

VILLAGE OF KASLO

BYLAW NO. 1289

**A BYLAW TO ESTABLISH AND MAINTAIN THE SEWER SERVICE AREAS**

WHEREAS the Village of Kaslo adopted a Liquid Waste Management Plan, which involved extensive community consultation and was approved by the Minister of Environment and Climate Change Strategy,

NOW, THEREFORE, Council of the Village of Kaslo, in open meeting assembled, ENACTS AS FOLLOWS:

**1. Title**

This Bylaw may be cited as "Sewer Service Area Bylaw No. 1289, 2023".

**2. Definitions**

**Benefiting Area** means the area described in Schedule A to this bylaw and is the area benefited by the sewer works and services now in place and/or set forth as a future Specified Service Area.

**Specified Service Area (SSA)** means a portion of the Benefiting Area representing each phase of construction and planned future expansion of the sewer service, as shown on Schedule A to this bylaw.

**Village** means the Village of Kaslo

**3. Authorization to Construct and Operate the Sewer System**

3.1. The Village is hereby authorized to provide, operate, maintain, and to undertake and carry out, or cause to be carried out, the design, construction and operation of the sewer system and do all things necessary in connection therewith for the benefit of the Benefiting Area.

**4. Capital Expenditure**

4.1. The Village is authorized to upgrade, expand, and renew the sewer system within the Benefiting Area and may secure funds for such works by:

4.1.1. Pursuing grant opportunities;

4.1.2. Establishing local service area taxes, development cost charges, connection fees, or extended service agreements, by bylaw, which may be levied at different rates in each SSA based on the cost of works undertaken, planned, or required to maintain a good state of repair benefiting the SSA;

- 4.1.3. Providing the Village portion of funding by draw upon Village reserve, surplus funds or operating revenue as established in the Village's annual financial plan; and,
- 4.1.4. Borrowing funds, by bylaw, subject to the requirements of the Community Charter or another Act, and if required, elector approval.

## **5. Operating Costs**

- 5.1. The entire cost of providing the sewer service to the Benefiting Area shall be borne by the owners of real property, including land and improvements, and the users of the sewer service, and a sum sufficient therefore shall be recovered for such period of time as necessary by the imposition of:
  - 5.1.1. User rates established in the Fees and Charges Bylaw or other bylaw;
  - 5.1.2. Local service area taxes or other charges provided in the Community Charter; or,
  - 5.1.3. Any combination of the above methods, which shall be imposed by Bylaw.

## **6. Environmental Education and Monitoring**

- 6.1. As outlined in the Liquid Waste Management Plan, the Village may impose, by bylaw, a community-wide tax borne by all owners of real property, or other charge provided in the Community Charter, towards wastewater-related public education, receiving environment monitoring, and treatment performance including the overall performance of private sewerage systems and groundwater monitoring, which are initiatives that broadly benefit the community and environment.

## **7. Acquisition Authority**

- 7.1. The Village is authorized to acquire all such real property, easements, and rights-of-way and to enter into leases and to obtain other rights and authorities as may be required or desirable in connection with the construction and maintenance of the sewer system.

## **8. Severability Clause**

- 8.1. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

## **9. Effective Date**

- 9.1. This bylaw shall take effect upon adoption.

VILLAGE OF KASLO  
BYLAW NO. 1289, 2023

READ A FIRST TIME this 25<sup>th</sup> day of April, 2023.

READ A SECOND TIME this 25<sup>th</sup> day of April, 2023.

READ A THIRD TIME this 9<sup>th</sup> day of May, 2023.

RECONSIDERED AND ADOPTED this 23<sup>rd</sup> day of May, 2023.

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MAYOR

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CORPORATE OFFICER

Certified to be a true copy of "Sewer Service Area Bylaw No. 1289, 2023"

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CORPORATE OFFICER

**Village of Kaslo  
BYLAW 1289, 2023  
SCHEDULE 'A'  
Sewer Service Area**

- Sewer Infrastructure**
- Maintenance Holes
  - Forcemain
  - Sanitary Sewer
- Sewer Specified Areas**
- SSA 1
  - SSA 2
  - SSA 3

