

Sunshine Coast Regional District

BOARD POLICY MANUAL

Section:	Utility Services	BRD-0340-50
Title:	Local Community Sewage Systems	012

POLICY

I. That the Regional District assume ownership and operation of proposed and existing local community sewage systems (LCSS) for developments designed to accommodate more than 22,700 litres/day of effluent from residential (more than approximately 20 dwelling units) and other non-residential uses subject to the following conditions:

1. The LCSS has been approved for construction under the Health Act, Environmental Management Act or the applicable provisions of the former Waste Management Act as applied at the time of construction.
 2. The Regional District will stipulate that the transfer of the LCSS following this policy, and be included in the Preliminary Layout Approval Letter issued by the Approving Officer for a subdivision, or may be included in the Regional District resolution to issue a development variance permit or adopt a zoning bylaw amendment to be considered by the Regional Board. Where there is no subdivision or approvals being considered by the Regional Board, this policy will apply as a condition of issuance of a building permit by the Regional District under Subdivision Servicing Bylaw No. 320 as amended.
 3. For new developments, the LCSS will comply with the maintenance period requirements under the approval granted under Environmental Management Act and Health Act as well as the approval granted by the Regional District under Subdivision Servicing Bylaw No. 320 as amended.
 4. For existing and new developments, the LCSS was constructed and approved under the applicable sections of SCRD Subdivision Servicing Bylaw No. 320 as applied at the time of construction.
 5. The land on which a septic field or treatment plant has been constructed will be transferred to the Regional District in fee simple, and any sewer mains will be located on public highway or within Statutory Rights of Way (SROW) on private land of sufficient area to allow for maintenance to the satisfaction of the Regional District. In the event that an existing LCSS is to be taken over by the Regional District and the land on which the treatment plant is located can not be transferred to the Regional District, a SROW will be registered to secure permanent access by the Regional District.
 6. Without fettering the Regional Board in the future, Bylaw No. 1026 is to be considered for amendment to include the areas serviced by LCSS being owned and operated by the Regional District following the requirements of the Local Government Act.
- II. Without fettering the Regional Board in the future, the Regional Board may by resolution consider assuming ownership and operation of LCSS with flows of less than 22,700

litres/day when consistent with the OCP for the area in which the LCSS is located and it is deemed that it is in the public interest due to special environmental, community or economic development reasons, pursuant to the conditions set out in Part I above.

- III. Prior to assuming ownership and operation of a LCSS, the SCRD will enter into an agreement as set out in Schedule "A" with the owner in the following form.

REASON FOR POLICY

To provide for more consistent maintenance and operation of local community sewer systems by the SCRD.

AUTHORITY TO ACT

Delegated to Staff.

PROCEDURE

1. Scope of Policy

This policy applies to existing and new developments.

2. Responsibility

As per policy.

Approval Date:	May 11, 2006	Resolution No.	415/06
Amendment Date:		Resolution No.	
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SCHEDULE "A" to SCRD
Local Community Sewer System (LCSS) Policy

The Owner and the SCRD hereby sets out their understanding and agreements in this matter with respect to LCSS (local community sewer system) as follows:

1. Collection System

The land owner, developer, strata corporation or other legal entities (collectively referred to as the "Owner") who have constructed or have ownership of an LCSS for a strata subdivision, subdivision, non-residential or multi-family building (a "Development"), will be responsible for any repairs or maintenance of the sewage collection system from the building connections to the sewage treatment plant.

2. Operation and Transfer of LCSS to SCRD

- a. The SCRD will take over operation and maintenance of the LCSS commencing that day (the "Takeover Date") at such time that the LCSS is substantially completed and commissioned to the satisfaction of the SCRD.
- b. Upon registration of the strata subdivision or subdivision at the Land Title Office or issuance of an occupancy permit for non-residential or multi-family building (specify one or more as applicable), the Owner will transfer the fee simple title of the lot housing the LCSS (the "Lot") to the SCRD. The SCRD will not be responsible for any of the costs of such transfer including applicable taxes and transfer costs. If _____ (insert Owner name) _____ and this Development connect in the future to a public sewer system supplied by the SCRD or another entity, thereby eliminating the need for the LCSS, then the SCRD will, upon request, transfer the Lot back to the Owner, such transfer to be at the sole cost of the Owner.
- c. The Owner will be responsible for all operation, maintenance and repairs costs of the LCSS incurred by the SCRD during the first year of its operation.
- d. The Owner will provide or cause to be provided for a period of one year following the Takeover Date (the "Year") an irrevocable letter of credit in favour of the SCRD for \$_____ (the "Letter of Credit"), constituting ten percent (10%) of the total construction cost of the LCSS to ensure payment of operation, insure against construction defects, and ensure maintenance and repair of the LCSS during the first year of its operation. If the costs of operation, repairs or maintenance to the LCSS incurred by the SCRD are not reimbursed by the Owner within 30 days upon invoice by the SCRD during the Year, then the SCRD may draw down funds from the Letter of Credit. The SCRD shall use its best efforts to ensure that the costs of such maintenance or repairs are reasonable.

3. Maintenance Frontage Fees

Upon the issuance of an Occupancy Permit for the building or buildings on a lot within the Development, and after the first year of operation by the Owner, the owner of each lot or strata lot within the Development will be required to pay an annual maintenance fee to the SCR D, in an amount to be determined by the SCR D, for operation, repairs and maintenance of the LCSS. For partial year charges, the rate shall be pro-rated, based on the date of occupancy of such lot or strata lot, and paid in advance for the remainder of the year. A sewer frontage fee, in an amount to be determined by the SCR D, will also be imposed on each or lot or strata lot in this after the first year of operation.

The above fees may be adjusted from time to time, according to the actual costs of operation of the LCSS and will include an appropriate amount for operating contingent and capital replacement reserve funds.

4. Service Bylaws

Following the Takeover Date, the SCR D will amend Bylaws Nos. 1026 and 428, to include this Development as an area serviced by an SCR D Sewage Treatment Facility and to impose charges against the owners of the strata lots for the use and operation of the LCSS.

5. Term of the Agreement

This agreement shall expire one year after the Takeover Date when the SCR D will assume full responsibility of the LCSS; and the remaining Letter of Credit, if not totally expended, as per item 2 d, shall be returned to the Owner.

DATED at Sechelt, British Columbia, the ____ day of _____.

SUNSHINE COAST REGIONAL DISTRICT,
Per:

(Insert Name of Owner)
Per:
