

BYLAW

Sechelt Sewage Facilities Commission Bylaw

No. 225, 1994

Consolidated for convenience only June, 2021

This Consolidation includes the following Bylaw Amendments:

225-1, 1995

225-2, 1999

225-3, 2001

225-5, 2021

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of this bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Corporate Officer for the District of Sechelt. Persons interested in the definitive wording of this bylaw and its amendments should view the original bylaws at the District of Sechelt.

DISTRICT OF SEHELDT

Bylaw No. 225, 1994

A Bylaw to Regulate the Sechelt Sewage Facilities Commission

- A. **WHEREAS** the District of Sechelt (the "Municipality") owns a sewage collection system and sewage treatment and disposal facilities for the benefit of the Municipality and the Sechelt Indian Government District (the "S.I.G.D."); and
- B. **AND WHEREAS** Supplementary Letters Patent to the District of Sechelt have created a standing committee in accordance with most aspects of Section 239 of the Municipal Act to be known as the Sechelt Sewage Facilities Commission (the "Commission"); and
- C. **WHEREAS** it is deemed appropriate that the Sechelt Sewage Facilities Commission oversee the operation and maintenance of the district sewage treatment plant and disposal facilities and the sewage collection system,

NOW THEREFORE, the Council of the District of Sechelt (the "Municipal Council") in open meeting assembled, enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as the "Sechelt Sewage Facilities Commission Bylaw No. 225, 1994."

2. **COMPOSITION OF THE COMMISSION**

- (1) The members of the Commission and term of appointment shall be as follows:
 - a) Two voting members of Municipal Council appointed annually by Municipal Council.
 - b) Two voting members appointed annually by the SIGD Council.
 - c) One non-voting member who shall be Chairman of the Commission for a period of one year and who shall be elected by a majority vote of the Commission and shall be a resident of either the Municipality or the S.I.G.D.
- (2) In addition to the above members of the Commission, two alternate members of the Commission may be appointed by Municipal Council as follows:
 - (a) One alternate member who may take the place of, vote, and generally act in all matters as necessary for an absent member of the Municipal Council who sits

on the Commission chosen from among members of Municipal Council;

- (b) One alternate member who may take the place of, vote and generally act in all matters as necessary for an absent member of the Council of the S.I.G.D. who sits on the Commission, chosen from among the members of the S.I.G.D. Council.
- (3) Upon the death or resignation of the Chairman, the Commission shall elect a successor to complete the term, and upon the death or resignation of a member, the Municipal Council or the S.I.G.D. as the case may be shall appoint a new member to complement the requirements of Section 2 (1) above.

3. PROCEDURES

- (1) The Commission may adopt its own detailed rules and procedures, which shall not be inconsistent with the requirements of the Municipal Act or District of Sechelt Procedure Bylaw where applicable.
- (2) A quorum of the Commission shall be three voting members.
- (3) A recommendation or administrative decision of the Commission shall require a majority of three votes.
- (4) The chairman or any two members may call a meeting of the Commission upon giving at least seven days notice to each member and the Chairman.
- (5) The seven day notice period may be waived by consent of the majority of voting members.
- (6) Meetings shall be open to the public except where dealing with those matters permitted by the Municipal Act to be dealt with in-camera.

4. ADMINISTRATIVE SERVICES

The Administrator of the Municipality, or a designated member of the staff of the Municipality, shall be the Secretary of the Commission and shall be responsible for the transactions and other business of the Commission and the Clerk of the Municipality, or a designate shall be responsible for the preparation, maintenance and safe keeping of the minute books and other records of the Commission.

5. ADMINISTRATIVE POWERS

The following administrative powers are hereby delegated to the Commission:

- (1) The Commission may determine the manpower requirements for the operation and maintenance of the district sewage treatment and disposal facilities;
- (2) The Commission may determine the fees to be charged for permitting the discharge of septic tank effluent into the sewerage system in conjunction with sewage treatment and disposal;
- (3) The Commission may determine the price to be charged for any compost material produced by the sewage treatment and disposal facilities;
- (4) The Commission may select and procure operating and maintenance equipment, subject to available funding in the budget, to be used in conjunction with sewage treatment and disposal facilities;
- (5) The Commission may determine the ratio of cost sharing of sewage facilities between the S.I.G.D. and the Municipality based on consideration of sewage volumes and infrastructure and may act as liaison between Municipal Council and the S.I.G.D.
- (6) The Commission may consider proposals related to the expansion of facilities or use of the facilities in relation to sewage treatment and disposal.
- (7) The Commission may recommend to Council the adoption of bylaws or amendments to bylaws relating to the disposition of any debt or debt retirement funds which may be available.

6. DUTIES OF THE COMMISSION

- (1) The Commission must exercise the Administrative Powers in Section 5 above, as delegated to it by Municipal Council.
- (2) The Commission must advise Municipal Council on sewage collection, treatment and disposal matters on its own initiative, and where such matters are referred to it by Municipal Council or the S.I.G.D.
- (3) The Commission must meet at least five (5) times per year and at such additional times as it deems necessary to fulfill its duties.
- (4) The Commission must administer the Public Sewer Bylaw No. 112, 1991 of the District of Sechelt.

- (5) The Commission must review and recommend a Draft Financial Operating Plan for the Commission for submission to Municipal Council, prior to December 15th of each year and shall thereafter review and recommend a Final Budget so as to be available for final consideration by Municipal Council and inclusion in the Financial Plan Bylaw of the municipality prior to May 15th of each year, or as otherwise required under the terms of the *Local Government Act*.

7. **REMUNERATION FOR THE CHAIR**

The Chairman shall be provided with an honorarium of \$150.00 (One Hundred Fifty Dollars) for attendance at each Sechelt Sewage Facilities Commission meeting.

READ A FIRST TIME on the 1st day of February, 1994

READ A SECOND TIME on the 1st day of February, 1994

READ A THIRD TIME on the 1st day of February, 1994

RECONSIDERED AND FINALLY ADOPTED on the 16th day of February, 1994.

Mayor

Municipal Clerk