

THOMPSON-NICOLA REGIONAL DISTRICT

BYLAW NO. 2417

A BYLAW TO REGULATE AND MANAGE SEPTAGE DISPOSAL FACILITIES WITHIN THE THOMPSON-NICOLA REGIONAL DISTRICT

WHEREAS the Thompson-Nicola Regional District has established and operates facilities for the disposal of septic tank pumpage within service areas of the Thompson-Nicola Regional District;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the septic pumpage disposal facilities and for the terms and conditions under which the services are provided, as well as fees for such services;

NOW THEREFORE the Board of Directors of Thompson-Nicola Regional District, in open meeting assembled, enacts as follows:

1. Title

- 1.1 This Bylaw may be cited for all purposes as the "Septage Disposal Regulation and Management Bylaw No. 2417, 2013".

2. Definitions

- 2.1 Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in this section 2 of this Bylaw are used in the body or schedules of this Bylaw, they have the meaning ascribed to them as set out in section 2:

"Director" means the Director of Environmental Services or his designate.

"Facility" means a septic tank pumpage disposal Facility.

"Service Area" means a service area established by bylaw of the Thompson-Nicola Regional District for the purpose of providing facilities for the disposal of septic tank pumpage.

"Regional District" means the Thompson-Nicola Regional District and includes its duly authorized representatives.

"Septage" means septic tank pumpage.

3. Regulations

- 3.1 No person shall deposit Septage that did not originate from an established service area.
- 3.2 All persons depositing Septage at a Facility shall:
- (a) Act in accordance with the posted site regulations for use of the facility and Operational Certificates, as issued by the British Columbia Ministry of Environment;
 - (b) Not act in a manner contrary to the posted site regulations;
 - (c) Pay the applicable fee prescribed by this bylaw.
- 3.3 Every person depositing Septage at a Facility shall have access to the Facility only during the posted hours of operation for the Facility.
- 3.4 No fees are payable at the site. The hauler agrees to pay for the volume deposited, as recorded by the key entry system, and the Regional District will invoice the hauler in accordance with Schedule "A" attached to and forming part of this bylaw.
- 3.5 Customer invoices will be generated monthly and will be payable within 30 days of the invoice date.
- 3.6 Customers with accounts in arrears after 30 days will be subject to a service charge at the rate equal to the prime rate of interest posted by the Royal Bank of Canada, plus three percent (3%) annually.
- 3.7 Customers with account in arrears after 45 days will be contacted requesting payment within 15 days.
- 3.8 If the account holder fails to pay the Regional District all fees owing in full within 60 days of the invoice date, the Regional District may withhold monies equivalent to those charges, plus interest, from the account holder under a separate contract, agreement, or offer between the Regional District and the account holder.
- 3.9 Where a charge is not paid within the time specified in Clauses 3.5, 3.6, 3.7, or 3.8, the person liable to pay such charge shall not deposit any further Septage at any Regional District Facility until such charges owing have been paid in full.
- 3.10 At the discretion of the Director, accounts that are 180 days in arrears may be sent to external collection agencies.

4. Offences and Penalties

- 4.1 Any *person* who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
- (a) Prohibition from depositing further septage at any Regional District Facility; or
 - (b) a fine in accordance with the Thompson-Nicola *Regional District* Municipal Ticket Information Bylaw if an information respecting the infraction is laid by means of a ticket; or
 - (c) upon summary conviction, a fine not exceeding \$10,000 and the costs of prosecution; or
 - (d) any combination of the above.
- 4.2 Each day a new contravention of or failure to comply with any provision of this Bylaw continues to exist shall constitute a separate offence.
- 4.3 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or regulation.

5. Severability

- 5.1 If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the remaining portions of the Bylaw.

6. Repeal

- 6.1 Septic Tank Pumpage Disposal Local Services Regulation and Management Bylaw No. 1734, 1999 as amended is hereby repealed in its entirety.

Read a first time the 28th day of March, 2013.


Read a second time the 28th day of March, 2013.

Read a third time the 28th day of March, 2013.

Adopted this 28th day of March, 2013.



Chair


Corporate Officer

THOMPSON-NICOLA REGIONAL DISTRICT
SCHEDULE "A"

Charges for Septage Disposal:

<u>Volume of Load</u>	<u>Charge</u>
Up to 1,000 imperial gallons (4,540 litres) or any portion thereof	\$ 60.00
1,001 to 2,000 imperial gallons (4,545 to 9,080 litres) or any portion thereof	\$120.00
2,001 to 3,000 imperial gallons (9,085 to 13,620 litres) or any portion thereof	\$180.00