

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 1935

**A Bylaw to establish and Regulate Sewer
Rates within the District of Peachland**

This is a consolidated bylaw prepared by the Corporation of the District of Peachland for convenience only. The Corporation does not warrant that the information contained in this consolidation is current. It is the responsibility of the person using this consolidation to ensure that it accurately reflects current bylaw provisions.

Amended by: Bylaw No. 1978, Adopted on March 22, 2011
Bylaw No. 2021, Adopted on April 10, 2012
Bylaw No. 2045, Adopted on April 9, 2013
Bylaw No. 2103, Adopted on April 14, 2015
Bylaw No. 2176, Adopted on April 4, 2017
Bylaw No. 2294, Adopted on April 21, 2020
Bylaw No. 2302, Adopted on September 29, 2020
Bylaw No. 2309, Adopted on January 12, 2021

WHEREAS the Council of the District of Peachland is authorized pursuant to the Community Charter to establish fees and fix the rates and terms under which Sewer may be supplied and used;

AND WHEREAS the Council of the District of Peachland may provide by bylaw pursuant to the Community Charter the classification of users and prescribe different rates, terms and conditions for different users;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. **CITATION**

This bylaw may cited for all purposes as “Sewer Rates Bylaw Number 1935, 2010.”

2. **INTERPRETATION**

In this bylaw, unless context otherwise requires:

“Commercial Use” shall mean use for other than household requirements;

“Connection or Connect” shall mean tying into, tapping or otherwise connecting to the sewer system of the Municipality by means of pipes, valves, fittings or other apparatus;

“Council” shall mean the duly elected municipal Council of the Corporation of the District of Peachland;

“Domestic Use” shall mean use for household requirements and sanitation;

“Municipality” shall mean the Corporation of the District of Peachland:

“Collector” shall mean the individual appointed by the Municipal Council;

“Owner” means the duly registered owner of real property;

“Sewer System” shall mean the entire sewer system owned by the Central Okanagan Regional District and the Corporation of the District of Peachland as established by bylaw;

“Turn-off” shall mean to discontinue the collection of sewage by closing a curb-stop or by such other means as deemed appropriate;

“Turn-on” shall mean to commence the collection of sewage by opening a curb-stop or by such other means deemed as appropriate;

3. **RATES**

Rates and charges referred to in Schedules A are hereby charged and levied by the Municipality. The Corporation of the District of Peachland is not exempt from charges set by this bylaw.

Every Sewer user shall pay to the Municipality the applicable rates as set out in Schedules A.

All properties having sewer service are liable to pay the rates levied under this Bylaw and the same shall be calculated from the date of turn-on and shall continue to pay such rates until the date of turn-off and the rates payable in respect of the month of turn-on and turn-off shall be pro-rated as the circumstances of any case requires.

A request for connection to the sewer system during the year shall have a billing prepared on a pro-rated basis from the date of the service connection, as verified by Municipal Public Works staff. The billing shall be sent to the owner of the property as indicated on the Assessment Roll of the Municipality and payment shall be the responsibility of the property owner to pay the outstanding balance.

4. **BILLINGS AND COLLECTIONS**

Rates and charges established by the Municipality shall be calculated and billed on a quarterly basis.

All rates and charges shall be billed to the property owner and are the responsibility of the registered owner of that property.

Failure to receive billings will not exempt the property owner from liability to pay by the due date or as a valid reason for late payment.

Rates and Charges are due and payable 30 days following the date of invoice, as per the invoice provided by the Municipality. Any unpaid charges shall be deemed to be payment overdue and assessed a late penalty of 5% on the current quarterly billing, with payment recovery methods by the collector in accordance with the provisions of the Community Charter.

Exception to Section 4 - Unpaid charges shall not be assessed a 5% late penalty for the first quarterly utility billing ending March 31, 2020 and the second quarterly utility billing ending June 30, 2020.

Exception to Section 4 - Unpaid charges shall not be assessed a 5% late penalty for the third quarterly utility billing ending September 30, 2020.

Exception to Section 4 - Unpaid charges shall not be assessed a 5% late penalty for the fourth quarterly utility billing ending December 31, 2020.

5. **SEVERABILITY**

If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court or competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the Bylaw.

6. **REPEAL**

The Corporation of the District of Peachland Water and Sewer Rates Bylaw Number 1671, 2003, and all amendments thereto are hereby repealed.

READ A FIRST TIME, this 9th day of February, 2010.

READ A SECOND TIME, this 9th day of February, 2010.

READ A THIRD TIME, this 9th day of February, 2010.

FINALLY RECONSIDERED AND ADOPTED, this 23rd day of February, 2010.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 23rd day of February, 2010.

Schedule "A"
Attached to and forming
part of bylaw #1935

Rates and Charges (Effective January 1, 2017)

Category	Quarterly User Fees
Single Family Residential	83.71
Secondary Suites and Garden Suites	33.48
Apartment, Multi-Family Residential, Duplex, Mobile Home, per unit	83.71
Laundromat (per machine)	117.21
School (per student)	4.38
Restaurant, Beer Parlour, Neighbourhood Pub, Food Take Out	334.81
Beauty Salon, Supermarket, Bakery, Medical Facility	167.44
Garage, Service Station, Public Assembly	115.11
Commercial Enterprise	83.71
Motel or Hotel (per unit)	23.34
Motel or Hotel (per housekeeping unit)	33.52
Campsite (per seasonal unit)	20.43
Campsite (per year-round unit)	43.19
All other uses either not defined above or which are defined with metered flows (per m3 of total quarterly flow)	1.67

The minimum annual user fee imposed to any account shall be no less than the annual rate of a Single Family Residential unit in the current calendar year.