



# **THE CORPORATION OF THE CITY OF PORT COQUITLAM**

## **BYLAW NO. 3790**

*A Bylaw to establish rates and charges for the use of  
the City of Port Coquitlam Sanitary Sewerage System*

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*The Municipal Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:*

1. This Bylaw may be cited for all purposes as the "Sewer Rates Bylaw, 2012, No. 3790".
2. In this Bylaw, unless the context otherwise requires, the following words and terms shall have the meanings hereinafter assigned to them:

**Caregiver** means a person who provides extensive physical assistance for a fee (minimum of \$150.00 per month) to an owner, or a spouse, parent or child of an owner provided that the person receiving the care is permanently disabled;

**Corporation** shall mean The Corporation of the City of Port Coquitlam.

**Council** shall mean the Council of The Corporation of the City of Port Coquitlam.

**Dwelling Unit** means one (1) or more rooms forming a single unit that is used or intended to be used as a residence and contains cooking, eating, sleeping, and sanitary facilities, and includes manufactured homes and mobile homes.

**Extensive Physical Assistance** means extensive physical assistance and care which is necessary in order to perform the functions of daily living in the home; for example, preparation of meals, personal care and hygiene. Extensive physical assistance does not include, for example:

- (a) assistance with activities outside of the home, i.e. driving, grocery shopping or recreation;
- (b) home care provided by a provincial health care or social services government or government funded agency, including, but not limited to, caregivers;
- (c) assistance with home repairs and maintenance or yard work;

**Financial Officer** shall mean the person duly appointed as such from time to time by the City Council pursuant to the *Community Charter*.

**Grandparent** means a person who is the grandparent of the property owner, who is related by blood, marriage, or adoption;

**Meter Service** shall mean a service attached thereto a meter for determining the quantity of water supplied by such a service.

**Parent** shall mean a person who is the father or mother of the owner by blood, marriage, adoption or foster.

**Permanently Disabled** means a person with a permanent disability for which there is no remedial therapy available which would significantly lessen the disability; and which is sufficiently severe that in order to manage normal daily functioning in the home in which the person resides the person requires either extensive physical assistance; or structural modifications to the home;

**Rate** shall mean the sum of money to be paid by any user of real property connected to the sanitary sewer by means of a sanitary building sewer and a sewer connection.

**Residential Premises** shall mean all premises used solely for residential purposes and home occupations permitted by the City's Zoning Bylaw.

**Sanitary Building Sewer** shall mean the sewer pipe extending from the property line of the property concerned to the building situated thereon, and joining the sewer connection to the plumbing system at the building; or alternatively, the term SANITARY BUILDING SEWER shall mean the sewer pipe extending from the building or premises to the septic tank or other private disposal structure, where a connection to a sanitary sewer is not installed.

**Sanitary Sewer** shall mean any sewer under the control of The Corporation which is intended for public use.

**Suite** means a dwelling unit located within a building otherwise used for a single residential use.

**Sewer Connection** shall mean the sewer pipe extending from the SANITARY SEWER to the property line of the property being served or about to be served.

**Single-Residential Building** means any building containing one dwelling unit, but no more than one;

**Two-Family Building** means any building containing two dwelling units.

**Unit** shall mean any utensil, machine, equipment, furniture, or appliances which is or is intended to be connected to a drain or sanitary building sewer, and without limiting the generality of the foregoing, includes water closets, urinals, laundry tubs, washing machines, baths, showers, sinks, and wash basins.

**User** shall include any person, corporation, partnership, or party and the heirs, successors, and assigns of them, or any of them to whom the context can apply whose premises are connected to the sanitary sewerage system of the Corporation of the City of Port Coquitlam.

The use of words signifying the masculine shall include the feminine.

3. Users of the sanitary sewerage system shall pay the rates and charges as set out in Schedule "A" hereto annexed, which said Schedule is hereby incorporated with and made part of this Bylaw.

4.
  - (a) The several rates enumerated in Schedule “A” of this bylaw are hereby imposed and levied by the City, and all such rates or rents shall be payable to the Manager of Revenue and Collections of the City.
  - (b) Effective 120 calendar days from the date of issuance of engineering charges for a building permit to construct improvements classified for residential purposes (single residential residence, duplex, or triplex) or from the date of connection for the servicing of existing improved properties not formerly serviced by a sewer connection, the owner or applicant shall pay in advance the user rates prescribed in Schedule “A”, prorated to a daily equivalent, for the balance of the year in which the billing period starts.
  - (c) Effective 365 days from the date of issuance of engineering charges for a building permit to construct improvements classified for residential purposes (multifamily four stories or less) or from the date of connection for the servicing of existing improved properties not formerly serviced by a sewer connection, the owner or applicant shall pay in advance the user rates prescribed in Schedule “A”, prorated to a daily equivalent, for the balance of the year in which the billing period starts.
  - (d) Effective 545 days from the date of issuance of engineering charges for a building permit to construct improvements classified for residential purposes (multifamily greater than four stories) or from the date of connection for the servicing of existing improved properties not formerly serviced by a sewer connection, the owner or applicant shall pay in advance the user rates prescribed in Schedule “A”, prorated to a daily equivalent, for the balance of the year in which the billing period starts.
5.
  - (a) A parcel containing a two-family building where one of the two dwelling units is a suite shall, under this Bylaw, be treated as a parcel containing only a single-residential building if the owner of the parcel resides in one of the dwelling units as his or her principal residence and:
  - (b) A parcel containing a two-family building where one of the two dwelling units is a suite shall, under this Bylaw, be treated as a parcel containing only a single-residential building if the owner of the parcel resides in one of the dwelling units as his or her principal residence and:
    - i) the other dwelling unit is occupied by a caregiver who is providing extensive physical assistance to an owner or a spouse or child of an owner who resides in the other dwelling unit;
    - ii) the suite will not and is not occupied or rented at any time during a calendar year;  
or
    - iii) the premises are inspected by a bylaw enforcement officer of the City upon request by the owner and the inspection confirms that the suite does not exist.
  - (c) In the case of the other dwelling unit is occupied by a parent(s) or grandparent(s) of the owner the exemption granted will equal 50% of the levy for the other dwelling unit.

- (d) In order to qualify under section 5(b) or 5(c), the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule B to this Bylaw to the Manager of Revenue and Collections. In the case of section 5(b)(i), the owner shall also submit a declaration in the form attached as Schedule C, completed and signed by the physician of the physically disabled person. In the case of 5(b) or (c), the Manager of Revenues and Collections may require a physical inspection of the premises by a bylaw enforcement officer of the City.
- (e) If, despite the submission of the declarations required under section 5(d), a parcel ceases to meet any of the requirements under section 5 (b) or (c), the parcel shall be treated as a two-family building under this Bylaw.
- (f) An owner shall immediately notify the Manager of Revenue and Collections of any occurrence triggering section 5(e).
- (g) All rates and fees imposed under this Bylaw shall be collected in the same manner and with the same remedies as ordinary taxes on land and improvements under the Local Government Act, Community Charter or other legislation governing taxation by the City.
- (h) Late Payment Penalties:

A penalty of 5% shall be added to the outstanding balances levied for the current year under Sections A, C, and D of Schedule A, after:

- i) the close of business on March 31st in each year; and
- ii) the close of business on May 31st in each year.

- 6. The user rates set forth in Schedule "A" to this Bylaw shall be charged irrespective of whether the premises are occupied.
- 7. When any rates, rents, or penalties due by any person under this bylaw for sewerage services supplied by the City, remains unpaid on the thirty-first (31<sup>st</sup>) day of December the same shall be deemed to be taxes in arrears in respect of the property to which the service was provided and shall forthwith be entered on the real property tax roll by the Manager of Revenue and Collections as taxes in arrears.

Services may be discontinued for any of the following reasons:

- (a) non-payment of charges or fees levied pursuant to this Bylaw;
- (b) contravention of any other section of this Bylaw.

Council may disconnect from the sewerage system any real property in respect of which fees and charges are unpaid on the thirty-first (31<sup>st</sup>) day of December. The service will be disconnected after giving seven days notice by registered mail. Notice will be deemed to be given two days after the register mail is sent. The City will reconnect the property to the sewerage system after all fees are paid plus the reconnection fee.

- 8. If any part of this Bylaw is held to be invalid by any court, the invalid portion shall be severed.

9. That Sewer Rates Bylaw, 2011, No. 3751, be repealed.
10. This Bylaw comes into effect upon adoption of the Bylaw.

*Read a first time by the Municipal Council this 15<sup>th</sup> day of December, 2011.*

*Read a second time by the Municipal Council this 15<sup>th</sup> day of December, 2011.*

*Read a third time by the Municipal Council this 15<sup>th</sup> day of December, 2011.*

*Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 9<sup>th</sup> day of January, 2012.*

**G. MOORE**  
\_\_\_\_\_  
*Mayor*

**CAROLYN DEAKIN**  
\_\_\_\_\_  
*Assistant Corporate Officer*

# SCHEDULE "A"

## City of Port Coquitlam "Sewer Rates Bylaw, 2012, No. 3790"



### ANNUAL RATES

#### A. Residential Properties:

|                                      | Rate     |
|--------------------------------------|----------|
| (a) Single Residential dwelling unit | \$296.00 |
| (b) Each additional dwelling unit *  | 296.00   |
| (c) Each townhouse unit              | 278.00   |
| (d) Each apartment unit              | 263.00   |
|                                      |          |
|                                      |          |

\* *For each suite or additional dwelling unit located in a duplex or any form of multiple housing including manufactured home parks or individual guest rooms in motels, hotels, boarding houses, rooming houses, bed and breakfast businesses, and dormitories, as well as individual stores and individual or complementary rooms for business and personal services occupancies and not covered in parts (c) or (d) of Sections A and B.*

#### B. Metered Rates:

- (a) Metered users
  - (i) 0 to 1,500 cubic feet (minimum charge) 80.66
  - (ii) over 1,500 cubic feet (rate per hundred cubic feet) 2.06

Any owner or occupier of real property other than residential users shall be charged for the use of the sewerage system on the basis of the quantity of water delivered to the real property by the City waterworks system. All rates for sewer shall become due and payable the first day of January, the first day of April, the first day of July, the first day of October, each and every year, and a penalty of 10% shall be added on the gross quarterly metered water rates outstanding after:

- (a) the penalty date established for the quarter period, or
- (b) thirty (30) days from billing date.

## ***SCHEDULE "A" Cont'd***

### ***City of Port Coquitlam "Sewer Rates Bylaw, 2012, No. 3790"***

A user of the sewerage system who establishes to the satisfaction of the City Engineer that the discharge into the sewerage system is less than seventy five percent of the water delivered by the municipal waterworks system to his parcel of real property, by using in whole or in part the water so delivered in an industrial or commercial process or product, or in irrigation; or by discharging the water so delivered or part thereof directly into a natural water course or body of water; shall have the user charge reduced corresponding to the actual quantity of discharge.

#### **C. Premises Used for Mixed Purposes**

For premises used for mixed or multiple purposes which include a connection or service to a residential premise as well as another use, the Owner shall pay:

The Fixed Rate for each Residential Premise that, directly or indirectly, uses the Sewer System; plus

The City may send a single invoice covering all non-residential strata lots to the Strata Corporation or Strata Lot 1, as the City may on a case by case basis decide. If the Rates as set out on the invoice remain unpaid as of December 31 of the billing year, the City Engineer shall allocate volume of water as set out on the invoice among properties that shall pay the Metered rates as set out above, and determine the charges and penalties owing by the Owners of each strata title lot. Such charges shall be deemed to have been due and payable by each owner as of December 31 and the provisions of Section 231 of the *Community Charter* shall apply.

#### **D. Strata Title Properties**

- (a) for strata title properties used solely for Residential purposes, each individual owner shall pay the rate prescribed under Section A of this Schedule;
- (b) For strata title properties used solely for mixed or multiple purposes, the meter rates as prescribed under Section B of this schedule shall be levied subject also to the provisions set out under Section C of this schedule shall apply.

#### **E. Recent purchase or sale**

To meet the eligibility requirements in Section 5(b) or (c) of the Bylaw, the claimant must be the registered owner of the eligible residence and living on the property as his/her principal residence at the time the application is made. Therefore, the application for the waiver must be made prior to the conveyance of the dwelling. This is because sale of the property is conclusive evidence that it has ceased to be the principal residence of the vendor. Once a conveyance is completed, the vendor is no longer eligible for the waiver.

Circumstances may arise in which full utilities are paid by the vendor but no waiver is claimed. The waiver is a reduction of indebtedness for current year utilities and must be claimed by the individual who actually paid that debt. Since the indebtedness was paid by the vendor, no waiver can be allowed to the purchaser. The waiver can not be prorated.

## ***SCHEDULE "A" Cont'd***

### ***City of Port Coquitlam "Sewer Rates Bylaw, 2012, No. 3790"***

#### **F. Late Payment Penalties:**

*A penalty of 5% shall be added to the outstanding flat rate balances levied for the current year under Sections A, C and D of this Schedule after:*

- (a) the close of business on March 31<sup>st</sup> in each year; and
- (b) the close of business on May 31<sup>st</sup> in each year.

#### **G. Senior Citizen's Waiver:**

Every owner and occupier of property who:

- (a) Sixty-five years of age or over at any time during the calendar year in which the charge is assessed; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income does not exceed the Statistics Canada Low-Income threshold for BC Family Size 1 of \$22,637 per person if they are the sole occupier of the residence or the Statistics Canada Low-Income threshold of \$28,182 for BC Family Size 2 if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of \$148.00 for a single family dwelling; \$139.00 for townhouses and \$131.50 for apartments levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2010 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

## ***SCHEDULE "A" Cont'd***

### ***City of Port Coquitlam "Sewer Rates Bylaw, 2012, No. 3790"***

#### **H. Disability Waiver:**

Every owner and occupier of property who:

- (a) Designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities, and the person with disabilities resides with the owner and the collector has been provided with the required Schedule C; and
- (b) The owner of the property for which the charge is assessed; and
- (c) Who resides on the property and considers it to be his principal residence; and
- (d) Who has not applied for a senior citizen waiver of water rates on any other property in the City of Port Coquitlam during the calendar year in which the charge is assessed; and
- (e) Who does not own any other property as defined in the Assessment Act; and
- (f) The property does not contain a suite; and
- (g) Whose total annual net income does not exceed the Statistics Canada Low-Income threshold for BC Family Size 1 of \$22,637 per person if they are the sole occupier of the residence or the Statistics Canada Low-Income threshold of \$28,182 for BC Family Size 2 if more than one person occupies the residence;

Shall be considered persons in special circumstances where additional benefits are warranted and shall be entitled to a waiver of \$148.00 for a single family dwelling; \$139.00 for townhouses and \$131.50 for apartments levied under this Bylaw. In order to qualify for the senior citizen's waiver the owner of the parcel shall complete, sign and submit a declaration in the form attached as Schedule E to this Bylaw to the Manager of Revenue and Collections.

A copy of the 2010 Canada Revenue Agency Notice of Assessment MUST be included with the application for a sewer and water fee subsidy.

# **SCHEDULE "B"**

## **APPLICATION FOR SUITE EXEMPTION**

I, \_\_\_\_\_, am the registered owner of the property located at \_\_\_\_\_

\_\_\_\_\_ and I hereby apply for exemption of the Sewer levies for the reason that the *SUITE*:

- Does not exist (effective date \_\_\_\_\_).
- Has not and will not be rented or occupied at any time during this calendar year. *(Additional dwelling unit/suite means one or more rooms forming a single unit that is used or intended to be used as a residence and contains cooking, eating, sleeping, and sanitary facilities).*
- Is occupied by my parent(s) or grandparent(s) and I occupy the other residence on the property as my principal residence. (Please Note: parent(s) or grandparent(s) must be related by blood, marriage, or adoption). The exemption for parent(s) or grandparent(s) living in the additional dwelling unit/suite will be equal to 50% of the levy charged for the additional dwelling unit/suite.
- Is occupied by a caregiver who is providing extensive physical assistance for a fee (minimum \$150 per month) to me or to my spouse, parent or child (circle as applicable), and I occupy one the other residence on the property as my primary residence and the person receiving such assistance occupies one of the residences on the property as his or her primary residence. *(Please note: parent(s) or grandparent(s) or child must be related by blood, marriage, or adoption).*

***I hereby declare the above to be true and I further understand that pursuant to the relevant Bylaw, any person who signs an untrue declaration is guilty of an offence and shall be liable to additional levies equal to the sum of the exemption amount plus twice the initial levy amount. A physical inspection by a bylaw officer of the City may be required.***

**IT IS AN OFFENCE TO MAKE A FALSE APPLICATION**

\_\_\_\_\_  
SIGNATURE OF ASSESSED OWNER

Date \_\_\_\_\_ 20\_\_\_\_

Home Phone No. \_\_\_\_\_ Business Phone No. \_\_\_\_\_

THIS APPLICATION MUST BE COMPLETED ANNUALLY AND SUBMITTED TO CITY HALL NO LATER THAN DECEMBER 31<sup>st</sup> OF EACH YEAR.

IF SITUATIONS CHANGE AND THE SUITE IS RENTED OR OCCUPIED, PLEASE NOTIFY THE CITY HALL AT WHICH TIME ADDITIONAL CHARGES WILL BE LEVIED.

**OFFICE USE  
ROLL NO:**

## ***SCHEDULE “C”***

### **SUPPLEMENTARY DISABILITY FORM FOR SUITE EXEMPTION**

#### **or DISABILITY WAIVER**

#### **A. Patient Information**

|                             |        |                |              |                |      |    |     |
|-----------------------------|--------|----------------|--------------|----------------|------|----|-----|
| Patient's Name: (last name) |        | (first name)   |              |                | Year | Mo | Day |
|                             |        |                |              | Birth<br>Date: |      |    |     |
| Patient's Address:          | Apt. # | Street Number: | Street Name: |                |      |    |     |
| City:                       |        |                | Province:    | Postal Code:   |      |    |     |

“**Extensive Physical Assistance**” means extensive supervision and care which is necessary in order to perform the functions of daily living in the home; for example, preparation of meals, personal care and hygiene. Extensive physical assistance does not include, for example:

- (a) Assistance with activities outside of the home, ie. driving, grocery shopping or recreation.
- (b) Home care provided by a provincial health care or social services government or government funded agency, including but not limited to caregivers.
- (c) Assistance with home repairs and maintenance or yard work.

***Caregiver** shall mean a person who provides extensive physical assistance for a fee (minimum of \$150 per month) to a property owner, or a spouse or parent or child of the property owner provided that the person receiving the care is permanently disabled.*

#### **B. Application (Please complete all sections below)**

|  |                 |                |
|--|-----------------|----------------|
| Is the patient permanently disabled? <b>Please check one:</b>              | <b>Yes</b><br>⇒ | <b>No</b><br>⇒ |
| If <b>Yes</b> , what is the nature of the disability?                      |                 |                |
| Is there any remedial therapy available which would lessen the disability? |                 |                |

## ***SCHEDULE “C” Cont’d***

### **SUPPLEMENTARY DISABILITY FORM FOR SUITE EXEMPTION**

#### **or DISABILITY WAIVER**

|   |                     |                    |
|---|---------------------|--------------------|
| Date patient’s disability was diagnosed:  |                     |                    |
| Does the patient require “extensive physical assistance” in the home as a result of this disability?<br><br><p style="text-align: center;"><b>Please check one:</b></p> | <b>Yes</b><br><br>⇒ | <b>No</b><br><br>⇒ |
| <b>If Yes</b> , Please describe in detail the assistance the patient requires:  |                     |                    |
| Approximate monthly cost of assistance:   |                     |                    |
| Does the patient’s disability require a caregiver to live in the home of the patient?<br><br><p style="text-align: center;"><b>Please check one:</b></p>                | <b>Yes</b><br><br>⇒ | <b>No</b><br><br>⇒ |
| <b>Physician’s Signature:</b>   |                     |                    |

Return completed form to: **City of Port Coquitlam**

**Tax Department**

2580 Shaughnessy Street

Port Coquitlam, BC V3C 2A8

|            |
|------------|
| OFFICE USE |
|------------|

|                 |
|-----------------|
| <b>ROLL NO:</b> |
|-----------------|

**SCHEDULE "D"**

**APPLICATION FOR A SEWER AND WATER USER FEE SUBSIDY.**

I am the owner and occupier of \_\_\_\_\_  
(Address)

I am 65 years of age (or over): my date of birth is \_\_\_\_\_ or I am a designated as a person with disabilities, and receiving disability assistance, hardship assistance or a supplement, under the *BC Employment and Assistance for Persons with Disabilities Act* or is a person with disabilities, or am the spouse or relative with disabilities and the person with disabilities reside with the owner.

I live on the property and consider it to be my principal residence and the property does not contain a suite.

I do not own any other property as defined in the Assessment Act.

There are (including myself) \_\_\_\_\_ person(s) living at the above address. The following is my (our) 2010 income. All income must be shown below, including Pensions, Interest, rent etc.

My total annual net income does not exceed \$22,637 or our household net income does not exceed \$28,182.

I have not applied for a sewer or water user fee subsidy on any other property during this calendar year

**Source of Income**

|   |                              | Amount       |
|---|------------------------------|--------------|
| 1. Owner  | Old Age Pension              | _____        |
|   | Canada Pension               | _____        |
|   | Guaranteed Income Supplement | _____        |
|   | Other Income                 | _____        |
| 2. Spouse and all other<br>occupants of the household | Old Age Pension              | _____        |
|   | Canada Pension               | _____        |
|   | Guaranteed Income Supplement | _____        |
|   | Other Income                 | _____        |
| <b>Total Net Income</b>                               |                              | <b>=====</b> |

I have attached a copy of my (our) 2010 Canada Revenue Agency Notice of Assessment(s)

I understand that I will be required to sign this form each year, as long as I remain eligible for this waiver. I agree to provide the collector with any documentation necessary to establish my eligibility for the waiver, including the 2010 Revenue Canada Notice of Assessment.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE 'CANADA EVIDENCE ACT'.

Print Name \_\_\_\_\_ Signature of Registered Owner \_\_\_\_\_

Phone Number \_\_\_\_\_ Dated at Port Coquitlam, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PLEASE COMPLETE AND RETURN BEFORE DUE DATE TO AVOID PENALTIES.

The personal information on this form is collected under the authority of the Municipalities Enabling and Validating Act and will be used for the purpose of determining eligibility for a waiver per Bylaw No. 3789 and No. 3790. If you have any questions about the use and collection of this information, contact the Tax Collector at 604-927-5426.