

## **COMOX VALLEY REGIONAL DISTRICT**

### **BYLAW NO. 428**

**A bylaw to establish the south sewer operations service to operate and manage all south sewer infrastructure that will serve Electoral Area A**

**WHEREAS** under section 332 of the *Local Government Act* (SBC, 2015, c.1) a regional district may operate any service the board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the board of the Comox Valley Regional District wishes to establish a service to operate and manage all infrastructure such as collection systems, pump stations, trunk sewers, the wastewater treatment plant and outfall that will serve Electoral Area A and that may in future serve an expanded service area;

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained under section 342 of the *Local Government Act* (SBC, 2015, c.1);

**AND WHEREAS** the approval for the participating area was obtained by assent of the electors under section 344 of the *Local Government Act* (SBC, 2015, c.1);

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

#### **Service**

1. (1) The service established by this bylaw is to operate and manage
  - (a) the Union Bay and Royston pump stations, trunk sewers downstream of the Union Bay and Royston pump stations, the wastewater treatment plant, and the outfall financed and constructed under South Sewer Service (Shared Capital) Establishment Bylaw No. 426, 2016; and
  - (b) the collection or trunk sewer or other sewer system-related infrastructure constructed within the boundaries of the service area.
- (2) The service shall be known as the South Sewer Service (Operations) (the 'service').

#### **Boundaries**

2. The boundaries of the service area are coterminous with the boundaries of that part of Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands) as identified in schedule 'A' attached to and forming part of this bylaw.

#### **Participating area**

3. Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands) includes the participating area in the service.

#### **Cost recovery**

4. As provided in section 378 of the *Local Government Act* (SBC, 2015, c.1), the annual cost for this service shall be recovered by one or more of the following:
  - (a) parcel taxes;
  - (b) fees and charges imposed under section 397 of the *Local Government Act* (SBC, 2015, c.1);

- (c) revenues raised by other means authorized by the *Local Government Act* (SBC, 2015, c.1) or another Act; and
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise,

### **Maximum requisition**

5. In accordance with section 339(1)(e) of the *Local Government Act* (SBC, 2015, c.1), the maximum amount that may be requisitioned annually for the cost of the service is \$535,000.

### **Commission appointment**

6. (1) The Board is authorized to establish a Commission to be known as the South Sewer Services Commission to which decisions regarding the administration and operation of the service shall be delegated following the commissioning of the works referred to in section 1 of this bylaw.
- (2) In accordance with section 340(1)(c) of the *Local Government Act* (SBC, 2015, c.1) the board must appoint to the south sewer services commission, as established by the bylaw establishing the South Sewer Services Commission:
- (a) the director for Electoral Area 'A';
  - (b) two persons on the recommendation of the electoral area director for Electoral Area 'A';
  - (c) one person to be nominated by the K'ómoks First Nation; and
  - (d) such other appointments as may be provided for from time to time in the bylaw establishing the South Sewer Commission.
- (3) Terms of appointments, commission rules of order and delegation of authority will be as described in the bylaw establishing the South Sewer Services Commission.

### **Commission voting rules**

7. Each member of the commission referred to in section 6 has one vote on all issues and decisions at commission meetings on matters respecting the service.

### **Service review**

8. All aspects of the South Sewer Service (Operations) shall be reviewed every five years, with the first review occurring in 2021.

### Citation

This Bylaw No. 428 may be cited as “South Sewer Service (Operations) Establishment Bylaw No. 428, 2016”.

**Read a first and second time this                      26<sup>th</sup>                      day of                      April                      2016.**

**Read a third time this                                      26<sup>th</sup>                                      day of                                      April                                      2016.**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 428 being “South Sewer Service (Operations) Establishment Bylaw No. 428, 2016” as read a third time by the board of the Comox Valley Regional District on the 26<sup>th</sup> day of April 2016.

***J. Warren***

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Corporate Legislative Officer

**Approved by the  
Inspector of Municipalities this                                      day of                                      2016.**

**Participating area approval  
obtained this    day of    2016.**

**Adopted this    day of    2016.**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 428 being “South Sewer Service (Operations) Establishment Bylaw No. 428, 2016” as adopted by the board of the Comox Valley Regional District on the                      day of                      2016.

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Corporate Legislative Officer

