

AGENDA
MUNICIPAL SERVICES COMMITTEE MEETING
MONDAY, FEBRUARY 25, 2019
COUNCIL CHAMBERS, LADYSMITH CITY HALL
6:30 P.M.

Mandate -To advise Council on a broad spectrum of issues related to departmental matters

CALL TO ORDER

1. AGENDA APPROVAL

2. MINUTES

- 2.1. Minutes of the Municipal Services Committee Meeting held January 14, 2019 1 - 3

3. COUNCIL SUBMISSIONS

- 3.1. Cannabis Consultation..... 4 - 12

Councillor Stevens has requested that the Committee discuss the intent and value of conducting a consultation on the retail sale of cannabis in Ladysmith. Cannabis sales are currently prohibited in Ladysmith’s zoning bylaw. The intent of the survey is to determine public preference for location and number of retail cannabis outlets in the community. The previous Council budgeted up to \$20,000 from the previous year’s surplus for this consultation, and also directed that a survey be mailed to every household in Ladysmith, with the option to complete online instead.

Additional background information is attached.

Recommendation

That the Committee recommend that Council cancel the proposed community consultation on the retail sale of cannabis in Ladysmith.



3.2. Water and Sewer Rate Subsidy Program 13 - 26

Councillor Stevens has requested that the Committee consider developing recommendations for a water and sewer rate subsidy program for residents with a very low income.

Related information is attached. Statistics Canada census information for Ladysmith is available at the following link: <https://bit.ly/2SfT99E>

Recommendation

That the Committee direct staff to explore options for a sewer and water rate subsidy program for the benefit of low-income residents of the Town of Ladysmith.

3.3. Water and Parcel Tax Utility Billing Options 27 - 43

Councillor Stevens has requested that the Committee consider developing a recommendation to add water and sewer parcel taxes to the quarterly utility bills, rather than adding them to the annual property tax bills, in order to spread some of the tax burden out over the course of the year for residents.

The water and sewer regulations bylaws, some background information about parcel taxes, and a summary of parcel tax and utility accounts are attached.

Recommendation:

That the Committee direct staff to investigate alternatives to sewer and water parcel taxes and report back with options at a future meeting of the Committee.

3.4. Ladysmith Harbour Authority 44 - 59

Councillor Paterson has requested that the Committee discuss the matter of possible Town participation in the Harbour Authority responsible for the small craft harbour in Ladysmith (Ladysmith Fishermen’s Wharf Association)

Recommendation:

That the Committee recommend that Council approach the Harbour Authority expressing their interest in providing a representative from the Town to sit on the board of the Ladysmith Fishermen’s Wharf Association.

ADJOURNMENT

**MINUTES OF A MEETING OF THE
MUNICIPAL SERVICES COMMITTEE
MONDAY, JANUARY 14, 2019
CALL TO ORDER 6:31 P.M.
COUNCIL CHAMBERS, LADYSMITH CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Amanda Jacobson
Councillor Tricia McKay	Councillor Marsh Stevens
Councillor Jeff Virtanen	Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Robert Johnson

STAFF PRESENT:

Felicity Adams	Geoff Goodall (Acting CAO)
Clayton Postings	Joanna Winter
Sue Bouma	

CALL TO ORDER

Councillor Paterson called this Meeting of the Municipal Services Committee to order at 6:31 p.m., recognizing the traditional territory of the Stz'uminus People.

AGENDA APPROVAL

MS 2019-001

Moved and seconded:

That the agenda for this January 14, 2019 meeting of the Municipal Services Committee be approved.

Motion carried.

MINUTES

MS 2019-002

Moved and seconded:

That the minutes of the Municipal Services Committee meeting held June 11, 2018 be approved.

Motion carried.

DELEGATIONS

Mary Desprez, Transport Canada's Interim Protocol: Freighters in the Harbour

Ms. Desprez thanked the Committee for the opportunity to present the concerns of a group of citizens regarding the environmental impact of freighters parked in the harbour and emphasized the need to hold the federal government and industry accountable.

She invited Council to the regional alliance meeting on January 25th in Duncan.

The Committee thanked Ms. Desprez for her presentation and invitation, and noted that the Town had expressed concerns to the Ministry of Transport and other government bodies regarding the Interim Protocol for Use of Southern BC Anchorages in 2018.

Ladysmith Arts Council, Town of Ladysmith Public Arts Strategy: Caring for Every Corner of Community

The Director of Parks, Recreation and Culture gave the Committee a brief overview to the Ladysmith Public Arts Strategy project and introduced the Ladysmith Arts Council spokesperson, Lacey McRae Williams.

Ms. McRae Williams provided the Committee with a framework to the project, describing it as a grassroots arts strategy that had been defined by the community. She discussed the variety of public engagement and consultation the Arts Council used to define the outcomes of the report, noted the project scope, reviewed the key findings of their research and the guiding principles they had developed, and made recommendations to the Committee for moving forward.

Ms. McRae Williams responded to the Committee's questions regarding stakeholders, funding models and budget. The Committee thanked Ms. McRae Williams and the Arts Council for their excellent report and presentation and recommended that any questions from the public regarding the project be directed to Clayton Postings, the Director of Parks, Recreation and Culture.

Amy Melmock, Manager, Economic Development Cowichan: January 2019 Update

Amy Melmock, Manager of Economic Development Cowichan, presented the Committee with an update for the region, noting that the Economic Development Committee's sector focus has expanded beyond the agriculture, tourism and film objectives of 2015 to include tech, manufacturing, value-added forestry and a renewed focus on food processing and film attraction in 2019.

Ms. Melmock reviewed next steps with the Committee and answered their questions. She expressed the need for affordable housing in the region in order to attract a younger demographic.

The Committee thanked Ms. Melmock for her informative presentation.

REPORTS

Cowichan Valley Regional District Transit Bylaw Amendment for Ladysmith Approval

Moved and seconded:

MS 2019-003

That the Committee recommend that Council consent to the adoption of Cowichan Valley Regional District Bylaw 4237 - Transit Service Amendment Bylaw 2018.

Motion carried.

Building Inspector's Report to December 31, 2018

Moved and seconded:

MS 2019-004

That the Committee receive the Building Inspector's Report for 2018.

Motion carried.

Ladysmith Fire/Rescue Reports for April to November 2018

Moved and seconded:

MS 2019-005

That the Committee receive the Ladysmith Fire/Rescue Reports for the months April to November 2018.

Motion carried.

Coastal Animal Control Services Reports for January to September 2018

Moved and seconded:

MS 2019-006

That the Committee receive the Coastal Animal Control Services Reports for the months January to September 2018.

Motion carried.

ADJOURNMENT

Moved and seconded:

MS 2019-007

That this meeting of the Municipal Services Committee adjourn at 7:55 p.m.

Motion carried.

CERTIFIED CORRECT:

Chair (Councillor D. Paterson)

Corporate Officer (J. Winter)

PREVIOUS COUNCIL DIRECTION – CANNABIS SALE IN LADYSMITH

Resolution	MeetingDate	ResolutionDetails
CS 2018-346	2018-09-17	That Council: 1. Approve the proposed public survey on the retail sale of cannabis in Ladysmith 2. Direct that the survey be mailed to every household in Ladysmith
CS 2018-347	2018-09-17	That Council direct staff to investigate recent regulations regarding cannabis cultivation restrictions and adjust the public survey accordingly if necessary.
CS 2018-113	2018-04-16	That Council establish a budget of \$20,000 to support public consultation on the retail sale of non-medical cannabis in Ladysmith, with the funds to come from surplus, and direct staff to amend the Financial Plan accordingly.
CS 2018-114	2018-04-16	That the Mayor appoint three members of Council, including the Mayor, to an ad hoc Committee of Council to support the public consultation process on the retail sale of non-medical cannabis in the Town of Ladysmith.

COMMITTEE REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services, FOR THE Cannabis Consultation Committee

Meeting Date: September 17, 2018

File No:

RE: PUBLIC CONSULTATION ON THE RETAIL SALE OF CANNABIS IN LADYSMITH

RECOMMENDATION:

That Council:

1. Approve the proposed public survey on the retail sale of cannabis in Ladysmith
2. Direct that the survey be mailed to every household in Ladysmith
3. Confirm whether it wishes to seek additional community input through other forms of public engagement such as Place Speak and/or, community meeting(s).

PURPOSE:

The purpose of this report is to provide an update to Council on the work of the Council Committee on the Retail Sale of Cannabis in Ladysmith.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2018-113	2018-04-16 00:00:00	That Council establish a budget of \$20,000 to support public consultation on the retail sale of non-medical cannabis in Ladysmith, with the funds to come from surplus, and direct staff to amend the Financial Plan accordingly.
CS 2018-114	2018-04-16 00:00:00	That the Mayor appoint three members of Council, including the Mayor, to an ad hoc Committee of Council to support the public consultation process on the retail sale of non-medical cannabis in the Town of Ladysmith.
CS 2018-115	2018-04-16 00:00:00	That Council direct the ad hoc Committee to use the 'Municipal Guide to Cannabis Legislation' - the framework provided by the Federation of Canadian Municipalities - to develop recommendations on locational or other criteria and a desired public input strategy and scope for Council's consideration with respect to the retail sale of non-medical cannabis in the Town of Ladysmith prior to embarking on a public consultation on the matter.

DISCUSSION:

The retail sale of cannabis in Ladysmith is currently prohibited through the Zoning Bylaw. Council established a Committee to seek public input on this matter. Once input has been received, amendments to the Zoning Bylaw can be developed as required to establish a regulatory framework for cannabis sales.

The committee members are Mayor Stone, Councillor Paterson and Councillor Arnett, supported by the Chief Administrative Officer, Manager of Legislative Services and Legislative Services Administrative Coordinator.

Also participating as resource experts to the Committee were Ladysmith RCMP Detachment Commander S/Sgt. Ken Brissard, and Town Bylaw Officer Robin MacNair. Over the course of its meetings, the Committee developed the attached policy framework to guide consultation, and drafted the attached public survey.

The committee considered a variety of ways to administer the survey, and is recommending that a hard copy be mailed to every household in the Town of Ladysmith, in order to ensure the broadest possible opportunity for public input. The mail out will include a postage paid envelope for returning completed surveys.

The survey will be designed by a professional graphic designer.

At the same time, staff are developing a number of communications tools, including a dedicated website page that will provide facts, questions and links to legislation and resources produced by the federal and provincial governments. When the survey is distributed, residents will be encouraged to complete and return the survey through media releases, social media, the Town's electronic and utility bill newsletters, and advertising.

SUMMARY POINTS

Council established a committee to develop recommendations for Council on means to seek public input on the retail sale of Cannabis in Ladysmith. Recommendations are presented for Council's consideration and direction.



Manager of Legislative Services

September 11, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

Retail Sale of Cannabis in Ladysmith

Please complete this survey and mail it in the enclosed postage-paid envelope by **date**

OR

Visit www.ladysmith.ca and complete the online form.

Your feedback is important to help Council decide how to regulate the retail sale of non-medicinal cannabis (marijuana) in Ladysmith.

Introduction/Background

Recreational cannabis became legal in Canada on October 17, 2018. 'Cannabis' refers to any product made from the leaves and flowers of the cannabis plant. It is also commonly known as marijuana, weed or pot. It can be smoked, used with a vaporizer, or added to food or drinks. Only dried and fresh cannabis, cannabis oils and seeds, and plants for personal cultivation will be legal for purchase. The sale of edible products will remain illegal until legislation allows otherwise.

The Province of B C has recently announced how it will regulate the sale and use of cannabis in this province. Many topics related to the legalization of cannabis are beyond the powers of the Town of Ladysmith (see the chart below). We want to hear from you about where cannabis should be sold in Ladysmith. Please visit our website for background information, FAQs, and more.

Legalization of Recreational Cannabis – Who's Responsible for What?

Federal Government	BC Government	Town of Ladysmith (within the federal and provincial legislation)
Possession limits	Set the minimum age to possess, buy or consume cannabis (19)	Zoning and business licensing to determine where cannabis stores may be located
Taxation	Allows adults to possess up to 30 grams of cannabis in a public place	Identifying where consuming cannabis will be allowed in Ladysmith (through the Smoking Regulation Bylaw)
Regulatory compliance	Prohibits cannabis smoking and vaping everywhere tobacco smoking and vaping are prohibited, as well as at playgrounds, sports fields,	Setting rules on public visibility and security requirements for growing cannabis plants at home to ensure public safety and limit nuisances (such as

	skate parks, and other places where children commonly gather	odours and visibility).
Education	Authorizes adults to grow up to four cannabis plants per household, but the plants must not be visible from public spaces off the property, and home cultivation will be banned in homes used as day-cares	
Setting minimum regulatory standards that the province may uphold or further restrict	Established a cannabis retail licensing regime similar to the current licensing regime for liquor	

Government of Canada <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/laws-regulations.html>

Government of British Columbia <https://www2.gov.bc.ca/gov/content/safety/public-safety/cannabis>

Town of Ladysmith <http://www.ladysmith.ca/>

We are looking for your feedback on the sale of recreational cannabis Ladysmith.

This is an anonymous survey. We will not see your personal information, and we will not share it. Thank you for taking the time to tell us what you think about this important issue.

- How many retail cannabis businesses should be allowed in the Town of Ladysmith?
0 1 2 5 No limit on number
- How far apart from each other do you think cannabis outlets should be located?
1 kilometre 500 metres 200 metres No restriction Not permitted
- Where do you think cannabis retail sales should be allowed? (Check all that apply)
Downtown only
Coronation Square only
Coronation Square and Downtown

- Anywhere retail sales are currently allowed
- Industrial park
- Specific locations only on application for approval by Council
- Nowhere
- Other (please specify)

4. Should Ladysmith establish distance rules between cannabis outlets and other uses?

- Yes
- No

5. If you answered yes to question 4, which uses should the distance rules apply to? *(please check all that apply)*

- Schools
- Playgrounds
- Park entrances
- Retirement Homes
- Seniors Centre
- Day cares
- Other (*specify*) _____

6. If you believe distance rules should be established, what should they be?

- 1 kilometre
- 500 metres (approximately 5 blocks)
- 200 metres (approximately 2 blocks)
- 100 metres (approximately 1 block)
- I don't think cannabis should be sold in Ladysmith

LADYSMITH CANNABIS REGULATION – STATUS

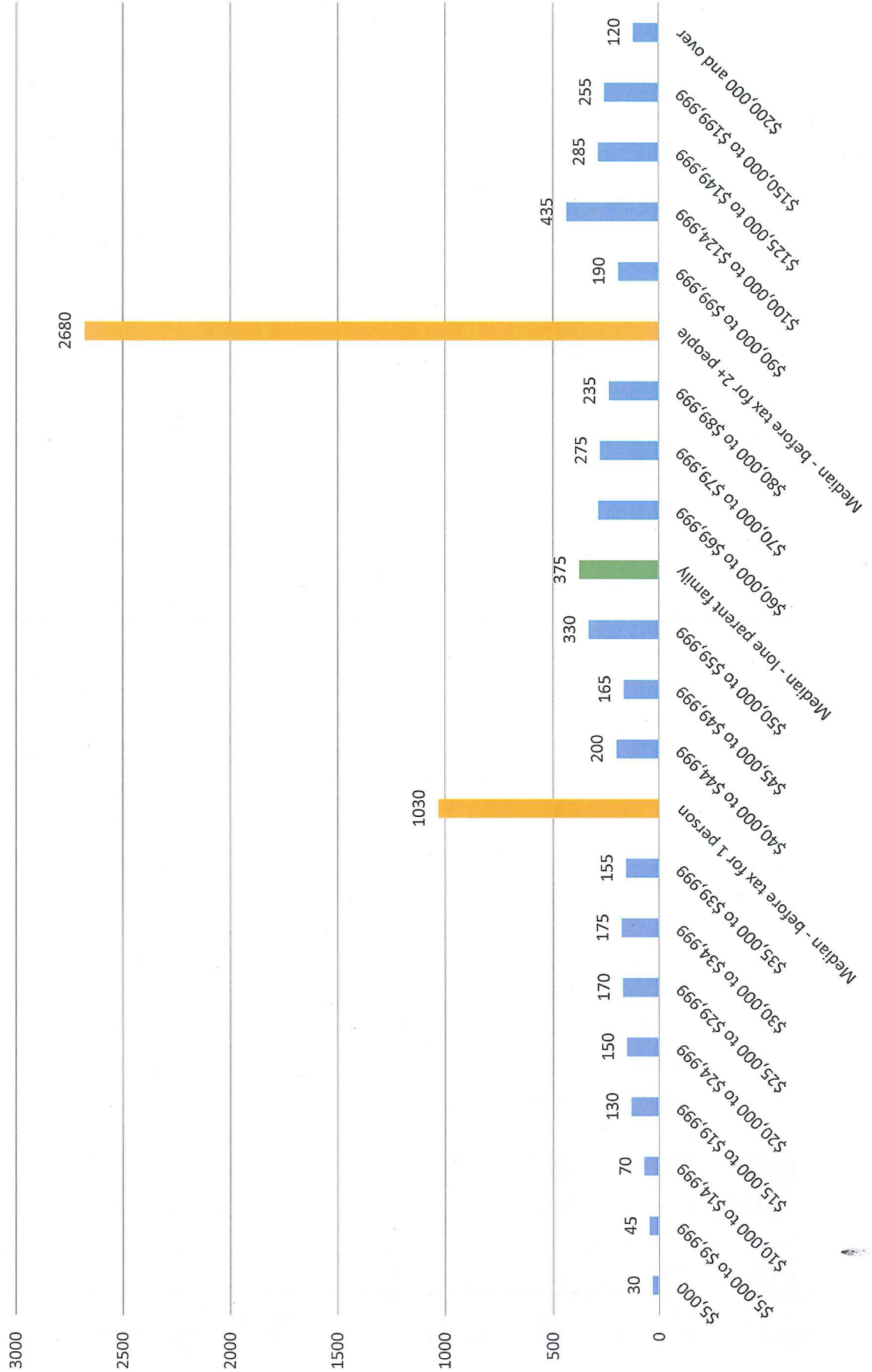
Chart to be completed as additional information is available or committee makes recommendations

ISSUE	PROPOSED LEGISLATION OR REGULATION	CURRENT LADYSMITH STATUS	COMMITTEE POSITION	COMMENTS (Staff, RCMP, Bylaw)
Zoning (density, location)	<ul style="list-style-type: none"> N/A 	Retail sales of cannabis not permitted in Ladysmith	Allow retail sales of cannabis with restrictions	<ul style="list-style-type: none"> Do not do site-specific rezoning as the rezoning will outlive the individual business (loss-of-control)
Retail Locations	<ul style="list-style-type: none"> Unclear whether local governments can regulate location of federal or provincial outlets Cannabis products must not be visible from outside the store (federal) 	Banned by Ladysmith zoning bylaw	Maximum two; staff will provide distance information regarding schools, community spaces, places where children normally congregate and parks	<ul style="list-style-type: none"> Retail locations to be allowed in commercial zoned areas only
Retail Display Restrictions			Privacy and Discretion from outside in compliance with street bylaw; make special permit with additional requirements such as design and sign content; window display content	<ul style="list-style-type: none"> Consider frosted glass windows No advertising that would appeal to kids Build on other municipalities' best practices Create a guide that gives clear directives Add requirement for window protection (e.g. security bars or film) No restrictions about inside merchandising

Home Cultivation	<ul style="list-style-type: none"> 4 plants allowed, must not be visible from public places (provincial) Strata councils, landlords, can prohibit cultivation (provincial) 	<ul style="list-style-type: none"> Retailers must be licensed by the province (provincial); local government approval required before licence will be issued (provincial). Ladysmith can establish rules around local business licence requirements Cannot sell in the same store as liquor or tobacco (provincial) 	Outdoor cultivation not allowed; indoor cultivation of a maximum of four plants, using CSA approved equipment allowed, no permit required; indoor cultivation not allowed in accessory buildings (green houses, garages, etc.)	
Business Licensing			Staff will review business licensing requirements, taking into consideration higher application fees and higher annual business licence fees for cannabis retail outlets, as well as window security and closed circuit video requirements	<ul style="list-style-type: none"> Possibly need a Town discussion paper for applicants explaining the rationale behind the higher fees as it relates to provincial requirements
Building codes		None	Insurance will help to regulate	Ladysmith could bring in amendments to Building Bylaw (mostly regarding safety)
Nuisance		Nuisance Bylaw may be a way to address odour or other related nuisances	Use await and see approach (track complaints).	Follow example of more urbanized communities
Smoking Restrictions	Same restrictions as apply to smoking in BC (provincial)	Ladysmith smoking regulation bylaw to be brought for first three readings on May 7	Smoking bylaw will address.	Communications strategy has been developed
Odours			This issue will be tied to the nuisance issue	Ladysmith can include in Nuisance Bylaw if necessary after tracking complaints
Municipal Workplace Safety		In development	Human Resources Manager developing an internal policy	

Enforcement	To discuss with RCMP	Covered in previous categories	Bylaw Officer and S/Sgt. Brissard have been invited to next Committee meeting
<p>Regulations re Public Consumption</p> <ul style="list-style-type: none"> • Minimum age 18 (federal) • Minimum age 19 (provincial) • Max. 30 grams in a person's possession in a public place (provincial) • Zero tolerance for possession/driving under 19 (provincial) • No consumption while driving (provincial) 	<p>Draft smoking bylaw; consumables not yet under consideration by federal government</p>	<p>This will need to be addressed at the Provincial level.</p>	
<p>Personal Possession</p>	<p>Maximum 30 grams in public place (provincial)</p>		
<p>Policing/ Enforcement</p>			
<p>Costs Related to Local Policing</p>			
<p>Consumables</p>	<p>Federal legislation on consumables will not be introduced this year</p>		

of households in each income bracket
 Statistics Canada - Ladysmith
 Household after-tax income groups in 2015 for private households





**Resident Application
SEWER & WATER USER FEE SUBSIDY**

As per City of Nanaimo Bylaw 7095.01

ACCOUNT #: _____

1. I/We own & occupy the residence at _____
(Property address)
And hereby request application/renewal for a 50% reduction to the base charges for City of Nanaimo water & sewer services, as per the age & income requirements.
2. Owner/Applicant's Name: _____
3. Date of Birth (must be 65 years of age or over to qualify): _____
DD/MM/YYYY
4. Owner/Applicant's Total Income from previous year (from "Line 150" of the Canada Revenue Agency Income Tax and Benefit Return): _____
5. Additional Owner or Spouse's Name (if applicable): _____
6. Owner #2 or Spouse's Total Income from previous year (from "Line 150" of the Canada Revenue Agency Income Tax and Benefit Return): _____
7. Is there any other people living with you at this address? Yes No
If "Yes", how many? _____
8. Each Additional Resident's Total Income from previous (from "Line 150" of the Canada Revenue Agency Income Tax and Benefit Return): _____

I understand that my eligibility for this subsidy may be reviewed at any time and I agree to provide the City of Nanaimo any documentation required as proof of my income as it relates to this grant.

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'.

If any adjustments are required to your account, you will see them on your next user rates statement.

Print Name

Signature of Registered Owner

Phone Number

Date signed

PLEASE NOTE: YOU MUST ATTACH A COPY OF THE MOST RECENT CANADA REVENUE AGENCY INCOME TAX & BENEFIT RETURN STATEMENT FOR EACH PERSON LISTED ABOVE BEFORE YOUR ACCOUNT WILL BE REVIEWED.

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 user fee subsidy per Bylaw 7095.01. If you have any questions about the use and collection of this information, contact the Legislative Services Department at (250) 755-4405.

Service & Resource Centre: 411 Dunsmuir Street

Mail: 455 Wallace Street, Nanaimo, BC V9R 5J6

▪ Phone (250) 755 4416 ▪ Fax (250) 755 4440 ▪ Email userrates.info@nanaimo.ca ▪ Web www.nanaimo.ca

CITY OF NANAIMO

BYLAW NO. 7095

A BYLAW TO PROVIDE FOR USER FEE SUBSIDIES

WHEREAS the Council may, by bylaw, waive any part of any tax, rate, or charge imposed for the purpose of providing water, sewer or pollution control and abatement facilities, with respect to their application to property owned and occupied by any class of citizens of sixty-five years of age or over specified in the bylaw;

AND WHEREAS it is deemed that some persons who are paying taxes, rates or charges for water and sewer services for property in the City are persons in special circumstances where additional benefits are warranted; and

AND WHEREAS it is deemed that the rates as set out in the current Sewer Regulation and Charge Bylaw and the current Waterworks Rate and Regulation Bylaw are deemed to place an undue burden upon persons in special circumstances;

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "USER FEE SUBSIDY BYLAW 2009 NO. 7095".
2. In this Bylaw, unless the content otherwise requires:
"Property" means property as defined in the *Assessment Act*;
3. (1) Every owner and occupier of property who:
 - (a) is sixty-five years of age or over; and,
 - (b) whose total monthly income does not exceed \$1,500 per person or \$2,470 per household;

shall be considered persons in special circumstances where additional benefits are warranted and shall upon application be entitled to a waiver of fifty (50) percent of the minimum charges for user fees levied under the current Sewer Regulation and Charge Bylaw and the current Waterworks Rate and Regulation Bylaw.



Regular Property Tax Deferment Program

The regular tax deferment program is a low interest loan program that allows you to defer paying all or part of your property taxes on your principal residence if you're:

- 55 or older,
- a surviving spouse of any age, or
- a person with disabilities.

Find out what the program qualifications are for:

- You (the applicant)
- Your property
- Equity in your property

Applicant Qualifications

To qualify for this program, you must:

- Be a Canadian citizen or permanent resident of Canada
- Be a registered owner of the property
- Have lived in B.C. for at least one year prior to applying
- Pay property taxes for the residence to a municipality or the province
- Have paid all previous years' property taxes, utility user fees, penalties and interest

and you must be either

- age 55 or older this year (only one owner must be 55 or older any time during the current calendar year), or
- a surviving spouse of any age who isn't currently the spouse of another person, or
- designated as a person with disabilities under the *Employment and Assistance for Persons with Disabilities Act*, or
- a person with disabilities and in the opinion of a physician, your severe mental or physical impairment:
 - is likely to continue for at least two years, and
 - directly and significantly restricts your ability to perform daily living activities, either continuously or periodically for extended periods, and
 - as a result of those restrictions, requires you to have an assistive device, the significant help or supervision of another person, or the services of an assistance

animal to perform those activities

Property Qualifications

To qualify for this program, your eligible property must:

- Be your principal residence (where you live and conduct your daily activities), and
- Be taxed as residential (class 1)

Your property doesn't qualify for tax deferment if:

- You don't meet ALL program qualifications
- Your current year property taxes have already been paid in full
- You owe overdue property taxes in arrears for previous years
- It's a second residence like a cottage, summer home or rental home
- The property is taxed by a First Nation
- The property title is entirely in the name of the executor/executrix, or an administrator of the deceased owner's estate
- The property title is entirely in trust
- The property is leased from the Crown or Municipality
- It's a float home or a home on stilts that doesn't have a property title registered with the Land Title Office
- It has a Caveat other than Public Guardian and Trustee
- It has a Certificate of Pending Litigation or an Injunction
- It has a judgment registered on title (judgments expire two years after registration or renewal unless it's non-expiring)

Contact your lender prior to applying to ensure approval into the program does not conflict with the terms of your loan.

Note: If there's an option to purchase on the property title, the property may not qualify for deferment. Contact us for more information before you apply.

Equity Requirements

You must have and maintain a minimum equity of 25% of the property's assessed value. This means that all charges registered against your property plus the amount of taxes you want to defer can't be more than 75% of the BC Assessment value of your property in the year you apply.

[Find out how equity is calculated.](#)

How to Apply

Before you apply for this program you need to find out if you're eligible by completing the property tax deferment eligibility calculator for this program. The calculator will ask you a series of questions to ensure you meet all program requirements.

Note: This eligibility calculator does not auto populate your application form.

To help you answer the questions on the calculator, we recommend you have the following information available:

- Annual property tax notice
- Current assessment notice from BC Assessment (issued in January)
- Current mortgage statement
- Line of credit statement indicating the credit limit
- House insurance documents

Note: Some firewall protection settings may prevent our emails coming to you. Please add taxdeferment@gov.bc.ca to your contacts so our emails do not go into your spam or junk folder.

If you do not indicate an email address on your application, our office will send correspondence requesting information by mail. Ensure you are regularly monitoring your email or mail. Failure to respond to any requested information by the given due date will result in your application being rejected.

You'll find out how to apply for this tax deferment program once you successfully complete the eligibility calculator.

Click on the link below to get started:

[Property Tax Deferment Eligibility Calculator – Regular Program](#)

Do You Qualify?

Make sure you meet all program qualifications before you apply.

Use our [Tax Deferment Eligibility Calculator – Regular Program](#) to find out if you're eligible to apply.

You can access the application after you complete the calculator.

Understanding Equity

Go to our [Understanding Equity](#) page to learn about:

- Equity requirements for our tax deferment programs
- How the equity in your home is calculated

Resources

- [Annual Renewal and Statement of Account](#)
- [Interest and Fees](#)

- [B.C. Assessment](#)
- [Land Title Survey Authority](#)
- [Personal Property Registry](#)

Contact Information

Contact us with your questions about deferring your property taxes.

Office:

Toll free 1 888 355-2700

Office:

250 387-0555

Email:

TaxDeferment@gov.bc.ca



Families with Children Tax Deferment Program

The families with children tax deferment program is a low interest loan program that allows you to defer paying all or part of your property taxes on your principal residence if you are financially supporting a child under certain circumstances.

Find out what the program qualifications are for:

- You (the applicant)
- Your property
- Equity in your property

Applicant Qualifications

To qualify for this program you must:

- be a Canadian citizen or permanent resident of Canada,
- be a registered owner of the property ,
- have lived in B.C. for at least one year prior to applying,
- pay property taxes for the residence to a municipality or the province, and
- have paid all previous years' property taxes, penalties and interest

and you must be financially supporting:

- any child who is under the age of 18 and living with you full time or part time or who doesn't live with you but you pay support for the child, or
- your own child or stepchild of any age that is attending an educational institution (e.g. college or university), or
- your own child or stepchild of any age who is designated as a person with disabilities under the *Employment and Assistance for Persons with Disabilities Act*, or
- your own child or stepchild of any age that, in the opinion of a physician, has a severe mental or physical impairment that:
 - is likely to continue for at least two years,
 - directly and significantly restricts their ability to perform daily living activities, either continuously or periodically for extended periods, and
 - as a result of those restrictions, they require an assistive device, the significant help or supervision of another person, or the services of an assistance animal to help perform those activities

Note: You may need to show proof that you're financially supporting a child under the age of 18 who doesn't live with you.

Property Qualifications

To qualify for this program, your eligible property must:

- Be your principal residence (where you live and conduct your daily activities), and
- Be taxed as residential (class 1)

Your property doesn't qualify for tax deferment if:

- You don't meet ALL program qualifications
- Your current year property taxes have already been paid in full
- You owe overdue property taxes in arrears for previous years
- It's a second residence like a cottage, summer home or rental home
- You pay the property taxes for the residence to a First Nation
- The property title is entirely in the name of the executor/executrix, or an administrator of the deceased owner's estate
- The property title is entirely in trust
- The property is leased from the Crown or Municipality
- It's a float home or a home on stilts that doesn't have a property title registered with the Land Title Office
- It has a Caveat other than Public Guardian and Trustee
- It has a Certificate of Pending Litigation or an Injunction
- It has a judgment registered on title (judgments expire two years after registration or renewal unless it's non-expiring)

Contact your lender prior to applying to ensure approval into the program does not conflict with the terms of your loan.

Note: If there's an option to purchase on the property title, the property may not qualify for deferment. Contact us for more information before you apply.

Equity Requirements

You must have and maintain a minimum equity of 15% of the property's assessed value. This means that all charges registered against your property plus the amount of taxes you want to defer can't be more than 85% of the BC Assessment value of your property in the year you apply.

Find out how your equity is calculated.

How to Apply

Before you apply for this program you need to find out if you're eligible by completing the property tax deferment eligibility calculator for this program. The calculator will ask you a series of questions to ensure you meet all program requirements.

To help you answer the questions on the calculator, we recommend you have the following information available:

- Annual property tax notice
- Current assessment notice from BC Assessment Authority
- Current mortgage statement
- Current line of credit statement indicating the credit limit
- House insurance documents

Note: Some firewall protection settings may prevent our emails coming to you. Please add taxdeferment@gov.bc.ca to your contacts so our emails do not go into your spam or junk folder.

If you do not indicate an email address on your application, our office will send correspondence requesting information by mail. Ensure you are regularly monitoring your email or mail. Failure to respond to any requested information by the given due date will result in your application being rejected. You'll find out how to apply for this tax deferment program once you successfully complete the eligibility calculator.

Click on the link below to get started:

[Property Tax Deferment Eligibility Calculator - Families with Children Program](#)

Do You Qualify?

Make sure you meet all program qualifications before you apply.

Use our [Tax Deferment Eligibility Calculator – Families with Children Program](#) to find out if you're eligible to apply.

You can access the application after you complete the calculator.

Understanding Equity

Go to our [Understanding Equity](#) page to learn about:

- Equity requirements for our tax deferment programs
- How the equity in your home is calculated

Resources

- [Annual Renewal and Statement of Account](#)
- [Interest and Fees](#)
- [B.C. Assessment](#)
- [Land Title Survey Authority](#)
- [Personal Property Registry](#)

Contact Information

Contact us with your questions about deferring your property taxes.

Office:

Toll free 1 888 355-2700

Office:

250 387-0555

Email:

TaxDeferment@gov.bc.ca

**PROPERTY TAX PREPAYMENT PLAN
PRE-AUTHORIZED DEBIT (PAD) AGREEMENT**

Participants in the Property Tax Prepayment Plan will be automatically renewed each year

1. Customer Information (Please print clearly)			
Name:		Folio No.: _ _ _ _ . _ _ _	
Address:		Postal Code:	
Phone No:	Email Address:		
2. Bank Account Information *Please provide a void cheque or have your financial institution stamp this form.*			
Name of Financial Institution:			
Address of Financial Institution:			
Institution Number:	Branch Transit:	Number:	
3. Choose and Initial only one of the following options:			
OPTION 1:	<input type="checkbox"/> I choose the Calculated Monthly Prepayment	Amount:	Initial:
OPTION 2:	<input type="checkbox"/> I choose the Fixed Monthly Prepayment	Amount:	Initial:
Provincial Home Owner Grant: If eligible, indicate which grant is applicable:	<input type="checkbox"/> Basic Grant	<input type="checkbox"/> Additional Grant (over 65 years) - Birthdate: (mm/dd/yy)	
4. Property Owner / Account Holder Agreement and Authorization (must be signed)			
<ul style="list-style-type: none"> I/We understand that I/we are governed by the Terms and Conditions of the Property Tax Prepayment Plan (shown on reverse side of this agreement) as they exist at any given time as per the Property Tax Prepayment Bylaw 2014, No. 1851. I/We the undersigned have read and agree to the Terms and Conditions of the Property Tax Prepayment Plan and hereby authorize the Town of Ladysmith to deduct monthly payments from my account for the prepayment of my/our property taxes on the 1st day of each month from August to May (10 payments) in accordance with these Terms and Conditions. No deductions will be made in June or July. The treatment of each payment shall be the same as if the undersigned(s) had personally issued a cheque. I/We understand that any delivery of this authorization to the Town of Ladysmith constitutes delivery by me to my financial institution and I/we certify that all information provided with respect to the account is accurate. I/We warrant and guarantee that all persons whose signatures are required to sign on the account have signed this authorization. I/We agree to waive the requirement under the CPA rules to receive written notification or require advance notice of a regular recurring PAD from my/our bank account prior to each PAD being processed. I/We acknowledge and understand that I/we must apply for the Provincial Home Owner Grant (if eligible) and pay any remaining amounts by the tax due date in July each year to avoid statutory penalties. And that participation in the property tax prepayment plan is not a substitute for claiming the grant. 			
Account Holder Information:		Joint Account Holder Information: (if applicable):	
Name:		Name:	
Date:		Date:	
Signature:		Signature:	

Please sign and return this original Authorization with a **VOID BLANK CHEQUE** to the address below.



Terms and Conditions of the Property Tax Prepayment Plan

Property owners may prepay their property taxes for the following year by making monthly payments, in accordance with the provisions of Town of Ladysmith Property Tax Prepayment Plan Bylaw 2014, No. 1851.

Eligibility Requirements:

Property owners wishing to pay their property taxes under the Property Tax Prepayment Plan must, no later than fifteen (15) days before their 1st payment,

- (a) pay all their outstanding property taxes, and
- (b) give the Collector a void cheque and written authorization, in the manner the Collector requires, to automatically withdraw monthly tax payments from the property owner's bank account.

It is the property owner's responsibility to ensure the correct information is provided to the Town for the purposes of processing payments.

Ten (10) Monthly Property Tax Prepayments will be debited on the 1st day of each month from August to May.

No prepayments will be withdrawn in June or July. Minimum monthly withdrawals for either option will be \$10.00.

Option 1 Calculated Monthly Prepayment: amount is calculated from the previous years' gross taxes, less the Home Owner Grant (if claimed) divided by 10. This amount is an estimate and is not a guarantee of the amount of taxes that will be levied. The calculated monthly prepayment amount will be recalculated every year.

Option 2 Fixed Monthly Prepayment: the amount is agreed upon between the applicant and the Town of Ladysmith, at the time of application and will not change from one year to the next, unless requested in writing by the owner.

Balances: The Collector shall indicate on the annual Property Tax notice, the total of all payments received plus interest earned and show the property tax amount required to be paid by the tax due date of that year. It is still the owner's responsibility to pay any remaining amounts and claim their homeowner grant, if eligible, before the due date to avoid penalty.

Exceeding Payments:

If the amount of property taxes paid exceeds the amount of property taxes owed (on the parcel of real property for which the prepayment has been made), the Collector will apply the excess amount towards the property taxes for the following year, unless the property owners request a refund in writing to the Collector.

Requesting Changes / Discontinue Prepayment Plan:

Written notification is required no less than fifteen (15) days before the next payment is scheduled, for the following changes:

- Fixed Monthly prepayment amounts;
- Sale or transfer of property;
- Cancellation of the Property Tax Prepayment Plan; or,
- Banking information (i.e. financial institution or bank account)

After notice of such change, the new authorization will continue in respect of any new account to be used for payment to the Town of Ladysmith.

Interest on Prepayments:

Interest will be paid on prepayment monies received by the Collector. Interest will be calculated at a rate of three percent (3%) below the prime rate of the Town's principal bank. For payments made from August 1 to December 31, the rate established on December 31 will be used. For payments made from January 1 to May 1, the rate established on April 30 will be used and will be calculated to June 30. Interest will be credited to the owner's property tax account.

Returned Payments/NSF Cheques/Stop Payments

If in the property tax prepayment year a property owner's bank account does not contain sufficient funds to cover the amount of two (2) monthly payments, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement. All returned payments will be subject to a service charge as set out by the Town of Ladysmith's Fees and Charges Bylaw.

Delinquent and Arrears:

Property owners are required to keep their property tax account balance up to date. Payments must be applied as set out in Section 244 of the *Community Charter*. In the event that there are property taxes in delinquent or arrears on the property in question, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement.

Sale or Transfer of Property

In the event of a sale or transfer of the property, property tax prepayments are to stay on the property tax account and the responsibility for the adjustment shall be between the vendor and purchaser. It is the responsibility of the property owner to notify the Collector, in writing no less than fifteen (15) days, prior to the sale if they wish to withdraw from the property tax prepayment plan to ensure payments do not continue after the sale.

Home Owner Grant:

To claim the basic or additional grant, property owners must meet eligibility requirements and complete an application form each year. The application form is located on the front of the tax notice and can also be claimed online at www.ladysmith.ca. Homeowner Grant applications that are incomplete, unclaimed or late will result in a 10% penalty charge. Participation in the Property Tax Prepayment Plan is not a substitute for claiming the grant.

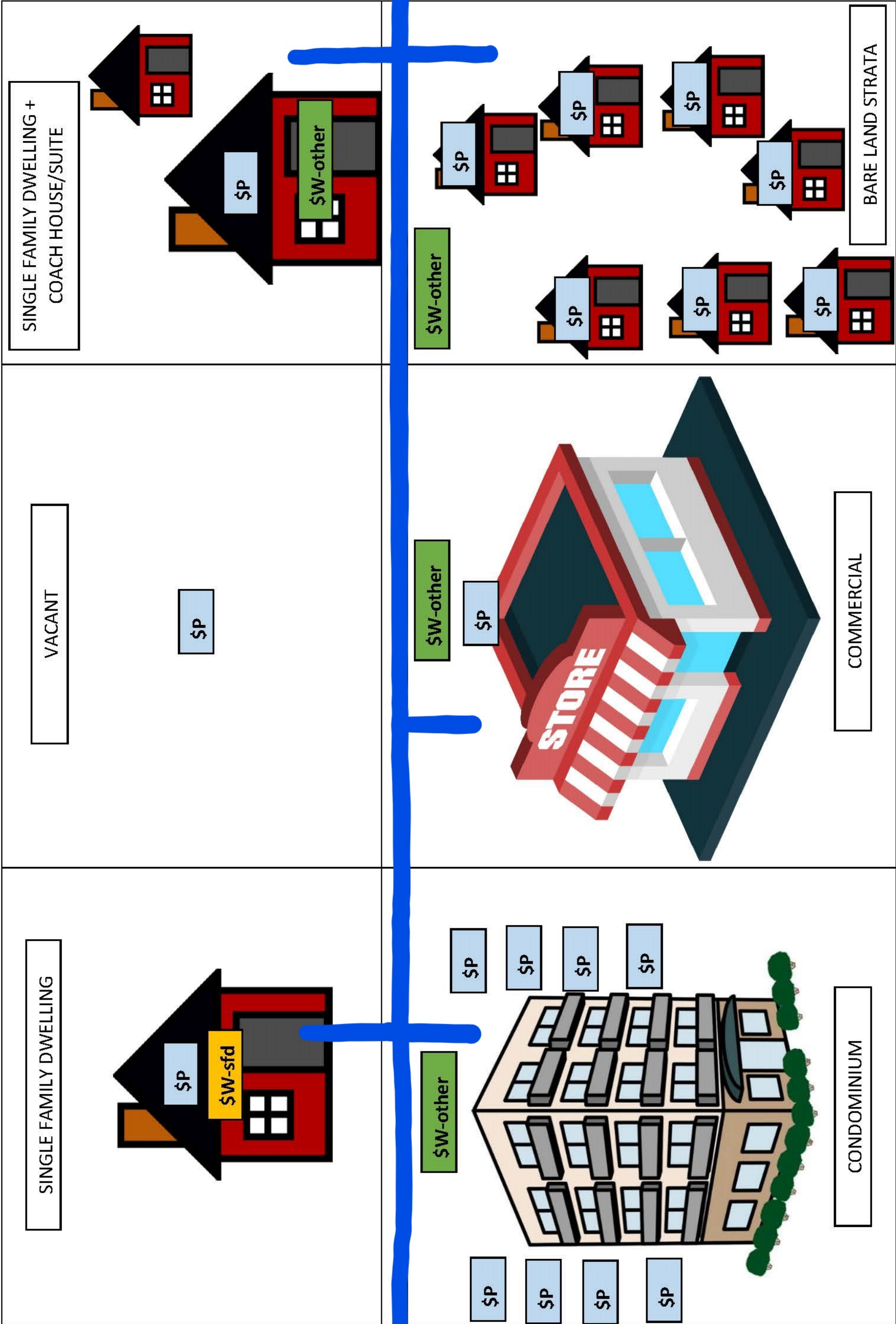
Participants in the Property Tax Prepayment Plan will be automatically renewed each year unless the Town of Ladysmith receives written notification, in a manner the Collector requires, from the applicant.

PROPERTY TAX PREPAYMENT PLAN

(From the Town's website)

Property owners may prepay their property taxes for the following year by making monthly payments, in accordance with the provisions of Town of Ladysmith [Property Tax Prepayment Plan Bylaw 2014, No. 1851](#). For more information and/or to sign up, download the [Property Tax Prepayment Plan Agreement](#). If your banking information changes or you would like to change the amount of your monthly payments please fill out the [Pre-Authorized Debit- Change of Information](#).

To cancel prepayment plan, please complete the [Pre-authorized Debit Cancellation Form](#).



TOWN OF LADYSMITH



WATERWORKS RATES AND REGULATIONS BYLAW

JANUARY 18, 1999

CONSOLIDATED FOR CONVENIENCE ONLY

A BYLAW TO

pursuant to Part 14 of the Municipal Act and the regulations thereunder provide that the Municipal Council may, by bylaw, establish terms, rates and conditions under which water and water facilities may be constructed, supplied and used throughout the Municipality

The amendment bylaws which are included in this consolidated version of the "Bylaw Title" are:

1373, 1334, 1863, 1923, 1930

as on January 26, 2018

TOWN OF LADYSMITH WATERWORKS RATES AND REGULATIONS BYLAW CONSOLIDATION

This consolidation of the Town of Ladysmith Waterworks Rates and Regulations Bylaw and amendments has been prepared exclusively for the use of the Town of Ladysmith for convenience only.

The Town of Ladysmith does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original Bylaws.

The following Bylaw Amendments were enacted to Amend Schedule 'A'.

1361, 1414, 1556, 1565, 1628, 1634, 1670, 1726, 1800, 1821, 1863, 1873, 1902, 1923, 1930, 1942.

TOWN OF LADYSMITH

BYLAW NO. 1298

WATERWORKS RATES AND REGULATIONS BYLAW

WHEREAS pursuant to Part 14 of the Municipal Act and the regulations thereunder provide that the Municipal Council may, by bylaw, establish terms, rates and conditions under which water and water facilities may be constructed, supplied and used throughout the Municipality;

NOW THEREFORE the Municipal Council of the Town of Ladysmith in open meeting assembled, enacts as follows:

1. DEFINITIONS

In this bylaw

"Appurtenances" - means any pipe, fixture or attachment to any part of a water main or water service.

"At Cost" - means

- (1) Any person or customer who applies to the Town for work which is to be done "at cost" shall pay a cost determined by the Town which includes the amount expended by the Town for gross wages and salaries, employee fringe benefits, administrative costs, materials, equipment rentals at rates paid by the Town or set by the Town for its own equipment and any other expenditures incurred in doing the work, plus administration and supervision charges.
- (2) The Director of Public Works shall supply an estimated cost and any applicant shall make an advance payment in the amount estimated prior to the commencement of any work.
- (3) At the conclusion of the work, any additional cost shall be paid to the Town or any surplus shall be refunded to the customer.

"Billing Period" - means the period of time over which water consumption is recorded and for which a charge is levied upon each owner of real property supplied with water by the system. There shall be four billing periods in each twelve (12) month period for each owner of real property supplied with water by the system.

"Council" - means the Council of the Town of Ladysmith

"Director of Financial Services" - means the Director of Financial Services appointed by Council or such other person as may, from time to time, be appointed by the Director of Financial Services or Council to act on their behalf.

"Disconnection of Service" - means the physical removal of a service connection from the property.

"Parcel" - means a separate and individual lot or parcel of land.

"Premises" - means a house or building with its parcel of land.

"Private Service" - means the water pipe and its appurtenances extending from the service connection onto the parcel or premises but does not include the water meter, meter box and meter setter.

"Public Waterworks System" - mean the Waterworks Utilities System of the Town

"Service Connection" - means a water pipe including a meter extending from the Town's distribution system to the property of the real property served or about to be served.

“Superintendent of Public Works” – means the Superintendent of Public Works appointed by Council or such other person as may, from time to time, be appointed by the Superintendent or Council to act on their behalf.

"Town" - means the Town of Ladysmith.

2. MANAGEMENT

The management of the System shall be divided into two parts, which shall consist of the following:

- (1) Finance Management
- includes all matters pertaining to the levying and collecting of water rates which shall be under the charge of the Director of Financial Services.
- (2) Works Management
- includes all matters pertaining to the engineering and mechanical work in connection with the system which shall be under the charge of the Superintendent of Public Works.

3. INDEPENDENT CONNECTION

Each parcel of land on which a building or structure is situated shall have a separate metered connection to the public waterworks system.

4. APPLICATION FOR CONNECTION

Any person desiring to have their premises connected with the water supply system of the Town shall make formal written application to the Director of Financial Services at the Town Office and no service connection shall be made to the premises until such written application, attached as Schedule "B" of this bylaw, for water service connections and payment for same shall be completed. Applications must be approved by the Superintendent of Public Works prior to connection. Connection fees shall be in accordance with Schedule "A" of this bylaw.

5. STRATA DEVELOPMENT CONNECTIONS

A strata development, regardless of the number of internal lots or structures shall have only one metered domestic connection to the public water system.

6. NOTICE OF CONNECTION

The owner of any real property to which a service connection to the Public Water System has been made shall notify the Superintendent of Public Works when any such connection has been made and is ready for inspection. No such connection shall be covered until it has been inspected and approved by the Superintendent of Public Works or his designate.

7. PRIVATE SERVICES

The Town shall not be liable for the cost or any work done in connection with any private service line on private property. No Town employee shall carry out any work on a private service at any time, except as described in Paragraph 17 (Access) and Paragraph 22 (Inspection of Meters).

8. REFUSAL TO SUPPLY SERVICE

The Town may refuse to supply water at any time to any property owner or to any premises other than by meter service.

9. MINIMUM SERVICE SIZE

No parcel of land shall be provided with a service connection of less than 19mm (3/4") in size.

10. EMERGENCY, TEMPORARY DISCONTINUANCE OF WATER SERVICE

The Town, in the event of an emergency, may discontinue, on a temporary basis, and without notice, a water supply to any property or premises.

11. PERMANENT DISCONTINUANCE OF WATER SERVICE

(1) The Town may permanently discontinue a water supply to any property or premises by giving three months written notice to the owner.

(2) The Town may reduce or entirely discontinue any service when the property owner or occupier has been guilty of violating any of the provisions of this bylaw, or when, in the opinion of the Council, the public interests require such action.

12. DEPTH OF SERVICE

All underground pipes shall be not less than 1.2 metres (47.24") below the surface of the ground at the main and not less than .65 metres (25.59") below the surface of the ground at all other locations. All other pipes or appurtenances where situated so as to be exposed to frost shall be properly protected to prevent freezing.

13. SERVICE LOCATIONS

The Superintendent of Public Works, or their designate, shall determine the location of every service pipe.

14. SERVICES IN GOOD ORDER

All property owners or occupiers shall keep any service lines and plumbing fixtures located on their property or premises in good repair and order, at their expense at all times.

15. RESALE

No property owner or occupier shall sell water, from the public waterworks system, to any other person, house, premise or property, without the prior written permission of Council.

16. EXCESSIVE USE

The water service may be discontinued to any property or premise who uses an unusual or unnecessary quantity of water, or who allows the waste of water in any way other than by the terms of their application for connection to the water system.

17. ACCESS

The employees of the Town shall have free access to all land and all parts of every real property or building, upon request, and at reasonable times, where water is delivered and consumed. This access shall be for the purpose of installing, servicing or inspecting meters and related appurtenances only, except as described under "Inspection of Meters"

18. SERVICE RENEWAL

When any person desires to have the water service renewed after it has been discontinued either by the Town or by request of the owner, they shall apply to the Director of Financial Services in writing, giving one week (seven days) notice thereof, and shall, at the same time pay all arrears of rates and the service fee as set out in Schedule "A" of this bylaw for the cost of turning water off and on together with any other expense or costs incurred by the Town in connection with such discontinuance or renewal of supply.

19. WATER METERS

Water meters, meter boxes and meter setters are required to be installed on all service connections. The cost of any meter, meter setter and meter box installed in the Town Waterworks System shall be borne by the property owner. The size, location and specifications of the water meter shall be as specified by the Superintendent of Public Works. Installed water meters and meter setters and meter boxes shall become the property of the Town. Costs of water meters, meter boxes, meter setters and installation fees shall be in accordance with Schedule "A" of this bylaw.

20. FIRE SERVICE LINES

Service connections particularly designed for fire fighting shall not be fitted with any connection that would supply water for any other use. Such service connection shall be for the sole purpose of fighting fires. No charge shall be made for water used in extinguishing fires.

21. FIRE SERVICE METER

Where a water service line is permitted or required for the sole purpose of fighting fires, the Town may require the installation of a water meter. No charge shall be made for water used in extinguishing fires if the owner or occupant of the premises where such fire occurs, gives written notice to the Town within twenty-four (24) hours of the fire.

22. INSPECTION OF METERS

Every meter shall be installed as per the Town's requirements and specifications. Town employees shall have reasonable access to the premises of every property owner for the installing, reading, inspection and the servicing of meters.

23. CHECK VALVES

The owner of any property or premise shall place a check valve or backflow prevention on all water services. This check valve may be installed as an integral part of the meter, meter setter assembly or as a separate entity.

24. PRESSURE REDUCING VALVES

A pressure reducing valve shall be installed in a protected location on all water services to a premise or property to reduce water pressure to all plumbing fixtures on that premise.

25. SHUT OFF VALVES

A shut off valve shall be installed on the upstream side of each pressure reducing valve.

26. CROSS CONNECTION CONTROL

No person shall connect any private water supply or cause any cross connection with the Town's water system. No person shall be permitted to connect equipment adapted for use on service pipes or mains for pressure spraying of fertilizers, pesticides, insecticides or any materials of a toxic or non-toxic nature.

27. WATER MAINS

No person except an authorized agent or employee of the Town shall tap or make connection with any main of the water system and no person shall obstruct the access of any part of the Town water system.

28. AUTHORIZED PERSONS

No person except those duly authorized by the Superintendent of Public Works shall:

- tap or make any connection with the waterworks system;
- turn on/off any water main valve;
- turn on/off any curb stop or corporation stop;
- tamper with any meter or pipes connected to the waterworks system;
- draw water from, open, close, or in any way injure or interfere with any fire hydrant valve;
- obstruct free access to any fire hydrant or meter.

29. TOWN NOT LIABLE FOR LOSS

The Town shall not be liable for any loss or damage whatsoever arising from the failure of water supplies in consequence of any accident or damage to the waterworks or the temporary stoppage of water on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the Town or an Act of God.

30. CONSERVATION OF WATER

For the purpose of conserving the Town's water supply the Superintendent of Public Works may at any time prohibit or restrict the use of water supplied from the public water system for the purpose of washing windows, vehicles, driveways, sidewalks, structures or for the purpose of watering lawns, boulevards or grounds.

Notice prohibiting or restricting such use shall be deemed to have been served upon all consumers by publication of such notice in at least two consecutive issues of the local newspaper. Such notice shall specify the hours and/or days during which water may be used for such purposes.

31. ON-OFF FEE

Bylaw 1334

~~Any property owner who desires a turn off or on of a water service must give the Town seventy two hours notice in writing, except in the case of an emergency, and shall at the same time pay an on off fee of the amount specified in Schedule "A" of this bylaw for each turning on or off.~~

32. WATER RATES

Bylaw 1863

The rates as set out in Schedule "A" are hereby imposed upon the owners of real property and shall be levied and collected for the amount of water supplied from the Public Waterworks System in any billing period.

33. INVOICING - COMMENCEMENT

Charges for water consumption from the Public Waterworks System shall commence on the date of occupancy as determined by the Building Inspector for the Town. Rates shall be in accordance with Schedule "A" of this bylaw.

34. INVOICING - DISCONTINUANCE

Charges for water consumption shall only be discontinued upon disconnection of service from the Public Waterworks System.

35. INVOICING - OTHER USE

Bylaw 1930

Charges or fees for occasional bulk users of water from the Public Waterworks System shall be in accordance with the Bulk Water rate as set out in Schedule "A" of this bylaw. The Superintendent of Public Works shall, at their discretion, permit or not permit such use.

36. CHARGES DISCONTINUED

Bylaw 1373

Charges for water service will only be discontinued in respect of a dwelling unit or commercial or other premises if:

- (a) the premises are permanently vacated; or

- (b) the premises are temporarily rendered uninhabitable because of fire or other similar disaster.

37. ERRORS

Bylaw 1373

- (a) An owner or occupier of a dwelling unit or commercial or other premises shall bring any alleged error in any charge to the attention of the Director of Financial Services within one year of the end of the period for which such water rates were imposed.
- (b) No complaint of error shall be considered by the Town and no adjustment for any error shall be made after a period of one year has elapsed from the end of the billing period in respect of which the charges were imposed.
- (c) At the end of the period referred to in subsection (a), all charges shall be deemed to have been properly and correctly made.
- (d) Despite subsections (b) and (c), the Director of Financial Services may authorize an adjustment for a period of up to ten years to correct an error made by the Town.

38. METER READING

Bylaw 1863

- (1) Each individual meter shall, whenever possible, be read once every billing period.
- (2) Notwithstanding (1) above, when a meter reading is postponed until the next billing period, the rate to be charged shall:
 - (a) for the billing period for which no reading is taken, be calculated on the consumption for the same billing period of the previous years.
 - (b) for the billing period following that in which no reading is taken, be calculated on the total actual consumption in the two (2) billing periods, as read on the meter, minus the average consumption utilized in (2)(a) above.
- (3) In no case shall a meter reading be postponed for more than two consecutive billing periods.

39.

Bylaw 1930

- (1) Property owners are responsible for repairing any private property breakages or leaks within 45 days of being advised of a potential breakage. Property owners are responsible for submitting to City Hall a request for an adjustment along with proof of repair in a form acceptable by the Director of Finance.
- (2) Where any meter fails to register or to properly indicate the quantity of water used or consumed, or where breakages occur on private property, the Director of Finance shall estimate the consumption of water and shall render an account to the customer.
- (3) Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is \$3,000 per account.
- (4) When an adjustment is made to an account as a result of a leakage or other unusual occurrence on the owner's property, the Director may charge an administration fee. This fee shall be 10% (ten percent) of the amount of any

credit to the account, except that the fee may not be less than \$5.00 or more than \$25.00.

- (5) The Director of Finance shall make only one adjustment for water breakages or leaks per property, per owners, within a 10-year period.

40. EFFECTIVE DATE

This bylaw shall be effective upon adoption.

41. SEVERABILITY

If any part or lesser portion of this bylaw is held invalid by a Court, the invalid portion shall be severed from this bylaw.

42. SCHEDULES

Schedules "A" and "B" attached to this bylaw form a part of this bylaw.

43. REPEAL

"Waterworks Rate Regulation Bylaw 1995, No. 1146 and all amendments thereto are hereby repealed.

44. TITLE

This bylaw may be cited for all purposes as "Waterworks Regulation Bylaw 1999, No. 1298".

READ A FIRST TIME on the 04th day of JANUARY, 1999

READ A SECOND TIME on the 04th day of JANUARY, 1999

READ A THIRD TIME on the 04th day of JANUARY, 1999

ADOPTED on the 18th day of JANUARY, 1999

Mayor (R. Hutchins)

Manager of Corporate Services (P. Durban)

I hereby certify this to be a true
and correct copy of "Waterworks
Regulation Bylaw 1999, No.1298".

Manager of Corporate Services

SCHEDULE "A"
TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2018, No. 1942

1 METERED SINGLE UNIT DWELLING

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 31.13	
Next 26 m ³ to 50 m ³	\$ 0.7687	Per m ³
Next 51 m ³ to 75 m ³	\$ 0.9085	Per m ³
Next 76 m ³ to 100 m ³	\$ 1.1180	Per m ³
Next 101 m ³ to 125 m ³	\$ 1.4675	Per m ³
Over 125 m ³	\$ 1.9566	Per m ³

2 METERED SERVICE - all other users

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 31.13	
Over 25 m ³	\$ 0.6988	Per m ³

3 NON-METER SERVICE

Per billing period: \$ 54.13 Per unit

4 SERVICE CONNECTION RATES

Where a service connection has not been previously provided to a parcel but where the Public Waterworks system front or abuts the parcel:

- (A) 19 mm (3/4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$2,400 per connection
- (B) Larger than 19 mm (3/4") shall be at cost, but no less than: \$2,400 per connection

Where a service connection has been previously provided to a parcel:

- (C) service connection including meter, meter box, meter setter, check values, shut-off valves and other related appurtenances and is the requested size: \$ 100 per connection
- (D) upgrading of that service is size including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be at cost, but not less than: \$2,400 per connection

5 FINES

Every person who violates any provision of this bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine or to imprisonment for not more than 6 months, or both. Each day that a violation of the provisions of this bylaw occurs, exist or is permitted to occur or exists, shall constitute a separate offense. \$2,000 per offence

Effective January 1, 2018.

SCHEDULE "B"
TOWN OF LADYSMITH
WATERWORKS REGULATION BYLAW 1999, NO. 1298

APPLICATION FOR WATER SERVICE CONNECTION

I/We the undersigned, being the owner (or duly authorized agent) of the property described as:

Legal Description _____

Civic Address _____

do hereby make application to have water supplied to the above described lands by a _____ mm service for the following purpose:

RESIDENTIAL _____

(If more than one residential self-contained housing unit will be supplied with water by this service, state number.)

(If specific location for connection is desired, attached sketch with dimensions to this application.)

OTHER _____

(Describe use)

And I further agree to pay all installation fees and user rates for all water supplied hereunder as prescribed by this bylaw and any amendments thereto.

In consideration of the granting of this permit, I/We agree to release and indemnify the Town of Ladysmith, its Council Members, employees and agents from and against all liability, demands, claims, causes of actions, suits, judgements, losses, damages, costs, expenses of whatever kind which I/we or any other person, partnership or corporation of my/our/their respective heirs, successors, administrators or assignees may have or incur in consequence of or incidental to the granting of this permit or any inspection, failure to inspect, certification, approval, enforcement or failure to enforce the Town of Ladysmith Waterworks Regulation Bylaw and I/we agree that the Town of Ladysmith owes me/us no duty of care in respect of these matters.

I HAVE READ THE ABOVE AGREEMENT, THE RELEASE AND THE INDEMNITY AND UNDERSTAND THEM.

The person signing this application form, if not the owner, acknowledges that this signature is as agent for the owner and that they are authorized to bind the owner who is deemed to know of and understand the contents of this form.

Signature of Owner or Authorized Agent _____

Address (for billing purposes) _____

Phone No. _____

Date _____

.....
FOR OFFICE USE ONLY

Connection Fee: (State if estimate) _____

Date Fee Paid: _____

Receipt No: _____

Signature: _____

Date: _____

Director of Operations

Date Service Connection Installed/Made: _____

cc: Director of Financial Services

TOWN OF LADYSMITH



SANITARY SEWER SYSTEM RATES BYLAW

JANUARY 18, 1999

CONSOLIDATED FOR CONVENIENCE ONLY

A BYLAW TO provide for the imposition of a charge against the owner or occupier of real property for the use of the sanitary sewer system of the Town of Ladysmith

The amendment bylaws which are included in this consolidated version of the "Bylaw Title" are:

1360, 1372, 1799, 1822, 1864, 1874, 1903,
1924, 1943

as on February 7, 2018

SANITARY SEWER SYSTEM RATES BYLAW

This consolidation of the Sanitary Sewer System Rates Bylaw and amendments has been prepared exclusively for the use of the Town of Ladysmith for convenience only.

The Town of Ladysmith does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original Bylaws.

**TOWN OF LADYSMITH
BYLAW No. 1299**

A bylaw to provide for the imposition of a charge against the owner or occupier of real property for the use of the sanitary sewer system of the Town of Ladysmith

The Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. **DEFINITIONS**

"**Corporation**" means the Town of Ladysmith

"**Council**" means the Council of the Town of Ladysmith

"**Collector**" means the Collector of the Town of Ladysmith or any official authorized by the Municipal Council to perform the duties of the Collector

2. There shall be charged against the owner or occupier of real property, where a sewer connection has been installed to serve the property, and where plumbing is installed on the premises and is connected to the Town sanitary sewer system, a sanitary sewer rental as set forth in Schedule "A" attached to and forming part of this bylaw.
3. The sanitary sewer rental payable under Schedule "A" of this bylaw shall be due and payable upon the issue of bills therefor.
4. The remedies for the collection of arrears of sanitary sewer rentals imposed pursuant to the terms of this bylaw shall be as provided for under the provisions of the Municipal Act.

Bylaw 1864 –
Removed sec. 5

5. **PENALTY**

~~(a) A 10% penalty shall be added to any unpaid current sanitary sewer charge on flat rate billings as follows:~~

Period	10% Penalty Date
Jan-Mar	March 31
Apr-Jun	July 2
Jul-Sep	September 30
Oct-Dec	December 31

~~(b) A 10% penalty shall be added to any unpaid current sanitary sewer charges on metered billings as follows:~~

Period	10% Penalty Date
Jan-Mar	July 2
Apr-Jun	September 30
Jul-Sep	December 31
Oct-Dec	March 31

Bylaw 1924 –
Added New
sec.5

A 10% penalty shall be added to any unpaid current sewer charges no less than 30 days from the billing date and the due date selected shall be clearly indicated on the utility billing.

6. Charges for sanitary sewer use from the Public Sanitary Sewer System shall commence on the date of occupancy as determined by the Building Inspector for the Town. Rates shall be in accordance with Schedule "A" of this bylaw.

Bylaw 1360 –
Added New sec.6

The Sewer Rate Bylaw 1966, No. 422, as amended, is hereby further amended as follows:

- (a) Section 7 is hereby repealed and the following Section 7 substituted therefore:
"7. The following sewer rental charges shall apply to all premises within the Town of Ladysmith which are connected to the sewer system of the Corporation:

8. **CHARGES DISCONTINUED**

Charges for sanitary sewer will only be discontinued in respect of a dwelling unit or commercial or other premises if:

- (a) the premises are permanently vacated; or
- (b) the premises are temporarily rendered uninhabitable because of fire or other similar disaster

9. **ERRORS**

- (a) An owner or occupier of a dwelling unit or commercial or other premises shall bring any alleged error in any charge to the attention of the Director of Financial Services within one year of the end of the period for which such sewer rates were imposed.
- (b) No complaint of error shall be considered by the Town and no adjustment for any error shall be made after a period of one year has elapsed from the end of the billing period in respect of which the charges were imposed.
- (c) At the end of the period referred to in subsection (a), all charges shall be deemed to have been properly and correctly made.
- (d) Despite subsections (b) and (c), the Director of Financial Services may authorize an adjustment for a period of up to ten years to correct an error made by the Town.

10. **CITATION**

This bylaw may be cited as "Sanitary Sewer Rate Bylaw 1999, No. 1299".

READ A FIRST TIME on the	04th	day of	JANUARY, 1999
READ A SECOND TIME on the	04th	day of	JANUARY, 1999
READ A THIRD TIME on the	04th	day of	JANUARY, 1999
ADOPTED on the	18th	day of	JANUARY, 1999

Mayor (R. Hutchins)

Clerk (P. Durban)

I hereby certify the above to be a true and correct copy of "Sanitary Sewer Rate Bylaw 1999, No. 1299".

Clerk

SCHEDULE “A”

TOWN OF LADYSMITH

Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2018, No. 1943

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month
Residences or Apartments:	For each Dwelling Unit	\$24.75
Motels & Auto Courts:	Premises of owner or operator	\$24.75
	For each rental unit	\$ 3.78
Mobile Home Parks:	Public rest rooms and/or service rooms	\$24.75
	For each mobile home with sewer connection	\$24.75
Hotels:	Owners or managers quarters	\$24.75
	Per apartment for rent	\$24.75
	Per room for rent	\$ 3.78
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$51.59
Cafes, Restaurants & Dining Rooms:		\$51.59
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$24.75
Store(s) and Suites(s) combined:	Per store unit	\$24.75
	Per suite	\$24.75
Stores(s) and Office(s) combined:	Per store unit	\$24.75
	per office unit	\$24.75
Office Building:	per office unit	\$24.75
Laundry or Laundromat:		\$81.98
Services Stations and Garages:	Without car wash	\$24.75
	With car wash	\$55.14
Public or Social Club with licenced bar:		\$51.59
Church Hall, Public Hall or Lodge Room		\$19.18
Hospitals & Nursing Homes	per bed	\$11.52
Schools	per classroom, auditorium or office	\$24.75

Effective January 1, 2018

TOWN OF LADYSMITH PARCEL AND UTILITY INFORMATION

	Water	Sewer
Parcel Taxes (2019)	3654	3630
# of Utility Accounts	3150	3162
# of Units Billed	3150	4241



Small Craft Harbours program

Small Craft Harbours is a nationwide program run by Fisheries and Oceans Canada (DFO). More than 5,000 volunteers assist the program annually. It keeps the harbours that are critical to the fishing industry open and in good repair. The program operates and maintains a national system of harbours to provide commercial fish harvesters and other harbour users with safe and accessible facilities.

About the program

Small craft harbours are crucial to the fishing industry, and by extension, the Canadian culture and economy. As of September 2018, the program is responsible for 1,008 harbours, including 882 fishing harbours and 126 recreational harbours. Together, these harbours represent over 10,000 structures valued at approximately \$5.6 billion.

Small Craft Harbours is a decentralized program. The headquarters used to be in Ottawa but now since April 1st, 2018, the headquarters is located in Moncton, New Brunswick.

Objectives

Our goal is a sustainable national network of safe and accessible harbours that are:

- fully operated
- in good working condition
- managed and maintained by self-sufficient harbour authorities who represent the interests of users and communities

Approach

To fulfill its mandate, the program:

- maintains a network of harbours which are essential to the fishing industry
- supports harbour authorities in managing the day-to-day operations of commercial fishing harbours
- transfers the ownership of non-essential harbours and recreational harbours to other levels of government or not-for-profit organizations
 - this allows public access to the transferred facility

Harbour maintenance

The program's primary responsibility is to ensure core fishing harbours are kept open and in good repair. Core harbours references those owned by the DFO that are:

- managed by harbour authorities
- critical to the fishing and aquaculture industries

Of the 1008 small craft harbours, 678 are considered to be core harbours with the remaining 330 classified as non-core harbours.

Divestiture

The program aims to transfer ownership of designated harbours to a third party, such as those that are:

- derelict
- low activity
- recreational

This allows us to focus our efforts and investments on harbours that are critical to the fishing industry.

Process

We provide the necessary harbour repairs and environmental cleanup prior to a transfer or a comparable grant to the recipient. To allow public access to the transferred facility, harbours are usually transferred to:

- provinces
- municipalities
- First Nations communities
- other federal departments
- not-for-profit organizations


Municipalities have generally shown the most interest in assuming responsibility for harbour facilities. They are often in the best position to service their communities. The recipient must:

- pay a small fee
- maintain public access to the harbour and to its services for a minimum of 5 years

If no interested party is identified as an appropriate candidate for transfer of ownership, then the property can be sold.

Related links

- [Harbour authorities](#)
- [Harbour Authority Recognition Program](#)

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Date modified:

2018-09-28

Harbour authorities

Harbour authorities are incorporated, not-for-profit organizations. Their board of directors and members represent local interests. Each harbour authority is a unique and independent legal identity. They are responsible for managing, operating and maintaining one or more public fishing harbours through a lease agreement with the Small Craft Harbours program.

Purpose

The creation of harbour authorities helps the Small Craft Harbour program:

- provide essential services to harbour users
- keep essential harbour facilities in good repair

Harbour authorities establish and enforce rules, and represent the needs of users at the community level.

They are also responsible for charging and collecting fees from users to cover operation costs. Fees collected from users are reinvested in harbour maintenance, operations and repairs.

While harbours are locally-operated and managed, the Small Craft Harbours program provides the following:

- property
- infrastructure
- third party liability insurance
- budget for major and minor repairs
- monitoring of the physical condition of harbours
- guidance and training on topics of national interest

History

The year 2018 will mark the 30th anniversary of the harbour authority initiative. Its continued success is largely the result of volunteer participation, primarily at the board of directors' level. About 5,000 people generously give their time to more than 550 harbour authorities across Canada. The volunteer effort averages 135,000 hours per year, which equates to nearly 70 full-time positions.

Advisory committee

The National Harbour Authority Advisory Committee provides advice to Small Craft Harbours on matters of national interest. Members also exchange information and success stories, resulting in a strong national network.

The committee consists of 3 harbour authority representatives and 1 alternate member from each region. These members are appointed by their Regional Harbour Authority Advisory Council.

Meetings are held twice a year. They are co-chaired by the committee chairperson and the director general of the Small Craft Harbours program.

Records of discussion and committee terms of reference are available by contacting your regional office.

Joining a harbour authority

While the board of directors is made up of volunteers, some harbour authorities have paid staff. If you want to have a say in the management of your local authority's facilities, we encourage you to join.


By joining your local harbour authority, you will be:

- investing in your community
- helping to ensure that decisions concerning the planning, operation and maintenance of harbour facilities best reflect local needs

You may locate any harbour authority across Canada through the lists of harbour authorities and harbours.

Related links

- [Small Craft Harbours program](#)
- [Harbour authority statistics](#)
- [Harbour Authority Recognition Program](#)
- [Tools for harbour authorities](#)
- [Maps of small craft harbours](#)

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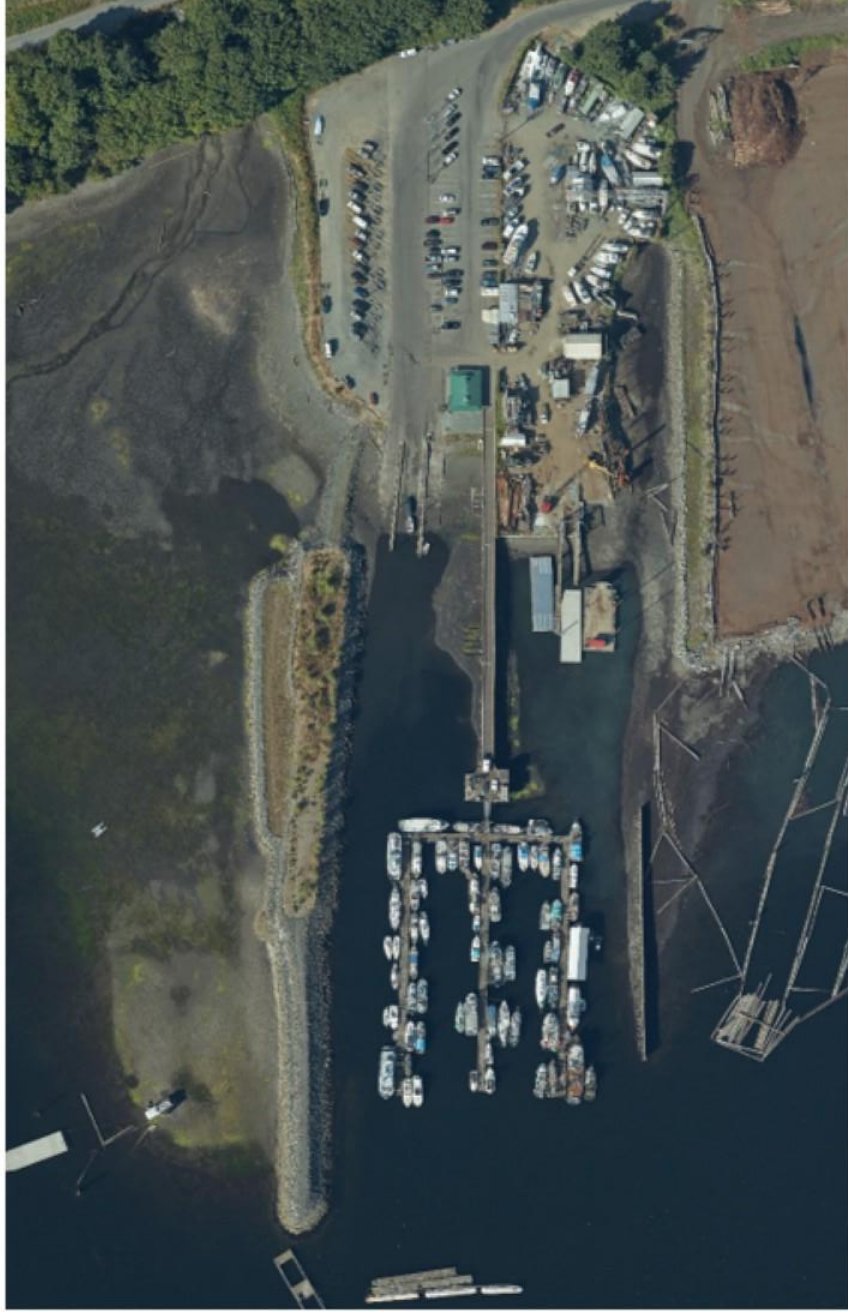
Date modified:

2017-10-26



SMALL CRAFT HARBOURS PACIFIC REGION

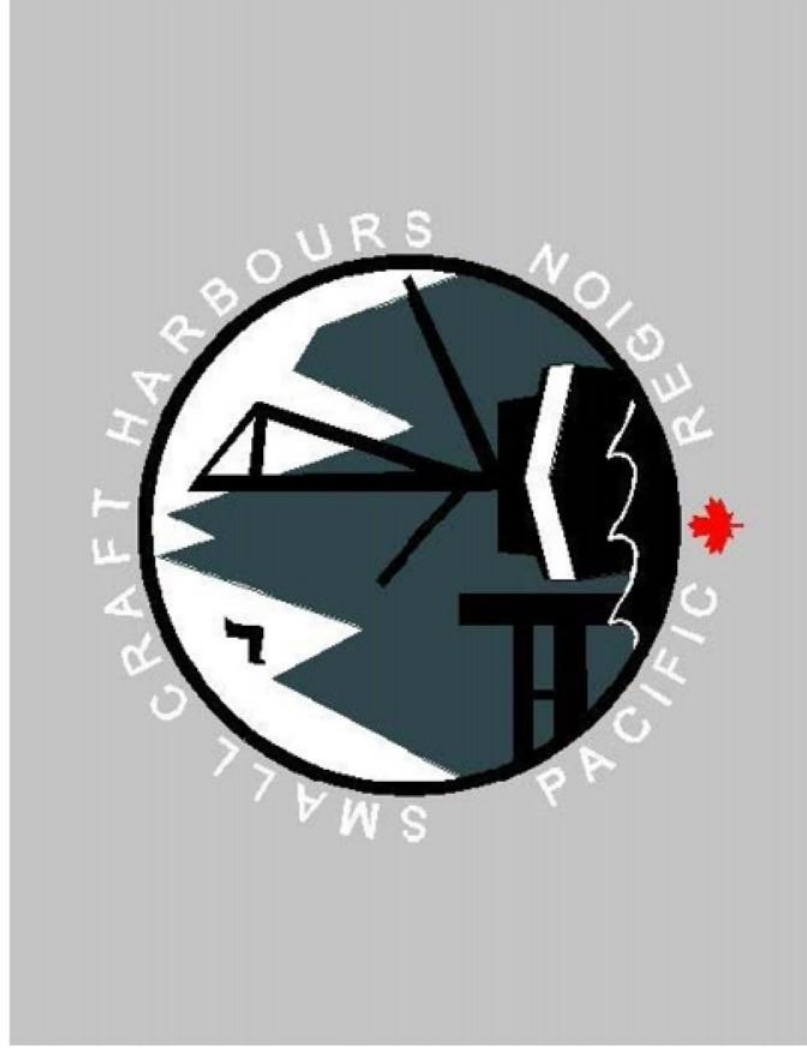
PROPOSED LADYSMITH LOADING WHARF CONSTRUCTION





OUTLINE

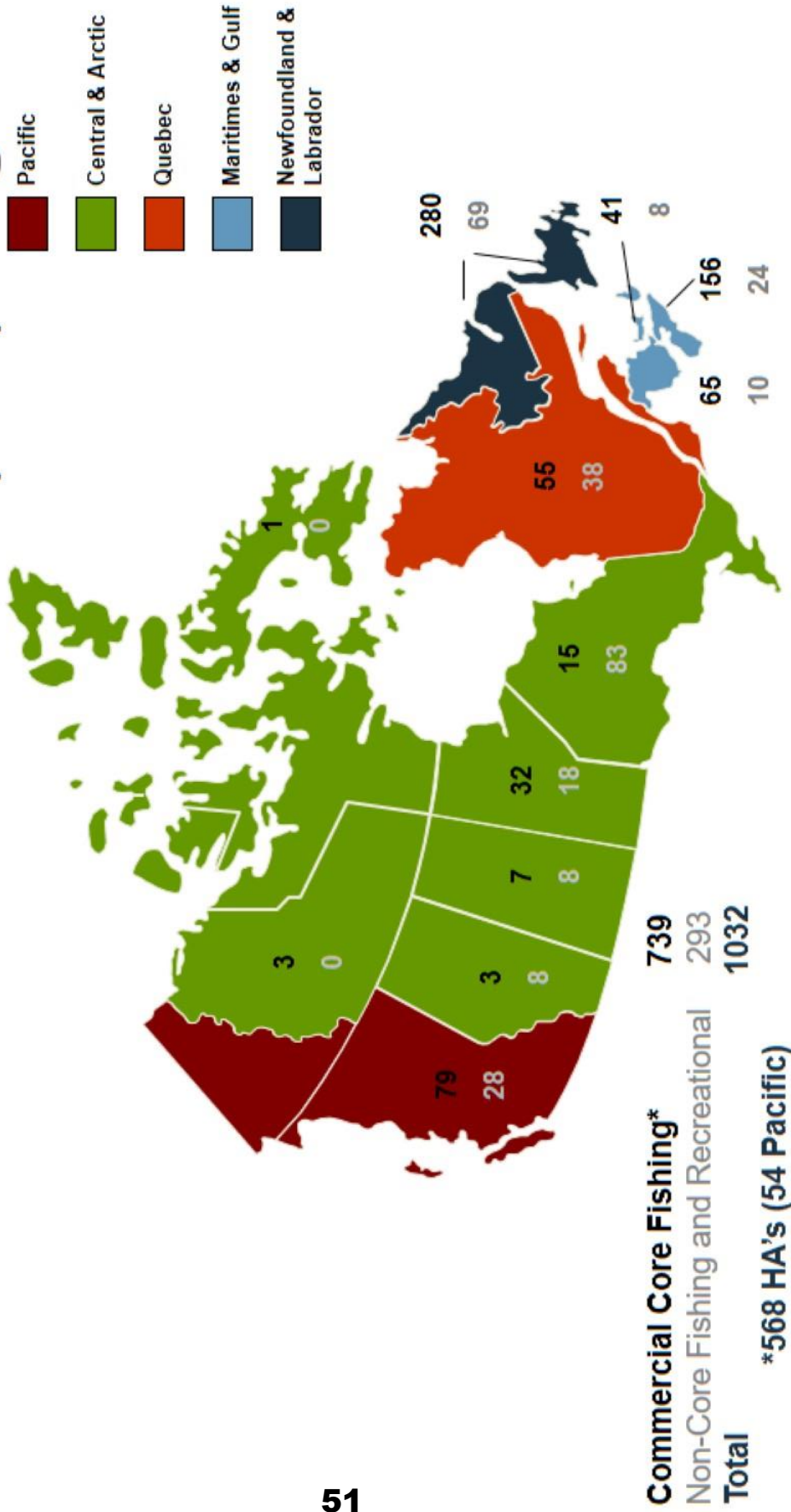
- Background
- Harbour Authorities
- 49 • Lifecycle Management and Long Term Harbour Planning
- Proposed Ladysmith Harbour Wharf Construction



To operate and maintain a nation-wide system of harbours to provide the commercial fishing industry with safe and accessible facilities.

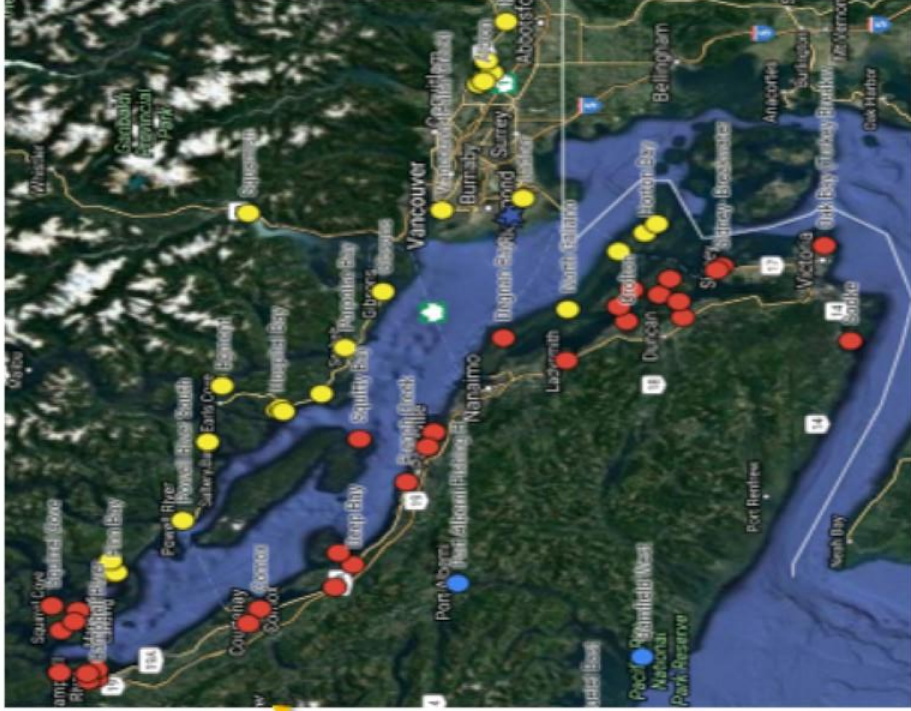
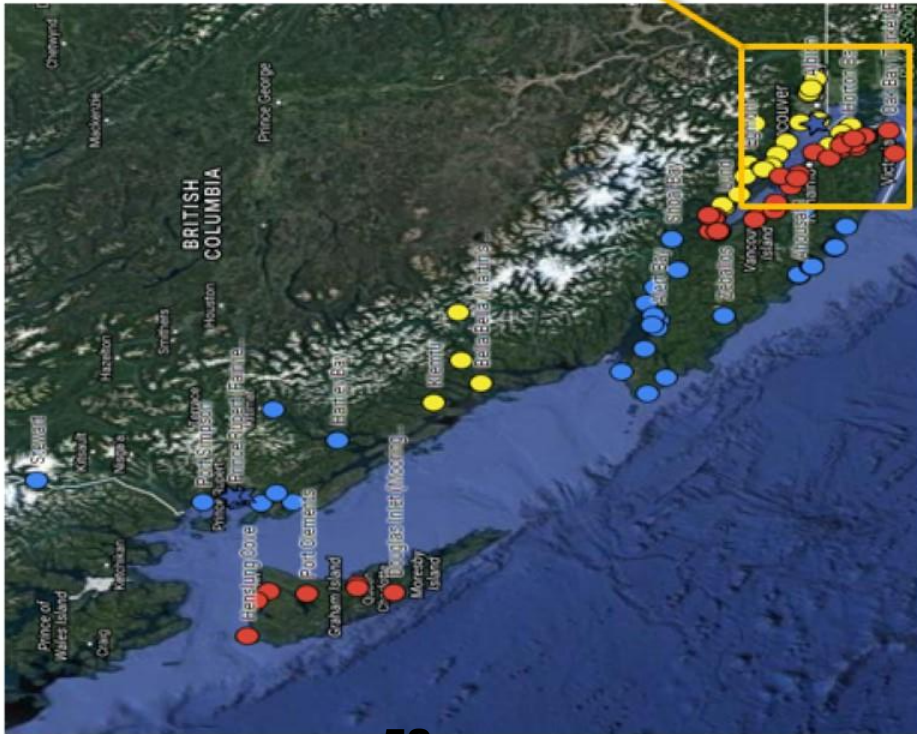


National Small Craft Harbours (SCH) Program





SCH Pacific Region





Harbour Authorities (HAs)

A harbour authority is typically a volunteer-based, non-profit organization created to manage harbour property and facilities.

Nationally

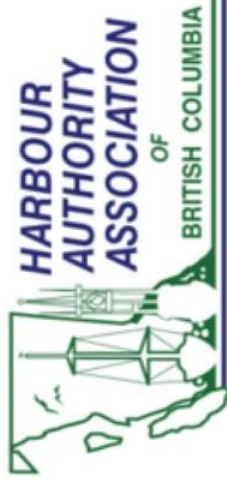
- **53** Approx. 5000 volunteers at more than 550 HA's
- Equates to ~ 135, 000 volunteer hours per year (~70 full time people)

Pacific Region

- Approx. 84% of harbours managed by HA's
- 55 HA's, many manage more than 1 harbour



HARBOUR
AUTHORITIES
*our harbour,
our community*

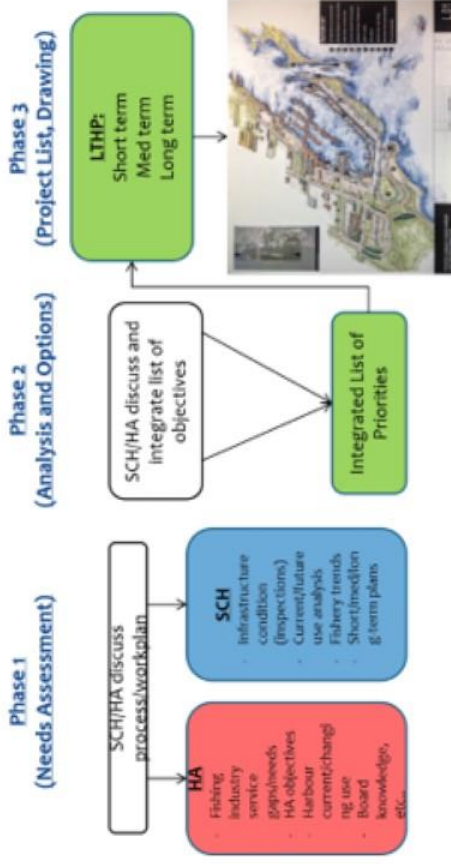
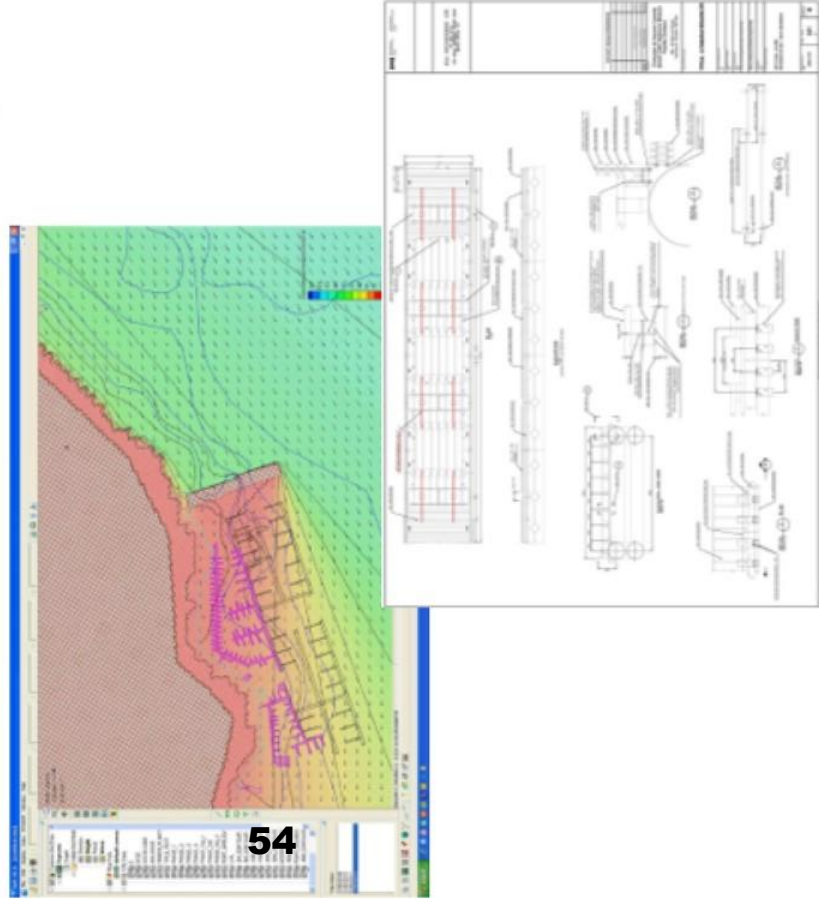




Lifecycle Management

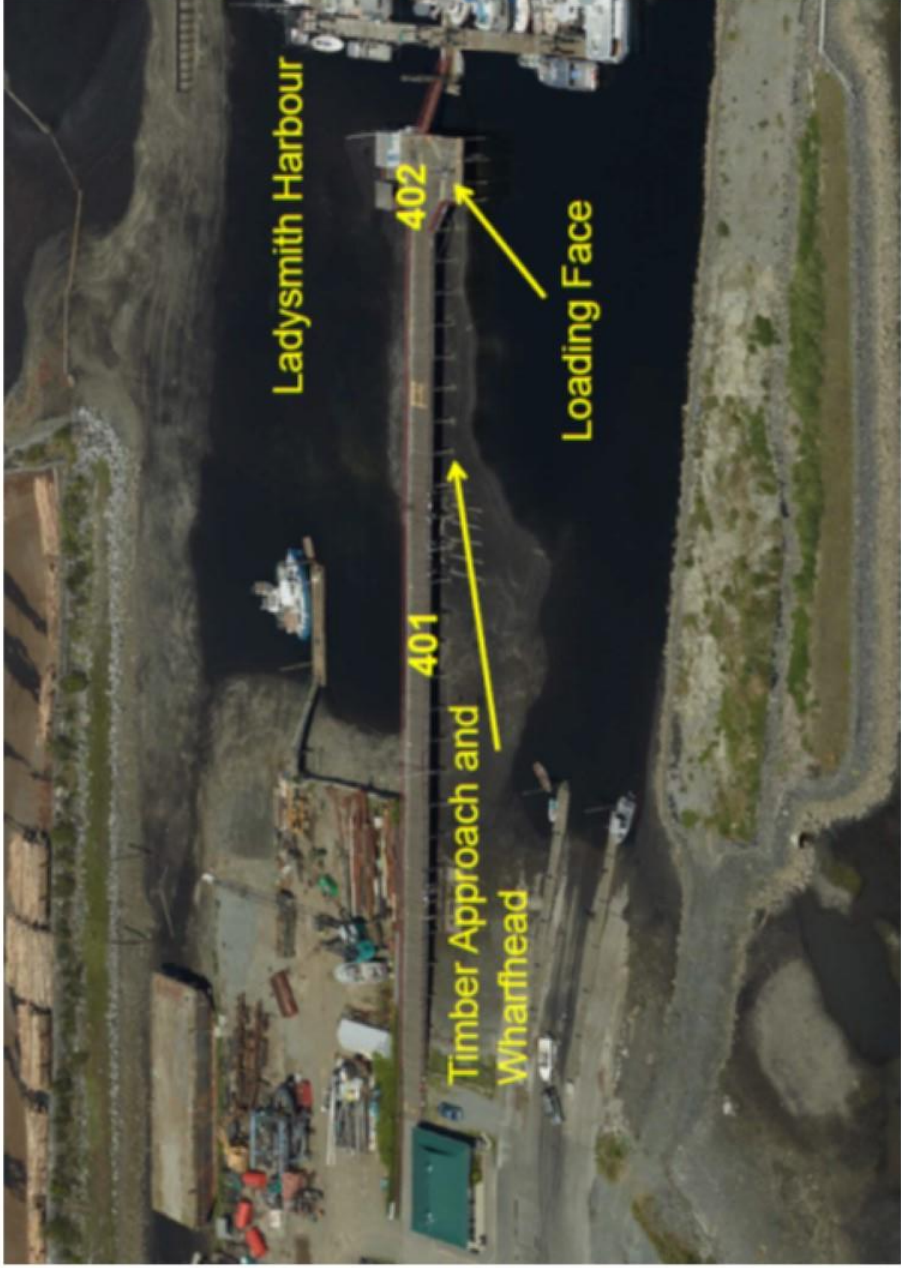
Inspection/Planning/Design

Long Term Harbour Planning





Proposed Ladysmith Wharf Construction





Proposed Ladysmith Wharf Construction

DETERIORATED SUBSTRUCTURE



Rotten cap beam and not bearing on pile



Rotten cap beam

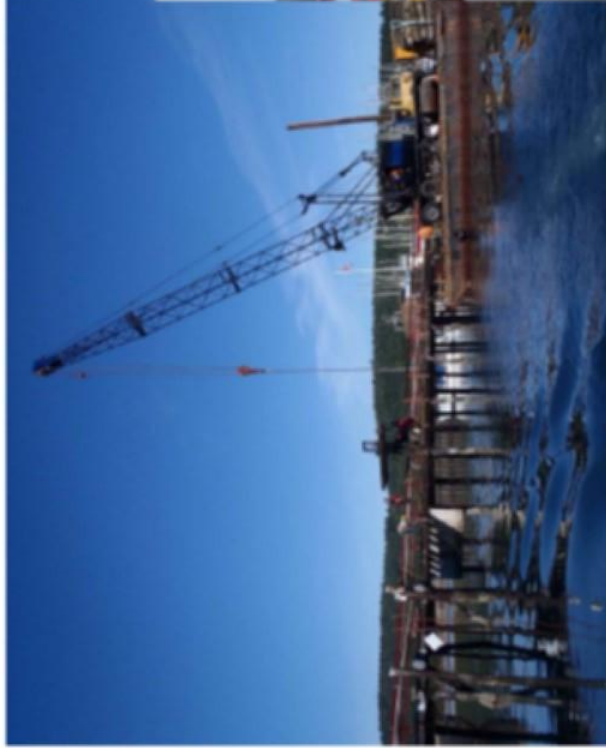


Severely split bearing pile





Proposed Ladysmith Wharf Construction



Ladysmith Wharf restricted use for interim safety repairs



Constant pile repair and reinforcing "band-aid" repairs to substructure





Proposed Ladysmith Wharf Construction



