

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 1739**



A Bylaw to establish drainage utility fees

CONSOLIDATED FOR CONVENIENCE ONLY

Disclaimer: This Bylaw is a consolidation of the bylaws amending “White Rock Drainage Utility User Fee Bylaw, 2004, No. 1739.” Efforts are made to ensure that this consolidation is current however accuracy and completeness cannot be guaranteed. Original bylaws should be consulted for all interpretations and applications of the bylaw regarding this subject.

Consolidated as of May 2017

TABLE OF CONSOLIDATION			
Bylaw No.	Date of Adoption	Amendment No.	Purpose of Amendment
1810	May 7, 2007	1	Amends Schedule “A”
1841	May 5, 2008	2	Amends Schedule “A”
1867	May 4, 2009	3	Amends Schedule “A”
1886	May 3, 2010	4	Amends Schedule “A”
1940	May 9, 2011	5	Amends Schedule “A”
2022	May 13, 2013	6	Amends Schedule “A”
2049	April 28, 2014	7	Amends Schedule “A”
2081	May 11, 2015	8	Amends Schedule “A”
2138	April 25, 2016	9	Replaces Schedule “A”
2194	May 8, 2017	10	Revised definitions and Replacement Schedule “A”

WHEREAS The Corporation of the City of White Rock (the “City”) operates and maintains a drainage utility; and

WHEREAS the Council of the City wishes to establish fees for various classes of users of the drainage, and exceptions for others having regard to areas, conditions and circumstances.

NOW THEREFORE the Council of the City, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “White Rock Drainage Utility User Fee Bylaw, 2004, No. 1739.

Definitions

2. For the purpose of this bylaw
 - (a) “Annual user fee” means a drainage utility user fee covering the period from January 1st to December 31st in each calendar year, or any portion thereof;
 - (b) “Institutional User” includes a drainage utility user operating a hospital, public school or church on its property;
 - (c) “Owner means:
 - (i) the registered owner of a property, and includes each owner of a separate residential or commercial unit having its own registered title in the Land Title Office; and
 - (ii) in the case of a multi-unit building that has not been stratified, means the registered owner of the property upon which the multiple units are situate; and
 - (d) “Property” includes a parcel of land that is registered in the Land Title Office and, for each Land Zoning category of multi-unit residential or commercial property includes each separate residential or commercial unit on a property.
 - (e) “Civic Property” includes properties owned by the City of White Rock. *(added by 2194)*
3. The provisions of this bylaw do not apply to that geographic area of the City outlined in bold on Schedule “B”.
4. A Civic Property or Institutional User is exempted from the provisions of this bylaw. ~~An Institutional User is exempted from the provisions of this bylaw.~~ *(updated by Bylaw 2194)*
5. For the purposes of this bylaw the classes of users of the drainage utility that are described in column two of Schedule “A” are hereby created. The “Land Zoning”

heading of column two refers to the short-form description of the zoning of land as determined by “White Rock Zoning Bylaw, 2012, No. 2000”.

6. (a) Subject to Sections 3 and 4, each owner of a property within the geographical boundaries of the City is deemed to be a user of the City’s drainage utility.
- (b) Each owner using the City’s drainage utility must pay an annual user fee that is calculated by using the formula set out in Schedule “A”.
- (c) A user fee is payable by the property tax due date for the City in each year. Any user fee plus applicable interest and penalties that has not been paid by the end of the calendar year for which it was charged is deemed to be taxes in arrears and may be collected in accordance with Division 14 of Part 7 of the *Community Charter*, S.B.C. 2003 c.26.
- (d) An annual user fee will not be pro-rated if a person becomes an owner of a newly titled unit and liable to payment of same if the year in which the fee is payable has commenced. The whole of the fee must be paid by the owner of that unit.

RECEIVED FIRST READING on the	13 th	day of	April, 2004
RECEIVED SECOND READING on the	13 th	day of	April, 2004
RECEIVED THIRD READING on the	13 th	day of	April, 2004
RECONSIDERED AND FINALLY ADOPTED on the	26 th	day of	April 2004

MAYOR

CITY CLERK

¹Schedule “A”

Drainage Utility Fees

A fee is based upon parcel size, a runoff factor calculated for each Land Zoning and a city-wide annual rate.

A fee is calculated as follows:

$$A \times R \times \text{rate} = \text{drainage utility fee (but subject to the minimum fee)}$$

Where:

A is - the gross area of a parcel* (square metres) and,

R is - the runoff factor established for a parcel based on the following land use zoning:

R	Land Zoning
0.25	RE-1, RE-2, and RS-1 parcels with an area equal to or greater than 2,000 square metres
0.45	RS-4, RE-3, RT-1, RT-2, CD-7, CD-24, and RS-1 parcels with an area less than 2,000 square metres
0.60	RS-2, CD-10, CD-26
0.65	RS-3, RI-1, RI-2, RM-1, CD-9, CD-25, CD-27, CD-28, CD-30, CD-31, CD-32, CD-35, CD-39, CD-40, CD-41
0.70	RM-2, CD-11, CD-13, CD-15, CD-21, CD-34
0.75	RM-3, RM-4, CD-4, CD-5
0.80	P-3
0.90	P-1, P-2, CR-3, CR-4, CD-3, CD-6, CD-8, CD-14, CD-18, CD-19, CD-20, CD-36, CD-48
0.95	CR-1, CR-2, CR-5, CR-6, CD-2, CD-16, CD-17, CD-23, CD-29

“Rate” is – the annual charge established by the Council of the City, being \$1.2784 per square meter of parcel area.

The minimum drainage utility fee for any property is \$40.00.

* If a parcel has been subdivided into strata units to accommodate residential or commercial uses each unit created will be charged an equal share of the user fee calculated for that parcel.

e.g. A parcel has been developed to create 10 strata units. Each unit owner pays 1/10 of the Fee calculated for the parcel.

¹ Amended by Bylaw No. 2194

Schedule "B"

The City of White Rock

BYLAW NO. 1739 - Schedule B

