



**VILLAGE OF SAYWARD  
REGULAR COUNCIL MEETING AGENDA  
OCTOBER 5, 2021 - 7:00 PM  
HYBRID TEAMS & OPEN MEETING  
KELSEY CENTRE**

**1. Call to Order**

**2. Introduction of Late Items**

**3. Approval of Agenda**

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for October 5, 2021 be approved.

**4. Minutes of Previous Meetings**

Recommended Resolutions:

THAT the minutes from the Regular Council meeting held on September 21, 2021 be adopted.

THAT the minutes from the Special Council meeting held on September 28, 2021 be adopted.

**5. Petitions and Delegations – None**

**6. Correspondence**

a) 2022-2026 Vancouver Island Regional Library Financial Plan

b) Jackie and Darryl Lyons September 24, 2021

c) Jackie and Darryl Lyons September 27, 2021

d) RCMP Quarterly Report

e) Community to Community forum with KFN – Approval letter from UBCM

Recommended Resolution:

THAT correspondence (a) to (e) be received.

**7. Council Reports**

a) Cllr. Cragg

Referendum to remove letters patent and initiate a public referendum.

**8. Reports of Committees – None**

**9. Mayor's Report – None**

**10. Unfinished Business – None**

**11. Staff Reports**

**a) Strategic Plan & 2022-2026 Financial Plan Timetable**

**{pg 22}**

Recommended Resolutions:

THAT Council receives the Strategic Plan & 2022-2026 Financial Plan Timetable staff report for information and discussion; and,

THAT Council provide Staff with direction on a Strategic Planning session date (if desired); and,

FINALLY THAT Council approve the Financial Plan timetable proposed by Staff.

**b) Fireworks Bylaw and Citizen Survey**

**{pg 30}**

Recommended Resolutions:

THAT Council receive the Fireworks Bylaw staff report for information and discussion; and,

THAT Council approve the mailout of attached household survey to property owners to determine citizen interest in a Fireworks Bylaw and to determine how restrictive that new bylaw should be.

**c) Ticketing Bylaw**

**{pg 40}**

Recommended Resolutions:

THAT Council receive the Ticketing Bylaw staff report for information and discussion; and,

THAT draft Ticketing Bylaw No. 422, 2021 and attached draft ticket be referred to the RCMP for their review and to obtain their commitment to enforce; and,

FINALLY THAT staff return to Council with details of any requested amendments by the RCMP and for approval of the Bylaw.

**d) Water and Sewer Capacity Study**

**{pg 56}**

Recommended Resolutions:

THAT staff seek funding to complete a Water Master Plan to review and confirm actual water use, and to identify priorities for improvements and costs.

THAT staff seek funding to complete a capacity review of the sewage treatment system to assess capacity and availability for growth.

THAT a Water Metering Bylaw be developed for Council consideration to require installation of water meters to meter all commercial and industrial water users and on all new construction.

THAT legal services be procured to develop a Phased Development Agreement Bylaw for 18 Sayward Road to provide for phased development of that project, as water requirements are met for each phase and to finalize a cash contribution as the community amenity contribution for that development.

**12. Bylaws – None**

**13. New Business – None**

**14. Public Question Period (maximum 15 minutes)**

**Mayor:** “The purpose of the public question period is to enable citizens to ask questions about the issues discussed by Council during the meeting. Speakers are requested to limit their questions to one each, and if time permits, after everyone has had an opportunity to ask questions, speakers may ask a second question. For the record, please state your name and address.”.

**15. In-Camera – None**

**16. Adjournment**

Recommended Resolution:

THAT the Regular Meeting of Council for October 5, 2021 be adjourned.



**VILLAGE OF SAYWARD  
MINUTES  
REGULAR COUNCIL MEETING  
SEPTEMBER 21, 2021  
HYBRID TEAMS & OPEN MEETING  
KELSEY CENTRE**

**Present:** Mayor Mark Baker  
Councillor Sue Poulsen  
Councillor Tom Tinsley

**In Attendance:** Ann MacDonald, CAO  
Lisa Clark, CFO  
Melissa Coates, Finance/Admin Clerk

**Regrets:** Councillor Norm Kirschner  
Councillor Wes Cragg

**1. Call to Order**

Meeting was called to order at 7:00 PM.

**2. Introduction of Late Items - None**

**3. Approval of Agenda**

**MOTION R21/215**

**MOVED AND SECONDED**

THAT the agenda for the Regular Meeting of Council for September 21, 2021 be approved.

**CARRIED**

**4. Minutes of Previous Meetings**

**MOTION R21/216**

**MOVED AND SECONDED**

THAT the minutes from the Regular Council meeting held on September 7, 2021 be adopted.

**CARRIED**

**5. Petitions and Delegations**

a) **Delegation from Sayward Futures Board regarding Permissive Tax Exemption Request**

**MOTION R21/217**

**MOVED AND SECONDED**

THAT the presentation by Sayward Futures Board be received.

**CARRIED**

**6. Correspondence**

- a) E-mail from the Honourable Katrina Chen, Minister of State for Child Care
- b) Tara Faganello, Assistant Deputy Minister, Correspondence re: PHO
- c) Food Security in Campbell River and the Strathcona Region, Strathcona Food Security Coalition
- d) RDMW Challenge to Local Governments to assist Lytton
- e) Appointment of Directors to Regional Boards, Metro Vancouver Regional District

**MOTION R21/218**

**MOVED AND SECONDED**

THAT correspondence (a) to (e) be received.

**CARRIED**

**MOTION R21/219**

**MOVED AND SECONDED**

THAT to help Lytton rebuild the Mayor and Council of the Village of Sayward will contribute one dollar for each of the 311 persons in the Village of Sayward.

**CARRIED**

**MOTION R21/220**

**MOVED AND SECONDED**

THAT the Ministry of Municipal Affairs conduct a broad consultative process in partnership with the Union of British Columbia Municipalities, Lower Mainland Local Government Association, and all local governments in BC to solicit feedback with tangible and objective rationale to support the amendment to section 19 of the Local Government Act to require municipal councils to appoint the Mayor, or the Mayor's designate, as the municipal director to the regional district board; and that this motion be forwarded to Honourable Josie Osborne, Minister of Municipal Affairs.

**CARRIED**

**7. Council Reports - None**

**8. Reports of Committees - None**

**9. Mayor's Report - None**

**10. Unfinished Business - None**

**11. Staff Reports**

**a) Use of COVID Funds (\$2,500)**

**MOTION R21/221**

**MOVED AND SECONDED**

THAT the Use of COVID-19 Reserve Funds staff report be received for information and discussion; and,

THAT Staff be authorized to transfer \$2,500 from the COVID-19 Reserve for duct cleaning costs; and,

FINALLY THAT the 2021-2025 Financial Plan be adjusted accordingly.

**CARRIED**

**b) September 30 Truth and Reconciliation Day**

**MOTION R21/222**

**MOVED AND SECONDED**

THAT September 30 be proclaimed as a day where the citizens of the Village of Sayward can consider what each of us can do to advance reconciliation with Indigenous people and create a more inclusive community; and,

THAT the administrative offices and the Kelsey Centre close on September 30, Truth and Reconciliation Day, as a day of commemoration.

**CARRIED**

**c) Permissive Tax Exemptions 2022 – Sayward Futures Society**

**(No resolutions made due to lack of quorum on matter)**

**12. Bylaws**

**a) Fees and Charges Amendment Bylaw No. 477**

**MOTION R21/223**

**MOVED AND SECONDED**

THAT the Fees and Charges Amendment Bylaw No. 477 staff report be received for information and discussion.

**CARRIED**

**MOTION R21/224**

**MOVED AND SECONDED**

THAT Fees and Charges Amendment Bylaw No. 477, 2021 be given first, second and third reading.

**Opposed Councillor Tinsley, Councillor Poulsen**

**DEFEATED**

**MOTION R21/225**

**MOVED AND SECONDED**

THAT Council rescinds Motion R21/199. (August 17, 2021 meeting)

**CARRIED**

**13. New Business – None**

**13. Public Question Period (maximum 15 minutes) – None**

**14. In-Camera**

**MOTION R21/226**

**MOVED AND SECONDED**

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(c) of the *Community Charter* to discuss labour relations or

other employee relations and per Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

**CARRIED**

**15. Rise and Report**

**MOTION IC21/26**

**Moved AND SECONDED**

THAT Council accept the resignation of the CAO effective November 14, 2021; and,

THAT the Mayor contact and hire Flo Follero Pugh as the recruiter to assist Council in hiring a new CAO for the Village of Sayward.

**CARRIED**

**16. Adjournment**

**MOTION R21/227**

**Moved AND SECONDED**

THAT the Regular Meeting of Council for September 21, 2021 be adjourned.

**CARRIED**

**The meeting was adjourned at 8:45 PM.**

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**Mayor**

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**Corporate Officer**



**VILLAGE OF SAYWARD  
MINUTES  
SPECIAL COUNCIL MEETING  
SEPTEMBER 28, 2021  
HYBRID TEAMS & OPEN MEETING  
KELSEY CENTRE**

**Present:** Mayor Mark Baker  
Councillor Norn Kirschner  
Councillor Wes Cragg  
Councillor Sue Poulsen  
Councillor Tom Tinsley

**In Attendance:** Ann MacDonald, CAO  
Lisa Clark, CFO

**1. Call to Order**

Meeting was called to order at 7:15 PM.

**2. Introduction of Late Items**

**MOTION S21/4**

**MOVED AND SECONDED**

THAT the 2 pieces of correspondence from Daryl & Jackie Lyons be added to the agenda.

**CARRIED**

**3. Approval of Agenda**

**MOTION S21/5**

**MOVED AND SECONDED**

THAT the agenda for the Special Meeting of Council for September 28, 2021 be approved as amended.

**CARRIED**

**4. Minutes of Previous Meetings – None**

**5. Petitions and Delegations**

a) Delegation from Sayward Futures Board regarding Permissive Tax Exemption Request

**MOTION S21/6**

**MOVED AND SECONDED**

THAT the presentation by the Sayward Futures Board be received.

**CARRIED**



6. Correspondence – None
7. Council Reports – None
8. Reports of Committees – None
9. Mayor’s Report – None
10. Unfinished Business – None
11. Staff Reports

a) Permissive Tax Exemption 2022 – Sayward Futures Society

**MOTION S21/7**

**MOVED AND SECONDED**

THAT the report on Permissive Tax Exemptions 2022 be received for information and discussion.

**CARRIED**

Cllr Sue Poulsen and Cllr Wes Cragg declared a conflict and left the meeting.

**MOTION S21/8**

**MOVED AND SECONDED**

THAT Sayward Futures Society be granted a permissive tax exemption for 75% of the total assessed value of the property for the years 2022-2024.

**CARRIED**

12. Bylaws – None
13. New Business – None
14. Public Question Period (maximum 15 minutes) – None
15. Adjournment

**MOTION S21/9**

**MOVED AND SECONDED**

THAT the Special Meeting of Council for September 28, 2021 be adjourned.

**CARRIED**

The meeting was adjourned at 7:55 PM.

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Mayor

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Corporate Officer



## Media Release

FOR IMMEDIATE RELEASE

### **Vancouver Island Regional Library is Retooled, Revived and Ready with 2022 Budget**

*September 25, 2021, Nanaimo, BC* – The Vancouver Island Regional Library (VIRL) Board of Trustees has adopted the [2022 – 2026 Financial Plan: Retooled, Revived, Ready!](#) At the September 25 meeting, the Board adopted a balanced budget of \$31,274,714 for 2022. Municipal and regional levies will contribute \$25,440,431 to the Library budget, an average increase of 3.84% over 2021. Because the Board approved a one-year hiatus on all new Capital Projects for 2022, the total budget decreased from \$39 million in 2021.

The Budget was supported by all Trustees in attendance.

"The 2022 Budget acknowledges the persistence of the global COVID-19 pandemic and also reflects VIRL's remarkable ability to adapt our services in support of our communities during this challenging period," says Joel Adams, VIRL's Director of Finance. "By taking the long view and by recognizing the important role our libraries can play in helping our communities recover, our Board of Trustees is signaling their confidence in our staff, our services, and our ability to innovate and evolve."

In adopting the 2022 budget, the Board has agreed to a one-year hiatus on all new Capital Projects in 2022. This comes on the heels of skyrocketing construction and material costs as a result of the pandemic, and provides VIRL an opportunity to reevaluate Capital priorities as costs begin to rebound. Some projects will continue in 2022 because the projects were well underway at the time the hiatus was enacted. For information on VIRL's Capital Projects, visit the [Capital Projects page](#).

"If 2020 showed the Board anything, it's that VIRL has the resilience and responsiveness to rise above the challenges of the pandemic," says Gaby Wickstrom, Chair of the VIRL Board of Trustees. "From ongoing pandemic recovery to furthering true and meaningful reconciliation, serving marginalized community members to ensuring families have spaces to interact, this budget reflects the Board's commitment to library services on Vancouver Island, Haida Gwaii, and the Central Coast."

For more information about the 2022 – 2026 Financial Plan, visit <https://virl.bc.ca/about/reports-and-plans/>

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#### **For more information**

David Carson, Director, Corporate Communications and Strategic Initiatives

Cell: 250.327.3651

Email: [dcarson@virl.bc.ca](mailto:dcarson@virl.bc.ca)



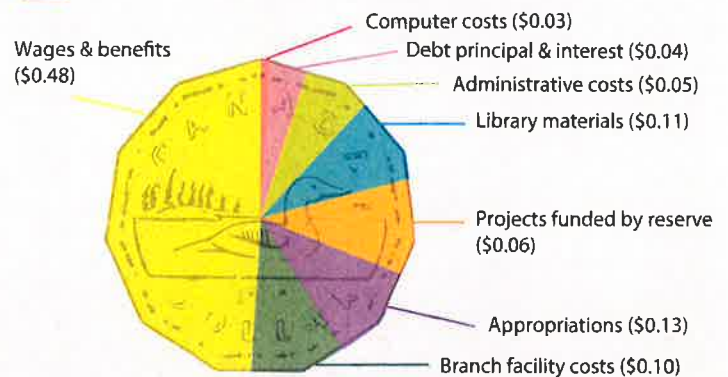
# BUDGET BREAKDOWN

## System Wide

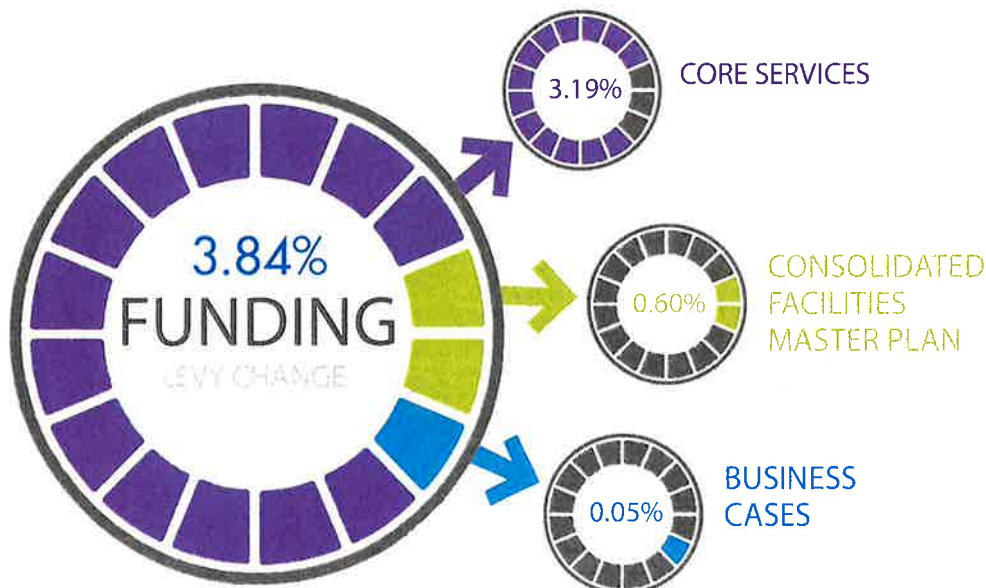
2022

1 YOUR  
PER CAPITA  
CHANGE  
\$1.52

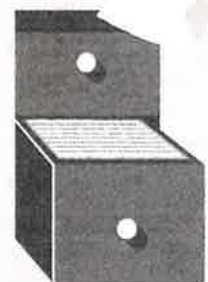
2 HOW YOUR \$1.00 IS APPLIED



3 This Year's  
CHANGE: 3.84%



\*Totals may be off by nominal amounts, due to rounding



STRONG LIBRARIES. STRONG COMMUNITIES.





# 2022 BUDGET

## System Wide

2022

### Retooled. Revived. Ready!

The 2022 – 2026 Financial Plan is the first plan prepared in an environment where the impact of COVID-19 will likely not be as apparent as it has for the last 18 months.

The Financial Plan incorporates changes to revenue and expenditures within this environment, and includes funding to continue addressing maintenance and other capital items that will allow VIRL to continue to deliver top quality service and facilities to our communities.

VIRL is retooled, revived and ready to respond to the current operating conditions and plans for an exciting future.

The complete 2022 – 2026 Financial Plan is available at [virl.bc.ca](http://virl.bc.ca).

### HOW IS MY LEVY CALCULATED?

Each member's levy is calculated in accordance with the Library Act. The allocation is based on 50% population, and 50% assessed value. Both of these figures are provided to VIRL by an external source.

Each member's levy is based on their proportion of these figures compared to VIRL as a whole.

Therefore, the amount you contribute is impacted by changes in your local population and assessed value. Where these figures have changed by an amount that is different than the VIRL overall average change, each member levy will adjust accordingly.

### WHAT CHANGED? \*

#### Population

Across all of VIRL, population increased by an average of **0.93%**.

For 2022, your population changed by **4,307** which represents a change of **0.93%**.

When factored into VIRL as a whole, this leads to a change of **\$469,949** to your levy, or a change of **1.92%**.

#### Assessed Value

Across all of VIRL, assessed value increased by an average of **4.46%**.

For 2022, your assessed value changed by **\$592,836,102** which represents a change of **4.46%**. When factored into VIRL as a whole, this leads to a change of **\$469,952** to your levy, or a change of **1.92%** over 2021.

#### Total Levy

For 2022, your total levy increases by **\$939,902** for a total of **25,440,431**. This represents a change of **3.84%** over 2021.

#### Per Capita

On a per capita basis, in 2022 your levy changes by **\$1.52**. Per capita will vary by community, depending on their respective changes to population. An increased population may decrease the per capita cost, since the cost is spread over a larger total.

## 2022 BUDGET

AT A GLANCE:  
LEVY CHANGE

CORE SERVICES

3.19%

CONSOLIDATED FACILITIES  
MASTER PLAN

0.60%

BUSINESS CASES

0.05%

TOTAL LEVY CHANGE

3.84%

\*Totals may be off by nominal amounts, due to rounding



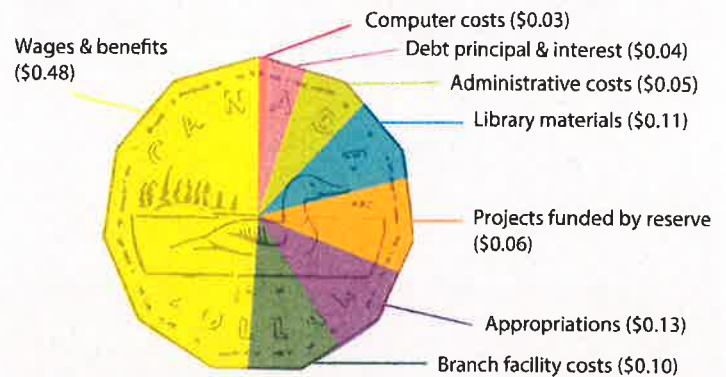
# BUDGET BREAKDOWN

Sayward

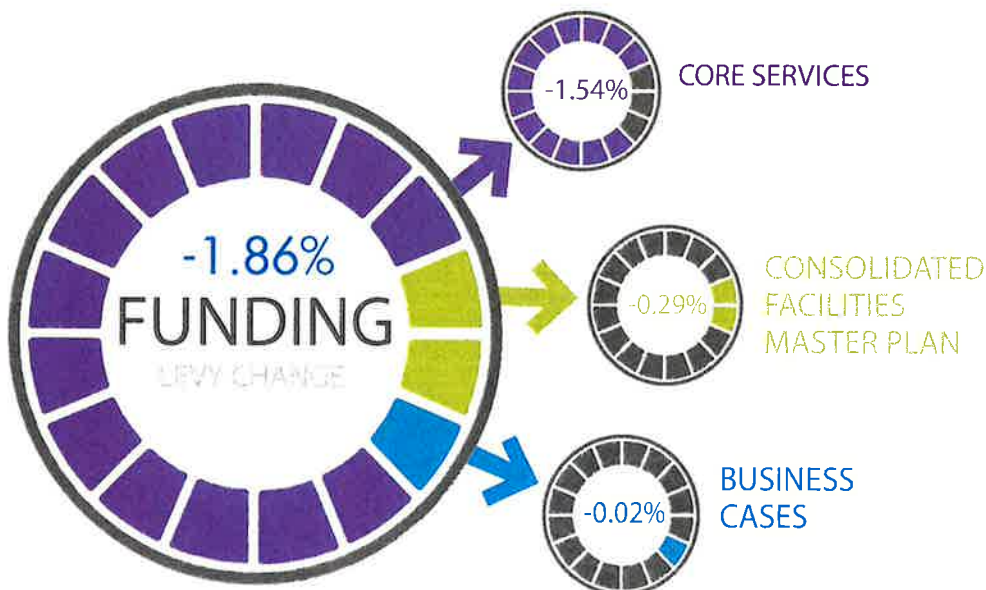
2022

1 YOUR  
PER CAPITA  
CHANGE  
\$2.23

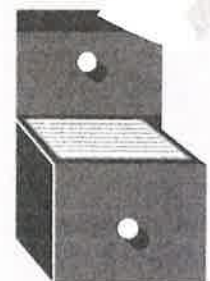
2 HOW YOUR \$1.00 IS APPLIED



3 This Year's  
CHANGE: -1.86%



\*Totals may be off by nominal amounts, due to rounding



STRONG LIBRARIES. STRONG COMMUNITIES.





# 2022 BUDGET

Sayward

2022

## Retooled. Revived. Ready!

The 2022 – 2026 Financial Plan is the first plan prepared in an environment where the impact of COVID-19 will likely not be as apparent as it has for the last 18 months.

The Financial Plan incorporates changes to revenue and expenditures within this environment, and includes funding to continue addressing maintenance and other capital items that will allow VIRL to continue to deliver top quality service and facilities to our communities.

VIRL is retooled, revived and ready to respond to the current operating conditions and plans for an exciting future.

The complete 2022 – 2026 Financial Plan is available at [virl.bc.ca](http://virl.bc.ca).

## HOW IS MY LEVY CALCULATED?

Each member's levy is calculated in accordance with the Library Act. The allocation is based on 50% population, and 50% assessed value. Both of these figures are provided to VIRL by an external source.

Each member's levy is based on their proportion of these figures compared to VIRL as a whole.

Therefore, the amount you contribute is impacted by changes in your local population and assessed value. Where these figures have changed by an amount that is different than the VIRL overall average change, each member levy will adjust accordingly.

## WHAT CHANGED? \*

### Population

Across all of VIRL, population increased by an average of **0.93%**.

For 2022, your population changed by **(24)** which represents a change of **-7.02%**.

When factored into VIRL as a whole, this leads to a change of **\$(393)** to your levy, or a change of **-2.86%**.

### Assessed Value

Across all of VIRL, assessed value increased by an average of **4.46%**.

For 2022, your assessed value changed by **\$180,130** which represents a change of **3.54%**.

When factored into VIRL as a whole, this leads to a change of **\$137** to your levy, or a change of **1.00%** over 2021.

### Total Levy

For 2022, your total levy increases by **\$(255)** for a total of **13,479**. This represents a change of **-1.86%** over 2021.

### Per Capita

On a per capita basis, in 2022 your levy changes by **\$2.23**. Per capita will vary by community, depending on their respective changes to population. An increased population may decrease the per capita cost, since the cost is spread over a larger total.

## 2022 BUDGET

AT A GLANCE:  
LEVY CHANGE

CORE SERVICES

-1.54%

CONSOLIDATED FACILITIES  
MASTER PLAN

-0.29%

BUSINESS CASES

-0.02%

TOTAL LEVY CHANGE

-1.86%

\*Totals may be off by nominal amounts, due to rounding

Sept 24, 2021

To: Ann MacDonald - CAO -The Village of Sayward  
Mark Baker – Mayor – The Village of Sayward  
The Council – Village of Sayward.

This letter is to advise you of our objection to The Sayward Futures Society receiving any tax exemption from the village of Sayward.

The financial statement indicates a surplus of \$66025.00 and a total net assets of \$175000.00. What is absent from this statement is a list of the monies distributed to the various charities listed in their application.

Specifically:

-The Mayors Chili bake off, The Secret Santa, Broom Busters, Bike rodeo, The Legion and four rec. Sites (which are partially funded by grants with no disclosure of the amount of the grant.)

In our opinion, The Futures Society have been vague in what they are classifying as a charitable involvement with the community and a detailed list of donations from them should have been included in their application. It seems more than curious that our own village medical clinic will not be applying for, nor receive a tax exemption, and yet the Futures Society, for some reason feel they are entitled to receive an exemption. The two executives on the Futures Society board who have recused themselves from the Sayward Village Council deliberations should be reminded that they are not to have any improper conversations with the other two councillors that might be construed as undue influence.

It must also be noted that this application is to be dealt with at a special meeting of council with a mere 3 days notice where it has been stated in the agenda that a "decision and resolution" is required. Residents have been trying unsuccessfully to have, for example, a fireworks by-law and a noise by-law enacted with no success and yet this must be finalized on Sept 28. Why the quick decision to be made,? Favouritism ? Seems so..taxes are not due till next spring !!!!

Yours truly,

Darryl and Jackie Lyons  
291 Ambleside Drive  
Sayward

Sept 27, 2021

Dear Ms MacDonald, Mr Mayor and Village Councillors,

At no time have we been under the impression that we could debate council on this or any other item coming before council. All we wanted was the ability to voice our concerns at a meeting of council. This is one very good example of how village residents have effectively lost the ability to convey concerns in a timely fashion. You now state that we may contact by phone or mail any council member and convey our concerns on not only this subject or any other subject. There doesn't seem to be a logical reason why council can not revert to the way council meetings were conducted in the past and allow residents the ability to speak their mind. We are among many residents of Sayward who will boycott council meetings until this is changed. The obvious question from me would be, have you asked council if they wish to have villagers contact them at their place of residence.

A written request for a Tax Exemption did not appear in the village agendas until the September 7 meeting. Your notice that it must have a decision and resolution was dated Sept 28. Further, letters were mailed to Tax exempt recipients of previous years on June 18, 2021, and you may think it is not a rushed process, but considering the fact that we knew nothing about these letters and would have no way of knowing, let alone understand the meaning of these letters it would be for all intents and purposes not knowing. What we see attached to an agenda is a poorly written application with no facts whatsoever.

In the written submission from Sayward Futures they attempt to advise the village all the charities that they support. In not one of these "charities" is there a dollar amount shown. If this organization is looking for a tax break then they should, at the very least, indicate just what they have done, and will do for the community. In one example, they show the Mayors Chili Bake off as a charity that received something from the Futures Society. We can attest to the fact that little or no funds were given to the bake off. We would like the representative from Sayward Futures to disclose exactly what they have done for the community at the next village meeting that will justify the village giving them in excess of \$5000 in tax breaks. A charity in a village this small with a total of \$175000 in net assets and a surplus of \$66000 does not qualify for ANY tax break.

Yours sincerely,

Darryl and Jackie Lyons





# Sayward Policing Report

Royal Canadian Mounted Police  
Gendarmerie Royal du Canada

To: Mayor, Council, and Regional District

Policing Report for April 1<sup>st</sup> – June 30<sup>th</sup>, 2021

Dear Mayor Baker and Councilors, Regional District Representative,

Please find enclosed the policing report that reflects the crime statistics for the months of January to March 2021. During these months, Sayward RCMP had a total of 132 calls for service, down from 145 for the same period last year..

<b>Report statistics April 1<sup>st</sup> to June 30<sup>th</sup>, 2021:</b>	<b>Village</b>	<b>Rural</b>
911-FALSE/ABANDONED CALLS: 8	1	7
Abandoned Vehicles: 4	1	3
Animal Calls: 3	1	2
Assault: 2	0	2
Breach of Peace: 0	3	0
Breach Bail: 0	0	2
Cause a Disturbance: 1	1	0
Check Wellbeing: 5	0	5
Checkstop Program / Road Block: 4	0	4
Children, Family & Community Services: 0	0	1
Collision Damage under \$10,000: 2	0	2
Coroner's Act: 1	0	1
False Alarms: 0	0	0
Firearms Act: 0	0	0
Impaired OP Motor Veh: 2	0	2
Mental Health Act: 0	0	0
Mischief: 5	5	0
Missing Persons: 1	0	1
Other Permit Issue - Provincial: 0	0	0
Property – Lost & Found: 8	5	3
Sex Assault / Interference: 0	0	0
Theft: 5	1	4
Traffic-Other Moving including Bulk VT's & Warnings: 23	1	22
Unspecified Assist: 14	3	11

**Traffic Stats for the period:**

- 85 written Warnings
- 96 written Violation Tickets

**Community Interactions:**

1. Due to COVID19 pandemic very little interaction with public

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris MCMILLAN', written over the word 'Sincerely,'.

Cpl Chris MCMILLAN  
Detachment Commander  
Sayward RCMP

September 29, 2021

Ann MacDonald, CAO  
Village of Sayward  
652 H'Kusam Way  
Sayward, BC, V0P 1R0

**RE: 2021/22 (September) C2C program – Approval in Principle**

Dear Ms. MacDonald,

Thank you for submitting an application under the September intake of the 2021/22 Regional Community to Community (C2C) Forum program. I am pleased to inform you that your application has been approved in principle for funding.

Pending satisfactory receipt of the following item, your application will be eligible for full approval:

- Written confirmation from the K'omoks First Nation of the intent of their elected officials and/or senior staff to participate in the proposed C2C event(s).

Please submit the outstanding application requirement(s) no later than October 29, 2021 in order for your application to be approved in full.

On behalf of the Evaluation Committee, I would like to congratulate you for responding to this opportunity to strengthen relationships between neighbouring First Nations and local governments. If you have any questions, please contact Local Government Program Services at 250 356-5193 or lgps@ubcm.ca.

Sincerely,



Rebecca Bishop  
Program Officer, Local Government Program Services

*The Regional Community to Community Forum program is administered with the First Nations Summit and is funded by the Province of BC and the Government of Canada.*



## COUNCILLOR REPORT

**For:** Mayor and Council  
**Prepared by:** Councillor Wes Cragg  
**Subject:** Referendum to remove letters patent and initiate a public referendum  
**Meeting date:** October 5, 2021

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### BACKGROUND

To initiate a Council and/or community discussion regarding the future of the Village of Sayward.

### DISCUSSION

The Village of Sayward is facing significant costs to replace its infrastructure. As an alternative, Council could seek community input into removing the letters patent by way of a public referendum to seek community and Council support to establish a new electoral area and join the Strathcona Regional District.

Letters patent are a legal document created by the B.C. government. Incorporating letters patent establish the framework by which a municipality or regional district is created.

Section 38 (1) of the *Local Government Act* provides for this as follows:

#### **Dissolution of municipality**

**38** (1) On receiving a request signed by a majority of the electors of the municipality, the Lieutenant Governor in Council may, by order, revoke the letters patent incorporating the municipality.

(2) The Lieutenant Governor in Council may not exercise the power under subsection (1) until the Lieutenant Governor in Council is satisfied that provision has been made for the payment and discharge of all debts and obligations of the municipality.

(3) On the revocation under subsection (1) of the letters patent,

(a) the municipality is dissolved,

(b)all of the municipality's property vests in the Provincial government, and

(c)all taxes imposed by the municipality that remain unpaid are taxes imposed under the *Taxation (Rural Area) Act* as of the date of the imposition.

(4) If a municipality is dissolved under this section at a date before taxes are imposed for the calendar year in which the dissolution takes effect, all property inside the boundaries of the dissolved municipality is liable to assessment, taxation, levy and collection of taxes for all purposes in that year under the *Taxation (Rural Area) Act* and the *School Act*, as if the property were liable to assessment in the preceding year.

## **RECOMMENDATIONS**

For information and discussion. Council may also wish to refer this discussion to the Strategic Planning Sessions planned for later this Fall.

Respectfully Submitted,

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Councillor Wes Cragg



## STAFF REPORT

**To:** Mayor and Council  
**From:** Ann Macdonald, CAO  
**Subject:** Strategic Plan & 2022-2026 Financial Plan Timetable  
**Meeting date:** October 5, 2021

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### BACKGROUND

In the fall of 2019 Council attended a strategic planning session where members of Council met with Staff to discuss the 2020 Strategic Plan and to identify key priorities to be undertaken during the year. Strategic Planning involves setting goals or objectives, determining strategic actions to achieve the goals (priorities) and mobilizing resources to execute the actions. A strategy describes how the end (goals) will be achieved by the means (resources). The Strategic Plan is then used to produce the Financial Plan and guide the work plans of each municipal department. Because strategic plan priorities can have significant resource and workload implications, it is important to tie the strategic plan to the annual budget process.

### DISCUSSION

Due to COVID-19 and staff turnover during 2020 a strategic planning session was not held in the Fall of 2020 and many of Council's strategic objectives and priorities were carried forward to 2021. Staff recommend that at a minimum, Council review the 2020/2021 Strategic Plan this fall in order to remove completed priorities and projects and to add any new priorities for 2022. A full planning session may be desired; Council can then consider Staff suggestions, public suggestions, Council member suggestions and establish new strategic priorities for the next year which will ensure Council's priorities are properly reflected in the financial plan. Staff can arrange this session if Council so desires. Alternatively, Council may wish to postpone such a session until the fall of 2022 when a new Council is elected.

The following timetable is suggested for working towards the 2022-2026 Financial Plan/Capital Plan. Staff will note that this schedule is flexible and precise dates will be determined as we get closer to 2022.

	Item		Timeline
1	Staff reviews 2021-2025 Financial Plan and existing Strategic Plan	Staff Report with timetable to Council	October 5 <sup>th</sup> Regular meeting
2	Council does a short review of the Strategic Plan and directs staff on changes for 2022 <b>OR:</b>		Oct 19 <sup>th</sup> Regular Meeting
2	Full Strategic Planning session	<b>Optional</b>	COW meeting late October
3	2022 Strategic Plan presented to Council		November 2 <sup>nd</sup> Regular Meeting

4	Staff work on Financial Plan and Capital Plan for 2022		November 2021
5	<p>Financial Plan Process</p> <p>A. Council Meeting, December 7, 2021. Review of Financial Plan/Capital Projects</p> <p>B. COW Council Meeting January XX, 2022. Detailed review of Financial Plan/Capital Projects</p> <p>C. COW Council Meeting January XX, 2022. Detailed review of Financial Plan/Capital Projects</p> <p>D. COW Council Meeting February XX, 2022. Final review of Financial Plan/Capital Projects</p> <p>E. Council Meeting March XX, 2022 First three readings of the Financial Plan Bylaw</p> <p>F. Council Meeting April XX, 2022 Final reading of the Financial Plan Bylaw</p>	<p>Each meeting will refine the Financial and Capital Plans, and, provide time for public input and questions. The timeline will also allow for research and reporting on identified issues.</p> <p>Adopt Financial and Capital Plan</p>	<p>December 7, 2021</p> <p>January XX, 2022</p> <p>January XX, 2022</p> <p>February XX, 2022</p> <p>March XX, 2022</p> <p>April 2022</p>
6	Tax Rate Bylaw, Fees & Charges Amendment Bylaw (for water, sewer, solid waste fees)	Bylaw	Adopted by Mid May, first 3 readings April 2022, Final reading early May 2022.

## RECOMMENDATIONS

THAT Council receives the Strategic Plan & 2022-2026 Financial Plan Timetable staff report for information and discussion; and,

THAT Council provide Staff with direction on a Strategic Planning session date (if desired); and,

FINALLY THAT Council approve the Financial Plan timetable proposed by Staff.

Respectfully submitted,

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Ann MacDonald  
CAO

**Prepared by:** Lisa Clark, CFO

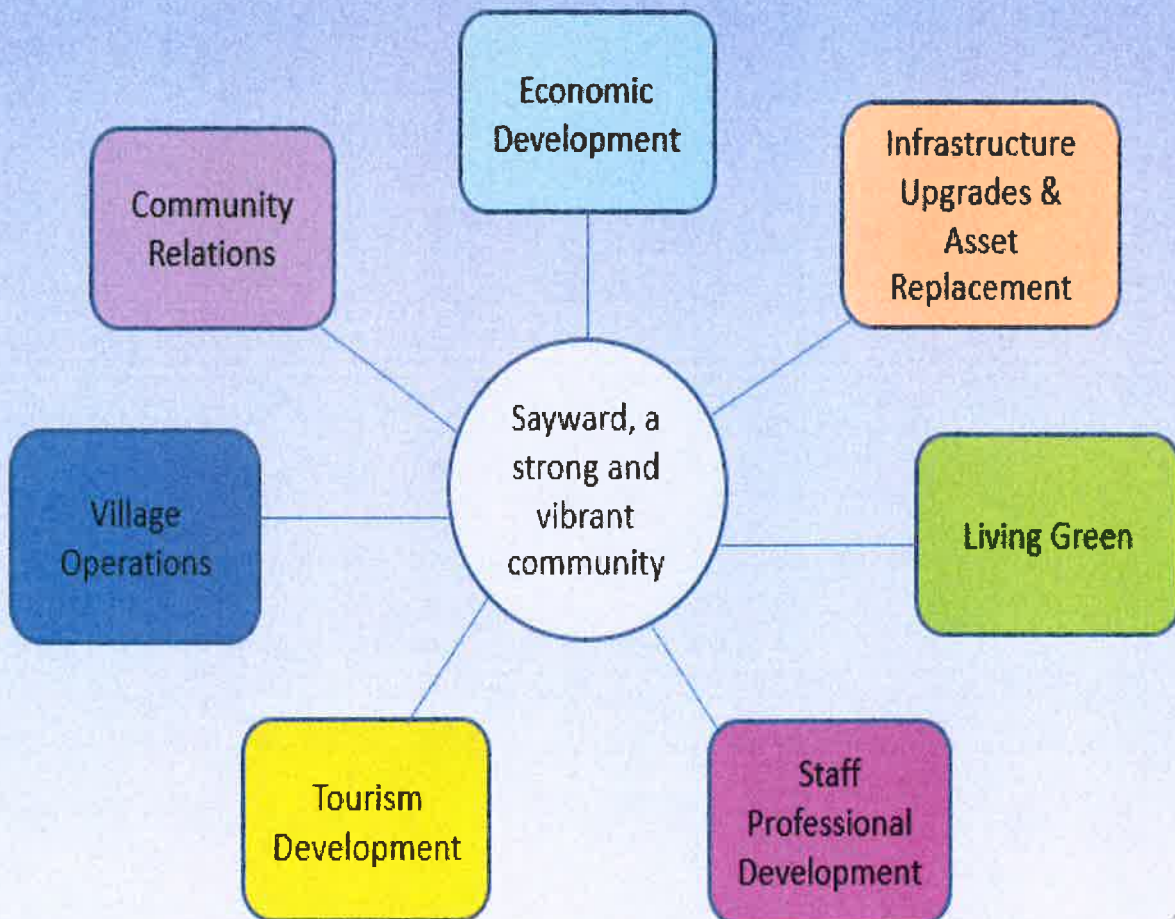
Attachments:

- **2020 Strategic Plan**



**Village of Sayward  
2020 Strategic Plan**

## Strategic Plan – Priorities 2020





## Community Relations

Priorities	Progress Measures	Timeline
<p>Work on building a strong co-operative relationship with all residents of Sayward (Village and Valley):</p> <ul style="list-style-type: none"> <li>• Involve Area Director in service delivery issues for all valley residents.</li> <li>• Update and enhance the village website.</li> <li>• Mayor and Council to submit a monthly update to the Sayward News to help keep residents apprised of Village initiatives and goals.</li> <li>• Work in improving our relationship with the K'omoks First Nation, regular communications, and ways and means to jointly promote Sayward</li> <li>• Work with SRD on funding for services jointly used by all valley residents. Recreation, Fire, Health.</li> </ul>	<ul style="list-style-type: none"> <li>• Online survey for residents to provide input on delivery issues completed and summarized in report.</li> <li>• Website updated further, information current. Grant funds from BC Rural Dividends used for further enhancements.</li> <li>• Bi-monthly submissions from the Mayor, bi-monthly submissions from Council.</li> <li>• C2C (Community to Community) event held in 2020.</li> <li>• Shared fire services data collected in 2020, new agreement in 2021. Funding obtained from SRD for Recreation Centre and Health Clinic.</li> </ul>	<p>Spring 2020</p> <p>Spring 2020</p> <p>All of 2020</p> <p>Summer 2020</p> <p>Late summer 2020</p>

## Economic Development

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>• Assist and support prospective businesses interested in locating to the Sayward area.</li> </ul>	<ul style="list-style-type: none"> <li>• Reports on program brought to Council, a new business created in Sayward</li> </ul>	<p>Late summer 2020</p>

<ul style="list-style-type: none"> <li>• Work with local organizations and Tourism committee to promote tourism and attract business investment to the Sayward area.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased campground usage, more tourist traffic, and more businesses advertising in the Tourist Info Centre.</li> </ul>	All of 2020
<ul style="list-style-type: none"> <li>• Support existing businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning amendments, new business Proposals presented to Council, possible revitalization bylaws</li> </ul>	All of 2020

### Infrastructure Upgrades & Asset Replacement

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>• Be cognizant of Asset Management Plan and use it to identify projects for the Financial Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Report brought to Council and Plan reviewed. Long term asset replacement strategy discussed.</li> </ul>	Spring 2020
<ul style="list-style-type: none"> <li>• Identify issues from AMP reports</li> </ul>	<ul style="list-style-type: none"> <li>• Issues presented to Council.</li> </ul>	Spring 2020
<ul style="list-style-type: none"> <li>• Identify short and long-term projects for Kelsey Centre and include in budget discussions.</li> </ul>	<ul style="list-style-type: none"> <li>• Includes recommended short-term safety upgrades and equipment replacement. Issues identified and upgrades completed.</li> </ul>	Fall 2020
<ul style="list-style-type: none"> <li>• Approve reserve policy and update bylaw and integrate into financial plan: Adopt a formal reserve policy and include in future Financial Plan. Update Reserve bylaw. Recognise the need to plan for capital asset replacements in accordance with the Asset Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Policy presented to Council and approved; Reserve Bylaw adopted.</li> </ul>	Summer 2020
<ul style="list-style-type: none"> <li>• Apply for infrastructure grants</li> </ul>	<ul style="list-style-type: none"> <li>• Grant applications submitted, approved and funds received</li> </ul>	All of 2020

## Living Green

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>Continue to pursue the goal of becoming a carbon neutral community.</li> </ul>	<ul style="list-style-type: none"> <li>Solar panels for Kelsey Centre installed</li> </ul>	Summer 2020
<ul style="list-style-type: none"> <li>Continue to work with the Provincial Government and K'omoks First Nation to secure a community forest.</li> </ul>	<ul style="list-style-type: none"> <li>Community Forest secured with KFN and Provincial Government</li> </ul>	Fall 2020
<ul style="list-style-type: none"> <li>Continue to develop the Village trail system.</li> </ul>	<ul style="list-style-type: none"> <li>Rails on Kelly's Bridge installed, trails maintained</li> </ul>	Spring 2020
<ul style="list-style-type: none"> <li>Continue to expand the Community Garden and flower gardens throughout the Village.</li> </ul>	<ul style="list-style-type: none"> <li>Grant funding received for revitalizing the Community Garden</li> </ul>	Summer 2020

## Staff Professional Development

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>Ensure staff and Village volunteers receive adequate emergency management training and the village has an emergency response plan in place.</li> </ul>	<ul style="list-style-type: none"> <li>Staff and EOC representative reports to Council regarding quarterly meetings with stakeholders. Emergency response plan in place.</li> </ul>	All of 2020
<ul style="list-style-type: none"> <li>Continue Council, staff and volunteer professional development through various municipal and professional associations ensuring the Village continues to receive good value for the resources expended.</li> </ul>	<ul style="list-style-type: none"> <li>Training for all Council, Staff and volunteers scheduled, and training taken.</li> </ul>	All of 2020
<ul style="list-style-type: none"> <li>Institute a new employee performance evaluation system.</li> </ul>	<ul style="list-style-type: none"> <li>Performance evaluation system in place.</li> </ul>	Fall 2020

## Tourism Development

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>Continue the Village beautification program including upgrading signage, cleaning and painting Village buildings and structures, and enhancing the Village gardens.</li> </ul>	<ul style="list-style-type: none"> <li>Bus stop at campground repaired or replaced; ORV signage installed indicating the location of the designated route.</li> </ul>	Spring 2020
<ul style="list-style-type: none"> <li>Work with local organizations and the Regional District to enhance signage and way finding in Sayward.</li> </ul>	<ul style="list-style-type: none"> <li>Additional signage installed</li> </ul>	All of 2020
<ul style="list-style-type: none"> <li>Support and work with the Tourism Committee.</li> </ul>	<ul style="list-style-type: none"> <li>Meetings attended and joint initiatives completed</li> </ul>	All of 2020

## Village Operations

Priorities	Progress Measures	Timeline
<ul style="list-style-type: none"> <li>Review and update Village internal policies and procedures. There are several policy and Bylaw updates that need to be completed. Policies include: Personnel Benefits, Conflict of Interest, Criminal Record Search, Hiring, Annual Tax Sale, Permissive Tax Exemption, Respectful Workplace, Procurement. Bylaws include: Building, Zoning (Cannabis), Reserves.</li> </ul>	<ul style="list-style-type: none"> <li>Additional Policies and Bylaws approved by Council</li> </ul>	All of 2020
<ul style="list-style-type: none"> <li>Review the Village fee structure to ensure it is up to date and equitable including water, sewer, recreation, other fees and charges. New fees &amp; charges bylaw to be brought forward to Council.</li> </ul>	<ul style="list-style-type: none"> <li>Review of fees completed, new Fees and Charges Bylaw approved.</li> </ul>	Fall 2020

<ul style="list-style-type: none"> <li>• Review tax ratios</li> <li>• Update the Village of Sayward Official Community Plan using grant funding.</li> </ul>	<ul style="list-style-type: none"> <li>• Updated tax ratio system.</li> <li>• Grant funding in place, public meetings held, OCP updated.</li> </ul>	<p>Spring 2020</p> <p>Summer 2020</p>
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## STAFF REPORT

For: Mayor and Council  
Prepared by: Ann MacDonald, CAO  
Subject: **Fireworks Bylaw & Community Survey**  
Meeting date: October 5, 2021

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### BACKGROUND

Fireworks are federally regulated in Canada by the Explosives Regulatory Division (ERD), a department of Natural Resources Canada, (NRCAN) and as such NRCAN is responsible for the enforcement of regulations regarding consumer fireworks including manufacture, import/export, storage, and retail.

It is legal in Canada to purchase a wide variety of consumer fireworks, such as roman candles and star wheels; however, all products offered for sale must be tested and approved by the ERD. Local governments can impose further regulations by way of bylaws to control storage, retail, and discharge of fireworks within community boundaries. The Village of Sayward currently regulates fireworks in Sections 59- 76 of *Fire Protective Services Bylaw No. 383, 2010*, though these provisions are now somewhat out of date.

Council passed the following resolution at its November 19, 2019 meeting, the most recent time that Council has reviewed Fireworks Regulation Bylaw No. 456, 2019, and at that time, the bylaw was seen to be too restrictive.

#### **MOTION R19/297**

#### **MOVED AND SECONDED**

THAT Council receive the Fireworks Bylaw No. 456 staff report for information and discussion, and;

THAT Staff be directed to engage the public for opinions and feedback on the potential new fireworks bylaw.

**CARRIED**

### DISCUSSION

Citizens have proclaimed the current bylaw to be insufficient, and that fireworks have a direct negative impact on pets and farm animals and run the risk of starting a wildfire or causing injury to persons or property.

At the November 19, 2019 meeting Council directed that staff carry out a survey of citizens to determine their interests, and to identify how restrictive a Fireworks Bylaw should be. A Fireworks Bylaw can prohibit fireworks entirely within municipal boundaries or it can simply regulate and restrict the discharge of fireworks, for instance only allowing use on certain special days (Halloween, New Years, Canada Day), so called Consumer Fireworks.

The distinction between consumer fireworks events, display fireworks events, and pyrotechnic fireworks events and the rules and regulations for each category will be clearly explained in a Fireworks Bylaw should Council opt to approve one.

The options for Council to consider in how restrictive a Fireworks Bylaw should be, include the following:

1. The Bylaw could **prohibit the sale and use of all fireworks** within the Village of Sayward. This includes prohibiting all consumer fireworks (backyard Halloween and New Years events), all display fireworks (Canada Day), and all pyrotechnic fireworks (movie sets, other events). In short, no fireworks would be permitted within the Village at any time. *(Most restrictive)*
2. A less restrictive bylaw could allow for consumer fireworks **only on specific dates, and only by permit**. Display fireworks and pyrotechnic fireworks would be permitted only on approval by way of a valid permit issued by the Fire Chief at least 14 days in advance and a requirement to advertise the event to the community in advance. *(Restricted to only some days)*
3. Another option is for each fireworks category to have **specific requirements** that would be required to be met for a permit to be issued by the Fire Chief. Consumer fireworks, for instance, in this more streamlined bylaw, could be limited to Halloween between the hours of 5:00 pm and 10:00 pm for example. *(Individualized restrictions based on review by Fire Chief to reflect the specific event or risks)*
4. Finally, a bylaw could **allow consumer, display and pyrotechnic fireworks on any day with a valid permit**. *(Limited restrictions but permit still required).*

Council has already had first and second readings on Bylaw 456 and had considered Bylaw No. 456 to be too restrictive. In response to the above resolution from November 2019, staff recommend administering the attached household survey to determine the level of restrictions that the community supports for a new Fireworks Bylaw.

If a less restrictive bylaw is desirable, there is a requirement to rescind first and second readings of Fireworks Regulation Bylaw 456, 2019. The Fire Protective Services Bylaw No. 383, 2010 will also require an amendment to remove Fireworks sections 59 to 76, and to modify section 77 to exclude cost recovery for fireworks violations. This will be included in new bylaw and covered in a forthcoming Ticketing Bylaw that Council will soon have before it to review. An amendment to

the Fees and Charges Bylaw will also be required to include permit fees, etc. as any fees for permits would be included in the Fees & Charges Bylaw.

## **RECOMMENDATIONS**

THAT Council receive the Fireworks Bylaw staff report for information and discussion, and;

THAT Council approve the mailout of the attached household survey to property owners to determine citizen interest in a Fireworks Bylaw and to determine how restrictive that new bylaw should be.

Respectfully submitted,

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Ann MacDonald  
CAO

### **Attachments:**

- **Citizen Survey on Proposed Fireworks Bylaw**
- **Staff Report November 19, 2019**
- **Staff Report October 8, 2019**



## Citizen Survey on Proposed Fireworks Bylaw

The purpose of this survey is to determine the interests of citizens for a bylaw to control the use of fireworks within the Village of Sayward. Please return to the Village by **Friday October 28, 2021.**

### **Fireworks Facts:**

Fireworks are federally regulated by the Explosives Regulatory Division (ERD) of Natural Resources Canada, (NRCAN) who enforces their manufacture, import/export, storage, and retail. It is legal in Canada to purchase what are called consumer fireworks.

**Consumer Fireworks:** these are low-hazard firework articles designed for recreational use by the public. These articles include items such as roman candles, sparklers, fountains, wheels, volcanoes, mines, and snakes. (Type F.1)

**Display Fireworks:** these are high-hazard firework articles designed for use by professionals holding a Fireworks Operator Certificate. These articles include items such as aerial shells, cakes, roman candles, waterfalls, lances and wheels. (Type F.2)

**Special Effect Pyrotechnics:** these are high-hazard pyrotechnic articles designed for use by professionals holding a Fireworks Operator Certificate. These articles include items such as gerbs, mines, comets and crossettes. This class also includes special purpose pyrotechnics manufactured live on stage or for the film and television industry. (Type F.3)

**Fireworks Accessories** are explosive articles used to initiate various types of Fireworks. (Type F.4)

### **YES OR NO Questions. Please circle or check all answers that apply.**

I was aware that there is limited regulation of fireworks in the Village of Sayward	YES	NO
I was not aware that there limited regulation of fireworks in the Village of Sayward	YES	NO
I support a fireworks bylaw to regulate fireworks in the Village of Sayward	YES	NO
I do not support a fireworks bylaw to regulate fireworks in the Village	YES	NO

### **Check all that apply:**

I support a fireworks bylaw to regulate fireworks in the Village of Sayward because of:

- ☐ the negative impact fireworks have on pets
- ☐ the risk of harm to wildfire
- ☐ the risk of injury to persons
- ☐ the risk of damage to property

\_\_\_\_\_ the noise and disturbance they cause to me and my pets and family

I do not support a fireworks bylaw in the Village of Sayward because:

\_\_\_\_\_ I enjoy watching fireworks

\_\_\_\_\_ I enjoy discharging fireworks

\_\_\_\_\_ A permit requirement is unreasonable, and I prefer to set them off whenever I want

\_\_\_\_\_ I don't see why I can't set them off as they do not harm anyone

**How restrictive Should a Fireworks Bylaw be? CHOOSE ONE OPTION BELOW**

**Option 1** \_\_\_\_\_

**Most Restrictive**

The Bylaw could **prohibit the sale and use of all fireworks** within the Village of Sayward. This includes prohibiting all consumer fireworks (backyard Halloween and New Years events) all display fireworks (Canada Day), and all pyrotechnic fireworks (movie sets, other events). In short, no fireworks would be permitted within the Village at any time. (*Most restrictive*)

**Option 2** \_\_\_\_\_

**Restricted to specific dates with permit.**

A less restrictive bylaw could allow for consumer fireworks **only on specific dates and only by permit**. Display fireworks and pyrotechnic fireworks would be permitted only when approved by a valid permit issued by the Fire Chief at least 14 days in advance with the requirement to advertise the event to the community in advance. (*Restricted to only some days*)

**Option 3** \_\_\_\_\_

**Permit to discharge consumer fireworks with specific times and requirements.**

This option includes each fireworks category having **specific requirements** that would be required to be met for a permit to be issued by the Fire Chief. Consumer fireworks, for instance, could be limited to Halloween between the hours of 5:00 pm and 10:00 pm for example. (*Individualized restrictions based on review by Fire Chief to reflect the specific event or risks*)

**Option 4** \_\_\_\_\_

**Permit Required but very few restrictions**

A bylaw could **allow consumer, display and pyrotechnic fireworks on any day with a valid permit.** (*Limited restrictions but permit still required*).

**Option 5** \_\_\_\_\_

**No Fireworks Bylaw, no Permit required, keep things as they are with all fireworks allowed at any time.**

No fireworks bylaw and leave things the way they are which allows for fireworks at any time unless banned under the Fire Protective Services Bylaw No. 383, 2010 due to the risk of a wildfire.

<b>Type of fireworks permitted in a new bylaw</b>
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- \_\_\_\_\_ I support regulating consumer fireworks with a permit
- \_\_\_\_\_ I support only Display and Pyrotechnic fireworks and prohibiting Consumer Fireworks
- \_\_\_\_\_ I support allowing Display and Pyrotechnic fireworks with a permit
- \_\_\_\_\_ I support allowing all fireworks at any time **with** permit required
- \_\_\_\_\_ I support allowing **only** Consumer Fireworks with a permit
- \_\_\_\_\_ I support allowing all fireworks at any time with **no** permit required

***Thank you for responding to this household survey.***



## STAFF REPORT

**For:** Mayor and Council  
**Prepared by:** Lisa Clark, CAO/CFO  
**Subject:** Fireworks Bylaw  
**Meeting date:** November 5, 2019

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### BACKGROUND

Fireworks Bylaw 456 received first and second readings at the May 7, 2019 Council meeting and was re-directed to Staff to amend. Another look at Bylaw 456 in September generated a proposed replacement Fireworks Bylaw which simplified the overall language and was subsequently introduced at the October 8<sup>th</sup> Council meeting.

### ATTACHMENTS

- Fireworks Regulation Bylaw 456, 2019
- Proposed Fireworks Regulation Bylaw No. XXX, 2019 (as presented at the Oct 8<sup>th</sup> meeting).

### DISCUSSION

Staff suggest another discussion by Council is needed before any further Bylaws are brought back for approval. A Fireworks Bylaw can prohibit fireworks entirely within the municipal boundaries or it can restrict the discharge of fireworks and only allow use on certain special days (Halloween, New Years, Canada Day). The distinction between consumer fireworks events, display fireworks events, and pyrotechnic fireworks events and the rules and regulations for each category can also be included.

Several options are available to Council as follows:

1. Prohibit the sale and use of all fireworks within the Village of Sayward. This includes prohibiting all consumer fireworks (backyard Halloween and New Years events), all display fireworks (Canada Day), and all pyrotechnic fireworks (movie sets, other events). In short, no fireworks would be permitted within the Village at any time.
2. Allow for consumer fireworks only on specific dates, and only by permit. Display fireworks and pyrotechnic fireworks would be permitted only on approval by the CAO by way of a valid permit and would be advertised to the community before the event. Each fireworks category would also have specific requirements that need to be met for a permit to be issued. Consumer fireworks could be limited to Halloween between the hours of 5:00 pm and 10:00 pm. Any fees for permits would be included in the Fees & Charges Bylaw.
3. Allow consumer, display and pyrotechnic fireworks on any day, but only by way of a valid permit.

Staff are requesting direction from Council on which option they would prefer, or to present another alternate option if desired.

Once Staff are clearer on Council's direction, a Bylaw will be brought to the November 22<sup>nd</sup> regular meeting of Council for the first 3 readings. In addition, the following steps will be taken:

- Fireworks Regulation Bylaw 456, 2019, first and second readings will be rescinded.
- Fire Protective Services Bylaw No. 383, 2010 will be amended to remove Fireworks sections 59 to 76, section 77 will be modified to exclude cost recovery for fireworks violations (included in new bylaw).
- The proposed bylaw will be modified to include fees and charges. Staff are considering a rewrite of the Fees and Charges bylaw 451 which will be discussed at the next Council meeting.

**RECOMMENDATION:**

Recommended Resolution:

THAT Council receive the Fireworks Bylaw report for information and discussion, and;

THAT Council provides direction to Staff.

Respectfully submitted,

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Lisa Clark CAO/CFO



## STAFF REPORT

MAYOR AND COUNCIL  
VILLAGE OF SAYWARD

FROM: Lisa Clark, Acting CAO/CFO  
John France, Consultant  
RE: Fireworks Bylaw Report

### Background

Fireworks Bylaw 456 received first and second reading at the May 7, 2019 Council meeting and has not proceeded since that time for various reasons. Staff reviewed this bylaw and suggest a simpler bylaw be considered by Council. The proposed bylaw is taken from the City of Nanaimo (with a few minor amendments) and is both well considered (includes the necessary controls) and is easy for Staff and applicants to follow.

### Attachments:

- Fireworks Regulation Bylaw 456, 2019
- Proposed Fireworks Regulation Bylaw No. XXX, 2019

### Discussion

Staff have included several comparisons for Council review. The proposed bylaw greatly simplifies section 3, Prohibitions, of Bylaw 456 as follows:

- No person shall offer for sale, sell, give, or trade Fireworks within the boundaries of the Village.
- No person shall possess Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.
- No person shall explode, light, activate, fire or discharge Fireworks within the boundaries of the Village unless that person holds a valid Fireworks Permit issued under this bylaw.

Furthermore, under section 4 (456) Exceptions, Fireworks can be stored within the Village but not sold (within the Village) and the owner of the fireworks must be licensed by Federal/Provincial authorities. And finally, the Fire chief must be advised of the storage location and approve the quantity of fireworks. The proposed bylaw prohibits storage within the Village as outlined in the bullets above. Staff suggest this is a safety improvement as well as simplifies that no fireworks may be sold or stored within the Village.

The event permitting and planning is also simplified, See section 5 (456) and section 14 of the proposed bylaw. Insurance provisions are covered under section 14 (c).

If Council agrees with the new bylaw, the following steps will be taken at the October 22 Council meeting:

- Fireworks Regulation Bylaw 456, 2019, first and second readings will be rescinded
- Fire Protective Services Bylaw No. 383, 2010 will be amended to remove Fireworks sections 59 to 76, section 77 will be modified to exclude cost recovery for fireworks violations (included in new bylaw), remove Schedules A and B.
- Fees and Charges Bylaw 451 will be amended to include fees and penalties under the proposed fireworks bylaw. Subsection 4 (g) will be repealed, section 5 Schedule J – Fire Protective Services replaced with Schedule J - Proposed Fireworks Regulation Bylaw No. XXX, 2019.
- The proposed bylaw will be modified to make it consistent with Fees and Charges Bylaw 451 – Proposed current schedule B removed into bylaw 451 and new schedule B added for the permit.

**Staff Recommendations:**

That the report on Fireworks Bylaw Report be received;

And That Council provides direction to Staff.

Respectfully submitted,

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Lisa Clark Acting CAO/CFO  
John France Consultant



## STAFF REPORT

For: Mayor and Council  
Prepared by: Ann MacDonald, CAO  
Subject: **Ticketing Bylaw**  
Meeting date: October 5, 2021

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### BACKGROUND

For Council review of the attached draft Ticketing Bylaw No. 422, 2021.

### DISCUSSION

The bylaw provides for enforcement of specific Village bylaws by means of a ticket that can be issued by designated bylaw enforcement officers. The bylaw also includes penalties for the offences noted in the bylaw and identifies those designated as bylaw enforcement officers. For the Village of Sayward, enforcement officers would include the CAO, the Foreman of Public works and the RCMP.

Ticketing Bylaw No. 422 provides for enforcement of the following bylaws:

- Animal Control Bylaw No. 418, 2015
- Noise Control Bylaw No. 342, 2005
- Parks Control Bylaw No. 421, 2018
- Building Bylaw No. 334, 2005

All four of these bylaws provide for enforcement by the RCMP, the CAO and a Bylaw Enforcement Officer. The Fireworks Bylaw, currently in draft status, once approved by Council can also be added to this list. That bylaw is now out for a legal review and community feedback and will be coming forward for Council review in the Fall 2021.

Finally, there are limits in the *Community Charter* as to the maximum amount of a penalty that can be payable for an offence in relation to ticket offences, and this amount is set at \$2,000. The maximum amount that can be recovered for Summary convictions for bylaw infractions, (those that must be resolved in court) is \$20,000 in the *Community Charter*.

Finally, the *Community Charter* includes Firearm Bylaws as a class of bylaws for which MTI ticketing is not permitted, and therefore that bylaw is not included here as one that can be enforced.



## **RECOMMENDATIONS**

THAT Council receive the Ticketing Bylaw staff report for information and discussion; and,

THAT draft Ticketing Bylaw No. 422, 2021 and attached draft ticket be referred to the RCMP for their review and to obtain their commitment to enforce; and,

FINALLY THAT staff return to Council with details of any requested amendments by the RCMP and for approval of the Bylaw.

Respectfully submitted,

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Ann MacDonald  
CAO

Attached:

- **DRAFT Ticketing Bylaw No. 422, 2021**
- **DRAFT Ticket**



## VILLAGE OF SAYWARD

### BYLAW NO. 422

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#### A BYLAW OF THE VILLAGE OF SAYWARD TO AUTHORIZE TICKETING FOR BYLAW OFFENCES

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**WHEREAS** Sections 264 and 265 of the *Community Charter* authorize a Council, by bylaw, to:

- a. Designate a bylaw which may be enforced by means of a ticket in a form prescribed by regulation;
- b. Designate bylaw enforcement officers for the purpose of enforcing bylaws by means of a ticket;
- c. Authorize the use of any word or expression on a ticket to designate an offence against a bylaw;
- d. Establish penalties, not greater than the amount prescribed by regulation, for an offence against a designated bylaw.

**NOW THEREFORE** the Council of the Village of Sayward, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "**Ticketing for Bylaw Offences Bylaw No. 422, 2021.**"
2. Those bylaws listed in Schedule 1, attached to and forming part of this Bylaw, under the heading "*Designated Bylaws*" may be enforced by means of a ticket in the form prescribed under section 264(1)(a) of the *Community Charter*.
3. Those persons listed in each row of Schedule 1, attached to and forming part of this Bylaw, under the heading "*Designated Bylaw Enforcement Officers*" are designated as bylaw enforcement officers for the purpose of enforcing the Designated Bylaw listed in the same row of Schedule 1.
4. The words or expressions set forth under the heading "*Designated Offence*" in Schedules 2 through 6, attached to and forming part of this Bylaw, designate the offence committed under the section of the Designated Bylaw listed in the same row of the applicable Schedule.
5. The amounts listed in Schedules 2 through 6 under the heading "*Penalty*" designate the fines prescribed pursuant to Section 265 of the *Community Charter* for contravention of corresponding Designated Offences.
6. In the case of a continuing offence, each day that the offence continues constitutes a new

offence, and a separate ticket may be issued for each day that the offence continues.

7. If any section, subsection, sentence, clause, phrase or lesser portion of this bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion of the bylaw shall be severed, and the remaining provisions of this bylaw shall not be affected.

Read a first time on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Read a second time on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Read a third time on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Adopted on the \_\_\_\_ day of \_\_\_\_\_, 2021.

Certified a true copy of Bylaw  
No. 422 this \_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Chief Administrative Officer  
Village of Sayward

\_\_\_\_\_  
Mayor

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

## SCHEDULE 1

<b><i>Schedule</i></b>	<b><i>Designated Bylaws</i></b>	<b><i>Designated Bylaw Enforcement Officers</i></b>
2	Animal Control Bylaw No. 418, 2015	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
3	Noise Control Bylaw No. 342, 2005	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
4	Fireworks Regulation Bylaw No. ***, 2021	Fire Chief Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
5	Parks Control Bylaw No. 421, 2018	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer
6	Building Bylaw No. 334, 2005	Bylaw Enforcement Officer Chief Administrative Officer RCMP Officer

## SCHEDULE 2

### ANIMAL CONTROL BYLAW NO. 418, 2015

<i>Designated Offence</i>	<i>Section</i>	<i>Penalty (\$)</i>
Unlicensed dog	4.1	75.00
No licence tag on dog	4.4	50.00
Prohibited removal of licence tag	4.5	50.00
Unauthorized keeping of animals outdoors	5.1	75.00
Keep more than three dogs	5.2	200.00
Prohibited keeping of livestock	5.3	100.00
Sell wild or exotic animal	5.4	100.00
Display wild or exotic animal	5.4	100.00
Keep wild or exotic animal	5.4	100.00
Dog in restricted area of park	5.5	100.00
Dog at large	5.6	100.00
Fail to remove dog excrement	5.7	150.00
Keep dog that has killed or injured	5.8(a)	200.00
Keep barking dog	5.8(b)	200.00
Keep aggressive dog	5.8(c)	200.00
Keep dog for dog fighting	5.8(d)	200.00
Keep birds that are a nuisance or disturb	5.9	100.00
Keep more than three cats	5.10	200.00
Cat at large	5.11	100.00
Fail to muzzle/enclose dangerous or vicious dog	5.12	200.00
Interfere with impounding of animal	6.4	300.00
Unlawfully remove animal from Pound	6.9	200.00
Obstruct Animal Control Officer	9.4	300.00

**SCHEDULE 3**  
**NOISE CONTROL BYLAW NO. 342, 2005**

<i><b>Designated Offence</b></i>	<i><b>Section</b></i>	<i><b>Penalty (\$)</b></i>
Continuous and persistent noise that disturbs	4.1	100.00
Amplified sound that disturbs	4.2	100.00
Noise that disturbs	4.3	100.00
Animal noise that disturbs	4.4	100.00
Construction outside permitted hours	5.2.1	100.00

**SCHEDULE 4**  
**FIREWORKS REGULATION BYLAW No. \*\*\*, 2021**

<b><i>Designated Offence</i></b>	<b><i>Section</i></b>	<b><i>Penalty (\$)</i></b>
Sell fireworks	3(a)	1,000.00
Possess prohibited fireworks	3(b)	500.00
Sell prohibited fireworks	3(b)	500.00
Discharge prohibited fireworks	3(b)	500.00
Possess firecrackers	3(c)	500.00
Sell firecrackers	3(c)	500.00
Discharge firecrackers	3(c)	500.00
Possess consumer fireworks	3(d)	500.00
Discharge consumer fireworks	3(d)	500.00
Hazardous use of fireworks	3(g)	1,000.00
Discharge Display Fireworks without permit	3(h)	1,000.00
Discharge Display Fireworks contrary to Permit conditions	3(i)	1,000.00
Discharge Pyrotechnic Fireworks without permit	3(j)	1,000.00
Discharge Pyrotechnic Fireworks contrary to Permit conditions	3(k)	1,000.00

## SCHEDULE 5

### PARKS CONTROL BYLAW NO. 421, 2018

<i><b>Designated Offence</b></i>	<i><b>Section</b></i>	<i><b>Penalty (\$)</b></i>
Damage park vegetation or soil	4.1(a)(i)	200.00
Remove park vegetation or soil	4.1(a)(i)	200.00
Damage park improvement	4.1(a)(ii)	200.00
Remove park improvement	4.1(a)(ii)	200.00
Damage park building or structure	4.1(a)(iii)	200.00
Remove park building or structure	4.1(a)(iii)	200.00
Damage park fixture or equipment	4.1(a)(iv)	200.00
Remove park fixture or equipment	4.1(a)(iv)	200.00
Permit dog or other animal in stream or pool	4.1(b)	100.00
Deposit garbage where not permitted	4.1(c)	100.00
Deposit household/trade waste	4.1(d)	100.00
Vehicle not in designated area	4.1(e)	100.00
Animal not in designated area	4.1(f)	100.00
Launch water vessel from undesignated area	4.1(g)	100.00
Use object in a dangerous manner	4.1(h)	100.00
Dump foreign material	4.1(j)	200.00
Operate amplifying system/loudspeaker	4.1(k)(i)	150.00
Camp overnight	4.1(k)(ii)	100.00
Participate in unauthorized event	4.2(a)	100.00
Unauthorized commercial activity	4.2(b)	150.00



**SCHEDULE 6**  
**BUILDING BYLAW NO. 334, 2005**

<b><i>Designated Offence</i></b>	<b><i>Section</i></b>	<b><i>Penalty (\$)</i></b>
Work without permit	6.1.1	500.00
Occupy without occupancy permit	6.1.2	500.00
Provide false information to building official	6.1.3	500.00
Tamper with official notice	6.1.4	500.00
Obstruct building official	6.1.6	500.00
Failure to comply with stop work order	6.1.7	1,000.00
Work contrary to bylaw	6.1.8	1,000.00
Demolition without permit	6.1.9	1,000.00

Village of Sayward  
Community Charter

### MUNICIPAL TICKET INFORMATION

ISSUED TO:

SURNAME OR CORPORATE NAME		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D)		GENDER M   F	BIRTHDATE YY   MM   DD
ADDRESS			
CITY		PROVINCE	POSTAL CODE

The bylaw enforcement officer says that he or she has reasonable and probable grounds to believe, and does believe, that the above named

on or about 

DATE OF OFFENCE		
YY	MM	DD

 at the time of 

24 HR CLOCK	
HH	MM

at or near \_\_\_\_\_, Village of Sayward,  
STREET ADDRESS

Province of British Columbia

Did commit the offence indicated, under the following bylaw:

Ticketing for Bylaw Offences

Bylaw No. 422

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
			\$	\$

If you wish to dispute the allegation contained in this ticket, you may appear at the following location to give notice of dispute:

Village of Sayward  
PO Box 29 652 H' Kusam Way  
Sayward, BC V0P 1RD

or deliver, have delivered, or mail a **Notice of Dispute** to the above address as described on the reverse. The fine amount may be paid in accordance with the prescribed instructions (see reverse).

<b>For Court Use If Ticket Disputed</b>		DATE YY   MM   DD	
AT HEARING <input type="checkbox"/> CONVICTED <input type="checkbox"/> DISMISSED			
SIGNATURE OF JUSTICE			
BYLAW ENFORCEMENT OFFICER NAME OR NUMBER		DATE OF SERVICE YY   MM   DD	
BYLAW ENFORCEMENT OFFICER SIGNATURE			
<b>AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED</b>			

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

**COURT COPY**

Village of Sayward  
Community Charter

## CERTIFICATE OF SERVICE

I, \_\_\_\_\_  
NAME OCCUPATION

certify that on the date

	DATE	
YY	MM	DD

I served \_\_\_\_\_

with a copy of the Municipal Ticket Information on the reverse side of this ticket, in the manner indicated below:

- ☐ by delivering it to the person personally;
- ☐ by leaving it for the person at the person's last or usual residence with an occupant of it who appeared to be at least 16 years of age, because the person could not be conveniently found;
- ☐ the defendant being a corporation, by delivering it to a director, or to a manager, secretary or other executive officer of the corporation or of a branch of it or on the attorney of an extraprovincial company, namely:

Dated:

	DATE	
YY	MM	DD

\_\_\_\_\_  
BYLAW ENFORCEMENT OFFICER SIGNATURE

Village of Sayward  
Community Charter

### MUNICIPAL TICKET INFORMATION

ISSUED TO:

SURNAME OR CORPORATE NAME		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D)		GENDER M   F	BIRTHDATE YY   MM   DD
ADDRESS			
CITY		PROVINCE	POSTAL CODE

The bylaw enforcement officer says that he or she has reasonable and probable grounds to believe, and does believe, that the above named

on or about 

DATE OF OFFENCE		
YY	MM	DD

 at the time of 

24 HR CLOCK	
HH	MM

at or near \_\_\_\_\_, Village of Sayward,  
STREET ADDRESS

Province of British Columbia

Did commit the offence indicated, under the following bylaw:

Ticketing for Bylaw Offences

Bylaw No. 422

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
			\$	\$

If you wish to dispute the allegation contained in this ticket, you may appear at the following location to give notice of dispute:

Village of Sayward  
PO Box 29 652 H' Kusam Way  
Sayward, BC V0P 1R0

or deliver, have delivered, or mail a **Notice of Dispute** to the above address as described on the reverse. The fine amount may be paid in accordance with the prescribed instructions (see reverse).

<b>For Court Use If Ticket Disputed</b>		DATE YY   MM   DD	
AT HEARING <input type="checkbox"/> CONVICTED <input type="checkbox"/> DISMISSED			
SIGNATURE OF JUSTICE			
BYLAW ENFORCEMENT OFFICER NAME OR NUMBER		DATE OF SERVICE YY   MM   DD	
BYLAW ENFORCEMENT OFFICER SIGNATURE			
<b>AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED</b>			

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

**ALLEGED OFFENDER'S COPY**

## **MUNICIPAL TICKET INFORMATION**

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### **HOW TO PAY THIS TICKET**

#### **WHAT IS THE EASIEST WAY TO PAY?**

You may pay by mail, by sending your cheque or money order (payable to the Village of Sayward, in Canadian funds) to the address below.

Do not send cash in the mail. A receipt will NOT be sent back to you.

Village of Sayward  
PO Box 29 652 H' Kusam Way  
Sayward, BC V0P 1R0

Your payment must be accompanied by a copy of the other side of this ticket, or a note giving sufficient information to identify this ticket, including:

- the TICKET NUMBER (from the top right corner on the face of this ticket);
- your FULL NAME and MAILING ADDRESS;
- the DATE OF OFFENCE and the BYLAW NAME and SECTION of the offence.

#### **NOTE:**

If you do not provide sufficient details, your payment might not be credited to you, and the fine may remain outstanding. By paying the fine, you will be deemed to have pleaded guilty to the described offence. If there is an early fine payment option noted on this ticket, the payment must be postmarked on or before the 30th day from the date of service of this ticket.

#### **MAY I PAY FOR THIS TICKET IN PERSON?**

Yes. You may make payment at the address above during regular business hours. Present this copy of the ticket, along with your payment.

#### **WHAT HAPPENS IF I DO NOT PAY?**

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

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### **HOW TO DISPUTE THIS TICKET**

#### **MAY I DISPUTE THIS TICKET?**

Yes. If you dispute the allegation contained in this ticket you or your agent will have to attend the Provincial Court of British Columbia for a hearing.

#### **HOW MAY A NOTICE OF DISPUTE BE MAILED?**

If you wish to send your notice of dispute by mail, write to the following address:

Village of Sayward  
PO Box 29 652 H' Kusam Way  
Sayward, BC V0P 1R0

Your notice of dispute should contain the following information:

- the TICKET NUMBER (from the top right corner on the face of this ticket);
- your FULL NAME and MAILING ADDRESS;
- the DATE OF OFFENCE and the BYLAW NAME and SECTION of the offence.

#### **NOTE:**

If you do not provide these details, the notice of dispute may not provide sufficient information, and you may be deemed not to have disputed the described offence.

#### **HOW MUCH TIME DO I HAVE TO DISPUTE?**

If you wish to dispute, you have up to 14 days from the date of service shown on the face of this ticket to deliver, have delivered or mail your notice of dispute. Your notice of dispute must be postmarked on or before the 14th day from the date of service of this ticket.

#### **MAY I DELIVER A NOTICE OF DISPUTE IN PERSON?**

Yes. You may deliver your notice of dispute to the above address. You should bring this copy of the ticket, and you may be asked to fill out a notice of dispute form.

#### **WHAT HAPPENS AFTER MY NOTICE OF DISPUTE HAS BEEN RECEIVED?**

You will receive notice in the mail from the Provincial Court Registry informing you of the time and location of your hearing. If you do not attend the Court on the indicated date, the ticket will be treated as not disputed, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

Village of Sayward  
Community Charter

### MUNICIPAL TICKET INFORMATION

ISSUED TO:

SURNAME OR CORPORATE NAME		<input type="checkbox"/> YOUNG PERSON			
GIVEN NAMES (OR CORPORATE NAME CONT'D)		GENDER M   F		BIRTHDATE YY   MM   DD	
ADDRESS					
CITY		PROVINCE		POSTAL CODE	

The bylaw enforcement officer says that he or she has reasonable and probable grounds to believe, and does believe, that the above named

on or about 

DATE OF OFFENCE		
YY	MM	DD

 at the time of 

24 HR CLOCK	
HH	MM

at or near \_\_\_\_\_, Village of Sayward,  
STREET ADDRESS

Province of British Columbia

Did commit the offence indicated, under the following bylaw:

Ticketing for Bylaw Offences

Bylaw No. 601

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
			\$	\$

If you wish to dispute the allegation contained in this ticket, you may appear at the following location to give notice of dispute:

Village of Sayward  
PO Box 29 652 H' Kusam Way  
Sayward, BC V0P 1R0

or deliver, have delivered, or mail a **Notice of Dispute** to the above address as described on the reverse. The fine amount may be paid in accordance with the prescribed instructions (see reverse).

<b>For Court Use If Ticket Disputed</b>		DATE YY   MM   DD	
AT HEARING <input type="checkbox"/> CONVICTED <input type="checkbox"/> DISMISSED			
SIGNATURE OF JUSTICE			
BYLAW ENFORCEMENT OFFICER NAME OR NUMBER		DATE OF SERVICE YY   MM   DD	
BYLAW ENFORCEMENT OFFICER SIGNATURE			
<b>AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED</b>			

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

**ENFORCEMENT OFFICER'S COPY**

LOCATION: \_\_\_\_\_

## This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

SIGNATURE OF OFFICER: \_\_\_\_\_

CHECKED AS A RESULT OF:

INFORMATION RECEIVED: ☐ OBSERVED VIOLATION: ☐

## DESCRIPTION OF ACCUSED

NAME: \_\_\_\_\_

AGE: \_\_\_\_\_ D.O.B.: \_\_\_\_\_

RACE: \_\_\_\_\_ HAIR COLOUR: \_\_\_\_\_

EYE COLOUR: \_\_\_\_\_ HEIGHT: \_\_\_\_\_



## STAFF REPORT

**For:** Mayor and Council  
**Prepared by:** Ann MacDonald, CAO  
**Subject:** Water and Sewer Capacity Study  
**Meeting date:** October 5, 2021

---

### BACKGROUND

Council has reviewed the application to rezone 18 Sayward Road on several occasions and provided Approval in Principle at its regular meeting on Sept. 7, 2021, with the following resolution:

#### **MOTION R21/211**

#### **Moved and Seconded**

THAT Council receives the staff report and power point; and,

THAT Council provide approval in principle on the application to rezone, subject to the applicant returning with details of an offered Community Amenity Contribution or details to phase the development in order to address the water issue.

**CARRIED**

While the “developer pays” principle applies here, in that the applicant is required to cover all servicing costs on his property for the proposed development, (i.e., application to rezone to permit 33 lot residential subdivision and 43 lot RV park) the Village must manage and upgrade its own water and sewer infrastructure to meet current and future demands. This work should be completed by the Village aside from the needs of 18 Sayward Road as it has the responsibility to manage the community infrastructure and investments. This work should be considered “excess capacity”, that is over and above what is needed by the applicant of 18 Sayward Road.

### DISCUSSION

The Village water and sewer systems are reaching the end of their useful life, with full replacement on the horizon, if not significant repairs. An upgraded and possible replacement of the water and sewer infrastructure will increase the overall capacity of water in the Village of Sayward, allowing the Village to support future development more readily. That new growth will be necessary to help pay for the required upgrades.



Staff have worked with Urban Systems to complete the attached Water and Sanitary Review Memo, (attached as Appendix A), as a component of the OCP review. That review includes the following three recommendations:

1. That metering and / or measurement of the existing log sort flows is introduced as soon as possible. The flow data collected from the meter will determine the amount of water being used by the log sort and provide data to understand if the log sort flows need to be restricted to allow for greater supply to the community. We would estimate a budget for the installation of a meter to be in the \$15,000 to \$20,000 range depending on the size of the connection.
2. With data from the log sort, the Village should conduct an in-depth Water Master Plan to review and confirm the actual water uses in the community and identify priorities for improvements or reinvestments, and replacement costs. This study would also be able to identify opportunities for growth with respect to the quantity of water available from the system and review water conservations measures available to the Village. A budget for a study of this magnitude would be in the \$15,000 to \$25,000 range.
3. To assess the plant capacity and any availability in the treatment plant for growth, the Village should conduct a treatment capacity study. The study would review flow data, treatment plant operations, quality data and permitting and would seek to confirm the capacity and usage of the plant and any considerations for future growth in the Village. A budget for a study of this magnitude would be in the \$5,000 to \$10,000 range depending on available flow data.

Completion of this work will inform Council on the costs of replacement, priority areas to work on and suggested timing. This work can build on the 2016 Asset Management Plan (AMP) and will present Council with a better idea of costs for the purposes of financial planning and for grant applications.

The 2016 Asset Management Plan cited costs of \$12,573,600 for replacement of roads, water, sewer, and storm drainage upgrades. These are critical assets to the community and must be maintained and if replaced, likely need to be done all at once given the disruption and economies. The annual capital investment required to manage the maintenance and replacement of this infrastructure is significant and likely unaffordable to the Village of Sayward, as is the capital investment of approximately \$4,336,300 over 20 years, as outlined in the AMP.

As shown in the attached Appendix B, a full third of the Village's assets were classified as being poor condition - 35% of the sewer infrastructure, over 30% of storm drainage, and nearly 50% of linear water assets were assessed as being in poor physical condition by Onsite Engineering.

Staff recommend that an Request For Proposals be developed to procure the services of an engineering firm to develop the Terms of Reference to direct completion of the two studies and to assist in the management of the contract once awarded. Once Council has the costs in hand to

replace the water and sewer infrastructure, the village will be well placed to apply for grant funding.

### ***Municipal Financing Authority of BC***

Many infrastructure grant opportunities require a local government to provide 30% of total costs. Council may also consider approaching the Municipal Finance Authority of BC to consider borrowing the required 30% funding through its programs. The Municipal Finance Authority of British Columbia (MFA) was created to pool the borrowing and investment needs of BC communities through a collective structure and to provide a range of low cost and flexible financial services equally, regardless of the size of the community. In short, the MFA provides long-term, short-term, and equipment financing to communities and public institutions in BC. Borrowing would require community consent by way of a referendum so it will be important for Council to keep citizens informed of the need to upgrade the infrastructure.

### ***Latecomer Charges***

To recover those invested and borrowed funds, Council could seek recovery of costs as latecomer charges. Latecomer charges can be applied when a local government pays for the upgrade or expansion of capital assets to establish “excess capacity”, that is, over and above what is currently needed. It can recover those costs by creating a local service area and applying a property tax or user-fee on the properties within the boundaries of the local service area, or it can apply a latecomer charge to any new development, generally to be collected at the time of subdivision or the issuance of a building permit. That way new developments and new citizens help pay for the upgrades to the infrastructure equally. Council would also be in a good position to seek cash donations to this water and sewer replacement fund as community amenity contributions for new developments. Appendix C covers Latecomer Agreements in more detail.

### ***Water Meters***

Progress on water metering for efficient and sustainable use of water use will also enhance Council’s chances at obtaining grant funding and therefore Staff recommend that Council consider establishment of a water metering bylaw that requires large and commercial /industrial users to install a water meter, and a requirement for water meters for all new construction. Water meters generally reduce water consumption levels either because users use less when having to pay for what is being used or because water meters quickly expose leaks in the system that can then be repaired in a timely manner.

Council can establish a Water Meter Bylaw that requires all new connections to the water distribution system to be metered at the time of connection. The bylaw can also establish the requirement for large industrial users, such as the log sort, to install a meter on or before January 1, 2022, for instance. An example of a Water Meter Bylaw adopted by the Strathcona Regional District is attached as Appendix D.

## RECOMMENDATIONS

To get us there, staff recommend, contingent on funding, that Council consider the following:

THAT staff seek funding to complete a Water Master Plan to review and confirm actual water use, identify priorities for improvements and investment and costs.

THAT staff seek funding to complete a capacity review of the sewage treatment system to assess capacity and availability for growth.

THAT a Water Metering Bylaw be developed for Council consideration to require installation of water meters to meter all commercial and industrial water users and on all new construction.

THAT legal services be procured to develop a Phased Development Agreement Bylaw for 18 Sayward Road to provide for phased development of that project, as water requirements are met for each phase and to finalize a cash contribution as the community amenity contribution for that development.

Respectfully submitted,

---

Ann MacDonald  
CAO

Attached:

- **Appendix A Urban Systems Civil Review Memo Water and Sewer Assets**
- **Appendix B Asset Condition Assessments, Asset Management Strategy, 2016**
- **Appendix C Latecomer Agreements, BC**
- **Appendix D Area D Water Meter Bylaw, SRD**

DATE: September 20, 2021  
TO: Ann MacDonald, CAO  
CC: Jake Hughson, Sydney Rankmore  
FROM: Lauren Lee, Eric Sears  
FILE: 2906.0004.01  
SUBJECT: Water and Sanitary System Overview

## 1.0 INTRODUCTION

The Village of Sayward owns and operates a water and sewer system that services the community. As part of the new Official Community Plan (OCP) update and due to new development potential within the community, the Village has requested a capacity review of the water and sanitary systems. The following memorandum summarizes the known existing system capacity considerations for the Village water and sanitary systems, including recommendations for further system confirmations.

### 1.1 REFERENCE DOCUMENTS

The following reference documents were used for this water and sanitary capacity reviews.

- Water Capacity Assessment Technical Memorandum (McElhanney, April 8, 2021)
- Servicing Report (McElhanney, June 12, 2020)
- Sewage Lagoon Capacity Email (Ann MacDonald, March 2, 2021)
- Discussions with Village public works staff and a site visit conducted on July 21<sup>st</sup>, 2021

## 2.0 WATER SYSTEM

### 2.1 BACKGROUND

The existing Sayward water system is comprised of a raw water intake, water treatment plant, with treated water stored in a 1410 m<sup>3</sup> reservoir and a gravity distribution system to provide water to the community. Based on the McElhanney Servicing Report, the water system services 167 residential lots and 23.73 ha of non-residential lots, including the log sort.

The community's water supply comes from Newcastle Creek, then treated at the water treatment plant, which was completed in 2018. The water treatment process features dissolved air flocculation (DAF) and filtration to remove organic materials, coupled with chlorine dosing. The new treatment plant was designed for approximately 359 people, including log sort demands, for a total design flow of 20 L/s (1728 m<sup>3</sup>/day). The usage data that appears to have informed this design capacity was from a limited set of maximum day demand flows between Sep 2014 and May 2015.

Recently, the Village provided daily usage volumes for the months of July 2020, August 2020, and January 2021, which indicated a maximum day demand (MDD) of 18 L/s (1555 m<sup>3</sup>/day). A review of the data would show that this high MDD usage is likely due to major demands at the log sort as flows from this period fluctuate from 0.66 L/s (57 m<sup>3</sup>/day) and 18 L/s (1555 m<sup>3</sup>/day). Discussions with public works staff indicates that there have been other instances where the reservoir is drained during excessive log sort usage.

## 2.2 REVIEW & COMMENTS

Based on the reference material we can provide the following comments:

1. The estimated maximum day demand for the community (the highest daily water flows each year), including the log sort, were estimated at 18 L/s based on the limited historical records. Based on this value, the treatment plant is currently close to the stated capacity of 20 L/s with the existing village flows. We understand a large portion of the flows are allocated to the log sort which is neither measured nor controlled. Discussions with Village public works staff indicated that the reservoir can be drained during excessive log sort usage, which points to broader system capacity issues. As it is unclear how much of the water supply is being used by the log sort, the log sort usage should be directly metered to determine its actual flows, instead of interpolating using the recorded MDD volume and estimates for non-log sort demands.
2. The plant capacity has been noted to be 20 L/s. It should be confirmed that the plant can produce 20 L/s for 24 hours as per the assumption in the servicing report, taking into consideration backwash cycles and other potential downtime. It would be expected that the plant could not produce 20 L/sec continuously.
3. The Water Capacity Assessment Memo has noted that even though the plant flows could be below the maximum day demand, they have indicated that reservoir storage would make up the difference and 80% storage would remain at the end of the day with peak water usage. Reservoirs are not typically designed to buffer MDD flows as there is the possibility to have back-to-back MDD events. With the unmetered and uncontrolled flows to the log sort this possibility could be increase in the current situation.
4. Once the log sort flows can be adequately confirmed the Village would then be able to confirm the domestic water uses in the community and better monitor water leakage potential.

Overall, based on the information provided, there is limited water available to the Village during periods of high log sort use. If this is to continue there would be limited treatment and storage capacity available to the community for growth and development.

The information above has been generated based on limited information. In order to confirm the above considerations and further understand the actual system usage and capacity a more in-depth water system master plan could be undertaken to further investigate log sort usage, domestic usage, available capacity and upgrade and condition priorities for the system.

## 2.3 BACKGROUND

The existing Sayward sanitary system is comprised of a gravity collection system, four sewage lift stations and a sewage treatment lagoon. Per the Sewage Capacity Email from the Village, the lagoon has an approximate capacity of 12,750 m<sup>3</sup>, which was based on design flows for 500 people, or 180 m<sup>3</sup>/day. The lagoon system includes a single large lagoon with an internal aeration cell that has been constructed with a curtain system. It was noted during the site visit that there is a second aeration lagoon contained in the design that has not yet been constructed. The lagoon outfalls to an ocean outfall which was noted to be metered. It was also noted during the site visit and discussions with the Village public works staff that the permitted discharge rate from the lagoons was a 7-day average of 355 m<sup>3</sup>.

The majority of the community sewage flows via gravity except for the eastern portions of Kelsey Bay Road which are pumped via four lift stations. Two lift stations pump sanitary flow through a forcemain along Kelsey Bay Road,

then to the treatment lagoon. One of the lift stations pumps sanitary flow from the southern end of Kelsey Way to the treatment lagoon. The last lift station pumps flow from the treatment lagoon out to the sewage outfall. Several properties within Sayward are not connected to the community system and rely on private septic systems. There is also a sanitary dump at the campground that is connected to the Village system.

No actual flow data was collected or referenced in any of the reference material. Discussions with Village public works staff noted that the outflows from the lagoons were nearing the permitted volumes during high flow events in the winter. The high flow events are expected to be from inflow and infiltration into the system rather than actual sewage flows.

## 2.4 REVIEW & COMMENTS

Based on the reference material reviewed can provide the following comments with respect to the sewage treatment system:

1. No flow data was collected as part of the reference material. As such, the Servicing Report used design values from standard guidelines, which are not necessarily a good reflection of the actual conditions. Flow data from the plant and lift station should be collected and analyzed to confirm the treatment plant, capacity of the forcemain and lift stations.
2. The treatment capacity of the lagoon was not previously analyzed in the reference material. Based on discussions with Village public works staff there are periods in the winter where the existing treatment plant is coming very close to the permitted discharge limit. This is to say that the plant may be reaching capacity in the existing scenario. Further information about the current influent flows and lagoon treatment specifications would assist in the treatment capacity of the sanitary system.
3. It appears that high flow events coincide with winter storm events. This is to say that the sewer collection system sees an influx of inflow and infiltration during rain events. Inflow and infiltration reduction program can drastically reduce flows to the treatment plant and could include yearly investigation and maintenance of the system or a large system wide review of the inflow and infiltration potential. If the treatment system is found to be nearing capacity this should be investigated to first reduce un-necessary flows into the system.

Overall, the Village should confirm the treatment capacity and treatment quality requirements from collected flow data to determine the existing system's treatment and distribution capacities.

## 3.0 NEXT STEPS

Based on the above the Village water and sewer systems appear to be operating well but there is some concern based on the reference material that the capacity of both the water and sewer systems may be reaching capacity from a treatment perspective. Based on this we can offer the following considerations.

### WATER

- We recommend that metering/measurement of the existing log sort flows is introduced as soon as possible. The flow data collected from the meter will determine the amount of water being used by the

## URBAN SYSTEMS MEMORANDUM

DATE: September 20, 2021  
SUBJECT: Water and Sanitary System Overview

FILE: 2906.0004.01

PAGE: 4 of 4

log sort and provide data understand if the log sort flows need to be restricted to allow for greater supply to the community. We would estimate a budget for the installation of a meter to be in the \$15,000 to \$20,000 depending on the size of the connection.

- With data from the log sort, the Village should conduct an in-depth water master plan to review and confirm the actual water uses in the community and identify priorities for improvements or reinvestments. This study would also be able to identify opportunities for growth with respect to the quantity of water available from the system and review water conservations measures available to the Village. A budget for a study of this magnitude would be in the \$15,000 to \$25,000 range.

### SANITARY

- A capacity review of the treatment plant has not been recently conducted to the best of our knowledge. To assess the plant capacity and any availability in the treatment plant for growth, the Village should conduct a treatment capacity study. The study would review flow data, treatment plant operations, quality data and permitting and would seek to confirm the capacity and usage of the plant and any considerations for future growth in the Village. A budget for a study of this magnitude would be in the \$5,000 to \$10,000 range depending on available flow data.

We hope that the above provides you with a brief overview of the Village water and sewer systems and outlines a couple of priorities that the Village could consider moving forward.

Sincerely,

**URBAN SYSTEMS LTD.**



Lauren Lee, EIT  
Civil Engineer-in-Training

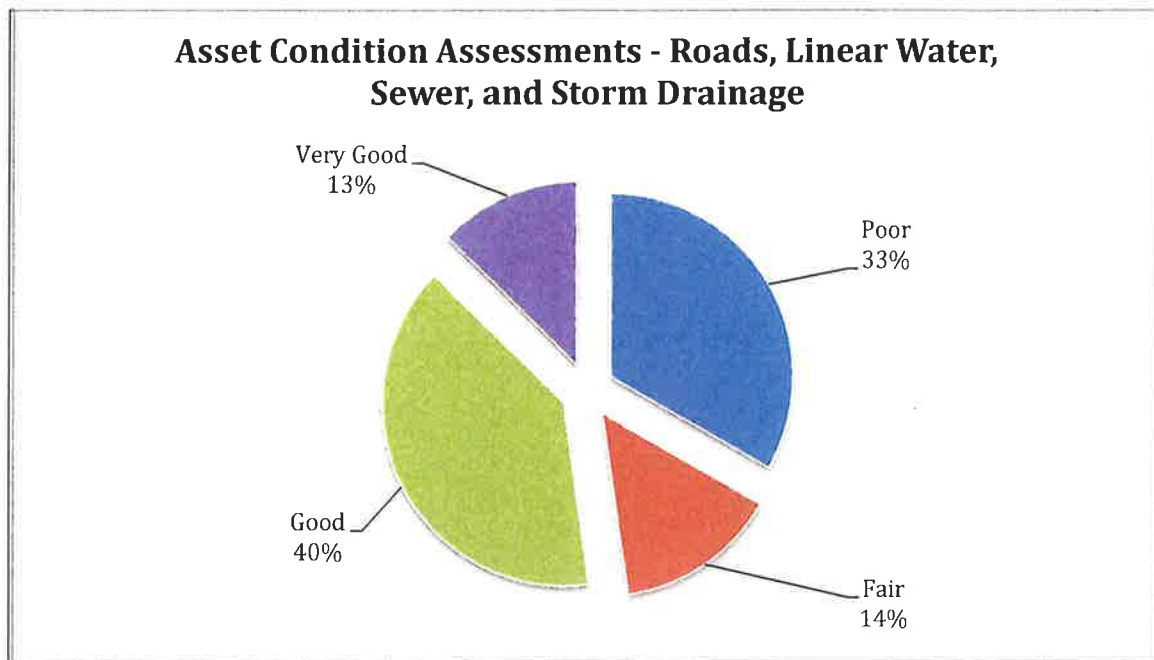


Eric Sears, P.Eng.  
Municipal Engineer

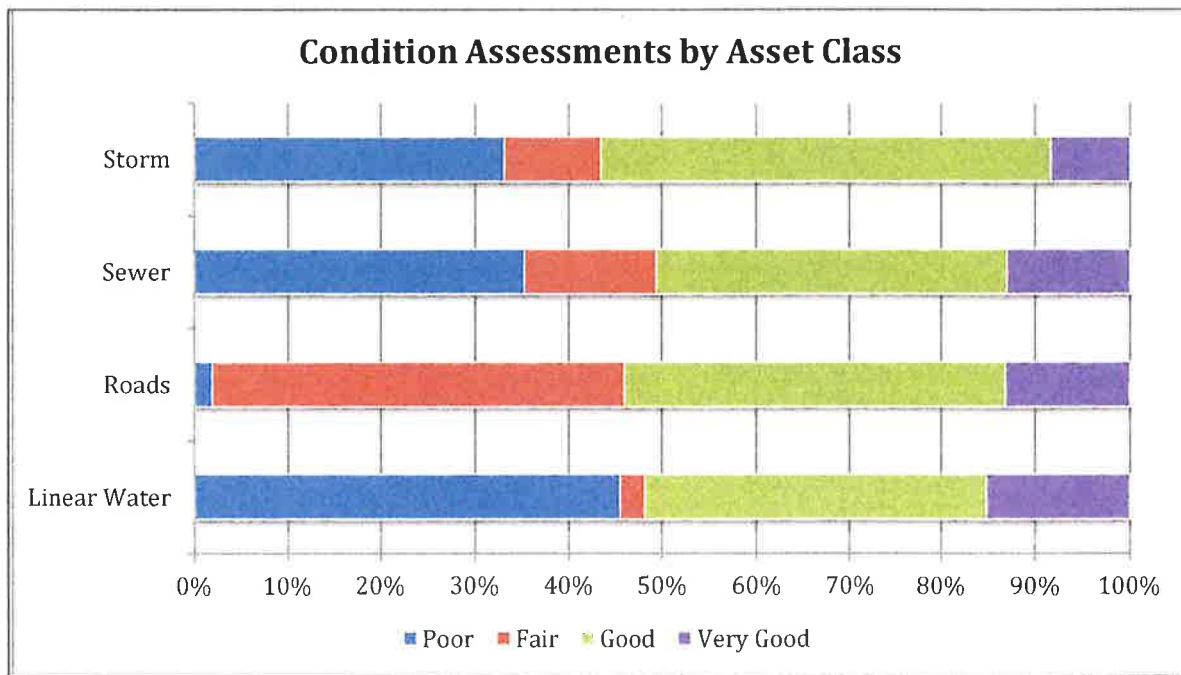
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A third of the Village's assets were assessed as being in poor physical condition by Onsite Engineering as illustrated in the chart below:



The following table shows the proportions of condition assessments for the 4 asset classes being considered in this AM Strategy:







## Local Government Latecomer Agreements

Latecomer agreements are development finance agreements between municipalities or regional districts and land or property developers. These agreements specify off-site infrastructure necessary for development to proceed.

Latecomer agreements also set the terms by which developers can recover costs for excess capacity beyond what is required for the initial development.

For a development to proceed, a developer may request, or a local government may require, that specific off-site works be provided, such as roads, water, sewage or drainage.

### Excess & Non-Excess Capacity Works

To accommodate expected future growth, a local government may require these works include excess capacity beyond what is required for the initial development.

For example, a water main to a proposed subdivision may be sized larger than immediately required in order to service both the proposed subdivision and future growth in the area. The initial capital cost of this water main is divided into two components.

- **Non-Excess Capacity:** The portion of the total capital cost to service only the initial development, paid for by the initial developer
- **Excess Capacity:** The portion of the total capital costs in excess of what is required to service the initial development, paid for by either the initial developer or the local government

The cost of this excess capacity may be recovered from later development in the area and remitted back to the party (either the local government or the initial developer) that financed the initial excess capacity capital cost of the water main.

### Cost Recovery

To recover costs, a local government will enter into a latecomer agreement with the initial developer. This agreement will identify the following:

- The proposed capital works to be constructed
- The associated costs for those works
- The portion of those costs that will service excess capacity
- Who will pay the initial capital costs of the excess capacity (either the local government or the initial developer)
- The method of recovering these costs from later development and how it will be applied
- The time frame over which these costs may be recovered, not exceeding 15 years from the date that the initial capital works were completed

If the local government pays the capital costs of the excess capacity, it can recover the costs by creating a local service area and applying a property tax or user-fee on the properties within the boundaries of the local service area, or it can apply a latecomer charge.

- [Learn more about local area service taxes](#)

If the initial developer pays the capital costs of excess capacity, the local government may only apply a latecomer charge. In this case, the local government would levy and collect a latecomer charge from subsequent developers and remit the proceeds from the latecomer charge back to the initial developer to offset some or all of the burden of the initial capital works.

## Latecomer Charge

As part of the latecomer agreement, the local government and initial developer must determine what portion of the excess capacity will benefit the future development that will subsequently be serviced by the initial capital works. In order to connect to these capital works, a developer of the parcels must pay a latecomer charge to the local government based on the terms of the latecomer agreement.

The local government will levy and collect the latecomer charge from future development. If the local government paid for the excess capacity of the initial capital works (the portion of the works beyond what was required for the initial development) it will keep the collected latecomer charges.

However, if the initial developer paid for the excess capacity, the local government will remit the collected latecomer charges back to that initial developer. In either case, the latecomer charge must include the cumulative interest calculated annually at a rate established by bylaw.

These "upfront" infrastructure works may be paid for by either the local government or the original developer, and financed through a latecomer agreement. Under such an agreement, later developments that eventually hook up to the new infrastructure will pay a charge to the local government. If a private developer paid for the new infrastructure, the local government will remit the collected charge to that original developer for a period of up to 15 years from the date that the works were completed. Eligible works include water, sewer, roads and drainage.

- [Learn more about other methods of development cost financing](#)

## Legislation

- [Local Government Act, s. 507 - Requirements for excess, extended services](#)

## Guidance & Resources

- [Development Cost Charge Best Practices Guide \(PDF\)](#)
- [Development Cost Charge Guide for Elected Officials \(PDF, 2MB\)](#)
- [Development Finance Choices Guide \(PDF\)](#)

## Related Links

- [Development Cost Charges](#)

- [Development Financing](#)
- [Subdivision Servicing Bylaws](#)
- [Municipal Development Works Agreements](#)

## Contact Information

[Contact us](#) if you have questions about latecomer agreements or charges.

### **Victoria Office:**

[250 387-4060](#)

### **Toll Free:**

[1 800 663-7867](#)

### **Mailing:**

Infrastructure and Finance Branch  
PO BOX 9838 STN PROV GOVT  
Victoria, BC

### **Email:**

[LGIF@gov.bc.ca](mailto:LGIF@gov.bc.ca)



***ELECTORAL AREA D WATER SERVICE RATES AND REGULATION BYLAW 2018  
(CONSOLIDATED)***

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The following is a consolidated version of Bylaw No. 324, which was adopted January 24, 2019, and includes the following amendment bylaw:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
SRD 348	Electoral Area D Water Service Rates and Regulation Bylaw 2018, Amendment No. 1	April 10, 2019	To amend the rates charged for use of the Electoral Area D water system.

Unless certified on the last page, this bylaw should not be relied upon for legal purposes. There may be pending updates or revisions to this bylaw. Please contact the Corporate Services Department for the Strathcona Regional District for the most current version.



## BYLAW NO. 324

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**A BYLAW TO REGULATE THE USE OF THE ELECTORAL AREA D WATER  
SYSTEM AND TO PROVIDE FOR THE IMPOSITION OF RATES**

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**WHEREAS** the Strathcona Regional District is, by Bylaw No. 2786, authorized to operate a service for the supply, treatment, conveyance, storage and distribution of water within a portion of Electoral Area D;

**AND WHEREAS** the Regional Board may, by bylaw, regulate the use of the said community water service including the requirement that persons who use the service do so in accordance with the standards set out in the bylaw;

**AND WHEREAS** the Regional Board may, by bylaw, delegate its powers, duties and functions to an officer or employee of the Regional District subject to retaining the right of reconsideration of a delegate's decision by the Board;

**AND WHEREAS** the Regional District may, by bylaw, impose fees and charges to recover the cost or a part of the cost of providing a service and, for that purpose, establish different rates for different classes of property, businesses and activities;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

**PART 1 - INTERPRETATION**

**Definitions**

1. In this bylaw, unless the context otherwise requires:

**"applicant"** means a person who applies for a connection, disconnection, system extension or other permission contemplated by the bylaw;

**"backflow preventer"** means a mechanical apparatus installed in a water system to prevent the backflow of contaminants into the system;

**"commercial property"** means land or improvements upon which or within which a commercial, trade or business enterprise is conducted and includes property that is zoned for commercial use whether or not it is used for commercial purposes;

**"consumer"** means a person to whom water is supplied under this bylaw;

**"disconnection"** means the removal of a water service connection;

**"dwelling unit"** means a self-contained unit consisting of one or more rooms designed, occupied or intended for occupancy as a separate household with sleeping, sanitary and

cooking facilities including single family residences, condominiums, townhouses, duplex units, apartments, guest homes, garden cottages, secondary suites and strata units;

**“engineering specifications”** means the design and construction specifications approved by the Manager and required to be met for any part of the water system including connections to the water system;

**“manager”** means the person appointed by the Regional District to manage the water system or that person’s designate;

**“owner”** means the person or persons registered under the *Land Title Act* as the owner of the parcel or any other person who is in lawful possession of the parcel or who is in lawful possession or occupancy of any dwelling or other building situated on the parcel;

**“parcel”** means any lot, block or other area in which land is held or into which it is subdivided but does not include a highway;

**“premises”** includes land, buildings or structures, or any part thereof;

**“service area”** means the area of land included within the Northern Electoral Area D Water Service Area;

**“service connection”** means the system of pipes, valves, connectors and other appurtenances used for connecting a water main to a shut off valve at or near a property boundary;

**“shut off”** means to turn off the supply of water at the property boundary by closing the connection valve, or by some other means approved by the Regional District;

**“stop cock”** means the apparatus located inside a building that is used to interrupt the water supply to that building;

**“system”** or **“water system”** means the community water system or any portion thereof provided within the service area;

**“water main”** means a water distribution pipeline located within a highway, statutory right of way, public easement or other public area and which forms part of the water system.

## **PART 2 – SYSTEM CONNECTIONS**

### **Connection Applications**

2. An owner of land within the service area that abuts a water main may apply to the Regional District for a water service connection by submitting a completed and signed application and paying the appropriate fee specified in Schedule ‘A’.

### **Connection Limited to Approved Premise**

3. In the event a service connection is approved, the connection is valid only in respect of the premises identified in the approved application and the owner or occupier shall not supply water to any other premise without having a new application approved.

**Location of Connection**

4. An approved water service connection will be located where requested by an applicant except where ground conditions, excessive costs or the existence of underground utilities or other improvements at the preferred location render that location unsuitable in which case the location of the service connection will be determined by the Manager.

**Refusal of Service Connection**

5. The Manager may refuse to authorize a service connection to any premise where:
  - (a) the design, installation, repair or alteration of a service connection does not comply with the engineering specifications or the British Columbia Plumbing Code;
  - (b) the plumbing within a premise does not meet the requirements of the British Columbia Plumbing Code; or
  - (c) the owner or occupier fails to observe a requirement of this bylaw.

**Disconnection of Service**

6. The Manager may approve the disconnection of a service connection to a premise upon written application by the owner or occupier of that premise.

**Manager may Require Disconnection**

7. The Manager may, with reasonable notice, require the disconnection of a service to any premise for any of the following reasons:
  - (a) failure by the consumer or owner to obey any direction under this bylaw;
  - (b) failure by the consumer or owner to observe a requirement of this bylaw;
  - (c) non-payment of fees and charges and such payment is overdue by at least 30 days;
  - (d) failure to maintain pipes, fittings, valves, tanks, vaults or other devices in a good state of repair;
  - (e) the use of a pump, booster or other device in contravention of this bylaw; or
  - (f) supply of water to any premise other than the premise for which the service was approved.

**Disconnection Requirements**

8. The Manager shall determine the requirements and engineering specifications for the service disconnection.

**Costs of Disconnection**

9. The Owner shall be responsible for all costs associated with the design, construction or work required to meet the requirements and engineering specifications for the approved service disconnection.



**PART 3 – METERED ACCOUNTS****Meter Installation Required for New Connections**

10. All new connections to the water distribution system are required to be metered at the time of connection.

**Metering of Existing Connections**

11. The Manager may require that the supply of water to any consumer or premise within the service area be metered for any of the following reasons:
- (a) the premise is deemed to be a commercial or industrial property;
  - (b) failure by the consumer or owner to obey any direction under this bylaw;
  - (c) there is reason for the Manager to believe that water consumption on the premise exceeds an average of 25 cubic meters per month; or
  - (d) failure to maintain pipes, fittings, valves, tanks, vaults or other devices in a good state of repair.

**Cost of Meter Installation**

12. Where required under section 11, the meter will be installed at the owner's expense.

**Commencement of Charges**

13. The fees and charges specified in Schedule 'A' for metered accounts shall apply immediately following meter installation.

**Requests for Metered Service**

14. The Manager may approve the installation of a meter on a service connection line if requested to do so in writing by the owner of the premise.

**Meter Installation Details**

15. The Manager shall determine the size and location of any meter required to be installed and shall determine the engineering specifications for the meter installation.

**Access to Meters**

16. The consumer shall permit the Regional District access to the meter for purposes of inspection, maintenance or replacement and meter reading between the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday, notwithstanding emergency situations.

**Failure to Provide Access**

17. Failure to provide access to the meter as required under this bylaw will result in the charges specified in Schedule 'A'.



**PART 4 – SYSTEM EXTENSIONS****Extension to Water System**

18. An owner of land located within the service area may complete and submit an application to the Regional District in the prescribed form to extend the water system to serve the land and, upon receipt of the application and any fees payable in respect thereof, the application will be processed by the Regional District in accordance with this bylaw.

**Manager May Approve Extension**

19. Where an application to extend the water system has been received and the Manager believes that;
- (a) the water pressure within all parts of the proposed extension will be at least 275 kilopascals (40 pounds per square inch) during peak day demand situations; and
  - (b) the supply of water to other areas within the service area will not be negatively affected by the proposed extension;
- then the Manager may approve the extension.

**Requirement for Engineer's Certificate**

20. Where the Manager deems it necessary, an applicant will be required to provide a certificate from a professional engineer to confirm that the requirements of this bylaw can be met with respect to the proposed extension.

**Extension Design and Location**

21. System extensions shall meet the engineering specifications and be designed and constructed to extend from the closest water main having sufficient capacity to serve the extension to the mid-point of the frontage of the last parcel proposed to be served or as otherwise determined by the Manager.

**Costs of Extension**

22. The entire cost of a system extension shall be borne by the applicant whether the extension is constructed by the Regional District or by the applicant.

**Extension Constructed by Applicant**

23. Where an extension is constructed by the applicant, the extension must be:
- (a) designed by a professional engineer registered to practice in the Province of British Columbia;
  - (b) constructed by a qualified contractor in accordance with the plans, policies and engineering specifications approved by the Regional District;
  - (c) inspected and approved by the Regional District prior to backfilling any of the works; and
  - (d) transferred to the ownership of the Regional District together with any rights of way, easements or other tenures required for the ongoing operation of the extension.

**Extension Constructed by Regional District**

24. Where an extension is constructed by the Regional District, the costs of the extension shall be reimbursed to the Regional District by the applicant within 30 days following the issuance of an invoice.

**No Obligation to Approve Extension**

25. The submission of an application for an extension does not impose an obligation on the Manager to approve the extension application.

**PART 5 – WATER USE RESTRICTIONS****Imposition of Restrictions**

26. The Regional District may impose restrictions on the use or consumption of water in accordance with Schedule 'D', attached to and forming part of this bylaw and, in the event such restrictions are imposed, every premise that is served by the water system and every consumer shall be subject to the terms, conditions and restrictions contained in the aforesaid Schedule 'D'.

**PART 6 – FEES AND CHARGES****Water System Fees and Charges**

27. Premises with service connections shall be subject to payment of such fees and charges as may be prescribed by Schedule 'A', attached to and forming part of this bylaw.

**Charges Prorated**

28. Where applicable, the fees charged for water service shall be prorated to the beginning of the month following the commencement or termination of service.

**Billing Frequency**

29. Fees charged for water service shall be billed to consumers on an annual, quarterly or monthly basis at the discretion of the Regional District.

**Reconnection of Premises**

30. Where a service connection has been disconnected, the service connection shall not be reconnected until all outstanding fees and charges and the required reconnection and water turn on fees have been paid.

**Rebates for Metered Consumption**

31. (1) Within the first year following installation of a water meter, where a consumer provides evidence that fees charged to that person have been unduly high because of a leak that has since been repaired, a rebate may be provided to the consumer.

- (2) A rebate under subsection (1) shall be the average of the fees calculated for the billing period immediately before repair of the leak and the billing period immediately following repair of the leak or, where this information is not available, the minimum annual rate will apply.
- (3) The authority to review the evidence provided by the consumer and to calculate the amount of the rebate shall rest with the Manager.

## **PART 7 – GENERAL**

### **Maintenance of Works**

32. The consumer shall maintain the service pipes, stop cocks, fittings and fixtures on their premises in good order and repair and shall, at their own expense:
- (a) protect such components from frost;
  - (b) turn off stop cock if the premises are vacated;
  - (c) immediately report suspected leaks to the Manager; and
  - (d) repair any leaks identified by the Manager.

### **Prohibited Activities**

33. Unless specifically authorized by this bylaw or a permit issued in accordance with this bylaw, no person shall:
- (a) connect or allow to remain connected to the system any premises that has not been approved for connection by the Manager;
  - (b) use or allow to be used, water supplied by the system in a manner that is contrary to the provisions of this bylaw;
  - (c) undertake work on the water system or any part of the water system;
  - (d) operate any water service connection valve to turn on or shut off the supply of water, or to increase or decrease the rate of water supply;
  - (e) use a pump, booster or other device to increase water pressure unless the normal pressure does not meet minimum domestic standards or as required for fire protection; or
  - (f) damage, destroy, obstruct, interfere or tamper with a hydrant, standpipe, valve, meter, meter vault, fitting, fixture or any other part of the water system whether located on that person's property or not.

### **Right of Entry**

34. The Manager or Bylaw Enforcement Officer of the Regional District may, at all reasonable times, enter upon any property subject to this bylaw to ascertain whether the provisions of this bylaw are being contravened.

**Reconsideration of Decision**

35. A person who is dissatisfied with a decision of the Manager made pursuant to this bylaw may submit a written application to have that decision reconsidered by the Board and, upon receipt of the application by the Regional District, the applicant will be advised of the time and place at which the matter will be reconsidered.

**No Obligation Assumed by Regional District**

36. Nothing in this bylaw shall be interpreted as imposing a duty or obligation on the Regional District to provide a continuous supply of water to any consumer or premise and it is a condition of supply of water that the Regional District is not liable for any injury, damage, or economic loss to any party:
- (a) arising or occurring from the use of water or the water system;
  - (b) resulting from the failure to supply water of a specific quantity or quality to a consumer;
  - (c) resulting from any impurity, lack of pressure, increased or fluctuating pressure, or any other condition affecting the supply of water from the system.

**Penalty**

37. Any person who violates a provision of this bylaw or permits any act or thing to be done in contravention of this bylaw commits an offense and is liable on summary conviction to a penalty not exceeding two thousand dollars (\$2,000.00).

**Severability**

38. If any part of this bylaw is held to be invalid by a court of competent jurisdiction, that part of the bylaw may be severed from the remainder of the bylaw without affecting the validity or enforceability of the remainder.

**PART 8 – REPEAL AND TRANSITION****Effective Date**

39. This bylaw becomes effective on the date of its adoption.

**Repeal**

40. (1) Bylaw No. 2838, being Electoral Area 'D' Water Regulations, Fees and Charges Bylaw 2005, as adopted by the Comox-Strathcona Regional District on November 28, 2005 is repealed in its entirety.
- (2) Bylaw No. 2839, being Craig Road Water Regulation, Fees and Charges Bylaw 2005, as adopted by the Comox-Strathcona Regional District on November 28, 2005 is repealed in its entirety.

**Citation**

41. This bylaw may be cited for all purposes as Bylaw No. 324, being Electoral Area D Water Service Rates and Regulations Bylaw 2018.

**READ A FIRST TIME ON THE 24<sup>th</sup> DAY OF JANUARY, 2019**

**READ A SECOND TIME ON THE 24<sup>th</sup> DAY OF JANUARY, 2019**

**READ A THIRD TIME ON THE 24<sup>th</sup> DAY OF JANUARY, 2019**

**RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 24<sup>th</sup> DAY OF JANUARY, 2019**

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Chair

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Corporate Officer

SRD 348

**SCHEDULE "A"****1. Metered Consumption Charges**

(a) The following rates are applicable for each meter:

User Category Rate	(\$ per cubic meter)
Residential	1.56 (min. \$480.00 per year)
Non-Residential	1.67 (min. \$520.00 per year)

(b) The minimum consumption charge for a billing period shall be prorated in the event service is provided for only a portion of the billing period.

(c) If consumption cannot be conclusively determined as a result of meter malfunction, the consumption will be estimated on the basis of historical meter information prior to meter malfunction or where this information is not available the minimum consumption charges will apply.

**2. Non-Metered Consumption Charges**

The following rates are applicable for each premise or dwelling unit:

User Category	Rate
Residential	\$920.00 per year
Non-Residential	\$1,380.00 per year

**3. Extra charges – failure to provide access**

Each call after the first of each month if access has not been provided is charged at \$25.00 per call. The actual cost to gain access to the meter that is incurred by the Regional District will be charged to the consumer.

**4. Connection and Meter Fees**

- (a) Service Connection Fee – standard 19mm connection \$2,500.00; additional actual costs will apply for upsized connections.
- (b) Meter Installation Fee - \$1,500.00 per meter.



**SCHEDULE "A" (cont.)****5. General Charges**

A charge under this bylaw shall be paid by the owner of a serviced property for:

- (a) Applications for water line extensions - \$200
- (b) Water turn-on – at cost (minimum of \$35.00 per meter/lot whatever the case may be)
- (c) Water turn-off – at cost (minimum of \$35.00 per meter/lot whatever the case may be)
- (d) Service locate fee – at cost (minimum of \$35.00)
- (e) Emergency Water Turn-off fee – at cost (minimum of \$35.00)
- (f) Charges for engineering services – at cost
- (g) Rental of backflow prevention device - \$80.00/day
- (h) Labour charges for miscellaneous services – at cost (minimum of \$35.00)
- (i) All individual services related to the identification and repair of a water leak will be charged at the minimum rate of \$35.00

## SCHEDULE "B"

APPLICATION FOR WATER SYSTEM CONNECTION

I, \_\_\_\_\_, of \_\_\_\_\_

being the owner (or duly authorized agent of the owner) of the lands and premises described as follows  
(legal description and street address):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

hereby apply to the Strathcona Regional District for a supply of water through a  $\frac{3}{4}$  inch (19 mm) connection to the said premises, and, in the event of this application being granted, covenant and agree to be bound by all the regulations, fees and charges, terms and conditions set out and imposed by the Strathcona Regional District from time to time, and further agree that the said Strathcona Regional District shall in no case be liable for shortage or failure of water supply.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner/Agent



**SCHEDULE "C"**

**APPLICATION FOR EXTENSION OF WATER SYSTEM**

I, \_\_\_\_\_ of \_\_\_\_\_, being the owner (or duly authorized agent of the owner) of the lands and premises described as follows (legal description and street address of all parcels of land to be served by extension)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(the "Lands"), hereby apply to the Regional District for an extension of the Electoral Area D Water System to serve the Lands. If this application is granted and an extension of the Water System is approved, I acknowledge and agree that I will be responsible for all costs associated with the construction of this extension and of all modifications to existing works of the Regional District to accommodate the extension. I have reviewed all regulations, terms and conditions of the Regional District relating to such extensions and I acknowledge that the terms and conditions governing extensions and use may be amended by bylaw or policy of the Regional District from time to time.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
 Signature of Owner

\_\_\_\_\_  
 Signature of Owner

\_\_\_\_\_  
 Print Name of Owner

\_\_\_\_\_  
 Print Name of Owner

\_\_\_\_\_  
 Address:

\_\_\_\_\_  
 Address:

\_\_\_\_\_  
 Telephone No.

\_\_\_\_\_  
 Telephone No.

## SCHEDULE "D"

WATER USE RESTRICTIONS**1. Definitions**

In this Schedule, unless the context otherwise requires, the following definitions shall apply:

**All-weather playing field** means a publicly accessible planted sports field;

**Appendix "A"** means Appendix "A" (*Outdoor Water Use Restriction Stages*) of this Schedule

**Appendix "B"** means Appendix "B" (*Permits*) of this Schedule;

**Appliance** means a device or mechanism, other than that owned and operated by the municipality or regional district, in or through which water is piped or used for a domestic or commercial purpose;

**Bylaw compliance officer** means a person appointed or contracted by the Board to enforce this bylaw;

**Exempted person** means an owner or occupier of property identified in Appendix 'A' as exempt from one or more of the regulations under this Schedule;

**Farm** means one or more parcels of land classified as farmland for assessment and taxation purposes;

**Micro-irrigation or drip-irrigation system** means a system using irrigation components which consume less than 91 litres (20 gallons) per hour and operate at less than 172 kilopascal (25 pounds per square inch) to deliver water to the root zone of the plant material being irrigated, and includes spray emitter systems (micro-sprays), point source emitters, and linear tape systems as defined in the B.C. Trickle Irrigation Manual prepared and published by the B.C. Ministry of Agriculture and Food, Resource Management Branch (issue 1999); but does not include weeper or soaker hoses;

**Notice** means a notice given under section 6 of this Schedule;

**Nursery** means a business in which flowers, plants, trees, or shrubs are grown or displayed for sale;

**Occupier** has the same meaning as in the *Community Charter*,

**Over-watering** means to water in a manner that saturates the lawn, boulevard, or landscaped area being watered and results in water spreading onto areas beyond them;

**Owner** has the same meaning as in the *Community Charter*,

**Permit** means a permit issued under Appendix 'A' of this Schedule;

**Restricted hours** means those time periods during which watering is permitted in Appendix 'A';

**Sprinkler** means a hose connected or other sprinkler system but excludes a micro-irrigation or drip-irrigation system;

**Stage** means stages 1, 2, and 3 of the water use restrictions prescribed in Appendix 'A';

**Water** means water supplied by the Regional District directly or indirectly to an owner or occupier, or the act of using or applying such water;

**Water use restrictions** means the restrictions prescribed in Appendix 'A'; and

**Watering days** means those days during which watering is permitted in accordance with Appendix 'A'.

**2. Application**

The restrictions and regulations in this bylaw are applicable to the Electoral Area D Water Service area.

**3. Prohibitions**

- (1) The prohibitions in subsections (2), (3) and (4) are in force at all times of the year.
- (2) No person shall damage or allow the deterioration of any appliance so as to result in an increase in water use.
- (3) No person shall waste water by using more water than is required to provide a service, produce a product, or complete a task, including but not limited to allowing a tap or hose to run water unnecessarily and over-watering plants or lawns.
- (4) No person shall apply water intended for irrigation to an impervious surface such as a street, parking lot, sidewalk or driveway.
- (5) No person, being an owner or occupier of property shall use water or cause water to be used contrary to the restrictions in effect at the time pursuant to Appendix 'A'.

**4. Inspection**

The Manager or a bylaw compliance officer has the authority to enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of this bylaw are being met or the regulations in this bylaw are being observed.

**5. Effective Dates**

- (1) Stage 1 and the water use restrictions for Stage 1 prescribed in Appendix 'A' are in effect from May 1 of the year until October 1 of the year, except as provided under Appendix 'A' Section 1.2.
- (2) Stage 2 and the water use restrictions for Stage 2 prescribed in Appendix 'A' are in effect from July 1 of the year until September 1 of the year, except as provided under Appendix 'A' Section 2.2
- (3) Stage 3 water use restrictions as prescribed in Appendix A will be put into effect upon determination of the Chief Administrative Officer as per Section 7, Determination Factors.
- (4) The Chief Administrative Officer, by written determination may:
  - (a) amend the effective period of time for any stage of water use restriction, or
  - (b) terminate or bring into effect a stage more restrictive than Stage 1 or Stage 2 at any time of the year for any period of time;
- (5) In the event water restrictions are implemented under subsection (3), an advisory will be issued.
- (6) In the event of system failure which limits the delivery of water at normal volumes, the Regional District may implement water restrictions as necessary to maintain the water system.
- (7) The stage determined under Section 7 and the water use restrictions prescribed under Appendix 'A' for that stage take effect on the commencement date stated in this Schedule or the notice for that stage and remain in effect until that stage is terminated.
- (8) A stage will remain in effect until it is terminated under this Schedule or until the commencement of another stage.

**6. Notice**

- (1) The Regional District must give notice or cause notice to be given to persons within the service area of the applicable stage determined under Section 5 and its effective dates of commencement and termination.

- (2) The notice under subsection (1) must be given at least once, and with the exception of the implementation of section 5 (5), must be:
- (a) before the commencement of a more restrictive stage; and
  - (b) at least seven (7) days prior to commencement of the restriction.
  - (3) The notice under this section must be posted on the SRD web site and reflected on the posted watering restriction signs within the electoral area services areas

## **7. Determination Factors**

In making a determination under section 5 (3), the Regional District may consider:

- (a) forecasts of water inflow to the Campbell River watershed provided by BC Hydro;
- (b) water levels in the Campbell River watershed and projected water usage requirements of BC Hydro and the Department of Fisheries and Oceans;
- (c) requirements to restrict water use under a water supply agreement;
- (d) the need to maintain fire flow water pressure and volumes;
- (e) the need to reduce peak demands on the water system, and
- (f) operational factors which limit the ability to supply normal water capacity or water pressure.

## **8. Water Use Restrictions**

The water use restrictions for each stage are prescribed in Appendix 'A' to this bylaw and must be obeyed during the period that the applicable stage is in effect.

## **9. Permits**

- (1) The Regional District may issue permits for the installation of a new lawn in special cases and manner prescribed in Appendix 'B'.
- (2) Exemptions and special cases to the regulations in this Schedule are prescribed in Appendix 'A'.
- (3) Exempted persons and permit holders are exempted from section 3 to the extent permitted by Appendix 'A' and the conditions of the permit where applicable.

## **10. Penalties**

- (1) Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and on conviction of a ticket offence under the applicable bylaw is liable for the fine imposed under that bylaw.
- (2) In the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.
- (3) In the event of repeated contraventions of this bylaw by an owner or occupier, the Chief Administrative Officer may order the installation of a water meter at the expense of the property owner.

## APPENDIX 'A'

OUTDOOR WATER USE RESTRICTION STAGES

## 1. STAGE 1

1.1 During Stage 1 water use restrictions the following provisions apply:

- (a) a person may only use a sprinkler, soaker or weeper hose to water a lawn, shrub, tree, vegetable or garden bed growing on a property with:
  - (i) an even numbered address, between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 10:00 p.m. on Tuesday, Thursday and Saturday; and
  - (ii) an odd numbered address, between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 10:00 p.m. on Wednesday, Friday and Sunday. Local governments may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. to 7:00 a.m. on even numbered days for even numbered addresses and odd numbered days for odd numbered addresses;
- (b) no person shall wash sidewalks, driveways and parking lots except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations.
- (c) a person may only
  - (i) water trees, shrubs, flowers, and vegetables on any day with a sprinkler, soaker or weeper hose during the prescribed hours for Stage 1 lawn watering and on any day at any time if watering is done by hand held container or a hand-held hose equipped with an automatic shut-off nozzle;
  - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
  - (iii) use micro-irrigation or drip-irrigation systems to water trees, shrubs, flowers, and vegetables at any time on any day; provided the use of this system is properly installed and scheduled in order not to result in "over-watering". Soaker or weeper hoses are not micro- or drip-irrigation;
  - (iv) upon issuance of a permit as per Appendix B, water new sod on installation and during the first 21 days after installation, and water newly seeded lawns until growth is established or for 49 days after installation, whichever is less, with a sprinkler but only during the prescribed stage 1 lawn watering hours, and at any time if watering is done by a hand-held hose equipped with an automatic shut-off nozzle;
  - (v) water all-weather playing fields at any time if failure to do so will result in a permanent loss of plant material; and
  - (vi) wash a vehicle using a hand-held container or hand-held hose equipped with an automatic shut-off nozzle and at car dealerships or commercial car washes.

1.2 Exceptions to the Stage 1 restrictions:

- (a) owners or occupiers of property who, by reason of physical or mental incapacity that has been documented by a medical practitioner, are unable to water their property within the restricted days and times, may water their property every second day for a maximum of 4 hours per day;
- (b) nurseries, farms, turf farms, and tree farms with meters are exempt from the restrictions.



**APPENDIX 'A' (cont.)**

**2. STAGE 2**

**2.1 During Stage 2 water use restrictions the following provisions apply:**

- (a) a person may only use a sprinkler , soaker or weeper hose to water a lawn , shrub, tree, vegetable or garden bed growing on a property with:
  - (i) an even numbered address, on Tuesday and Saturday between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.; and
  - (ii) an odd numbered address, on Wednesday and Sunday between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.
- (b) Local government may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. to 7:00 a.m. on even numbered days for even numbered addresses and on odd numbered days for odd numbered addresses;
- (c) no person shall use water to wash sidewalks, driveways or parking lots except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations; and
- (d) a person may:
  - (i) water trees, shrubs, flowers, and vegetables with a sprinkler, soaker or weeper hose during the prescribed hours and days for Stage 2 lawn watering and on any day at any time if watering is done by hand held container or a hand-held hose equipped with an automatic shut-off nozzle;
  - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
  - (iii) use micro-irrigation or drip-irrigation systems to water trees, shrubs, flowers, and vegetables at any time on any day; as long as the use of this system is properly installed and scheduled in order not to result in "over-watering" Soaker or weeper hoses are not micro- or drip-irrigation
  - (iii) upon issuance of a permit as per Appendix B, water new sod on installation and during the first 21 days after installation, and water newly seeded lawns until growth is established or for 49 days after installation, whichever is less, with a sprinkler but only during the prescribed stage 2 lawn watering hours, and at any time if watering is done by a hand-held hose equipped with an automatic shut-off nozzle;
  - (iv) water all-weather playing fields at any time if failure to do so will result in a permanent loss of plant material;
  - (v) wash exterior windows and building surfaces with water using a hand-held container or hand-held hose equipped with an automatic shut-off nozzle;
  - (vi) wash a vehicle using a hand-held container or hand-held hose equipped with an automatic shut-off nozzle and at car dealerships and commercial car washes.

**2.2 As exceptions to Stage 2 restrictions**

- (a) owners or occupiers of property who, by reason of physical or mental incapacity that has been documented by a medical practitioner, are unable to water their property within the restricted days and times, may water their property every second day for a maximum of 4 hours per day;

## APPENDIX 'A' (cont.)

- (b) nurseries, farms, turf farms, and tree farms with a meter are exempt from the restrictions;
- (c) local governments are exempt from the restrictions;
- (d) owners and operators of commercial pressure washing companies may use water but only as part of their normal business operations.

**3. STAGE 3**

3.1 During Stage 3 water use restrictions the following provisions apply:

- (a) no person shall
  - (i) water a lawn;
  - (ii) fill or add water to a swimming pool, hot tub, or garden pond;
  - (iii) fill or add water to or operate a decorative fountain at any time;
  - (iv) wash a vehicle or a boat with water;
- (b) a person may
  - (i) water trees, shrubs, flowers, and vegetables on any day between 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. if watering is done by hand-held container or a hand-held hose equipped with an automatic shut-off nozzle;
  - (ii) water newly planted trees, shrubs, flowers and vegetables by hand held container or a hand-held hose equipped with an automatic shut-off nozzle during installation and at any time during the following 24 hours after installation is completed;
  - (iii) use micro-irrigation or drip- irrigation systems to water trees, shrubs, flowers, and vegetables on any day between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. Soaker or weeper hoses are not micro- or drip-irrigation
  - (iv) water all-weather playing fields at any time, but only if failure to do so will result in a permanent loss of plant material; and
  - (v) use water to wash sidewalks, driveways, parking lots, exterior windows, or exterior building surfaces, but only if necessary for applying a product such as paint, preservative, and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations.

3.2 As exceptions to the Stage 3 restrictions

- (a) nurseries, farms, turf farms, and tree farms with a meter are exempt from the restrictions;
- (b) local government may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. to 7:00 a.m. on even numbered days for even numbered addresses and on odd numbered days for odd numbered addresses;
- (c) wading pools less than 200 centimeters in diameter may be filled with water up to a maximum depth of 30 centimeters; and
- (d) vehicles and boats may be washed with water only at car dealerships and commercial car washes using less than 205 litres of water per vehicle wash or 50 percent recirculated water as long as the total amount of water, excluding recirculated water, does not exceed 205 litres per vehicle wash.

## APPENDIX 'B'

PERMITS

1. During stages 1 and 2 a person who has installed a new lawn, either newly seeded or new sod, may apply to the Regional District for a permit, which will allow the new lawn to be sprinkled with water outside of permitted days, but within the restricted hours. The permit shall be conspicuously displayed at the premises for which it was issued.
2. The Regional District, may issue a permit to an applicant pursuant to section 1 and 2. New sod may be watered for 21 days after installation and newly seeded lawn may be watered until growth is established or for 49 days after installation, whichever is less, provided a permit pursuant to section 1 has been issued for the premises at which the new lawn has been installed.
3. Permits will not be issued or remain valid during Stage 3 restrictions.
4. The permit is to take the form of the following example

Strathcona Regional District – Electoral Area D Water System – Lawn Sprinkling Permit  
(issued pursuant to Bylaw No.324)

This permit is issued for NEW SOD or NEWLY SEEDED LAWN

Name:

Street Address (location of permit):

Permit issue date:

Lawn installation date:

**Permit conditions:**

1. If this permit is issued for new sod, the permit is valid for 21 days after the date of installation.
2. If this permit is issued for newly seeded lawn, the permit is valid for 49 days after date of installation or until growth is established whichever is less.
3. During the term of the permit, the permit holder may sprinkle the new sod or newly seeded lawn between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 10:00 p.m. during stage one restrictions, between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. during stage two restrictions, and at any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle. This permit is to be prominently displayed at the residence for which the permit is issued.
4. This permit is not valid during stage 3 water restrictions.

Original to permit holder. Retain copy for local government records.