responsible for payment thereof.

Despite the foregoing, the ten (10) % penalty shall not be imposed under this Section on unpaid sewer charges for the first two quarterly billing periods in the calendar year 2020, being those from January 1, 2020 to March 31, 2020, and from April 1, 2020 through June 30, 2020.

4. All payments received will be applied firstly against arrears and then to current balances.
5. In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the sewer connection was made, if made on or before the fifteenth (15th) day of the month, the full monthly rate shall be charged, otherwise the charge shall commence on the month following.

6. Any such charge remaining unpaid on the thirty-first day of December in each year shall be deemed to be taxes in arrears in respect of the property of which the consumer dwells and shall be forthwith entered on the real property tax roll by the Director of Financial Services as taxes in arrears.

(Bylaw No. 228, 2020)

SCHEDULE 'E'
DISTRICT OF LANTZVILLE BYLAW NO. 26
UTILITY FEES ASSOCIATED WITH THE COLLECTION OF GARBAGE,
RECYCLABLES, AND FOOD WASTE

Effective October 1, 2020:

Single Family Dwelling Unit

Recyclables (same rate for any recyclable cart size)	Food Waste	Garbage (utility fee determined by garbage cart size only)	Payment after Due Date	Prompt Payment Rate (\$15 flat fee discount)
100L	100L	80L	\$165	\$150
240L		100L	\$175	\$160
360L		240L	\$250	\$235

Single Family Dwelling Unit with One (1) Secondary Suite

	Recyclables (same rate for any recyclable cart size)	Food Waste	Garbage (utility fee determined by garbage cart size only)	Payment after Due Date	Prompt Payment Rate (\$15 flat fee discount)
One upsize default cart set	360L	100L	240L	\$250	\$235
Customs choice Garbage – 80L and 80L	100L 240L 360L	100L	80L X2	\$330	\$315
Customs choice Garbage – 80L and 100L	100L 240L 360L	100L	80L X1 100L X1	\$340	\$325
Customs choice Garbage – 80L and 240L	100L 240L 360L	100L	80L X1 240L X1	\$415	\$400
Customs choice Garbage – 100L and 100L	100L 240L 360L	100L	100L X2	\$350	\$335
Customs choice Garbage – 100L and 240L	100L 240L 360L	100L	100L X1 240L X1	\$425	\$410
Customs choice Garbage – 240L and 240L	100L 240L 360L	100L	240L X2	\$500	\$485

Administration / Service Fees	Fee (no discount)
Assisted Set-Out Service ⁽¹⁾	\$120/ year/ single family dwelling unit
Cart Exchange Fee ⁽²⁾	\$50.00/ visit
Cart Replacement ⁽³⁾	\$56.40 * – 80L cart \$41.80 * – 100L cart \$59.00 * – 240L cart \$66.90 * – 360L cart
Bear Proof Cart ⁽⁴⁾	\$230/ 240L cart

⁽¹⁾ For approved residents under the Assisted Set-Out Service program

⁽²⁾ Limit of one exchange per year per single family dwelling unit

⁽³⁾ If a Collection Cart is stolen or damaged due to the neglect of the Owner or Occupier

* plus cart delivery fee of \$50/ visit

⁽⁴⁾ One-time cost