

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, February 01, 2018

RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

---

---

9:00 am	-	9:15 am	Public Hearing: Electoral Area “D” Zoning Bylaw Amendment – 2128 Beaverdell Road
9:15 am	-	10:45 am	Corporate Services Committee
10:45 am	-	12:15 pm	Environment and Infrastructure Committee
12:15 pm	-	12:45 pm	Lunch
12:45 pm	-	1:15 pm	Community Services Committee
1:15 pm	-	3:00 pm	RDOS Board

*"Karla Kozakevich"*

---

Karla Kozakevich  
RDOS Board Chair

### Advance Notice of Meetings:

February 15, 2018	RDOS Board/OSRHD Board/Committee Meetings
March 01, 2018	RDOS Board/Committee Meetings
March 15, 2018	RDOS Board/OSRHD Board/Committee Meetings
April 05, 2018	RDOS Board/Committee Meetings
April 19, 2018	RDOS Board/OSRHD Board/Committee Meetings



# NOTICE OF PUBLIC HEARING

Electoral Area “D” Zoning Bylaw Amendment

2128 Beaverdell Road (Lot 1, DL2710, SDYD, Plan KAP50708 except Plan KAP56500

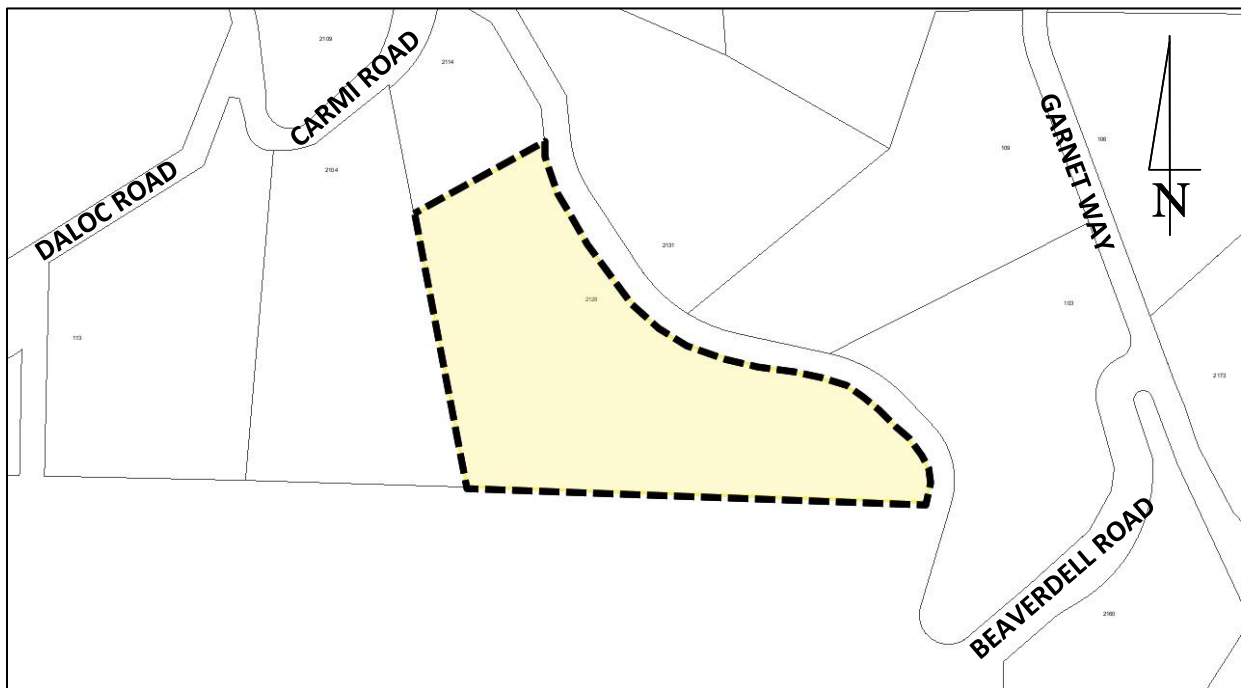
**Date:** Thursday, February 1, 2018

**Time:** 9:00 a.m.

**Location:** RDOS, Board Room, 101 Martin Street, Penticton

**PURPOSE:** To change the zoning of the property from Small Holdings One (SH1) to Small Holdings Two Site Specific (SH2s) in order to allow for the development of a three lot subdivision.

- Amendment Bylaw No. 2455.31, 2018 proposes to amend Schedule ‘2’ of the Electoral Area “D” Zoning Bylaw No. 2455, 2008, by changing the zoning designation from Small Holdings One (SH1) to Small Holdings Two Site Specific (SH2s), with the Site Specific component permitting a minimum parcel size of 1.95 hectares. As well, the Bylaw will be adding a Small Holdings Two (SH2) zone into the zoning bylaw.



## VIEW COPIES OF THE DRAFT BYLAWS, THE RESOLUTION DELEGATING THE HOLDING OF THE PUBLIC HEARING & SUPPORTING INFORMATION AT:

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: [www.rdos.bc.ca](http://www.rdos.bc.ca)

(Departments → Development Services → Planning → Current Applications & Decisions → Electoral Area “D”) → D2017.148-ZONE

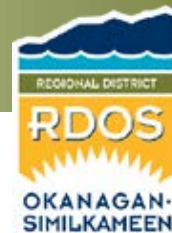
Anyone who considers themselves affected by the proposed bylaw amendments can present written information or speak at the public hearing. All correspondence received for the public hearing will be made public and should be addressed to: Public Hearing Bylaw No. 2455.31, 2018, c/o Regional District of Okanagan-Similkameen at 101 Martin Street, Penticton, BC, V2A 5J9. No letter, report or representation from the public will be received after the conclusion of the public hearing.

## FOR MORE INFORMATION PLEASE CONTACT DEVELOPMENT SERVICES:

Telephone: 250-490-4107 | Fax: 250-492-0063 | Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

Brad Dollevoet  
Manager of Development Services

Bill Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Corporate Services Committee

Thursday, February 01, 2018

9:15 a.m.

## REGULAR AGENDA

---

### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of February 1, 2018 be adopted.

---

### B. FORTISBC RATE DESIGN APPLICATION INTERVENTION – For Information Only

---

### C. CORPORATE ACTION PLAN DESIGNATIONS – For Information Only

#### 1. Corporate Action Plan – Schedule A

To determine geographic weighting of 2018 performance indicators.

---

### D. CORPORATE DONATIONS AND NAMING RIGHTS POLICY – For Information Only

#### 1. Corporate Donations and Naming Rights Policy - Draft

To provide the Corporate Donation and Naming Rights Policy draft for discussion.

---

### E. CLOSED SESSION

#### RECOMMENDATION 2

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations.

---

### F. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** 1 February 2018

**RE:** FortisBC Rate Design Application Intervention – For Information Only

---

### Background:

FortisBC (FBC) is proposing a five year transition from the current two-tier residential rate to a flat rate. FBC is also proposing that an optional time-of-use rate (TOU) be available to all customers commencing in mid-2019. FBC's justification for the five year transition is to ensure that no customers experience an annual bill increase in excess of 3.5 percent.

Mr. Marty has advised that the Joint AMCS/RDOS intervention is to argue for an immediate switch from two-tier rates to the flat rate.

AMCS has retained David Bursey, a partner at Bennett Jones LLP, to provide legal services to prepare and file the request to the BC Utilities Commission for joint intervenor status. While BCUC has appointed the panel, no details on the process are yet available. It is anticipated to require 7 – 9 months from project start to end.

### Legal Fee Estimate

The legal fees estimate (before tax) for both the review process proposed by FBC and the one proposed by AMCS would be as follows:

- |   |                     |
|---|---------------------|
| • FBC written process                                   | \$ 50,000 - 70,000  |
| • More robust review (oral hearing/intervenor evidence) | \$ 80,000 - 100,000 |

Travel and disbursements would be billed at our cost.

### Expert Witness Estimate

Mr. Marty will also file to BCUC through the PACA program on the same basis.

### BCUC Participant Funding

Bennett Jones LLP understands that AMCS and RDOS cannot participate unless the BCUC funds the legal fees through its Participant Assistance Cost Award (**PACA**) program and they will file a pre-application for funding on our behalf.





## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** 1 February 2018

**RE:** Corporate Action Plan Designations – For Information Only

---

### Purpose:

To determine geographic weighting of 2018 performance indicators.

### Reference:

2018 Corporate Action Plan

### Background:

During discussion on the 2018 Corporate Action Plan (the “Plan”) at the January 18<sup>th</sup> Corporate Services Committee meeting, Committee requested:

1. That the Plan be reviewed to determine the level of activity applied to:
  - a. Regional Programs
  - b. Participant Programs
  - c. Rural
  - d. Local Programs
2. That a Citizen Engagement Workshop be organized to discuss how the Regional District might get more useful information from the public to improve customer service.

### Analysis:

#### 1. Corporate Action Plan

The Corporate Action Plan takes Corporate Objectives to the next level by identifying performance indicators. It was determined that by going to the lowest level, Committee might get a more descriptive idea of where the organization will be focused in the 2018 calendar year.

Further, in reviewing the indicators, it was determined that designation is somewhat subjective, so Committee should go through this assessment to verify the results.

Key Success Driver	Goals	Objectives	Performance Indicators
1	3	4	11

2	2	5	15
3	3	15	36
4	2	3	5
Total	10	27	67

Performance Indicator Classification	#
Regional	31
Rural	10
Participant	15
Local	11

## Results

# 2018 Corporate Action Plan

Corporate Action Plan Adopted by the Board on \_\_\_\_\_

Corporate Action Plan Reviewed at Corporate Services Committee \_\_\_\_\_

2018 Business Plan Adopted by the Board of Directors on \_\_\_\_\_

<b>KSD 1      HIGH PERFORMING ORGANIZATION      (15 Points)</b>					
<b>Goal 1.1      To Be an Effective, Fiscally Responsible Organization</b>					
<b>Objective 1.1.1 - By providing the Board with accurate, current financial information.</b>					
#	Points	ACTION	WHO	WHEN	STATUS
1.1.1.1	1	Provide the Board with a Management Discussion and Analysis Report	MFS	Q1	Regional
1.1.1.2	1	Receipt of an unqualified independent audit for 2017	MFS	Q2	Regional
1.1.1.3	1	Successfully meet budget in 95% of established services	MFS	Q4	Regional

<b>Objective 1.1.2 - By being an effective local government</b>					
#	Points	ACTION	WHO	WHEN	STATUS
1.1.2.1	1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q3	Regional
1.1.2.2	1	Develop a Naming and Donation Policy for RDOS properties	MCS	Q1	Rural
1.1.2.3	1	Develop an e-communication plan	MLS	Q3	Regional

<b>Goal 1.2      To Be a Healthy and Safe Organization</b>					
<b>Objective 1.2.1      By implementing the 2018 joint occupational health and safety action plan</b>					
#	Points	ACTION	WHO	WHEN	STATUS
1.2.1.1	2	Complete the 2018 phase of the Safe Work Procedures Plan	MHR	Q4	Regional
1.2.1.2	1	Keep the RDOS injury rate below the average for our WorkSafeBC classification unit	MHR	Q3	Regional
1.2.1.3	2	Establish and support a Fire Services OH&S Committee to meet Regulatory Requirements	MCS/ MHR	Q3	Rural

<b>Goal 1.3 To Cultivate a High Performing Organizational Culture</b>					
<b>Objective 1.3.1 By implementing an Organizational Development Program</b>					
#	Points	ACTION	WHO	WHEN	STATUS
1.3.1.2	3	Conduct an Internal Organizational Review	CAO	Q2	Regional
1.3.1.4	1	Show improved results on the 2018 Staff Perception Survey over 2017 Survey	MHR	Q4	Regional

<b>KSD 2 FOCUS ON THE CUSTOMER EXPERIENCE (20 Points)</b>					
<b>Goal 2.1 To Elevate Customer Use of RDOS Services</b>					
<b>Objective 2.1.1 By promoting regional district facilities and services</b>					
#	Points	ACTION	WHO	WHEN	Status
2.1.1.1	1	Participate in Local Government Awareness Week	MLS	Q2	Regional
2.1.1.2	2	Implement the 2018 phase of recommendations from the 2017 citizen survey	MLS	Q2	Regional

<b>Objective: 2.1.2 By engaging our citizens in the development and improvement of our programs</b>					
#	Points	ACTION	WHO	WHEN	STATUS
2.1.2.1	1	Develop a social media program and present it to the Board for discussion	MLS	Q3	Rural
2.1.2.2	1	Conduct a benchmarking program to determine public engagement best practices	CAO	Q3	Rural
2.1.2.3	1	Investigate web-casting technology for Board meetings	MIS	Q3	Regional

<b>Goal 2.2 To Meet Public Needs Through the Continuous Improvement of Key Services</b>					
<b>Objective 2.2.1 By continuously improving bylaws, policy and process within the organization</b>					
#	Points	ACTION	WHO	WHEN	Status
2.2.1.1	2	Transfer all irrigation district bylaws to RDOS format	MLS	Q3	Local
2.2.1.2	1	Implement the actions identified in the 2017 Subdivision Referral Process Kaizen.	MHR	Q3	Rural
2.2.1.3	2	Implement the actions identified in the 2017 Building Permit Process Kaizen.	MHR	Q3	Participant
2.2.1.4	1	By investigating the business case on having one engineering firm on retainer rather than going out for proposals	MPW	Q4	Participant
2.2.1.5	2	Review Best Practices for bylaw enforcement, identify gaps and prepare revised procedures and policies for Board consideration	MDS	Q2	Rural

<b>Objective: 2.2.2: By submitting an intervention to the BCUC into the 2017 FortisBC Rate Structure Application</b>					
#	Point	ACTION	WHO	WHEN	
2.2.2.1	1	Review FortisBC Rate Structure application to determine position on Residential Conservation Rate	CAO	Q1	Regional
2.2.2.2	1	Advocate with the Provincial Government to rescind the Residential Conservation Rate	MLS	Q2	Regional

<b>Objective 2.2.3 By implementing the regional transit future plan</b>					
#	Points	ACTION	WHO	WHEN	Status
2.2.3.1	1	Undertake a Transit Ridership Satisfaction Survey for future marketing and route planning	MCS	Q1	Participant
2.2.3.2	2	Develop a transit marketing strategy based on survey results	MCS	Q3	Participant
2.2.3.3	1	Conduct a feasibility study into the establishment a Penticton – Kelowna Multi-Regional shared transit service	MCS	Q3	Regional

<b>KSD 3: BUILDING A SUSTAINABLE REGION (50 points)</b>					
<b>Goal 3.1 To Develop a Socially Sustainable Region</b>					
<b>Objective 3.1.1 By implementing the regional fire service master plan</b>					
#	Points	ACTION	WHO	WHEN	Stat
3.1.1.1	2	By Developing a Firefighter Training Program for each Fire Dept. that meets Regulatory Requirements	MCS	Q3	Participant
3.1.1.2	2	By reviewing the records management software program and develop a standard for all RDOS Fire Departments	MCS	Q2	Participant

<b>Objective 3.1.2: By establishing a Naramata Fire Service Satellite Fire Hall</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.1.2.1	1	Acquire an appropriate site for the satellite fire hall	MCS	Q2	Local
3.1.2.2	1	Finalize building site design and contract for construction	MCS	Q3	Local



<b>Objective 3.1.3 By developing the Erris Volunteer Fire Department</b>					
#	Points	ACTION	WHO	WHEN	Status
3.1.3.1	1	Implement the Service Establishment process for the proposed Erris Fire Service Area	MLS	Q3	Local
3.1.3.2	1	Provide Erris Fire Department membership with RDOS orientation	MCS	Q3	Local

<b>Objective 3.1.4 By reviewing and updating the emergency management program</b>					
#	Points	ACTION	WHO	WHEN	
3.1.4.1	1	Review and update the emergency program bylaw	MCS	Q1	Regional
3.1.4.2	2	Review and update the emergency response plan	MCS	Q2	Regional
3.1.4.3	1	Enhance Community partnership opportunities by establishing reporting framework with member municipalities and the Board of Directors	MCS	Q3	Regional
3.1.4.4	2	Implement two emergency response plan exercises	MCS	Q3	Regional

<b>Objective 3.1.5: By implementing the regional trails program</b>					
#	Points	ACTION	WHO	WHEN	
3.1.5.1	1	Assist the Province with a critical habitat inventory management plan for the KVR trail from Vaseux Lake to Osoyoos	MCS	Q3	Regional
3.1.5.2	1	Obtain Provincial tenure for the KVR trail for Areas A, C and D	MCS	Q3	Regional
3.1.5.3	1	Establish a partnership with OIB and PIB for the completion of the KVR trail	MCS	Q3	Regional

<b>Objective 3.1.6 - By implementing the 2018 Phase of the Parks Program</b>					
#	Points	ACTION	WHO	WHEN	
3.1.6.1	1	Implement the service establishment process for an Electoral Area H parks service	MCS	Q2	Local
3.1.6.2	1	Undertake a complete parks and trails signage inventory and replacement process	MCS	Q1	Regional
3.1.6.3	1	Develop an RDOS parks, facilities, trails and programs online GIS storybook	MCS	Q2	Regional

<b>Objective 3.1.7: By providing public recreational opportunities</b>					
#	Points	ACTION	WHO	WHEN	STATUS
3.1.7.1	1	Participate in the South Okanagan Aquatic Facility and Similkameen Recreation Commission Aquatic Facility feasibility studies	MCS	Q3	Participant
3.1.7.2	1	Introduce a recreation programming component to the Similkameen Recreation Commission service area	MCS	Q1	Participant
3.1.7.3	1	Implement a Regional approach to recreation via the Plan H Grant	MCS	Q4	Regional

<b>Goal 3.2 To Develop an Economically Sustainable Region</b>					
<b>Objective: 3.2.1: By Developing an Asset Management Plan</b>					
#	Points	ACTION	WHO	WHEN	
3.2.1.2	2	Development of Phase 3 or the Asset Management Plan	MPW	Q4	Regional

<b>Objective: 3.2.2: By Investigating the Business Case to Acquire Authority to Issue Business Licenses</b>					
#	Points	ACTION	WHO	WHEN	
3.2.1.2	2	Research and present a Business Case to the Board on the benefit and process to apply for authority to issue Business Licenses	MDS	Q3	Regional

<b>Goal 3.3 To Develop an Environmentally Sustainable Region</b>					
<b>Objective: 3.3.1: By completing the Electoral Area “F” Official Community Plan Update</b>					
#	Points	ACTION	WHO	WHEN	
3.3.1.1	1	Complete a robust public engagement process	MDS	Q1	Local
3.3.1.2	1	Present the draft/final plans to the Board for review	MDS	Q3	Local

<b>Objective: 3.3.2: By implementing the 2018 Phase of the Solid Waste Management Plan</b>					
#	Points	ACTION	WHO	WHEN	
3.3.2.1	2	Evaluate options and develop a plan to construct a regional organics facility	MPW	Q3	Regional
3.3.2.2	2	Complete the leachate collection project at CMLF	MPW	Q4	Participant
3.3.2.3	2	Complete the Biocover pilot project at CMLF and submit a report and substituted requirements application to MoE for approval	MPW	Q4	Participant
3.3.2.4	2	Implement the operations and closure plan for Keremeos Landfill	MPW	Q4	Participant

<b>Objective: 3.3.3: By enhancing the Okanagan Falls Waste Water Treatment System</b>					
#	Points	ACTION	WHO	WHEN	
3.3.3.1	1	Completing a Water Quality and Sediment Assessment on Vaseux Lake	MPW	Q3	Local
3.3.3.2	2	Design & Commence Construction on the Wetland Project	MPW	2019	Local
3.3.3.3	2	Design and establish a Service for the Skaha Estates Waste Water Collection System.	MPW	Q3	Local

<b>Objective: 3.3.4: By enhancing Regional District Water System Delivery</b>					
#	Points	ACTION	WHO	WHEN	
3.3.4.1	2	Implement recommendations from the 2017 AGLG Water Audit, including the Cross Connection Control Bylaw and the Regional Water Use Regulation and Conservation Bylaw	MPW	Q3	Participant
3.3.4.2	2	Investigate water system acquisitions, including Missezula Lake, Tulameen and Sage Mesa	MPW	Q1	Participant

<b>Objective: 3.3.5: By addressing recreational marijuana legalization</b>					
#	Points	ACTION	WHO	WHEN	
3.3.5.1	1	Review legislation from Province and Federal, when released	MDS	Q2	Rural
3.3.5.2	1	Gap analysis on Electoral Area Zoning Bylaws	MDS	Q2	Rural

<b>Objective: 3.3.6:</b> By investigating the benefit of establishing land use controls for docks					
#	Points	ACTION	WHO	WHEN	
3.3.6.1	1	Liaise with provincial representative to determine current regulations on dock development	MDS	Q2	Participant
3.3.6.2	1	Evaluate the benefit of including regulations on docks in Okanagan Valley zoning bylaws for committee discussion	MDS	Q2	Participant

<b>KSD 4</b>		<b>PROVIDE GOVERNANCE &amp; OVERSIGHT IN A REPRESENTATIVE DEMOCRACY (15 Points)</b>			
<b>Goal 4.1</b>		<b>To Execute a Well-Defined Strategic Planning Cycle</b>			
<b>Objective: 4.1.1:</b>		<b>By executing the Strategic Planning and Enterprise Risk Management Programs.</b>			
#	Points	ACTION	WHO	WHEN	STATUS
4.1.1.1	3	Development of the 2019 Corporate Business Plan	CAO	Q4	Regional
4.1.1.2	2	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors	CAO/ MIS	Quarterly	Regional

<b>Goal 4.2</b>		<b>To Promote Board and Chair Effectiveness</b>			
<b>Objective: 4.2.1:</b>		<b>By assisting the Board to operate in an effective manner</b>			
#	Points	ACTION	WHO	WHEN	
4.2.1.1	5	Plan and implement a Board orientation program for the 2018 – 2022 elected officials	MLS	Q4	Regional

<b>Objective: 4.2.2:</b>		<b>By conducting a legislatively compliant General Local Election</b>			
#	Points	ACTION	WHO	WHEN	
4.2.2.1	2	Develop and present the 2018 election bylaws and process	MLS	Q1	Rural
4.2.2.2	3	Conduct the 2018 election	MLS	Q3	Rural

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Corporate Donations and Naming Rights Policy

---

### **Purpose:**

To provide the Corporate Donations and Naming Rights Policy draft for discussion.

### **Reference:**

- Draft Corporate Donations and Naming Rights Policy

### **Background:**

The need for a corporate donations and naming policy was identified in the Community Services Committee Meeting on 6 April 2017 (see Appendix A). Twelve local governments were identified as possible benchmarks for review of donation and naming rights policies. Canada Revenue Agency documents were also reviewed to determine charitable opportunities. This report outlines the key considerations involved in creating a policy for accepting and recognizing donations to the RDOS. Such considerations include but are not limited to; donation definitions, mechanisms of giving, eligible projects for donation, classifications, placement, term, ownership, maintenance, liability, recognition and naming rights.

### **Analysis:**

#### Donation Definition and Mechanisms of Giving:

Philanthropic donations can be in various forms and processed through a variety of mechanisms. The consideration of the full range of donation options suggests potential to generate substantial revenue for the corporation. Donations typically take the form of monetary (i.e. cash) and non-monetary material gifts (i.e. property). Alternative mechanisms of donations that are being accepted by some local governments include securities, irrevocable beneficiary designations, bequests of estate, ecological gifts, life estate, and gift annuities (see Appendix B).

Donations may also refer to services offered in-kind, such as volunteered hours. Due to the resource requirements of quantifying and tracking in-kind donations, and the legal oversight that would be required in accepting alternative mechanisms, the policy draft refers solely to one-time monetary (i.e. cash) and non-monetary (i.e. property) donations.

### Eligible Projects for Donation:

Most donation policies refer to the donation of park related amenities, while some local governments accept donations to support a full range of public services including public art, heritage artifacts, recreation and fire service facilities and equipment, and other special projects. Some municipalities present the option to donate towards improvement projects. Such projects may be sponsored in whole, or in part. In the latter case, donations are collected until the project is completely funded. The policy has been drafted to include a wide range of donation amenity and project types (see Draft Corporate Donations and Naming Rights Policy - Schedule A). At a program level, a list of current project opportunities can be maintained and released to interested parties. For tree plantings, this may include a list of eligible species. Time restrictions may need to be applied.

### Donation Classification:

The classification of donations can provide a consistent set of guidelines for recognizing different levels of donations made to the organization. Donation agreement types, terms and naming rights can also be defined by such classification. The suggested classification scheme (see Draft Corporate Donation Policy – Schedule B) refers to the donation being made, rather than the cost of the project to which the donation is being contributed.

### Donation Amenity Placement:

It is common practice for the donor to have input into the location and placement of the donated amenity, with the final decision to be at the discretion of the local government. At a program level, to facilitate discussions, the relevant department can provide a map to indicate eligible areas for placement in advance. Schedules for installation may also be established at the program level for standard amenity donations.

### Terms, Ownership, and Maintenance:

Specified terms for donated amenities may be applied to amenities that have a definitive lifecycle. Park benches, for example, may hold a term of 10 or 15 years. A benefit of termed donations is that the costs of maintenance can be factored into amenity prices, and therefore paid by the donor.

As of the transaction date, donations would become the property of the corporation and any donated property would then be included within the corporate liability insurance policies. For amenities with a specified term (i.e. park benches), the corporation would agree to maintain the amenity for the full duration of term, after which the amenity may be maintained, repaired, or removed at the corporation's discretion.

### Recognition and Naming Rights:

In general, donors are typically recognized via commemorative plaques or signs. Local governments permit donor input into recognition plaques, while the final decision is at the discretion of the

corporation. It is standard to require that all names associated with the donation or included within recognition plaques and signage represent a person, group, or business in good public and moral standing. Any criminal or moral lapse may result in the revocation of the naming right at the corporation's discretion.

All donors will be recognized in accordance with Schedule B of the policy. All donations will receive a form of material and public recognition in accordance with the classification of the donation. Requests for anonymity should also be considered.

#### Tax Receipts:

All local governments are registered charitable organizations with the Canada Revenue Agency and are therefore able to issue official donation receipts. In brief, non-refundable donation tax receipts can be issued for the eligible value, defined as the total value of the donation less any advantage received. The advantage received cannot exceed 80% of the total value of the gift.

Respectfully Submitted:

Candice Gartner

*C.Gartner – Projects Coordinator, Community Services*



## Appendix A: Administrative Report to Community Services Committee – 6 April 2017

### **ADMINISTRATIVE REPORT**

**TO:** Community Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** 6 April 2017

**RE:** Corporate Donations and Naming Rights – For Discussion

---

#### **INTRODUCTION:**

Over the past few years a number of projects have received donations from private citizens and the question has come up as to how to recognize them for their philanthropy. Some donations are commemorative, some are anonymous, some are of a minor nature from a community of interest perspective, but some are significant and may come with a request to have a community asset named in their honour.

Many local governments have developed policy around this issue in an effort to place a value on a donation or determine what may happen without a consistent method of dealing with requests. It would be beneficial if the Regional District were able to establish guidelines, while at the same time, maintain a strong motivation for giving. By establishing policy, the Board may strategically and consistently recognize donors without building or committing to expectations that we can't fulfill. We know that municipal assets sometimes move or are replaced. Other donors may come forward at that time. We've all seen facilities or assets that have been named and then the donor suffers from a criminal or moral lapse while their name remains on a public building.

Reasons for Recognition in public areas or on public facilities:

- Volunteerism
- Historical
- Celebrity
- Honourary
- Commemorative
- Financial

Circumstances that may arise from time to time:

- Donation of a bench or memorial tree
- Donation of parkland
- Cash contributions to facilities
- Recognizing public service or contributions to community
- Events
- Selling naming rights for existing assets, or parts thereof

Some of the guidelines for discussion might include:

- Process for formalizing commitment agreements
  - Who does what
  - Confidentiality

- Exclusivity
- Public involvement
- Term
- Renaming
- Morals clause and procedure for removing name in certain situations
- Naming opportunities available with minimum of gift required
- How and when gifts will be recognized
- Is naming based on a one-time donation or cumulatively
- Sample language for naming and plaques
- Sign design guidelines
- Payment schedule
- Process for replacement of property
- Duplication
- Should naming be for living persons or only posthumously
- Tax Receipts
- Soliciting Gifts/ Code of Ethics
- When to say “no”

Where do we go from here?

## Appendix B: Alternative Donation Mechanisms

**Securities:** Stocks, bonds, or mutual funds can be donated to the regional district, for which the donor will receive tax credits based on the value of the securities donated. Securities can be donated through direct donation outside one's estate, or written within one's will.

**Irrevocable beneficiary designations:** The regional district can be named as the beneficiary on items such as tax free savings accounts, Registered Retirement Savings Plans (RRSPs), Registered Retirement Income Funds (RRIFs), and life insurance policies. Upon the donor's death, the regional district will receive an immediate donation equal to the cash value of the beneficiary item. The regional district can issue a tax receipt to the donor's estate for the value of the gift received. For life insurance policies, the donor also receives annual donation receipts for the premiums that he or she pays to keep the policy in force after making the regional district the beneficiary. This gifting option will be attractive to those wishing to reduce the taxes payable on their estate, as it is an effective tool to keep assets outside of probate. It is also a way for those who want to make a large gift when they have limited resources. A gift of insurance generates a donation, which may be many times the amount paid in premiums, for which the donor can receive tax credits.

**Bequests:** One can use their will to leave a natural legacy by naming the regional district specific items, a portion of the value of the estate, or the residue of the estate. When making a bequest, a tax receipt is given for the full amount of the donation and can be claimed in the donor's final tax return. Any unused credit can be carried back one year and applied to taxes owing in that year to obtain a tax refund for your estate. Many people choose not to leave a stated sum of money but rather to leave a share or the residue. This is because, unlike most other donations in wills, its value will not be affected by inflation. Donors can instruct the regional district to use the funds for only a specific purpose or can authorize the funds to be used with discretion.

**Ecological Gifts:** For landowners who wish to donate their land or an interest in their property to the regional district, the Ecological Gifts program will be of interest. As properties donated to the regional district under the program can never be mortgaged or re-sold, one can be confident that their land will be protected forever. Such donations may also generate increased tax benefits under this program. Donors receive a tax receipt for the full value of their ecological gift. This tax receipt can be applied against 100% of the donors' net annual income. Corporate donors may deduct the amount directly, while individual donors can use it to calculate a non-refundable tax credit. Any unused portion of the tax receipt may be carried forward for up to five years. None of the capital gain from the transfer of the property is taxable instead of the usual 50%. To qualify for the increased tax benefits, land being donated must be considered ecologically sensitive – land that either currently contributes or has potential to contribute to Canada's biodiversity or environmental heritage. Property that provides habitat or has ecological values may be considered, as may properties with extensive restoration plans. Environment Canada administers the Ecological Gifts program in partnership with local governments such as the regional district. Donors thinking of making an Ecological Gift, should seek independent tax and legal advice before doing so. More information is available by visiting the Environment Canada Ecological Gift Program web page.

**Life Estate:** By donating a life estate to the regional district, the donor (and perhaps the donor's children) retain the right to remain on their property for the remainder of their lives. Once they are no longer living on the property, it will transfer to the regional district for a park. Usually, a life estate involves certain restrictions on use of the property. A life estate may contain some tax benefits depending on the value of the property and the length of time the owner will remain on the property.

**Gift Annuities:** A charitable gift annuity allows a donor to donate a lump sum to the regional district and, in return, receive both a charitable receipt and guaranteed income (for the rest of their life, or for a stated period). How they work: The regional district retains 25-30% of the amount given to support corporate work, or as an endowment (whichever you prefer), for which you receive a charitable receipt. The balance is typically used to buy an annuity from a life insurance company that will produce the income the donor will receive. Who they work for: Individuals 65 years and older who want: the security that guaranteed payments from gift annuities offer; the benefit of the after-tax rates of return that annuities provide, which are significantly better than GIC's and Canada Savings Bonds; the immediate tax benefits of a donation; and Charitable Remainder Trusts.

Source: Comox Valley Regional District

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

**POLICY:** Corporate Donations and Naming Rights Policy

**AUTHORITY:** Board Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

**AMENDED:** Board Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

## **POLICY STATEMENT**

The Regional District of Okanagan-Similkameen (RDOS) acknowledges that through donations, there is potential to expand and enhance the full spectrum of programs, services and facilities for its constituents. All donations shall be recognized in a consistent and equitable manner, ensuring that they align with the corporate strategic priorities and serve the public interest.

## **PURPOSE**

This policy articulates the circumstances under which the RDOS will accept donations and outlines the program for recognizing donations.

## **SCOPE**

Except as otherwise set out, this policy shall apply to donations from private citizens, organizations, and/or businesses that contribute to RDOS programs, services or facilities.

This policy shall not apply to:

- corporate sponsorship arrangements;
- advertising sales;
- funding or gifts in-kind obtained from other levels of governments through normal transfer payments or grant programs; and
- fees charged, purchase of service agreements, leasing of property, or similar revenue earned by the RDOS.
- Gifts of service (donated time, skills, or efforts) or volunteerism.

## **DEFINITIONS**

**Donations:** For the purpose of this policy, "Donations" will refer to a one-time monetary gift or gift of property towards a specified project or improvement.

**Eligible amount of the gift:** The amount by which the fair market value of the gifted property exceeds the amount of an advantage, if any, received or receivable for the gift.

**Advantage:** The advantage is generally the total value of any property, service, compensation, use or any other benefit that the donor is entitled to as partial consideration for, or in gratitude for the gift.

**Arm's length transaction:** Refers to a transaction between persons who act in their separate interests. The criteria for determining what qualifies as an arm's length transaction are established in Canada Revenue Agency (CRA) Policy 113 (E) Rev. 16.

**Tax deductible receipt:** Refers to an Official Donation Receipt as defined by the Canada Revenue Agency.

## **DONATION ACCEPTANCE GUIDELINES**

The donation must:

- a) be consistent with the mandate, policies and objectives of the RDOS;
- b) enhance the development, delivery, awareness or continuance of one or more RDOS programs, services, or facilities; or provide for the delivery of programs and services by the community in a manner deemed by the RDOS to be efficient, effective and in the best interests of the community at large;
- c) take into consideration the long term implications on staffing and financial resources beyond the life of the donation;
- d) be subject to any other applicable approval process mandated by legislation, regulation, bylaw or resolution;
- e) be in a form acceptable to the RDOS;
- f) take into consideration the anticipated community impact of the donation, particularly when the donor's products or public image may be deemed sensitive.

The donation must not:

- a) imply endorsement of the donor or, if the donor is a company, imply endorsement of its products and services and should prohibit corporate partners from making statements which suggest a company's products and services are endorsed by the RDOS;
- b) result in or be perceived as giving any preferential treatment outside of the donation framework;
- c) be accepted from individuals or corporations currently not in good standing with the RDOS (i.e. currently in violation of a bylaw or under litigation or delinquent on payments owing the RDOS);
- d) cause an employee or elected official to receive any product, service or asset for personal use or gain;
- e) be accepted from any business or corporation recognized as producing tobacco, beer, wine, alcohol, or cannabis products; and
- f) be accepted from any corporation who in any manner portray, promote or condone stereotyping of any group or discrimination as defined by the Canadian Human Rights Code.
- g) The RDOS reserves the right to refuse any donation at any time prior to the transaction date.

## **VALUATION OF DONATIONS (this is only required if a tax deductible donation receipt is to be issued)**

- a) All donations will be valued at the fair market value of the gifted item;
- b) Where the value of a potential donation is not known or uncertain, the RDOS may request an appraisal, of which the donor may be asked to cover the costs.

## **DONATION AGREEMENTS**

The agreement will be in the form of a letter (for donations less than \$5,000); a memorandum of agreement (for donations of \$5,001 to \$25,000) or a contract (for donations over \$25,000). Agreements will outline the following, at a minimum:

- a) what the donor is contributing and what the value of the contribution represents;
- b) the dispositions and ownership of any assets resulting from the donation;
- c) responsibility for the maintenance, insurance and taxes of all assets associated with or resulting from the donation; and
- d) the duration of the donation (if applicable).

## **USE OF DONATED FUNDS**

- a) The RDOS must retain active control over the use of donated funds, i.e. must actively oversee the use of donated funds. The RDOS is not required to return donations to the donor if requested.
- b) Donors can designate the funds be used for a program or project. If accepted, the RDOS is required to use the funds within that program or project. It must be a program that is currently in place or a new program that falls within the scope and mandate of the RDOS. The RDOS Board may name a project that it wants to support through donations and other sources of funding.

## **PLACEMENT, MAINTENANCE, AND RIGHT OF REMOVAL**

- a) The RDOS will welcome the suggestion of the donor regarding placement and location of the amenity or special project. Final approval of location and placement will be at the discretion of and subject to the approval of the RDOS.
- b) Upon midnight of the transaction date, donated items will become the property of the RDOS, and are included within the corporate replacement and liability insurance policies.
- c) Donations of standard amenities are for a fixed duration of 15 years. Associated maintenance costs over a 15 year term are included in the cost schedule as set out in Schedule A.
- d) In the event that a donation becomes vandalized or in need of repair, the RDOS may carry out one-time repairs to bring the amenity to its most recent standard within the term specified in Schedule B.
- e) The RDOS reserves the right to re-locate the item, if necessary. If a change to RDOS' infrastructure requires removal of the donated item, the RDOS will make an effort to relocate or replace the item within a reasonable proximity to the original location. If this is not achievable, the RDOS reserves the right to relocate the item to a suitable location determined by the RDOS.
- f) In the event that the condition of the donated amenity is compromised and is determined by the RDOS to be an immediate safety risk to the public, the RDOS reserves the right to remove the amenity or item.

## **CONDITION OF NON-MONETARY GIFTS**

- a) All non-monetary gifts presented for donation must be in acceptable condition to the RDOS prior to the date of transaction or otherwise acknowledged within a contractual agreement;
- b) Wherein assessments of condition or rehabilitation work are required, such work must be completed prior to the transaction date, unless otherwise specified within a contractual agreement.
- c) The RDOS reserves the right to refuse any non-monetary gift deemed to be in less than acceptable condition by the RDOS.

## **INDEPENDENCE FROM UNDUE INFLUENCE**

- a) To ensure that the RDOS retains an arm's length relationship with a donor and does not act subject to undue influence; donations cannot be solicited or accepted from the following:
  - A party to an application for an approval, license or permit, or
  - A bidder, proponent or applicant or any party not acting at arm's length from a bidder, proponent or applicant to an open procurement.
- b) The RDOS cannot accept donations that are conditional upon the endorsement of any product, service or supplier.

## **ISSUING TAX DEDUCTIBLE RECEIPTS**

- a) Donations can be accepted without the donor requesting a tax-deductible donation receipt. This may be applicable to businesses that will claim the donation as an expense.
- b) In the event that a donor requests a tax-deductible receipt, the RDOS must verify that the receipt can be issued before the donation is accepted.
- c) Tax deductible receipts will be issued for the eligible amount of the gift. In the event that the donor requests not to receive recognition, the tax deductible receipt will be issued for the eligible amount of the gift, less the adjusted advantage received.
- d) Tax deductible receipts will only be issued for donations with a value in excess of \$100.00.
- e) Tax deductible receipts will be issued no later than January 31st of the following year.

## **DONOR RECOGNITION**

- a) All donors will receive a plaque or sign of recognition in accordance with Schedule B.
- b) All donors will receive public acknowledgement of the donation in accordance with Schedule B.
- c) Donors who wish to remain anonymous must notify the RDOS in writing of their wishes prior to the transaction date. Should the donor wish to forego the recognition plaque, the plaque cost will be added to the eligible gift amount and reflected within the non-refundable tax receipt.

## **NAMING RIGHTS**

- a) Donors that contribute \$5,000 or less are permitted to have input into the text contained within the recognition plaque. The proposed text shall be expressed by the Donor at the time of application, is subject to the final approval of the RDOS, and will be finalized in writing prior to the transaction date.
- b) Donors that contribute \$5,001 or more to a permanent project are eligible to have input into the naming rights of the specified project. The proposed name shall be expressed by the Donor prior to the transaction date, and is subject to the final approval of the RDOS.



- c) Donors are encouraged to suggest names that represent one or more of the following: the geographical location, the geological features of the landscape, persons (both living and in memoriam) who significantly contributed to the specified project or community at large, or inspirational phrases or quotes.
- d) The RDOS will not permit names of the following nature: names that promote or condone stereotyping of any group or discrimination, or names that are of a contentious or political nature.
- e) Names assigned to donated amenities, objects, or projects must only be associated with persons, groups or businesses in good public and moral standing. Any criminal or moral lapse may result in the revocation of the naming right at the RDOS Board's discretion.

#### **OTHER LEGISLATION**

Where there is a conflict between this policy and legislation from a senior level of government (i.e. Canada Revenue Agency CRA), the more restrictive will apply.

**\*\*\* END OF POLICY \*\*\***

DRAFT

**Schedule A – List of Donation Types and Costs (\*PRICES TO BE CONFIRMED).**

<b>Standard Amenity Donations</b>	<b>Donation Amount (Estimate)</b>
Tree planting	\$ 500 and up.
Bicycle Rack	\$1700
Park Benches	\$1800
Transit Benches	\$1800
Picnic Table	\$4000
Gardens	varies
Kiosks and Signs	varies
<b>Special Projects</b>	<b>Donation Amount (Estimate)</b>
<b>Parks Improvement Projects</b>	
Trail Development (by kilometre)	varies
Gardens and Forest Reclamations	varies
Kiosks and Signs	varies
Art Installations and Sculptures	varies
<b>Transit Improvement Projects</b>	
Transit Shelters	varies
<b>Recreation, Culture and Heritage Improvement Projects</b>	
Exercise equipment	varies
Playground Equipment	varies
Heritage Restorations of RDOS Owned Assets	varies
Kiosks and Signs	
<b>Fire Protection Improvement Projects</b>	
Search and Rescue Equipment	varies
<b>Conservation Improvement Projects</b>	
Small Scale Riparian Restoration Projects	varies
<b>Public Works Improvement Projects</b>	
Infrastructure Upgrades	varies
Climate Change Mitigation Initiatives	varies
<b>Other</b>	
Land	varies
Facilities	varies

***Schedule B –Summary of Classification Terms***

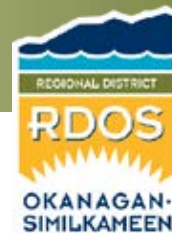
<b><i>Classification</i></b>	<b><i>Amount</i></b>	<b><i>Term</i></b>	<b><i>Agreement</i></b>	<b><i>Recognition</i></b>	<b><i>Naming Right</i></b>
Standard	Up to \$5,000	15 years	Letter	- Annual recognition ad - Standard Donor plaque (10cmx20cm)	15 years
Silver	\$5,001 to \$25,000	In perpetuity or for lifecycle duration.	Memorandum of Agreement	- Annual recognition ad - Donor plaque (15cmx20cm)	In perpetuity <i>See Note B</i>
Gold	\$25,001 to \$100,000	In perpetuity <i>See Note A</i>	Contract	- Press release - Donor plaque or sign - Recognition Event with Area Director	In perpetuity <i>See Note B</i>
Platinum	Over \$100,000	In perpetuity <i>See Note A</i>	Contract	- Press release - Donor plaque or sign - Recognition Event with RDOS Chair and Area Director	In perpetuity <i>See Note B</i>

Notes:

A = May require establishment of tax service for ongoing maintenance.

B = Perpetuity refers to the full life cycle of donated item.

**\*\* END OF SCHEDULES\*\***



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, February 01, 2018

10:45 a.m.

### REGULAR AGENDA

---

#### A. APPROVAL OF AGENDA

##### RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of February 1, 2018 be adopted.

---

#### B. DELEGATION

1. Michael Bezener, Director – ECommunity Place and Locatee Lands Project
  - a. Presentation

Mr. Bezener will address the Board to present an update with regards to ECommunity Place and Locatee Lands Project.

---

#### C. DELEGATION

1. Suzette Cohen
2. Elizabeth Bent
3. Christine Kruger
4. Amanda Kruger

Ms. Cohen, Ms. Bent, Ms. Kruger and Ms. Kruger will address the Board as a representative of owners of Locatee in Marron Valley regarding compost facility siting.

---

#### D. SITING OF ORGANIC MANAGEMENT FACILITIES – For Discussion

1. Regional Compost Facility: Siting and Financial Considerations Presentation

*This item was deferred from the January 18, 2018 Environment and Infrastructure Committee Meeting.*

##### RECOMMENDATION 2

THAT administration be directed to re-engage first two options, being Marron Valley and Summerland.

---

**E. SHINISH CREEK – CROWN LAND TENURE RENEWAL**

To renew existing License of Occupation Tenure over Crown Lands (File No. 342004) for 30 years.

**RECOMMENDATION 3**

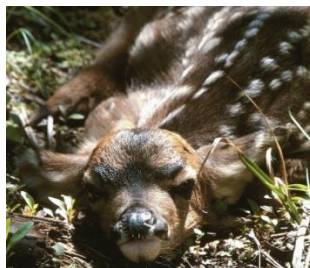
**THAT the Board of Directors endorse the Crown Land Tenure Application for Renewal of Existing Access over Crown Land - File 3410928 associated with Shinish Creek Diversion Infrastructure.**

---

**F. ADJOURNMENT**

# ECommunity Place & Locatee Lands Project

Revitalizing Indigenous Culture, Language, Community & Environment



**Lands & Learning, Conservation & Culture**





# ECommunity Place & Locatee Lands Project

Revitalizing Indigenous Culture, Language, Community & Environment



## Locatee Lands Project:

- ✿ Long-term protection of habitat on Certificate of Possession (“locatee”) parcels on-reserve.

## ECommunity Place:

- ✿ Opportunities to engage Indigenous Aboriginal perspectives, knowledge, laws and protocols.

**Lands & Learning, Conservation & Culture**



## Our Vision:



- ✿ Protected and Restored Natural Habitats
- ✿ Species At-Risk Populations Recovered
- ✿ Indigenous Culture Re-vitalized & Perpetuated
- ✿ All People Reconnected to The Land
- ✿ Abundant Fish, Wildlife, Roots, Berries & Medicines
- ✿ Clean and Healthy Air, Land & Water
- ✿ Ecologically Sustainable Communities





## Our Process:







- ✓ Habitat Securement
- ✓ Cultural Education Programs & Training
- ✓ Eco-cultural Tourism & Interpretation
- ✓ Cross-Cultural & Multicultural Programs
- ✓ Research
- ✓ Habitat Restoration & Enhancement



## Locatee Lands Project Habitat Securement

Partnering with Penticton Indian Band members to protect rare and endangered habitats on-reserve.

-  Purchased or Donated
-  Purchase Pending
-  Leased (future Purchase or Long-term Lease)
-  Shingle Creek  
(ntytyix / Chinook Salmon habitat)

Total Project Area of Interest =  
115 acres / 46.5 hectares





## Locatee Lands Project Habitat Securement CP 40-4



Environment & Climate Change Canada's Aboriginal Funds for Species At Risk (AFSAR) and the South Okanagan Conservation Fund (SOCF) are supporting purchase and permanent protection of CP 40-4 in 2018!

## Culture & Language

- ❦ Syilx Traditional Ecological Knowledge teachings:
  - Apprenticeships
  - Mentoring
  - Education Programs & Workshops
  - Land-based Learning Curriculum
- ❦ Indigenous language programs.





## Support of Collaborative Community Events

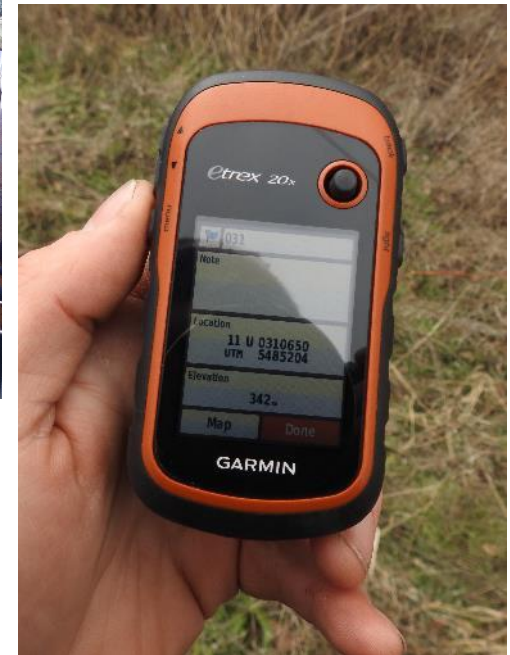
- Meadowlark Nature Festival
- Rotary International Penticton Children's Festival
- Okanagan Nation Alliance Sockeye Salmon Fry Release



## Environmental Assessment, Mapping & Planning



Utilization of Syilx Traditional Ecological Knowledge (TEK) and western Science.





## Species Population Monitoring Surveys

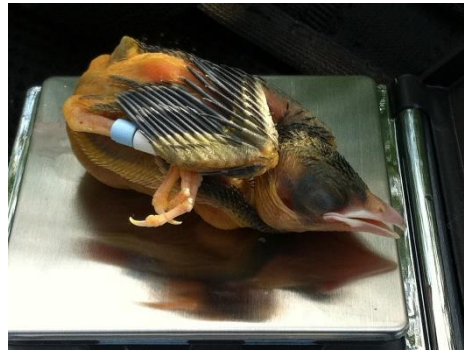


The Locatee Lands Project protects, restores and enhances habitats that support populations of over 20 Species At Risk and many species of cultural significance to Syilx people.



## Projects: Migratory Bird Research

YBCH RD:WX



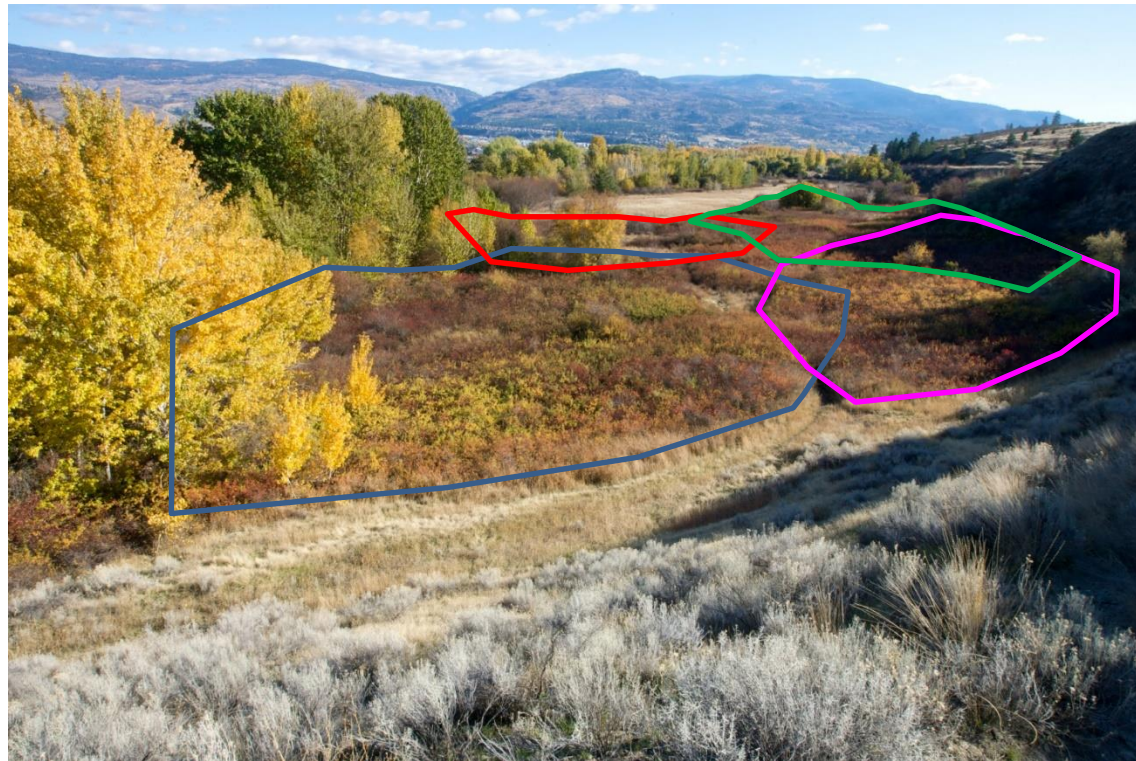
GRCA LL:RX

YBCH GX:YW GPS 42001

Research collaboration with Environment Canada and UBC-Okanagan to determine the breeding, migration and overwintering range of riparian songbirds.



## Projects: Migratory Bird Research



The Locatee Lands Project area protects ~10% of the nationally Endangered population of x<sup>w</sup>aʔtq<sup>w</sup>aylm' (western Yellow-breasted Chat).



## Programs: Syilx Indigenous Land-Based Learning



The Locatee Lands Project area hosts ~1500 – 2500 visitors annually (by invitation) for outreach, education and training experiences involving elders, youth, men, women and families.



## Habitat Restoration & Enhancement



Our projects involve local community members in the work of restoring and enhancing the land using Syilx Traditional Ecological Knowledge (TEK) and western Scientific methods.



## Projects: Indigenous Plant Propagation & Planting



En'owkin Centre greenhouse & nursery facilities are used to propagate locally-sourced indigenous plants to support habitat restoration efforts in the Locatee Lands Project area.

## Contribute to our Capital Campaign!



Campaign launch in 2018. Funds raised will support long-term leases, future purchases from willing locatees, and long-term “caretakership” of the Locatee Lands Project area.





# ECommunity Place & Locatee Lands Project

Revitalizing Indigenous Culture, Language, Community & Environment

lim læmt (thank you) to our  
Funders, Partners & Supporters!



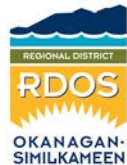
En'owkin Centre



Penticton Indian Band



SOUTH OKANAGAN-SIMILKAMEEN  
CONSERVATION PROGRAM



School District #67  
Okanagan Skaha



Outma Sqil'xw  
Cultural School



Environment and  
Climate Change Canada



PLAN  
DE CONSERVATION  
NATIONAL



Indigenous and  
Northern Affairs Canada



# ECommunity Place & Locatee Lands Project

Revitalizing Indigenous Culture, Language, Community & Environment



A. Michael Bezener  
ECommunity Director  
Tel: +1.250.493.7181  
Email: [bezener@vip.net](mailto:bezener@vip.net)

154 En'owkin Trail,  
RR #2, S-50, C-8, Lot 45,  
Penticton, BC, Canada V2A 6J7



Website: [www.enowkincentre.ca/ecomunity.html](http://www.enowkincentre.ca/ecomunity.html)  
Instagram: ECommunityPlace



 **Lands & Learning, Conservation & Culture** 





# ECOMMUNITY Place & Locatee Lands Project

Revitalizing Indigenous Culture, Language, Community & Environment



# ECOMMUNITY Place & Locatee Lands Project



 Lands & Learning, Conservation & Culture 





## **Regional Compost Facility: Siting and Financial Considerations Environment and Infrastructure Committee**

# Studies Part of Organics Siting Project



2006 Landfill Siting Study



2010 Organics Strategy



2011 Solid Waste Management Plan



2014 Public Site Assessment



2015 Public Site Feasibility Study



2015 Odour Studies



2016 Campbell Mtn DOC Plan



2016 Penticton WWTP Study



2016 Compost Market Report



2016 Collection Report



2016 Triple Bottom Line Analysis

Excludes work done by RDOS Staff and some Consultants including internal GIS analysis, memos, Expression of Interests, Request for Proposal...

# Benefits of Composting

- Can save money for households and businesses
- Reduces Greenhouse Gases
- Creates locally available compost
- Extends the life of existing landfills
- Assists in application for use of biocover at Campbell Mountain Landfill
- Working at a Regional level has potential to save money

# Facility Costs

Site (Waste)	Estimated Capital	Estimated Annual Operation	Materials
Full Regional Compost Site on suitable land	\$16-23 M	\$1.6-1.7 M	Yard waste, all food waste, waste water treatment sludge
Five separate facilities for each landfill area	\$25.3-28.7 M	\$2.8- 3 M	Yard waste, all food waste, waste water treatment sludge

- The same high level odour control at all sites due to commercial food waste
- Much higher total costs for multiple facilities for each landfill service area
- Much higher costs for smaller landfill service areas

# Facility Costs

Site (Waste)	Estimated Capital	Estimated Annual Operation	Materials	Pop. (people)
Penticton, Keremeos, 'B', 'D', 'E', 'F', 'G'	\$11-13 M	\$1.1-1.3 M	Yard waste, all food waste, waste water sludge	48,337
Oliver, Area C only	\$3.5-4.3 M	\$0.5 M	Yard waste, all food waste	8,485
Osoyoos, Area A only	\$2.8 M	\$0.3 M	Yard waste, all food waste	6,943
Summerland only	\$5.5-5.9 M	\$0.6 M	Yard waste, all food waste, waste water treatment sludge	11,615
Princeton, Area H only	\$2.5-2.7 M	\$0.3 M	Yard waste, all food waste	4,781

- High level odour control at all sites due to commercial food waste

# Price per Tonne

Site (Waste)	Estimated Cost Per Tonne
<b>Full Regional Facility on suitable site</b>	<b>\$65-\$80</b>
Penticton, Keremeos, 'B', 'D', 'E', 'F', 'G'	<b>\$72-\$75</b>
Oliver, Area C only	\$157-\$186
Osoyoos, Area A only	\$197-\$212
Summerland only	\$134-\$148
Princeton, Area H only	\$206-\$246
<i>Landfill Windrow (Potential pricing for residential Food/Yard Waste only for small landfill service area, excludes commercial food waste and waste water sludge)</i>	<b>\$33-\$59</b>

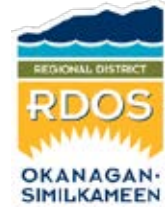
- Includes high end odour control for all scenarios except windrow.
- Working together as a Region allows for adequate design and reduces the cost for all parties.

# Questions

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** February 1, 2018  
**RE:** Shinish Creek – Crown Land Tenure Renewal

---



### **Administrative Recommendation:**

**THAT the Board of Directors endorse the Crown Land Tenure Application for Renewal of Existing Access over Crown Land - File 3410928 associated with Shinish Creek Diversion Infrastructure.**

### **Purpose:**

To renew existing Licence of Occupation Tenure over Crown Lands (File No. 342004) for 30 years.

### **Reference:**

RDOS Board resolution B170/06A April 20, 2006 for the approval of the License of Occupation with the Province of British Columbia over Crown Land described as "All that unsurveyed Crown Land in the vicinity of District Lots 4747 and 2078, Kamloops Division of Yale District, 0.08 containing hectares, more or less for a period of 10 years.

Bylaw 1382, 1993 Electoral Area H Chain Lake Shinish Creek Diversion Local Service Establishment Bylaw

### **Background:**

The Shinish Creek Diversion was built in the 1960s to bring cool, low nutrient water from Shinish Creek to Chain Lake. The diversion is an integral part of the hypolimnetic withdrawal system installed at Chain Lake and the effectiveness of the withdrawal depends in a large degree to the continued operation of the Shinish Creek Diversion. The system at Chain Lake is powered by gravity forces, and so requires no pumps or mechanized equipment. The simple operation of the system (one valve to open and close) makes it an ideal management tool for the Chain Lake Property Owners Association Volunteer Group working under the Regional District. Because the diversion crosses crown land, a tenure agreement with the Province was put in place in 2006.

As part of the Crown Land Tenure Application renewal process, the province requests that the Regional District Board endorses the application.

### **Alternate Recommendations:**

THAT the RDOS Board not approve the renewal of the License of Occupation Tenure.

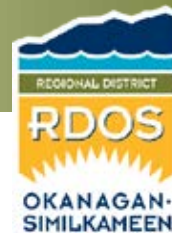
### **Respectfully submitted:**

*"Janine Dougall"*

---

J. Dougall, Public Works Manager





# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, February 01, 2018

12:45 p.m.

## REGULAR AGENDA

---

### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

THAT the Agenda for the Community Services Committee Meeting of February 1, 2018 be adopted.

---

### B. COMMUNITY HERITAGE REGISTER – HEDLEY WAR MEMORIAL CENOTAPH

1. Statement of Significance
2. Supporting Documentation

To provide information on the heritage value of the Hedley War Memorial Cenotaph, for future nomination to the RDOS Community Heritage Register.

#### **RECOMMENDATION 2**

THAT the Committee recommend the Board support the nomination of Hedley War Memorial Cenotaph for inclusion on the RDOS Community Heritage Register.

---

### C. REGIONAL RECREATION APPROACH UPDATE – For Information Only

---

### D. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Community Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Community Heritage Register – Hedley War Memorial Cenotaph

---

### Administrative Recommendation:

**THAT the Committee recommend the Board support the nomination of Hedley War Memorial Cenotaph for inclusion on the RDOS Community Heritage Register.**

### Purpose:

To provide information on the heritage value of the Hedley War Memorial Cenotaph, for future nomination to the RDOS Community Heritage Register.

### Reference:

- Statements of Significance for Hedley War Memorial Cenotaph
- Supporting Documentation

**Business Plan Objective:** KSD #3 Goal 3.1: To Develop a Socially Sustainable Community

### Overview:

As part of the RDOS Heritage Strategic Plan that was completed in 2015, the Regional Heritage Program is focused on increasing recognition and awareness of heritage sites and supporting community groups in their ongoing heritage conservation activities.

As part of the nomination process, staff are holding heritage workshops in which community members identify potential heritage sites while articulating their heritage value. Once a statement of significance is complete with supporting documentation, the nomination is then forwarded for Board consideration on whether to include the site within the RDOS Community Heritage Register.

As an outcome of a heritage workshop held in Hedley in November 2016, Hedley War Memorial Cenotaph was selected for nomination to the Community Heritage Register. Historical, aesthetic, cultural, spiritual, and educational value have been associated with the site, as outlined in the attached Statement of Significance.

### Respectfully submitted:

Candice Gartner

C. Gartner, Rural Projects Coordinator



# STATEMENT OF SIGNIFICANCE

## Hedley War Memorial Cenotaph Electoral Area "G"

### DESCRIPTION OF HISTORIC PLACE

The Hedley war monument is located at the intersection of Scott Avenue and Webster Avenue, in Hedley, British Columbia. The south-facing monument is constructed of Vancouver Island diorite granite, and is eight feet high. The obelisk sits on a pedestal and displays lead lettering, battalion engraving and a WWII bronze plaque. A stone wall of cement cap surrounds the monument, is two feet high, and the total width of the square enclosure is approximately 15 feet. The cenotaph is situated in the original location from which 17 volunteers departed to enlist in World War I. Constructed in 1919, the Hedley Cenotaph is said to be one of the first war memorials in Canada. The monument was constructed with funds raised by the townspeople of the day. The site is also the largest town gathering to commemorate and honour those who served their country past and present.

### HERITAGE VALUES

The Hedley War Memorial Cenotaph is a site of heritage significance, for it embodies historical, aesthetic, cultural, spiritual, and educational values of the community. Aesthetic values are attributed to the site due to the unique stone masonry craft design and lost art of lead lettering. Cultural values are embodied in the fact that the local landmark has been known to generations of Hedley residents. Among the fallen names include (name), a First Nation's man as well as miners and other local families. Research on cenotaph names brings local history and families to life and reconnects with soldiers' descendants. The heritage site holds spiritual value for past and present generations, as it provides a focal point for reflection on personal histories and all others lost in wars, and generated church membership over the years. The memorial also remembers the fifteen soldiers that fell during two World Wars.

### CHARACTER-DEFINING ELEMENTS

- The original location from which the soldiers of Hedley departed
- Dressed granite monument in early 20th Century style
- The fallen names of soldiers, and the dedication.
- Lead-filled engraved lettering.
- WWII bronze plaque.
- Insignia of the 54th Battalion
- A protective stone wall.

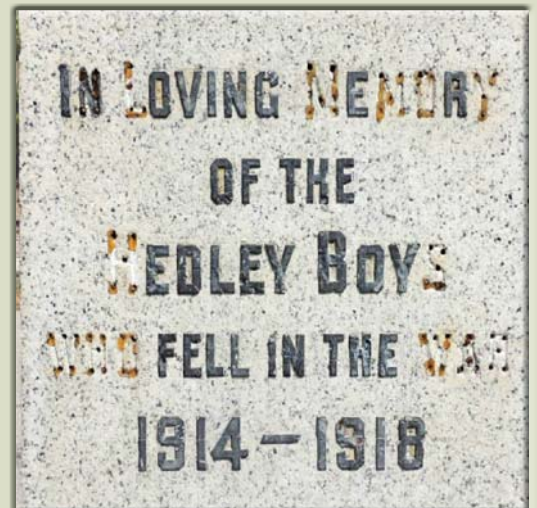
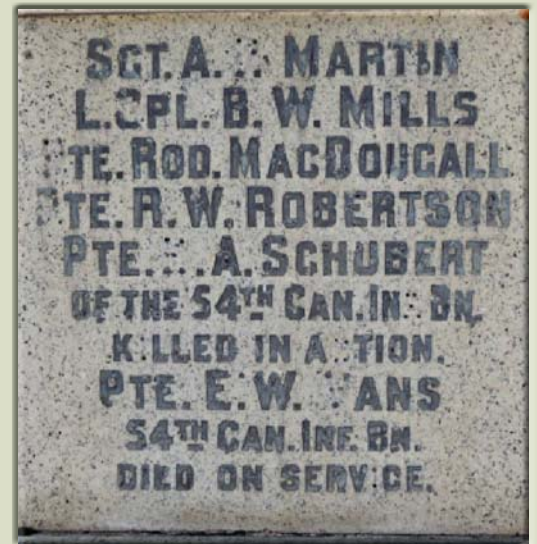


## SUPPORTING DOCUMENTATION

1. Author Unkown, 1919. Princeton Star, Memorial for Hedley Soldiers. December 19, 1919.
2. Jack, Alec, 1966. Hedley Gazette, Letter to the Editor May 4, 1966.
3. Bowie, Tara, 2015. Keremeos Review, Push is on for Hedley cenotaph restoration. November 26, 2015.
4. Martens, Art, 2017. Similkameen Spotlight, Cenotaph might be oldest in Canada. August 10, 2017.
5. Author and Date Unkown, Historical Photo of Hedley Cenotaph.
6. Author Unkown, 2017. Cenotaph Final Repair. August, 2017.

## SPECIAL NOTES:

1. The cenotaph is located on the Ministry of Transportation and Infrastructure Right-of -Way.



## "Memorial for Hedley Soldiers"

A monument of coast granite has been erected in front of the bank of Montreal building at Hedley in memory of the eleven men from the place who sacrificed their lives during the war. The monument cost upwards of \$1,000, and the ultimate intention is to have a couple of machine guns placed beside it. The names of the eleven heroes are carved on the granite, and the monument in all is an imposing structure. The unveiling ceremony took place last Sunday afternoon, and to Mrs. G.P.Jones was given the honour of the unveiling, while Rev.A.H.Cameron, a retired minister residing in Keremeos, was the spokesman. In the evening Rev. Cameron conducted a memorial service in the church, when there was a very large attendance. Mr Cameron expressed his appreciation of being invited to perform at these services, this being his first chance since 1914 to express publically his appreciation of Canadian soldiers."

***Princeton Star, Friday December 19, 1919***



HEDLEY

May 4/66

Letter to the Editor

Re: Hedley Cenetaph

I am now the sole surviving member of the committee appointed in August 1919 to select and have erected a memorial cenotaph or column in Hedley, B.C. - this in memory of the men who died in the First or Great War.

Accordingly I have been very pleased to hear of the work of renovation and repair recently carried out, and to think that the neglected appearance of the cenotaph has been rectified. I believe that Mr. Bob Evans of Hedley was responsible for this good work and I thank him heartily.

The Cenotaph was paid for by the Hedley Patriotic Fund which was raised by the citizens of Hedley and the Nickel Plate during the war years and it amounted to a considerable sum, much of which was disbursed to returning veterans.

Mr. Thomas C. Knowles was the committee member who had the 'lion's share' in this project I forget who the third member was possibly Mr. E. J. Rotherham, Princeton's late postmaster. It is a great pleasure to know that this 47 year old memorial is now in creditable shape. Yours truly A. W. JACK. P.O. Box 78, Qualicum Beach.

# Push is on for Hedley cenotaph restoration

Tara Bowie  
Review Staff

It's not easy to find someone qualified to work on an almost 100 year-old monument and it certainly isn't cheap.

For about a year a group of dedicated volunteers in Hedley have been working to raise funds and secure a contractor to restore the Hedley cenotaph.

"Although we looked we were unable to find artisans in the Okanagan Valley that were able to work to restore the cenotaph so we had to go to Vancouver. We've found two monument companies in Vancouver and they've visited the site and they offer two very different options. It's very difficult to find people who are qualified to do this kind of work nowadays," Jennifer Douglass, member of the Hedley Cenotaph Committee said.

Over the years the lead lettering has either fallen off or been pulled off and portions of the granite have been damaged with time.

In addition to restoring the cenotaph, the committee would like to add two names Lcp. William H. Henderson and Pte. John W. McLintock to the cenotaph. Through research and using the Hedley Gazette it's been determined the men were from Hedley and fought and died in the First World War.

"We've found evidence, documents that prove these men were Hedley residents and they died in the war and we would like to add them to the cenotaph," Douglass said.

The committee received two quotes from two companies that are very different from one another, Douglass said.

The first proposal is to cover the existing lead lettering with granite plaques and re-engrave all the soldiers' names onto the granite. This method would prevent vandals or age from removing letters in the future.

The cost is about \$19,500.

The other option is to replace the lead letters, keeping with the original design and adding the two new names also in lead letter.

The cost would be about \$22,000.

Residents who attended a meeting scheduled for Wednesday afternoon had a chance to decide which direction to go.

At this point almost \$5,000 has been raised for the restoration project and a grant from Veterans Affairs has been established to match up to \$10,000 raised.

"So we're about half way there right now," Douglass said.

Two families that took part in a commemorative weekend this past August of the 100-year anniversary of 17 Hedley men enlisting in the First World War on the same day, have stepped forward and stated they would match funds donated up to \$1,800 for a total of \$3,600.

"They want to remain anonymous but they did generously come forward and say they would match funds raised up until the end of the year. So, the push is on."

Anyone interested in donating funds to restore the Hedley cenotaph can mail checks to the Hedley Museum with checks payable to the Hedley Cenotaph Fund.



File photo

Lead lettering is missing from the Hedley cenotaph. A group of volunteers are working to have the almost 100-year-old monument restored.

91,000 REASONS TO GIVE

"Our equipment ages



# me

## Cenotaph might be oldest in Canada



ART MARTENS

Carrying buckets of water, soft brushes and tooth-brushes, six enthusiastic Hedley citizens recently turned out to thoroughly clean the Hedley cenotaph. Restored with the help of fundraising and a matching grant from the federal government, the cenotaph will be rededicated at 1:00 pm on August 26th. The impetus for the refurbishing came from local researchers Jennifer Douglass and Andy English. From early issues of the Princeton Star and the Hedley Gazette, and conversations with descendants of service men named on the cenotaph, Douglass and English gleaned considerable information that might have been lost without their efforts. Their research brought to light two new names that needed to be added. According to English, the cenotaph may have been the first in Canada. Its location marks a point where 17 local recruits assembled in August 1915, prior to departing for Penticton where they enlisted. They were given a rousing send off with a marching band, a large banner and much applause and cheering.



Rev. John Thompson  
Died Jan. 10, 1880  
Aged 68 years  
Rev. John Thompson  
Died Jan. 10, 1880  
Aged 68 years  
Rev. John Thompson  
Died Jan. 10, 1880  
Aged 68 years





# Regional Recreation Approach UPDATE

Presented by Shona Schleppe and  
Amanda Murai



# Plan H Grant

- RDOS received a Plan H Grant of \$98,010.
- Funds are directed to increasing physical activity and recreation opportunities for priority populations.
- Focus is on Physical Literacy – PAT.
- Collaborating – regional Task Force.
- Providing leadership training and quality programs.
- Creating sustainable strategies unique to each community.



# Regional Recreation Approach

Since August:

- Developed and have est. regular Task Force meetings
- Branding and Promotion
- Training opportunities
- Developed plans for Priority Populations (three out of five initiatives)
- Elevated partnerships
- Physical activity assessments
- PAT – trailer, vehicle, equipment, operational strategy





# Task Force

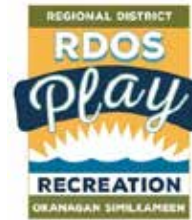
The Task Force is comprised of 14 local recreation, health and sport specialists.

- First meeting was November 2017
- Explored best practices and shared synergies
- Currently working on implementation plans for each Priority Population



# Branding and Promotion

- Regional Recreation Website has been launched.
- Branding (logo) confirmed.
- Sponsorship opportunities are being explored (PAT, equipment, vehicle lease)
- Program registration software is in soft launch for Winter Programs.







# Training Opportunities

*"RDOS PLAY promotes recognized recreation programs with qualified instructors."*

Program offerings:

- HighFive
- Dance Play
- Nordic Walking
- Appetite to play
- Walk and Talk for your life



# Priority Populations

## Child and Youth

- Appetite to Play in order to target 0-5 year olds.
- Explorers Regional outdoor after school program, ages 6-12. This program will be offered in four of the RDOS communities. Kaleden, Ok Falls, Naramata and West Bench.
- Regional Explore it Dayz partnered with Pacific Sport Okanagan, ages 9-12.
- FMS leadership training opportunity, ages 16 and up.

## First Nations And Older Adult

- Strategies to be explored by Task Force at the February 6<sup>th</sup> meeting.



# Initiatives Development

## Physical Activity Trailer (P.A.T)

- We are currently in the process of purchasing a 5x10 trailer.
- The trailer will be free for RDOS electoral areas to rent for the first year.
- We are also currently exploring options for a truck to lease or purchase.

## Community Physical Activity Assessments

- RFQ deadline Dec 22
- Process to be confirmed (survey, interviews for regional residents)

## Walking

- Regional Walk and Roll Week
- Nordic Walking train the trainer program
- Partnership with UBCO Med in helping with training for community champions to run Walk and Talk for your life programs
- Partnership with BCRPA and Walk On BC



# Partnerships

*"Regional Recreation Approach is reliant on enhancing existing and cultivating new partnerships."*

- Pacific Sport
- UBCO Med
- Interior Health
- Success by 6
- Healthy Living Fair
- BCRPA
- Recreation Commissions and Municipal Recreation providers

# Discussion/Question Period







# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, February 01, 2018

1:15 p.m.

## REGULAR AGENDA

---

### A. APPROVAL OF AGENDA

**RECOMMENDATION 1** (Unweighted Corporate Vote – Simple Majority)

**THAT the Agenda for the RDOS Board Meeting of February 1, 2018 be adopted.**

#### 1. Consent Agenda – Corporate Issues

##### a. Okanagan Falls Parks & Recreation Commission – December 14, 2017

*THAT the Minutes of the December 14, 2017 Okanagan Falls Parks & Recreation Commission be received.*

##### b. Kaleden Recreation Commission – December 19, 2017

*THAT the Minutes of the December 19, 2017 Kaleden Recreation Commission be received.*

##### c. Naramata Water Advisory Committee AGM – January 9, 2018

*THAT the Minutes of the January 9, 2018 Naramata Water Advisory Committee Annual General Meeting be received.*

##### d. Community Services Committee – January 18, 2018

*THAT the Minutes of the January 18, 2018 Community Services Committee be received.*

##### e. Corporate Services Committee – January 18, 2018

*THAT the Minutes of the January 18, 2018 Corporate Services Committee be received.*

##### f. Environment and Infrastructure Committee – January 18, 2018

*THAT the Minutes of the January 18, 2018 Environment and Infrastructure Committee be received.*

##### g. Planning and Development Committee – January 18, 2018

*THAT the Minutes of the January 18, 2018 Planning and Development Committee be received.*

*THAT staff be directed to initiate the Small Holdings One (SH1) Zone Review Amendment Bylaw No. 2797, 2018.*

**h. Protective Services Committee – January 18, 2018**

*THAT the Minutes of the January 18, 2018 Protective Services Committee be received.*

**i. RDOS Regular Board Meeting – January 18, 2018**

*THAT the minutes of the January 18, 2018 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2** (Unweighted Corporate Vote – Simple Majority)

**THAT the Consent Agenda – Corporate Issues be adopted.**

---

**2. Consent Agenda – Development Services****a. Development Variance Permit Application – 81-8598 Highway 97, Electoral Area “C”**

- i. Permit No. C2018.005-DVP
- ii. Responses Received

*THAT the Board of Directors approve Development Variance Permit No. C2018.005-DVP.*

**RECOMMENDATION 3** (Unweighted Rural Vote – Simple Majority)

**THAT the Consent Agenda – Development Services be adopted.**

---

**B. DEVELOPMENT SERVICES – Rural Land Use Matters****1. Letter of Concurrence (Telus) – 4204 33<sup>rd</sup> Street, Electoral Area “A”**

- a. Representation
- b. Responses Received

To allow for the replacing of an existing wireless facility at 4804 33<sup>rd</sup> Street with a new monopole wireless communication facility at 4204 33<sup>rd</sup> Street.

**RECOMMENDATION 4** (Unweighted Rural Vote – Simple Majority)

**THAT the Board of Directors authorize a “Letter of Concurrence” to be sent to Innovation, Science, and Economic Development Canada in relation to a proposed telecommunication tower to be located at 4204 33<sup>rd</sup> Street, Osoyoos.**

---

**2. Zoning Bylaw Amendment – 2128 Beaverdell Road, Electoral Area “D”**

- a. Bylaw No. 2455.31, 2017
- b. Responses Received

*The public hearing for this item will have been held Thursday, February 1, 2018 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.*

To allow for the subdivision of three parcels.

**RECOMMENDATION 5** (Unweighted Rural Vote – 2/3 Majority)

**THAT Bylaw No. 2455.31, 2017, Electoral Area “D” Zoning Amendment Bylaw be read a third time, as amended and adopted.**

---

**3. Amendment of a Development Variance Permit; and Discharge of a Statutory Covenant – 1038 Lower Debeck Road, Electoral Area “E”**

- a. Amended Permit No. E-01-02212.010

To allow for the retention of an accessory dwelling on the subject property.

**RECOMMENDATION 6** (Unweighted Rural Vote – Simple Majority)

**THAT the Board of Directors approve the deletion of Section 3(ii) of Development Variance Permit No. E-01-02212.010.**

**RECOMMENDATION 7** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board of Directors approve the discharge of Statutory Covenant No. KR087583 from the land described as Lot 1, District Lot 210, SDYD, Plan KAP52397.**

---

**C. PUBLIC WORKS****1. Application for OBWB – 2018 Water Conservation and Quality Improvement Grant**

The OBWB requires that all WCQI grant applications be accompanied by a resolution of support from the organization’s local government council or board (this includes projects submitted by staff of local government; all projects must receive support from their council/board).

**RECOMMENDATION 8** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board of Directors forward a resolution of support to the Okanagan Basin Water Board for the following applications to the 2018 OBWB Water Conservation and Quality Improvement (WCQI) Grant program:**

- Vaseux Lake – Land Use and Water Quality Assessment (RDOS)
  - Resilient Landscape Outreach Program (RDOS)
-

## 2. Parkland Dedication – Electoral Area “H”

To determine the required parkland dedication as the appropriate option for the proposed subdivision at 3391 Princeton – Summerland Road.

**RECOMMENDATION 9** (Weighted Corporate Vote – Majority)

**THAT the requirement of parkland dedication be accepted in the form of 5% dedication of land for the subdivision of Lot A, District Lot 2078, KDYD, Plan 10338.**

---

## D. COMMUNITY SERVICES – Protective Services

### 1. Regional Fire Service Bylaw

- a. Bylaw No. 2792, 2017
- b. Bylaw No. 2792, 2017 – Inventory
- c. Letter from Anarchist Mountain Fire Department dated January 2, 2018
- d. Kaleden Feedback
- e. Consultant Summary of Changes
- f. Consultant's Mark-Ups

*This recommendation was supported at the January 18, 2018 Protective Services Committee.*

**RECOMMENDATION 10**

**THAT Bylaw 2792, 2017 Regional Fire Services Bylaw be read a first, second and third time and be adopted.**

---

## E. LEGISLATIVE SERVICES

### 1. Dog Control / Animal Control Contract and Bylaw Enforcement Officer Contract

To secure service providers to respond to and investigate dog, animal, noise, land use, untidy and unsightly property and other regulatory bylaw related complaints within RDOS Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G” and “H”.

**RECOMMENDATION 11** (Weighted Participant Vote – Majority)

Participants: Electoral Areas “A”, “B”, “C”, “D”, “E”, “F” and “G”

**THAT a three (3) year contract for combined Dog Control Services for Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G” and for Animal Control Services for Electoral Areas “B” and “G” be awarded to South Okanagan Security Services Ltd.; and**

**RECOMMENDATION 12** (Weighted Participant Vote – Majority)

Participants: Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G” and “H”

**THAT a three (3) year contract for regulatory Bylaw Enforcement Officer services for Electoral Areas “A”, “B”, “C”, “D”, “E”, “F”, “G” and “H” be awarded to South Okanagan Security Services Ltd.**

---

## 2. Appointment of Bylaw Enforcement and Animal Control Officers

**RECOMMENDATION 13** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board rescind all current appointments of Bylaw Enforcement Officers and Animal Control Officers for the Regional District of Okanagan Similkameen; and**

**THAT the Board appoint Don Lowndes, of South Okanagan Security Services Ltd. as an Animal Control Officer for the Regional District of Okanagan Similkameen; and**

**THAT the Board appoints Don Moore, Ken Stockmann, and Cliff Hooper of South Okanagan Security Services Ltd., each as a Bylaw Enforcement Officer and an Animal Control Officer for the Regional District of Okanagan Similkameen.**

---

## 3. RDOS Fees and Charges Bylaw No. 2787, 2018

- a. Bylaw No. 2787, 2018 – Clean Copy
- b. Bylaw No. 2787, 2018 – Marked-Up Copy

**RECOMMENDATION 14** (Weighted Corporate Vote – Simple Majority)

**THAT Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018 be read a first and second time.**

---

## 4. Waste Management Service Regulatory Bylaw No. 2796, 2018

- a. Bylaw No. 2796, 2018 – Draft
- b. Bylaw No. 2796 Summary of Additions, Wording Changes, Deletions – Schedule A

To update and refine current Waste Management Service Regulatory Bylaw 2535, 2014.

**RECOMMENDATION 15** (Weighted Participant Vote – Majority)

Participants: Village of Keremeos, Town of Oliver, City of Penticton, Electoral Areas "B", "D", "E", "F", and "G"

**THAT Bylaw No. 2796 Regional District of Okanagan-Similkameen Waste Management Services Regulatory Bylaw be read a first, second, and third time.**

---

## 5. SILGA Community Excellence Awards Program

To share the RDOS's innovative initiatives by nominating the RDOS South Okanagan Conservation Fund Program for a SILGA Community Excellence Award in the Environmental Sustainability Category.

**RECOMMENDATION 16** (Unweighted Corporate Vote – Simple Majority)

**THAT the Board of Directors support a nomination to SILGA's Community Excellence Awards program for the South Okanagan Conservation Fund Program.**

---



**F. CAO REPORTS****1. Verbal Update**

---

**G. OTHER BUSINESS****1. Chair's Report**

---

**2. Directors Motions**

- a. **SILGA Resolutions** (Kozakevich / Sentes)
    - i. Doctor Caseload Formula Based on Age Demographics
    - ii. Equitable Access to Free Prescription Coverage for Persons with Life-Threatening Illness
- 

**3. Board Members Verbal Update**

---

**H. ADJOURNMENT**



# MINUTES

## Okanagan Falls Parks & Recreation Commission

December 14, 2017  
Okanagan Falls, Community Centre



**Members Present:** Don Clark (Chair), Kevin Tom, Ron Obirek, Brian Jackson  
Alf Hartviksen, Carole Barker  
**Regrets:** Matt Taylor  
**Area Director:** Tom Siddon  
**RDOS Staff:** Shona Schleppe, Justin Shuttleworth  
**Guests:**  
**Recording Secretary:** Shona Schleppe

### 1.0 CALL TO ORDER

The meeting was called to order at 7:04 p.m.

### 2.0 ADOPTION OF AGENDA

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Agenda for December 14, 2017 be adopted.

CARRIED

### 3.0 APPROVAL OF PREVIOUS MEETING MINUTES

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the minutes of November 9, 2017 be approved.

CARRIED

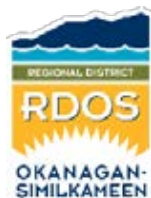
### 4.0 BUSINESS ARISING FROM PREVIOUS MINUTES

- 4.1 New Commission member – Carole Barker
- 4.2 Fees and Charges – cost of programs – instructor fees, cost recovery – provide analysis of program costs/revenues (historical). School population and trends.  
ACTION: Staff to present report at January AGM meeting to Commission.
- 4.3 AGM – January 11 – elections to be conducted at AGM.
- 4.4 Boat launches – Rural Dividend grant submitted Dec. 14, 2017 – request for \$75,000 for Okanagan Falls and Kaleden boat launches.

### 5.0 CORRESPONDENCE/DELEGATIONS

### 6.0 COMMISSION MEMBER REPORTS

- 6.1 Chair – Don Clark
  - o New Commission member – congratulations to Carole Barker – welcome letter and package will be mailed.



# MINUTES

## Okanagan Falls Parks & Recreation Commission

December 14, 2017  
Okanagan Falls, Community Centre



- Appointments for 2018 to be conducted at AGM – The resignation of Don Clark leaves the Commission at 6 members – 5 is minimum. Is there a past applicant list available to consider new members?
  - Chair's role with Community Partners – every second month on Wednesdays.
- 6.2 Treasurer Report – Kevin Tom
- Report received as presented.
- 6.3 Committees: Heritage Hills – Ron Obirek
- Report received as presented. No notification on Community Gaming – Capital Project fund application – Dec 31, 2017 will be the announcement.

### 7.0 RDOS STAFF REPORTS

- 7.1 Parks Report – Justin Shuttleworth
- Area "D" Boat launches – Rural Dividend submission (refer to 4.4)
- 7.2 Recreation Report – Janet Black
- Report as received.
  - Fees and Charges discussion (refer to 4.2) – request for January report with details.

### 8.0 RDOS DIRECTOR REPORT – Tom Siddon

- Report received as presented.

### 9.0 NEW BUSINESS ARISING

- 9.1 Lamb Property discussion – explore options to develop.

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Commission support the 2018 budget allocation for developing the Lamb Property pathway.

**CARRIED**

### 10.0 ADJOURNMENT

#### RECOMMENDATION

#### IT WAS MOVED

That the meeting be adjourned at 9:24 p.m.

---

Recreation Commission Chair



# MINUTES

## Okanagan Falls Parks & Recreation Commission

December 14, 2017  
Okanagan Falls, Community Centre



---

Recording Secretary

NEXT MEETING: AGM – January 11, 2018 7:00 pm at Community Centre



# MINUTES

## Kaleden Recreation Commission

Tuesday, December 19, 2017  
Kaleden Community Hall



**Members Present:** Doug King (Chair), Jaynie Malloy, Randy Cranston, Neal Dockendorf, Jen Charlish, Gail Jeffery, Tom Siddon

**Absent:** Jennifer Strong, Wendy Busch

**Staff:** Shona Schleppe

**Recording:** Shona Schleppe

Call to Order: 7:05 pm

### 1. APPROVAL OF AGENDA

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Agenda for the Kaleden Parks and Recreation Meeting of December 19, 2017 be adopted. CARRIED

---

### 2. APPROVAL OF MEETING MINUTES

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the minutes for the Kaleden Parks & Recreation Meeting of November 21, 2017 be adopted. CARRIED

---

### 3. CORRESPONDENCE/DELEGATIONS

3.1 Delegation – Grizela Dos Santos (did not attend).

3.2 Letter of support for Area D grant application for Boat Launch planning was sent.

---

### 4. RDOS STAFF REPORTS

#### 4.1 Park Coordinator

Area "D" Boat Launch Application submitted to Rural Dividend on December 14, 2017, a three month review process.

4.2 Recreation Coordinator's Report was received as presented.

---





# MINUTES

## Kaleden Recreation Commission

Tuesday, December 19, 2017  
Kaleden Community Hall



### 5. COMMISSION MEMBER REPORTS

---



# MINUTES

## Kaleden Recreation Commission

Tuesday, December 19, 2017  
Kaleden Community Hall



### 6. RDOS DIRECTOR REPORT

2018 RDOS Budget has a first reading on January 4 and then will be available for public consultation.

---

### BUSINESS ARISING

- 7.1 Janitorial – meeting will be held within the next few weeks (table to January 16).
- 7.2 Commission appointments have been approved by the RDOS Board. A welcome package will be mailed to Subrina Montieth.
- 7.3 RDOS Lease of Community Hall – RDOS Admin has approved the extension of the lease until December 31, 2018 under the terms recommended by the KCA and Kal-Rec.
- 7.4 The lease between the RDOS and the ORL has been extended for three years (until December 31, 2020) at a rate of \$6.50 per square foot for 1155 square feet.
- 7.5 Events Calendar - discussed.
- 7.6 Crown Land acquisition.

### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Kaleden Parks and Recreation Commission Chair arrange a meeting with FLNRO Executive Assistant.

CARRIED

---

### 7. ADJOURNMENT

### RECOMMENDATION

#### IT WAS MOVED

That the meeting be adjourned at 9:01 pm.

### ANNUAL GENERAL MEETING:

Tuesday, January 16, 2018 at 7:00 pm  
Kaleden Community Hall

### NEXT REGULAR MEETING:

Tuesday, January 16, 2018 at 8:00 pm  
Kaleden Community Hall

---

Recreation Commission Chair

---

Recording Secretary



# Minutes

## Naramata Water Advisory Committee

Annual General Meeting of Tuesday, January 9th, 2018  
at 7:02 p.m.

OAP Hall, 310 Ritchie Avenue, Naramata, BC

---

Present: Peter Graham (Chair), Tim Watts, Peter Neilans,  
Eva Antonijevic, Richard Roskell, Norbert Lacis

Absent: Alan Nixon

Staff: Karla Kozakevich (Area 'E' RDOS Director), Janine Dougall (RDOS,  
Public Works Manager)

Guests: Peter Simonsen

Recording Secretary: Heather Lemieux

### 1. CALL TO ORDER

The meeting was called to order at 7:02 p.m., Quorum Present.

### 2. ADOPTION OF AGENDA

#### MOTION

It was Moved and Seconded that the Agenda be adopted as presented.

CARRIED (UNANIMOUSLY)

### 3. ADOPTION OF THE PREVIOUS ANNUAL GENERAL MEETING MINUTES

#### MOTION

It was Moved and Seconded by NWAC that the Annual General Meeting Minutes of January 10th, 2017 be approved as presented.

CARRIED (UNANIMOUSLY)

### 4. CHAIRMAN'S REMARKS

Peter Graham, addressed NWAC members, guests and staff.

## 5. DIRECTOR'S REPORT

Karla Kozakevich (Area 'E' RDOS Director) reported on the following:

- 2017 was an extremely busy year for the Naramata Water Advisory Committee with water system replacement projects.
- Budgeting will continue to take place annually for additional fire hydrants to be installed in areas of greatest need, as identified through our Public Works Department, along with recommendations from our Naramata Fire department. During the 2017 pipe replacement projects, additional hydrants were installed where needed.
- Installation of back-up power for the Naramata water system was completed in 2017.
- The doors on the pump house beside Wharf Park were moved to the east side due to the possible sale of the neighbouring BC Tree Fruits property; which could restrict access of staff for daily inspections and future repairs and replacements that would require vehicle access. Timing of this project was excellent as the BC Tree Fruits property sold in December 2017.
- I would like to extend a huge thank you to the RDOS Staff who worked to obtain the grant funds and administer the pipe replacement projects. At times, they received and responded to many complaints, all handled with a smile and continued enthusiasm to complete the projects on schedule and within budget. Thank you to Candice Pilling, Liisa Bloomfield, Janine Dougal, Darcy Kirkpatrick and many others out in the field.
- NWAC will continue to budget and plan for future pipe replacements. However none will be planned for 2018 due to the extensive work completed in 2017, as well as public works commitments in other areas of the RDOS.
- In 2018, the NWAC members will have an opportunity to tour the Naramata water system to learn more about the workings of the pump house, booster station, reservoir and treatment plant.

- Many thanks to Chair Peter Graham for his dedication this past year. Also, thank you to Vice Chair Peter Neilans and members Eva Antonijevic, Alan Nixon, Tim Watts, Norbert Lacis, Richard Roskell and our recording secretary Heather Lemieux.

Karla Kozakevich  
Area E Director - Naramata

#### 6. CONFIRMATION OF 2018 NWAC MEMBERS

##### MOTION

It was Moved and Seconded THAT all current NWAC members remain the Naramata Water Advisory Committee for 2018.

CARRIED (UNANIMOUSLY)

#### 7. QUESTIONS & DISCUSSIONS

Moved to the NWAC Regular Meeting.

#### 8. ADJOURNMENT

##### MOTION

It was Moved and Seconded that the meeting be adjourned at 7:10 p.m.

CARRIED (UNANIMOUSLY)

#### NEXT MEETING

NWAC AGM, January 8th, 2019 @ 7:00 p.m. — Location TBA

---

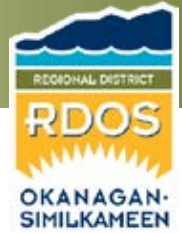
Minutes Approved by  
Naramata Water Advisory Committee Chair



---

Heather Lemieux, Recording Secretary





# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, January 18, 2018

10:49 a.m.

## Minutes

---

### MEMBERS PRESENT:

Director M. Doerr, Alt. Town of Oliver

Director S. Philpott-Adhikary, Alt Village of Keremeos

Director F. Armitage, Town of Princeton

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton

Director M. Doyle-Fleishman, Alt. E. Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Chair R. Hovanes, Town of Oliver

Vice Chair M. Bauer, Village of Keremeos

Director T. Siddon, Electoral Area "D"

Director K. Kozakevich, Electoral Area "E"

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

---

Director Brydon chaired the meeting as Chair Hovanes and Vice Chair Bauer were both absent.

### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

#### **It was MOVED and SECONDED**

THAT the Agenda for the Community Services Committee Meeting of January 18, 2018 be adopted. - **CARRIED**

---

### B. 2017 FOURTH QUARTER ACTIVITY REPORT – For Information Only

The Committee was advised of the activities that occurred in the fourth quarter of 2017 and the planned activities for the first quarter of 2018.

---

### C. ADJOURNMENT

By consensus, the Community Services Committee meeting of January 18, 2018 adjourned at 10:53 a.m.

APPROVED:

CERTIFIED CORRECT:

---

M. Brydon  
Acting Committee Chair

---

B. Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Corporate Services Committee

Thursday, January 18, 2018

9:27 a.m.

## Minutes

---

### MEMBERS PRESENT:

Director M. Doyle-Fleishman, Alt. Electoral Area "E"	Director A. Jakubeit, City of Penticton
Director S. Philpott-Adhikary, Alt. Village of Keremeos	Director H. Konanz, City of Penticton
Director F. Armitage, Town of Princeton	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director M. Brydon, Electoral Area "F"	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director T. Schafer, Electoral Area "C"
Director E. Christensen, Electoral Area "G"	Director J. Sentes, City of Penticton
Director B. Coyne, Electoral Area "H"	Director P. Waterman, District of Summerland
Director M. Doerr, Alt. Town of Oliver	

### MEMBERS ABSENT:

Chair K. Kozakevich, Electoral Area "E"	Director T. Siddon, Electoral Area "D"
Vice Chair M. Bauer, Village of Keremeos	Director R. Hovanes, Town of Oliver

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
C. Malden, Manager of Legislative Services

---

### It was MOVED and SECONDED

THAT Director Brydon serve as chair for the January 18, 2018 Corporate Services Committee and the January 18, 2018 Community Services Committee meetings. - **CARRIED**

### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

### It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of January 18, 2018 be adopted. - **CARRIED**

---

### B. 2017 FOURTH QUARTER ACTIVITY REPORT – For Information Only

The Committee was advised of the activities that occurred in the fourth quarter of 2017 and the planned activities for the first quarter of 2018.

---

**C. RDOS Fees and Charges Bylaw No. 2787, 2018 – For Information Only****1. Bylaw No. 2787, 2018**

The Committee discussed the proposed changes to the Fees and Charges bylaw. The bylaw will come to the Board for consideration at an upcoming Board meeting.

---

**D. 2018 CORPORATE ACTION PLAN**

The Committee reviewed the 2018 Corporate Action Plan.

---

**E. 2018 BUSINESS PLAN**

The Committee reviewed the 2018 Corporate Business Plan.

---

**F. ADJOURNMENT**

By consensus, the meeting adjourned at 10:37 a.m.

APPROVED:

CERTIFIED CORRECT:

---

M. Brydon  
Acting Committee Chair

---

B. Newell  
Corporate Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, January 18, 2018

11:26 a.m.

## Minutes

---

### MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"

Director F. Armitage, Town of Princeton

Director S. Philpott-Adhikary, Alt. Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director B. Coyne, Electoral Area "H"

Director E. Christensen, Electoral Area "G"

Director M. Doerr, Alt. Town of Oliver

Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton

Director M. Doyle-Fleishman, E. Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Vice Chair T. Siddon, Electoral Area "D"

Director R. Hovanes, Town of Oliver

Director M. Bauer, Village of Keremeos

Director K. Kozakevich, Electoral Area "E"

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

J. Dougall, Manager of Development Services

---

### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

#### **It was MOVED and SECONDED**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of January 18, 2018 be adopted. - **CARRIED**

---

### B. 2017 FOURTH QUARTER ACTIVITY REPORT – For Information Only

The Committee was advised of the activities that occurred in the fourth quarter of 2017 and the planned activities for the first quarter of 2018.

---



**C. SITING OF ORGANIC MANAGEMENT FACILITIES – For Discussion**

1. Letter from District of Summerland dated November 23, 2017
2. Siting of Compost Facilities Presentation

*This item was deferred from the January 4, 2018 Environment and Infrastructure Committee Meeting.*

**It was MOVED and SECONDED**

THAT administration be directed to re-engage first two options, being Marron Valley and Summerland.

**It was MOVED and SECONDED**

THAT Item C “Siting of Organic Management Facilities” be deferred to the next Environment and Infrastructure Committee meeting for discussion. – **CARRIED**  
Opposed - 2

---

**D. CANADA 150 COTTONWOOD PROJECT**

1. Eva Antonijevic – Program Coordinator, Fresh Outlook Foundation

The delegation commenced with a traditional *Syilx* ‘Welcome’ song, sung and drummed by PIB Councillor Elliott Tonasket and accompanied by Brody Armstrong and Tracey Kim Bonneau from the En’owkin Centre. This was followed by an opening prayer by Ms. Bonneau. Each spoke to the Canada 150 Cottonwood Project’s success planting 1500 keystone species cottonwoods and the fostering of positive collaboration, relationship building, and the foundation to continue undertaking these types of initiatives.

Ms. Antonijevic, Program Coordinator, Fresh Outlook Foundation, presented an update on the Canada 150 Grant First Nations Collaborative Cottonwood Project.

---

**E. ADJOURNMENT**

By consensus, the Environment and Infrastructure Committee meeting of January 18, 2018 adjourned at 12:37 p.m.

APPROVED:

CERTIFIED CORRECT:

---

M. Pendergraft  
Environment and Infrastructure Committee Chair

---

B. Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Planning and Development Committee

Thursday, January 18, 2018

9:01 a.m.

## Minutes

---

### MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F"

Vice Chair G. Bush, Electoral Area "B"

Director S. Philpott-Adhikary, Alt. Village of Keremeos

Director F. Armitage, Town of Princeton

Director T. Boot, District of Summerland

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director M. Doerr, Alt. Town of Oliver

Director M. Doyle-Fleishman, Alt. E. Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director R. Hovanes, Town of Oliver

Director T. Siddon, Electoral Area "D"

Director H. Konanz, City of Penticton

Director M. Bauer, Village of Keremeos

Director A. Jakubeit, City of Penticton

Director K. Kozakevich, Electoral Area "E"

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

B. Dollevoet, Development Services Manager

C. Garrish, Planning Supervisor

---

### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

#### It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of January 18, 2018 be adopted. - **CARRIED**

---

### B. 2017 FOURTH QUARTER ACTIVITY REPORT – For Information Only

The Committee was advised of the activities that occurred in the fourth quarter of 2017 and the planned activities for the first quarter of 2018.

---

**C. SMALL HOLDINGS ONE (SH1) ZONE REVIEW – ELECTORAL AREAS “D-2” AND “E”****1. Bylaw No. 2797, 2018**

To propose amendments that would consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone in the Electoral Area “D-2” and “E” Zoning Bylaws as part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 2****It was MOVED and SECONDED**

THAT staff be directed to initiate the Small Holdings One (SH1) Zone Review Amendment Bylaw No. 2797, 2018. - **CARRIED**

Opposed – 5

---

**D. ADJOURNMENT**

By consensus, the Planning and Development Committee meeting of January 18, 2018 adjourned at 9:26 a.m.

APPROVED:

CERTIFIED CORRECT:

---

M. Brydon  
Planning and Development Committee Chair

---

B. Newell  
Corporate Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Protective Services Committee

Thursday, January 18, 2018

10:53 a.m.

## Minutes

---

### MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton

Vice Chair T. Schafer, Electoral Area "C"

Director F. Armitage, Town of Princeton

Director S. Philpott-Adhikary, Alt. Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director M. Doerr, Alt. Town of Oliver

Director H. Konanz, City of Penticton

Director M. Doyle-Fleishman, Alt. E. Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director M. Bauer, Village of Keremeos

Director R. Hovanes, Town of Oliver

Director T. Siddon, Electoral Area "D"

Director K. Kozakevich, Electoral Area "E"

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

M. Woods, Manager of Community Services

B. Maslowski, Emergency Services Supervisor

---

### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

#### **It was MOVED and SECONDED**

THAT the Agenda for the Protective Services Committee Meeting of January 18, 2018 be adopted. - **CARRIED**

---

### B. 2017 FOURTH QUARTER ACTIVITY REPORT – For Information Only

The Committee was advised of the activities that occurred in the fourth quarter of 2017 and the planned activities for the first quarter of 2018.

---

**C. BYLAW 2792, REGIONAL FIRE SERVICES BYLAW**

1. Bylaw No. 2792, 2017
2. Bylaw 2792, 2017 – Inventory
3. Letter from Anarchist Mountain Fire Department dated January 2, 2018

**RECOMMENDATION 2****It was MOVED and SECONDED**

THAT the committee recommend that the Board adopt Bylaw 2792, 2017 Regional Fire Services Bylaw. - **CARRIED**

Opposed – 8

---

**D. ADJOURNMENT**

By consensus, the Protective Services Committee meeting of January 18, 2018 adjourned at 11:25 a.m.

APPROVED:

CERTIFIED CORRECT:

---

A. Jakubeit  
Protective Services Committee Chair

---

B. Newell  
Chief Administrative Officer



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 2:10 p.m. Thursday, January 18, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

---

#### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"

Director S. Philpott-Adhikary, Alt. Village of Keremeos

Director F. Armitage, Town of Princeton

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director M. Doerr, Alt. Town of Oliver

Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director J. Sentes, City of Penticton

Director T. Schafer, Electoral Area "C"

Director P. Waterman, District of Summerland

#### MEMBERS ABSENT:

Vice Chair M. Bauer, Village of Keremeos

Director T. Siddon, Electoral Area "D"

Director R. Hovanes, Town of Oliver

#### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

---

#### A. APPROVAL OF AGENDA

##### **RECOMMENDATION 1** (Unweighted Corporate Vote – Simple Majority)

##### **IT WAS MOVED AND SECONDED**

THAT the [Agenda](#) for the RDOS Board Meeting of January 18, 2018 be adopted. - **CARRIED**

---

#### 1. Consent Agenda – Corporate Issues

##### a. Corporate Services Committee – January 4, 2018

*THAT the Minutes of the January 4, 2018 Corporate Services Committee be received.*

##### b. Community Services Committee – January 4, 2018

*THAT the Minutes of the January 4, 2018 Community Services Committee be received.*

*THAT the Regional District write a letter to the Minister of Transportation and Infrastructure confirming the urgent need in rural areas for public transportation access to larger centres; and that a resolution regarding public transportation access to larger centres from rural areas be drafted and submitted to SILGA.*

*THAT the Regional District of Okanagan Similkameen participate in the FortisBC 2017 Rate Design Application by acting in support for the Anarchist Mountain*



*Community Society (AMCS) Intervention, as opposed to as an intervener.*

*THAT the Board direct administration to redact all personal information from the collected Residential Conservation Rate (RCR) Impact Testimonials and release the redacted Testimonials to the Anarchist Mountain Community Society for use in the 2017 FortisBC Rate Design Application Intervention before the BC Utilities Commission.*

- c. Environment and Infrastructure Committee – January 4, 2018  
*THAT the Minutes of the January 4, 2018 Environment and Infrastructure Committee be received.*
- d. Planning and Development Committee – January 4, 2018  
*THAT the Minutes of the January 4, 2018 Planning and Development Committee be received.*

*THAT the Board of Directors maintain the current practice of accepting land use applications without the requirement of Registered Professional Planner oversight.*

- e. RDOS Regular Board Meeting – January 4, 2018  
*THAT the minutes of the January 4, 2018 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)**

**IT WAS MOVED AND SECONDED**

THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

---

**B. COMMUNITY SERVICES – Protective Services**

- 1. Fire Protection Agreement Renewal – City of Penticton/RDOS (West Bench)
  - a. Agreement
  - b. Westbench Fire Protection – Schedule “A”

To renew the outstanding fire service agreement between to the RDOS and the City of Penticton to provide Fire Suppression Services and Medical First Responder Services to the area less formally known as West Bench.

**RECOMMENDATION 3 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors approve the renewal of the Fire Protection Agreement between The Corporation of the City of Penticton (the “City”) and the Regional District of Okanagan-Similkameen (the “Regional District”) for a 5-year period ending December 31, 2022. - **CARRIED**

---

**C. FINANCE**

1. Bylaw No. 2795, 2018 Security Issuing Bylaw – Naramata Water System Back-Up Power
  - a. Bylaw No. 2795, 2018

**RECOMMENDATION 4 (Weighted Corporate Vote – 2/3 Majority)****It was MOVED and SECONDED**

THAT Bylaw No 2795, 2018 Regional District Okanagan Similkameen Security Issuing bylaw be read a first, second and third time and be adopted. - **CARRIED**

---

**D. LEGISLATIVE SERVICES**

1. SILGA Resolution

To support Greyhound Canada Transportation ULC in their proposal to the Ministry of Transportation and application to the Passenger Transportation Board to create a “Connecting Communities Fund” to ensure that BC residents in rural and remote locations continue to have access to viable and sustainable transportation options.

**RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors submit the following resolution to Southern Interior Local Government Association (SILGA) in support of Greyhound Canada Transportation ULC:

**“WHEREAS:**

- Greyhound Canada Transportation ULC has seen a significant decline in ridership over the past several years, which has resulted in a decline of services provided to many small, rural and remote communities across BC;
- There exists a need for a socially-mandated intercity bus transportation program to provide essential transportation services for small, rural and remote citizens.

Therefore be it resolved that the Provincial Government initiate a “Connecting Communities Fund”, made available to eligible municipalities, to address significant transportation challenges for citizens and taxpayers who reside in small, rural or remote communities with a view of providing them with access to transportation hubs located on primary transportation corridors.”

**CARRIED**

---

## 2. Appointment of Election Officials

To fulfill the requirement of the *Local Government Act* sec. 58(1) to appoint a Chief Election Officer and a Deputy Chief Election Officer.

### **RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)**

#### **It was MOVED and SECONDED**

THAT Christy Malden be appointed as Chief Election Officer and Gillian Cramm be appointed as Deputy Chief Election Officer for the 2018 General Local Election. - **CARRIED**

---

## 3. Election Procedure Bylaw No. 2798, 2018

### a. Bylaw No. 2798, 2018

To ensure that the Regional District election bylaw conforms to Provincial legislation.

### **RECOMMENDATION 7 (Unweighted Corporate Vote – 2/3 Majority)**

#### **It was MOVED and SECONDED**

THAT Bylaw No. 2798, 2018 Regional District of Okanagan-Similkameen Election Procedure Bylaw be read a first, second and third time and be adopted. - **CARRIED**

---

## 4. Election Officials Remuneration Policy

### a. Election Officials Remuneration Board Policy

To provide direction for the remuneration of local government election officials during local government elections, by-elections and assent voting opportunities.

### **RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)**

#### **It was MOVED and SECONDED**

THAT the Board of Directors adopt the Election Officials Remuneration Policy. - **CARRIED**

---

5. South Okanagan Conservation Fund – Technical Advisory Committee Recommendations for Funding

*This recommendation was supported at the January 4, 2018 Environment and Infrastructure Committee, but cannot be included on the consent agenda due to alternate voting for conservation matters.*

**RECOMMENDATION 9 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors approve the South Okanagan Conservation Fund Technical Advisory Committee recommendations for funding South Okanagan Conservation Fund projects in 2018, as follows:

- Ø Locatee Lands Project Securement of CP 40-4, En'owkin/PIB – \$57,755
- Ø Fish Spawning Areas/Reconnection of Floodplain in Penticton Creek, ONA/PIB - \$40,260
- Ø Fish Passage at Ellis Creek sediment basin, ONA/PIB - \$50,000
- Ø Habitat Stewardship and Enhancement in the South Okanagan, OSSS - \$38,000
- Ø White Lake Basin Park Rill Creek East Property Securement, Nature Trust of BC - \$200,000
- Ø Invasive-Free Certification Program, OASISS - \$6,415
- Ø OSCA Eco-management Project, OSCA/OCBP - \$7,841.68

For a total of \$400,271.68

**CARRIED**

Opposed: Directors Jakubeit and Christensen

---

**E. CAO REPORTS**

1. Verbal Update

---

**F. OTHER BUSINESS**

1. Chair's Report
-

---

## 2. Board Representation

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
- b. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
- c. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
- d. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
- e. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
- f. [Okanagan Film Commission](#) (OFC) – *Jakubeit*
- g. Okanagan Regional Library (ORL) – *Kozakevich*
- h. Okanagan Sterile Insect Release Board (SIR) – *Bush*
- i. Okanagan-Similkameen Healthy Living Coalition – *Boot*
- j. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
- k. Southern Interior Local Government Association (SILGA) – *Konanz*
- l. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
- m. Starling Control - *Bush*
- n. UBCO Water Chair Advisory Committee – *Konanz*

---

## 3. Directors Motions

---

## 4. Board Members Verbal Update

---

## G. ADJOURNMENT

By consensus, the meeting adjourned at 2:43 p.m.

APPROVED:

CERTIFIED CORRECT:

---

K. Kozakevich  
RDOS Board Chair

---

B. Newell  
Corporate Officer

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Development Variance Permit Application — Electoral Area “C”

---

**Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. C2018.005-DVP**

---

Purpose: To allow for unenclosed stairs to project into the interior side setback of an interior strata lot.

Owners: 3556514 Canada Ltd.      Agent: Rick Engstrom      Folio: C01143.388

Civic: 81-8598 Highway 97      Legal: Strata Lot 81, DL 28S, SDYD, Strata Plan KAS1394

OCP: Low Density Residential (LR)      Zone: Residential Manufactured Home Subdivision Site Specific (RSM2s)

Requested Variances: to vary the interior side setback, in a strata subdivision, from 1.5 metres to 0.4 metres.

---

**Proposed Development:**

This application seeks to reduce the minimum interior side parcel line setback in a strata subdivision from 1.5 metres to 0.4 metres, as measured to the outermost projection, in order to facilitate the construction of unenclosed stairs and provide sufficient room for an adequate driveway on the lot.

In support of the application, the applicant has stated, “The reason for this variance is that if we move the home completely within the setbacks it will make the carport and driveway too small.”

**Site Context:**

The subject property is approximately 378 m<sup>2</sup> in area and is located on an internal strata road to the west of Highway 97 approximately 6.2 kilometres north of the Town of Oliver. The strata lot is currently vacant and is within the third phase of a manufactured home bare land strata subdivision.

**Background:**

Under the Electoral Area “C” Official Community Plan Bylaw, the subject property is designated Low Density Residential (LR). The property is subject to a Watercourse Development Permit (WDP) area; however the subject strata lot is not within the WDP area.

Under the Electoral Area “C” Zoning Bylaw, the subject property is zoned Residential Manufactured Home Subdivision Site Specific (RSM2s) Zone, wherein a “manufactured home” is a permitted use.

In Section 7.21.2 of the Zoning Bylaw, the minimum interior side setback for a structure within an interior strata lot is 1.5 metres.



---

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

**Analysis:**

When assessing variance requests a number of factors are generally taken into account. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

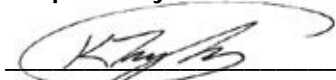
With respect to an interior side setback, its intent is to provide physical separation between neighbouring uses in order to avoid conflict, protect privacy, and prevent the appearance of overcrowding.

In this instance, the manufactured home, in its entirety, will be within the required setbacks with only a 1.1 metres unenclosed stairway within the setback. The applicant indicated that an attempt to change the layout of the manufactured home was made, however the changes were too significant to keep the layout and the two required exterior doors.

The proposal is related to the residential use of the property and therefore consistent with zoning. Streetscape characteristics are not seen to be affected as the proposed encroachment is within the required front yard setbacks. As there is no habitable area nor a height variance being proposed within the setback it is unlikely to result in a loss of privacy or enjoyment of adjacent properties given the character of land use patterns in the area.

**Alternatives:**

- .1 THAT the Board of Directors deny Development Variance Permit No. C2018.005-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "C" Advisory Planning Commission (APC).

**Respectfully submitted:**

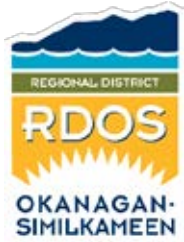
K. Taylor, Planning Technician

**Endorsed by:**

C. Garrish, Planning Supervisor

**Endorsed by:**

B. Dollevoet, Dev. Services Manager



# Development Variance Permit

---

FILE NO.: C2018.005-DVP

Owner: 3556514 Canada LTD.  
#1201-10104 103<sup>rd</sup> Ave  
Edmonton, Alberta, T5J 0H8

Agent: Rick Engstrom  
Deer Park Estates  
73-8598 Highway 97  
Oliver, BC, V0H 1V2

## GENERAL CONDITIONS

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit that shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Development Variance Permit is not a Building Permit.

## APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C' and 'D', and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Strata Lot 81, DL 28S, SDYD Plan KAS1394

Civic Address: 81-8598 Highway 97

Parcel Identifier (PID): 029-559-162 Folio: C01143.388

## CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "C" Zoning Bylaw No. 2453, 2008, in the Regional District of Okanagan-Similkameen:
  - a) The minimum interior side parcel line setback for a building or structure in a strata subdivision as prescribed at Section 7.21.2 is varied:
    - i) from: 1.5 metres.

to: 0.4 metres, as shown on Schedule 'B' to the outermost projection.

**7. COVENANT REQUIREMENTS**

- a) Not Applicable

**8. SECURITY REQUIREMENTS**

- a) Not applicable

**9. EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on \_\_\_\_\_, 2018.

---

B. Newell, Chief Administrative Officer

# Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

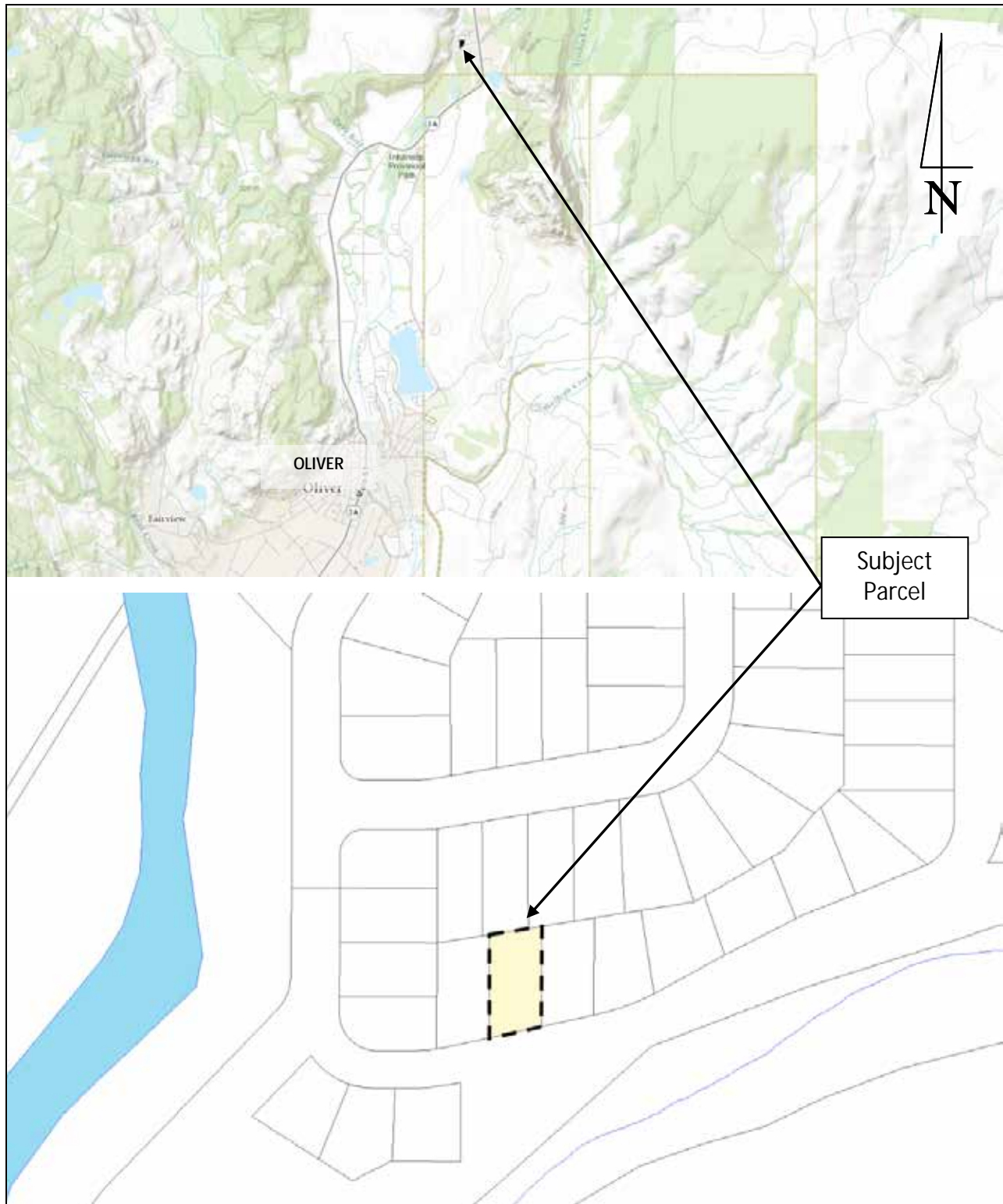
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2018.005-DVP

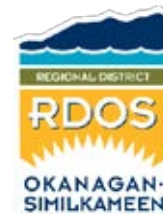
Schedule 'A'



# Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

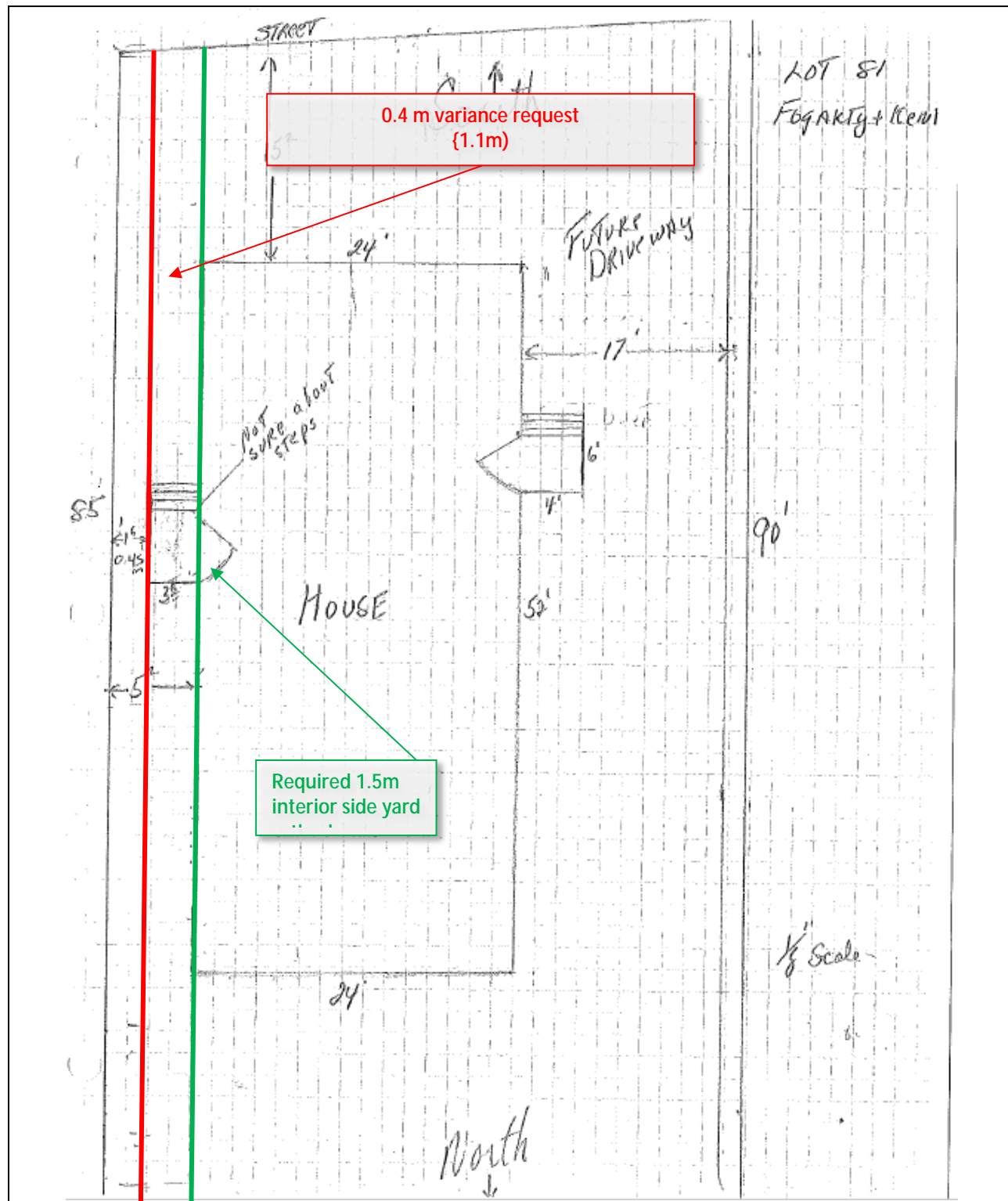
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2018.005-DVP

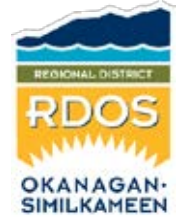
Schedule 'B'



# Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

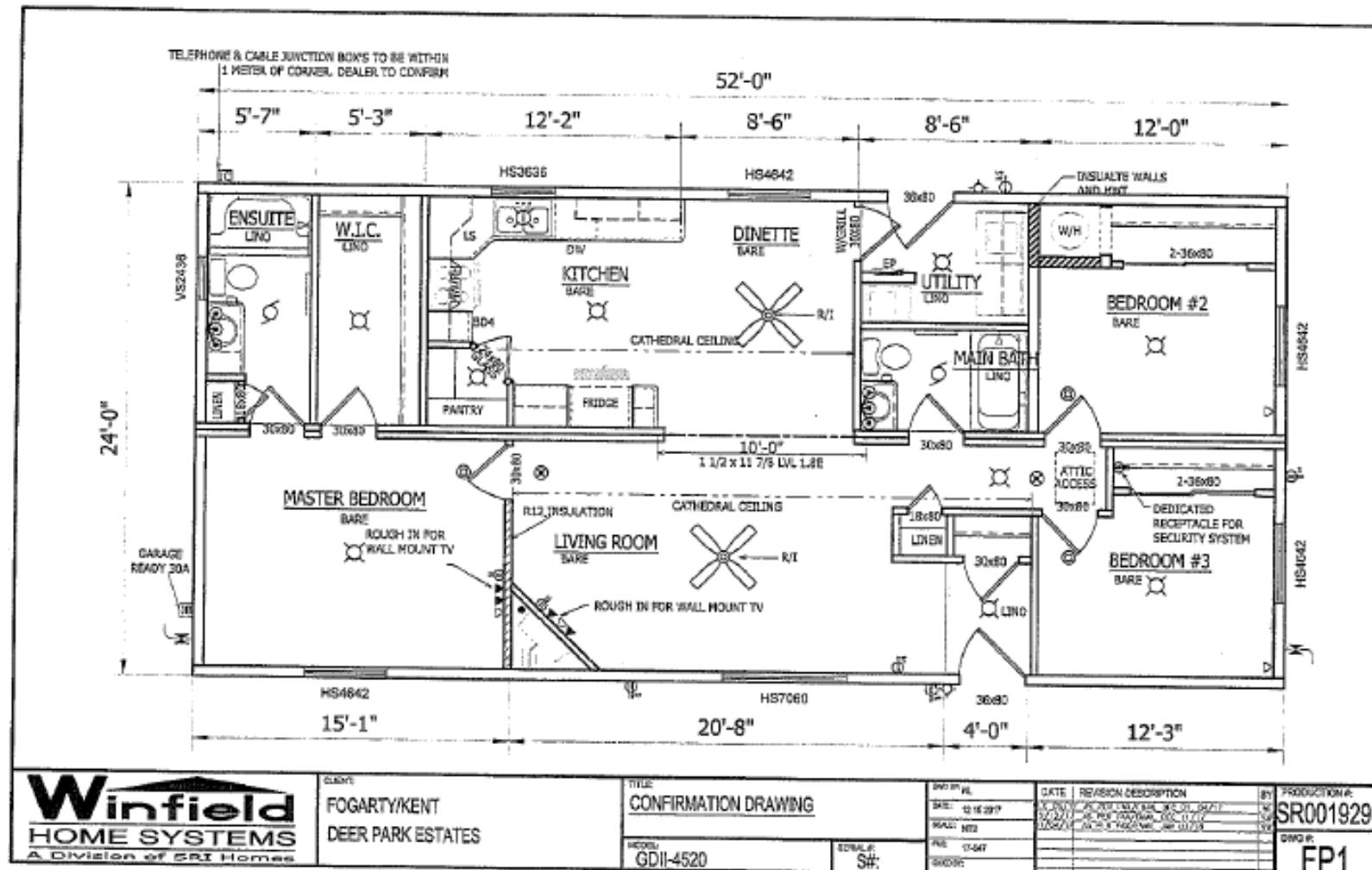
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2018.005-DVP

Schedule 'C'

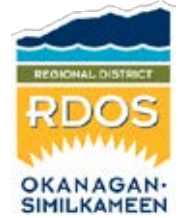




# Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

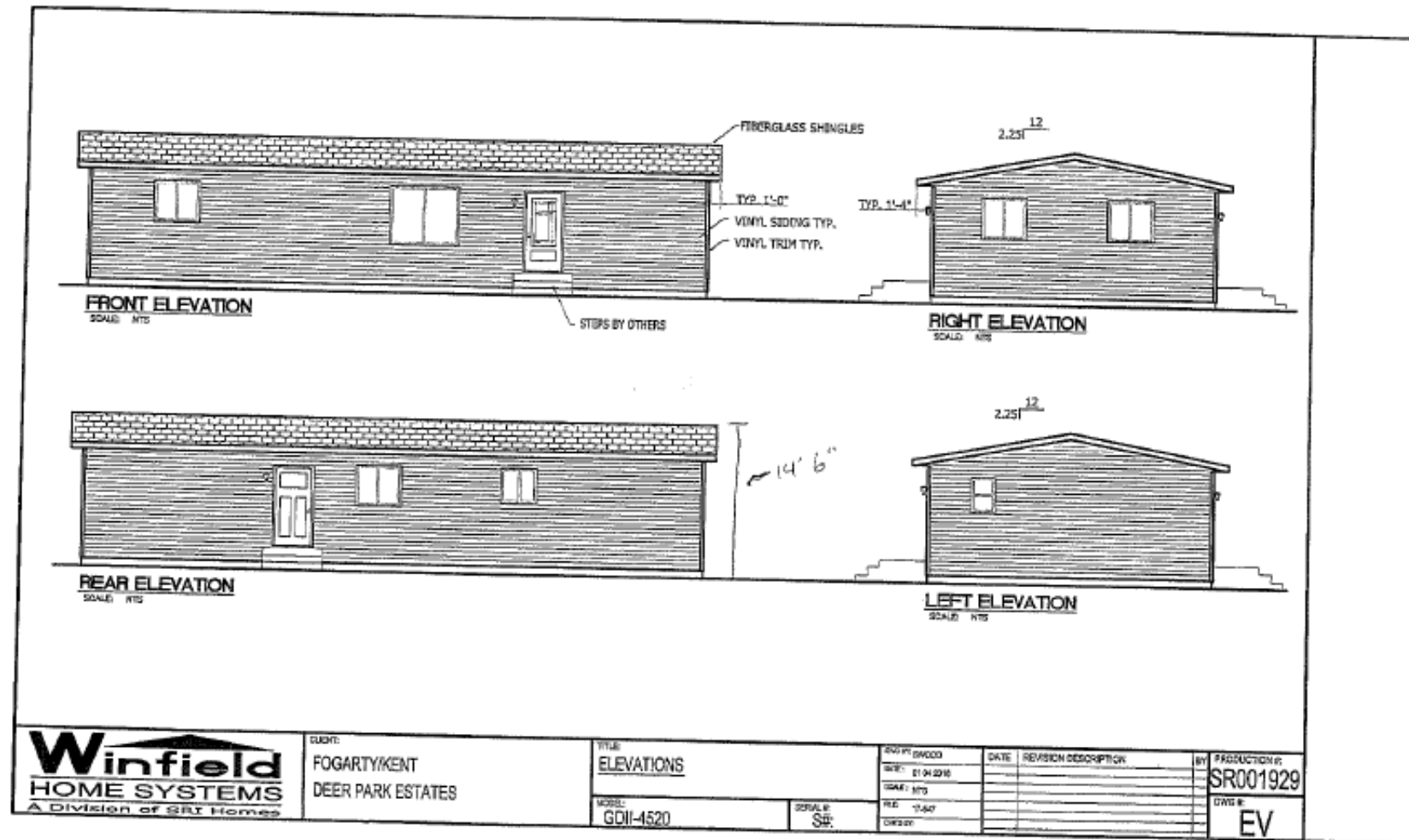
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

File No. C2018.005-DVP

Schedule 'D'



File No. C2018.005-DVP

Page 6 of 6

**Lauri Feindell**

---

**To:** Kevin Taylor  
**Subject:** RE: Development Variance Permit application C2018.005-DVP

**Sent:** January 22, 2018 6:11 PM  
**To:** Kevin Taylor <[ktaylor@rdos.bc.ca](mailto:ktaylor@rdos.bc.ca)>  
**Subject:** Development Variance Permit application C2018.005-DVP

Hello Kevin,

My wife, Caroline Mattes, and I have no objection to the DVP application.

Thank you,

Robert and Caroline Mattes



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Letter of Concurrence (Telus) – Electoral Area “A”

---

## Administrative Recommendation:

**THAT the Board authorize a “Letter of Concurrence” to be sent to Innovation, Science, and Economic Development Canada in relation to a proposed telecommunication tower to be located at 4204 33<sup>rd</sup> Street, Osoyoos.**

---

Purpose: To allow for the replacing of an existing wireless facility at 4804 33<sup>rd</sup> Street with a new monopole wireless communication facility at 4204 33<sup>rd</sup> Street.

Owners: M and F De Matos                      Agent: Tawny Verigin (Cypress Land Services, Agent for Telus)

Legal: Lot 6, Plan KAP3847, DL 42, SDYD, except Plan 13371    Civic: 4204 33<sup>rd</sup> Street    Folio: A01216.000

OCP: Agriculture (AG)                      Zoning: Agriculture One (AG1)

---

## Proposed Development:

Telus has undertaken a public consultation process following the RDOS Board Policy for Communication Towers / Antenna Systems Approval Process (adopted May 7, 2015).

Specifically, Telus is requesting from the Board concurrence for the proposal to replace an existing wireless facility at 4804 33<sup>rd</sup> Street with a new monopole wireless communications facility at 4204 33<sup>rd</sup> Street in order to maintain critical wireless services to TELUS users in the Osoyoos area.

The new monopole tower will be relocated approximately 225 metres south of the existing tower and once installed the existing facility will be demolished.

As a result of the consultation process, and to reduce the visibility of the new pole, TELUS has agreed to reduce the height of the pole from the original 18 metres proposed to 15 metres. TELUS has stated that the reduced height will keep the pole relatively the same height as the existing hydro poles that run along 33<sup>rd</sup> Street.

## Statutory Requirements:

Under Section 4.2 of Industry Canada’s (note that Industry Canada is now known as Innovation, Science and Economic Development Canada) Antenna Tower Siting Policy, “proponents must follow Industry Canada’s Default Public Consultation process where the local land use authority does not have an established and documented public consultation process applicable to antenna siting.”

The RDOS Board Policy for Communication Towers / Antenna Systems Approval Process was adopted on May 7, 2015 and outlines items required for the public consultation process and design details expected by the RDOS.

---

### Site Context:

The subject parcel is within the Agricultural Land Reserve (ALR) and is approximately 2.63 hectares in area and located in East Osoyoos approximately 116 metres to the east of the Town of Osoyoos' boundary. Properties to the north and east are larger agricultural parcels within the ALR, whereas the properties to the south and west are characterized as residential suburban style of development.

The proposed monopole will be secured within a 10 m x 10 m cedar fenced area in the northeast corner of the property and is adjacent to 33<sup>rd</sup> Street.

### Background:

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the property is designated Agriculture (AG). The subject parcel is within the Agricultural Protection Area; however, no Development Permit Areas are identified for the property.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the parcel is zoned Agriculture One (AG1). Section 7.3 of the Zoning Bylaw permits 'utility uses' in every zone. Utility uses are defined as meaning "facilities for broadcast transmission and the distribution and collection of electrical, telephone, T.V, cable, natural gas, sewer, water and transportation services servicing the general public".

The maximum height for any structure within the AG1 zone stipulated within the Zoning Bylaw is 10.0 metres, so the applicant will require a Development Variance Permit (DVP) in order to construct the tower.

Under Section 3(m) of the *Agricultural Land Reserve Use, Subdivision and Procedures Regulation*, "telecommunications equipment, buildings and installations [are permitted in the agricultural land reserve] as long as the area occupied by the equipment, buildings and installations does not exceed 100m<sup>2</sup> for each parcel."

On January 9, 2018, TELUS submitted a package that included a summary of the project and evidence of the public consultation engagement process.

Any additional public comments received by the RDOS and not contained in the TELUS submission have been included as a separate item on the agenda.

For the Board's information, TELUS seeks to find the best option for the community and placement of any new facilities; however, if the Board were to approve a letter of non-concurrence to be sent, TELUS has an option to apply for an 'Impasse' and the file will be reviewed and the decision may be overturned by Innovation, Science and Economic Development Canada.

### Analysis:

The submission package for TELUS's request for a Letter of Concurrence provided proof that met the Board Policy and included:

- public notification to be sent to all properties within a 1000 m radius of the proposed facility;
- the holding of public meeting and inclusion of the public meeting details in the written notice to properties;
- two additional newspaper advertisements placed in separate editions;

---

the proponent to keep RDOS informed of significant public concerns.

At the end of the consultation, period (December 15, 2017) 13 households provided comments. Two were in favour and 11 expressed concerns. The concerns expressed were typically related to health and safety or visibility of the installation. TELUS provided a list of individual responses to each comment received from the public.

In terms of health and safety, the applicant states that the proposed installation will need to meet Health Canada's Safety Code 6 requirements to ensure public safety.

In terms of visibility concerns expressed by three property owners to the east, TELUS has revised its plans and will lower the height of the pole from 18 m to 15 m. Visibility of the new installation will be similar to that of the existing hydro poles running along 33<sup>rd</sup> Street.

The Board Policy also contains guidelines for the design and style of a proposed antenna system. The design of the facility being a tapered monopole with flush mounted panel antennas and all lines running internally appears to be one of the least obtrusive designs. The new tower will be painted beige to reduce visibility and able to blend in better with the surroundings.

In general, the proposed facility generally meets these guidelines.

**Alternatives:**

- .1 THAT the Board of Directors provide a Letter of Non-Concurrence to Industry Canada in relation to a proposed telecommunication tower facility located at 4204 33<sup>rd</sup> Street, Osoyoos.
- .2 THAT the Board of Directors defer providing a letter a letter of non-concurrence in order to allow TELUS to seek an alternative location or design.

Respectfully submitted

Endorsed by:

Endorsed by:

*ERiechert*

*CG*

*B. Dollevoet*

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Context Maps

No. 2- Applicant's Site Plan

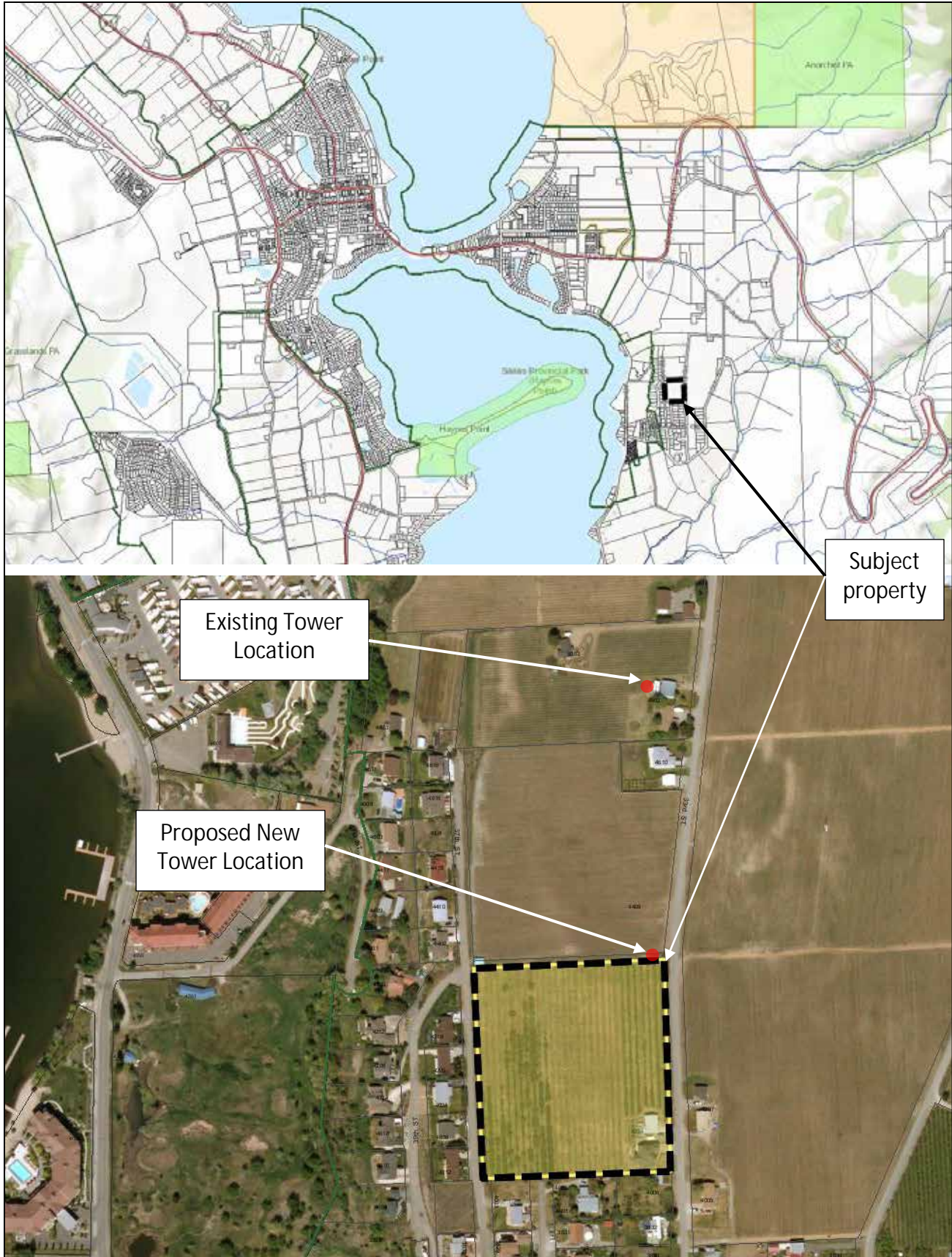
No. 3 – Compound Plan

No. 4 – Elevations

No. 5 – Photo Simulations

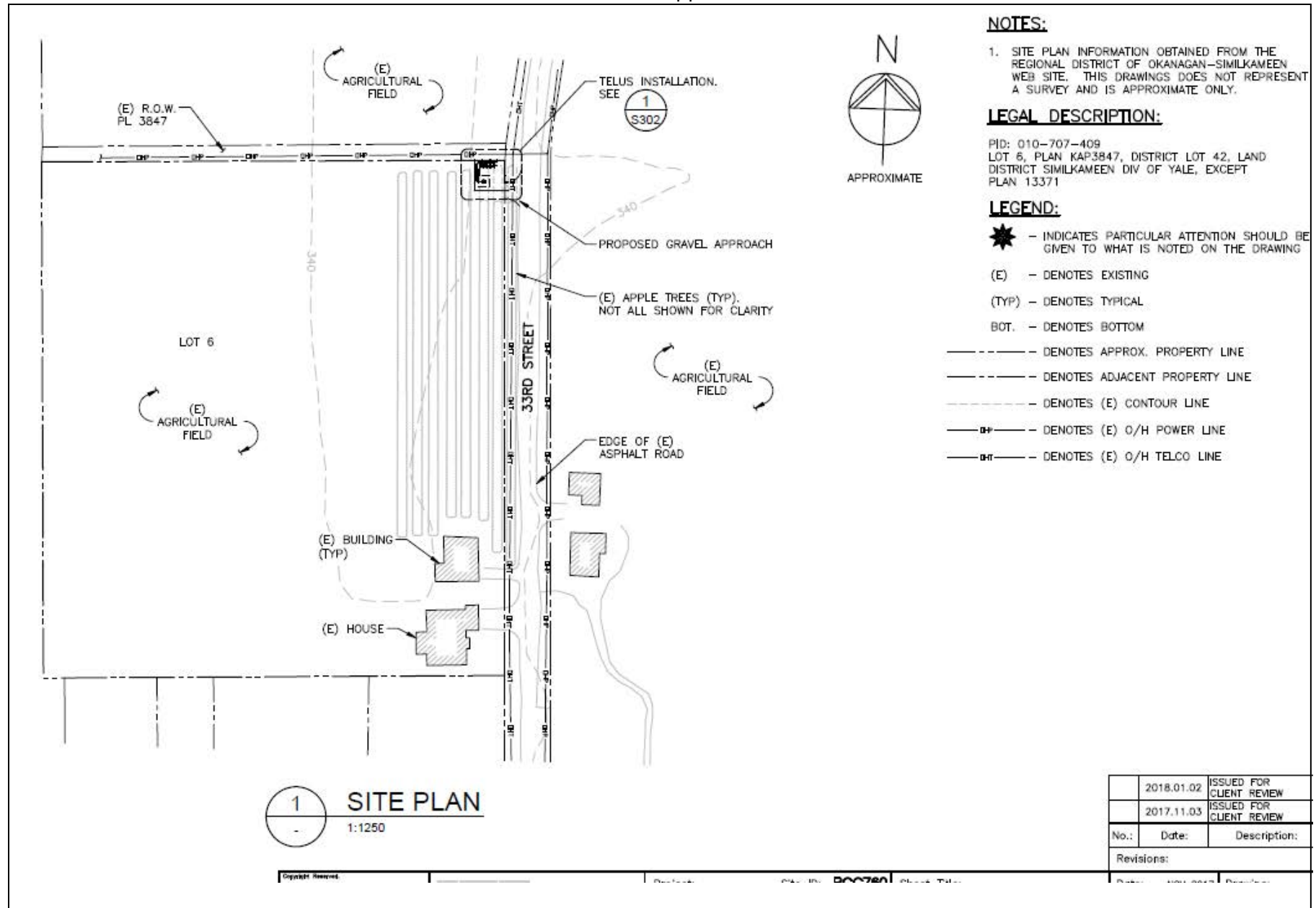


Attachment No. 1 – Context Maps

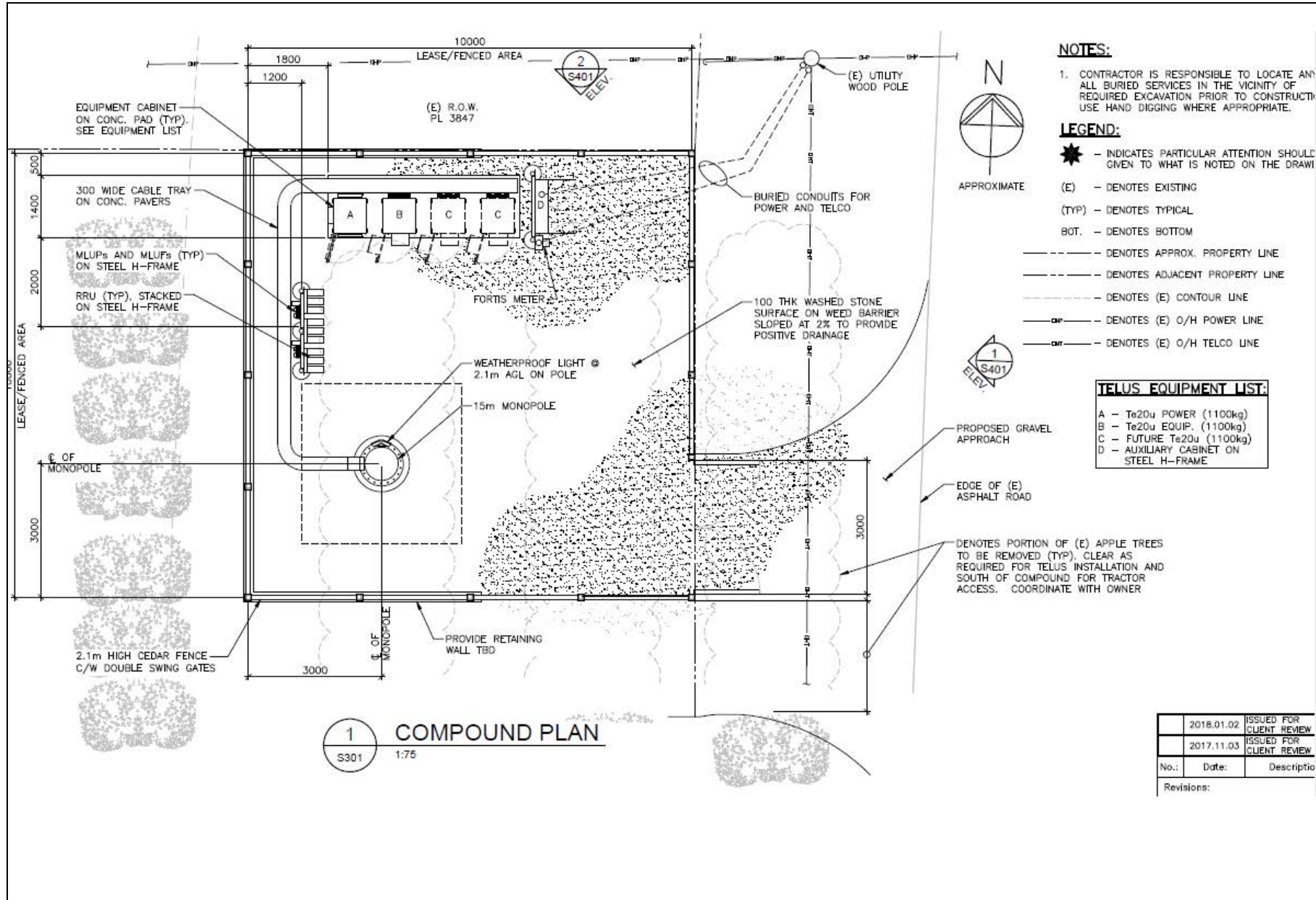




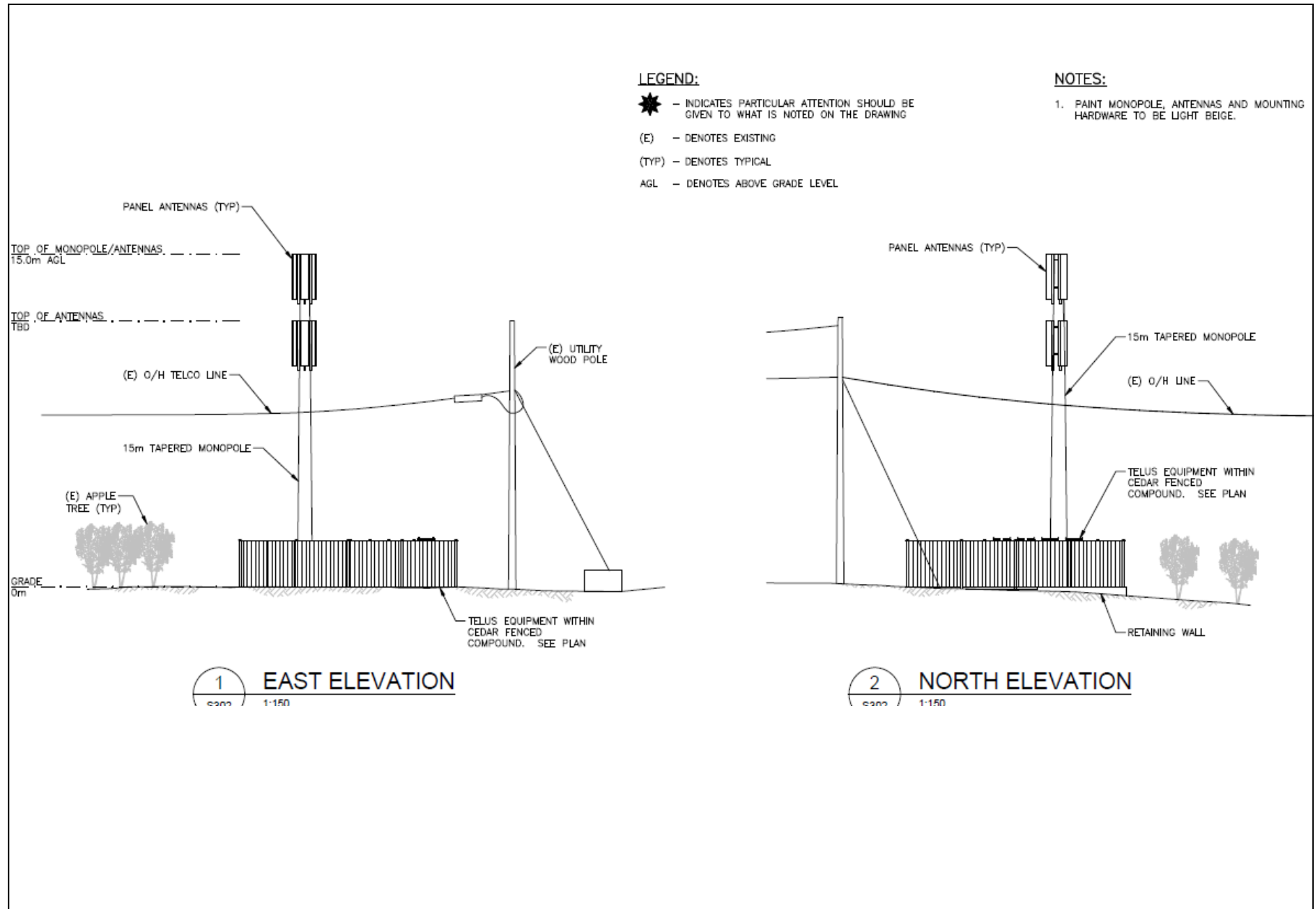
## Attachment No. 2 – Applicants Site Plan



## Attachment No. 3 – Compound Site Plan



## Attachment No. 4 – Elevations



Attachment No. 5 – Photo Simulation





Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+13:14	Date Response Sent
20-Nov	phone call	Call from ■■■■■ from Osoyoos and she said that she got a notification letter and she has three properties and she is against Telus installation. She has a few questions, so if you could follow up with her at■■■■■	non-support	Tawny spoke with ■■■■■ noting her concerns of the tower being too close to her property. ■■■■■ would like to see the tower moved further south on the landlords property closer to his house	20-Nov
22-Nov	meeting comment sheet	1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: Not appropriate location - middle of agricultural land and home surrounding  2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments: Proposed design is subject to change!!! Transport Canada comment are pending? (Light above pole?)  3. Additional Comments: I suggest other locations are better suited - and if not perhaps locating it in front of■■■■■ 's house which has a height variance for his home! (west side) I have three (3) properties in east Osoyoos & I say No	same resident as above	Dear ■■■■■  Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.  On your comment sheet you indicated that this is not an appropriate location for the proposed installation given it is on agricultural lands. Please note that many installation are on agricultural land and are permitted within a small footprint (similar to the size of area proposed to be used). The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.  Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).  We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.  Sincerely,  Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS	18-Dec
22-Nov	email	Hi,  I guess we owe Tawny Verigin and the Telus crew an apology. There WAS an ad in the November 15th Osoyoos Times, on page 15. It was 11 cm by 10 cm, but very small print, and with a tiny map. It just wasn't very noticeable in amongst the other ads. It took me 3 scans through the paper to spot it, but I'm sure it meets the legal requirements. It's unfortunate that the second ad wouldn't be seen by most readers until Nov 23, the day after today's public meeting.  By the way, there is an article about the tower on the Osoyoos Today blog, after I notified■■■■■ about it last week. I hope the Osoyoos Times might pick up the story and get a few more people talking about it.  Cheers,	non-support	Hi ■■■■■,  Thank you for attending the TELUS public meeting last night. For your reference, please find attached, the newspaper tear sheets for the Nov 15 & Nov 22 editions of the Osoyoos times displaying the TELUS ads.  Should you have any other questions, please do not hesitate to contact us.  Kind regards,  Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS	23-Nov

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+I3:I4	Date Response Sent
15-Dec	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility?</p> <p>O Yes X No</p> <p>Comments: I really detest the idea of having a tall ugly telecommunications tower in any residential neighbourhood. Although much of the current research seems to indicate that radiofrequency energy is harmless, many people are concerned about unknown long-term effects. The very fact that some people do not want to risk living near a cellphone tower may eventually affect the property valued in areas so that they don't affect our health, our views capes and our property values!</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest?</p> <p>O Yes X No</p> <p>Comments: There is absolutely no way to make an 18 metre steel tower with attached antennas into a thing of beauty! And no amount of Telus spin doctoring could convince me that the tower would enhance the neighbourhood views. Although Telus representatives claim Transport Canada will no require aeronautical marking or lighting on the proposed tower, regulation on the future could be altered. An improvement that I would suggest is to place the tower up in the hills, away from our residential neighbourhood, and then use G5 technology to reach any cellphone areas that are outside the tower coverage area.</p> <p>3. Additional Comments: I feel that the consultation process for affected residents has been a sham. I received the Telus announcement about the proposed tower Nov. 14, There was only one week between the time the first small ad was published in the Osoyoos Times (Nov 15) and the public meeting with Telus representatives on Nov 22. The second ad in the Times didn't get delivered by mail until Nov 24, the day AFTER the public information meeting. Although the Telus and Cypress land Services personnel were very friendly, knowledgeable, and professional, I couldn't help but feel that we were given carefully crafted Telus propaganda. I don't think Telus really wants input from the public.</p>	same resident as above	<p>Dear ■■■■■ ,</p> <p>Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given its a residential neighbourhood. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
22-Nov	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility?</p> <p>O Yes X No</p> <p>Comments: The tower should be across the lake not in ALR. We do not want to have more land for non agricultural activities. Enough land is lost every year</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest?</p> <p>O Yes X No</p> <p>Comments: An eye sore</p> <p>3. Additional Comments: There should be another meeting of the landowner affected and rep from RDOS &amp; tower council member rep for proper representation</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given it is on agricultural lands. Please note that many installation are on agricultural land and are permitted within a small footprint (similar to the size of area proposed to be used). The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec



Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+13:14	Date Response Sent
22-Nov	meeting comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Comments: Not really. Would like the pole to be moved south so it is closer to the land owners home. That way its not smack in the middle of the vineyard</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Comments: Yes like single pole but it will stick out more than the old lattice structure</p> <p>3. Additional Comments:</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
23-Nov	meeting comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Comments: Should be moved further east beyond 25 St</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest?</p> <p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p>Comments: Should be lowered if installed in suggested location</p> <p>3. Additional Comments:</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+I3:I4	Date Response Sent
24-Nov	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? X Yes O No Comments:</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? X Yes O No Comments:</p> <p>3. Additional Comments:</p>	support	<p>Dear ■■■■■</p> <p>Thank you for providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos. We appreciate your support for the project and will share it with the RDOS for the Board to consider. Should you have any further questions, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
28-Nov	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: It is a residential neighbourhood with families. The tower should be put on the east side on the mountain on the mountain where there are no residents or on the Native Reserve which is North where there are no mountains to block the signal, which could travel down residents both sides of the lake.</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments: Too tall and will block views of many residents.</p> <p>3. Additional Comments: I believe there is no other towers in residential areas they are located in areas with no residents. Rogers tower is east up in the mountains and serves all their customers well.</p> <p>P.S. This is causing a big neighbourhood disagreement which will cause bad feelings amongst neighbours. I am going to contact Global News &amp; papers about this tower and how residents are opposing it and you, Telus, are not listening. There are alternatives as stated above. Another consideration is to put it below the hump in the hill for the people who do not get cell service. Although I imagine those residents don't want it either.</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given its a residential neighbourhood. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
31-Dec	email	<p>I believe that you, Telus, are going to do whatever you want to do, but if you at all worried about customer satisfaction you would have a public forum where everyone is informed not a select few.</p> <p>We and many others in the area are not happy with your decision or generic letter to us all.</p> <p>We want you to prove to us that you are trying to do what is best for all involved. We are your customers, as of now, too!!!</p> <p>Yours truly, ■■■■■</p> <p>Sent from my iPad</p>	same resident as above	N/A	N/A

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+13:14	Date Response Sent
28-Nov	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: The facility is right in line of my view of the lake. The property owner that benefits from the facility should have the benefit of seeing the facility in front of his house.</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments:</p> <p>3. Additional Comments: Should not been in a residential location.</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given its a residential neighbourhood. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
12-Dec	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: This is a rural setting surrounded by vineyards &amp; orchards to introduce this tower would spoil this beautiful setting. My wife and as well as many others walk this area daily enjoying the beautiful views, installing a tower of any kind in this area is unacceptable and will not be tolerated.</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments: This type of installation is suited to an industrial area not an picturesque rural setting. You will ruin our views of the lake &amp; mountains.</p> <p>3. Additional Comments: There is nothing unobtrusive about this design or installation. Find somewhere else to place your monstrosity it is NOT WELCOME in our neighbourhood.</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for attending the Public Meeting on November 22nd, 2017 and providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+13:14	Date Response Sent
18-Dec	email	It is obvious you have writers in your employ to write a good letter as to why I should not object to your new 18 meter high tower in my picturesque neighbourhood. You make it sound as if you are erecting this tower for the good of mankind when you know as well as everyone that this is the most cost efficient location available. Telus could care less about what happens to a neighbourhood as long as there is money to be made. Shame on you for trying to pass this off as your only choice.■■■■■ ...a resident that cares about his neighbourhood.	same resident as above	Dear ■■■■■  Approximately three (3) of the property owners with homes to the east of the proposed pole will have view of the pole (though these homes are approximately 300 to 400 m from the proposed pole location). These homes also have view of the existing TELUS tower to be removed. As a result of concerns expressed from three (3) property owners to the east of the proposed site, TELUS has revised its plans to lower the height of the pole from 18.0 m to 15.0m. Visibility of the new installation will be similar to that of the existing hydro utility poles running along 33rd Street. Existing hydro wood poles are approximately 12m in height. The location of the proposed pole is a metre or two lower in elevation, therefore the height of the proposed pole will be similar to the existing hydro utility poles. Any impact to views from the three (3) concerned property owners will be minimized as pole is in the general location of the existing utility poles along 33rd Street, distance of affected homes from the pole location, the removal of the existing TELUS tower and the design of the pole itself (slim pole, flush mounted antennas – appearance will be similar to a hydro wood pole with transformer).  Thanks, Tawny	03-Jan
04-Jan	email	After reading or your message I am convinced you have spent very little or more than likely no time at all in our neighbourhood. You are attempting to convince us that only three houses will be affected by this tower. If you had spent any time here you would know that many people come here to walk , bike and drive through the area to enjoy the beautiful views. Your tower will ruin the beauty of the area , Don't be so naive to think that these small changes that you are so proud of will make us accept you tower.The only difference is that your tower will be shorter and ugly. Find a different location for your tower that isn't in the middle of such a beautiful area. This tower is not for the good of Mankind it is for nothing less than profit for an uncaring Telus. Telus needs to do the morally correct thing for a change and make the decision to place this tower elsewhere. Your tower is not welcome here and never will be. ■■■■■	same resident as above	N/A	N/A
12-Dec	letter	ATTENTION VIA EMAIL Tawny Verigin, Cypress Land Services Inc. tawny@cypresslandservices.com publicconsultation@cypresslandservices.com Michael Amyotte, ISED michael.amyotte@canada.ca Brad Dollevoet, RSOD bdollevoet@rdos.bc.ca RE: Telus Replacement Facility Proposal site BCC760 at 4204 33st Osoyoos BC Please accept my comments on the proposed new cell tower on 33rd Street in Osoyoos. I feel very strongly that the proposed location is not appropriate. The tower would be an eye-sore, sticking out prominently and negatively impacting the aesthetics of our otherwise pleasant street. Using the Location and Design Guidelines of the RDOS Communication Towers/Antenna Approval Process, I believe that the proposed location fails to meet the criteria of a preferred location, and meets the criteria of a discouraged location. It will disturb the view, directly impeding some residents. There is an Osprey nest nearby. There are so many more appropriate locations in the area and it is ridiculous to put this directly on the East Ridge on 33rd St. Per RDOS it is preferred to have towers in industrial or rural areas. This is a residential area – there are small orchards and vineyards, but it is primarily an area of single family homes. A few kilometers east up the hill and it is rural. This is where the tower should go. Per the RDOS preferred locations “Every effort to locate on existing structures, including antenna systems, transmission towers, utility poles, roof tops and similar structures.” A search of radio towers in the area shows that Telus already has assets in the area, and one directly above the proposed location, up on Anarchist mountain. Please see attached. This is where these should be located – out of sight, out of mind, with minimal radiation in residential areas. Why not upgrade the existing facilities at this location?	non-support	■■■■■  Thank you for your response. While we appreciate you do not feel the proposed location is appropriate, we would like to note that the existing cell site has been located on the property you reside for the past few decades. That said, TELUS has taken measures to reduce the visual impact of the tower currently on your property. TELUS proposes to eliminated the pinwheel (large steel frame at the top of the tower) at the top of the tower, include a pole instead of tower structure in the design and paint the pole tan to best blend with the background landscape. The pole itself is in a similar location as the existing utility lines/poles and will be similar in size to ensure it does not “stick out” of place more than other infrastructure in the area. While we appreciate you would prefer the installation be located on a mountain top, it would leave a number of TELUS customers with poor service if the installation was not relocated near the existing installation.  We appreciate your comments and will share them with the RDOS for the Board to consider. Should you have any further questions or concerns, please do not hesitate to contact us.  Sincerely,  Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS	18-Dec

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+13:14	Date Response Sent
15-Dec	email	Questions / Comments: Good morning: I am contacting you out of great concern for the new cell tower on 33 St. in Osoyoos. I am a Telus customer and love their service, but surely to goodness their engineers can find an alternate location that would not be so disruptive to our neighbourhood. We are all against this tower, except the people who are being paid to have it installed on their property. This tower will be an eyesore both day and night and will destroy the views and enjoyment of our rural properties. If it is lighted in any form, it would affect all people in its sightlines. I would implore you to listen to the residents of Area "A" and reject this application and have them find another solution. Thank you for your consideration.	same resident as below ↓	<p>Dear ■■■■■</p> <p>Thank you for providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given its a residential neighbourhood. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
19-Dec	email	<p>Dear Ms Verigen:</p> <p>Thank you for getting back to me. A monopole sounds just fine, and the need to not light the pole is even better! Will the height be the same? Thank you for your assistance, ■■■■■</p>	support	<p>Hi ■■■■■</p> <p>The replacement monopole was proposed to be 18.0 m in height, but as a result of concerns expressed from property owners to the east of the proposed site, TELUS has revised its plans to lower the height of the pole from 18.0 m to 15.0m.</p> <p>Thanks, Tawny</p>	03-Jan
03-Jan	email	<p>Hi Tawny:</p> <p>Thank you for your response. Just so I understand, in summarizing what you've replied, we are looking at a 50 foot monopole that's not lit. Is that right? Thanks so much, ■■■■■</p>	same resident as above	<p>Hi ■■■■■</p> <p>Yes that is correct. Visibility of the new installation will be similar to that of the existing hydro utility poles running along 33rd Street. Existing hydro wood poles are approximately 12m in height. The location of the proposed pole is a metre or two lower in elevation, therefore the height of the proposed pole will be similar to the existing hydro utility poles.</p> <p>Thanks, Tawny</p>	03-Jan
03-Jan	email	Hi Tawny: I knew you could do it! You Telus people are so smart, I really should buy some shares! The reason I was so concerned is because this is our ■■■■■ neighbour over the holidays! Happy new year, take care, ■■■■■	same resident as above	N/A	N/A

Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+I3:I4	Date Response Sent
15-Dec	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: We bought our property because of the beautiful lakeview. The proposed facility will be seen from our property.</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments: It is way too high an does not fit into our residential / orchard / vineyard neighbourhood.</p> <p>3. Additional Comments:</p>	non-support	<p>Dear ■■■■■</p> <p>Thank you for providing your comments regarding the proposed TELUS replacement wireless communications facility in Osoyoos.</p> <p>On your comment sheet you indicated that this is not an appropriate location for the proposed installation given its a residential neighbourhood. The installation is required to maintain the existing services to areas residents. As you are aware, this installation is intended to replace the installation at 4802 33rd Street. Many Osoyoos households, businesses and tourists rely on wireless service provided by the existing tower. Similar installations are commonly found on utility poles, street lights, wood poles, rooftop of apartments, condos hospitals, universities, community centres and churches, all of which are located in communities where folks live and work. While TELUS prefers a location in close proximity to the existing tower in order to maintain service, it has investigated alternative locations (those suggested at the open house). TELUS primarily analysed locations further east and/or further south. Unfortunately, these alternative areas would result in compromised service, a need for a much larger tower and signal impacts across the US border. As such, the proposed location is required to maintain existing service levels to the community. TELUS has made an effort to improve the design of the tower by designing it as a monopole communications facility and has located it next to existing utility poles as a reasonable replacement alternative.</p> <p>Please know, we do not anticipate Transport Canada requiring a light on the top of the tower (the existing installation did not require one).</p> <p>We appreciate your comments and will share them with the RDOS for the Board to consider. While we understand changes to the community can be challenging at times, TELUS requires the proposed relocation to ensure service to the community. Should you have any further questions or concerns, please do not hesitate to contact us.</p> <p>Sincerely,</p> <p>Tawny Verigin Municipal Affairs Specialist Cypress Land Services Inc. Agents for TELUS</p>	18-Dec
15-Dec	comment sheet	<p>1. Do you feel this is an appropriate location for the proposed facility? O Yes X No Comments: See written comments (by e-mail) to follow</p> <p>2. Are you satisfies with the appearance / design of the proposed facility? If not, what changes would you suggest? O Yes X No Comments: See written comments (by email) to follow</p> <p>3. Additional Comments: A. notice, timing and format of public meeting. B. Content of the notification package provided as public meeting. C. Way by which the public consultation should be redone.</p> <p><b>**Emailed letter attached</b></p>	non-support	<p>■■■■■</p> <p>Below are responses to the relevant questions you’ve raised and the concerns expressed to the TELUS replacement wireless installation:</p> <ul style="list-style-type: none"><li>• The notification process and addresses for those within 1000 m of the site that were notified were supplied by the RDOS in conjunction with the RD’s policy. These address included those in the Town of Osoyoos as well as the RDOS. The envelops mailed included the wording on the outside of the envelop “Important Information”. In total, we mailed 428 notices, placed two advertisements in the newspaper and held the open house. Please note, that this consultation process is far more extensive then most land use authority’s require. The comment period has now closed and about 10 comments were received. TELUS does not intend to restart the consultation process in light of the comments received.</li><li>• The relocated wireless installation is required because the lease has run out on the existing property and the owner is unwilling to renew the lease. TELUS would like to stay at the existing location but it is not possible. As such, the only other available location in the immediate area is the one we have proposed. The relocation of the installation, as you suggest, is not a “smokescreen” to build a Rogers tower.</li><li>• TELUS has a registerable agreement with the property owner at 4204 33rd Street to construct the installation. Before any development (including utilities) its typical to secure rights to do the works prior to any public process.</li><li>• The proposed replacement facility will meet and exceed standards outlined in Health Canada’s Safety Code 6 to ensure public safety.</li></ul> <p>Regards, Chad Marlatt – Agents for TELUS</p>	18-Dec



Date Message Received	Email, Letter, Comment Sheet or Voice Message	Comment or Question	Support / non-support / neutral	Response to Comment or Question+I3:I4	Date Response Sent
15-Dec	email	<p>Dear Ms. Verigin,</p> <p>The following was received by me a few months ago. It is of sufficient importance to add this (as an attachment) to what I just sent to you.</p> <p>5) IMPORTANT: Please see “letters” for a translation of an announcement from France about a move to reduce exposure levels which continues with Paris reducing the levels of the current cell transmitters as well as all new ones. The new allowed level is 5 V/m which equates to 66.3 milliwatts per meter squared or 6.63 microwatts per centimeter squared. This is a mere fraction of SC 6 which allows. For frequencies of 1800 Mhz, Safety Code 6 (the new reduced one) allows 4390 milliwatts per meter squared or 439 microwatts per centimeter squared. We should be challenging each municipality to make this a stipulation. There is no reason for allowing levels of exposure that are higher than those needed in a major city like Paris.</p> <p>Letters:</p> <p>Paris (AFP) - Paris will reduce the exposure of its inhabitants to electromagnetic waves by 30%, under a charter with mobile operators to limit the maximum level of antennas to 5 / Vm (volt by Meter), announced Thursday the mayor of Paris.</p> <p>Paris "thus becomes the most protective metropolis in Europe, ahead of Brussels, which set a threshold at 6 V / m. These are extremely stringent standards, "Julien Bargeton, Finance Deputy Mayor PS of Paris Anne Hidalgo told the press.</p> <p>Electromagnetic waves, which the WHO (World Health Organization) considered to be "potentially carcinogenic", are suspected of being harmful to health.</p> <p>This charter, which renews a previous agreement already "the most binding of France", decreases from April 1 of 7 V / m to 5 / Vm the threshold in the 2,240 antennas-relays present in Paris as well as those to come.</p> <p>It is a question of achieving a "balance between public health concerns, controlling the levels of exposure, while remaining a digital capital of the world", according to the elected Parisian.</p> <p>According to the charter, the consultation period with the inhabitants, during the installation of an antenna, will increase from two to four months, files filed will have to be more detailed and a "more comprehensive surveillance strategy" will be put in place.</p> <p>At the same time, a Municipal Observatory of Waves, the principle of which had already been adopted on the initiative of Parisian ecologists, will be created, to inform, monitor and amplify the campaigns of measures already existing. They will bring together elected representatives, experts, associations and the Ministry of the Environment.</p> <p>- See more at: <a href="https://www.goodplanet.info/actualite/2017/03/02/paris-va-reduction-de-30-lexposition-aux-ondes-electromagnetiques/#sthash.ssSJ5DPz.dpuf">https://www.goodplanet.info/actualite/2017/03/02/paris-va-reduction-de-30-lexposition-aux-ondes-electromagnetiques/#sthash.ssSJ5DPz.dpuf</a></p>	same resident as above		

2 support  
11 non-support  
0 neutral  
13 Total

ATTENTION VIA EMAIL

Tawny Verigin, Cypress Land Services Inc.  
[tawny@cypresslandservices.com](mailto:tawny@cypresslandservices.com)  
[publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

Michael Amyotte, ISED  
[michael.amyotte@canada.ca](mailto:michael.amyotte@canada.ca)

Brad Dollevoet, RSOD  
[bdollevoet@rdos.bc.ca](mailto:bdollevoet@rdos.bc.ca)

RE: Telus Replacement Facility Proposal site BCC760 at 4204 33st Osoyoos BC

Please accept my comments on the proposed new cell tower on 33<sup>rd</sup> Street in Osoyoos.

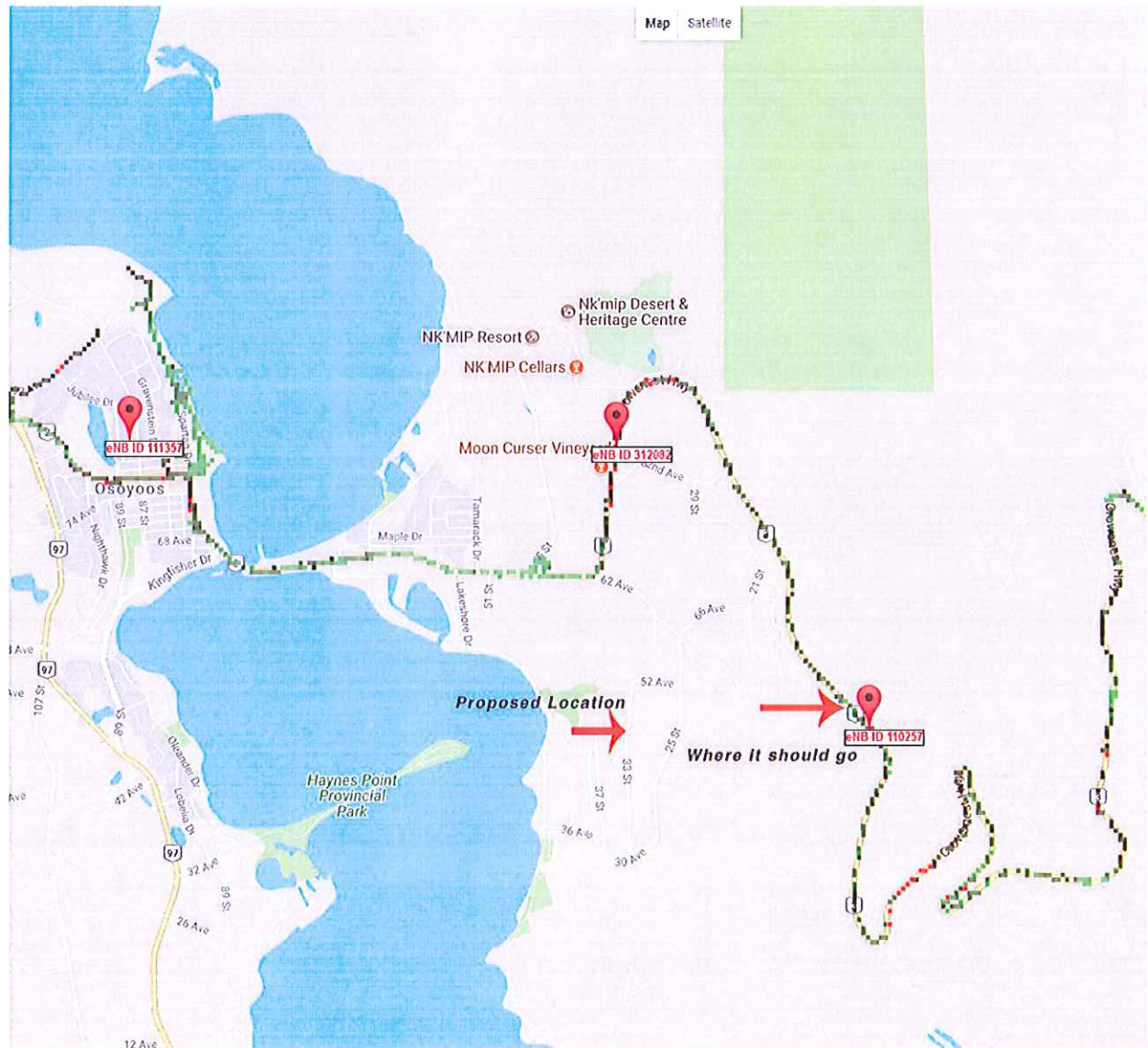
I feel very strongly that the proposed location is not appropriate. The tower would be an eye-sore, sticking out prominently and negatively impacting the aesthetics of our otherwise pleasant street. Using the Location and Design Guidelines of the RDOS Communication Towers/Antenna Approval Process, I believe that the proposed location fails to meet the criteria of a preferred location, and meets the criteria of a discouraged location. It will disturb the view, directly impeding some residents. There is an Osprey nest nearby. There are so many more appropriate locations in the area and it is ridiculous to put this directly on the East Ridge on 33<sup>rd</sup> St.

Per RDOS it is preferred to have towers in industrial or rural areas. This is a residential area – there are small orchards and vineyards, but it is primarily an area of single family homes. A few kilometers east up the hill and it is rural. This is where the tower should go.

Per the RDOS preferred locations “Every effort to locate on existing structures, including antenna systems, transmission towers, utility poles, roof tops and similar structures.”

A search of radio towers in the area shows that Telus already has assets in the area, and one directly above the proposed location, up on Anarchist mountain. Please see attached. This is where these should be located – out of sight, out of mind, with minimal radiation in residential areas. Why not upgrade the existing facilities at this location?

Sincerely,





December 7, 2017

Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton BC V2A 5J9

Dear RDOS Directors:

**Re: Proposed Telus telecommunications tower at 4204 33rd Street,  
Osoyoos**

**BACKGROUND:**

A Telus telecommunications tower on the Osoyoos east bench was initially installed about 30 years ago. It had relatively small rooftop antennas, and a low visual impact for most residents in the area. Over the years, newer unsightly antenna systems have been added, increasing in both size and number. Until recently, there has been zero public consultation with neighbouring property owners regarding this existing facility.

Telus is now proposing to install an 18 metre (59 ft) monopole structure about 225 m south of the existing facility. This tower, with antennas at the top, would be about twice the height of power poles in the area, and much taller than the old tower. The new location would make a tall tower highly visible and unsightly for several residents, especially if Transport Canada requires aeronautical markings and nighttime lighting.

Although various health agencies claim that the radiation from cell phones and cell towers is not harmful, the long term effects are still a matter for much debate. Studies suggest that radiation hypersensitivity for a small percentage of the population is an acknowledged fact. Since long-term effects are still unproven, some residents are concerned about future health problems. But most of all at the present time, they are very concerned about their esthetic views.

---

On December 5, 2017, the Osoyoos Rural Ratepayers Association met with Area A Director Mark Pendergraft to discuss the proposed Telus telecommunications tower. The following motion was passed unanimously. We ask that the RDOS Directors take our concerns and recommendations into account when you consider this matter.

***MOVED: We, as a taxpayers' association, would prefer that this tower be located away from any residential development. We have two possible recommended choices. One is up the slope on the west side of Osoyoos Lake, and the other is on the east side of the lake, but further up the mountain slope. Either of these choices is preferable to the proposed location on 33rd Street.***

Sincerely,

(Chairperson) (Osoyoos Rural Ratepayers Association)  
c/o 4206 39th St Osoyoos BC V0H 1V6  
ghochtse@vip.net

cc Osoyoos Times

**Lauri Feindell**

---

**To:** Lauri Feindell  
**Subject:** RE: Website Contact Form Submission

---- Comments ----

Questions / Comments: Hi Mr Pendergraft

I would like to express my concerns about the proposed communications tower that could be situated on 33 Street. Regarding the recent public information session, I was not notified as to the date and time for this meeting ( also when speaking to [redacted] ne too didn't get a notification). Therefore I didn't have a chance to express my concerns about the potential harmful emissions that these devices emit. Despite what Telus may be saying there doesn't appear to be any empirical evidence confirming that our health might be detrimentally affected. In addition the proposed site is in an area where there are many homes, a better location could be found.

## Lauri Feindell

---

**From:** Tawny Verigin <tawny@cypresslandservices.com>  
**Sent:** January 3, 2018 8:45 AM  
**To:**  
**Cc:** Evelyn Riechert; Public Consultation; Lauri Feindell  
**Subject:** RE: Website Contact Form Submission- Attn: Bill Newell

Yes that is correct. Visibility of the new installation will be similar to that of the existing hydro utility poles running along 33rd Street. Existing hydro wood poles are approximately 12m in height. The location of the proposed pole is a metre or two lower in elevation, therefore the height of the proposed pole will be similar to the existing hydro utility poles.

Thanks,  
Tawny

-----Original Message-----

**From:**  
**Sent:** January 3, 2018 8:40 AM  
**To:** Tawny Verigin <tawny@cypresslandservices.com>  
**Cc:** Evelyn Riechert <eriechert@rdos.bc.ca>; Public Consultation <publicconsultation@cypresslandservices.com>; Lauri Feindell <lfeindell@rdos.bc.ca>  
**Subject:** Re: Website Contact Form Submission- Attn: Bill Newell

Hi Tawny:

Thank you for your response. Just so I understand, in summarizing what you've replied, we are looking at a 50 foot monopole that's not lit. Is that right? Thanks so much,

Sent from my iPad

> On Jan 3, 2018, at 9:25 AM, Tawny Verigin <tawny@cypresslandservices.com> wrote:

> The replacement monopole was proposed to be 18.0 m in height, but as a result of concerns expressed from property owners to the east of the proposed site, TELUS has revised its plans to lower the height of the pole from 18.0 m to 15.0m.

>

> Thanks,

> Tawny

>

> -----Original Message-----

> **From:** aalto:

> **Sent:** December 19, 2017 4:23 PM

> **To:** Tawny Verigin <tawny@cypresslandservices.com>

> **Cc:** Evelyn Riechert <eriechert@rdos.bc.ca>; Public Consultation <publicconsultation@cypresslandservices.com>; Lauri Feindell <lfeindell@rdos.bc.ca>

> **Subject:** Re: Website Contact Form Submission- Attn: Bill Newell



in reliance upon this information is prohibited. If you received this in error, please contact the sender and delete or destroy this message and any copies.

>>

>>

>>

>> -----Original Message-----

>> From: Evelyn Riechert [mailto:eriechert@rdos.bc.ca]

>> Sent: December 15, 2017 8:52 AM

>> To: Public Consultation <publicconsultation@cypresslandservices.com>

>> Cc: Lauri Feindell <lfeindell@rdos.bc.ca>

>> Subject: FW: Website Contact Form Submission- Attn: Bill Newell

>>

>> Hi, this was sent to the us and I'm not sure if it was sent to you as well, so here it is in any case!

>>

>> Regards,

>>

>> Evelyn

>>

>> Evelyn Riechert • MCIP RPP, Planner

>> Regional District of Okanagan-Similkameen

>> 101 Martin Street, Penticton, BC V2A 5J9 p. 250.490.4204 • tf. 1.877.610.3737 • f. 250.492.0063 www.rdos.bc.ca •  
eriechert@rdos.bc.ca FACEBOOK • YOUTUBE • Sign up for REGIONAL CONNECTIONS

>>

>> This Communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

>>

>> -----Original Message-----

>> From: Brad Dollevoet

>> Sent: December-15-17 8:39 AM

>> To: Evelyn Riechert <eriechert@rdos.bc.ca>

>> Cc: Lauri Feindell <lfeindell@rdos.bc.ca>

>> Subject: FW: Website Contact Form Submission- Attn: Bill Newell

>>

>> For the file, Below

>>

>>

>>

>> Province: B.C.

>> Postal Code: V0H1V0

>

>> Email:

>>

>> ---- Comments ----

>>

>> Questions / Comments: Good morning: I am contacting you out of great concern for the new cell tower on 33 St. in Osoyoos. I am a Telus customer and love their service, but surely to goodness their engineers can find an alternate location that would not be so disruptive to our neighbourhood. We are all against this tower, except the people who

2017-12-15

Ms. Tawny Verigin,  
Municipal Affairs Specialist,  
TELUS c/o Cypress Land Services Ltd.,  
Suite 1051, 409 Granville Street,  
Vancouver, B.C. V6C 1T2

sent as an attachment to an e-mail.

Dear Madam,

**Detailed Comments on TELUS' application no. BCC760-1 – Osoyoos.**

This letter contains the Detailed Comments on TELUS' application no. BCC760-1 on the East Bench of Osoyoos, within Electoral Area A of the RDOS. As a resident of Area A and one of the directors of the Osoyoos Rural Ratepayers' Association, (ORRA) I provide these comments in my personal capacity, further to my attendance at the "Public Meeting - Drop-In format" held on Wednesday night, 2017-11-22. I already mailed you, on Tuesday afternoon, 2017-12-12, from the Osoyoos Post Office, a copy of a handwritten 'Comment Sheet' with the gist of my concerns, with 4 numbered newspaper clippings, as "Attachments" which are not actually attached to these Detailed Comments, but are shown at the very bottom of this letter.

On 2017-12-05, the ORRA Board also discussed this matter extensively with RDOS Area A Director, who had not attended the Public Meeting. As the RDOS Board will not have a meeting on 2017-12-21, I believe there is no real rush, and would suggest that these detailed comments be read and considered without trying to "speed-up" this very contentious matter.

My comments below are classified between serious deficiencies in the proposed project, as follows:

- (A) those relating to the Notice, Timing and Format of the Public Meeting;
- (B) those relating to the Content of the Information provided at the Public Meeting, and
- (C) those Ways by which, in my opinion, the Public Consultation Process should be redone.

The personal health concerns of my wife Lydia and I are not unknown to you personally, the RDOS and Industry Canada. This is due to my objections to Rogers' application W3601 in early 2015, which need not be repeated. Although our EHS (electromagnetic hypersensitivity) conditions are still valid, I intend to dwell a bit on that in (B).

It is actually strange that Cypress Land Services Inc. seems to act on behalf of both Rogers (in 2015) and TELUS (in 2017). Is this not a "perceived conflict of interest"? As an example, could anybody perceive the same advertising agency for Ford and General Motors, a random industry example? Such situation is just unthinkable, and the past 100+ years of history bear witness to that.

**(A) The Notice, Timing and Format of the Public Meeting:**

1. This Public Meeting had to have been advertised as a Notice, according to RDOS (and Industry Canada?) requirements. When I attended the Public Information, I honestly had not seen this Notice in the Osoyoos Times of the previous Wednesday, 2017-11-15. I had also not seen it in the Osoyoos Times of the Wednesday of the meeting date, for the simple reason that I, and many people in Osoyoos, only receive the newspaper on Thursday in their super mailbox, particularly "out-of-towners". On Friday morning, 2017-11-17, just prior to leaving for Wenatchee WA for the weekend, I received an e-mail from the Secretary of the Osoyoos Rural Ratepayers Association, at the Library. This advised me of the meeting date and venue; he had received a Notice in the mail on 2017-11-14 – living close by the proposed site – and



he attached a scanned page 1 of 6. During the Public Meeting, he, and several other East Bench residents, also told your staff (or Telus Staff?) that they had not seen a Notice in the newspaper (meaning the one of the previous Wednesday). (Even the Public Library in Osoyoos receives the newspaper via Canada Post on Thursday.) After the Public Meeting, when I went home, I saw the Notice in the newspaper of the previous Wednesday – see point 2 below. I guess this “Notice” to have been an inadequate notification to the general public, for such an important matter. It should have been in the papers of 2017-11-08 and 2017-11-15, instead of on 2017-11-15 and 2017-11-22. as already sent you an e-mail about this, as a kinda “apology” for not reading the previous week’s newspaper. I do not apologize, as I was out of town from Friday to Monday afternoon that weekend, and only scanned the newspaper on Thursday night.

2. The notice in the Osoyoos Times was of miniscule (8 point?) dimensions, and that is why I, and many others, likely missed reading it at first. I guess that the RDOS requirements and those of Industry Canada, have (or should have) minimum size requirements (or perhaps a minimum column width) but this one was definitely much smaller than any of Telus’ advertisements or notices by the Town of Osoyoos, RDOS or the Interior Health Authority in the Osoyoos Times. Originals of three such notices have been mailed, Exh. 1 – 4, and are referenced as Attachment 1, for your kind comparison, together with a TELUS advertisement. Your current “Notice” of 2017-11-15 and 2017-11-22 was of a similar sized as your own firm’s “Notice” for the proposed cellphone tower application by Rogers (Application W3601) in early 2015. The size of that “Notice” was 9cm x 11cm, and I complained about it at the time. The current one is about the same size. Moreover, the print is quite “grey” and “blurry”, in fact almost illegible without the use of magnifying glasses. What may look good on a computer screen, does not automatically mean that it looks good in print. Perhaps the Osoyoos Times wants to save ink. What follows is the text of the “Notice” (which I only saw after the Public Meeting) adjacent to the “normal” text of the Osoyoos Times, which, Mr. Keith Lacey, Editor, confirmed, Dutch 11. He stated that our newspaper is at font size 11 because of the number of seniors in this area. The text of this letter is in Times New Roman 12. Decide for yourself, would you not agree that the lettering in the “Notice” is “barely legible” and “all grey”, where a clear map should have been? RDOS and Town of Osoyoos notices are always quite clear when it comes to Location Map details.

the penalty increase up to about \$2,000, a jump of roughly \$740 above the existing tickets.

The government said in a statement that drivers will pay \$368 for each ticket, and if both tickets are in the same year, they will pay an additional \$520 for eight demerit points.


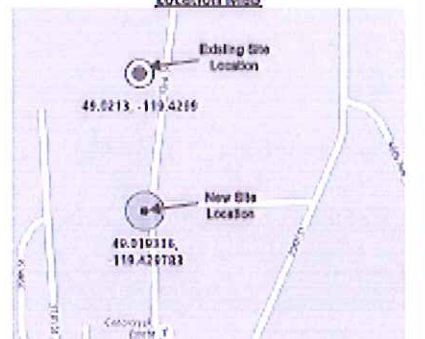
The drivers also must pay \$370 in risk premiums for the next two years after receiving the original ticket, it said.

“The numbers I have received indicates there are 12,000 British Columbians who have two or more distracted driving tickets in the last three years,” Eby said. “Those numbers are totally unacceptable.”

He said distracted driving is contributing to higher insurance rates for all drivers and is an unnecessary cause of death and mayhem on B.C. roads.

The Canadian Automobile Association says British Columbia’s new penalties will be among the highest in Canada.

Distracted drivers in Ontario face fines and penalties ranging from \$490 to \$1,000, while the penalties in Prince Edward Island range between \$500 and \$1,200.

	
<b>Notice of Proposed TM Mobile Inc. (“TELUS”) Telecommunications Replacement Facility &amp; Public Meeting</b> <b>Description:</b> As part of the public consultation process required by the Regional District of Okanagan-Similkameen and Innovation, Science and Economic Development Canada (ISED), TELUS is inviting the public to comment on a proposed telecommunications replacement facility. TELUS has an existing tower site located at 4802 33 Street in Osoyoos and is proposing to replace and deconstruct it with a new monopole facility 223 metres south at 4204 33 Street in Osoyoos. The wireless installation will maintain wireless services in portions of eastern Osoyoos.	
<b>Address:</b> 4204 33 Street, Osoyoos, BC <b>PID:</b> 010-707-409 <b>Coordinates:</b> 49.019336° N, 119.429783° W	
<b>TELUS is inviting the public to a Public Meeting (drop in format):</b> <b>Date:</b> Wednesday, November 22, 2017 <b>Time:</b> 5:30pm – 7:00pm <b>Location:</b> Best Western Plus Sunrise Inn - Hotel 5505 Main St, Osoyoos, BC V0H 1V0	
<b>For More Information :</b> <b>Contact TELUS at:</b> Tawny Verigin c/o Cypress Land Services Inc. Agents to TELUS Communications Inc. Suite 1051, 409 Granville Street Vancouver, BC V6C 1T2 Tel: 1-855-301-1520 email: publicconsultation@cypresslandservices.com	<b>Location Map</b> 
The public is welcome to comment on the proposal by the end of the business day on December 15, 2017 with respect to this matter. TELUS File: BEC760	

**Compare the Dutch 11 (above) with the rest!** This text is in Arial 8 This text is in Calibri Light 8 This text is in Times New Roman 8

3. My next comments are about the readability and appropriate distribution of the 6 page “Notification” dated 2017-11-09, of which (as understood from TELUS or Cypress representatives during the Public Meeting) more than a thousand copies were sent out to addresses on the East Bench. It was understood that



an address list had been obtained from RDOS staff. Individual property owners were not identified on the envelopes; during the ORRA meeting of 2017-12-05, [redacted] showed us the envelope that she had received: It was simply addressed to "Owner or Occupant", which surprised Mr. Mark Pendergraft; RDOS Director. This is nothing less than inappropriate or inadequate public consultation; you would be surprised to hear how many people may have thought that this was yet another piece of junk mail, of which our super mailboxes already overflow. Does Cypress have any "proof" that "more than a thousand" of these Notifications were indeed received and read by the addressees?

4. The "circle of (supposed) relevance" with a radius of 1000 metres around this proposed cellphone tower includes a fair number of properties outside Area A of the RDOS, which is the "local government" in which this proposed site is located. These properties, down to the edge of Osoyoos Lake beside Lakeview Drive, will be affected just as much as those within Area A. When asked the question to TELUS (and/or Cypress) representatives during the Public Meeting, nobody could confirm that "Owners or Occupants" within the Town of Osoyoos also received this Notification. If so, this would also indicate "inappropriate distribution". The Map on Page 3 of 6 (GoogleMaps photo?) of the Notification clearly shows some houses and mobile homes within the 1000 metres radius, but it does not show the municipal boundary. Because TELUS (or Cypress) only received an address list from RDOS staff, it follows that a similar address list of affected properties within Town of Osoyoos limits was not obtained, and that these "affected" people were therefore not properly notified. Obviously, none of them (town residents) showed up during the Public Meeting. We know that electromagnetic fields (like those created by cell phones) ignore municipal boundaries. I would like to remind you that the site for Rogers' Application W3601 was only 223 metres from the north limit of the Town of Osoyoos, and that Mayor Sue McKortoff (who also sits on the RDOS Board) took it upon herself to speak to Rogers in Toronto, while I made my comment to Ms. Ingrid Matthews (of Cypress Land Services Inc, Agents to Rogers Communications Inc.). together with a petition with signatures, strongly opposing that application. (The current "Comment Sheet" reverses the names (see addressee above this letter, as well as the text of the newspaper Notice on the previous page), and I find this "shift of responsibility" quite baffling. That W3601 was in February 2015, before the RDOS adopted the 1000 metre notification requirement. You yourself, Ms. Verigin, advised me later by e-mail that Rogers had abandoned that specific application W3601, and I do not know whether this abandonment was due to my efforts (on behalf of the many people who signed the petition) or Mayor Sue McKortoff's efforts, who resides in Area A but is Mayor of the Town of Osoyoos.

5. There are also some strange details in the Notification to "Dear Owner/Occupant" dated 2017-11-09:

- It is dated (= "November 9, 2017"), 6 days prior to the first day of the Notice in the Osoyoos Times. See Point 1 above. Was that not "putting the cart before the horse"? If the newspaper Notice had to have been printed on 2017-11-08 and 2017-11-15, why was this Notification only dated 2017-11-09?
- It has a TELUS letterhead, but comments are solicited by TELUS, for your attention, Ms. Verigin, as contact person at Cypress, as "Agents for TELUS" (on page 2 of 6). Also at the very bottom of page 6 of 6 is your name, firm name and address mentioned. Even then, it seems that a person would need to mail in that sheet of paper (page 5 of 6 and 6 of 6) so that one would not even have the Photo Simulated "artist's rendering" to keep for some future reference or to share with others. Would it not have been better to at least provide the "Dear Owner/Occupant" with a separate piece of paper for the Comment Sheet, plus a prepaid envelope? Would anybody who wanted to comment, really need to spend 25c for a photocopy of page 6 of 6 (at the Library) and then provide his own envelope and postage stamp – which adds to more than a dollar? Would you not agree that this is a disincentive, a very unlevel playing field?
- Are you and the people at Cypress perhaps already amazed at the small number of comments received? I'll suggest to you that this is exactly what your client (TELUS) wanted all along. And in particular, it should again be mentioned that the predecessor of TELUS, namely BC Tel, got away with a complete lack of public consultation 30 years ago, for the tower at site BC0498.
- To give you credit, during the Public Meeting, separate Comment Sheets were made available on the side table; I took some. However, the bottom of the Comment Sheet (page 6 of 6) does not even show



Cypress' e-mail address for sending the Comment Sheet to. The Notice in the Osoyoos Times did. (see page 2), as this is shown on page 2 of 6. (I obtained an original of the Notification from

who received two of them – although one property is only a narrow strip of land directly north of the proposed site, a privately owned Right-of-Way without room to build anything.)

- So any Owner/Occupant who (a) did receive the 6-page Notification by mail, (b) missed reading the Notice in the Osoyoos Times on 2017-11-15, (c) did not pick up the Osoyoos Times at the newspaper office on 2017-11-22, and (d) as a result, did not attend the Public Meeting and (e) who does not have a computer, cell phone or land line, had to spend money to comment, by mail. Quite a disincentive.
- Many (=most?) of the Owners/Occupants in the Mobile Home Park off Lakeshore Drive (within the Town of Osoyoos) had already “left for the season” when I drove through that property last month. They may only receive the 6-page “Notification” on their return in the spring of 2018. Is this just OK and cannot be helped, because the horse has passed the barn door?
- The colour of the heading (with “white letters on a light green background”) makes for quite poor legibility. It may be one of the preferred colours of TELUS, but I believe that Cypress should have picked this up and ought to have chosen or recommended a better colour scheme. In highway engineering, my career choice about 52 years ago, a lot has been made of the colours of highway signs, for legibility and traffic safety sake. A STOP sign is not red without reason; a HOSPITAL sign is obviously blue.
- The font on this “heading” should have been larger, for legibility sake. “One font size up”, in black on white, or black on light yellow, like Alberta licence plates years ago, would have been adequate. (These were considered the very best colours, as determined by a then well-known psychologist in Calgary (whose name escapes me now, but he wrote a number of conference papers in the mid-1980’s about highway signage and license plate colours. For future improvements to the RDOS Board Policy, this is hereby suggested.
- The document contains confusing statements regarding the real purpose of this “Replacement Facility Proposal”. In para. 1, line 3, it is stated to “maintain wireless services”; in para. 1 line 4, the word “replace” is used. In para. 3, line 1, however, “an improved unobtrusive monopole” is mentioned. Nowhere on page 1 is there any reference to **HOW** this “replacement” will “maintain” service; nowhere does it mention **HOW MANY** antennae will be used, **WHAT FREQUENCIES** will be used, **WHAT SIGNAL STRENGTHS** are proposed. Are they the same as those on BC0498, or not? Is 5G Technology being proposed? To “maintain” (in plain English), means that the same number of antennae, the same frequencies and the same signal strength will “replace” the existing 30-year old facility, which, as people mentioned during the Public Meeting, was constructed before there was ANY process of approval or even public input. I would posit to you (Cypress) that your client (TELUS) is not telling the Owners/Occupants the real TRUTH. Everybody knows that things have changed dramatically in 30 years, and this application is not a “replacement”, “maintaining” something at all, AT ALL. This is also borne out by one of the posterboards that were presented during the Public meeting – see below under (B). By the way, “antennae” is the correct spelling in English (Canada); “antennas” is an ugly Americanism.
- In any dictionary, one can find the word “replace”, and it infers that something (old) is replaced with something (new), but with the same essence, purpose and quality. This Application BCC760-1 is nothing like that. It is like replacing a 1987 Toyota Corolla (30 years old) with a brand spanking new and hi-tech 2018 Toyota model that may also have four wheels, a steering wheel and four seats, while almost everything else is much much different, containing things that were not even thought of 30 years ago, like different materials and systems, e.g. electronic fuel injection, and all the other electronic components. Similar to this cell phone tower on the East Bench, for which there was no public consultation more than 30 years ago (during the Sacred government!) and to which a number of antennae have been added over the years. Your posterboard at the Public Meeting showed a GoogleMaps photo that is probably more than a decade old; a TELUS representative confessed that “Yes, we have added some antennae; this photo is not what the facility looks like today.” How many antennae there are, he did not say. When they were added, he did not say. Without any public consultation..... Now we know that once a tower location has been “approved” by Industry Canada,



a company like TELUS can install as many antennae on it as possible, without any further review. That is not very fair toward the public. Are you aware of the multiple cancers around the Sutro Tower (for radio and TV) in San Francisco over a 30-year period, as documented by a researcher who did not dare publish it in the USA, but published it after he had emigrated to New Zealand?

- In light of this, the argument for “replacement” of the existing facility, that is made in para. 2 of the Notification, is very suspect. It may well be that the 30-year lease is up and that the current Owner does not want the tower to remain. But the word “enure” is probably (and most likely) in the existing lease agreement, which means that any new property Owner (and TELUS) ought to abide by what the agreement between him/her and TELUS states about the facility on the property. Your argument just does not make sense; as I mentioned during the Public Meeting, I cannot understand that TELUS, which has a host of legal advisors at its fingertips, cannot plainly write up a new lease with the current Owner of the property where the current tower has existed, because the current lease has “lapsed”. Lawyers renew lease agreements all the time. The new Owner is only waiting for an offer of an appropriate monthly dollar amount (based on current market conditions, of course), and he will gladly sign a new lease. I would therefore suggest that TELUS provide a true copy of the (supposedly “lapsed”) Lease Agreement to the public, the RDOS Board and Industry Canada. The public ought to know the REAL reason(s) why a new tower is supposed to be “needed,” and if this “replacement” is just a smokescreen. Why?
- Just like the recent closure of a 70-year old BC Fruit Trees packing plant just north of Osoyoos, (for which the reasons were first kept secret, but then came out), TELUS’ real reasons (or motives) for this BCC760-1 (in my view) are that:
  - Keeping the existing tower BC0498 in place, with a “new lease”, might cost too much to placate the new Owner – a matter of monthly operating costs;
  - The existing facility might cost too much to “upgrade” to allow increased service<sup>1</sup>. This means capital and operating costs.
- Further to the first sub-bullet above, I believe TELUS has not even investigated this, and if so, it has done so superficially and inadequately. The “Notification” states (para. 1) that the lease “will not be renewed”. That’s quite a authoritarian statement. As if it is a done deal.
- Further to the second sub-bullet above, has TELUS done any investigations and prepared any cost estimates to “upgrade” the existing facility? I guess not, seeing the dictatorial nature of the first sub-bullet. Once again, where is the cart and where is the horse in this process?
- Something else struck me when re-reading the “Public Consultation Package”, dated 2015-01-16, for Rogers’ application W3601 – which was, as you well know, handled by Cypress and later abandoned by Rogers. The document that I possess is very rare, as only Owners/Occupants within 105 metres of the proposed tower received it, in accordance with Industry Canada’s (questionable) requirement at the time. This was changed (to 1000 metres) when the RDOS policy came about in April/May 2015, after W3601 had given up the ghost. On page 4 of that document, under the heading “Antennas (sic) in the Vicinity”, I read (quoted verbatim):

“There is an existing TELUS tower (BC0498) located at 4802-33<sup>rd</sup> Street, approx. 3.95km to the southeast of the proposed tower. This tower was considered for co-location but it was not possible to get the height required for the antennas to provide the required coverage. The tower was also not capable of accommodating Rogers ancillary equipment.”

<sup>1</sup> My phrase “increased service” is inferred from the sentence “Increasingly, communities depend on wireless voice, data and internet communications for business, personal enjoyment and personal security reasons.” This reminds me of advertising by John Wayne, the Marlboro Man, in the days when cigarettes were supposedly “safe”. I guess TELUS should be tasked to prove that in there is such “dependence” by Osoyoos area residents, for many of whom “Depend” means something totally different. More than half of ORRA Directors have no cell phone. This is the second oldest community in British Columbia, after Qualicum Beach. The population of Area A has actually decreased in the 2016 census, by 58 people and it was about 1900 people in the previous census. (The Osoyoos Times did not report this in an article about the Town’s jump to 5000+.)



- My question now (knowing that application W3601 was abandoned) is if the current application BCC760-1 is perhaps also made (surreptitiously) on behalf of Rogers, for a “joint” tower (meaning with co-location) at this new site, which you call a “relocation”? If so, could it be that this whole Application BCC760-1 is a smokescreen, and that the public I not being told the TRUTH? Only if this is true, I would like to add another sub-bullet to the two above, as TELUS “hidden motive”:
  - This proposed tower (if approved by Industry Canada) might be used for co-location with Rogers, bypassing Industry Canada and the RDOS’ due process, and misleading the public.
- My reason for mentioning this idea is the content of a “Form Letter” by Rogers, dated 2015-03-30, written by their Samuel Sugita. Municipal Project Manager, addressed to “Dear Area Businesses and Residents” about a meeting that had been held with Mayor McKortoff and Director Pendergraft on 2015-03-27, where it was “agreed to review alternate sites we identify to help accomplish this”, (and the word “this” referred to “the need to improve wireless coverage for the Town of Osoyoos”.) This letter was sent a few weeks before your e-mail to me, indicating that Rogers had abandoned W3601.
- Could it perhaps be that the idea of “co-location” (with TELUS) was already on Rogers’ mind, and that there were “behind the screen” talks or negotiations, of which BCC760-1 is the current outcome? In many municipalities in BC, “co-location” has been promoted for quite a few years.
- It is therefore paramount that the public be informed properly on the number of proposed antennae, the proposed frequencies to be used, and an estimate of the (massive?) increase in electromagnetic fields that would emanate from this proposed tower. Note once again that there never was a public consultation process 30 years ago, but that people living on the East Bench (who have lived there for a long time) have a good memory.
- During the Public Meeting, a Telus representative states that an agreement for the “new site” had already been struck with the current Owner of 4204 33<sup>rd</sup> Street, and that this is already “on title”, (quoted verbatim). I could not believe it when hearing it. When I mentioned this at the recent ORRA meeting, Mr. Mark Pendergraft did not believe it either - he said that it cannot be more than an MOU (Memorandum of Agreement) of some kind. So on Wednesday last week, I asked Mr. Christopher Garrish (RDOS Senior Planner) about this detail. He checked the RDOS data base in my presence at the counter, and confirmed there is nothing “on title” for the 10m x 10m proposal site at 4204 – 33<sup>rd</sup> Street. A smokescreen (by a TELUS representative)?
- Moreover, one of the boards presented at the Public Meeting (the one showing the “time line” of this project) showed on the very left that the new site has already been acquired – in June or July of this year, and that “Public Consultation” (the current feeble effort) was the next step in the process. Which is not true in light of the previous bullets; the site has not been acquired. But would you agree with me that seeing this, members of the public would have been greatly discouraged from commenting – as if “This is a done deal; we can do nothing about it”?
- The text of para 3, page 1 is quite biased, if read with discernment. How can a “location” be considered appropriate if the reasons given (following the word “because”) deal with (a) the “looks” (= unobtrusivity), (b) the “closeness” (= proximity) to the existing tower, (c) the “access” (= on 33<sup>rd</sup> Street), (d) the “minimal” impact (= a few fruit trees) and (e) the “blend” (= painted to blend in with the surroundings). I firmly believe that there are a few FAR MORE IMPORTANT PARAMETRES for the location of a cellphone tower, by which these points (a) through (e) are actually dwarfed.
- From the last sentence of para. 5, page 1 of the “Notification”, it follows that an application has yet to be submitted to the RDOS. It reads:

Any inquiries that are received as a result of this notification will be logged and submitted to the Regional District Okanagan-Similkameen (RDOS) and ISED as part of our application for concurrence.

- There is also a great contradiction in this above sentence, as follows: In para. 4, page 1, you state that ISED (= Industry Canada) has “exclusive jurisdiction over the approval and placement of telecommunications installations.” So your “application” to RDOS is not really an “application for concurrence”. Is this another smokescreen to the public, like the words “on title” above?
- And then I see para. 6, page 1 that describes the “role” of the RDOS Board, in terms of its “policy”:
  - To establish the preferences of the Board of Directors – for two things:
    - enhanced public consultation



▪ location and design guidelines  
as part of the Antenna System approval process. This is of course how TELUS/Cypress sees it, as their “interpretation” of the “Board Policy: Communication Towers / Antenna Systems Approval Process and Location & Design Guidelines”. The words in this para. 6 are not what the Board may require TELUS (or Rogers, or Shaw, for that matter) to do, in line with Industry Canada’s exclusive jurisdiction. (That’s how I understand it.) I have already tried to point out above that the “public consultation” process has been flawed and not really followed. It should be redone, see (C) below.

- The “Notice” in the Osoyoos Times should have been placed on the two issues prior to Wednesday 2017-11-22, and should have been larger (= legible.)
- The “Notification” should have shown much more than the document I have commented to thus far, and should not have shown untrue “authoritarian” phrases to confuse people.
- The posterboards at the Public Meeting should have been truthful.

## **(B) The Content of the Information provided at the Public Meeting:**

1. I found it strange that all “representatives” were wearing TELUS nametags, and it was not sure who (if anybody) was not a TELUS representative but a Cypress representative. Now I know that Cypress is a “consultant” for TELUS, and in fact, I had asked me that week if I remembered the name Tawny Verigin, which I did not at that moment. I later got my thoughts straightened out and remembered your e-mail to me, after I had made my comments to Ms. Ingrid Matthews in February 2015 about W3601.

2. During the Public Meeting, I heard a TELUS representative say that there is a “3 metre difference in grade” (from east down to west) through the 10m x 10m site for the proposed tower, referring to TELUS’ posterboard. I questioned this statement, and he knows the area and walks there almost every day. The TELUS representative then changed his mind by stating that it is “at least a couple of metres” (meaning 2 metres in normal parlance). Looking at the posterboard, I felt it necessary to correct him further. The detailed SITE PLAN (which is in the Notification, quite small, but was also on a huge posterboard) shows contours in dotted lines, with “340” across the dotted line. The same contour number (in metres, from north to south) exists three times in this area: (a) on 33<sup>rd</sup> Street, (b) through the 10m x 10m “proposed site” and also (c) just west of the proposed site. Common knowledge (and one does not need to be a civil engineer) dictates that the 10m x 10m site is virtually LEVEL or “flat”. It may well be (as everybody knows), that the land drops off fairly rapidly and consistently toward Osoyoos Lake, to the west, and rises to the hills to the east of 33<sup>rd</sup> Street, but there is no grade to speak of in the direct vicinity of the proposed site. I found this a disturbing lack of information that was provided, fairly obviously as if TELUS was trying to convince the public (unsuccessfully) that this site is so good because it is so steep and from here, maximum coverage can be obtained – which is perhaps not possible for the existing facility at Site BC0498.

3. There was a posterboard showing the coverages for both Site BC0498 and proposed site BCC760-1. This obviously showed (as it was colour coded) that the proposed tower would cover a much larger area of “good reception” and also a much larger area of “average reception” than the existing facility does. However, there were no real “alternative sites” at all, only BC0498 and BCC760-1. I found this odd. Later, when reading the other posterboards and the complete text of the Notification, it dawned on me that this matter of “choice” must have been discounted (by TELUS) prior to the Public Meeting, as mentioned in point (A) 5 at the 3<sup>rd</sup> bullet on page 5, the one about the “done deal”, and the “timeline” on the posterboard that I referred to in point (A) at the 5<sup>th</sup> bullet on page 6. Obviously, additional “energy” is needed to “increase” the coverage of a tower at this “replacement” site. How much, with 5G technology, at which frequencies?

4. There were a number of small stacks of document on a table, as follows, and I took a copy of each one.

- (a) A Comment Sheet – which (as mentioned before) did not show your e-mail address. I took a few.
- (b) A Sheet titled “Other Links and Resources Regarding Radiofrequency (RF) Energy and Health”.
- (c) A Three-page Health Canada document (in colour) titled “It’s Your Health”, dated October 2011.



- (d) A Four-page Health Canada “Fact Sheet – What is Safety Code 6?”, dated February 20, 2014, although the Date Modified on page 4/4 shows 2014-04-01.
- (e) A Five-page Vancouver Coastal Health document titled “Statement of the Chief Medical Health Officer”, dated June, 2011.
- (f) A Twelve-page colour brochure (by the Canadian Wireless Telecommunications Association (CWTA), titled “Connecting Canadians – Wireless Antenna Tower Siting in Canada”, dated April 2013.
- (g) A Fourteen-page Government of Canada brochure titled “Wireless Communication and Health – an Overview”, which is of an unknown date, unlike any other Government document that I know.

I would now like to comment on each of (b) through (g) above, in detail.

(b) I believe that this list of “Other Links and Resources” is biased in the extreme. The documents indicated (and I did not look at any of them) may well reflect what the organizations who paid for their preparation, want the public to believe, but they do not necessarily reflect the truth. Perhaps you know the saying, which typifies what civil servants<sup>2</sup> are supposed to say to members of the public: “I am with the government; I am here to help you.” I guess that a similar (and even longer) list of “links and resources” could just as easily be prepared, the details of which would totally debunk and rebut the statements made in the industry, FDA, Government of Canada, and even WHO documents. I also believe that the actual truth does not necessarily lie in the middle, because it has been proven (time and again) that the bulk of government- and industry funded research (about 70%) is biased toward “what government/industry wants”. A distant relative of mine, Dr. J. D R. (Donald) de Raadt, from NSW in Australia, who has a lot of international experience as an economist and systems scientist, has written about this. On the other hand, independent research (in many sciences) mostly (about 70%) reflects the opposite than what the above type of research produces. As this is constantly seen by “industry-funded” documents as the “contrarian” view, not properly “peer reviewed” and as a result of that, considered unbelievable, the latter research is actually normally closer to the truth. I would state that in my opinion, the onus of proving “safety” is still in the lap of TELUS, and has yet to be proven. The body of current (and ongoing) research particularly would indicate that the pendulum has already swung. Unfortunately, the Governments of North America seem to have been “in denial” about this. Would this perhaps be the reason why the documents provided are all so “old hat”, from 2011, 2013 and April Fool’s Day 2014? Was TELUS really unable or unwilling to provide more recent ammunition?

(c) This Health Canada document is more than six years old. The argument in point (b) continues. Is it still valid? Is there no newer version? Don’t we now have a different political party in power in Ottawa? How does the public know if a 6-year old document is “current” and “up to date”. This situation reminds me of battles about tobacco, DDT, asbestos and the like, and brings me back to the Marlboro man. Medical practitioners featured in TV commercials smoking that brand of cigarette. (Paid for royally by Philip Morris or British Tobacco or another cigarette company. {“cancer sticks”, Desmond Bagley called them in his 1973 thriller “The Tightrope Men”}.) That is what this Health Canada document (nice colours, smiling faces, no real content, Updated October 2011 from the Original May 2003 version!!!) reminds me of. It appears that Health Canada is just saying what “the industry” wants them to say. Because what does the public know about research anyway? The saying, half a century ago, was: “The total body of knowledge doubles every 15 years”. This “doubling time” is probably much shorter these days. Just this (Wednesday) lunchtime, CBC featured an interview, in which it was stated by an “expert” that any new device is already obsolete when it is unpacked by the end-consumer. I guess that Health Canada, (as well as the industry, as well as TELUS) does not want the public to know that in the recent independent research of the past half-a-decade, much more has come to light about the health risks of cellphones and cellphone towers. Why else is it that the Canadian Parliament, in all parties supported Mr. Terence Young’s private member’s bill (which is rare), about compulsory warning labels on cellphones sold in Canada, and that they are in fact “dangerous”. How else would you explain the 31% increase (over the past 3 years) of brain cancer in Alberta, as reported earlier this year? How else can all kinds of chronic pain disorders be explained or

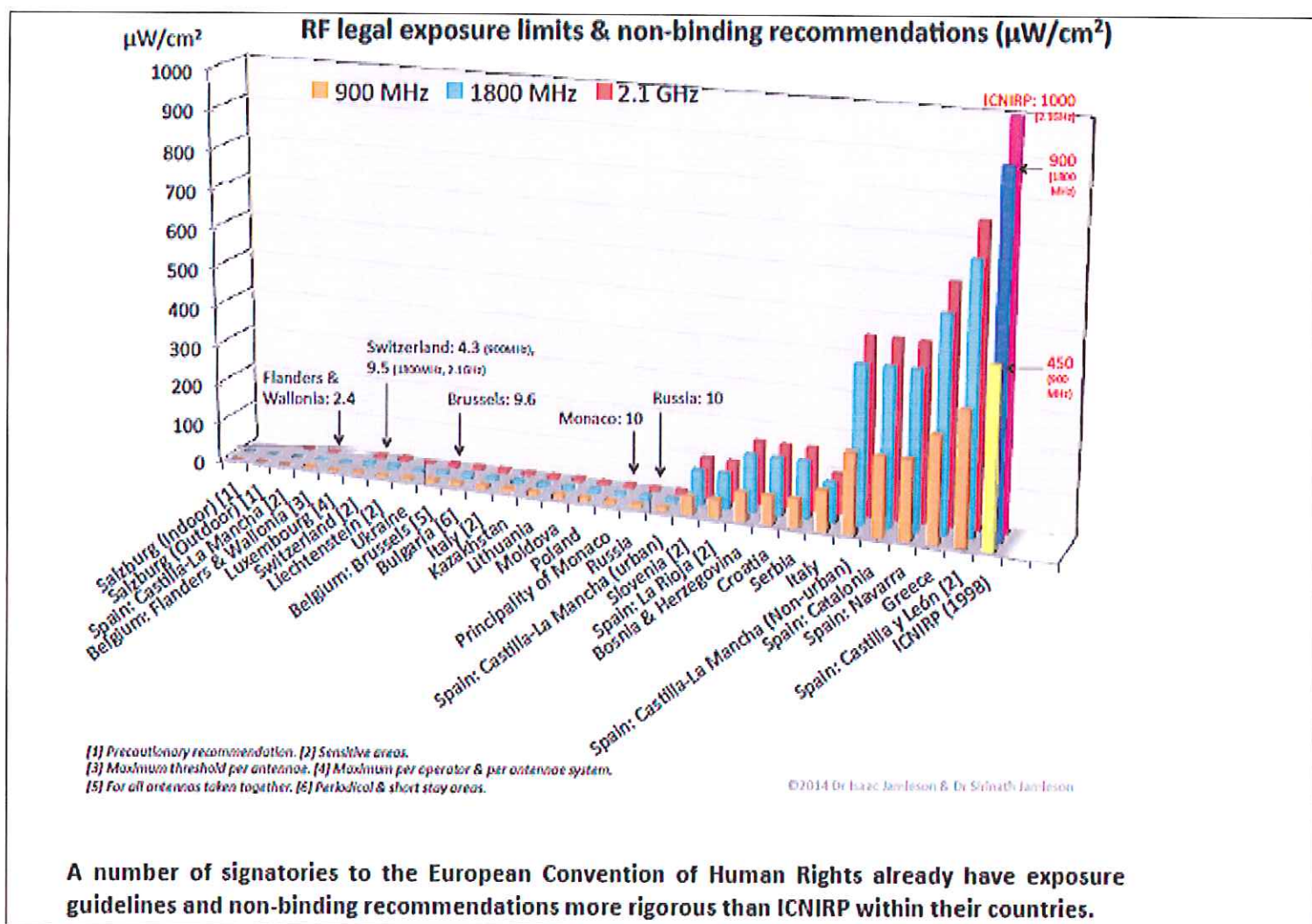
<sup>2</sup> As a civil engineer, I was employed in the Public Sector for  $(3.5 + 5.2 + 6.0) = 14.7$  years, about 1/3 of my career years.



(even worse) ignored as “hypochondria”? Because North America is in Egypt, meaning “in denial.” And there is the other saying that if you tell a lie many times, over and over, people will believe it as truth.

**(d) This Health Canada Fact Sheet is almost 4 years old.** It contains the same old same old arguments as (c) above. I do not believe these “facts”. I will rather believe a document that I already sent (as an attachment) to Ms. Ingrid Matthews in February 2015, which I attach as a “real” attachment to this e-mail. Its title: “Electromagnetic Hypersensitivity & Human Rights”, (Commentary to the European Economic and Social Committee as Report EMF:HR EHS0141204), written by Isaac Jamieson, PhD, DIC, RIBA, ARB, DipAAS, Bc(Hons), Arch, MinstP, in December 2014. This date makes it more recent than all of (c) to (g) above. The link is: <http://biosustainabledesign.org/> Why? Because it shows how many countries in the world, (and not only the civilized world) have far lower RF exposure limits than Canada’s (in the current Safety Code 6.)

I also want to copy from page 2 of that Report, showing jurisdictions (whether local, regional or national) and their maximum allowable RF limits. Do you see how poorly Canada and the USA compare; how unsafe these (our) RF exposure limits could actually be? Even the City of Toronto uses a “precautionary recommendation” of 100,000 microwatt/square meter (in fact 99% lower than Canada’s Safety Code 6.<sup>3</sup>



**From the chart, please notice that “much of Europe” in December 2014 already followed recommendations from recent research, (particularly regarding “non-thermal effects” of RF exposure), while Canada and the USA (meaning most of North America), followed “ICNRP rules” from ... the previous millennium (1998)! Note also the notes called [1] - [6] on the chart, as blown up below: (next page)**

<sup>3</sup> I read this Toronto number in a document “What you should know about cell towers in your neighbourhood...” published by Blog:cadbaycelltower.wordpress.com – and I also sent this to Ms. Ingrid Matthews in February 2015 about Rogers’ W3601.



[1] *Precautionary recommendation.* [2] *Sensitive areas.* [3] *Maximum threshold per antennae.* [4] *Maximum per operator & per antennae system.* [5] *For all antennas taken together.* [6] *Periodical & short stay areas.*

SP

The USA and Canada (except the City of Toronto) seem to ignore the “precautionary principle”. Why? Is it because too much money has already been invested in the current “infrastructure”, which would need to be revamped (or even torn down) if the much lower maximum RF exposure rates were ever to be adopted?

I also want to copy a portion of text on page 9 of that Report, and would like you to see the “Canadian content” in this otherwise completely European document, which is obvious not binding to Canada as it is to countries in Europe that have signed a certain Convention, as shown on the Map on the front of the Report.

#### ARTICLE 14: Prohibition of discrimination

*“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground ...”*

Individuals with EHS are discriminated against with regards to jobs, place of residence and public access to most areas of life. They are not just restricted from access to desirable things, such as leisure and entertainment, but also essentials such as groceries, health care and even petrol.

Claims might be brought that those who ignore the special needs of individuals who are, or believe they are, vulnerable to EMF radiation may be guilty of discrimination and wilful blindness.

*“The doctrine of wilful blindness imputes knowledge to an accused whose suspicion is aroused to the point where he or she sees the need for further inquiries, but deliberately chooses not to make those inquiries. This was similarly stated in the U.S. case of State v. McCallum: “[T]he rule is that if a party has his suspicion aroused but then deliberately omits to make further enquiries, because he wishes to remain in ignorance, he is deemed to have knowledge.... The rule that wilful blindness is equivalent to knowledge is essential ...” Michener (2010).*

*“In Jorgensen (Supreme Court of Canada, 1995), Mr. Justice Sopinka explained: “A finding of wilful blindness involves an affirmative answer to the question: Did the accused shut his eyes because he knew or strongly suspected that looking would fix him with knowledge?” Michener (2010).*

Claims might also be brought that those who deliberately ignore and dismiss relevant scientific evidence of potential risks, whether through wilful blindness or recklessness, may be guilty of inciting others to unwittingly discriminate against such individuals.

The use of the Precautionary Principle helps address this issue.



Did you find it? It is the Article 14 about “Prohibition of discrimination” and a definition and explanation of “wilful blindness” by a Canadian Supreme Court Judge. This is where not only the increased risks for cancer comes into the picture, but also the “medical condition” called “electromagnetic hypersensitivity”, that my wife and I suffer from. This condition is recognized in most countries in the world, but not yet in Canada (by Health Canada) and the United States of America. That is why the maximum allowable RF exposure rate on this part of the North American Continent is 10,000,000 microwatt/square meter, in terms of “ICNIRP (1998)” (which is not actually international), while other countries and jurisdictions (and even Toronto) allow only 1% of that exposure rate (or much less). That is where the word “denial” jumps to the fore, the “wilful blindness”: Could or should one claim that Health Canada (and their Provincial counterparts) are currently in a situation where they think: “If we become convinced of the fact that cellphone towers are actually dangerous, we would not allow them anymore; so let’s just close our eyes and ears, look somewhere else (to the USA?) and continue to formally say and print that “we do not know”, “the evidence is not there”; “current peer reviewed studies state that these installations are safe”, etc., etc. ad nauseam. Documents (c) through (g) are full of these platitudes that seem to have been written by lawyers instead of by people with real knowledge and concern about the safety of Canadians.

And that is why the “old hat” pamphlets like (c) and (d) are being used and made available (by TELUS and/or Cypress) at a Public Meeting like the one in Osoyoos, in November 2017.

Note also the bottom paragraph of Page 7 of Dr. Jamieson’s report, referring to his earlier 2014 research. From this, an estimated population of 5,000 people within the influence area of proposed cellphone tower BCC760-1, (with much more power and much higher frequencies than the existing tower BC0498), health impacts for about 200 people with EHS would be “adversely affected”, using the average of 4%.<sup>4</sup>

Security of health impacts both wellbeing and productivity. The health of a growing number of individuals is being adversely affected by electromagnetic pollution. **It is estimated that between 3% to 5% of Europeans (around 22.3 million to 37.1 million individuals) may presently be affected by EHS. This number is growing** (Jamieson 2014).

Obviously, all other possible health impacts from RF radiation are additional, and I could like to quote the “What you should know” document: headaches/migraines; sleep disturbances & insomnia; heart arrhythmia/palpitation; tinnitus; skin rashes & allergies; irritable bowel symptoms; dizziness/vertigo; fatigue, agitation & anxiety; shortness of breath/asthma; concentration & learning difficulties; memory loss; infertility; depression & mood changes; blood sugar fluctuations; leukemia/cancer; brain & eye tumours; blood/brain barrier leakages; double DNA strand breaks”. Source: [www.BioInitiative.org](http://www.BioInitiative.org) (August 2012).

Is this perhaps a “human rights issue” as it is already considered in Europe? Just asking. My wife and I feel discriminated against because we suffer from EHS. But oh, we do not live on the East Bench.....

(e) This Vancouver Coastal Health document is more than 6½ years old. The same comments as made above under (c) and (d) apply. I find it strange indeed that a Statement from a Chief Medical Health Officer (a provincial government employee or even appointee?) would be provided by TELUS (or Cypress). I guess this “Statement” only applies to the version of Safety Code 6 that was in place in June 2011. The “Dear Owner/Occupant” Notification indicates that an installation needs to “comply with Health Canada’s Safety Code 6, as may be amended from time to time.” (*my underlining*). So this “Statement” is not current: We all know that Safety Code 6 was revised during the past few years (2014?), and that the health risks (bottom of page 1) refer to the ICNIRP 2009 Review, the SCENIHR 2009 review, and three others including the Canada Safety Code 6 revised in 2009. That’s of no use in 2017. Ralph Nader would not be impressed by a 1960 report that forcefully stated that a 1966 Volkswagen would be safe. So I would like to question

---

<sup>4</sup> Town of Osoyoos population 2000 (East Osoyoos) + Area A population 1000 (East Bench) + Vacationers 2000 (East Bench).



the prudence of adding this document on the table at the Public Meeting; could TELUS (or Cypress) not find a more current Statement? Or is there none? Are medical practitioners already changing their mind on this issue, like they did with cigarette smoking? I believe that many of them have seen the light already.

(f) This industry-prepared brochure is four-and-a-half years old. The letters are very tiny, too small to the eyes of the average Osoyoos resident (who is more than 60 years old.) That this brochure was prepared by the CWTA (Canadian Wireless Telecommunications Association) raised my eyebrows; this is very suspect. At the Public Meeting, here ought to have been an opportunity for presentation of what I would call the “contrarian” view, the massive (and growing) body of properly “peer-reviewed research” that was not seen by the Royal Society of Canada during the review of Canada Safety Code 6 a few years ago. I believe there were 140 such research reports, from all over the world. Of course, this document could not be current; on page 10 is only a reference: “Health Canada last published a revised edition in 2009.” It is no wonder, however, that the brochure relies heavily on Industry Canada’s reliance on the 2009 version of Safety Code 6 (top of page 6) and that “Health Canada acts primarily as the principal health advisor to Industry Canada.” So here we have the vicious circle, each government agency patting each other’s back, and nobody talking any (corporate) responsibility. Obviously, all pages of this brochure could easily be debunked.

(g) This Government of Canada brochure is very old, so old in fact that when I dialed the telephone number shown on the back of the cover page – 613-947-5177 – (and did not forget to dial 1 before starting to dial that number), I received a recorded phone message: “Bell Canada – 947-5177 – There is no service at this number.” So much for the “rebranding” of Industry Canada to IDES. “Beware the ides of March!” It is therefore likely that this brochure should be considered a dinosaur or a museum piece, as irrelevant. This is really what TELUS (or Cypress?) durst to provide during a Public Meeting in November 2017? As a comparable situation (only hypothetical): If this Public Meeting had been about compulsory cigarette smoking, they would have shown a commercial of the Marlboro Man or of the medical practitioner smoking in his room, blowing smoke on his pregnant patients! Once again, lots of generalizations, pat answers to general questions, and on page 11, a reference to the Royal Society of Canada (about its involvement of the situation when Paul Martin was Prime Minister, I suspect.) And it refers to “established Canadian RF exposure standards” (page 5) and “The current scientific consensus is that there is no clear evidence that cellphones and their cell sites cause non-thermal effects that are harmful to human health.” (page 7). But the question on page 3 is quite interesting: “How will this handbook help me?” The answer that I would give is: “Quite a lot, as part of these detailed comments. This “handbook” should not have been on the table during the Public Meeting.”

### (C) Ways by which, in my opinion, the Public Consultation Process should be redone:

1. I would strongly suggest that this Public Consultation be redone, so that TELUS basically would start from scratch to look for a “new” site (with a new application, although none has been made to Industry Canada to date). This effort would include doing everything legally possible to keep BC0498 operational. [The Osoyoos Times of 2017-12-13 quotes a TELUS spokesperson saying that the existing lease “is ready to expire”, while the “Notification” said that “TELUS’ lease has expired with the property owner, and will not be renewed.” The posterboard at the Public Meeting in fact stated that a new site had already been obtained in July (?) of this year, as part of the “timeline”. See the second bullet on page 5, under point (A)5. What is the truth, I mean the actual date of expiry? TELUS needs to come clear on this.

2. Engage the general public, a.k.a. the community at large, of RDOS Area A and of the Town of Osoyoos, with Director Mark Pendergraft and Mayor Sue McKortoff, RDO staff and Town of Osoyoos staff, and perhaps even BC’s most prestigious cancer researcher (well known to the RDOS Board as I \_\_\_\_\_ in pre-selecting and then analyzing (say) three alternative sites, without selecting a site and placing the community (and TELUS) in a Catch 22 situation or “fait accompli”, making as if a binding agreement (“on title”) already exists – see the fourth bullet on page 6, under point (A)5.



3. Hold properly advertised Public Meeting(s) (yes, more than one if needed) providing a similar level of detailed design and operational information on all the alternative sites mentioned in 2 above, with Town of Osoyoos and Area A residents. Why? This is basically one community, living in two jurisdictions. A better time of year than “late November” is also suggested, when the RV Park people have not yet left. (It never hurts to improve engagement with the public.)

4. Consider EHS and other “health conditions” seriously Do not mention the internationally infamous Safety Code 6, and do not provide out-of-date and useless industry ammunition. The general public is more informed than you would think. Bluffing gets one nowhere except in trouble. Locate a new tower at least 3 miles (or is it 3 km?) from the closest residence, as was already recommended to the Town of Langford a number of years ago, using the “precautionary principle.”<sup>5</sup> If this is not doable, consider a site with the least exposure to people. (I know that we live in a valley, with mountains on both sides and a lake in the middle.)

5. Consider to allow this issue to become a question in the November 2018 Municipal and Area A elections, (yes, for both jurisdictions) and that the highest percentage (not the actual number of votes, because of the numbers split between the populations) be considered as a “binding” preference.

6. Only then, after steps 1 through 5 have been complete, with “community support”, proceed from that position of strength and comfort with a report to the RDOS Board (and eventually Industry Canada).

The moral of this approach? One catches more flies with honey than with vinegar. Consensus building. Getting to a win-win-win situation. I learnt this while working for ADOT in Arizona, trying to get many different parties (public and private) to agree to a specific controversial highway improvement project.

I would like to this letter very different than the confrontational approach which it may seem to you I started out with. On a positive high note, Ms. Verigin, I would like to give TELUS and Cypress a civil engineering hint: There is a quite appropriate site west of Osoyoos, north of the Osoyoos Golf Course, accessed off Strawberry Creek Road (that starts in the Industrial Area), and then turning left. Just beyond an existing concrete water reservoir (where I would expect electric power already exists), one would need to construct a “primitive road” for only about half a kilometre. The view from there is “360 degrees”, and wonderful; I do not know where the municipal boundary in this area falls. I guess the further south, the more likely within Town of Osoyoos limits. I would even venture to say that the Town might support the idea of a cellphone tower in this area, and might perhaps give TELUS a good deal on monthly leasing fees!

On a personal note: I am not a realtor, but I was, sometime in my distant career, involved in the design of such primitive access roads as just described. My daughter’s father-in-law, Mr. Norm Dowling, P.Eng. (Ret.) was BC Tel’s site location engineer for all of the Province, perhaps also for the tower on Mt. Kobau. He has boxes full of early and mid-1960’s photos of trips to those places, his son Don tells me.

I trust that these detailed comments are received by you in the same (generally good) spirit in which I now send them to you. I also trust that by now, you have received the Comment Sheet that I mailed.

Thank you for the opportunity.

Yours truly,

Attachments:

---

<sup>5</sup> I sent a copy of that letter to Ms. Ingrid Matthews in February 2015, but cannot find it now.

1. Series of Originals of various Notices in the Osoyoos Times, as referred to on page 1, mailed already:

1. TELUS advertisement "Introducing TELUS Rewards";
2. RDOS Notice of Public Hearing on 'Bylaw Amendment' that affects Area A;
3. Town of Osoyoos Notice on 'Disposition of Land';
4. Interior Health Authority Notice on "Seasonal Flu Clinics".

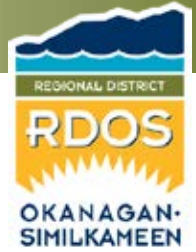
2. Report by Dr. Isaac Jamieson: "Electromagnetic Hypersensitivity & Human Rights", (Commentary to the European Economic and Social Committee as Report EMF:HR EHS0141204 (14 pages, electronically.)

P.S. The question might be asked why I bother commenting on something on the East Bench, as I live "far away" from this proposed site. There is so much apathy, nparticularly of seniors, in our society, why should I overexert myself, as an old cranky geezer?

I guess my attitude comes from what I read early in my civil engineering career. Just last week, on the 6<sup>th</sup> of December, it was half-a-century ago that Dr. Christiaan Barnard, at Groote Schuur Hospital, Cape Town, Republic of South Africa, completed the world's first successful heart transplant operation. He obviously became an international celebrity, almost overnight. About half a year later, he was the guest of honour at a banquet of the South African Institution of Civil Engineers. In his speech at that occasion, he commented that in his view, members of the civil engineering profession had, over the centuries, done much more for "public health" than the medical profession ever could have done. This good news was of course gobbled up by those at the banquet, as a "pat on the back". I was only a young graduate or perhaps already an associate member at the time, and read about it in the SAICE's monthly magazine. I have always reminded myself of this part of my professional duties, and believe that I have followed in the footsteps of that kind of civil engineer.



# ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Zoning Bylaw Amendment – Electoral Area “D”

---

## Administrative Recommendation:

**THAT Bylaw No. 2455.31, 2017, Electoral Area “D” Zoning Amendment Bylaw be read a third time, as amended and adopted.**

---

Purpose: To allow for the subdivision of three parcels

Owner: Ken & Catherine Martin      Applicant: Brad Elenko      Folio: D-06788.781

Civic: 2128 Beaverdell Rd      Legal: Lot 1, DL 2710 SDYD, Plan KAP50708 exc Plan KAP56500

OCP: Small Holdings (SH)      Zoning: Small Holdings One (SH1)

Proposed Zoning: Small Holdings Two Site Specific (SH2s)

---

## Proposed Development:

This application proposes to amend the zoning bylaw in order to allow for the subdivision of three parcels (two new and a remainder), with each parcel to be just under 2.0 hectares (ha) in area.

Specifically, it is being proposed to introduce a site specific Small Holdings Two zone that will enable the minimum parcel size to be under the required 2.0 ha of a Small Holdings Two zone (i.e. 1.96 ha).

In support of the proposal, the applicant has stated that “all of the lots will have legal and physical access to Beaverdell Road and each lot will be serviced with on-site septic disposal systems, and each lot will have a well to provide potable water.... and a Hydrologic report has been prepared that confirms wells on the property will not adversely affect other wells in the area”.

Administration also notes that the applicant has presented the argument that a subdivision application was submitted to the Ministry of Transportation and Infrastructure (MoTI) in 2016 prior to the time the RDOS amended the zoning on the property and was unable to complete the subdivision process in the allotted 12 months following the date the zoning amendment bylaw was adopted.

## Site Context:

The subject parcel is approximately 5.94 ha in area and is located approximately 162 metres south of the intersection of Carmi Rd and Beaverdell Rd, and is approximately 1.6 km east of the City of Penticton. The Penticton Speedway is approximately 335 metres to the north.

The property contains one dwelling unit and an accessory structure, and the property appears to have been used for miscellaneous log and material storage. The surrounding pattern of development is



---

characterised by larger rural properties most being 4.0 ha in size. To the south of the subject property is a large Crown land parcel.

### **Background:**

In 2009, the Regional Board considered a request to increase the density in the Upper Carmi area and resolved to maintain the Small Holdings zone with 4.0 ha minimum parcel size. At that time, the main physical concerns were the lack of infrastructure and services, the uncertainty around impacts of water and septic use, the overall environmentally sensitivity, and access for emergency vehicles given the relatively steep terrain.

In 2016, the RDOS did a review and update of all the Commercial zones within the Electoral Area "D-2" Zoning Bylaw, which included assessing current and past uses of commercial zones. The subject property was zoned as Commercial Amusement (C6), and was flagged as a 'remnant' of 1970s Penticton Speedway operations and a letter was sent to the owner in February advising that there may be other zones that more accurately reflect the current and intended future uses that could be considered as a replacement to the C6. The C6 zone permitted a minimum parcel size of 670 m<sup>2</sup>, subject to servicing, or by default, without servicing, one hectare.

On July 6, 2016, RDOS received a subdivision referral from MOTI for the subject property and submitted a Letter of Requirements (LOR) back to MOTI on August 10, 2016.

The applicant was advised on September 8, 2016 that the Zoning Amendment Bylaw (Commercial zones in "D-2") was scheduled for adoption on the September 15, 2016 Board meeting and that the owner had 12 months from the adoption date of the Amendment Bylaw to complete the subdivision before the requirements of the new zoning take effect. On September 15, 2016, the subject property was zoned Small Holdings One (SH1). The subdivision application was not completed within the 12 month time frame (by September 15, 2017), which prompted the subject rezoning application to facilitate a three lot subdivision.

At its meeting of November 14, 2017, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be denied.

A Public Information Meeting was held ahead of the APC meeting on November 14, 2017, and was attended by five members of the APC but no members of the public.

At its meeting of January 4, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and to hold the public hearing at the February 1, 2018 Board meeting.

A public hearing was held on February 1, 2018, prior to the regularly scheduled Board meeting.

All comments received through the public process, including APC minutes are compiled and included as a separate item on the Board agenda.

Approval from the Ministry of Transportation and infrastructure (MOTUI) is not required as the proposal is situated beyond 800 metres of a controlled area.

### **Analysis:**

In considering this proposal, Administration remains concerned that the OCP states that parcel size is to be limited to a minimum of 4.0 ha specifically in the Upper Carmi area. Administration also notes

---

that infrastructure and servicing have not undergone any substantial improvements since the 2009 study was concluded for the Upper Carmi area.

One of the main concerns during the 2009 study was fire service and emergency vehicular access to the area given the terrain. In 2017, a request to establish a fire service area in the Upper Carmi area was unsuccessful; therefore, there is still no fire service outside the City of Penticton.

The RGS also directs new residential growth to Primary or / and Rural Growth areas where existing services and infrastructure exist and gives priority to infill development in those growth areas. Incremental rural development is generally not seen as a recommended land use practise and the long term impacts are not certain.

Conversely, the applicant through working on the MOTI subdivision application process, has provided an aquifer assessment that confirms that the proposed subdivision would not adversely impact other water wells in the area. As well, the applicant has reduced the number of proposed lots from the five originally proposed to three lots that could be accommodated in a SH2 site specific zone. There also appears to be access and building areas available on each of the proposed parcels.

In summary, Administration acknowledges that a subdivision of the C6 zone was applied for prior to the current SH1 Zone being in place, and the applicant was unable to complete that process in the 12 months allotted. Administration also remains concerned that the proposed subdivision is not consistent with policies of the RGS Bylaw and the Electoral Area "D-2" OCP Bylaw.

With regard to the recommendation that Amendment Bylaw No. 2455.31, 2018, be read a third time, as amended, this is in order to address a number of minor typographical errors contained in the bylaw. For example, incorrect footnotes have been deleted and the proposed SH2 Site Specific section was re-numbered.

#### **Alternatives:**

THAT first and second reading of Bylaw No. 2455.31, 2017, Electoral Area "D" Zoning Amendment Bylaw be rescinded and the Bylaw denied.

**Respectfully submitted**

*E. Riechert*

E. Riechert, Planner

**Endorsed by:**

*CG*

C. Garrish, Planning Supervisor

**Endorsed by:**

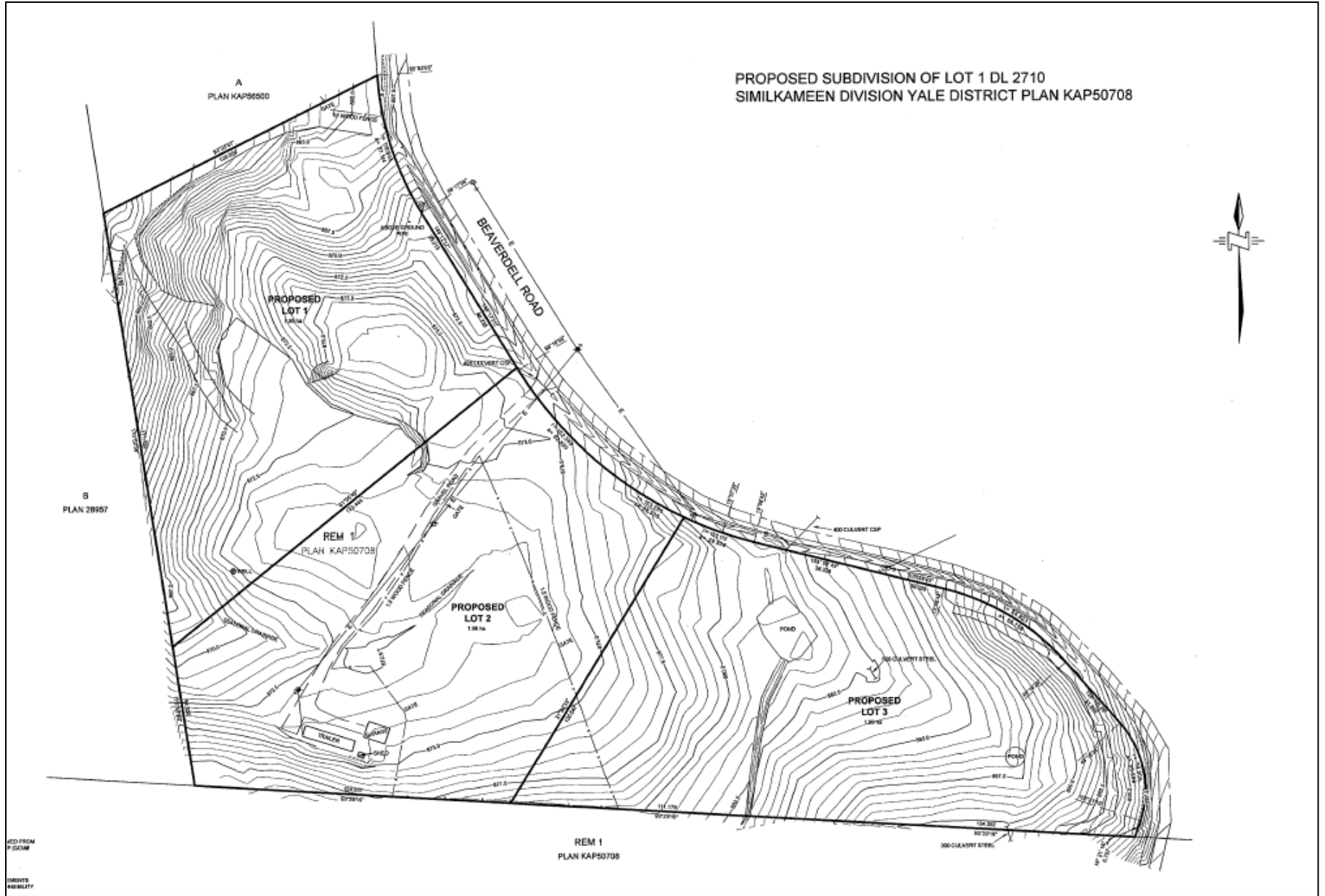
*B. Dollevoet*

B. Dollevoet, Dev. Services Manager

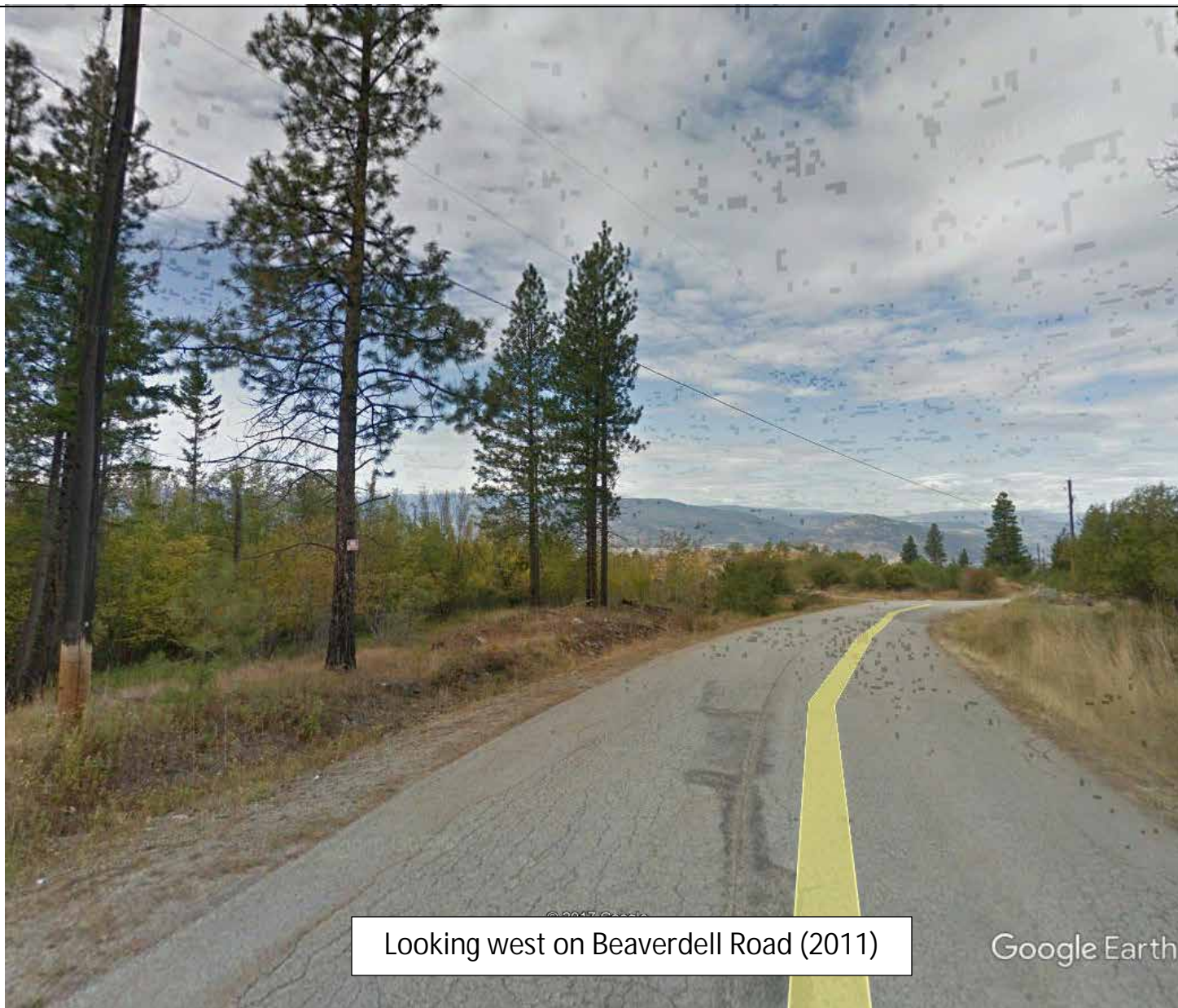
**Attachments:** No. 1 – Applicant's Site Plan

No. 2 Site Photo (Google Earth)

## Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Site Photo (Google Streetview)



Looking west on Beaverdell Road (2011)

Google Earth



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2455.31, 2017**

---

**A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008**

---

The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.31, 2017."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on the land described as Lot 1, District Lot 2710, SDYD, Plan KAP50708, Except Plan KAP56500, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings One (SH1) to Small Holdings Two Site Specific (SH2s).
3. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
  - i) adding a reference to "Small Holdings Two Zone SH" under Section 5.1 (Zoning Districts) with the following:

Small Holdings Two Zone	SH2
-------------------------	-----
  - ii) adding a new Section 10.6 (Small Holdings Two Zone (SH2)) with the following and renumbering all subsequent sections:

**10.6 SMALL HOLDINGS TWO ZONE (SH2)**

**10.6.1 Permitted Uses:**

Principal uses:

- a) agriculture, subject to Section 7.23;

- b) single detached dwelling;

Secondary uses:

- c) bed and breakfast operation, subject to Section 7.19;
- d) home industry, subject to Section 7.18;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12;
- g) veterinary establishment; and
- h) accessory buildings and structures, subject to Section 7.13.

**10.6.2 Site Specific Small Holdings Two (SH2s) Provisions:**

- a) see Section 17.32

**10.6.3 Minimum Parcel Size:**

- a) 2.0 ha, subject to servicing requirements.

**10.6.4 Minimum Parcel Width:**

- a) Not less than 25% of the parcel depth.

**10.6.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling per parcel; and
- b) one (1) secondary suite per parcel.

**10.6.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 7.5 metres
  - iii) Interior side parcel line: 4.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 4.5 metres
  - iii) Interior side parcel line: 4.5 metres

- iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.6.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- d) Despite Section 10.6.6(a) and (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres
  - iv) Exterior side parcel line: 30.0 metres

#### **10.6.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.

#### **10.6.8 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

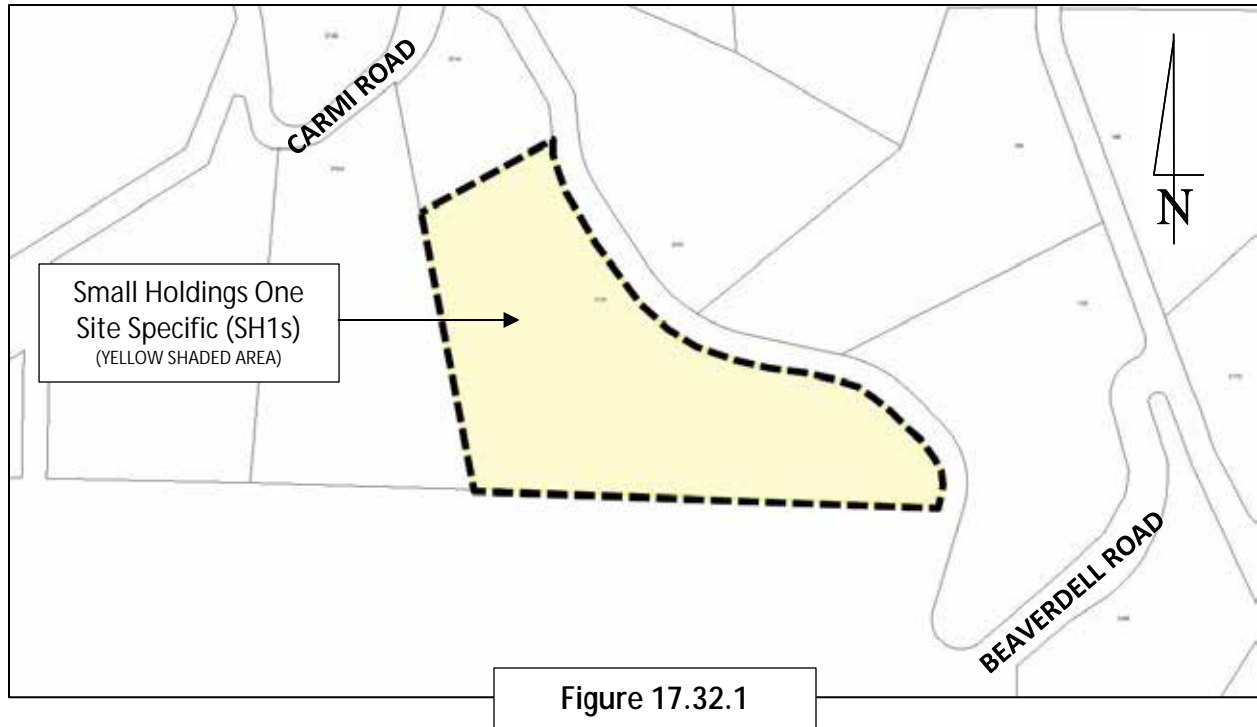
#### **10.6.9 Maximum Parcel Coverage:**

- a) 20%

- iii) adding a new Section 17.32 (Site Specific Small Holdings Two (SH2s) Provisions) with the following and renumbering all subsequent sections:

#### **17.32 Site Specific Small Holdings Two (SH2s) Provisions:**

- .1 in the case of land described as Lot 1, District Lot 2710, SDYD, Plan KAP50708, Except Plan KAP56500, and shown shaded yellow on Figure 17.32.1:
  - a) despite Section 10.6.4, the minimum parcel size shall be 1.95 ha, subject to servicing requirements.



READ A FIRST AND SECOND TIME this 4<sup>th</sup> day of January, 2018.

PUBLIC HEARING held on this 1<sup>st</sup> day of February, 2018.

READ A THIRD TIME, AS AMENDED, this \_\_\_\_day of \_\_\_\_, 2018.

AND ADOPTED this \_\_\_\_day of \_\_\_\_, 2018.

\_\_\_\_\_  
Board Chair

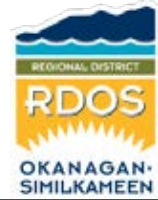
\_\_\_\_\_  
Corporate Officer



# Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

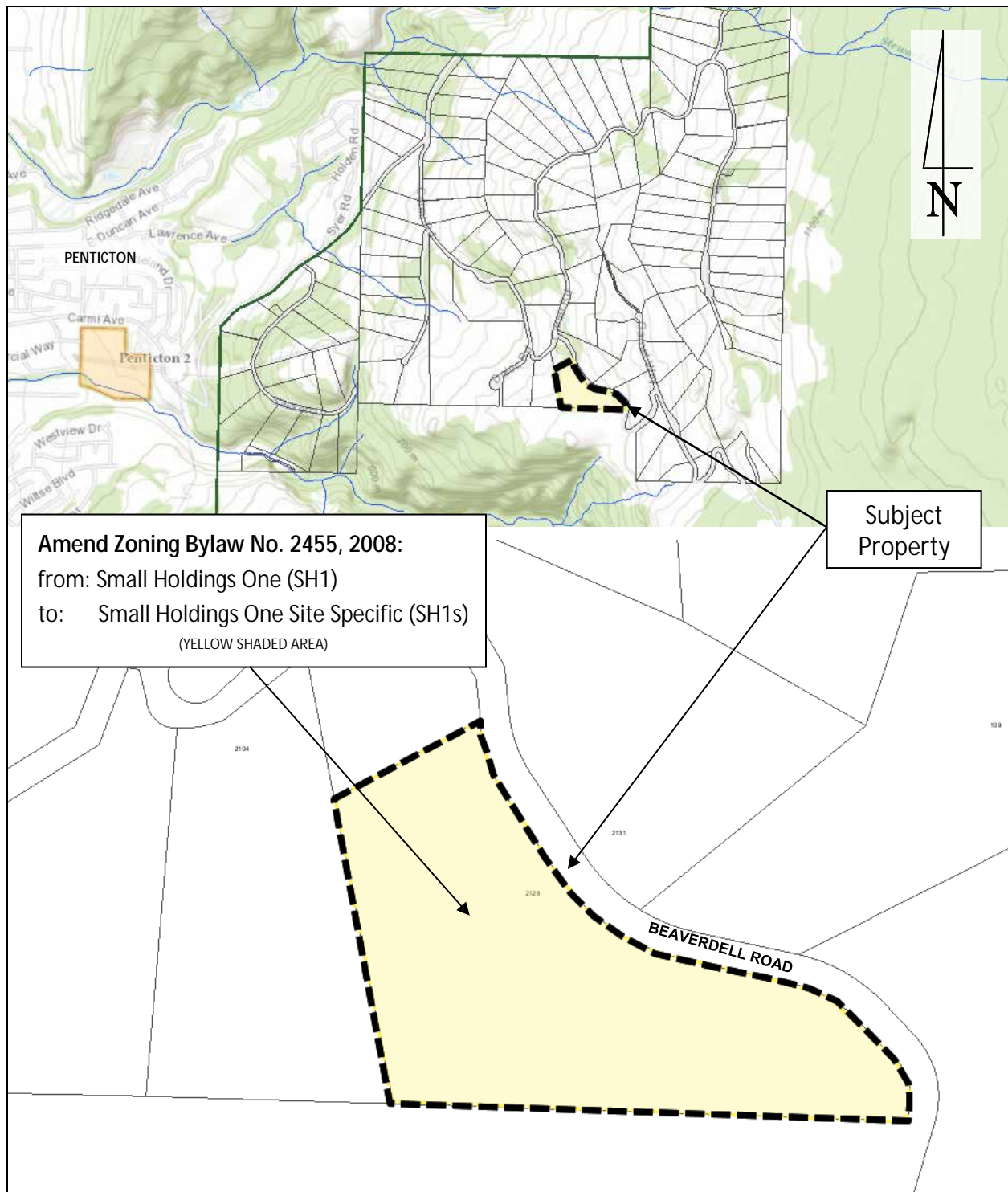
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.31, 2017

Project No: D2017.148-ZONE

Schedule 'A'



Amendment Bylaw No. 2455.31, 2017

(D2017.148 -ZONE)

Page 5 of 5



November 8, 2017

File: 8000-20/2017114  
Your file: D2017.148-ZONE

Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton BC V2A 5J9

Attention: Evelyn Riechert

Re: Bylaw referral to amend zoning to enable a subdivision of 3 lots at Lot 1, DL2710, SDYD, Plan KAP50708 except Plan KAP56500 2128 Beavercreek Road

The Ecosystems Section of the Ministry of Forests, Lands, and Natural Resource Operations (FLNR) has reviewed the above noted referral.

Based on the information provided, the proposed activity has the potential to impact environmental values.

Our expectation is that prior to agency approval, an assessment of values occurs and that mitigation is included in the final proposal to ensure minimal impacts to those values.

We recommend that the proponent retain a qualified professional (QP) to conduct an environmental assessment of the site prior to development in order to assess the environmental values present, determine the potential for adverse effects to environmental values as a result of future development allowed once subdivided, and develop value-specific mitigation measures to avoid or limit adverse effects.

The QP review is to include: Conservation Data Centre (CDC) Species at Risk<sup>i</sup>, Wildlife Species Inventory (WSI)<sup>ii</sup>, Conservation Lands<sup>iii</sup>, Okanagan Shuswap Land and Resource Management Plan (LRMP)<sup>iv</sup> (wildlife/habitat RMZs), streams, fish occurrences, Ungulate Winter Range (UWR)<sup>v</sup>, Wildlife Habitat Areas (WHA)<sup>vi</sup>, Terrestrial Ecosystem Mapping (TEM), Biodiversity Conservation Strategy<sup>vii,viii</sup>, etc.

Inventory methods should follow provincial Resources Information Standards Committee (RISC) standards<sup>ix</sup>. In addition, species at risk occurrences should be reported to the B.C. Conservation Data Centre (CDC) using standard forms<sup>x</sup>.



Provincial guidance for considering environmental values, including a bio-inventory terms of reference, are provided in FLNR's document *Develop with Care 2014: Environmental Guidelines for Urban & Rural Land Development in British Columbia*<sup>xi</sup>. Section 3 of this document describes the objectives, requirements, and guidelines for good environmental development and management at the site level. Section 4 describes the objectives, legal requirements, and guidelines for land development near environmentally valuable resources, which can include endangered species, sensitive ecosystems or specialized habitats. Section 5.7 provides regional guidelines for the Thompson Okanagan Region.

Additional guidance for mitigating adverse effects to environmental values is provided in British Columbia's *Environmental Mitigation Policy*<sup>xii</sup>.

Environmental values recorded as part of the environmental assessment, as well as appropriate mitigation for the specific environmental values identified, should be reported to the undersigned for consideration as part of this referral.

It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*.

Please contact the undersigned at [lora.nield@gov.bc.ca](mailto:lora.nield@gov.bc.ca) or 250-490-8212 if you have further questions, require additional information or cannot follow the recommendations provided in this referral response.

Yours truly,



Lora Nield  
Ecosystems Biologist

LN/cl

---

<sup>i</sup> <http://www.env.gov.bc.ca/cdc/>

<sup>ii</sup> <http://www.env.gov.bc.ca/wildlife/wsi/index.htm>

<sup>iii</sup> <http://www.env.gov.bc.ca/fw/habitat/conservation-lands/>

<sup>iv</sup> <https://www.for.gov.bc.ca/tasb/SLRP/plan70.html>

<sup>v</sup> <http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html>

<sup>vi</sup> <http://www.env.gov.bc.ca/wld/frpa/iwms/wha.html>

<sup>vii</sup> [http://a100.gov.bc.ca/appsdata/acat/documents/r42389/BiodiversityStr\\_1409784064471\\_9783578053.pdf](http://a100.gov.bc.ca/appsdata/acat/documents/r42389/BiodiversityStr_1409784064471_9783578053.pdf)

<sup>viii</sup> <http://www.soscp.org/biodiversity/>

<sup>ix</sup> <https://www.for.gov.bc.ca/hts/risc/pubs/>

<sup>x</sup> <http://www.env.gov.bc.ca/cdc/contribute.html>

<sup>xi</sup> <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/index.html>

<sup>xii</sup> <http://www.env.gov.bc.ca/emop/>



D06788.781  
D2017.148-ZONE  
MARTIN .

## RESPONSE SUMMARY

### AMENDMENT BYLAW NO.2455.31, 2017

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

Interior Health would like to add a health perspective to the proposed bylaw amendment.

Growth in communities which support active living and healthy eating have been found to contribute to reduction in disease incidents, improved quality of life and avoidance of health care costs.


Communities will improve population health if the built environments links neighbourhood features such as providing easy access to amenities, work, recreation, and daily activities.

Transportation networks enable us to travel from place to place as we go about our daily lives.

Interior Health supports safe and accessible transportation systems that incorporate a diversity of transportation mode and place priority on active or multi model transport (e.g., cycling, walking, car sharing and transit) over the use of private vehicles.

The amendment should consider the long term sustainability of the onsite sewerage and the onsite drinking water. Local government can address operation and maintenance of existing and future infrastructure.

Healthy Communities-Healthy Built Environment encourages planned growth within the boundaries of the existing municipality where there is infrastructure and amenities.

Signature: 

Signed By: Clare Audet

Agency: Interior Health

Title: Environmental Health Officer

Date: November 10, 2017

cc Agent/App - Nov 17/17





## Lauri Feindell

---

**From:** Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>  
**Sent:** November 2, 2017 10:03 AM  
**To:** Planning  
**Cc:** Lauri Feindell  
**Subject:** RE: Bylaw Referral D2017.148-ZONE

Greetings RDOS Planners,

Thank you for your referral regarding the proposed subdivision of 2128 Beavardell Road, PID 018440088, L 1 DL 2710 SIMILKAMEEN DIVISION YALE DISTRICT PL KAP50708 EXC PL KAP56500. According to Provincial records there are no known archaeological sites recorded on the subject property.

There is always a possibility for unknown archaeological sites to exist on the property. Archaeological sites (both recorded and unrecorded) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction.

Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the referral, please contact me.

Do not hesitate to contact me if you have any further questions.

Kind regards,

Diana

cc Agent/owner Nov 17/17







**Diana Cooper** | Archaeologist/Archaeological Site Inventory Information and Data Administrator

**Archaeology Branch** | Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
 Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3  
 Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

**From:** Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

**Sent:** Thursday, October 26, 2017 8:36 AM

**To:** HBE@interiorhealth.ca; Cooper, Diana FLNR:EX; 'fbclands@fortisbc.com'; Skinner, Anne E AGRI:EX; Referral Apps



## Lauri Feindell

---

**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** November 8, 2017 4:27 PM  
**To:** Planning  
**Subject:** Beaverdell Rd, 2128 RDOS (D2017.148-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Beaver Dell Road. However, due to the size/configuration of the proposed lots, it is likely that extension work will be required to bring service to potential building sites, the cost of which may be significant. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision. The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

**FortisBC Overhead Design Requirements**

<http://fortisbc.com/ServiceMeterGuide>

**FortisBC Underground Design Specification**

<http://www.fortisbc.com/InstallGuide>

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

Otherwise, FBC(E) has no concerns with this circulation.

It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

If you have any questions or comments, please contact me at your convenience.

Best Regards,

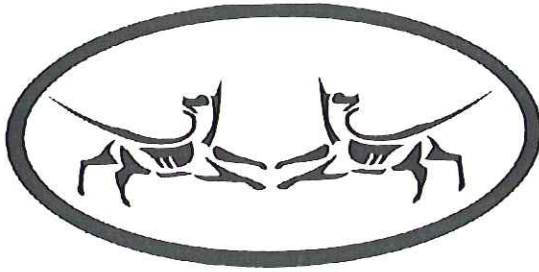
*Steven Danielson,  
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.  
Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd  
Kelowna, BC V1W 2E3  
Office: 250.469.8033  
Mobile: 250.718.9398  
Fax: 1.866.636.6171  
[nicholas.mirsky@fortisbc.com](mailto:nicholas.mirsky@fortisbc.com)

*cc Agent/owner Nov 17.17*





## Penticton Indian Band

Natural Resources Department  
773 Westhills Drive | R.R. #2, Site 80, Comp. 19  
Penticton, British Columbia  
Canada V2A 6J7

Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411 Fax: 250-493-2882

**WITHOUT PREJUDICE AND NOT TO  
BE CONSTRUED AS CONSULTATION**

November-08-17

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID: 2780**

**Referral Date: October-26-17**

**Referral ID: 2017-10-26 ZON 2780**

**Reference ID: D2017.148-ZONE**

**Summary:** Lot 1, DL2710, SDYD, Plan KAP50708 Except Plan KAP56500 (2128 Beaverdell Rd), located in the Upper Carmi area east. Subdivid three parcels.

**Attention: Evelyn Riechert**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on November-08-17. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

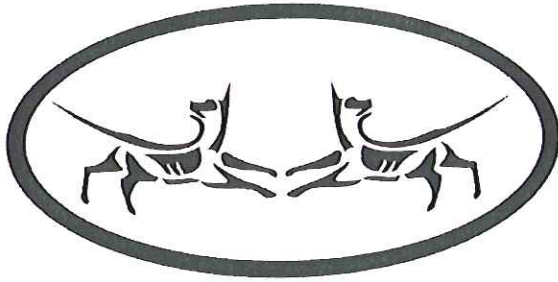
Limlæmt,  
Lavonda Nelson  
Referrals Administrator

RTS ID: 2780

CC: Penticton Indian Band (jpepper@pib.ca)

cc: jpepper - via email





## Penticton Indian Band

*Natural Resources Department*

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Referrals@pib.ca | www.pib.ca

Telephone: 250-492-0411 Fax: 250-493-2882

November-08-17

**WITHOUT PREJUDICE AND NOT TO  
BE CONSTRUED AS CONSULTATION**

Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9

**RTS ID: 2780**

**Referral ID: 2017-10-26 ZON 2780**

**Referral Date: October-26-17**

**Reference ID: D2017.148-ZONE**

**Summary:** Lot 1, DL2710, SDYD, Plan KAP50708 Except Plan KAP56500 (2128 Beaverdell Rd), located in the Upper Carmi area east. Subdivid three parcels.

**ATTENTION: Evelyn Riechert**

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral.

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.



<sup>1</sup>The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

**Invoice Number: 868**

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technician)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band Administrator)	\$ 67.50	\$ 0.00	\$ 67.50
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
Total	\$ 500.00	\$ 0.00	\$ 500.00

**INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00**

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #2780

limlɛmt,

Lavonda Nelson  
Referrals Administrator  
P: 250-492-0411  
Referrals@pib.ca

RTS ID: 2780  
CC: Penticton Indian Band (jpepper@pib.ca)

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Amendment of a Development Variance Permit; and  
Discharge of a Statutory Covenant — Electoral Area “E”

---

### Administrative Recommendation:

**THAT the Board of Directors approve the deletion of Section 3(ii) of Development Variance Permit No. E-01-02212.010;**

**AND THAT the Board of Directors approve the discharge of Statutory Covenant No. KR087583 from the land described as Lot 1, District Lot 210, SDYD, Plan KAP52397.**

---

Purpose: To allow for the retention of an accessory dwelling on the subject property

Owners: Antonio and Jodi Trovao      Agent: N/A      Folio: E-02212.010

Civic: 1039 Lower Debeck Road      Legal: Lot 1, Plan KAP52397, District Lot 210, SDYD

OCP: Agriculture (AG)      Zone: Agriculture One (AG1)

---

### Proposed Development:

This proposal seeks to amend an existing development variance permit (DVP) in order to remove a condition that requires the registration of a statutory covenant on title stipulating that “when the home is no longer required by the parents that the modular home be removed.”

As such a statutory covenant was subsequently registered on title in 2001, it is further being proposed that this covenant be discharged.

The applicant is seeking these amendments in order to retain the accessory dwelling that was constructed on the property in 2001 (in accordance with the DVP).

### Site Context:

The subject property is approximately 3.78 ha in area and is located at the north-east corner of the intersection of Lower Debeck Road and MacKay Road and is comprised of a single detached dwelling, accessory dwelling, various accessory structures and is currently under agricultural production. The surrounding pattern of development is predominantly agricultural operations.

### Background:

At its meeting of [September 6, 2001](#), the Board approved Development Variance Permit (DVP) No. E-01-02212.010 in order to allow for the development of an approximately 115.7 m<sup>2</sup> accessory dwelling on the subject property (see Attachment No. 3).

---

At that time, the Electoral Area “E” Zoning Bylaw No. 1566, 1995, limited the maximum floor area of an accessory dwelling to 100.0 m<sup>2</sup> and the (then) property owners advised that they required the variance as they wished to retire on the property and to downsize from the existing principal dwelling, as it was too large for their needs, but that the floor area limit on accessory dwellings was too small.

In approving this variance, the Board imposed a condition that a covenant be placed on title stipulating that when the accessory dwelling was no longer required by the (then) property owner the accessory dwelling would be removed from the property.

On September 21, 2001, a statutory covenant was registered on the title of the subject property (see Attachment No. 4), with DVP No. E-01-02212.010 being registered on title on January 25, 2002.

At its subsequent meeting of [January 8, 2009](#), the Board considered a request from the (then) property owner requesting the removal of the DVP and covenant.

The basis of this request was an update of the Electoral Area “E” zoning bylaw enacted in 2006 that increased the maximum floor area for the initial accessory dwelling on a parcel from 100.0 m<sup>2</sup> to 140.0 m<sup>2</sup>, and which had rendered the 115.7 m<sup>2</sup> restriction in the 2001 statutory covenant redundant.

While the Board approved this request (Resolution No. B07/09P), the applicant — for unknown reasons — did not proceed with the discharge of the DVP and statutory covenant.

Importantly, when an amendment to a DVP is being proposed, a local government must follow the same public consultation process as was employed at the time the permit was issued. This is in order to allow surrounding residents and property owners an opportunity to submit new comments or potentially amend any previously submitted comments regarding the proposal.

In this instance, it does not appear that surrounding residents and property owners were notified of the Board intention to consider discharging the permit and statutory covenant at its meeting of January 8, 2009. Administration considers that this failure to notify renders Resolution No. B07/09P deficient.

At its meeting of [July 20, 2017](#), the Board adopted Amendment Bylaw 2728, 2017, which, amongst other things, amended the maximum floor area for an initial accessory dwelling on a parcel in the Agriculture One (AG1) Zone from 140.0 m<sup>2</sup> to 90.0 m<sup>2</sup>.

The current boundaries of the subject property date to a plan subdivision deposited in the Land Titles Office in Kamloops on June 13, 1994, and which appears to be related to a boundary adjustment between the subject property and the adjacent property at 3180 McKay Road. Available Regional District records indicate the previous issuance of building permits for “garage and storage building” (2001) and modular home (2001).

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated as Agriculture (AG) and has also been designated as a Watercourse Development Permit (WDP) Area and Environmentally Sensitive Development Permit (ESDP) Area at its north-east corner (which comprises part of Naramata Creek).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is zoned AG1, which allows for a single accessory dwelling with a floor area not exceeding 90.0 m<sup>2</sup> on parcels less than 8.0 ha in area.

## **Public Process:**



---

Adjacent property owners will have received notification of this proposal with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

**Analysis:**

In considering this proposal, Administration recognises the subsequent amendments made to the Electoral Area "E" zoning bylaw after DVP No. E-01-02212.010 was approved and the resultant eleven-year period (2006-2017) in which the applicant's accessory dwelling complied with the provisions of the bylaw.

Administration also recognises that, if not for a failure to properly notify the intention to consider a discharge of the statutory covenant in 2008/09, the Board's previous resolution would likely still stand and the removal of this charge against the applicant's title could proceed without further Board consideration.

Administration further recognises that in the intervening 17 years the Board has approved a number of amendment bylaws to increase the floor area of accessory dwellings in Electoral Area "E" (as well as the other Electoral Areas) without similarly requiring the removal of these structures based upon a subsequent change in occupants.

At issue, therefore, is the appropriateness of allowing the applicant to retain a structure that comprises an extra 25.7 m<sup>2</sup> of floor area above what is currently allowed by the zoning bylaw.

In considering this, and based upon photos provided in support of the 2001 DVP application, the location of the accessory dwelling was to be clustered next to existing workshops and comprised of land not (then) used for agricultural production.

It is not clear that upholding the requirements of the covenant to remove the accessory dwelling will affect the agricultural use of the property.

Conversely, the requirement to remove the accessory dwelling was a requirement of the Board's approval of the increased floor area and one, conceivably, that the (then) applicant agreed to in order to allow them to stay on the property in retirement.

The most recent change to the regulations governing the floor area of accessory dwellings in the agriculture zones (which generally correspond to the boundaries of the ALR) is to ensure greater compliance with the requirements of the ALC Act and to limit the development of ALR lands to non-farm uses.

That the dwelling is a modular home should facilitate its removal from the property and potential re-sale, and if the applicant wished at some future point to re-establish an accessory dwelling on the property they could do so in accordance with the requirements of the zoning bylaw.

**Alternatives:**

1. THAT the Board of Directors deny the deletion of Section 3(ii) of Development Variance Permit No. E-01-02212.010 and the discharge of Statutory Covenant No. KR087583 from the land described as Lot 1, District Lot 210, SDYD, Plan KAP52397; OR
2. THAT the Board of Directors defer consideration and refer this proposal to the Electoral Area "E" Advisory Planning Commission (APC) for a recommendation.

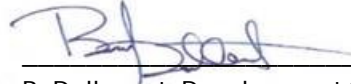
---

Respectfully submitted



C. Garrish, Planning Supervisor

Endorsed by:



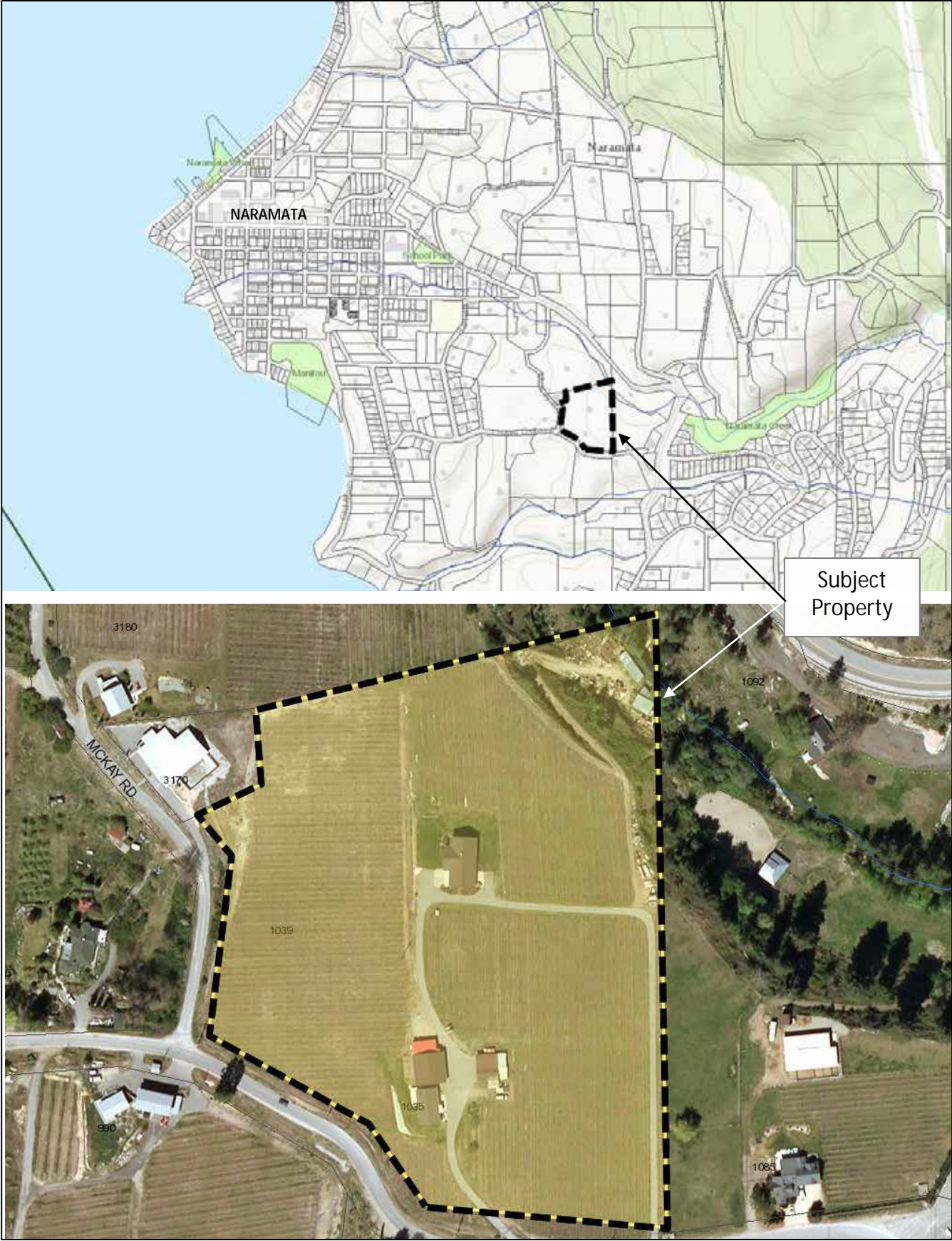
B. Dollevoet, Development Services Manager

Attachments: No. 1 – Context Maps

No. 2 – Site Photo

No. 3 – Statutory Covenant No. KR087583

Attachment No. 1 - Context Maps





Attachment No. 2 – Site Photos





**LAND TITLE ACT**  
**FORM C**  
(Section 219.81)

Province of British Columbia  
**GENERAL INSTRUMENT - PART 1**

21 SEP 2001 08 38  
**COPY**  
LAND TITLE OFFICE

KR087583

(This area for Land Title Office use)

Page 1 of 4 Pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent) **Pat Fraser, Legal Secretary, c/o Kinsman & Company, 166 Main Street, Penticton, B.C., V2A 5A4 (250) 492-2624**  
*Pat Fraser*

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: \*  
(PID) (LEGAL DESCRIPTION)  
**018-787-754 Lot 1, DL 210, SDYD, Plan KAP52397**

3. NATURE OF INTEREST: * DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
<b>Covenant</b>	<b>Entire Instrument</b>	<b>Transferor/Transferee</b>

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filled Standard Charge Terms	<input type="checkbox"/> D.F. No.
(b) Express Charge Terms	<input checked="" type="checkbox"/> Annexed as Part 2
(c) Release	<input type="checkbox"/> There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):\* **ANTONIO MARTINS AVILA TROVAO and MARIA DOCEU DIAS TROVAO, as Joint Tenants**

6. TRANSFEE(S): (including postal address(es) and postal code(s))\*  
**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN, of 101 Martin Street, Penticton, British Columbia, V2A 5J9**

7. ADDITIONAL OR MODIFIED TERMS:\* **N/A**

8. EXECUTION(S):\*\* (This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.)

Officer Signature(s)

Execution Date

Y M D

Party(ies) Signature(s)

2001 09 20

**PRESTON SEARS MOTT**  
Suits 100, 166 Main St.  
Penticton, B.C. V2A 5A4  
Barrister & Solicitor

*Antonio Trovao*  
**Antonio Martins Avila Trovao**

*Maria Trovao*  
**Maria Doceu Dias Trovao**

(as to both signatures)

**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

\* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

\*\* If space insufficient, continue executions on additional page(s) in Form D.

**TERMS OF INSTRUMENT – PART 2**

**BETWEEN:**

**ANTONIO MARTINS AVILA TROVAO**, Orchardist, and  
**MARIA DOCEU DIAS TROVAO**, Homemaker, both of Site 3, Comp. 1,  
R.R. #1, Naramata, British Columbia, V0H 1N0, as JOINT TENANTS

(the "Grantor", and shown in Item 5, Part 1, Form C as the "Transferor")

**AND:**

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**,  
of 101 Martin Street, Penticton, British Columbia, V2A 5J9

(the "Grantee", and shown in Item 6, Part 1, Form C as the "Transferee")

**WHEREAS:**

A. The Grantor is the registered owner in fee-simple of the following lands in the Province of British Columbia, more particularly known and described as:

PID 018-787-754

Lot 1, District Lot 210, Similkameen Division Yale District, Plan KAP52397

(hereinafter called the "Land");

B. The Grantee has resolved to issue a development variance permit as follows:

- "i) that the Electoral Area 'E' Zoning Bylaw No. 1566 be varied by increasing the gross floor area of the auxiliary dwelling to accommodate agricultural help employed on the parcel from 100 m<sup>2</sup> (1076 sq. ft.) to 115.7 m<sup>2</sup> (1245 sq. ft.); and
- ii) that a covenant be placed on title indicating that when the home is no longer required by the parents that the modular home be removed."

(the "Development Variance Permit");

C. As permitted by the Development Variance Permit, the Grantor wishes to place a modular home (the "Modular Home") on the Land.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for valuable consideration, the parties agree as follows:

1. The Grantor, on behalf of himself, his heirs, executors, administrators, successors and assigns, hereby covenants and agrees with the Grantee, as a covenant in favour of the Grantee and its employees, servants or agents pursuant to section 219 of the *Land Title Act*, that the provisions below be annexed to, run with, and be a charge upon the Land from and after this date:
  - (a) that when the Modular Home is no longer required by Antonio Martins Avila Trovao and/or Maria Doccu Dias Trovao, the Modular Home will be removed from the Land.
2. Subject to the provisions of Section 219 of the *Land Title Act*, the Grantor's covenants contained in this Agreement shall burden and run with the Land, and shall enure to the benefit of and be binding upon the Grantor, his heirs, executors, administrators, successors and assigns, and the Grantee, its employees, servants or agents and their assigns.
3. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 219(9) of the *Land Title Act*.
4. The Grantor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
5. Wherever the singular, masculine or neuter is used herein, the same shall be construed as meaning the plural, feminine, body corporate or politic, where the context or the parties so require, and where the Grantor consists of more than one person, the term Grantor shall mean all of such persons jointly and severally.
6. If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement, and the remaining sections or parts of this Agreement, as the case may be, shall be unaffected thereby and shall remain and be enforceable to the fullest extent as permitted by law as though the illegal or unenforceable sections or parts were not contained within this Agreement.
7. This Agreement shall be interpreted according to the laws of the Province of British Columbia.
8. Unless the context requires otherwise, all statutes referred to herein are enactments of the Province of British Columbia.
9. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference will include a reference to any subsequent enactment of the Province of British Columbia to the like effect.

Page 4 of 4 Pages

IN WITNESS WHEREOF the Grantor hereto has, by its execution of Part 1 of this Instrument, executed this Instrument as of the first day and year appearing in Item 8 of the Form C comprising Part 1 of this Instrument.

END OF DOCUMENT

ND11 Statutory-covenant



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

101 MARTIN STREET

PENTICTON, BC

V2A 5J9

**DEVELOPMENT VARIANCE PERMIT**

NO.: E-01-02212.010

TO: Antonio and Maria Trovao  
Site 3, Comp 1  
Naramata, BC  
VOH 1NO

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Lot 1, Plan KAP52397, District Lot 210, SDYD, as shown on the attached Schedule 'X'
3. The Electoral Area 'E' Zoning Bylaw No. 1566 is varied and supplemented as follows:
  - i) **Section 2 (Agricultural Zone), Subsection (D)(iii) is varied by increasing the gross floor area of the auxiliary dwelling to accommodate agricultural help employed on the parcel**  
**From: 100 m<sup>2</sup> (1076 sq ft)**  
**To: 115.7 m<sup>2</sup> (1245 sq ft)**
4. As a condition of the issuance of this Permit, the Regional Board is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned.

Where the Regional District considers that a condition in a permit respecting landscaping has not been satisfied, or where, as a result of contravention of a condition in a permit, an unsafe condition has resulted, the Regional District may undertake and complete the works required to satisfy the landscaping condition or carry out any construction required to correct the unsafe condition, at the cost of the Permittee, and may apply the security in payment of the cost of the works, with any excess to be returned to the Permittee. There is filed accordingly:

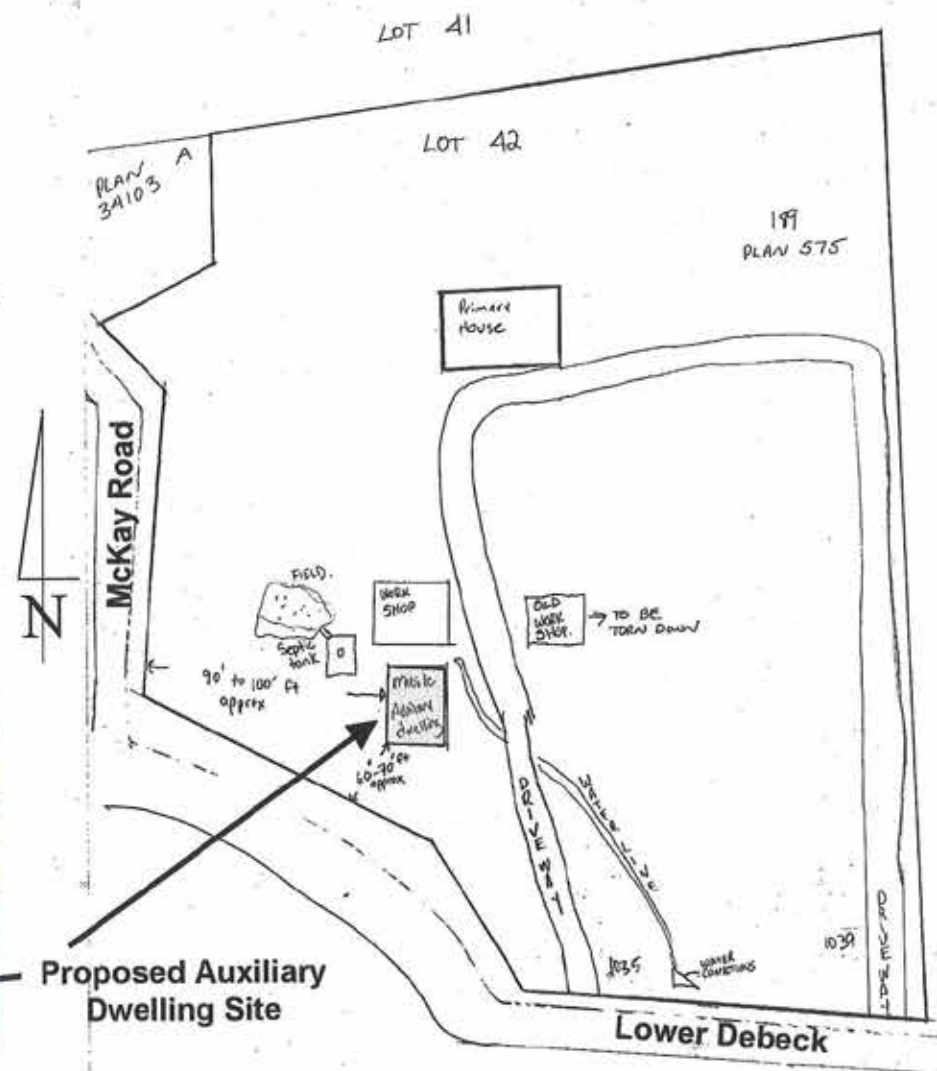
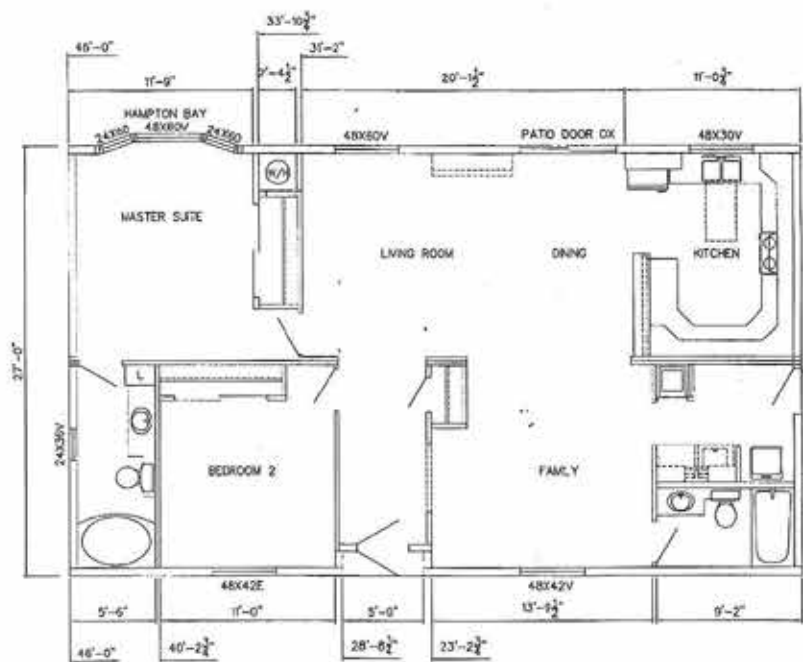
- (a) A Bearer Bond in the amount of \$\_\_\_\_ Nil
  - (b) A Performance Bond in a form acceptable to the Regional District in the amount of \$\_\_\_\_ Nil
  - (c) An Irrevocable Letter of Credit in the amount of \$\_\_\_\_ Nil
  - (d) A certified cheque in the amount of \$\_\_\_\_ Nil
5. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
6. The Development Variance Permit is **not** a Building Permit.

Authorized resolution **B574/01PL** passed by the Regional Board on the 6<sup>th</sup> day of September, 2001.

Amending resolution passed by the Regional Board on \_\_\_\_\_, 2018.

---

B. Newell, Chief Administrative Officer



Proposed Auxiliary Dwelling Site

Schedule 'X'

File: E-01-02212.010

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Applications to OBWB – 2018 Water Conservation and Quality Improvement Grant

---

### Administrative Recommendation:

**THAT** the Board of Directors forward a resolution of support to the Okanagan Basin Water Board for the following applications to the 2018 OBWB Water Conservation and Quality Improvement (WCQI) Grant program:

- Vaseux Lake – Land Use and Water Quality Assessment (RDOS)
- Resilient Landscape Outreach Program (RDOS)

### Purpose:

The OBWB requires that all WCQI grant applications be accompanied by a resolution of support from the organization's local government council or board (this includes projects submitted by staff of local government; all projects must receive support from their council/board).

### Business Plan Objective: *(Tie to current RDOS Business Plan)*

Goal 3.3: To develop an environmentally sustainable community

### Background:

The Okanagan Basin Water Board (OBWB) has announced that applications will be received until 4:00pm on February 16, 2018 for the Water Conservation and Quality Improvement (WCQI) grant program. The WCQI program supports local organizations and government by providing funds to support initiatives that are innovative, tangible, addresses water issues and enhances the sustainable use of water within the Okanagan Valley.

For the 2018/2019 program, the funding available to the three Okanagan Regional District's, which includes the member municipalities, is \$300,000. Successful grant applications chosen by the OBWB will receive between \$3,000 and \$30,000.

This year, the OBWB is putting a special focus on projects that focus on flood and/or drought preparedness, mapping, source water protection and water quality assessments. There are 10 funding categories in total and all eligible applications will be considered.



Eligible applicants include the Regional District, Member Municipalities, Irrigation/improvement districts and Non-profit community organizations. All applications must include a resolution of support from the organization's local government council or board.

The program will cover up to 100% of applicable costs or the maximum amount awarded.

#### **Analysis:**

##### **Vaseux Lake – Land Use and Water Quality Assessment Phase 2: \$25,000**

Vaseux Lake is a small shallow lake south of Okanagan Falls. The main purpose of this project will be the second phase of assessment to determine what is influencing the water quality and siltation of Vaseux Lake. Aspects considered in the assessment include adjoining land uses, existing septic disposal systems, stormwater runoff and potential influences of upstream locations. Phase 1 of the work, completed with a 2017/18 WCQI grant, started the initial assessment of the lake including installation of a vast number of different sampling and monitoring devices. Phase 2 will include a year of gathering data plus analysis with conclusions providing info on the pollution sources entering Vaseux Lake influencing the growth of milfoil and algae blooms. Additionally, the study will provide recommendations on future steps to improve water quality at Vaseux Lake.

##### **Resilient Landscape Outreach Program \$10,000**

All three regional districts have identified a knowledge gap that exists with property owners on issues relating to the implications of climate change and how they can adapt their properties to become resilient. RDNO, RDCO and RDOS are planning to individually apply to the WQWI Grant for a valley-wide initiative, to be undertaken collaboratively but separately in each district. The on-site home visitation project aims to support and improve water use efficiency, reduce 'water restrictions shock', address landscape and irrigation inefficiencies, and help residents adjust to the 'new normal.' This project supports the Regional Water Conservation Plan, strengthens the Make Water Work Outreach program, and aligns with the new RDOS Water Use Regulations.

#### **Alternatives:**

The Board may choose to not provide a resolution for one or more of the projects listed.

#### **Communication Strategy:**

The resolution letters will be provided to the OBWB and the respective applicant as part of the WCQI grant application.

#### **Respectfully submitted:**

*"Liisa Bloomfield"*

---

L. Bloomfield, Engineering Supervisor

*"Janine Dougall"*

---

J. Dougall, Public Works Manager

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Parkland Dedication Electoral Area 'H'

---

### Administrative Recommendation:

**THAT** the requirement of parkland dedication be accepted in the form of 5% dedication of land for the subdivision of Lot A, District Lot 2078, KDYD, Plan 10338.

### Purpose:

To determine the required parkland dedication as the appropriate option for the proposed subdivision at 3391 Princeton – Summerland Road.

### Reference:

*Local Government Act*, s.510

Electoral Area 'H' Official Community Plan Bylaw No. 2497, 2012 (OCP)

Regional District of Okanagan-Similkameen, Electoral Area 'H' Zoning Bylaw No. 2498, 2012 (Zoning)

Parkland Dedication, RDOS Board Policy

### Business Plan Objective: (Tie to current RDOS Business Plan)

#### Key Success Driver 2.0: Optimize the Customer Experience

- 2.1 To meet public needs through the provision and enhancement of key services

#### Key Success Driver 3.0: Build a Sustainable Community

- 3.1 To develop a socially sustainable region
- 3.3 To develop an environmentally sustainable region

### Background:

Under Section 510 of the *Local Government Act*, and Board Policy a subdivision applicant can be required to provide an area of parkland of up to 5% of the total area of the subdivided land, or provide cash in lieu of land of up to 5% of the land value.

### Analysis:

The proposed subdivision is seeking to create three additional parcels for a total of 4 lots, all at least a minimum of one hectare in size, from the existing 4.95 hectare parcel. The land is currently designated as Small Holdings (SH) under the OCP; and zoned as Small Holdings Three (SH3), under Zoning.

There is no "Park Services" established in this location of Electoral Area "H" and according to the *Local Government Act* the only option for park land dedication is to acquire park land, not cash in lieu. The review and establishment a larger Electoral Area "H" Park Services is in the 2018 Business Plan.

The OCP has policies in place around the consideration of parkland dedication. The subdivision proposal is along the frontage of Chain Lake and lake access is one of the OCP's considerations for acquiring park land. The subdivision applicant has agreed to a 0.245 hectare dedication of park land that will have access frontage to Chain Lake as well as access to public road. See Attachment No. 2 showing the park land dedication.

**Alternatives:**

1. THAT the Board accept the parkland dedication, as 0% of the subdivided lands.

**Referral Comments:**

*Advisory Planning Commission:*

The Electoral Area Director chooses to waive the referral report to the APC.

**Respectfully submitted:**



S. Juch, Subdivision Supervisor

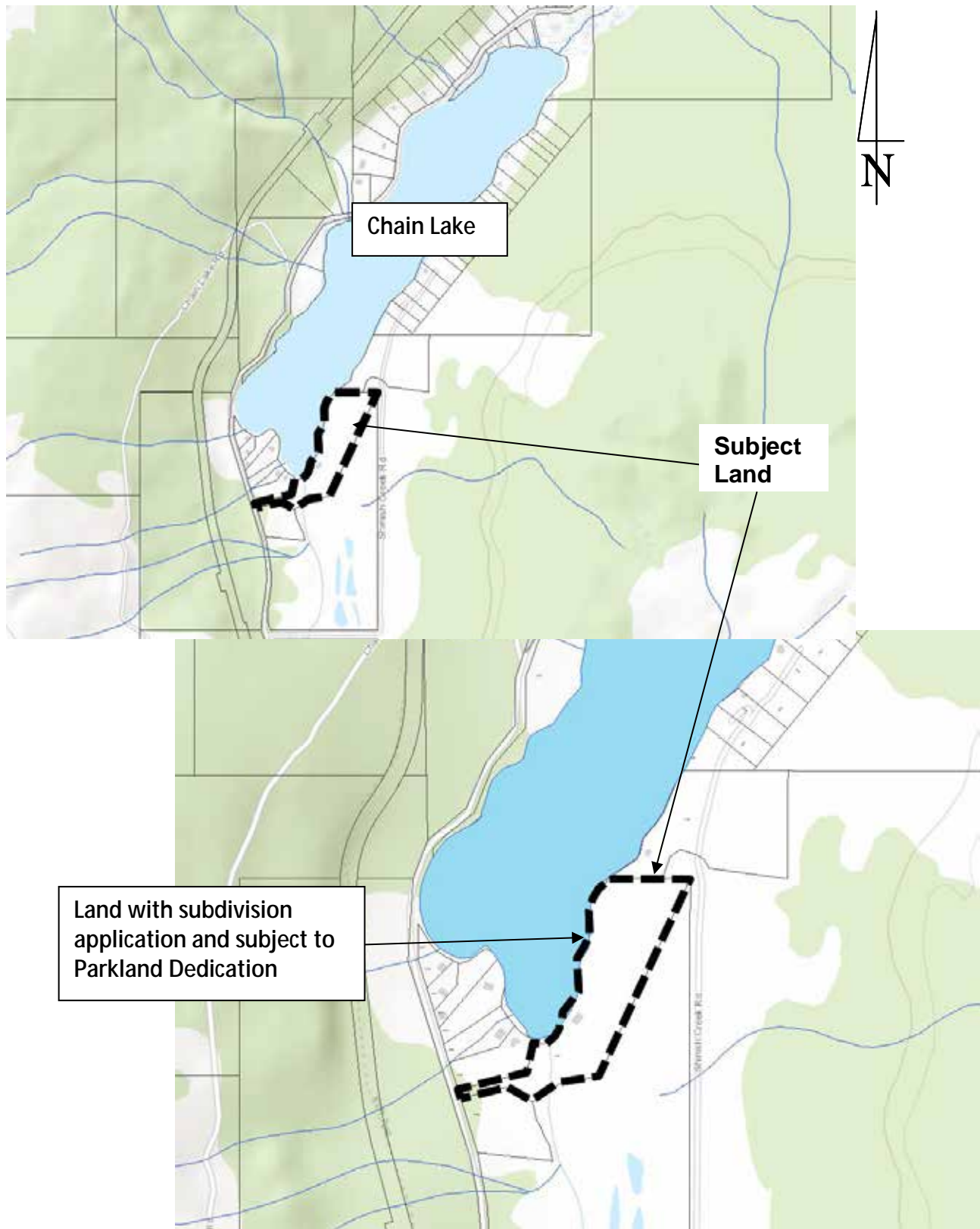
**Endorsed By:**

*Janine Dougall*

J. Dougall, Public Works Manager

Attachments: No. 1 –Context Maps  
No. 2 – Subdivision Plan

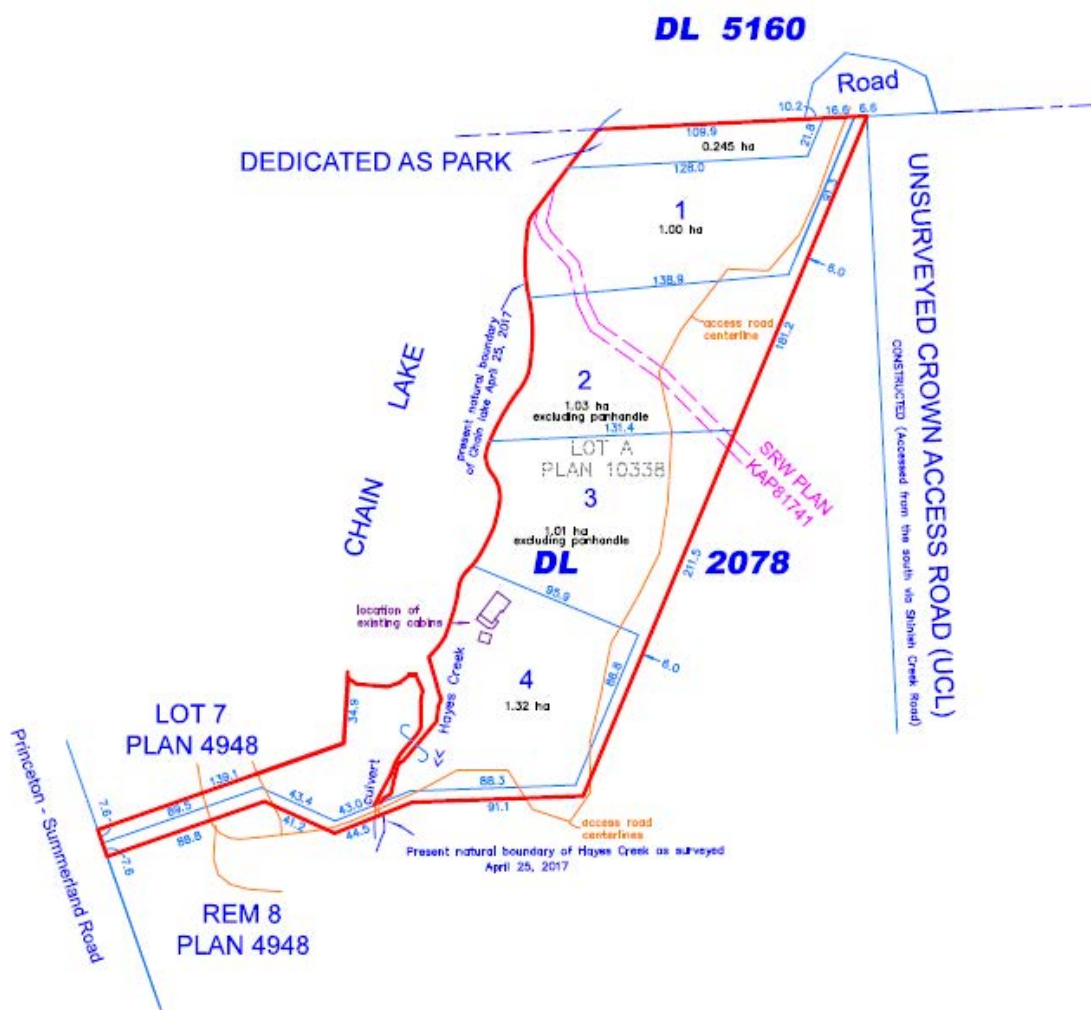
Attachment No. 1 — Context Maps





## Attachment No. 2 — Reference Plan

Parkland dedication at north end



**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN**  
**BYLAW NO. 2792, 2017**

---

A bylaw to provide for the administration and operation of fire departments and for the prevention of fires, the prevention of the spread of fire, and for the preservation of life and property within the Regional District of Okanagan-Similkameen.

---

WHEREAS the Local Government Act enables regional districts to establish and operate services for the benefit of service area residents; and

WHEREAS the Regional District of Okanagan-Similkameen has established various service areas or specified areas for the purpose of providing Fire Protection and other emergency response; and

WHEREAS the Board deems it expedient to regulate the operation of the Fire Departments in connection with the provision of Fire Protection and emergency services within the Regional District of Okanagan-Similkameen;

NOW THEREFORE, the Board in open meeting assembled enacts as follows:

**Citation**

1. This bylaw may be cited as the "**Regional Fire Services Bylaw No. 2792, 2017**".

**Definitions**

2. In this bylaw, including in the recitals hereto, unless the context otherwise requires, the following bolded terms have the following respective meanings:
  - (a) "**Auto Extrication Services**" means a rescue service using various methods and equipment to extricate a trapped victim from a vehicle following a motor vehicle or industrial incident;
  - (b) "**Board**" means the Board of Directors of the RDOS;
  - (c) "**CAO**" means the Chief Administrative Officer for the RDOS, or a designated representative;
  - (d) "**Dangerous Goods**" means any product, substance or organism which is of highly combustible and flammable, or explosive nature, all as set out in the Transportation of Dangerous Goods Act, RSBC 1996, c. 458, or any other material which, because of its toxic or other inherent characteristics constitutes a fire hazard or a hazard to life, safety or health, as amended from time to time;
  - (e) "**Designated Officer**" means an employee of the RDOS designated in writing by the CAO to administer this bylaw, or sections of this bylaw;
  - (f) "**Emergency Equipment**" means any vehicle, firefighting apparatus, tools and equipment providing a service to the Fire Department;
  - (g) "**Emergency Medical First Responder Program**" means pre-ambulatory care by a Member trained by a recognized accredited agency and licensed by the BC Ministry of Health – Emergency Medical Assistant Licensing Branch;

- (h) **“Emergency Program Act”** means RSBC 1996, c. 111;
- (i) **“Fire Chief”** means the officer in charge of a Fire Department as appointed by the CAO from time to time, or his designate,
- (j) **“Fire Department”** means the established fire department for a given Fire Protection Service Area;
- (k) **“Fire Protection”** means all aspects of fire safety including, but not limited to: fire prevention, fire suppression, pre-fire or pre- emergency planning, fire investigation, fire recovery, public education and information, and fire administration
- (l) **“Fire Protection Service Area”** means each service area as established by the relevant Service Establishment Bylaw of the RDOS, as amended from time to time;
- (m) **“Fire Service”** means, collectively, each Fire Department that has been, or which may be, established by the RDOS in each Fire Protection Service Area;
- (n) **“Fire Services Act”** means the *Fire Services Act*, R.S.B.C. 1996, c. 144;
- (o) **“Functions”** means specific services delivered by individual Fire Departments including, but not limited to: fire suppression, Auto Extrication, First Responder Programs, Fire inspections and Rescue.
- (p) **“Incident”** means a situation to which a Fire Department has responded or would ordinarily respond, including but not limited to:
- where a fire or explosion has occurred, or has the potential of being imminent;
  - a motor vehicle or other transportation incident;
  - where Dangerous Goods may reasonably be expected to present a danger to persons, property or the environment; and,
  - other classes of emergencies as designated herein;
- (q) **“IC”** means the incident commander, being the Member on scene designated to be in charge of an Incident in accordance with the Operational Guidelines;
- (r) **“ICS”** means Incident Command System, being a standardized at-scene emergency management concept specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries;
- (s) **“Local Government Act”** means the *Local Government Act*, R.S.B.C. 2015, c. 1 and, where relevant, includes any predecessor statutes;
- (t) **“Member”** means, subject to applicable RDOS policy and guidelines, any person appointed by the Fire Chief as a member of a Fire Department and includes without limitations the Officers, firefighters, and administrative staff of the Fire Department;

- (u) “**Officer**” means, subject to applicable RDOS policy and guidelines, a Member appointed by the Fire Chief as an officer of the Fire Department, but nothing in this bylaw makes such persons officers for the purposes of s. 233 of the Local Government Act;
- (v) “**Operational Guidelines**” means the operational guidelines developed in accordance with this bylaw, applicable to the operations and emergency responses of each Fire Department;
- (w) “**Playbook**” means the mandatory minimum training standards set under paragraph 3(3)(b) of the *Fire Services Act* by the Office of the Fire Commissioner and approved by the Attorney General, entitled *British Columbia Fire Service Minimum Training Standards: Structure Firefighters – Competency and Training Playbook*, as same may be amended, revised or replaced from time to time;
- (x) “**Rescue**” means any situation where a person or persons are saved by quick and forceful action from immediate or threatened danger such as death or injury;
- (y) “**RDOS**” means the Regional District of Okanagan-Similkameen;
- (z) “**Service Establishment Bylaw**” means, in respect of each Fire Protection Service Area and related Fire Department, the service establishment or specified area bylaw, or Supplementary Letters Patent, as the case may be, which creates the relevant service area and authorizes the provision of fire protection and emergency response services;
- (aa) “**Service Level**” means, in relation to each Fire Department, the service level, as contemplated by the Playbook, which each Fire Department is authorized to provide by the Authority Having Jurisdiction;
- (ab) “**Workers Compensation Act**” means the Workers Compensation Act, R.S.B.C. 1996, c. 492, as amended or re-enacted from time to time, including all regulations thereto.

### Interpretation

#### 3. In this bylaw:

- (a) wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the bylaw requires; and
- (b) any reference in this bylaw to a statute, regulation, ministerial order or other bylaw, means such statute, regulation, ministerial order or other bylaw as updated, amended, revised or replaced, unless otherwise specifically noted.

#### 4. This bylaw does not contemplate or extend in its purpose, to any of the following:

- (a) the protection of any person from economic loss;
- (b) a guarantee or warranty by the RDOS or any of its agents, as to the service level expectations of any Fire Department under this bylaw, or any other applicable codes, enactments, agreements or standards; or
- (c) providing to any person a warranty with respect to the Functions of any Fire Department or with respect to the certainty of timely responses. The list of Functions does not, of



itself, mean that each Fire Department provides such services or will, in relation to any particular Incident, be able to deliver such services.

5. In relation to the exercise of operational authorities or powers by the Fire Department at or in connection with an Incident, any reference in this bylaw to the Fire Chief or IC includes any Member designated by the Fire Chief or IC, as the case may be.

### **Designated Officer**

6. The operation of the Fire Service shall be administered and overseen by the Designated Officer.
7. The Designated Officer shall manage the Fire Service subject to the provisions of this bylaw, any policies of the Board and the direction of the CAO.

### **Fire Department Continuation**

8. This bylaw applies to the Fire Services listed in Schedule A (as same may be amended from time to time), each of which has been established by the RDOS under and in accordance with the Local Government Act. The Fire Departments identified in Schedule A that have been established to provide Fire Protection and other emergency response functions under the Service Establishment Bylaws are hereby continued, and shall be known by the names set forth in Schedule A.

### **Limits of Jurisdiction**

9. The jurisdiction of each Fire Department, and powers granted to such Fire Department and its Fire Chief and Members under this bylaw, are restricted to the boundaries of the Fire Department's particular Fire Protection Service Area. A Fire Department shall not respond to any calls for Incident response under this bylaw outside of the boundaries of its Fire Protection Service Area except as follows:
  - (a) when, in the opinion of the IC, an Incident that occurred in the Fire Protection Service Area has spread outside such area, or which has started outside the Fire Protection Service Area but is considered to be a threat to persons or property within the Fire Protection Service Area; or
  - (b) when a mutual or automatic aid agreement is in place permitting assistance to be provided, in which case, the response shall be restricted to the area covered by the mutual or automatic aid agreement; or
  - (c) in accordance with the terms of a fire service agreement with a municipality, another regional district, an improvement district, a First Nations band or other person; or
  - (d) when there is a conscription of apparatus and personnel during declaration of a provincial or local emergency under the Emergency Program Act; or
  - (e) when authorized to leave the Fire Protection Service Area under a task number or authorization provided by Emergency Management British Columbia, or at the direction or request of the Wildfire Service in connection with a wildfire or interface fire; or

(f) when authorized by the Designated Officer or CAO.

10. A Fire Department providing mutual aid or automatic aid to another Fire Department has the operational powers and authorities provided in this bylaw. Where a fire department (an "External Department"), which is not governed or established under this bylaw, provides emergency response services within a Fire Protection Service Area under a mutual aid or automatic aid agreement with the RDOS, the External Department, in relation to any particular Incident:
  - (a) shall be authorized to exercise the powers and authorities specified in the relevant mutual aid agreement or automatic aid agreement, as the case may be; or
  - (b) where the relevant mutual aid agreement or automatic aid agreement does not expressly address the issue of powers and authority, shall be entitled to exercise the same powers and authority as a Fire Department under this Bylaw.

### **Administration and Operation of the Fire Service**

11. The Board shall designate by policy the Service Level for each Fire Department in accordance with the Playbook. The Board may revise, amend or change the Service Level of any Fire Department by revision to the relevant policy, and may provide in such policy that the Service Level may be temporarily restricted or changed by the CAO where appropriate to do so.
12. Subject to any necessary budget approvals or directions from the Board, and subject to reporting on same to the Board, the CAO may establish, add to, change or restrict the authorized Functions for any Fire Department, provided that each Fire Department shall always provide Fire Protection services. The Functions currently approved for each Fire Department are set out in Schedule B, but may be amended by the CAO in accordance with this section.
13. The Designated Officer is authorized to establish an appropriate training program for the Fire Service and ensure Members are qualified to safely perform the scope of work authorized by this bylaw and Functions to be performed by each Fire Department. The training program shall comply with the requirements of the Playbook and the *Workers Compensation Act*, and shall be appropriate to the chosen Service Level and authorized Functions of each Fire Department.
14. The Designated Officer is authorized to design and implement standards for the Fire Service with regard to Emergency Equipment, Fire Protection, Emergency Medical First Responder Programs and other authorized Functions.
15. The Designated Officer shall develop a set of Operational Guidelines which cover the authorized Functions of each Fire Department, including matters such as:
  - (a) minimum training and proficiency requirements for each position within the Fire Departments (including for Fire Chief and Officer positions);

- (b) an incident command system compliant with the current version of the British Columbia Emergency Management System, including a process for determining which Member at an Incident will be considered the IC;
  - (c) all necessary guidelines for principal or expected emergency response activities, including, where relevant, IC assessment and size up before entry is conducted in a burning building or structure;
  - (d) the management of mutual and automatic aid responses and other extra-jurisdictional responses;
  - (e) any matters required by the *Workers Compensation Act* or the Playbook to be covered by such Operational Guidelines; and
  - (f) such other matters as the Designated Officer and Fire Chiefs may consider appropriate or necessary for the proper operation and administration of the Fire Departments.
16. The Designated Officer shall, with the assistance of the Fire Chiefs and Fire Departments, develop and implement compliant occupational health and safety programs, including covering matters such as joint committees and worker representative systems, use of self-contained breathing apparatus and workplace hazardous materials information systems.
17. The Fire Chiefs shall report to the Designated Officer on the state of operations of their respective Fire Departments, with such frequency and containing such detail as may be considered by the Designated Officer as necessary or appropriate. The CAO shall be responsible for reporting regularly (and, in any event, not less than annually) to the Board regarding the Fire Service, including on operational issues, administrative and financial matters, and the state of each Department's statutory and regulatory compliance.
18. Notwithstanding the Service Level or authorized Functions approved for any of the Fire Departments, in relation to any particular Incident response, each Fire Department shall undertake only those emergency response activities for which its responding Members are properly trained and equipped. The IC may, in his or her sole discretion, restrict or terminate emergency response activities in any circumstances where the Incident is considered to exceed the training or capabilities of the responding Members, or Emergency Equipment available to them

#### **Authority of the Fire Chief and IC**

19. The Fire Chief shall be appointed by the CAO in accordance with RDOS policies and requirements and, once appointed, shall have operational responsibility and authority over the Fire Department, subject to the administrative direction and control of the Designated Officer. For certainty, the individuals who are Fire Chiefs as at the date this bylaw comes into force, are confirmed and ratified in their respective positions.
20. Without limiting section 19 hereof, the Fire Chief of each Fire Department shall be responsible for:

- (a) implementing or managing all necessary training programs and occupational health and safety programs for the particular Fire Department which, in each case, meets all statutory and regulatory requirements, including those required by the Playbook and the *Workers Compensation Act* and regulations made thereunder;
  - (b) ensuring that the particular Fire Department maintains all required records, including those relating to training and occupational health and safety matters;
  - (c) developing, in consultation with the Designated Officer, the annual budget and five-year financial plan for the particular Fire Department in accordance with, and subject to the guidelines established by, the CAO and subject to approval by Board;
  - (d) enquiring into, investigating and recording the cause of all fires in the particular Fire Protection Service Area in accordance with the *Fire Services Act* or as otherwise deemed appropriate by the Fire Chief or directed by the Designated Officer;
  - (e) care, custody and control of all assets, Emergency Equipment, buildings, and other equipment in the care and control of the particular Fire Department.
21. The Fire Chief shall follow all applicable bylaws, policies, regulations and procedures of the RDOS.
22. The Fire Chief is authorized to recruit Members to the Fire Department and to appoint Officers in accordance with the RDOS Fire Department structure. Officers must be appointed through open competition and in accordance with the specifications in the job description, including the proficiency and training requirements specified for such position in accordance with section 15(a) hereof.
23. The CAO may request that a Fire Chief be designated by the Fire Commissioner as the local assistant to the Fire Commissioner ("LAFC") under the *Fire Services Act*. Upon such designation, the Fire Chief is responsible for carrying out the functions and fulfilling the responsibilities of an LAFC as provided in the *Fire Services Act*.
24. The IC shall have control, direction and management of all Emergency Equipment and Fire Departments assigned to an Incident.
25. In connection with an Incident, the IC, or any Member under the direction of the IC, is authorized to take measures to prevent and suppress fires, or to mitigate the Incident. The IC is empowered to cause any building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things or otherwise necessary to mitigate an Incident.
26. The IC, together with Members and Emergency Equipment, may enter at any time, buildings, premises, structures or property in connection with an Incident.
27. A Fire Department may, at any time enter, remain on, or pass through or over buildings, premises, structures or property to gain access to or to protect any person or property in connection with an Incident.



28. Each Member shall be considered a "local public officer" of the RDOS within the meaning of that term in section 738 of the *Local Government Act*, as either a volunteer firefighter of the RDOS or an employee of the RDOS, as applicable in the circumstances.
29. Members and former Members of each Fire Department, in relation to the performance of their duties as contemplated by this bylaw, are deemed to be covered by the provisions of the current version of the *Regional District of Okanagan-Similkameen Public Officers Indemnification Authorization Bylaw*.

### **Correction of Immediate Hazards**

30. Whenever the Fire Chief finds combustible or explosive material, flammable liquids or hazardous chemicals being used, stored or kept in such a manner as to constitute a threat to persons or property, the Fire Chief may, verbally or in writing, order the owner, tenant, occupant or agent responsible to remove the combustible or explosive material, flammable liquid, or hazardous chemical immediately from the building or premises.
31. Whenever the Fire Chief finds a building, structure or premise or part thereof which is unoccupied and which, in the opinion of the Fire Chief, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, the Fire Chief may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premise or part thereof in such a manner as to prevent any unauthorized use by any person while it is unoccupied.
32. In the event of an immediate hazard, if the owner, tenant, occupant or agent responsible refuses or neglects to comply with the order of the Fire Chief to remedy the hazardous condition, or if the owner, tenant, occupant or agent responsible for the building or area cannot be located, the Fire Chief may take such action as is appropriate, without notice and at the expense of the owner, and the RDOS shall recover the expense thereof with costs, in a like manner as property taxes.
33. Without limiting the generality of the foregoing, when immediate measures must be taken to avoid imminent danger of fire or risk of accident, the Fire Chief may cause the evacuation of any building or area, he may order that the building or area remain evacuated until the hazard is removed, and the Fire Chief may direct the RCMP and other municipal officials to assist in this regard.

### **Offences**

34. No person at an Incident shall obstruct, hinder or delay a Member or other person assisting or acting under the direction of the IC.
35. No person shall drive any vehicle over any Emergency Equipment, including fire hose, without the permission of the IC.
36. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any Incident, fire hydrant, cistern, or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes.

37. No person shall damage or destroy, or obstruct, impede or hinder the operation of any emergency equipment.
38. No person shall falsely represent himself as a Fire Department Officer or Member.
39. No person shall enter the boundaries or limits of an area prescribed as off limits to persons not authorized to enter by the Fire Chief or IC.

#### **Bylaw Enforcement**

40. The Designated Officer may enforce this bylaw within any Fire Protection Service Area in the RDOS. In relation to any particular Fire Protection Service Area, the Fire Chief in such area shall be responsible for the enforcement of the provisions of this bylaw. Subject to the Operational Guidelines and any direction from the Designated Officer, the Fire Chief may designate other Members to enforce this bylaw or any portion thereof.
41. Any person authorized to enforce this bylaw in a particular Fire Protection Service Area, may inspect any building or premises in such area for compliance with the requirements of this bylaw. In relation to any entry onto property or into premises, other than in connection with an Incident, the entry shall be made subject to and in accordance with:
  - (a) the provisions of section 16 of the Community Charter SBC, 2003, c. 26; and/or
  - (b) the provisions of the Fire Safety Act, SBC 2016, c. 19 and the regulations made thereunder,
  - (c) as determined to be appropriate in circumstances by the Fire Chief or his designate.
42. The Fire Chief may order any person who contravenes this bylaw to take such measures as are specified in the order to forthwith remedy the non-compliance with this bylaw.
43. The Fire Department is not required to provide an authorized service if, in the absolute discretion of the Fire Chief or IC, there is insufficient apparatus and/or trained Members to deliver such authorized service safely in accordance with applicable standards, including those set out in the Fire Services Act and Workers Compensation Act.
44. A person who commits an offense may, in addition to any other penalty, be removed from the scene of an incident by a peace officer, Fire Chief or IC.

#### **Information in an Order**

45. An order issued pursuant to this bylaw shall contain at least the following information:
  - (a) The name and address of the person upon whom the order is served;
  - (b) The day on which the offence is alleged to have been committed;
  - (c) The address of the premises under consideration;
  - (d) Reasonable particulars of this bylaw with respect to which the noncompliance is alleged;
  - (e) A requirement that the person served shall remedy the non-compliance; and

- (f) A prescribed time frame during which the non-compliance must be remedied.

### **Right to Appeal**

- 46. All orders may be appealed to the CAO.

### **Penalties**

- 47. Every person commits an offence who:
  - (a) Fails to comply with an order issued pursuant to this bylaw; or,
  - (b) Fails to provide information or assistance as required by this bylaw; or,
  - (c) Knowingly states anything false in information delivered or furnished to the Fire Chief or any Member of the Fire Department in relation to a matter governed or covered by this bylaw; or,
  - (d) Obstructs or interferes with an inspection under this bylaw.
- 48. Nothing in this bylaw shall restrict the RDOS from utilizing any other remedy that would otherwise be available to the RDOS at law.
- 49. Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.
- 50. A person commits an offence who violates any provision of this bylaw and shall be liable, on conviction:
  - (a) to a fine in the maximum amount of Ten Thousand Dollars (\$10,000.00) or to imprisonment; for no more than Six (6) months, or both; and
  - (b) in case of a continuing offence, to a further penalty for each day during which the offence continues as provided by the Offence Act, BSBC 1996, c. 338.

The penalties hereunder shall be in addition to and in substitution for any other penalty or remedy available under this bylaw, the Local Government Act, other Bylaw of the RDOS, the Fire Services Act, the Wildfire Act, SBC 2004, c. 31 or law.

- 51. Notwithstanding any section of this bylaw, where a person upon whom an order has been served fails to comply with the order and has not appealed from the order, or has appealed from the order and a decision has been rendered against him, the Board may take the necessary action to perform the work required by the order, and the Board may recover the expenses thereof with costs, in a like manner as property taxes pursuant to the provisions of the Local Government Act, s. 645.

### **Severability**

- 52. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the portion so severed.

## **Superiority Clause**

53. Wherever this bylaw sets out regulations with respect to Fire Departments and other such RDOS bylaws contain similar or contradicting regulations, this Bylaw is deemed to prevail.

## **Coming into Force**

54. This bylaw shall come into full force and effect upon final passage thereof

## **Repeal of Bylaws**

55. Upon this bylaw coming into force, the following bylaws, including all amendments thereto, are hereby repealed:
- a. Emergency Services Bylaw No. 2566, 2011
  - b. Anarchist Mountain Volunteer Fire Department Establishment Bylaw No. 2335, 2005, and all amendments thereto.
  - c. Kaleden Volunteer Fire Department Establishment Bylaw No. 1572, 1995 and all amendments thereto.
  - d. Keremeos & District Volunteer Fire Department Establishment Bylaw No 2094, 2001 and all amendments thereto.
  - e. Naramata Fire Department Establishment Bylaw No. 1652, 1995 and all amendments thereto.
  - f. Okanagan Falls Volunteer Fire Department Establishment Bylaw No. 1571, 1995 and all amendments thereto.
  - g. Tulameen & District Fire Department Establishment Bylaw No. 1580, 1995 and all amendments thereto.
  - h. Willowbrook Volunteer Fire Department Establishment Bylaw No. 1579, 1995 and all amendments thereto.

**READ A FIRST, SECOND AND THIRD TIME** this     day of     .

**ADOPTED by at least 2/3 of the Votes** this     day of

---

Board Chair

---

Chief Administrative Officer



Regional District of Okanagan Similkameen

Bylaw No. 2792, 2017

Schedule "A"

**Fire Protection Services**

As at the date this bylaw was adopted, the following Fire Protection Service Areas have been established by the RDOS and served by the corresponding Fire Departments listed below:

<b>Fire Services Establishment</b>	<b>Fire Department</b>
Bylaw 2334	Anarchist Mountain Fire Department
Bylaw 1238	Kaleden Fire Department
Bylaw 2178	Keremeos Fire Department
Bylaw 1619	Naramata Fire Department
Bylaw 1310	Okanagan Falls Fire Department
Bylaw 1574	Tulameen Fire Department
Bylaw 1388	Willowbrook Fire Department
Bylaw 1125	Provision of Fire Protection and Fire Regulation Enforcement within Service Areas within Electoral Areas D and F

The RDOS may establish or create additional Fire Protection Service Areas from time to time. Upon their creation and the establishment of the corresponding Fire Department, the Fire Service shall be deemed to be added to this Schedule A, and the Fire Department and Fire Protection Service Area covered by this bylaw.

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is qualified to provide.

Regional District of Okanagan Similkameen

Bylaw No. 2792, 2017

Schedule "B"

The following Fire Departments are authorized to provide the following Functions in accordance with this bylaw:

**Fire Suppression**

All Fire Departments

**Auto Extrication**

Anarchist Mountain Fire Department  
Kaleden Fire Department  
Naramata Fire Department  
Okanagan Falls Fire Department  
Keremeos and District Fire Department  
Areas D & F

**Emergency Medical First Responder**

Anarchist Mountain Fire Department  
Kaleden Fire Department  
Naramata Fire Department  
Okanagan Falls Fire Department  
Areas D & F

**Fire Inspection**

Okanagan Falls Fire Department  
Keremeos and District Fire Department

**Still Water Rescue**

Naramata Fire Department  
Kaleden Fire Department  
Okanagan Falls Fire Department

**Low Angle Rescue**

Anarchist Mountain Fire Department  
Kaleden Fire Department  
Keremeos and District Fire Department  
Naramata Fire Department  
Okanagan Falls Fire Department

The assistance to be provided by the Fire Department in each identified function is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

[illegible]

Anarchist Mountain Fire Department  
115 Grizzly Road  
Osoyoos, BC  
V0H 1V6

2 January 2018

Emergency Services Supervisor  
Regional District Okanagan Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9

Thank you for the opportunity to comment on the proposed RDOS Bylaw 2792 which is intended to replace Bylaw 2566, 2011. The 2017 consultant review and resulting Fire Master Plan did recommend an eventual amendment to the current bylaw in order to design a more structured and standardized Fire Service. The Anarchist Mountain Fire Department (AMFD) supports the intent of the Fire Master Plan, but there are concerns regarding the new bylaw which must be addressed prior to its approval. It is anticipated there will be a joint approach to the re-drafting of the bylaw.

There is no apparent reason for the bylaw to be rushed through the approval process with minimal consultation with the Fire Chiefs. The new Fire Safety Act has not been passed by the Legislature, so the bylaw will have to be amended as soon as the Act comes into effect. Additionally, a RDOS Fire Service governance framework must be promulgated to the Fire Departments so the command and staff, and operational and bureaucratic responsibilities, accountabilities and liabilities are clearly identified.

Below are the major elements of the bylaw which should be addressed:

1. Paragraphs 6-7 state the Designated Officer will administer, oversee and manage the Fire Service. Not stated is whether any of the liability borne by the Fire Chief will now be attributed to the Designated Officer. The Fire Chief must have the flexibility to respond to the specific needs, circumstances and public interest of his community. For example, wildfires from lightning strikes and motor vehicles are more numerous and of greater risk to the Anarchist Mountain community than structure fires, so a significant amount of the limited training time must be allocated to interface firefighting.
2. Paragraphs 13-16 read like the justification for the establishment of an additional RDOS staff position rather than the content and intent of a bylaw. The Designated Officer's required qualifications, job description and Terms of Reference should be promulgated soonest and certainly prior to the submission for approval of the bylaw.
3. Paragraph 17 states 'The Fire Chief shall report to the Designated Officer..., with such frequency and containing such detail as may be considered by the Designated Officer as necessary or appropriate'. This is an imperious statement and not appropriate in a bylaw.



4. Paragraph 18 - the phrase ' the IC may, in his or her sole discretion' over-rides the authority of the Fire Chief who is operationally responsible.
5. Paragraph 19 states the Fire Chief shall have operational responsibility and authority over the Fire Department, subject to the administrative direction and control of the Designated Officer. Bylaw 2792 definitions do not outline the authority and liability of 'administrative direction and control'. Bylaw 2566, 2011 gave 'the Fire Chief complete operational responsibility and authority ... subject to the administrative direction and control of the CAO, or his designate'. There is a definite shift in accountabilities which should be clearly defined in the bylaw.
6. Paragraph 21 - the second part of the sentence after 'RDOS' should be removed as 'without limitation' is officious and redundant.
7. Paragraphs 24-26. This bylaw changes the authorities in these paragraphs from the Fire Chief (Bylaw 2566) to the Incident Commander (IC), and could cause jurisdictional confusion at an incident. IC is defined in Bylaw 2792 paragraph 2 m (the second m which with corrected numbering should be r), but in a complex incident the IC may not be a member of the Fire Department. The Local Government Act 303, 2 states 'The authority of the fire chief under a bylaw under subsection (1) may be exercised by a person under the authority of the fire chief ...'. Therefore, the paragraphs should state 'The Fire Chief or his designate' or words to that effect to clarify that Fire Department personnel and resources remain under operational command of the Department.
8. Paragraph 40 is confusing. It states the 'Designated Officer may enforce this bylaw', yet the Fire Chiefs 'shall be responsible for the enforcement ...'.
9. Paragraphs 47-50 Penalties. A bylaw gives legal stature to its directives, and anyone who contravenes the bylaw can be charged with a criminal offence. This bylaw has numerous statements outlining the authority of the Designated Officer over the Fire Chiefs. Technically these paragraphs could be applied to any Fire Chief who does not or cannot comply with the direction of the Designated Officer and therefore, a definite disincentive to accepting a Fire Chief position.
10. The Fire Master Plan agrees with the AMFD Establishment Bylaw which identifies the requirement for the RDOS to consult with the AMFD regarding the appointment of the Fire Chief. This consultation was a condition of the transfer of AMFD assets to the RDOS and thus, cannot be deleted from subsequent bylaws.
11. As an employer and the Authority Having Jurisdiction (AHJ), the RDOS clearly has supervisory responsibilities. However, the tone of this bylaw regarding the role of the Designated Officer is overly authoritarian and reads more like a Borg manifesto than the collaborative coordination relationship recommended in the Fire Master Plan. Most of the Plan's recommendations included '... in consultation with the Fire Chiefs'. There are only two instances in the bylaw that indicate the Fire Chiefs may have input in the requirements and standards.

12. A bylaw provides legal guidelines for an organization, and is the foundation for subsequent expanding documents. There are numerous statements in this bylaw outlining the authority and tasks of the Designated Officer, many of which would be more appropriate in a Fire Service policy or standard operating procedure, and would thus, remove the Fire Chief's legal liability and the potential penalties in a situation of poor job performance.

The small Anarchist Mountain community does not have the tax base or the expertise required to meet the career fire department standards stipulated in the Playbook, but member and community safety are always the AMFD's first priority. The BC Community Charter 2 (b) states 'the Provincial government must not assign responsibilities to municipalities unless there is provision for resources required to fulfill the responsibilities'. It is reasonable to expect the intent of this statement must also apply to regional districts. The numerous responsibilities consigned to the AHJ are expensive, so the Province should provide the necessary resources and support to implement the Playbook.

The Fire Master Plan recommended the RDOS provide assistance to the Fire Departments, which could include streamlining the regulatory, training and administrative processes. For example, most of the retired members of the AMFD are highly educated and experienced leaders in industry and government services. Their knowledge and training should result in granted equivalencies towards qualifications for Officer and Chief positions. The Playbook training plans and exams require vast improvements to become useful tools, and on-line distributed learning is not available. As the AHJ, the RDOS has the power and influence to generate supportive action from the agencies that can produce these solutions to the problems and remove the barriers to success.

There must be significant changes to this bylaw before it can be endorsed by the AMFD. It is recommended that Bylaw 2792 be held in abeyance pending a thorough consultation process and endorsement by the Fire Chiefs, and the approval of the Fire Safety Act.

Sincerely,

Urs Grob  
AMFD Fire Chief  
250-689-0140

Brandy Maslowski Emergency Services Supervisor  
Mark Pendergraft Area 'A' Director  
Tony Trovao Chair RDOS Fire Chiefs

CHIEF GAUDRY - KALEDEN Changes for consideration:

MAJOR POINT OF CONCERN: The Chiefs need time to do a full review of the individual bylaws that will be repealed. IF the word VOLUNTEER is removed from the Bylaw it will have big effects.

1. Could lose \$3000 Federal Volunteer tax credit
2. Name change may conflict with Society's Act
3. It could affect volunteer recruitment/retention
4. Citizens expect more (full service) if it is not called volunteer department
5. Members want the FD to be seen as community based, not government run.
6. Consider involving the Chiefs in the debate over removing the word VOLUNTEER

Definitions;

**2(l)** Requests that we add; BCEMS terms of fire preparedness, fire response, fire recovery and fire administration. The actual terms used in BCEMS under the ICS model are;

5 – Mitigation

6 – Preparedness

7 – Response

8 – Recovery

Since the RDOS has no service for mitigation, perhaps fire administration, preparedness, response and recovery are good additions to the Bylaw.

**2(r)** Request that we add; a definition of Operational Procedure after the definition of Operational Guidelines. Research - There was no such definition found in BCEMS, the EOC Operational Guidelines or WorkSafe BC. NO ACTION REQUIRED – this goes into too much detail.

**2(n)** MISSING DEFINITION – “First Responder Program” means pre-ambulatory care by a Member trained by a recognized accredited agency and licensed by the Ministry of Health – Emergency Medical Assistant Licensing Branch. Chief Gaudry requested that we change this to be called “Emergency Medical First Responder Program.” Research – the terminology is EMAs or Emergency Medical Assistants on the Licensing Board Website. Consider defining the term: “Emergency Medical Assistant Response Program.”

**2(q)** ?

1. Request that we use the definition of “incident” from BCEMS – Research - there is no definition of “incident” in the BCEMS Guide. We could add “that resulted in or had the potential for causing injury or occupational disease.”
2. Request that we address the difference between hazardous materials and dangerous goods. Research – Dangerous Goods is defined under the Transportation of Goods Act and Hazardous Product is defined in the WorkSafeBC Handbook. Currently we mention Dangerous Goods in the Bylaw which could be defined. And Hazardous Product is something members could come into contact with so that could be added as well as defined.

**2** (lettering is out of sequence after q – back to m)

Further definitions suggested (if we end up using the terms in the bylaw);

From BCEMS:

1. "BCEMS"
2. "Emergency"
3. "Emergency Management in BC (BCEMS)"
4. "Incident Command System (ICS)"
5. "Mutual Aid Agreement"
6. "Resources"
7. "Response"
8. "Unified Command"

From EOC Operations Guidelines:

1. "coordination"
2. "emergency"
3. "mutual aid agreement" (choose best one)
4. "operational guidelines" (compare to what we have)
5. "unified command"

**9(e)** Asks that we add BCAS and RCMP since there is mention of the BCWS. Research – BCAS has to get a PEP number just like the Fire service does. BCAS fall under EMBC. RCMP have their own task numbers but use EMBC PEP numbers for fire, SAR or helicopter evac. – RESULT – BCAS and RCMP do not need to be added to the Bylaw because they fall under the EMBC PEP number. **Should we remove the mention of BCWS?** Still waiting on answer

**10.** Requests the addition of wording to allow for members to act as Traffic Control Persons (TCP). Fire Departments do it but the authority is questionable. RCMP override the authority of the Fire Chief when members are doing road traffic control. Research – All traffic control is covered in Part 18 of the WorkSafeBC OH&S Regulation.

Requests the addition of wording to allow for Water Rescue for Naramata, Keremeos and Kaleden. Research – Water Rescue is a big GRAY AREA. Inland Waters search is RCMP who would involve SAR. Known rescues involved BCAS. Anything within a fire service area (taxed) is not supported by EMBC task # for example the swamp/bog areas along the channel in Penticton. There is also some Coast Guard jurisdiction that comes into play with the Feds. In order to have anything re: water rescue in the Bylaw some serious research would need to be done. EMBC would love to get feedback from the RDOS if they decide to embark on this as they view it as a big GRAY AREA that needs to be addressed.

**11.** Request further discussion on training required outside the realm of the playbook. For example; wildfire, road rescue, over the bank rescue etc.

**18.** There is a problem with this as FDs often enlist a member to do a task associated with something they are not trained on. For example; They may be tasked to add cribbing or do directed tasks as part of a team when they are not trained in auto extrication.

19. There is a problem with the word CONTROL. Simply remove "and control" and it has the same meaning but sounds less authoritative.

20(a) Requests the removal of "the Playbook and the Workers Compensation Act" to make it more general and all encompassing. If you have those two then you should have all of the other acts, Bylaws and policies mentioned as well. (DENIS WILL SEND A LIST OF OTHERS TO MENTION)

22. Kaleden just updated and registered their society 2 years ago. The Society's process for appointing officers will contradict this Bylaw. Kaleden cannot meet the standards of the Playbook for all Officers or they will lose 5 of their 6 Officers. This also affects their Treasurer and Secretary.

23. Request - If this is going away then why is it in the Bylaw? If it has to stay in the Bylaw for now there should be wording that the Chief is not obliged to do this. It should be optional.

24. Request to ADD – "including mutual aid and conscripted personnel and equipment. They may also form unified command on certain incidents with other agencies as required."

25. Request to ADD – ", create access ways and/or fire guards."

26. Request to ADD – or property "when necessary" in connection...

27. Question – Does 26 or 27 cover damage caused by FDs and should something be included as to how those costs are to be recovered? Example; pulling down a fence to gain access. Is the RDOS responsible for replacing that?

33. Question – should this be under Correction of Immediate Hazards or Authority of the Fire Chief and IC, or should it be under both? There should be more emphasis here on Public Safety and Incident Operations than just immediate hazards.

40. Request that you remove "and any direction"

40-44 Is this only enforcement of the offences listed in 34-39 or does it cover Immediate Hazard complaints, Inspection Complaints, and Burning Complaints? Will the Fire Chief have to respond to a neighbour complaining about someone stockpiling gas cans in his garage or would that go to RDOS Bylaw on the next business day?

Suggestion – section 40-44 should be the responsibility of the Bylaw Team at the RDOs and supported by the Fire Chiefs.

CHIEF WOODFORD - TULAMEEN Changes for consideration:

Brandy addressed the issue of "empowered to order all adults present" – and Chief Woodford was in acceptance of the response and that the wording forcing citizens had to be removed.

CHIEF GROB – ANARCHIST Changes for Consideration:

Sent by email Jan. 2/18 – Brandy has not spoken to him yet.



## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** 1 February 2018

**RE:** Bylaw 2792 Comments/ Mitchell & Associates

---

**From:** Ian MacDonald [mailto:ian\_macdonald@telus.net]  
**Sent:** November 17, 2017 2:34 PM  
**To:** Mark Woods <mwoods@rdos.bc.ca>; 'Dave Mitchell' <dwmitchell@telus.net>  
**Cc:** Bill Newell <bnewell@rdos.bc.ca>; Christy Malden <cmalden@rdos.bc.ca>  
**Subject:** RE: Language check

Mark et al.,

I'm attaching a revision of the draft bylaw you sent along. It's a tad messy in the track changes version, so I've included a clean copy. I've added a number of sections & definitions, and offered some notes to draft/comments, all for consideration. A few things to note:

1. Structurally, the document could use an overhaul by someone skilled in making MS Word's styles consistent and uniform. I've kind of "brute forced" it into submission on a section-by-section basis, but it means that when stuff gets changed, copied or moved, it's apt to mess up the numbering, spacing, font type, etc.
2. As a small aside, wherever I've inserted a section cross-reference, it's linked to the section in question. So, if a preceding section gets deleted, you should be able to update the cross-reference by going to the "print document" screen, and then back (you don't actually have to print it). That way you don't have to manually track the cross-references.
3. In terms of definitions, I've moved you from using "ALL CAPS" in the definitions to initial caps, and then capitalizing the terms when used in the substantive provisions. The draft provided was inconsistent in its use of capitalization to indicate defined terms. I'm firmly of the belief that use of capitalization increases precision and therefore certainty, so opted to follow that approach.
4. Organizationally, I moved up (and added to) the sections which deal with how the Fire Departments are to operate and be overseen. There is now:

---

[https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180201/Boardreports/D.1.E. Bylaw 2792 - Consultant Summary Of Change.Docx](https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180201/Boardreports/D.1.E.Bylaw2792-ConsultantSummaryOfChange.Docx) File No: [Click here to enter](#)

text.

- a. Express provision for setting a service level (s. 12). I've also attached a version of a policy which can be modified as required.
  - b. The ability to the CAO to authorize, by policy, new Functions for individual Departments (s. 13). This authority is made subject to budget approval (if required) and any specific Board directions.
  - c. A section dealing with the Designated Officer's obligation, in consultation with the Fire Chiefs, to develop a comprehensive set of OGs, covering (among other things) incident command, OH&S, training and proficiency requirements, etc. (s. 16). You could add in to this the requirement that each Department's officer structure be standardized and set through the OGs.
  - d. A reporting obligation for fire chiefs, with the FC reporting to the DO, who reports to the CAO, who is ultimately responsible to the Board. (s. 18)
  - e. A section which expressly authorizes Departments to limit emergency response activities based on available personnel and equipment. (s. 19)
5. In the Fire Chief section, I've added reference to the "IC". While the FC will typically be the IC, it's actually the IC who needs to have the various powers to operate at and control the scene of an Incident. I've also added in some specific details for the FC's responsibilities: proper training, records keeping, annual budgets, fire investigations [see the note to draft], and care, custody and control of the Fire Department's assets (section 21).
  6. I resurrected and revised the LAFC language - but see the note to draft. It's required if you pass this bylaw before the (much delayed ) *Fire Safety Act* comes into force.
  7. I revised the language regarding entry onto property/premises during an Incident (ss. 27 & 28).
  8. In section 30, I've suggested the RDOS expressly recognize Members as being "local public officers" within the meaning of s. 738 of the *Local Government Act* and then tied them into the existing RDOS indemnification bylaw in section 31.
  9. I've suggested you delete section 33 (which deals with authorized Functions). New s. 13 gives the CAO the power to change each Department's specific authorized Functions by policy. I've suggested instead that there be a listing in a single schedule of what each Department is currently authorized to do (Schedule B), which means you can then delete Schedules C - E.
  10. I didn't really touch the "inspection for hazards" language (ss. 34 - 37)

11. The bylaw enforcement sections, order-issuing provisions, and penalty provisions need review with external counsel. In terms of bylaw enforcement (now s. 42), I've suggested that the Designated Officer, and any other RDOS employee designated in writing by the CAO, be granted the power to enforce the bylaw in any Fire Protection Service Area. Each Fire Chief is still made responsible for enforcing the bylaw in his or her particular Fire Protection Service Area.
12. In terms of "right of entry" for matters not related to an Incident, I've proffered some alternative language to consider (s. 43).
13. To avoid uncertainty, every bylaw that this new bylaw is intended to supersede, should be repealed (see my suggested language in s. 55). If you do that, then the "superiority clause", which can have uncertain effects, should be unnecessary.

As ever, we do not provide legal advice. You need to review these suggestions with external counsel or vet them through your ordinary legal processes.

Call if you have questions.

Cheers.

Ian.

**From:** Mark Woods [<mailto:mwoods@rdos.bc.ca>]

**Sent:** 14-Nov-17 3:59 PM

**To:** Dave Mitchell <[dwmitchell@telus.net](mailto:dwmitchell@telus.net)>; Ian MacDonald <[ian\\_macdonald@telus.net](mailto:ian_macdonald@telus.net)>

**Cc:** Bill Newell <[bnewell@rdos.bc.ca](mailto:bnewell@rdos.bc.ca)>; Christy Malden <[cmalden@rdos.bc.ca](mailto:cmalden@rdos.bc.ca)>

**Subject:** RE: Language check

Hi Dave/Ian,

Thank you for the continued support. I've attached a draft amendment to our Emergency Services Bylaw and would appreciate your feedback.

Cheers,  
Mark



**Mark Woods** | Community Services Manager

Regional District of Okanagan-Similkameen

101 Martin Street Penticton BC V2A 7Z3 | [www.rdos.bc.ca](http://www.rdos.bc.ca)

P 250.490.4132 | F 250.492.0063 | TFP 1.877.610.377 | E [mwoods@rdos.bc.ca](mailto:mwoods@rdos.bc.ca)

*This Communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal and/ or privileged information. Please contact the sender immediately if you are not the*

*intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.*

**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN**  
**BYLAW NO. ~~2566, 2011~~**

A bylaw to provide for the administration and operation of fire departments and for the prevention of fires, the prevention of the spread of fire, and for the preservation of life and property within the Regional District of Okanagan-Similkameen ~~(the "RDOS")~~.

WHEREAS the Local Government Act enables regional districts to establish and operate local services for the benefit of service area residents; and

WHEREAS the RDOS has established various local service areas or specified areas for the purposes of providing Fire Protection and other emergency responses, and/or is authorized to provide such services by Supplementary Letters Patent; and

WHEREAS the Board deems it expedient to regulate the operation of the Fire Departments in connection with the provision of Fire Protection and emergency services within the RDOS;

NOW THEREFORE, the Board in open meeting assembled enacts as follows:

WHEREAS section 796(1)185 of the Local Government Act, Chapter 3231, R.S.B.C. 1998 2015 provides that subject to the specific limitations and conditions established under this or another Act, a regional district may operate ~~provide any the services that the board considers are necessary or desirable for all or part of the regional district's community; and~~

WHEREAS ~~Fire Protection is a Regional regional District district Service service~~ authorized by Supplementary Letters Patent (SLP) dated March 16, 1976; and

WHEREAS the Board of the RDOS, by bylaw, has established fire protection service areas to provide fire prevention and suppression and other approved services; and

WHEREAS the Board of the RDOS deems it expedient to operate and regulate ~~Fire D~~departments to provide emergency services within the RDOS;

NOW THEREFORE, the Board of the RDOS in open meeting assembled enacts as follows:

**Short Title**

1. This ~~B~~ylaw may be cited as the "~~Emergency Regional Fire~~ Services Bylaw, Bylaw No. \*\*\*, ~~201~~\*No. 2566, 2011".



## Definitions

2. In this bylaw, including in the recitals hereto, unless the context otherwise requires, the following definitions capitalized terms have the following respective meanings apply:
- (a) **"Auto Extrication Services"** means a road rescue service using various methods and equipment to ~~disentangle-extricate~~ a trapped victim from a vehicle ~~as a result of following~~ a motor vehicle incident;
  - (b) **"Board"** means the Board of Directors of the Regional District of Okanagan-Similkameen RDOS;
  - (c) **"CAO"** means the Chief Administrative Officer for the RDOS, or an authorized representative;
  - (d) **"Dangerous Goods"** means any material or substance as defined by the *Transport of Dangerous Goods Act (Canada)*, as amended from time to time;
  - (e) **"Designated Officer"** means an employee or contractor of the Regional District of Okanagan-Similkameen RDOS, or an authorized representative, designated in writing by the CAO to administer this bylaw;
  - (f) **"Emergency Equipment"** means any vehicle, firefighting apparatus, tools and equipment providing a service to the Fire Department;
  - (g) **"Fire Chief"** means the officer in charge of a ~~fire-Fire d~~ Department, or his or her designate, as appointed by the CAO from time to time;
  - (h) **"Fire Code"** means the British Columbia Fire Code as adopted pursuant to B.C. Reg. 263/2012;
  - (i) **"Fire Department"** means the established ~~volunteer-Fire Dd~~ department for a given Fire Protection Service Area;
  - (j) **"Fire Protection"** means all aspects of fire safety including, but not limited to, fire prevention, fire suppression, pre-fire or pre- emergency planning, fire investigation, public education and information;
  - (k) **"Fire Protection Service Area"** means ~~the each~~ service area as established by the relevant ~~Fire Protection~~-Service Establishment Bylaw of the RDOS, as amended from time to time;
  - (l) **"Fire Service"** means, collectively, all each of the established volunteer-Fire Departments that has been, or which may be, are established by the RDOS in each Fire Protection Service Areaservices of the RDOS;
  - (m) **Fire Services Act** means the *Fire Services Act, R.S.B.C. 1996, c. 144*;
  - (n) **"First Responder Program"** means pre-ambulatory care by a Member trained by a recognized accredited agency and licensed by the BC Ministry of Health – Emergency Medical Assistant Licensing Branch ~~(EMALB)~~;

**Commented [IDM1]:** Consistency – either capitalize or don't. Since it's not a defined term, probably preferable *not* to capitalize it. I've changed it to lower case throughout.

**Commented [IDM2]:** Since RDOS is a defined term, you can use it here, rather than write it out. Once you have defined a term, you must use it consistently and not switch back and forth.

**Commented [IDM3]:** Note how I changed this – the earlier version seemed to contemplate that someone who is *not* an employee of the RDOS could be the D.O. – so I've added the term "contractor" and gotten rid of the "authorized representative" phrase.

- (o) **"Functions"** means specific services delivered by individual Fire Departments including, but not limited to: fire suppression, ~~a~~Auto ~~e~~Extrication, ~~medical first responder~~First Responder Programs, fire inspections and ~~r~~Rescue. Functions for individual Departments may be amended by the CAO from time to time;
- (m) **"Incident"** means a situation to which a Fire Department has responded or would ordinarily respond, including but not limited to:
- (i) where a fire or explosion has ~~occurred~~occurred, or has the potential of being imminent;
  - (ii) a motor vehicle incident or other transportation incident; ~~or~~
  - (iii) where ~~hazardous d~~Dangerous ~~g~~Goods may reasonably be expected to present a danger to persons, property or the environment; and,
  - (iv) other classes of emergencies as designated herein;
- (n) **"IC"** means ~~the Incident Commander, means being the Member in charge of an Incident in accordance with the Operational Guidelines; under the Incident Command System (ICS), as set forth under the B.C. Emergency Response Management System (BCERMS);~~
- (o) **Local Government Act** means the *Local Government Act*, R.S.B.C. 2016, c. 1 and, where relevant, includes any predecessor statutes;
- (p) **"Member"** means, subject to applicable RDOS policy and guidelines, any person appointed by the Fire Chief as a ~~M~~member of ~~the a~~ Fire Department and includes without limitations the ~~e~~Officers, firefighters, and administrative staff of the ~~department~~Fire Department;
- (q) **"Officer"** means, subject to applicable RDOS policy and guidelines, a Member appointed by the Fire Chief as an ~~O~~fficer of the Fire Department, but nothing in this ~~B~~ylaw makes such persons officers for the purposes of ~~Ss. 496-233~~ of the *Local Government Act*;
- (r) **"Operational Guidelines"** means the operational guidelines developed in accordance with this bylaw, applicable to the operations and emergency responses of each Fire Department;
- (s) **"Playbook"** means the mandatory minimum training standards set under paragraph 3(3)(b) of the *Fire Services Act* by the Office of the Fire Commissioner and approved by the Minister of Justice, entitled *British Columbia Fire Service Minimum Training Standards: Structure Firefighters – Competency and Training Playbook*, as same may be amended, revised or replaced from time to time;
- (t) **"RDOS"** means the Regional District of Okanagan-Similkameen;
- (u) **"Rescue"** means any situation where a person or persons are saved by quick and forceful action from immediate or threatened danger such as death or injury;
- (v) **"Service Establishment Bylaw"** means, in respect of each Fire Protection Service Area and related Fire Department, the service establishment or specified area bylaw.

**Commented [IDM4]:** This should be an operative provision, not part of the definition. See section

**Commented [IDM5]:** Cut the following "under the Incident Command System (ICS), as set forth under the B.C. Emergency Management System (BCERMS);

I've dealt with BCERMS and Incident Command in the operative provisions below.

or Supplementary Letters Patent, as the case may be, which creates the relevant service area and authorize the provision of fire protection and emergency response services;

- (w) “Service Level” means, in relation to each Fire Department, the service level, as contemplated by the Playbook, which each Fire Department is authorized to provide;
- (x) “Supplementary Letters Patent” mean the Supplementary Letters Patent of the RDOS dated 16 March 1976, which established the function of Division XXXIII – Fire Protection, with the Village of Keremeos and defined portions of Electoral Areas B and G of the RDOS as participating members in the service; and
- (y) “Workers Compensation Act” means the *Workers Compensation Act*, R.S.B.C., 1996, c. 492, as amended or re-enacted from time to time, including all regulations thereto.

### Interpretation

- 3. In this bylaw:
  - (a) wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the bylaw requires; and
  - (b) any reference in this bylaw to a statute, regulation, ministerial order or other bylaw, means such statute, regulation, ministerial order or other bylaw as updated, amended, revised or replaced, unless otherwise specifically noted.
- 4. This bylaw does not contemplate or extend in its purpose, to any of the following:
  - (a) the protection of any person from economic loss;
  - (b) a guarantee or warranty by the RDOS or any of its agents, as to the service level expectations of any Fire Department under this bylaw, or any other applicable codes, enactments, agreements or standards; or
  - (c) providing to any person a warranty with respect to the Functions of any Fire Department or with respect to the certainty of timely responses. The list of Functions does not, of itself, mean that each Fire Department provides such services or will, in relation to any particular Incident, be able to deliver such services.
- 5. In relation to the exercise of operational authorities or powers by the Department at or in connection with an Incident, any reference in this bylaw to the Fire Chief or IC includes any Member designated by the Fire Chief or IC, as the case may be.

### Administration**Designated Officer**

- 6. ~~The Manager of Community Services of the RDOS~~The operation of the Fire Service -shall be administered and overseen this Bylawby the Designated Officer.

7. ~~The Designated Officer shall manage the Fire Service under~~ subject to the provisions of this bylaw, any policies of the Board and the direction of the CAO.

**Commented [IDM6]:** You may want to describe what is meant by "manage" (in contrast, for example, to having operational authority in respect of an incident).

Take a look at the Columbia Shuswap bylaw for their approach in defining the role of the fire services coordinator (note, though, that they gave the position a quasi-operational role).

#### **Fire ~~Department~~ ~~Service Establishment~~ Department Continuation**

8. This bylaw applies to the Fire Services listed in Schedule A (as same may be amended from time to time), each of which has been established by the RDOS under and in accordance with the Local Government Act and/or the Supplementary Letters Patent, as applicable. The Fire Departments identified in Schedule A that have been established to provide Fire Protection and other emergency response services under the Service Establishment Bylaws are hereby continued, and shall be known by the names set forth in Schedule A. ~~The Fire Departments Services identified in Schedule "A" were created by public assent and shall be known by the name listed in the Service Establishment Bylaw and be responsible for the Fire Protection Service Area established by separate bylaw.~~

#### **Limits of Jurisdiction**

9. The jurisdiction of ~~a each~~ Fire Department, and powers granted to such Fire Department and its Fire Chief and Members under this bylaw, is are restricted to the boundaries of ~~the the~~ Fire Department's particular Fire Protection Service Area. ~~The A~~ Fire Department shall not respond to any calls for Fire Protection Incident response under this ~~B~~ bylaw outside of the boundaries of ~~the its~~ Fire Protection Service Area except as follows:

- (a) ~~W~~when, in the opinion of the IC, an Incident that occurred in the Fire Protection Service Area has spread outside such area, or which has started outside the Fire Protection Service Area but is considered to be a threat to persons or property within the Fire Protection Service Area; or

- (b) ~~W~~when a mutual or automatic aid agreement is in place requiring-permitting assistance to be provided, in which case, the response would-shall be restricted to the area covered by the mutual or automatic aid agreement; or

- ~~(b)(c)~~ in accordance with the terms of a fire service agreement with a municipality, another regional district, an improvement district, a First Nations band or other person; or

- (d) ~~W~~when there is a conscription of apparatus and ~~manpower~~ personnel during declaration of a provincial or local emergency under the *Emergency Program Act*, or

- (e) ~~W~~when authorized to leave the Fire Protection Service Area under a ~~Task~~ Number or authorization provided by Emergency Management Measures-British Columbia (EMBC), or a related provincial office at the direction or request of the Wildfire Service in connection with a wildfire or interface fire; or

- ~~(e)(f)~~ when authorized by the [Designated Officer or] CAO.

**Commented [IDM7]:** You used a "serial" "or" here, rather than just a "single" "or" at the penultimate item in the list. Whichever approach is used, it needs to be adopted consistently throughout the bylaw.

10. A Fire Department providing mutual aid or automatic aid to another Fire Department, has the operational powers and authorities provided in this bylaw. Where fire department (an "External Department"), which is not governed or established under this bylaw, provides emergency response services within a Fire Protection Service Area under a mutual aid or

automatic aid agreement with the RDOS, the External Department, in relation to any particular Incident:

- (a) shall be authorized to exercise the powers and authorities specified in the relevant mutual aid agreement or automatic aid agreement, as the case may be; or
- (b) where the relevant mutual aid agreement or automatic aid agreement does not expressly address the issue of powers and authority, shall be entitled to exercise the same powers and authority as a Fire Department under this Bylaw.

#### **Adoption of the Fire Services Act – Chapter 144 and ~~British Columbia Fire~~ Fire Code 2006**

11. It is hereby declared that the ~~current editions of the Fire Services Act – Chapter 144 and the British Columbia Fire Code, 2006 and its the regulations thereto each, (which is based on the National Fire Code of Canada), issued by the Province of British Columbia,~~ as amended from time to time, or any subsequent British Columbia legislation, regulation or Fire Code(s) which may be enacted, shall be in force in the RDOS.

#### **Scope Administration and Operation of the Fire Service**

12. The Board shall, after consideration of advice from [the CAO, the Designated Officer and the relevant Fire Chief], designate by policy the Service Level for each Fire Department in accordance with the Playbook. The Board may revise, amend or change the Service Level of any Department by revision to the relevant policy, and may provide in such policy that the Service Level may be temporarily restricted or changed by the [CAO or Designated Officer], where appropriate to do so.
13. Subject to any necessary budget approvals or directions from the Board, and subject to reporting on same to the Board, the CAO, in consultation with the Designated Officer and relevant Fire Chief, may establish, add to, change or restrict the authorized Functions for any Fire Department, provided that each Department shall always provide Fire Protection services. The Functions currently approved for each Fire Department are set out in Schedule B, but may be amended by the CAO in accordance with this section 13.
14. The ~~Emergency Services Supervisor~~ CAO or his designate is authorized to establish an appropriate training program for the Fire Service and ensure Members are qualified to safely perform the scope of work authorized by this bylaw and Functions to be performed by each Fire Department. The training program shall comply with the requirements of the Playbook and the Workers Compensation Act, and shall be appropriate to the chosen Service Level and authorized Functions of each Fire Department.
15. The ~~Emergency Services Supervisor~~ CAO or his designate is authorized to design ~~&-and~~ implement standards for the ~~fFire eService~~ with regard to ~~eEmergency eEquipment, fire-Fire protectionProtection, and fFirst rResponder pP~~ programs and other authorized Functions.

**Commented [IDM8]:** The purpose of this section is not clear to me. The *Fire Services Act* and the *Fire Code* are each universally applicable throughout the province, as an enactment of a superior level of government. They apply whether or not the RDOS declares them to be "in force".

In some jurisdictions, they adopt the fire code and make it part of the bylaw. Again, I'm not entirely clear on the rationale for that approach either – unless they are hoping that by doing so, they can treat a fire code violation as also being a bylaw violation, in respect of which they can ticket a property owner/occupier.

This should be reviewed with external counsel.

**Commented [IDM9]:** I moved and re-titled this section and expanded it considerably

**Commented [IDM10]:** Need to make sure this term is sufficiently clearly defined to set a minimum baseline for services to be provided by *all* Fire Departments

**Commented [IDM11]:** Shouldn't this be the "Designated Officer"?

**Commented [IDM12]:** Same comment as previous one



16. The Designated Officer shall, in consultation with the Fire Chiefs, develop a set of Operational Guidelines which cover the authorized Functions of each Fire Department, including matters such as:
- (a) minimum training and proficiency requirements for each position within the Fire Departments (including for Fire Chief and Officer positions);
  - (b) an incident command system compliant with the current version of the British Columbia Emergency Management System, including a process for determining which Member at an Incident will be considered the IC;
  - (c) all necessary guidelines for principal or expected emergency response activities, including, where relevant, IC assessment and size up before entry is conducted in a burning building or structure;
  - (d) the management of mutual and automatic aid responses and other extra-jurisdictional responses;
  - (e) any matters required by the *Workers Compensation Act* or the Playbook to be covered by such Operational Guidelines; and
  - (f) such other matters as the Designated Officer and Fire Chiefs may consider appropriate or necessary for the proper operation and administration of the Fire Departments.
17. The Designated Officer shall assist the Fire Chiefs and Fire Departments in developing and implementing compliant occupational health and safety programs, including covering matters such as joint committees and worker representative systems, use of self-contained breathing apparatus and workplace hazardous materials information systems.
18. The Fire Chiefs shall report to the Designated Officer on the state of operations of their respective Fire Departments, with such frequency and containing such detail as may be considered by the Designated Officer as necessary or appropriate. The CAO shall be responsible for reporting regularly (and, in any event, not less than annually) to the Board regarding the Fire Service, including on operational issues, administrative and financial matters, and the state of each Department's statutory and regulatory compliance.
19. Notwithstanding the Service Level or authorized Functions approved for any of the Fire Departments, in relation to any particular Incident response, each Fire Department shall undertake only those emergency response activities for which its responding Members are properly trained and equipped. The IC may, in his or her sole discretion, restrict or terminate emergency response activities in any circumstances where the Incident is considered to exceed the training or capabilities of the responding Members, or Emergency Equipment available to them

**Commented [IDM13]:** Consider whether you want an approval process for the OGs, or only that the DO report to the CAO (and the CAO to the Board) that the OGs have been developed and meet the requirements of the bylaw and superior provincial legislation.

#### **Authority of the Fire Chief and IC**

20. The Fire Chief shall be appointed by the CAO based on merit in accordance with RDOS policies and requirements and, once appointed, shall have ~~complete~~ operational

**Commented [IDM14]:** I added this b/c the powers really belong with the IC (who may also be the Fire Chief, but may not for a particular Incident).

responsibility and authority over the Fire Department, subject to the administrative direction and control of the CAO or his designate. For certainty, the individuals who are Fire Chiefs as at the date this bylaw comes into force, are confirmed and ratified in their respective positions.

**Commented [IDM15]:** Is this the "CAO" or the "Designated Officer"? need to determine the DO's role. My suggestion is that you make it all DO, who is subject to direction/reporting to the CAO. The exception may be with respect to authorizing extra-jurisdictional operations.

You probably should expand on the DO's role above and then cross-reference to the section (i.e., "subject to the authority of the DO and/or CAO under sections x, y, z")

In terms of Fire Chief appointment, do you also have to provide for removal?

21. Without limiting section 20 hereof, the Fire Chief of each Fire Department shall be responsible for:

- (a) implementing or managing all necessary training programs and occupational health and safety programs for the particular Fire Department which, in each case, meets all statutory and regulatory requirements, including those required by the Playbook and the Workers Compensation Act and regulations made thereunder;
- (b) ensuring that the particular Fire Department maintains all required records, including those relating to training and occupational health and safety matters;
- (c) developing, in consultation with the Designated Officer, the annual budget and five-year financial plan for the particular Fire Department in accordance with, and subject to the guidelines established by, the [Board] and subject to approval by Board;
- (d) enquiring into, investigating and recording the cause of all fires in the particular Fire Protection Service Area in accordance with the Fire Services Act or as otherwise deemed appropriate by the Fire Chief or directed by the Designated Officer;
- (e) the care, custody and control of all assets, Emergency Equipment, buildings, and other equipment in the care and control of the particular Fire Department.

**Commented [IDM16]:** CAO?

**Commented [IDM17]:** Note: under the existing Fire Services Act, this is required of LAFCs. If the Fire Chief is not an LAFC, then it technically would fall to the RCMP.

Under the new *Fire Safety Act*, as currently drafted, the RDOS would need them to do this.

22. The Fire Chief shall follow all applicable bylaws, policies, regulations and procedures of the RDOS, including, without limitation, the training program established under section 14 hereof.

23. The Fire Chief is authorized to recruit Members to the Fire Department and to appoint Officers in accordance with the RDOS Fire Department structure. Officers must be appointed through open competition and in accordance with the specifications in the job description, including the proficiency and training requirements specified for adopted by the RDOS for that such position in accordance with section 16(a) hereof.

**Commented [IDM18]:** This is not specifically described – perhaps something to put into s. 16(a) above?

24. The CAO may request that a Fire Chief be designated by the Fire Commissioner as the may assume responsibility of the local assistant to the Fire Commissioner ("LAFC") upon request to the CAO or his designate under the Fire Services Act. Upon such designation, the Fire Chief is responsible for carrying out the functions and fulfilling the responsibilities of an LAFC as provided in the Fire Services Act.

**Commented [MW19]:** No longer required?

**Commented [IDM20R19]:** Depends on when you intend to implement the new bylaw. If you are putting it in place *before* the *Fire Safety Act* comes into force, then you need to deal with this issue. You will then need to amend the bylaw to address the changes in the new FSA.

If you are going to wait, then we need to change the various definitions (e.g., the Fire Code will become a regulation under new statute, and the reference to the *Fire Services Act* will need to change).

25. The Fire Chief, or in the absence of the Fire Chief, the highest ranking Member present, shall assume the role of IC shall, have control, direction and management of all eEmergency equipment and personnel Members assigned to an incidentIncident.

26. In connection with an Incident, the IC, or any Member under the direction of the IC, is authorized to take measures to prevent and suppress fires, or to mitigate the Incident. The

~~Fire Chief IC~~ is empowered to cause any building, structure or thing to be pulled down, demolished or otherwise removed if he or she deems it necessary to prevent the spread of fire to other buildings, structures or things or otherwise necessary to mitigate an Incident.

**Commented [IDM21]:** Note: this is technically beyond the express power as provided for in the LGA, but is pretty common.

27. The IC, together with Members and Emergency Equipment, may enter at any time, buildings, premises, structures or property in connection with an Incident.
28. The IC, together with Members and Emergency Equipment, may at any time enter, remain on, or pass through or over buildings, premises, structures or property to gain access to or to protect any person or property in connection with an Incident.
29. The ~~Fire Chief IC~~ is empowered to order the evacuation of persons affected or potentially threatened by an Incident, whether within the Fire Protection Service Area or in another unincorporated portion of the RDOS, or to establish boundaries or limits and keep persons from entering the hazardous area.
30. The Fire Chief is empowered to order all adults present at a fire to assist in its suppression, if required. All persons present at or assisting in the suppression of a fire shall obey the commands of the Fire Chief.
31. ~~Any Member acting in good faith in the discharge of the duties required by this bylaw shall not be personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of those duties. Each Member shall be considered a "local public officer" of the RDOS within the meaning of that term in section 738 of the Local Government Act, as either a volunteer firefighter of the RDOS or an employee of the RDOS, as applicable in the circumstances.~~
32. Members and former Members of each Fire Department, in relation to the performance of their duties as contemplated by this bylaw, are deemed to be covered by the provisions of the current version of the Regional District of Okanagan-Similkameen Public Officers Indemnification Authorization Bylaw.

**Commented [IDM22]:** Consider whether you really want to include this power. It gives rise to a number of issues (training, liability, etc.) that are difficult to anticipate and manage.

**Commented [IDM23]:** Note: POC firefighters are not, at law, volunteers. They therefore have to be shoehorned in as employees of the RDOS to fit with s. 738 (1)(m) (instead of 738(1)(o)).

#### **Scope of Fire Departments**

**Commented [IDM24]:** See my suggested language in s. 9 – if you accept that, or a variation thereof, we can delete this and schedules C – E. I think, in one Schedule, you can identify each Department's currently authorized Functions. After that, based on the addition to the definition of Function, I've made it possible for the CAO, by policy, to authorize (or limit) Functions, subject to:

1. Necessary budget approvals
2. Reporting changes to the Board
3. Any specific board direction.

So, I would suggest deleting s. 32.

33. Fire Departments are hereby authorized to provide fire protection and other emergency services as follows:

- (a) Those Fire Departments listed in Schedule "A", attached to and forming part of this bylaw, are authorized to provide Fire Protection services in accordance with this bylaw up to the "Declaration of Service Level" determined by the Board for each Department and in conjunction with the British Columbia Structure Firefighters Competency and Training Playbook.
- (b) Those Fire Departments listed in Schedule "B", attached to and forming part of this bylaw, are authorized to provide Auto Extrication ~~if Functions Services~~ in accordance with this bylaw.

(c) Those Fire Departments listed in Schedule "C", attached to and forming part of this bylaw, are authorized to provide ~~Medical First Responder Program services~~ functions in accordance with this bylaw.

(d) Those Fire Departments listed in Schedule "D", attached to and forming part of this bylaw, are authorized to provide ~~Rescue services~~ Fire Inspections functions in accordance with this bylaw.

(e) Those Fire Departments listed in Schedule "E", attached to and forming part of this bylaw, are authorized to provide Rescue functions in accordance with this bylaw.

Fire Departments' may only provide those services they are duly qualified to provide.

#### Correction of Immediate Hazards

34. Whenever the Fire Chief finds combustible or explosive material, flammable liquids or hazardous chemicals being used, stored or kept in such a manner as to constitute a threat to persons or property, the Fire Chief may, verbally or in writing, order the owner, tenant, occupant or agent responsible to remove the combustible or explosive material, flammable liquid, or hazardous chemical immediately from the building or premises.
35. Whenever the Fire Chief finds a building, structure or premise or part thereof which is unoccupied and which, in the opinion of the Fire Chief, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, the Fire Chief may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premise or part thereof in such a manner as to prevent any unauthorized use by any person while it is unoccupied.
36. In the event of an immediate hazard, if the owner, tenant, occupant or agent responsible refuses or neglects to comply with the order of the Fire Chief to remedy the hazardous condition, or if the owner, tenant, occupant or agent responsible for the building or area cannot be located, the Fire Chief may take such action as is appropriate, without notice and at the expense of the owner, and the RDOS shall recover the expense thereof with costs, in a like manner as property taxes.
37. Without limiting the generality of the foregoing, when immediate measures must be taken to avoid imminent danger of fire or risk of accident, the Fire Chief may cause the evacuation of any building or area, he or she may order that the building or area remain evacuated until the hazard is removed, and the Fire Chief may direct the RCMP and other municipal officials to assist in this regard.

#### Offences

38. No person at an Incident shall obstruct, hinder or delay a Member or other person assisting or acting under the direction of the Fire Chief or IC.
39. No person shall drive any vehicle over any ~~Emergency equipment~~ Equipment, including fire hose, without the permission of the Fire Chief or IC.

40. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any ~~fire incident~~ Incident, fire hydrant, cistern, or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes.
41. No person shall falsely represent himself as a Fire Department Officer or Member.

#### Bylaw Enforcement

42. The Designated Officer, or any other RDOS employee designated in writing by the CAO, may enforce this bylaw within any Fire Protection Service Area in the RDOS. In relation to any particular Fire Protection Service Area, the Fire Chief in such area shall be responsible for the enforcement of the provisions of this bylaw. Subject to the Operational Guidelines and any direction from the Designated Officer, the Fire Chief may designate other Members to enforce this bylaw or any portion thereof.
43. Without limiting the right of entry ~~of a Member~~ during an Incident provided for in sections 27 and 28 hereof, the Fire Chief any person authorized under section 42 to enforce this bylaw in a particular Fire Protection Service Area may inspect any building or premises, and for such purpose may at all reasonable hours, and upon producing proper identification, enter into and upon the building or premises to conduct an inspection to determine compliance with the provisions of this bylaw.

**Commented [IDM25]:** Depending on what happens to the new *Fire Safety Act*, you may need to broaden this authority to all unincorporated portions of the RD.

**Commented [MW26]:** Or his designate?

#### Consider this alternative formulation for section 43:

43. Any person authorized under section 42 to enforce this bylaw in a particular Fire Protection Service Area, may inspect any building or premises in such area for compliance with the requirements of this bylaw. In relation to any entry onto property or into premises, other than in connection with an Incident, the entry shall be made subject to and in accordance with:

(a) the provisions of section 16 of the *Community Charter*, and/or

(b) the provisions of the *Fire Safety Act* and the regulations made thereunder,

as determined to be appropriate in circumstances by the Fire Chief, or his or her designate.

**Commented [IDM27]:** Section 238(1) of the LGA makes s. 16 of the CC applicable to regional districts. See also s. 418 of the LGA, and consider building in a x-ref to that in s. 51.

44. The Fire Chief may order any person who contravenes this bylaw to take such measures as are specified in the order to forthwith remedy the non-compliance with this bylaw.

#### Information in an Order

45. An order issued pursuant to this bylaw shall contain at least the following information:
- (a) The name and address of the person upon whom the order is served;
  - (b) The day on which the offence is alleged to have been committed;
  - (c) The address of the premises under consideration;



- (d) Reasonable particulars of this bylaw with respect to which the noncompliance is alleged;
- (e) A requirement that the person served shall remedy the non-compliance; and
- (f) A prescribed time frame during which the non-compliance must be remedied.

#### Right to Appeal

46. All appeals orders may be appealed to the CAO.

**Commented [IDM28]:** These provisions need solid review with external counsel

#### Penalties

**Commented [IDM29]:** Does the RDOS have a ticket bylaw? Can that be used as an enforcement mechanism?

47. Every person commits an offence who:

- (a) Fails to comply with an order issued pursuant to this bylaw; or,
- (b) Fails to provide information or assistance as required by this bylaw; or,
- (c) Knowingly states anything false in information delivered or furnished to the Fire Chief or any Member of the Fire Department in relation to a matter governed or covered by this bylaw; or,
- (d) Obstructs or interferes with an inspection under this bylaw.

48. Nothing in this Bylaw shall restrict the RDOS from utilizing any other remedy that would otherwise be available to the RDOS at law.

49. Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

50. A person commits an offence who violates any provision of this bylaw and shall be liable, on conviction:

- (a) to a fine in the maximum amount of Ten Thousand Dollars (\$10,000.00) or to imprisonment; for no more than Six (6) months, or both; and
- (b) in case of a continuing offence, to a further penalty for each day during which the offence continues as provided by the Offence Act.

The penalties hereunder shall be in addition to and in substitution for any other penalty or remedy available under this bylaw, the *Local Government Act*, other Bylaw of the RDOS, the *Fire Services Act* or law.

**Commented [IDM30]:** This needs external counsel review

51. Notwithstanding any section of this bylaw, where a person upon whom an order has been served fails to comply with the order and has not appealed from the order, or has appealed from the order and a decision has been rendered against him, the Board may take the necessary action to perform the work required by the order, and the Board may recover the expenses thereof with costs, in a like manner as property taxes.

#### Severability

52. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted

without the severed section, subsection, paragraph, subparagraph, clause or phrase.

**Commented [IDM31]:** Hmm... could probably just say: "without the portion so severed".

### Superiority Clause

53. Wherever this Bylaw sets out Fire Service Regulations with respect to Fire Departments and other such RDOS bylaws contain Fire Service Regulations, this Bylaw is deemed to prevail.

**Commented [IDM32]:** Let's make sure we repeal ALL of the other bylaws, so this section never needs to be invoked.

Note that the capitalized term "Fire Service Regulations" is not defined.

### Coming into Force

54. This bylaw shall come into full force and effect upon final passage thereof.

### Repeal of Bylaws

55. Upon this bylaw coming into force, the following bylaws, including all amendments thereto, are hereby repealed:

- (a) [list out bylaws to be repealed]
- (b)
- (c)
- (d)

READ A FIRST, SECOND AND THIRD TIME this day of .

ADOPTED by at least 2/3 of the Votes this day of

**Commented [IDM33]:** Is this required?

\_\_\_\_\_  
RDOS Board Chair

\_\_\_\_\_  
Chief Administrative Officer

Regional District of Okanagan Similkameen

Bylaw No. ~~2566, 2011~~

Schedule "A"

Fire Protection Services

~~The following Fire Departments are authorized to provide all aspects of fire protection in accordance with this bylaw. As at the date of this bylaw was adopted, the following Fire Protection Service Areas have been established by the RDOS, served by the corresponding Fire Departments listed below:~~

**[Note to draft: I'd recommend that you list the relevant establishment bylaw, plus name of the Fire Protection Service Area and official name of the Fire Department. Based on the list below, it appears you may be re-naming some of the Departments – make sure that fits their intentions as well.]**

Service Establishment Bylaw	Fire Protection Service Area	Fire Department

~~The RDOS may establish or create additional Fire Protection Service Areas from time to time. Upon their creation and the establishment of the corresponding Fire Department, the Fire Service shall be deemed to be added to this Schedule A, and the Fire Department and Fire Protection Service Area covered by this bylaw.~~

Anarchist Mountain ~~Volunteer~~ Fire Department  
Kaleden ~~Volunteer~~ Fire Department  
Keremeos ~~and District Volunteer~~ Fire Department  
Naramata ~~Volunteer~~ Fire Department  
Okanagan Falls ~~Volunteer~~ Fire Department  
Tulameen ~~Volunteer~~ Fire Department  
Willowbrook ~~Volunteer~~ Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is qualified to provide.

Regional District of Okanagan Similkameen

Bylaw No. ~~2566, 2011~~

Schedule "B"

Auto Extrication Functions Services

The following Fire Departments are authorized to provide auto extrication services in accordance with this bylaw:

Anarchist Mountain Volunteer Fire Department  
Kaleden Volunteer Fire Department  
Naramata Volunteer Fire Department  
Okanagan Falls Volunteer Fire Department  
Keremeos and District Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Regional District of Okanagan Similkameen

Bylaw No. 2566, 2011

Schedule "C"

Medical First Responder Program Functions Services

The following Fire Departments are authorized to provide First Responder Program Services in accordance with this bylaw:

Kaleden Volunteer Fire Department  
Naramata Volunteer Fire Department  
Okanagan Falls Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.



Regional District of Okanagan-Similkameen

Bylaw No. ~~2566, 2011~~

Schedule "D"

Fire Inspection Functions Service

The following Fire Departments are authorized to provide a Fire Prevention Program in accordance with this bylaw:

Okanagan Falls Volunteer Fire Department  
Keremeos and District Volunteer Fire Department

The program to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Regional District of Okanagan Similkameen

Bylaw No. ~~2566, 2011~~

Schedule "E"

Rescue Functions Services

The following Fire Departments are authorized to provide the following specialized rescue services in accordance with this bylaw:

**Still Water Rescue**

Naramata Volunteer Fire Department  
Kaleden Volunteer Fire Department  
Okanagan Falls Volunteer Fire Department

**Swiftwater Rescue**

None at this time

**Ice Rescue**

None at this time

**Low Angle Rescue**

Anarchist Mountain Volunteer Fire Department  
Kaleden Volunteer Fire Department  
Keremeos and District Volunteer Fire Department  
Naramata Volunteer Fire Department  
Okanagan Falls Volunteer Fire Department

**Hi-Angle Technical Rope Rescue**

None at this time

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

## ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 1, 2018

RE: Dog Control / Animal Control Contract and Bylaw Enforcement Officer Contract

---

### **Administrative Recommendation:**

THAT a three (3) year contract for combined Dog Control Services for Electoral Areas "A", "B", "C", "D", "E", "F", "G" and for Animal Control Services for Electoral Areas "B" and "G" be awarded to South Okanagan Security Services Ltd.; and

THAT a three (3) year contract for regulatory Bylaw Enforcement Officer services for Electoral Areas "A", "B", "C", "D", "E", "F", "G" and "H" be awarded to South Okanagan Security Services Ltd.

### **Purpose:**

The purpose of the contracts are to secure service providers to respond to and investigate dog, animal, noise, land use, untidy and unsightly property and other regulatory bylaw related complaints within RDOS Electoral Areas "A", "B", "C", "D", "E", "F", "G" and "H".

### **Business Plan Objective:**

To be a high performing organization; and  
To optimize the customer experience.

### **Background:**

K9 Control has held the Animal and Dog Control service contract since February 1, 2015, but their contract expired on December 31, 2017. As this contract has expired, the Regional District has sought a new Service Provider for Animal and Dog Control Services through the Request for Proposal process.

The Service Provider engaged to investigate and enforce RDOS regulatory bylaws within the RDOS since 1999 has been South Okanagan Security Services Ltd. RDOS Administration has been very pleased with the consistency and quality of services offered by South Okanagan Security Services Ltd. over the years and has received few complaints about their service. However, their contract expired a number of years ago, and their services have been retained on a month-to-month basis. Prior to considering a new contract, Administration also extended a Request for Proposal process for Bylaw Enforcement Services, in addition to Animal and Dog Control.

## Analysis:

The RDOS advertised for both an Dog and Animal Control Enforcement provider and Bylaw Enforcement Officer provider through two separate Request For Proposals (RFP) processes. There were two respondents to the Animal and Dog Control RFP, and a brief description of the proposal submitted by each respondent are summarized below:

- 1) Lyver Bylaw Services submitted an Expression of Interest for Animal Control Services and are prepared to provide domestic animal control services, but not for services for livestock or other animals. Services as offered include complaint driven responses for call out on an as-needed basis. They propose an hourly rate of \$100.00 / hour with a minimum call out of 4 hours for every call. Any required training would be borne by the RDOS which would include full pay for personnel attending as well as reimbursement for mileage and all other expenses related to the training. Officers would be equipped with shirt and/or jacket identifying them as an RDOS Animal Control Officer, a passenger vehicle, cell phone, flashlight and appropriate outer wear as needed.
- 2) South Okanagan Security Services Ltd. (SOS) submitted a proposal for both the Animal Control Officer and the Bylaw Enforcement Officer. For the proposal for dog and animal control services, the total cost was \$6,800 per month, including up to 6000 km mileage per year, with a charge of 0.49 cents per kilometer for any excess mileage above 6000 km, and requests an increase of 3.5% per year for living allowance. The vehicle used for RDOS Animal Control and as supplied by SOS would be professionally identified as RDOS Animal Control Officer.

Using the RDOS proposal rating table (as provided in the released Request for Proposals) for assessing the submissions for the Animal Control Officer proposal, Lyver Bylaw Services scored 57 points out of 100 and South Okanagan Security Services Ltd. scored 70 points out of 100.

The point spread in favour of South Okanagan Security Services Ltd. is justified below:

- Officer availability 48 hours per week for animal control;
- Flexible to be able to provide services over the weekend;
- Officers are trained and costs (uniforms, tools, vehicle) are included;
- Consistency of investigative methods;
- Knowledge of RDOS area(s); and
- Administrative benefits to have one Service Provider for all enforcement related concerns.

On this basis, Administration is recommending awarding the Dog and Animal Control contract to SOS Security Services Ltd. at an upset limit of \$6,800 per month. This provides an forecasted annual expense amount of \$81,600 for Animal Control contract services, while the current 2018 budget includes an amount of only \$70,000. Therefore, Administration also recommends increasing the 2018 budget for Animal Control contracted services by \$12,000 to reflect the increase.

There was only one submission in response to our Request for Proposal process for a Bylaw Enforcement Officer, which was from South Okanagan Security Services Ltd. Their proposal provided a rate of \$35.00 per hour and 0.49 cents per kilometer of mileage plus applicable taxes. Mileage for travel within Electoral Area 'H' is proposed at a slightly higher rate of 0.50 cents per kilometer due to the many rough dirt roads causing heavier wear and tear on the vehicles. For callouts to Noise Bylaw complaints, and because of the late hours experienced, there would be a minimum call out charge of 2 hours for any noise complaints investigated between 10:00 p.m. and 8:00 a.m.

Due to only one submission, and continued happy level of service experienced with South Okanagan Security Services Ltd., Administration is recommending awarding the Bylaw Enforcement services contract to SOS Security Services Ltd. Their proposal provides a \$6.00 dollar increase on their hourly rate (from \$29.00/hour to \$35.00/hour), so there may be a budgetary impact in 2018. On this basis, Administration also recommends increasing the 2018 budget for Bylaw Enforcement contracted services from \$27,000 to \$31,000 (a difference of \$4,000).

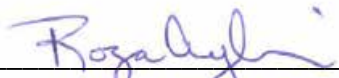
If the Board proceeds with the awarding these contracts, the above changes will be updated to the 2018 budget prior to third reading. Administration is recommending entering 3 year contracts with the Service Provider for both Animal Control and Bylaw Enforcement services.

**Alternatives:**

**THAT Administration is requested to expand the area(s) for advertising of the Request For Proposals for Animal and Dog Control services and Bylaw Enforcement services and to re-issue the Request for Proposals process to seek additional qualified proponents.**

**Respectfully submitted:**

**Endorsed by:**



R. Aylwin, Bylaw Enforcement Coordinator



B. Dollevoet, Development Services Manager



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** Appointment of Bylaw Enforcement and Animal Control Officers

---

### **Administrative Recommendation:**

**THAT the Regional District Board rescind all current appointments of Bylaw Enforcement Officers and Animal Control Officers for the Regional District of Okanagan Similkameen; and**

**THAT the Regional District Board appoint Don Lowndes, of South Okanagan Security Services Ltd. as an Animal Control Officer for the Regional District of Okanagan Similkameen; and**

**THAT the Regional District Board appoints Don Moore, Ken Stockmann, and Cliff Hooper of South Okanagan Security Services Ltd., each as a Bylaw Enforcement Officer and an Animal Control Officer for the Regional District of Okanagan Similkameen.**

### **Background:**

South Okanagan Security Services Ltd. has been contracted to provide investigation and enforcement services under the RDOS Dog Control Bylaw, RDOS Animal Control Bylaw and other regulatory bylaws that may require investigation and/or enforcement of provisions contained therein.

In consideration that there have been many appointments of Officers throughout the years to provide enforcement services, some of which that may not have been rescinded, a resolution to rescind all current appointments is suggested to ensure that the only persons that are authorized to act as Officers for the purpose of investigating and enforcing regulatory bylaws are persons employed by the current service provider.

### **Analysis:**

The Board of Directors has authorized RDOS Administration to enter into contracts to provide investigation and enforcement services to the Regional District for the purposes of the RDOS Dog Control Bylaw, RDOS Animal Control Bylaw and other regulatory bylaws that may require investigation and/or enforcement of provisions contained therein. These appointments are necessary to permit the Officers to enter onto private properties to investigate and ensure that RDOS regulatory bylaws are not being contravened, in accordance with the RDOS Bylaw Enforcement Procedures Policy (adopted Dec. 19, 2013).

### **Alternatives:**

1. To not rescind or appoint any new Animal Control and Bylaw Enforcement Officers for the RDOS.

Respectfully submitted:

Endorsed by:

  
\_\_\_\_\_  
R. Aylwin, Bylaw Enforcement Coordinator

  
\_\_\_\_\_  
B. Dollevoet, Development Services Manager

# ADMINISTRATIVE REPORT

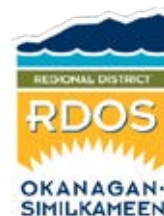
TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 1, 2018

RE: RDOS Fees and Charges Bylaw No. 2787, 2018

---



## Administrative Recommendation:

THAT Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018 be read a first and second time.

---

## Reference:

*Local Government Act*  
*January 18, 2018 Corporate Services Committee report*

## Background:

Through the *Local Government Act*, the Regional District has the authority to impose fees and charges for services that are provided. Prior to 2010, the Regional District fees and charges were located within a number of different bylaws; however, in that same year an all-encompassing Fees and Charges Bylaw was brought in for ease of reference and review on an annual basis.

Although the bylaw can be amended throughout the year, administration brings the bylaw forward for review and amendment in conjunction with the budget process.

## Analysis:

At the January 18, 2018 meeting, the Corporate Services Committee received a copy of the bylaw in a marked-up version, along with a report detailing the proposed changes. Discussion on the bylaw resulted in no additional changes; therefore the bylaw is before the Board for first and second readings.

## Communication Strategy:

The Regional District of Okanagan-Similkameen Fees and Charges bylaw is posted annually on the RDOS Website and will be the topic of a future Regional Reflections article to help citizens understand the various fees and charges they may be subject to.

## Respectfully submitted:

*"Christy Malden"*

---

C. Malden, Manager of Legislative Services

---

## Fees and Charges Bylaw No. 2787, 2018

---

# Table of Contents

## **Schedule 1 – Corporate Services Fees**

1.0	Photocopies .....	1
2.0	Finance Fee .....	1
3.0	Mapping .....	1
4.0	Digital Data .....	1
5.0	GIS Services for Municipalities, Provincial and Federal Agencies .....	1
6.0	Human Resources Services for Municipalities .....	2
7.0	IT Services for Municipalities .....	2

## **Schedule 2 – Building Permit Fees**

1.0	Plan Processing .....	3
2.0	Building Permit .....	3
3.0	Plan Review .....	3
4.0	Locating/Relocating a Building .....	4
5.0	Demolishing a Building or Structure .....	4
6.0	Plumbing Permits .....	4
7.0	Solid Fuel Burning Devices .....	4
8.0	Re-inspection Fees .....	4
9.0	Health and Safety Inspections.....	4
10.0	Transfer Fee .....	4
11.0	File Searches and Comfort Letters .....	4
12.0	Deficiency Inspection Permit for Removal of Notice on Title .....	5
13.0	Permit Extension Fee .....	5
14.0	Legal Documents .....	5
15.0	Covenants .....	5

## **Schedule 3 – Planning and Development Fees**

1.0	Official Community Plan (OCP) amendment .....	6
2.0	Zoning Bylaw or Land Use Contract (LUC) amendment .....	6
3.0	Temporary Use Permit .....	6
4.0	Development Permit .....	6
5.0	Development Variance Permit .....	6
6.0	Board of Variance Appeal .....	6
7.0	Floodplain Exemption .....	6
8.0	Strata Title Conversion .....	6
9.0	Campsite Permit .....	6
10.0	Mobile Home Park Permit .....	7
11.0	Applications to the Agriculture Land Commission (ALC) .....	7



12.0	File Searches .....	7
13.0	Legal Documents .....	7
14.0	Covenants .....	7
15.0	Comfort Letters .....	7
16.0	Letters of Concurrence .....	7

#### **Schedule 4 – Bylaw Enforcement Services Fees**

1.0	Animal Control Fees .....	8
2.0	Dog Licensing Fees .....	8
3.0	Replacement of Lost, Destroyed or Mutilated Tags .....	8
4.0	Burning Permit Fees .....	8
5.0	Recovery of Collection Fees for Fines .....	8

#### **Schedule 5 – Public Works and Engineering Services Fees**

##### **Section 1 –Development Fees**

1.0	Examination Fees for the Subdivision of Land .....	9
2.0	Water Meter Vault, Appurtenances, and Installation Fees .....	9

##### **Section 2 – Development Cost Charge and Capital Cost Charge Fees**

1.0	Okanagan Falls Sewer Development Cost Charges .....	10
2.0	Naramata Water System Development Cost Charges and Capital Expenditure Charges .....	10
3.0	Olalla Water System Capital Expenditure Charge .....	10
4.0	Faulder Community Water System Development Cost Charges .....	10
5.0	Westbench Water System Capital Expenditure Charge .....	10
6.0	Gallagher Lake Water Connection Cost .....	10
7.0	Willowbrook Water Connection Cost .....	10
8.0	Sun Valley Water Capital Expenditure Charge .....	10
9.0	Gallagher Lake Sewer Connection Cost .....	11

##### **Section 3 – Water System Fees**

1.0	Naramata Community Water System and Street Lighting .....	12
2.0	Olalla Water System .....	13
3.0	Faulder Water System .....	13
4.0	West Bench Water System .....	13
5.0	Gallagher Lake Water System .....	14
6.0	Willowbrook Water System.....	15
7.0	Sun Valley Water System .....	15
8.0	General Water Service .....	15

## **Section 4 – Sewer System Fees**

1.0	Okanagan Falls Sewer User Rates .....	16
2.0	Gallagher Lake Sewer System .....	17
3.0	General Sewer Service .....	18

## **Section 5 – Cemetery Fees**

1.0	Naramata Cemetery .....	19
-----	-------------------------	----

## **Section 6- Curbside Solid Waste Collection and Drop Off Fees**

1.0	All service participants .....	20
-----	--------------------------------	----

## **Section 7 – Sanitary Landfill Fees**

1.0	Includes Campbell Mountain, Okanagan Falls, Oliver Landfills and Keremeos Waste Transfer Station .....	22
-----	---	----

## **Schedule 6 – Parks and Recreation Fees**

1.0	Naramata Parks and Recreation .....	29
2.0	Okanagan Falls Parks and Recreation .....	29
3.0	Kaleden Parks and Recreation .....	30
4.0	Keremeos Parks and Recreation .....	31

## **Schedule 7 – Transit Fees** ..... 33

## **Schedule 8 – Freedom of Information and Protection of Privacy Request Fees**

1.0	Schedule of Maximum Fees .....	34
-----	--------------------------------	----

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BYLAW NO. 2787, 2018

---

A bylaw to set fees and charges for Regional District services and information.

---

**WHEREAS** the *Local Government Act* provides that the Board may by bylaw establish fees and charges for various Regional District services and information;

**AND WHEREAS** in accordance with Section 397 [imposition of fees and charges] and Section 462 [fees related to applications and inspections] of the *Local Government Act*; the Regional Board wishes to establish fees and charges which reflect cost recovery for services and information provided;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

### 1 - Citation

- 1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018**.

### 2 – Fees and Charges

- 2.1 Wherever this Bylaw sets out fees and charges with respect to other Regional District bylaws and such other bylaws contain similar fees and charges, the Fees and Charges Bylaw shall prevail.
- 2.2 Wherever this Bylaw sets out fees and charges for work done or services provided to land or improvements, the Regional District may recover the costs of undertaking the work in the same manner and with the same remedies as property taxes.
- 2.3 The schedule of fees to be imposed for the provision of goods, services and information as specified in Appendix 'A' Schedules 1 to 7 attached hereto, and forming part of this bylaw, is hereby established.

### 3 – Effective Date

- 3.1 This bylaw shall come into effect on April 15, 2018.

### 4 - Repeal

- 4.1 Bylaw No. 2771, 2017 is repealed upon adoption of this bylaw.

**READ A FIRST AND SECOND TIME** this day of xx day of March, 2018.

**READ A THIRD TIME AND ADOPTED** this xx day of March, 2018.

---

RDOS Board Chair

---

Corporate Officer

## **Schedule 1 – Corporate Services Fees**

---

### **1.0 - Photocopies**

8.5" x 11"	\$0.25/page
8.5" x 14"	\$0.35/page
11" x 17"	\$0.50/page
24" x 36"	\$2.50/page

### **2.0 - Finance Fees and Charges**

2.1 Utility Search Fee – \$20.00

2.2 Utility rates will be billed as set out in this bylaw and if remain unpaid after the due date, a percentage addition of ten percent of the amount thereof shall be added on the following working day.

In default of any such owner making any such payment or payments as in such agreement made and provided, the Collector for the Regional District shall add such amount in default to the taxes of such lot or parcel of land on the Collector's Real Property Tax Roll and thereafter such amount shall be deemed to be taxes against the said property and shall be dealt with in the same manner as taxes against the said property would be dealt with under the provisions of the *Local Government Act* and *Community Charter*.

2.3 Processing fee for payments returned by the financial institution – \$30.00

### **3.0 - Mapping**

3.1 Legal, civic and zoning 1:5,000 scale maps are available to the public in the following formats:

- Hardcopy maps at a price of \$15 per map.
- Digital format (Adobe PDF) set of maps for price of \$30 per CD.

3.2 Cost for miscellaneous hard copy maps in GIS warehouse directory is \$35 per map.

3.3 Cost for creation of custom maps is \$80/hr. A minimum charge of \$140 is required with a minimum notice of 15 working days by the applicant.

### **4.0 - Digital Data**

4.1 RDOS will provide GIS data available at no charge on the RDOS FTP site as per Item 1.0 of Enterprise Unit Data and Services Policy.

### **5.0 - GIS Services for Municipalities, Provincial and Federal Government**

5.1 Access to existing RDOS internal internet mapping application will be \$2,933 /year.

5.2 Creation of a municipal specific internet mapping application with functionality in addition to or different from the RDOS internal application as per Item 2.1 of Enterprise Unit Data and Services Policy will be available at a cost of \$4,989 per year.

- 5.3 Specific GIS services as per items 2.2 and 2.3 of Enterprise Unit Data and Services Policy will be available at a cost of \$45.90 /hr for the GIS Assistant, \$58.73/hr for GIS Analyst/Programmer \$80.47 /hr for IS Manager, \$53.28/hr for the Systems Administrator and \$44.67/hr for the IT Technician/Programmer.
- 5.4 GIS Services will be available to the public at a cost of \$ 100/hr with a minimum payment of 2 hours provided the Information Services Manager determines the RDOS has the resources to complete the project.

## **6.0 - Human Resources Services for Municipalities**

- 6.1 Human Resources services will be available to municipalities as per items 3.1 and 3.2 of Enterprise Unit Data and Services Policy. Services will be available at a cost of \$71.19/hr for the HR Manager and \$48.38/hr for HR Coordinator.

## **7.0 - IT Services for Municipalities**

- 7.1 IT services will be available to municipalities as per items 4.1 and 4.2 of the Enterprise Unit Data and Services Policy will be available at a cost of \$53.28 /hr for the Systems Administrator and \$ 44.67/hr for IT Technician/Programmer, \$45.90/hr for the GIS Assistant and \$80.47/hr for the IS Manager.



**1.0 - Plan Processing Fee**

- 1.1 The fee for plan processing shall be \$150.00 for projects with an estimated construction value less than \$100,000. The fee for plan processing for projects valued over \$100,000.00 shall be \$500.00.

**2.0 - Building Permit – to be determined as follows:**

- 2.1 \$12.00 for each \$1,000.00 of construction value up to \$500,000.00;  
\$10.00 for each \$1,000.00 of construction value between \$500,000.01 and \$1,000,000.00; and  
\$6.00 for each \$1,000,000 of construction value after \$1,000,000.01
- 2.2 The minimum permit fee for a permit, or a series of permits on the same parcel of land, issued at the same time is \$150.00 (with the exception of a permit for a solid fuel-fired appliance).
- 2.2 using Table A-1 for detached single family dwellings, duplex dwellings where one dwelling is not located above the other dwelling and buildings that are accessory to these buildings; or,
- 2.3 using the declared contract value for all construction other than that work included in paragraph 1. above, except that if the declared value is contested by the building official the value will be established using the Marshal & Swift Residential Cost Hand Book or the RS Means Square Foot Costs Handbook.

**Table A-1**

Proposed <i>construction</i>	Value per square meter	Value per square foot
One storey*	\$1453	\$135
Finished basement	\$538	\$50
Each Additional Storey	\$807	\$75
Enclosed structure or Garage**	\$430	\$40
Sundeck (no roof)	\$323	\$30
Roof only	\$215	\$20
Unenclosed structure or carport	\$269	\$25
Pool	\$377	\$35

\*The fee covers slab on grade, crawlspaces and unfinished basements

\*\*The minimum permit fee for a structure over 55 m<sup>2</sup> shall be \$300

**3.0 - Plan Review Fee**

- 3.1 Submissions of revised drawings once a zoning or building code review has been completed will result in a minimum charge of \$100. In addition, an hourly rate of \$50 will be charged if the revised drawings require more than 1 hour of review.

#### **4.0 - Locating/Relocating a Building**

- 4.1 The fee for a permit authorizing the locating or relocating of a building or *structure* including the value of any additions or modifications, shall be calculated at 0.7 of the fees set out in Table A-1.
- 4.2 A modular home or manufactured home installed in accordance with Z-240.10.1, including the value of any additions or modifications shall be calculated at 0.5 of the fees set out in Table A-1.

#### **5.0 - Demolishing a Building or Structure**

- 5.1 The fee for a permit authorizing the demolition of a building or structure shall be \$150.00.

#### **6.0 - Plumbing Permits**

- 6.1 The permit fee for each plumbing fixture shall be \$10.00 per fixture, when the plumbing permit is issued in conjunction with a building permit, and \$10.00 per fixture plus an administration fee of \$100 when a plumbing permit is issued separately.
- 6.2 The plumbing permit fee may be reduced up to 25% (minimum fee \$150) with submission and approval of plumbing system layout drawings by a TQ certified tradesperson (plumber) for single family new construction and renovation projects.

#### **7.0 - Solid Fuel Burning Devices**

- 7.1 The permit fee for the installation of solid fuel burning appliances, fireplaces and chimneys shall be \$100.00 per appliance.

#### **8.0 - Re-inspection Fees**

- 8.1 The fee for a re-inspection shall be \$100.00.

#### **9.0 – Health and Safety Inspection**

- 9.1 The fee for any inspection to confirm health & safety requirements as set out in the BC Building Code shall be \$100.00.

#### **10.0 - Transfer Fee**

- 10.1 The fee for the transfer of a permit as set out in the RDOS Building Bylaw shall be \$100.00.

#### **11.0 - File Searches\* and Comfort Letters (\*for routinely releasable records only)**

- 11.1 Information recovery from archived files \$30.00
- 11.2 Information recovery from building permit files and property folio files:
  - i) first ½ hour of time spent \$0.00
  - ii) each additional ¼ hour spent after first ½ hour of time \$10.00
- 11.3 Digital copies of archived files materials (if available) \$15.00  
(includes approved RDOS USB memory stick)

11.4 The fee for comfort letters shall be \$100.00 per property to determine building bylaw compliance.

## **12.0 - Deficiency Inspection Permit for Removal of Notice on Title**

12.1 The fee for a deficiency inspection permit and subsequent removal of a Notice on Title shall be \$250.00. The fee for a deficiency re-inspection shall be \$100.00.

## **13.0 - Permit Extension Fee**

13.1 The fee for permit extension shall be \$100.00

## **14.0 - Legal Documents**

14.1 Title search \$25.00

14.2 Covenants, Right of Ways, Easements,  
Plans and similar documents: actual cost of document (minimum \$25.00)

## **15.0 - Covenants**

15.1 Preparation of a Covenant \$500.00

15.2 Covenant Discharge \$250.00

### **Schedule 3 – Planning and Development Fees**

---

#### **1.0 Official Community Plan (OCP) amendment**

- |     |  |            |
|-----|--|------------|
| 1.1 | Application fee  | \$1,000.00 |
| 1.2 | Joint Zoning Bylaw Amendment fee                                       | \$1,500.00 |
|     | plus: i) \$25.00 per dwelling unit and/or parcel in excess of four (4) |            |

#### **2.0 Zoning Bylaw or Land Use Contract (LUC) amendment**

- |     |  |            |
|-----|--|------------|
| 2.1 | Application fee  | \$1,000.00 |
|     | plus: i) \$25.00 per dwelling unit and/or parcel in excess of four (4) |            |

#### **3.0 Temporary Use Permit**

- |     |                 |          |
|-----|-----------------|----------|
| 3.1 | Application fee | \$700.00 |
| 3.2 | Renewal fee     | \$350.00 |

#### **4.0 Development Permit**

- |     |                                      |          |
|-----|--------------------------------------|----------|
| 4.1 | Application fee:                     |          |
|     | i) Delegated Development Permit      | \$300.00 |
|     | ii) Non-Delegated Development Permit | \$600.00 |
|     | iii) Expedited Development Permit    | \$150.00 |
| 4.2 | Amendment to a Permit fee:           |          |
|     | i) Delegated Development Permit      | \$300.00 |
|     | ii) Non-Delegated Development Permit | \$300.00 |
|     | iii) Expedited Development Permit    | \$150.00 |

#### **5.0 Development Variance Permit**

- |     |                 |          |
|-----|-----------------|----------|
| 5.1 | Application fee | \$400.00 |
|-----|-----------------|----------|

#### **6.0 Board of Variance Appeal**

- |     |                 |          |
|-----|-----------------|----------|
| 6.1 | Application fee | \$500.00 |
|-----|-----------------|----------|

#### **7.0 Floodplain Exemption**

- |     |                 |          |
|-----|-----------------|----------|
| 7.1 | Application fee | \$400.00 |
|-----|-----------------|----------|

#### **8.0 Strata Title Conversion**

- |     |  |          |
|-----|--|----------|
| 8.1 | Application fee                            | \$150.00 |
|     | plus: i) \$150.00 for each additional unit |          |

#### **9.0 Campsite Permit (Bylaw 713)**

- |     |   |          |
|-----|---|----------|
| 9.1 | Application fee                         | \$150.00 |
|     | plus: i) \$15.00 for each camping space |          |
| 9.2 | Renewal fee                             | \$150.00 |

**10.0 Mobile Home Park Permit (Bylaw 2597)**

10.1 Application fee	\$150.00
plus: i) \$30.00 for each mobile home space	
10.2 Renewal fee	\$150.00

**11.0 Applications to the Agriculture Land Commission**

11.1 Application fee	\$1500.00
----------------------	-----------

**12.0 File Searches** (for routinely releasable records only)

12.1 Information recovery from archived files	\$30.00
12.2 Information recovery from a property folio:	
i) first ½ hour of time spent	\$0.00
ii) each additional ¼ hour spent after first ½ hour of time	\$10.00

**13.0 Legal Documents**

## 13.1 Documents from Land Titles Office and BC Registries and Online Services:

i) State of Title	\$25.00
ii) Covenants, Right of Ways, Easements, Plans and similar documents:	actual cost of document (minimum \$25.00)

**14.0 Covenants**

14.1 Discharge of a Statutory Covenant	\$250.00
14.2 Preparation or Amendment of a Statutory Covenant	\$500.00

**15.0 Comfort Letters**

15.1 "Comfort Letter" for compliance with bylaws or zoning	\$100.00
--	----------

**16.0 Letter of Concurrence for Communication Towers** \$400.00

NOTE: The number of dwelling units and/or parcels referred to at Sections 1.2 and 2.1 shall be determined by either using the maximum density of dwelling units permitted per hectare of land in the proposed zone or designation, or by dividing the area of the land proposed to be re-designated or zoned by the minimum parcel size requirement of the proposed zone or designation, whichever yields the greatest number.



## **Schedule 4 – Bylaw Enforcement Fees**

---

### **1.0 Animal Control Fees**

- 1.1. Impoundment Fees – Dogs (other than Dangerous Dogs)
- first impoundment in any calendar year \$ 50.00
  - second impoundment in any calendar year \$100.00
  - third impoundment in any calendar year \$250.00
  - each subsequent impoundment in any calendar year \$500.00
- 1.2 Impoundment Fees – Dangerous Dogs
- each impoundment \$1,000.00
- 1.3 Maintenance Fees
- each twenty-four (24) hour period, or part thereof \$ 20.00
  - Dangerous Dog \$30.00
- 1.4 Veterinary Costs Incurred costs as invoiced by Veterinarian

### **2.0 Dog Licensing Fees:**

- 2.1 Intact Males and Non Spayed Females \$ 50.00  
Spayed Females and Neutered Males \$ 20.00  
Certified Guide or Assistance Dog no charge
- 2.2 notwithstanding 2.1, the licence fee for a dog that has reached 24 weeks in the same licencing year shall be prorated to a minimum amount of \$5.00
- 2.3 Where an owner presents proof that a dog was spayed or neutered in the same calendar year as the dog licence, the difference in licence fee shall be reimbursed for that calendar year, provided that the reimbursement is requested within the same calendar year as the licence.

### **3.0 Replacement of Lost, Destroyed or Mutilated Tags:**

- 3.1 replacement of any lost, destroyed or mutilated tag \$ 5.00

### **4.0 Burning Permit Fees**

- 4.1 Open Air Burning Permit (valid for one year) **Bylaw 2364**  
\$30.00

### **5.0 Recovery of Collection Fees For Fines**

- 5.1 To recover costs during collection process **Bylaw 2507**  
as incurred

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 1- Development Fees**

### **Bylaw 2000**

#### **1.0 Examination Fees for the Subdivision of Land:**

- |     |   |           |
|-----|---|-----------|
| 1.1 | Subdivision Administration Fee          | \$ 400.00 |
| 1.2 | Simple lot intended to be created       | \$ 500.00 |
| 1.3 | Strata lot/unit intended to be created  | \$ 500.00 |
| 1.4 | Boundary Adjustments, per lot altered   | \$ 100.00 |
| 1.5 | Revision of subdivision referrals, each | \$ 150.00 |

If the revision results in additional lots to be created then 1.2 or 1.3 shall apply. If the revision results in a reduction of lots then no refund is given.

#### **1.6 Review Fee**

A development/subdivision design review fee of whichever the greater between \$500 or equal to one percent of the construction cost (approved estimate by the Regional District) of works and services which are reviewed by the Regional District, shall be paid to the Regional District before a development/subdivision is approved.

#### **1.7 Inspection Fee**

An inspection fee equal to three percent of the construction cost (approved estimate by the Regional District) of works and services which are owned and operated by the Regional District and that are reviewed or inspected by the Regional District, shall be paid to the Regional District before a subdivision is approved.

The inspection fee is not payable if the owner submits a certificate from a professional engineer that all works and services have been inspected by the engineer and have been completed in accordance with the requirements of this bylaw.

#### **2.0 Water Meter Vault, Appurtenances and Installation Fees**

- 2.1 For all newly created lots a fee will be paid a time of subdivision for each lot that lies within a Water Service Area owned and operated by the Regional District as follows:

- |       |                       |             |
|-------|-----------------------|-------------|
| 2.1.1 | ¾ to 1 ½ inch Service | \$1,500/lot |
| 2.1.2 | 2 inch Service        | \$2,000/lot |
| 2.1.3 | 4 inch Service        | \$3,000/lot |

The fee includes the cost for the water meter and meter installation.

- 2.2 The fees in 2.1 may also apply to zoning amendment applications.

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 2 - Development Cost Charges & Capital Expenditure Fees**

<b>1.0 Okanagan Falls Sewer Development Cost Charges</b>	<b>Bylaw 2486</b>
1.1 Single detached dwelling per lot/per dwelling unit	\$9,500.00
1.2 Duplex per dwelling unit	\$9,500.00
1.3 Townhouse per dwelling unit	\$6,800.00
1.4 Apartment per dwelling unit	\$6,800.00
1.5 Commercial per m <sup>2</sup> gross floor area	\$ 30.00
1.6 Industrial per m <sup>2</sup> gross floor area	\$ 30.00
1.7 Institutional per m <sup>2</sup> gross floor area	\$ 27.00
<b>2.0 Naramata Water System Development Cost Charges and Capital Expenditure Charges</b>	<b>Bylaw 1804 NID Bylaw 443</b>
2.1 Development Cost Charges Zone A	
2.1.1 Single Family Residential at Subdivision	\$5,700/parcel
2.1.2 Multi Family Residential at Building Permit	\$5,700/dwelling
2.2 Capital Expenditure Charges – Zone A, B & C	
2.2.1 Single Family Residential	\$5,700/service
2.2.2 Multi-Family Residential	\$5,700/lot
2.2.3 Cottage	\$5,700/service
<b>3.0 Olalla Water System Capital Expenditure Charges</b>	<b>OID Bylaw 32</b>
3.1 Mobile Home Capital Expenditure Charge	\$1,000/unit
3.2 Capital Expenditure Charge	\$ 800/parcel
<b>4.0 Faulder Community Water System Development Cost Charges</b>	<b>Bylaw 1894</b>
4.1 Single Family Residential	\$4,200/parcel
<b>5.0 West Bench Water System Capital Expenditure Charge</b>	<b>WBID Bylaw 101</b>
5.1 Capital Expenditure Charge	\$3,000/parcel
<b>6.0 Gallagher Lake Water Connection Cost</b>	<b>Bylaw 2644</b>
6.1 Each water service	\$1,500.00
<b>7.0 Willowbrook Water New Connection Cost</b>	<b>Water Tariff No. 5</b>
7.1 Each domestic service	\$1,000.00
<b>8.0 Sun Valley Water</b>	<b>SVID Bylaw 14</b>
8.1 Capital Expenditure Charge Subdivision	\$1,000.00/Lot

## 9.0 Gallagher Lake Connection Costs

## Bylaw 2645

### 9.1 Sewer – Single Family Equivalent Units (SFU)

Each SFU equivalent unit in this section will have a Connection Cost of \$6,000.00.

Use	Person per Unit	SFU Equivalency	\$6000.00 Per
<b>Residential</b>	2.50 <sup>1</sup>	1.000	Dwelling
<b>Motel Unit</b>			2 Units
<b>Camp/RV Site</b>			2 Sites
<b>Commercial</b>	0.013 <sup>2</sup>	0.0052	193 m <sup>2</sup>
<b>Industrial</b>	0.006 <sup>2</sup>	0.0024	417 m <sup>2</sup>
<b>Institutional</b>	0.01 <sup>2</sup>	0.004	250 m <sup>2</sup>

Note: 1: RDOS' *Gallagher Lake & Vaseux Lake Areas Liquid Waste Management Plan*

2: The Ministry of Community, Sport of Cultural Development, *Provincial Best Practices for Development Cost Charges*

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 3 – Water System Fees—not to exceed maximum of:**

<b>1.0 Naramata Community Water System and Street Lighting</b>	<b>Bylaw 2377</b>
1.1 Basic User Fee	\$ 1,035/house
1.2 Grade A Domestic	\$ 288/acre
1.3 Grade A Irrigation	\$ 275/acre
If land is deemed to be non-irrigable, residents may apply for exemption based on an agrologist's report	
1.4 Grade B	\$ 178/parcel
1.5 Development Charge – applicable when no Basic User Fee attached to property	\$ 146/parcel
1.6 Street Lighting	\$ 6/parcel
<b>In addition to the above user fees, the following will also apply:</b>	
1.7 each garage, service station, coffee shop, cafe, business office, beauty salon, dog kennel, neighbourhood pub, hobby shop, an annual charge of	\$ 214
1.8 each farm winery and/or store and winery with restaurant, an annual charge of	\$ 426
1.9 each Packing house an annual charge of	\$ 1,153
1.10 each school an annual charge of	\$ 4,785
1.11 each Naramata Centre an annual charge of	\$ 10,880
1.12 each guesthouse, summer cabin or picker's cabin an annual charge of	\$ 178/unit
1.13 each residence where the owner has for year round use (or rental) living units, suites, guest cottages or cabins, an annual per unit charge of	\$ 889/unit
1.14 each motel or auto court an annual charge of	\$ 157/unit
1.15 each resort an annual charge of	\$ 157/unit
1.16 each bed and breakfast an annual charge of	\$ 314
1.17 each tent and trailer court an annual charge of	\$ 825
1.18 each multiple family dwelling, duplex, apartment block or condominium, an annual charge of	\$ 889/unit
for each family unit, except that one such unit in each building shall be exempt.	
1.19 each bunkhouse an annual charge of	\$ 364
1.20 each single irrigation service connection a charge in accordance with the following:	
1.20.1 Three quarter inch (3/4")	\$ 90
1.20.2 One Inch (1")	\$ 90
1.20.3 One and One Quarter Inch (1 1/4")	\$ 90



1.20.4	One and One Half Inch (1 1/2")	\$ 90
1.20.5	Two Inches (2")	\$ 90

## **2.0 Olalla Water System**

## **Bylaw 2381**

### **2.1 User Fees**

2.1.1	Single Family Dwelling	\$ 381/each
2.1.2	Businesses	\$ 381/each
2.1.3	Trailer Space	\$ 381/unit
2.1.4	Motels	\$ 381/unit
2.1.5	Apartments	\$ 200/unit

## **3.0 Faulder Water System**

## **Bylaw 1179**

### **3.1 User Rates**

By taxation

## **4.0 West Bench Water System User Rates**

## **Bylaw 2555**

CATEGORY	BASE RATE	METERED CONSUMPTION USAGE
4.1 Water – Single Family	190.41/quarter	plus 0.309/cubic meter
4.2 Water - Vacant Lot	177.48/quarter	unmetered
4.3 Water - Multi Family	190.41/quarter	plus 0.309/cubic meter
4.4 Water - Park	190.41/quarter	plus 0.309/cubic meter
4.5 Water - School	190.41/quarter	plus 0.309/cubic meter
4.6 Water - Farm	190.41/quarter	plus 0.154/cubic meter
4.7 Water - Business	190.41/quarter	plus 0.309/cubic meter
4.8 Water - Utility	182.10/quarter	unmetered

4.9 Water – WBID Loan Payment (Debt ends 2023) \$23.25 quarter/parcel

4.10 Water – Reserve Fund \$28.75 quarter/parcel

## 5.0 Gallagher Lake Water System

### 5.1 Flat Rates

	Type of Use	Unit of Charge	Annual Rates
<b>5.1.1</b>	<b>Residential</b>		
5.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 663
5.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 520
5.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 252
5.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 332
<b>5.1.2</b>	<b>Commercial</b>		
5.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 293
5.1.2.2	Motel or Hotel	per room	\$ 221
5.1.2.3	Campground	per site	\$ 78
5.1.2.4	Restaurant, Beverage Room, or Distillery:	less than 25 seats	\$637
		25 to 49 seats	\$ 946
		each additional 25 seats or increment	\$ 315
5.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 633
5.1.2.6	Laundromat	per machine	\$ 192
5.1.2.7	Car Wash	per wand	\$ 192
5.1.2.8	Church	per unit	\$ 411
5.1.2.9	Hospital, Extended Care or Long-Term Care Facility	per bed	\$ 411
5.1.2.10	School	per classroom	\$ 411
5.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,088

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The rate for churches and halls is only intended where the premises are used for holding regular meetings. Where other uses are made of the building the appropriate user rates shall also apply.

### 5.2 Metered Rates

All consumption shall be charged at the rate of \$0.57 per cubic metre.

## **6.0 Willowbrook Water System**

6.1 Per property connection	\$1,008.50
-----------------------------	------------

## **7.0 Sun Valley Water System**

7.1 Annual Domestic Rate (Grade A) per Parcel includes a 6 gallon per minute water allotment.	\$ 1736
---	---------

7.2 In addition to the above Annual Base Rate Per Parcel with the exception of Grade I the following Irrigation rates apply:

Grade A1	Shall comprise of every parcel of land with a 3 gallon per minute dole valve.	\$ 137
----------	---	--------

Grade B	Shall comprise of every parcel of land with a 12 gallon per minute dole valve.	\$ 546
---------	--	--------

Grade C	Shall comprise of every parcel of land with an 18 gallon per minute dole valve.	\$ 819
---------	---	--------

Grade D	Shall comprise of every parcel of land with a 24 gallon per minute dole valve.	\$ 1,092
---------	--	----------

Grade E	Shall comprise of every parcel with a 30 gallon per minute dole valve.	\$ 1,364
---------	--	----------

Grade F	Shall comprise of every parcel of land with a 36 gallon per minute dole valve.	\$ 1,637
---------	--	----------

Grade G	Shall comprise of every parcel of land with a 39 gallon per minute dole valve.	\$ 1,774
---------	--	----------

Grade H 1	Shall comprise of every parcel of land with a 175 gallon per minute dole valve.	\$ 7,970
-----------	---	----------

Grade H 2	Shall comprise of every parcel of land with a 120 gallon per minute dole valve.	\$ 5,466
-----------	---	----------

Grade I	Shall comprise of every parcel of land to which water cannot be supplied.	\$ 781
---------	---	--------

7.3 Out of Season Irrigation	1.25/day x gpm delivered per dole valve	\$ 98
------------------------------	---	-------

## **8.0 General Water Services**

8.1 Hydrant Permit	\$ 30 / day
8.2 Hydrant Permit – Backflow Prevention Device	\$ 30 / day
8.3 Deposit for Hydrant Use	\$ 500 / rental
8.4 Connection Charge	\$ 350 / each
8.5 Inspection and Administration Fee	\$ 100 / each
8.6 Water Turn-On Fee	\$ 20
8.7 Valve Turn Request	\$ 20

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 4 – Sewer System Fees not to exceed a maximum of:**

#### **1.0 Okanagan Falls Sewer User Rates**

#### **Bylaw 1707**

The following rates do not apply if the owner is in possession of a Sewer Use Contract of Section 14 of the Okanagan Falls Special Service Area Sewerage Regulation Bylaw.

<b>Category</b>	<b>Annual Billing Rate</b>
Single Family Dwelling/Townhouse/Duplex	\$ 862
Apartment per unit	\$ 732
Mobile home park/per unit	\$ 775
Motel/Hotel per unit	\$ 345
Restaurant/Lounge/Pub	\$ 2,585
School per classroom	\$ 775
Church, Library, Community Hall & Drop-in Centres	\$ 948
Small Business, office building (20 employees or less)	\$ 948
Larger Business, office building (greater than 20 employees)	\$ 1,981
Supermarket	\$ 2,498
Service Station	\$ 1,551
Industrial/Commercial (20 employees or less)	\$ 1,034
Industrial/Commercial (20 to 50 employees)	\$ 1,981
Industrial/Commercial (greater than 50 employees)	\$ 2,585
Coin operated car wash	\$ 5,169
Laundromat (per washing machines)	\$ 689
Campground/Washroom per site	\$ 345
Shower/washroom	\$ 345

## 2.0 Gallagher Lake Sewer System

### 2.1. Flat Rates

	Type of Use	Unit of Charge	Annual Rates
<b>2.1.1</b>	<b>Residential</b>		
2.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 414
2.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 324
2.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 159
2.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 206
<b>2.1.2</b>	<b>Commercial</b>		
2.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 414
2.1.2.2	Motel or Hotel	per room	\$ 304
2.1.2.3	Campground	per site	\$ 53
2.1.2.4	Restaurant , Beverage Room or Distillery:	less than 25 seats	\$ 757
		25 to 49 seats	\$ 1,131
		for each additional 25 seats or increment	\$ 377
2.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 754
2.1.2.6	Laundromat	per machine	\$ 224
2.1.2.7	Car Wash	per wand	\$ 224
2.1.2.8	Church	per unit	\$ 439
2.1.2.9	Hospital, Extended Care or Long-Term Care Facility	per bed	\$ 439
2.1.2.10	School	per classroom	\$ 439
2.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,076

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The user rate for churches and halls is only intended where the premises are used for holding



regular meetings. Where other types of uses are made of the building the appropriate user rates shall also apply.

## **2.2 METERED RATES**

Where sewer flows for a particular property or use are determined, by the RDOS or designate, to be in excess of the recoverable flat rate, the property in question will be invoiced based on one of the following:

- 2.2.1 Sewer users with an effluent or sewage flow meter shall be charged at the rate of \$0.78 per cubic metre of measured effluent.
- 2.2.2 For metered water users without effluent flow meters, the charge for use of the sewage system shall be calculated as 80% of the recorded volume of metered water used times a rate of \$0.78 per cubic metre.

## **3.0 General Sewer Services**

- |     |                                 |             |
|-----|---------------------------------|-------------|
| 3.1 | Connection Charge               | \$ 350      |
| 3.2 | Inspection & Administration Fee | \$ 100/each |

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 5 – Cemetery Fees**

#### **1.0 Naramata Cemetery**

**Bylaw 2023**

Regional District of Okanagan-Similkameen, 101 Martin Street, Penticton, BC V2A 5J9  
Naramata Cemetery located at 3315 Bartlett Road, Naramata, BC.

<b>1.1 PLOT RESERVATION LICENSE FEES:</b>	
Burial Plot: resident (\$124 allocated to reserve)	\$495
Burial Plot non-resident (\$240 allocated to reserve)	\$660
Cremation Plot: resident (\$42 allocated to reserve)	\$165
Cremation Plot non-resident (\$80 allocated to reserve)	\$220
<b>1.2 INTERMENT OPENING AND CLOSING FEES:</b>	
Burial Plot: 240 cm depth or greater	\$660
Cremation Plot:	\$110
<b>1.3 EXHUMATION OR DISINTERMENT OPENING AND CLOSING FEES:</b>	
Burial Plot:	\$650
Cremation Plot:	\$150
<b>1.4 OPENING OR CLOSING FOR INTERMENT/ EXHUMATION/DISINTERMENT OTHER THAN DURING NORMAL BUSINESS HOURS:</b>	
Fee in addition to that applicable under item 1.2 or 1.3 above for burial plot:	\$220
Fee in addition to that applicable under item 2 or 3 above for cremation plot:	\$220
<b>1.5 ISSUANCE OF LICENSE/PERMIT OTHER THAN DURING NORMAL BUSINESS HOURS, OR LESS THAN 24 HOURS PRIOR TO SCHEDULED INTERMENT:</b>	
Fee in addition to that applicable under item 1, 2 or 4 above:	\$100
<b>1.6 INSTALLATION OF MEMORIAL MARKER:</b>	\$ 94
(\$10 allocated to reserve)	
<b>1.7 GRAVE LINER:</b>	\$275
<b>1.8 CREMATION URN VAULT:</b>	
Small	\$ 55
Regular	\$ 65
Large	\$ 80
<b>1.9 PICTURE OF INTERRED FOR INTERNET</b>	
one time charge (optional)	\$ 50

<b>2.0</b>	<b>TEXT</b>	
	for internment to a maximum of 200 words, (optional)	\$ 50
<b>2.1</b>	<b>SCATTERING GARDEN</b>	
	Fee for Scattering Garden Plaque	\$200
	Fee for Scattering Gardens Care Fund	\$ 50

## **Schedule 5 – Public Works and Engineering Services Fees**

---

### **Section 6      Curbside Solid Waste Collection and Drop-Off Service Fees**

Fees for improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service by defined service area:

6.1	Electoral Area “A”.	\$125 per premise per year
6.2	Electoral Area “B”.	\$125 per premise per year
6.3	Electoral Area “C”.	\$140 per premise per year
6.4	Participating areas of Electoral Area “D” excluding Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$125 per premise per year
6.5	Participating areas of Electoral Area “D” within Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$145 per premise per year
6.6	Participating areas of Electoral Areas “E”.	\$145 per premise per year
6.7	Participating areas of Electoral Area “F”.	\$145 per premise per year
6.8	Electoral Area “G”.	\$150 per premise per year
6.9	Village of Keremeos.	\$115 per premise per year
6.10	Tag-a-Bag as defined by the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw	\$1.50 each
6.11	Properties that have active commercial bin collection of refuse located on the property in question that request residential collection of recycled materials only	\$45.00 per premise per year.

## Schedule 5 – Public Works and Engineering Services Fees

### Section 7- Sanitary Landfills

Bylaw 2723.01

#### **Campbell Mountain, Okanagan Falls, Oliver Landfills and Keremeos Waste Transfer Station**

1.0 The general TIPPING FEE is per metric tonne per load, or when stated per unit, when each SOLID WASTE is SOURCE SEPARATED, not CONTAMINATED and DISPOSED in the DESIGNATED LOCATION. Capitalization of a word indicates that it is defined in the Waste Management Service Regulatory Bylaw.

TIPPING FEE charges that are in addition to the general TIPPING FEE listed in Section 1.1 to 1.4 are identified in 2.0.

<b>1.1 REFUSE</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load and see 1.0
REFUSE	\$110.00	\$110.00 Must not contain items listed in Section 2.13.	\$110.00	\$110.00 Must not contain items listed in Section 2.12	\$5.00 minimum charge. Okanagan Falls Landfill cannot accept FOOD WASTE.

<b>1.2 DEMOLITION, RENOVATION, CONSTRUCTION MIXED LOAD SOLID WASTE</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load and see 1.0
ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 to 500 kg; \$500.00 portion above 500 kg	\$90.00 to 500 kg; \$125.00 portion above 500 kg	\$90.00 to 500 kg; \$500.00 portion above 500 kg	Not Accepted	<b>RDOS approval form required.</b> \$25.00 minimum charge.
NON-SERVICE AREA ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	Not Accepted	\$150.00	Not Accepted	Not Accepted	<b>RDOS approval form required.</b> Materials generated outside the SERVICE AREA of a SITE.
NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 to 500 kg; \$700.00 portion above 500 kg	\$150.00 up to 500 kg; \$500.00 portion above 500 kg	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	Not Accepted	\$50.00 minimum charge.
CONSTRUCTION MIXED LOAD	\$200.00 to 500 kg; \$700.00 portion above 500 kg	\$90.00 to 500 kg; \$125.00 portion above 500 kg	\$200.00 to 500 kg; \$700.00 portion above 500 kg	Not Accepted	<b>RDOS approval form required.</b> \$25.00 minimum charge.



<b>1.3 RECYCLABLES (see Charge Information with each SOLID WASTE)</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load, or as stated per unit, and see 1.0
Alarms (smoke, CO detectors)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.
Antifreeze (liquid & containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted.
ASPHALT	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
ASPHALT SHINGLES	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
BATTERIES LEAD-ACID, BATTERIES - HOUSEHOLD	\$0.00	\$0.00	\$0.00	\$0.00	Lead acid, Household.
CERAMIC FIXTURES and Ceramic Tile	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETE	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETE BULKY	\$60.00	\$60.00	\$60.00	Not Accepted	Means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm. \$50.00 minimum charge.
CORRUGATED CARDBOARD	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities.
FRUIT WASTE	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$5.00 minimum charge for loads greater than 500 kg
FRUIT/GRAIN BY- PRODUCT	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	
GLASS CONTAINERS	\$0.00	\$0.00	\$0.00	\$0.00	Clean, empty. Commercial volumes accepted in <b>DESIGNATED LOCATION</b>
GYSPUM BOARD-NEW	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge.
GYSPUM BOARD NON- RECYCLABLE	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge
Lighting (fixtures and bulbs)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.

<b>1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load, or as stated per unit, and see 1.0
MASONRY	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge
Mattress or Box Spring	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	Any size.
Mercury containing materials (thermostat switches)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted HHW Facility.
METAL	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg. Under 2.4 meters (8 ft.) in length and/or width.
Oil (used motor oil, filters and containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted. HHW Facility. (Limit of 20 gallons per load per day).
OPERATIONALLY BENEFICIAL	\$0.00	\$0.00	\$0.00	\$0.00	As determined by the MANAGER.
Paint - residential	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted (limit of 20 gallons per load per day).
PRESSURIZED TANKS - <b>Large</b>	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	4.5 kg (10 lb.) capacity or greater.
PRESSURIZED TANKS - <b>Small</b>	\$0.00	\$0.00	\$0.00	\$0.00	Less than 4.5 kg (10 lb.) capacity.
PRODUCT STEWARDSHIP MATERIALS	\$0.00	\$0.00	\$0.00	\$0.00	Acceptable PRODUCT STEWARDSHIP MATERIALS and acceptable quantities from within the SERVICE AREA.
REFRIGERATION UNIT (Fridges, Freezers, AC units etc.)	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES. If ODS is removed provide acceptable certification.
RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE	\$0.00	Not Accepted	See Oil, Paint Antifreeze, Lighting	Not Accepted	Residential quantities accepted. Oliver LF accepts only what is listed.
RESIDENTIAL PACKAGING	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
RESIDENTIAL POLYSTYRENE PACKAGING	\$0.00	Not Accepted	\$0.00	\$0.00 see Charge Information	Not CONTAMINATED.
RESIDENTIAL PLASTIC FILM	\$0.00	Not Accepted	\$0.00	\$0.00	Not CONTAMINATED.

<b>1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load, or as stated per unit, and see 1.0
RESIDENTIAL PRINTED PAPER	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
RESIDENTIAL RECYCLING-UNSORTED	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge. Not CONTAMINATED.
ROCKS	\$20.00	\$20.00	\$20.00	\$20.00	Not greater than 40 cm in any direction. \$5.00 minimum charge.
TAR AND GRAVEL ROOFING	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
TIRE	\$0.00	\$0.00	\$0.00	\$0.00	Maximum 10 per load/day.
TIRE – with rims	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	Maximum 10 per load/day.
TIRE-OVERSIZE	\$500.00	\$500.00	\$500.00	\$500.00	Per Metric Tonne
WOOD PRODUCT CONTAMINATED	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE-TREE STUMP	\$50.00	\$50.00	\$50.00	\$50.00	\$10.00 minimum charge.
YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
YARD WASTE SMALL DIMENSION	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>No Charge</b> when loads contain only chipped yard waste, grass, and/or leaves.
<b>Compost Sales</b>	For Campbell Mountain Landfill compost sales, contact City of Penticton. Compost site is operated by the City of Penticton.				

<b>1.4 Authorized CONTROLLED WASTE</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load or as indicated and see 1.0
AGRICULTURAL ORGANIC MATERIAL	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. <b>Penalties will apply if not suitably prepared.</b>
AGRICULTURAL PLASTIC	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. <b>Penalties will apply if not suitably prepared.</b>
ASBESTOS CONTAINING MATERIALS (ACM)	\$0.00 see Charge Information	Not Accepted	\$0.00 see Charge Information	Not Accepted	RDOS approval <b>required</b> . <b>PROHIBITED WASTE</b> when not suitably contained and <b>DISPOSED</b> of.
BULKY WASTE	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge.
BURNED MATERIALS that have been allowed to cool for no less than a two-week period.	\$200.00	Not Accepted	\$200.00	Not Accepted	<b>RDOS approval required.</b> \$5.00 minimum charge.
CARCASSES	\$50.00	Not Accepted	\$50.00	Not Accepted	\$10.00 minimum charge.
CLINICAL/ LABORATORY STERILIZED WASTE	\$200.00	Not Accepted	\$200.00	Not Accepted	\$50.00 minimum charge
Condemned foods	\$200.00	Not Accepted	\$200.00	Not Accepted	<b>RDOS approval required.</b> \$50.00 minimum charge.
Foundry Dust	\$150.00	Not Accepted	\$150.00	Not Accepted	\$50.00 minimum charge
ILLEGALLY DUMPED WASTE	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. Regular charges will apply if not RDOS approved prior to <b>DISPOSAL</b> .
INFESTED VEGETATION	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>Penalties will apply if not DISPOSED</b> of in <b>DESIGNATED LOCATION</b> .
INVASIVE PLANTS	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>Penalties will apply if not DISPOSED</b> of in <b>DESIGNATED LOCATION</b> .
LEAD-BASED PAINT coated materials	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>PROHIBITED WASTE</b> when not suitably <b>DISPOSED</b> of.
PROHIBITED WASTE – authorized	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge. RDOS approval required.
Sludge and Screenings from municipal sewage treatment plants	\$110.00 see Charge Information	Not Accepted	\$110.00 see Charge Information	Not Accepted	\$50.00 minimum charge. RDOS approval required. If not RDOS approved prior to <b>DISPOSAL</b> a charge of \$200 M/T will apply with a \$50.00 minimum.

<b>1.4 Authorized CONTROLLED WASTE continued</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load or as indicated and see 1.0
SOIL CLEAN	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required.
SOIL CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	Soil Relocation Application required.
Soil Relocation Application	\$250.00 per application	\$250.00 per application	\$250.00 per application	Not Applicable	RDOS approval required.
SOIL SMALL VOLUME CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	RDOS approval required.
WOOD-PRESERVED	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>PROHIBITED WASTE</b> when not suitably DISPOSED of.
WOOD WASTE INDUSTRIAL	\$300.00	\$300.00	\$300.00	Not Accepted	\$50.00 minimum charge.
WOOD WASTE-SMALL DIMENSION	\$200.00	\$200.00	\$200.00	Not Accepted	

**2.0 The following charges are in addition to the general charges outlined above in 1.0 to 1.4, shall also apply:**

- 2.1 Any REFUSE that is deposited at the ACTIVE FACE or REFUSE BINS, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD that contains CONTROLLED WASTE or RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.
- 2.2 Any SOLID WASTE load that is deposited in a DESIGNATED LOCATION and that is CONTAMINATED or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.
- 2.3 DISPOSING of unauthorized PROHIBITED WASTE in a manner contrary to the RDOS approved protocol shall be charged \$500 per tonne with a \$300 minimum charge, or as determined by the MANAGER.
- 2.4 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.
- 2.5 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.
- 2.6 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the load is DISPOSED and shall be based on the WEIGHT- NET, difference in weight between the WEIGHT - GROSS and the WEIGHT - TARE of the empty VEHICLE.



- 2.7 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.
- 2.8 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program shall pay a fee as determined by the REGIONAL DISTRICT.
- 2.9 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.
- 2.10 SOLID WASTE generated by LOCAL GOVERNMENT IMPROVEMENTS are exempt from tipping fees when prepared and DISPOSED of in a manner approved by the MANAGER.
- 2.11 Any SOLID WASTE generated outside the designated Landfill SERVICE AREA that is DISPOSED of at a SITE shall be charged two times the rate for REFUSE, or two times the highest rate for any SOLID WASTE contained in the load, whichever is greater, with a \$20 minimum charge, or as indicated in Section 1.2.
- 2.12 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, CONSTRUCTION MIXED LOAD, DEMOLITION AND RENOVATION MIXED LOAD, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Keremeos SITE.
- 2.13 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, FOOD WASTE, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Okanagan Falls SITE.
-

## **Schedule 6 – Parks and Recreation Fees**

---

### **1.0 Naramata Parks and Recreation**

1.1 Wharf Park		
1.1.1	Park Rental (No Power) daily	\$100
1.2 Manitou Park		
1.2.1	Park Rental (No Power) daily	\$100
1.2.2	Power daily	\$25
1.3 Deposit for Park Rental		\$500
1.4 Recreation Programs		
1.4.1	Instructed Programs (per series – price not to exceed)	\$175
1.4.1.1	Drop-in (per session – price not to exceed)	\$15
1.4.2	Summer Day Camp - daily	\$25
1.4.5	Summer Camp Weekly	\$100

### **2.0 Okanagan Falls Parks and Recreation**

2.1 Kenyon House		
2.1.1	Kenyon House - Monday to Friday daily	\$ 75
2.1.2	Kenyon House - Saturday or Sunday daily	\$110
2.1.3	Kenyon House - Full Weekend	\$200
2.2 Community Center		
2.2.1	Full Facility Kitchen Activity Room and Gym - Saturday or Sunday	\$325
2.2.2	Full Facility Kitchen Activity Room and Gym - Full Weekend	\$450
2.2.3	Gym or Activity Room - Monday to Friday 3pm to 9pm daily	\$60
2.2.4	Gym or Activity Room - Weekend Saturday or Sunday daily	\$150
2.2.5	Gym or Activity Room - Full Weekend (Friday 3pm to Sunday 9pm)	\$250
2.2.6	Kitchen with Rental of Activity Hall or Gym	\$75
2.2.7	Children's Birthday Party - 3hr max	\$60-75
2.2.8	Kitchen Only - Daily	\$100
2.2.9	Kitchen Only - Full Weekend	\$150
2.3 Zen Center		
2.3.1	Day Rate	\$60
2.3.2	Full Weekend	\$100
2.4 Children Programs		
2.4.1	Drop in rate - floor hockey, game night and Multisport	\$3
2.4.2	Active Kids Programs – per visit	\$3-\$10
2.4.3	Special Onetime Events	\$10-\$20
2.4.4	Summer Day Camp - daily	\$25
2.4.5	Summer Camp Weekly	\$100
2.5 Adult Programs		
2.5.1	Instructed Programs - Drop in	\$10
2.5.2	Instructed Programs - 5 Pass Package	\$40
2.5.3	Instructed Programs - 10 Pass Package	\$65
2.5.4	Instructed Programs - 20 Pass Package	\$120
2.5.5	Drop –In	\$3
2.6 Lions		
2.6.1	Wedding Vows - Ceremonies	\$75
2.7 Keogan		
2.7.1	Youth / Teen	\$10
2.7.2	Cricket / Baseball Adult Exclusive	\$75

### 3.0 Kaleden Parks and Recreation

3.1 Parks		
3.1.1	Kaleden Hotel Day Rate (Includes power)	\$400
3.2 Community Hall(rental includes Hall, Bar and Sound System)		
3.2.1	Day Rate	
3.2.1.1	Weddings	\$2500
3.2.1.2	Hotel Park and Hall	\$2800
3.2.1.3	Meetings and Events	\$415
3.2.2	Weekend Rate (6 pm Friday to noon Sunday)	\$2700
3.2.3	Hourly Rate	\$50
3.2.3.1	Hall (3 hour minimum)	\$150
3.2.3.2	Add Kitchen (\$200)	\$350
3.2.3.3	Children's Birthday Parties	\$100
	Kaleden Residents receive a 25% discount on all Rentals	
3.2.4	Damage Deposit – required	30%
3.2.5	Sports Rental Rates (2 Hours)	
3.2.5.1	Drop In Per Person	\$4
3.2.5.2	Individual Fee paid in advance per class	\$2.50
3.2.5.3	Club Fee	\$25
3.2.6	Kaleden Youth Organized Groups	No Chg
3.2.7	Discount for Non-Profit Organizations	20%
3.2.8	Discount for Local Charitable Fundraising	No Chg
3.2.9	Local Groups Providing Community Events	No Chg
3.3 Equipment for Rent Off Premise		
3.3.1	Rectangular Tables (each)	\$8
3.3.2	Chairs (each)	\$2
3.3.3	Portable Sound System (mp3, iPod compatible (per day)	\$150
3.3.7	10x10 Awnings (each)	\$60
3.3.8	Administration Fee on all Off Premise Rentals	\$55
3.3.8.1	Weekday	\$40
3.3.8.2	Weekend	\$60
3.4 Insurance – Mandatory Coverage		
3.4.1	Church Group	\$5
3.4.2	Children's Party	\$30
3.4.3	Wedding or Adult Party	\$60
3.4.3.1	Addtl. Insurance if Alcohol served	\$100
3.5 Deposit for All Types of Rentals		30%
****Special Requests can be submitted to the Kaleden Recreation Commission Board****		
3.6 Recreation Programs		
3.6.1	Drop in rate - floor hockey, game night and Multisport	\$3
3.6.2	Active Kids Programs – per visit	\$3-\$10
3.6.3	Special Onetime Events	\$10-\$20
3.6.4	Instructed Programs - Drop in	\$10
3.6.5	Fitness / Yoga businesses providing instruction	\$10-\$15
	- 30% of gross revenue paid to Kal-Rec	

## 4.0 Keremeos

### 4.1 Facility Rentals

4.1.1	Bowling lanes	\$80
4.1.1.2	School Rates	\$60
4.1.2	Squash/Racquetball	\$55
4.1.3	Climbing Wall	\$45

### 4.2 Keremeos Community Pool

4.2.1	Single Admission Rates	
4.2.1.1	Pre-school - under 5	\$1.25
4.2.1.2	Child – 5 – 12 years	\$4.25
4.2.1.3	Teen – 13 – 19 years	\$4.50
4.2.1.4	Adult – 19+	\$5
4.2.1.5	10 Flex Pass	\$36
4.2.1.6	Family Rate	\$11.50
4.2.2	Red Cross	
4.2.2.1	Duck – Level 7	\$56
4.2.2.2	Level 8 – 10	\$76
4.2.3	Early Bird Club *changed from 3 days per week to 2 days	\$115
4.2.4	Adult Fitness	\$115
4.2.5	Aquacise	\$115
4.2.6	Aquacise Combined	\$170
4.2.7	Pool Rental – per hour	\$80

### 4.3 Keremeos Fitness Room

4.3.1	Single Admission Rates	
4.3.1.1	Youth	\$4.75
4.3.1.2	Adult	\$7
4.3.2	1 Month Pass	
4.3.2.1	Youth	\$53
4.3.2.2	Adult	\$75
4.3.3	3 Month Pass	
4.3.3.1	Youth	\$125
4.3.3.2	Adult	\$153
4.3.3.3	Family	\$ 255
4.3.4	6 Month Pass	
4.3.4.1	Youth	\$ 190
4.3.4.2	Adult	\$ 250
4.3.5	1 Year Pass	
4.3.5.1	Youth	\$ 320
4.3.5.2	Adult	\$ 425
4.3.5.3	Family	\$ 635
4.3.6	Lost Card Replacement	\$12

### 4.4 Keremeos Ice Rink

4.4.1	Single Admission Rates	
4.4.1.1	Child – 5 – 12 years	\$ 4.00
4.4.1.2	Teen – 13 – 19 years	\$ 4.50
4.4.1.3	Adult – 19+	\$ 5.00
4.4.1.4	Family	\$10.50
4.4.1.5	Parent/Tot	\$ 6.25
4.4.1.6	10 Flex Pass	\$32.00
4.4.2	Learn to Skate	
4.4.2.1	3 – 6 Years	\$65.00
4.4.2.2	7 and up	\$65.00

4.4.3	Mite's Hockey – Boys and Girls 5 – 8 Years old	\$5.25
4.4.4	Sticks and Pucks 9 -14 Years old	\$5.25
4.4.5	Sticks and Pucks – Adult	\$8.50
4.4.6	Ice Rental – Per hour	
4.4.6.1	School Age Keremeos	\$ 80.00
4.4.6.2	Adult	\$100.00
4.4.7	Skate Rental	\$2.50
4.5	Keremeos Bowling	
4.5.1	League Bowling	
4.5.1.1	Adult	\$11.50
4.5.1.2	Senior	\$11.00
4.5.1.3	Fun Bowl	\$9.50
4.5.2	Drop- In	
4.5.2.1	Adult	\$ 5.25
4.5.2.2	Youth	\$ 4.25
4.5.2.3	Family	\$10.50
4.5.3	Shoe Rental	\$ 2.00
4.6	Climbing	
4.7.1	Child	\$ 3.00
4.7.2	Teen	\$ 4.00

All Program fees are set at a level sufficient at minimum to cover all instructors, expendable and consumable materials and extraordinary costs.



## Schedule 7 – Transit Fees

---

### 1.0 Local Routes

1.1	Single Fare Tickets	\$2.25
1.2	Sheet of Ten Tickets	\$20.25
1.3	Day Pass	\$4.50
1.4	Adult Monthly Pass	\$45.00
1.5	Student/Senior Monthly Pass	\$35.00

### 2.0 Regional Routes (Multi-Zone)

2.1	Single Fare Tickets	\$4.00
2.2	Sheet of Ten Tickets	\$36.00
2.3	Day Pass	\$8.00
2.4	Adult Monthly Pass	\$60.00
2.5	Student/Senior Monthly Pass	\$40.00

Students enrolled on a full-time basis and persons of the age 65 and over are eligible for the discounted rate, as outlined in the schedule. Discounted rates apply to monthly passes, only.

## Schedule 8 – Freedom of Information and Protection of Privacy Request Fees

### Schedule of Maximum Fees

1. For applicants other than commercial applicants:	
(a) for locating and retrieving a record	\$7.50 per ¼ hour or portion thereof after the first 3 hours.
(b) for producing a record manually	\$7.50 per ¼ hour.
(c) for producing a record from a machine readable record excluding records produced on the Geographic Information System (G.I.S.)	\$16.50 per minute for cost of use of mainframe processor on all locally attached devices plus \$7.50 per ¼ hour for developing a computer program to produce the record.
(d) for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour.
(e) for shipping copies	actual costs of shipping method chosen by applicant.
(f) for copying records:	
(i) photocopies and computer printouts	\$0.25 per page (8.5 x 11, 8.5 x 14) \$0.30 per page (11 x 17)
(ii) floppy disks	\$10.00 per disk
(iii) computer tapes	\$40.00 per tape, up to 2400 feet
(iv) microfilm/fiche to paper duplication	\$0.50 per page
(v) photographs (colour or black & white)	\$5.00 to produce a negative \$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" 3.00 each for 5" x 7"
(vi) hard copy laser print, B/W 300 dots/inch hard copy laser print, B/W 1200 dots/inch hard copy laser print, colour	\$0.25 per page  \$0.40 per page \$1.65 each
(vii) photographic print of textual, graphic or cartographic record (8" x 10" black & white)	\$12.50 each
(viii) slide duplication	\$0.95 each
(ix) plans	\$1.00 per square metre
(x) video cassette (1/4" or 8mm)	\$11.00 per 60 minute cassette plus \$7.00 per ¼ hour of recording \$20.00 per 120 minute cassette plus \$7.00 per ¼ hour of recording
(xi) video cassette (1/2") duplication	\$15.00 per cassette plus \$11.00 per ¼ hour of recording
(xii) video cassette (3/4") duplication	\$40 per cassette plus \$11.00 per ¼ hour of recording
(xi) photomechanical reproduction of 1055 mm cartographic record/plan	\$3.00 each
2. For Commercial Applicants for each service listed in item 1.	the actual cost of providing that service.

---

## Fees and Charges Bylaw No. 2787, 2018

---

# Table of Contents

## **Schedule 1 – Corporate Services Fees**

1.0	Photocopies .....	1
2.0	Finance Fee .....	1
3.0	Mapping .....	1
4.0	Digital Data .....	1
5.0	GIS Services for Municipalities, Provincial and Federal Agencies .....	1
6.0	Human Resources Services for Municipalities .....	2
7.0	IT Services for Municipalities .....	2

## **Schedule 2 – Building Permit Fees**

1.0	Plan Processing .....	3
2.0	Building Permit .....	3
3.0	Plan Review .....	3
4.0	Locating/Relocating a Building .....	4
5.0	Demolishing a Building or Structure .....	4
6.0	Plumbing Permits .....	4
7.0	Solid Fuel Burning Devices .....	4
8.0	Re-inspection Fees .....	4
9.0	Health and Safety Inspections .....	4
10.0	Transfer Fee .....	4
11.0	File Searches and Comfort Letters .....	4
12.0	Deficiency Inspection Permit for Removal of Notice on Title .....	5
13.0	Permit Extension Fee .....	5
14.0	Legal Documents .....	5
15.0	Covenants .....	5

## **Schedule 3 – Planning and Development Fees**

1.0	Official Community Plan (OCP) amendment .....	6
2.0	Zoning Bylaw or Land Use Contract (LUC) amendment .....	6
3.0	Temporary Use Permit .....	6
4.0	Development Permit .....	6
5.0	Development Variance Permit .....	6
6.0	Board of Variance Appeal .....	6
7.0	Floodplain Exemption .....	6
8.0	Strata Title Conversion .....	6
9.0	Campsite Permit .....	6
10.0	Mobile Home Park Permit .....	6
11.0	Applications to the Agriculture Land Commission (ALC) .....	6

12.0	File Searches .....	7
13.0	Legal Documents .....	7
14.0	Covenants .....	7
15.0	Comfort Letters .....	7
16.0	Letters of Concurrence .....	7

#### **Schedule 4 – Bylaw Enforcement Services Fees**

1.0	Animal Control Fees .....	8
2.0	Dog Licensing Fees .....	8
3.0	Replacement of Lost, Destroyed or Mutilated Tags .....	8
4.0	Burning Permit Fees .....	8

#### **Schedule 5 – Public Works and Engineering Services Fees**

##### **Section 1 –Development Fees**

1.0	Examination Fees for the Subdivision of Land .....	9
2.0	Water Meter Vault, Appurtenances, and Installation Fees .....	9

##### **Section 2 – Development Cost Charge and Capital Cost Charge Fees**

1.0	Okanagan Falls Sewer Development Cost Charges .....	10
2.0	Naramata Water System Development Cost Charges and Capital Expenditure Charges .....	10
3.0	Olalla Water System Capital Expenditure Charge .....	10
4.0	Faulder Community Water System Development Cost Charges .....	10
5.0	Westbench Water System Capital Expenditure Charge .....	10
6.0	Gallagher Lake Water Connection Cost .....	10
7.0	Gallagher Lake Sewer Connection Cost .....	11

##### **Section 3 – Water System Fees**

1.0	Naramata Community Water System and Street Lighting .....	12
2.0	Olalla Water System .....	13
3.0	Faulder Water System .....	13
4.0	West Bench Water System .....	13
5.0	Gallagher Lake Water System .....	14
6.0	Willowbrook Water System.....	15
7.0	Sun Valley Water System .....	15
7.0	General Water Service .....	15

##### **Section 4 – Sewer System Fees**

1.0	Okanagan Falls Sewer User Rates .....	16
-----	---------------------------------------	----



2.0	Gallagher Lake Sewer System .....	17
3.0	General Sewer Service .....	18

#### **Section 5 – Cemetery Fees**

1.0	Naramata Cemetery .....	19
-----	-------------------------	----

#### **Section 6- Curbside Service Fees**

1.0	All service participants .....	20
-----	--------------------------------	----

#### **Section 7 – Sanitary Landfill Fees**

1.0	Campbell Mountain Sanitary Landfill .....	21
2.0	Okanagan Falls Sanitary Landfill .....	26
3.0	Oliver Sanitary Landfill .....	30
4.0	Keremeos Sanitary Landfill .....	35

#### **Schedule 6 – Parks and Recreation Fees**

1.0	Naramata Parks and Recreation .....	39
2.0	Okanagan Falls Parks and Recreation .....	39
3.0	Kaleden Parks and Recreation .....	40
4.0	Keremeos Parks and Recreation .....	40

#### **Schedule 7 – Transit Fees**

#### **Schedule 7-8 – Freedom of Information and Protection of Privacy Request Fees**

1.0	Schedule of Maximum Fees .....	43
-----	--------------------------------	----

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2787, 2018

---

A bylaw to set fees and charges for Regional District services and information.

---

**WHEREAS** the *Local Government Act* provides that the Board may by bylaw establish fees and charges for various Regional District services and information;

**AND WHEREAS** in accordance with Section 397 [imposition of fees and charges] and Section 462 [fees related to applications and inspections] of the *Local Government Act*; the Regional Board wishes to establish fees and charges which reflect cost recovery for services and information provided;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

#### 1 - Citation

- 1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018**.

#### 2 – Fees and Charges

- 2.1 Wherever this Bylaw sets out fees and charges with respect to other Regional District bylaws and such other bylaws contain similar fees and charges, the Fees and Charges Bylaw shall prevail.
- 2.2 Wherever this Bylaw sets out fees and charges for work done or services provided to land or improvements, the Regional District may recover the costs of undertaking the work in the same manner and with the same remedies as property taxes.
- 2.3 The schedule of fees to be imposed for the provision of goods, services and information as specified in Appendix 'A' Schedules 1 to 7 attached hereto, and forming part of this bylaw, is hereby established.

#### 3 – Effective Date

- 3.1 This bylaw shall come into effect on April 15, 2017.

#### 4 - Repeal

- 4.1 Bylaw No. 2771, 2017 is repealed upon adoption of this bylaw.

**READ A FIRST TIME** this day of xx day of March, 2018.

**READ A SECOND AND THIRD TIME** this xx day of March, 2018.

**ADOPTED** this xx day of March, 2018.

---

RDOS Board Chair

---

Corporate Officer

## Schedule 1 – Corporate Services Fees

---

### 1.0 - Photocopies

8.5" x 11"	\$0.25/page
8.5" x 14"	\$0.35/page
11" x 17"	\$0.50/page
24" x 36"	\$2.50/page

### 2.0 - Finance Fees and Charges

- 2.1 Utility Search Fee \$20.00

- 2.2 Utility rates will be billed as set out in this bylaw and if remain unpaid after the due date, a percentage addition of ten percent of the amount thereof shall be added on the next following working day.

In default of any such owner making any such payment or payments as in such agreement made and provided, the Collector for the Regional District shall add such amount in default to the taxes of such lot or parcel of land on the Collector's Real Property Tax Roll and thereafter such amount shall be deemed to be taxes against the said property and shall be dealt with in the same manner as taxes against the said property would be dealt with under the provisions of the *Local Government Act* and *Community Charter*.

- 2.3 Processing fee for payments returned by the financial institution – \$30.00

### 3.0 - Mapping

- 3.1 Legal, civic and zoning 1:5,000 scale maps are available to the public in the following formats:
- Hardcopy maps at a price of \$15 per map.
  - Digital format (Adobe PDF) set of maps for price of \$30 per CD.
- 3.2 Cost for miscellaneous hardcopy maps in GIS warehouse directory is \$35 per map.
- 3.3 Cost for creation of custom maps is \$80/hr. A minimum charge of \$140 is required with a minimum notice of 15 working days by the applicant.

### 4.0 - Digital Data

- 4.1 RDOS will provide GIS data available at no charge on the RDOS FTP site as per Item 1.0 of Enterprise Unit Data and Services Policy.

### 5.0 - GIS Services for Municipalities, Provincial and Federal Government

- 5.1 Access to existing RDOS internal internet mapping application will be \$2,933 /year.
- 5.2 Creation of a municipal specific internet mapping application with functionality in addition to or different from the RDOS internal application as per Item 2.1 of Enterprise Unit Data and Services Policy will be available at a cost of \$4,989 per year.

- 5.3 Specific GIS services as per items 2.2 and 2.3 of Enterprise Unit Data and Services Policy will be available at a cost of \$45.90 /hr for the GIS Assistant, \$58.73/hr for GIS Analyst/Programmer \$80.47 /hr for IS Manager, \$53.28/hr for the Systems Administrator and \$44.67/hr for the IT Technician/Programmer.
- 5.4 GIS Services will be available to the public at a cost of \$ 100/hr with a minimum payment of 2 hours provided the Information Services Manager determines the RDOS has the resources to complete the project.

#### **6.0 - Human Resources Services for Municipalities**

- 6.1 Human Resources services will be available to municipalities as per items 3.1 and 3.2 of Enterprise Unit Data and Services Policy. Services will be available at a cost of \$71.19/hr for the HR Manager and \$48.38/hr for HR Coordinator.

#### **7.0 - IT Services for Municipalities**

- 7.1 IT services will be available to municipalities as per items 4.1 and 4.2 of the Enterprise Unit Data and Services Policy will be available at a cost of \$53.28 /hr for the Systems Administrator and \$ 44.67/hr for IT Technician/Programmer, \$45.90/hr for the GIS Assistant and \$80.47/hr for the IS Manager.

**1.0 - Plan Processing Fee**

- 1.1 The fee for plan processing shall be \$150.00 for projects with an estimated construction value less than \$100,000. The fee for plan processing for projects valued over \$100,000.00 shall be \$500.00.

**2.0 - Building Permit – to be determined as follows:**

- 2.1 \$12.00 for each \$1,000.00 of construction value up to \$500,000.00;  
\$10.00 for each \$1,000.00 of construction value between \$500,000.01 and \$1,000,000.00; and  
\$6.00 for each \$1,000,000 of construction value after \$1,000,000.01
- 2.2 The minimum permit fee for a permit, or a series of permits on the same parcel of land, issued at the same time is \$150.00 (with the exception of a permit for a solid fuel-fired appliance), to be authorized by the permit except that the minimum fee for a permit or a series of permits on the same parcel of land issued at the same time is \$150.00. —
- 2.2 using Table A-1 for detached single family dwellings, duplex dwellings where one dwelling is not located above the other dwelling and buildings that are accessory to these buildings; or,
- 2.3 using the declared contract value for all construction other than that work included in paragraph 1. above, except that if the declared value is contested by the building official the value will be established using the Marshal & Swift Residential Cost Hand Book or the RS Means Square Foot Costs Handbook.

**Table A-1**

Proposed <i>construction</i>	Value per square meter	Value per square foot
One storey*	\$1453	\$135
Finished basement	\$538	\$50
Each Additional Storey	\$807	\$75
Enclosed structure or Garage**	\$430	\$40
Sundeck (no roof)	\$323	\$30
Roof only	\$215	\$20
Unenclosed structure or carport	\$269	\$25
Pool	\$377	\$35

\*The fee covers slab on grade, crawlspaces and unfinished basements

\*\*The minimum permit fee for a structure over 55 m<sup>2</sup> shall be \$300

**3.0 - Plan Review Fee**



- 3.1 Submissions of revised drawings once a zoning or building code review has been completed will result in a minimum charge of \$100. In addition, an hourly rate of \$50 will be charged if the revised drawings require more than 1 hour of review.

#### **4.0 - Locating/Relocating a Building**

- 4.1 The fee for a permit authorizing the locating or relocating of a building or *structure* including the value of any additions or modifications, shall be calculated at 0.7 of the fees set out in Table A-1.
- 4.2 A modular home or manufactured home installed in accordance with Z-240.10.1, including the value of any additions or modifications shall be calculated at 0.5 of the fees set out in Table A-1.

#### **5.0 - Demolishing a Building or Structure**

- 5.1 The fee for a permit authorizing the demolition of a building or structure shall be \$150.00.

#### **6.0 - Plumbing Permits**

- 6.1 The permit fee for each plumbing fixture shall be \$10.00 per fixture, when the plumbing permit is issued in conjunction with a building permit, and \$10.00 per fixture plus an administration fee of \$100 when a plumbing permit is issued separately.
- 6.2 The plumbing permit fee may be reduced up to 25% (minimum fee \$150) with submission and approval of plumbing system layout drawings by a TQ certified tradesperson (plumber) for single family new construction and renovation projects.

#### **7.0 - Solid Fuel Burning Devices**

- 7.1 The permit fee for the installation of solid fuel burning appliances, fireplaces and chimneys shall be \$100.00 per appliance.

#### **8.0 - Re-inspection Fees**

- 8.1 The fee for a re-inspection shall be \$100.00.

#### **9.0 – Health and Safety Inspection**

- 9.1 The fee for any inspection to confirm health & safety requirements as set out in the BC Building Code shall be \$100.00.

#### **10.0 - Transfer Fee**

- 10.1 The fee for the transfer of a permit as set out in the RDOS Building Bylaw No. shall be \$100.00.

## 11.0 - File Searches\* and Comfort Letters

(\*for routinely releasable records only)

11.1 Information recovery from archived files \$30.00

11.2 Information recovery from building permit files and property folio files:

i) first ½ hour of time spent \$0.00

ii) each additional ¼ hour spent after first ½ hour of time \$10.00

~~11.1 The fee for information recovery from archived files shall be \$30.00-20.00 payable in advance and shall be subject to the Freedom of Information and Protection of Privacy Act.~~

~~11.2 The fee for provision of information contained on the Parcel Information Maps, information recovered from building permit files and property folio files, which is routinely releasable and not subject to the Freedom of Information and Protection of Privacy Act may be charged at a rate of \$10 per ¼ hour of time spent by a RDOS employee.~~

11.3 Digital copies of archived files materials (if available) \$15.00  
(includes approved RDOS USB memory stick)

Commented [LM1]: As discussed with Christy

11.4 The fee for comfort letters shall be \$100.00 per property to determine building bylaw compliance.

## 12.0 - Deficiency Inspection Permit for Removal of Notice on Title

12.1 The fee for a deficiency inspection permit and subsequent removal of a Notice on Title shall be \$250.00. The fee for a deficiency re-inspection shall be \$100.00.

## 13.0 - Permit Extension Fee

13.1 The fee for permit extension shall be \$100.00

## 14.0 - Legal Documents

14.1 Title search \$ 2515

14.2 Covenants, Right of Ways, Easements,  
Plans and similar documents: actual cost of document (minimum \$25.00)\$

## 15.0 - Covenants

15.1 Preparation of a Covenant \$500

15.2 Covenant Discharge \$250

## Schedule 3 – Planning and Development Fees

---

### 1.0 Official Community Plan (OCP) amendment

- |    |  |            |
|----|--|------------|
| .1 | Application fee  | \$1,000.00 |
| .2 | Joint Zoning Bylaw Amendment fee                                       | \$1,500.00 |
|    | plus: i) \$25.00 per dwelling unit and/or parcel in excess of four (4) |            |

### 2.0 Zoning Bylaw or Land Use Contract (LUC) amendment

- |    |  |            |
|----|--|------------|
| .1 | Application fee  | \$1,000.00 |
|    | plus: i) \$25.00 per dwelling unit and/or parcel in excess of four (4) |            |

### 3.0 Temporary Use Permit

- |    |                 |          |
|----|-----------------|----------|
| .1 | Application fee | \$700.00 |
| .2 | Renewal fee     | \$350.00 |

### 4.0 Development Permit

- |    |  |                     |
|----|--|---------------------|
| .1 | Application fee:                             |                     |
|    | i) <u>Delegated Development Permit</u>       | <u>\$300.00</u>     |
|    | ii) <u>Non-Delegated Development Permit</u>  |                     |
|    |  | <u>\$600.00</u>     |
|    | <del>iii) Expedited Development Permit</del> | <del>\$150.00</del> |
| .2 | Amendment to a Permit fee:                   |                     |
|    | i) <u>Delegated Development Permit</u>       | <u>\$300.00</u>     |
|    | ii) <u>Non-Delegated Development Permit</u>  | <u>\$300.00</u>     |
|    | <del>iii) Expedited Development Permit</del> | <del>\$150.00</del> |
|    | <del>43 Expedited Permit</del>               | <del>\$300.00</del> |

### 5.0 Development Variance Permit

- |    |                 |          |
|----|-----------------|----------|
| .1 | Application fee | \$400.00 |
|----|-----------------|----------|

### 6.0 Board of Variance Appeal

- |    |                 |          |
|----|-----------------|----------|
| .1 | Application fee | \$500.00 |
|----|-----------------|----------|

### 7.0 Floodplain Exemption

- |    |                 |          |
|----|-----------------|----------|
| .1 | Application fee | \$400.00 |
|----|-----------------|----------|

### 8.0 Strata Title Conversion

.1	Application fee	\$ 150.00
	plus: i) \$150.00 for each additional unit	
<b>9.0</b>	<b>Campsite Permit (Bylaw 713)</b>	
.1	Application fee	\$ 150.00
	plus: i) \$15.00 for each camping space	
.2	Renewal fee	\$ 150.00
<b>10.0</b>	<b>Mobile Home Park Permit (Bylaw 2597)</b>	
.1	Application fee	\$ 150.00
	plus: i) \$30.00 for each mobile home space	
.2	Renewal fee	\$ 150.00
<b>11.0</b>	<b>Applications to the Agriculture Land Commission</b>	
.1	Application fee	\$1500.00
<b>12.0</b>	<b>File Searches (for routinely releasable records only)</b>	
.1	Information recovery from archived files	<del>\$3029.00</del>
.2	Information recovery from a property folio:	
	i) first ½ hour of time spent	\$0.00
	ii) each additional ¼ hour spent after first ½ hour of time	<del>\$7.50</del> 10.00
<b>13.0</b>	<b>Legal Documents</b>	
.1	Documents from Land Titles Office and BC Registries and Online Services:	
	i) State of Title	\$25.00
	ii) Covenants, Right of Ways, Easements, Plans and similar documents: actual cost of document (minimum \$25.00)	
<b>14.0</b>	<b>Covenants</b>	
.1	Discharge of a Statutory Covenant	\$250.00
.2	Preparation or Amendment of a Statutory Covenant	\$500.00
<b>15.0</b>	<b>Comfort Letters</b>	
.1	"Comfort Letter" for compliance with bylaws or zoning	\$100.00
<b>16.0</b>	<b>Letter of Concurrence for Communication Towers</b>	\$400.00

NOTE: The number of dwelling units and/or parcels referred to at Sections 1.2 and 2.1 shall be determined by either using the maximum density of dwelling units permitted per hectare of land in the

Formatted: Not Highlight

proposed zone or designation, or by dividing the area of the land proposed to be re-designated or zoned by the minimum parcel size requirement of the proposed zone or designation, whichever yields the greatest number.

## Schedule 4 – Bylaw Enforcement Fees

### 1.0 Animal Control Fees

- 1.1. Impoundment Fees – Dogs (other than Dangerous Dogs)
- first impoundment in any calendar year \$ 50.00
  - second impoundment in any calendar year \$100.00
  - third impoundment in any calendar year \$250.00
  - each subsequent impoundment in any calendar year \$500.00
- 1.2 Impoundment Fees – Dangerous Dogs
- each impoundment \$1,000.00
- 1.3 Maintenance Fees
- each twenty-four (24) hour period, or part thereof \$ 20.00
  - Dangerous Dog \$30.00
- 1.4 Veterinary Costs Incurred costs as invoiced by Veterinarian

### 2.0 Dog Licensing Fees:

- 2.1 Intact Males and Non Spayed Females \$ 50.00  
Spayed Females and Neutered Males \$ 20.00  
Certified Guide or Assistance Dog no charge
- 2.2 notwithstanding 2.1, the licence fee for a dog that has reached 24 weeks in the same licencing year shall be prorated to a minimum amount of \$5.00
- 2.3 Where an owner presents proof that a dog was spayed or neutered in the same calendar year as the dog licence, the difference in licence fee shall be reimbursed for that calendar year, provided that the reimbursement is requested within the same calendar year as the licence.

### 3.0 Replacement of Lost, Destroyed or Mutilated Tags:

- 3.1 replacement of any lost, destroyed or mutilated tag \$ 5.00

### 4.0 Burning Permit Fees

- 4.1 Open Air Burning Permit (valid for one year) \$30.00

### 5.0 Recovery of Collection Fees For Fines

#### 5.1 To recover costs during collection process

### Bylaw 2364

\$30.00

### Bylaw 2507

as incurred

Formatted: Font: Bold

Formatted: Indent: Left: 0", Tab stops: 0.39", Left + 0.49", Left + 5.32", Left

Formatted: Font: Bold



## **Schedule 5 – Public Works and Engineering Services Fees**

### **Section 1- Development Fees**

### **Bylaw 2000**

#### **1.0 Examination Fees for the Subdivision of Land:**

- |     |   |           |
|-----|---|-----------|
| 1.1 | Subdivision Administration Fee          | \$ 400.00 |
| 1.2 | Simple lot intended to be created       | \$ 500.00 |
| 1.3 | Strata lot/unit intended to be created  | \$ 500.00 |
| 1.4 | Boundary Adjustments, per lot altered   | \$ 100.00 |
| 1.5 | Revision of subdivision referrals, each | \$ 150.00 |
- If the revision results in additional lots to be created then 1.2 or 1.3 shall apply. If the revision results in a reduction of lots then no refund is given.
- 1.6 Review Fee
- A development/subdivision design review fee of whichever the greater between \$500 or equal to 1 percent of the construction cost (approved estimate by the Regional District) of works and services which are reviewed by the Regional District, shall be paid to the Regional District before a development/subdivision is approved.
- 1.7 Inspection Fee
- An inspection fee equal to 3 percent of the construction cost (approved estimate by the Regional District) of works and services which are owned and operated by the Regional District and that are reviewed or inspected by the Regional District, shall be paid to the Regional District before a subdivision is approved.
- The inspection fee is not payable if the owner submits a certificate from a professional engineer that all works and services have been inspected by the engineer and have been completed in accordance with the requirements of this bylaw.

#### **2.0 Water Meter Vault, Appurtenances and Installation Fees**

- 2.1 For all newly created lots a fee will be paid a time of subdivision for each lot that lies within a Water Service Area owned and operated by the Regional District as follows:
- |       |                       |             |
|-------|-----------------------|-------------|
| 2.1.1 | ¾ to 1 ½ inch Service | \$1,500/lot |
| 2.1.2 | 2 inch Service        | \$2,000/lot |
| 2.1.3 | 4 inch Service        | \$3,000/lot |

The fee includes the cost for the water meter and meter installation.

- 2.2 The fees in 2.1 may also apply to zoning amendment applications.

## **Schedule 5 – Public Works and Engineering Services Fees**

### **Section 2 - Development Cost Charges & Capital Expenditure Fees**

<b>1.0 Okanagan Falls Sewer Development Cost Charges</b>	<b>Bylaw 2486</b>
1.1 Single detached dwelling per lot/per dwelling unit	\$9,500.00
1.2 Duplex per dwelling unit	\$9,500.00
1.3 Townhouse per dwelling unit	\$6,800.00
1.4 Apartment per dwelling unit	\$6,800.00
1.5 Commercial per m <sup>2</sup> gross floor area	\$ 30.00
1.6 Industrial per m <sup>2</sup> gross floor area	\$ 30.00
1.7 Institutional per m <sup>2</sup> gross floor area	\$ 27.00
<b>2.0 Naramata Water System Development Cost Charges and Capital Expenditure Charges</b>	<b>Bylaw 1804 NID Bylaw 443</b>
2.1 Development Cost Charges Zone A	
2.1.1 Single Family Residential at Subdivision	\$5,700/parcel
2.1.2 Multi Family Residential at Building Permit	\$5,700/dwelling
2.2 Capital Expenditure Charges – Zone A, B & C	
2.2.1 Single Family Residential	\$5,700/service
2.2.2 Multi-Family Residential	\$5,700/lot
2.2.3 Cottage	\$5,700/service
<b>3.0 Olalla Water System Capital Expenditure Charges</b>	<b>OID Bylaw 32</b>
3.1 Mobile Home Capital Expenditure Charge	\$1,000/unit
3.2 Capital Expenditure Charge	\$ 800/parcel
<b>4.0 Faulder Community Water System Development Cost Charges</b>	<b>Bylaw 1894</b>
4.1 Single Family Residential	\$4,200/parcel
<b>5.0 West Bench Water System Capital Expenditure Charge</b>	<b>WBID Bylaw 101</b>
5.1 Capital Expenditure Charge	\$3,000/parcel
<b>6.0 Gallagher Lake Water Connection Cost</b>	<b>Bylaw 2644</b>
6.1 Each water service	\$1,500.00
<b>7.0 Willowbrook Water New Connection Cost</b>	<b>Water Tariff No. 5</b>
7.1 Each domestic service	\$1,000.00
<b>8.0 Sun Valley Water</b>	<b>SVID Bylaw 14</b>
8.1 Capital Expenditure Charge Subdivision	\$1,000.00/Lot

## 9.0 Gallagher Lake Connection Costs

## Bylaw 2645

### 9.1 Sewer – Single Family Equivalent Units (SFU)

Each SFU equivalent unit in this section will have a Connection Cost of \$6,000.00.

Use	Person per Unit	SFU Equivalency	\$6000.00 Per
Residential	2.50 <sup>1</sup>	1.000	Dwelling
Motel Unit			2 Units
Camp/RV Site			2 Sites
Commercial	0.013 <sup>2</sup>	0.0052	193 m <sup>2</sup>
Industrial	0.006 <sup>2</sup>	0.0024	417 m <sup>2</sup>
Institutional	0.01 <sup>2</sup>	0.004	250 m <sup>2</sup>

Note: 1: RDOS' *Gallagher Lake & Vaseux Lake Areas Liquid Waste Management Plan*

2: The Ministry of Community, Sport of Cultural Development, *Provincial Best Practices for Development Cost Charges*

## Schedule 5 – Public Works and Engineering Services Fees

### Section 3 – Water System Fees—not to exceed maximum of:

1.0 Naramata Community Water System and Street Lighting	Bylaw 2377
1.1 Basic User Fee	\$ 1035/house
1.2 Grade A Domestic	\$ 288/acre
1.3 Grade A Irrigation	\$ 275/acre
If land is deemed to be non-irrigable, residents may apply for exemption based on an agrologist's report	
1.4 Grade B	\$ 178/parcel
1.5 Development Charge – applicable when no Basic User Fee attached to property	\$ 146/parcel
1.6 Street Lighting	\$
<del>6.003.50</del> /parcel	

Commented [JD2]: Increased costs due to less reliance on previous years surplus.

#### In addition to the above user fees, the following will also apply:

1.7 each garage, service station, coffee shop, cafe, business office, beauty salon, dog kennel, neighbourhood pub, hobby shop, an annual charge of	\$ 214
1.8 each farm winery and/or store and winery with restaurant, an annual charge of	\$ 426
1.9 each Packing house an annual charge of	\$ 1,153
1.10 each school an annual charge of	\$ 4,785
1.11 each Naramata Centre an annual charge of	\$ 10,880
1.12 each guesthouse, summer cabin or picker's cabin an annual charge of	\$ 178/unit
1.13 each residence where the owner has for year round use (or rental) living units, suites, guest cottages or cabins, an annual per unit charge of	\$ 889/unit
1.14 each motel or auto court an annual charge of	\$ 157/unit
1.15 each resort an annual charge of	\$ 157/unit
1.16 each bed and breakfast an annual charge of	\$ 314
1.17 each tent and trailer court an annual charge of	\$ 825
1.18 each multiple family dwelling, duplex, apartment block or condominium, an annual charge of	\$ 889/unit
for each family unit, except that one such unit in each building shall be exempt.	
1.19 each bunkhouse an annual charge of	\$ 364
1.20 each single irrigation service connection a charge in accordance with the following:	
1.20.1 Three quarter inch (3/4")	\$ 90
1.20.2 One Inch (1")	\$ 90
1.20.3 One and One Quarter Inch (1 1/4")	\$ 90

1.20.4	One and One Half Inch (1 1/2")	\$ 90
1.20.5	Two Inches (2")	\$ 90

## 2.0 Olalla Water System

### Bylaw 2381

#### 2.1 User Fees

2.1.1	Single Family Dwelling	\$ 381/each
2.1.2	Businesses	\$ 381/each
2.1.3	Trailer Space	\$ 381/unit
2.1.4	Motels	\$ 381/unit
2.1.5	Apartments	\$ 200/unit

## 3.0 Faulder Water System

### Bylaw 1179

#### 3.1 User Rates

By taxation

## 4.0 West Bench Water System User Rates

### Bylaw 2555

CATEGORY	BASE RATE	METERED CONSUMPTION USAGE
4.1 Water – Single Family	190.41/quarter	plus 0.309/cubic meter
4.2 Water - Vacant Lot	177.48/quarter	unmetered
4.3 Water - Multi Family	190.41/quarter	plus 0.309/cubic meter
4.4 Water - Park	190.41/quarter	plus 0.309/cubic meter
4.5 Water - School	190.41/quarter	plus 0.309/cubic meter
4.6 Water - Farm	190.41/quarter	plus 0.154/cubic meter
4.7 Water - Business	190.41/quarter	plus 0.309/cubic meter
4.8 Water - Utility	182.10/quarter	unmetered

4.9	Water – WBID Loan Payment (Debt ends 2023)	\$23.25 quarter-/parcel
4.10	Water – Reserve Fund	\$28.75 quarter/parcel

## 5.0 Gallagher Lake Water System

### 5.1 Flat Rates

	Type of Use	Unit of Charge	Annual Rates
<b>5.1.1</b>	<b>Residential</b>		
5.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 663
5.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 520
5.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 252
5.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 332
<b>5.1.2</b>	<b>Commercial</b>		
5.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 293
5.1.2.2	Motel or Hotel	per room	\$ 221
5.1.2.3	Campground	per site	\$ 78
5.1.2.4	Restaurant, Beverage Room, or Distillery:	less than 25 seats	\$637
		25 to 49 seats	\$ 946
		each additional 25 seats or increment	\$ 315
5.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 633
5.1.2.6	Laundromat	per machine	\$ 192
5.1.2.7	Car Wash	per wand	\$ 192
5.1.2.8	Church	per unit	\$ 411
5.1.2.9	Hospital, Extended Care or Long-Term Care Facility	per bed	\$ 411
5.1.2.10	School	per classroom	\$ 411
5.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,088

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The rate for churches and halls is only intended where the premises are used for holding regular meetings. Where other uses are made of the building the appropriate user rates shall also apply.

### 5.2 Metered Rates

All consumption shall be charged at the rate of \$0.57 per cubic metre.



## 6.0 Willowbrook Water System

### 6.1 Per property connection

~~\$1,008.50~~ ~~437.50~~

## 7.0 Sun Valley Water System

### 7.1 Annual Domestic Rate (Grade A) per Parcel includes a 6 gallon per minute water allotment.

\$ 1736~~844~~

### 7.2 In addition to the above Annual Base Rate Per Parcel with the exception of Grade I the following Irrigation rates apply:

Grade A1	Shall comprise of every parcel of land with a 3 gallon per minute dole valve.	\$ 137
Grade B	Shall comprise of every parcel of land with a 12 gallon per minute dole valve.	\$ 546
Grade C	Shall comprise of every parcel of land with an 18 gallon per minute dole valve.	\$ 819
Grade D	Shall comprise of every parcel of land with a 24 gallon per minute dole valve.	\$ 1,092
Grade E	Shall comprise of every parcel with a 30 gallon per minute dole valve.	\$ 1,364
Grade F	Shall comprise of every parcel of land with a 36 gallon per minute dole valve.	\$ 1,637
Grade G	Shall comprise of every parcel of land with a 39 gallon per minute dole valve.	\$ 1,774
Grade H 1	Shall comprise of every parcel of land with a 175 gallon per minute dole valve.	\$ 7,970
Grade H 2	Shall comprise of every parcel of land with a 120 gallon per minute dole valve.	\$ 5,466
Grade I	Shall comprise of every parcel of land to which water cannot be supplied.	\$ 781

### 7.3 Out of Season Irrigation 1.25/day x gpm delivered per dole valve

\$ 98

## 8.0 General Water Services

8.1 Hydrant Permit	\$ 30 / day
8.2 Hydrant Permit – Backflow Prevention Device	\$ 30 / day
8.3 Deposit for Hydrant Use	\$ 500 / rental
8.4 Connection Charge	\$ 350 / each
8.5 Inspection and Administration Fee	\$ 100 / each
8.6 Water Turn-On Fee	\$ 20
8.7 Valve Turn Request	\$ 20

**Commented [JD3]:** This water system was taken over by the RDOS on July 1, 2016 and now there is a better understanding of the costs. The increase in user fees is primarily required to cover costs associated with staff wages and basic system operation.

**Commented [JD4]:** This water system was taken over by the RDOS on January 1, 2017 and now there is a better understanding of the costs. The increase in user fees is primarily required to cover costs associated with staff wages and basic system operation.



## Schedule 5 – Public Works and Engineering Services Fees

### Section 4 – Sewer System Fees not to exceed a maximum of:

#### 1.0 Okanagan Falls Sewer User Rates

#### Bylaw 1707

The following rates do not apply if the owner is in possession of a Sewer Use Contract of Section 14 of the Okanagan Falls Special Service Area Sewerage Regulation Bylaw.

Category	Annual Billing Rate
Single Family Dwelling/Townhouse/Duplex	\$ 862
Apartment per unit	\$ 732
Mobile home park/per unit	\$ 775
Motel/Hotel per unit	\$ 345
Restaurant/Lounge/Pub	\$ 2,585
School per classroom	\$ 775
Church, Library, Community Hall & Drop-in Centres	\$ 948
Small Business, office building (20 employees or less)	\$ 948
Larger Business, office building (greater than 20 employees)	\$ 1,981
Supermarket	\$ 2,498
Service Station	\$ 1,551
Industrial/Commercial (20 employees or less)	\$ 1,034
Industrial/Commercial (20 to 50 employees)	\$ 1,981
Industrial/Commercial (greater than 50 employees)	\$ 2,585
Coin operated car wash	\$ 5,169
Laundromat (per washing machines)	\$ 689
Campground/Washroom per site	\$ 345
Shower/washroom	\$ 345

## 2.0 Gallagher Lake Sewer System

### 2.1. Flat Rates

	Type of Use	Unit of Charge	Annual Rates
<b>2.1.1</b>	<b>Residential</b>		
2.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 414
2.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 324
2.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 159
2.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 206
<b>2.1.2</b>	<b>Commercial</b>		
2.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 414
2.1.2.2	Motel or Hotel	per room	\$ 304
2.1.2.3	Campground	per site	\$ 53
2.1.2.4	Restaurant , Beverage Room or Distillery:	less than 25 seats	\$ 757
		25 to 49 seats	\$ 1,131
		for each additional 25 seats or increment	\$ 377
2.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 754
2.1.2.6	Laundromat	per machine	\$ 224
2.1.2.7	Car Wash	per wand	\$ 224
2.1.2.8	Church	per unit	\$ 439
2.1.2.9	Hospital, Extended Care or Long-Term Care Facility	per bed	\$ 439
2.1.2.10	School	per classroom	\$ 439
2.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,076

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The user rate for churches and halls is only intended where the premises are used for holding

regular meetings. Where other types of uses are made of the building the appropriate user rates shall also apply.

2.2 METERED RATES

Where sewer flows for a particular property or use are determined, by the RDOS or designate, to be in excess of the recoverable flat rate, the property in question will be invoiced based on one of the following:

- 2.2.1 Sewer users with an effluent or sewage flow meter shall be charged at the rate of \$0.78 per cubic metre of measured effluent.
- 2.2.2 For metered water users without effluent flow meters, the charge for use of the sewage system shall be calculated as 80% of the recorded volume of metered water used times a rate of \$0.78 per cubic metre.

3.0 General Sewer Services

3.1	Connection Charge	\$ 350
3.2	Inspection & Administration Fee	\$ 100/each

## **Schedule 5 – Public Works and Engineering Services Fees**

### **Section 5 – Cemetery Fees**

#### **1.0 Naramata Cemetery<sup>1</sup>**

**Bylaw 2023**

Regional District of Okanagan-Similkameen, 101 Martin Street, Penticton, BC V2A 5J9  
Naramata Cemetery located at 3315 Bartlett Road, Naramata, BC.

<b>1.1 PLOT RESERVATION LICENSE FEES:</b>	
Burial Plot: resident (\$124 allocated to reserve)	\$495
Burial Plot non-resident (\$240 allocated to reserve)	\$660
Cremation Plot: resident (\$42 allocated to reserve)	\$165
Cremation Plot non-resident (\$80 allocated to reserve)	\$220
<b>1.2 INTERMENT OPENING AND CLOSING FEES:</b>	
Burial Plot: 240 cm depth or greater	\$660
Cremation Plot:	\$110
<b>1.3 EXHUMATION OR DISINTERMENT OPENING AND CLOSING FEES:</b>	
Burial Plot:	\$650
Cremation Plot:	\$150
<b>1.4 OPENING OR CLOSING FOR INTERMENT/ EXHUMATION/DISINTERMENT OTHER THAN DURING NORMAL BUSINESS HOURS:</b>	
Fee in addition to that applicable under item 1.2 or 1.3 above for burial plot:	\$220
Fee in addition to that applicable under item 2 or 3 above for cremation plot:	\$220
<b>1.5 ISSUANCE OF LICENSE/PERMIT OTHER THAN DURING NORMAL BUSINESS HOURS, OR LESS THAN 24 HOURS PRIOR TO SCHEDULED INTERMENT:</b>	
Fee in addition to that applicable under item 1, 2 or 4 above:	\$100
<b>1.6 INSTALLATION OF MEMORIAL MARKER:</b>	\$ 94
(\$10 allocated to reserve)	
<b>1.7 GRAVE LINER:</b>	\$275
<b>1.8 CREMATION URN VAULT:</b>	
Small	\$ 55
Regular	\$ 65
Large	\$ 80
<b>1.9 PICTURE OF INTERRED FOR INTERNET</b>	
one time charge (optional)	\$ 50





<b>2.0</b>	<b>TEXT</b>	
	for internment to a maximum of 200 words, (optional)	\$ 50
<b>2.1</b>	<b>SCATTERING GARDEN</b>	
	Fee for Scattering Garden Plaque	\$200
	Fee for Scattering Gardens Care Fund	\$ 50

## **Schedule 5 – Public Works and Engineering Services Fees**

### **Section 6 Curbside Solid Waste Collection and Drop-Off Service Fees**

Fees for improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service by defined service area:

6.1	Electoral Area "A".	\$125 per premise per year
6.2	Electoral Area "B".	\$125 per premise per year
6.3	Electoral Area "C".	\$140 per premise per year
6.4	Participating areas of Electoral Area "D" excluding Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$125 per premise per year
6.5	Participating areas of Electoral Area "D" within Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$145 per premise per year
6.6	Participating areas of Electoral Areas "E".	\$145 per premise per year
6.7	Participating areas of Electoral Area "F".	\$145 per premise per year
6.8	Electoral Area "G".	\$150 per premise per year
6.9	Village of Keremeos.	\$115 per premise per year
6.10	Tag-a-Bag as defined by the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw	\$1.50 each
6.11	Properties that have active commercial bin collection of refuse located on the property in question that request residential collection of recycled materials only	\$45.00 per premise per year.

**Commented [CB5]:** Increase of \$5 per home. Fees were reduced by Board in 2017 well below expenses. Increase required or use of Operational Reserves to replace short fall.

## Schedule 5 – Public Works and Engineering Services Fees

### Section 7- Sanitary Landfills

#### 1.0 Campbell Mountain Sanitary Landfill

#### 1.1 The general charges for depositing SOLID WASTE at the Campbell Mountain Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
1.1.1	REFUSE	\$ 110.00	\$5.00 minimum charge
	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
1.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required.
1.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
1.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge RDOS approval form required
1.1.5	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
1.1.6	WOOD WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	SMALL DIMENSION WHITE WOOD (KILN DRIED)	\$200.00	\$50.00 minimum charge
1.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	PRESERVED WOOD	See Section 1.2.3 below	
1.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE SEPARATED	\$20.00	\$5.00 minimum charge
1.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
1.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE SEPARATED	\$60.00	\$5.00 minimum charge
1.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge
	Soil	Charge per tonne per load	Charge Information
1.1.12	CLEAN FILL	\$0.00	
1.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		

1.1.12.2	The appropriate waste management form is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		
1.1.13	CONTAMINATED SOIL Relocation Application	\$250.00 per application	RDOS approval form required.
1.1.14	CONTAMINATED SOIL	\$25.00	\$50.00 minimum charge
1.1.14.1	(Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.14.2	(Non-Metals: > Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.		
1.1.14.3	Small Volume Contaminated Soil: maximum five cubic metres or less ( $\leq 5 \text{ m}^3$ ). No Relocation Agreement required. The appropriate Waste Management Declaration is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
1.1.15	FRUIT WASTE	\$0.00 up to 1,000 kg; \$60.00 portion above 1,000 kg.	\$5.00 minimum charge for loads greater than 1,000 kg.
1.1.16	YARD AND GARDEN WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	WOOD WASTE	See Section 1.1.6 above	
	CONTAMINATED WOOD PRODUCT	See Section 1.1.7 above	
	PRESERVED WOOD	See Section 1.2 below	
	TREE STUMPS	See Section 1.2 below	
1.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
1.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
1.1.19	SMALL DIMENSION ORGANICS	\$0.00	No Charge when DEPOSITED in designated location
	City of Penticton Compost Sales	Operated by the City of Penticton. Call 250-490-2500 to confirm price and availability.	

	Recyclables	Charge per tonne per load	Charge Information
--	-------------	---------------------------	--------------------

1.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
1.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge free of CONTAMINATION
1.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
1.1.23	Container Glass	\$0.00	Bottles and jars only
1.1.24	METAL	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
1.1.25	HOUSEHOLD HAZARDOUS WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.26	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
1.1.27	BATTERIES	\$0.00	
1.1.28	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
1.1.29	OVERSIZE TIRES	\$500.00	Rims removed
	PRESSURIZED TANKS	See Section 1.3 below	
	TIRES with Rims	See Section 1.3 below	
	REFRIGERATION UNITS	See Section 1.3 below	
	Mattress and Box Springs	See Section 1.3 below	

**1.2 — The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Campbell Mountain Sanitary Landfill are:**

	Controlled Waste	Charge per tonne per load	Charge Information
1.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
1.2.2	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
1.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
1.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
1.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
1.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
1.2.9	CARCASSES	\$50.00	\$10.00 minimum charge



1.2.10	<del>Manifested ASBESTOS or ASBESTOS CONTAINING MATERIAL (ACM)</del>	<del>\$200.00 (see Information on Charge)</del>	<del>No Charge when DEPOSITED in designated location with proof of hazard assessment</del>
1.2.11	BURNED MATERIALS	\$50.00 up to 500 kg; \$200.00 portion above 500 kg	\$10.00 minimum charge
1.2.12	Foundry Dust	\$150.00	\$50.00 minimum charge
1.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
1.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
1.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
1.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge
1.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
1.2.18	NON-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

**1.3 — The following charges that are in addition to the general charges outlined in 1.1 and 1.2 of Schedule 5, shall also apply:**

	Recyclables	Addition to General Charges	Charge Information
1.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
1.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
1.3.3	REFRIGERATION Unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
1.3.4	TIRES with Rims	\$3.00 per unit	Maximum 10 per load/day
1.3.5	Mattress	\$10.00 per unit	Any size
1.3.6	Box Spring	\$10.00 per unit	Any size

~~1.3.7 — Any REFUSE that is DEPOSITED at the ACTIVE FACE or the REFUSE BINS with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD that contains CONTROLLED WASTE or RECYCLABLE WASTE shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater. Minimum \$20.00 charge.~~

~~1.3.9 — Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.~~

~~1.3.10 — Any MIXED LOAD DEPOSITED at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.~~

~~1.3.11 — The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.~~

- ~~1.3.12 The charges payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is deposited and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.~~
- ~~1.3.13 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.~~
- ~~1.3.14 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.~~
- ~~1.3.15 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.~~
- ~~1.3.16 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of LOCAL GOVERNMENT IMPROVEMENTS owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. MIXED LOADS shall be charged the applicable fees as set out in this Schedule.~~

## Schedule 5 — Public Works and Engineering Services Fees

### Section 7—Sanitary Landfills

#### 2.0 Okanagan Falls Sanitary Landfill

2.1 The general charges for depositing SOLID WASTE at the Okanagan Falls Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
2.1.1	REFUSE not containing Food Waste	\$ 110.00	\$5.00 minimum charge
	<i>REFUSE containing Food Waste</i>	<i>See PROHIBITED WASTE</i>	

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
2.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge, RDOS approval form required.
2.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$150.00 up to 500 kg; \$500.00 portion above 500 kg	\$50.00 minimum charge
2.1.4	CONSTRUCTION MIXED LOAD	\$90.00 up to 500 kg; \$200.00 portion above 500 kg	\$25.00 minimum charge RDOS approval form required
2.1.5	ASSESSED DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD NON-SERVICE AREA	\$100.00 up to 500 kg; \$250.00 portion above 500 kg.	\$50.00 minimum charge, for loads originating from outside the SERVICE AREA RDOS approval form required
2.1.6	GYPSUM BOARD	\$95.00	\$5.00 minimum charge
2.1.7	WOOD WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	SMALL DIMENSION WHITE WOOD (KILN-DRIED)	\$200.00	\$50.00 minimum charge
2.1.8	CONTAMINATED WOOD PRODUCT	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	<i>PRESERVED WOOD</i>	<i>See Section 2.2 below</i>	
2.1.9	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE SEPARATED	\$20.00	\$5.00 minimum charge
2.1.10	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
2.1.11	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE SEPARATED	\$60.00	\$5.00 minimum charge
2.1.12	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
2.1.13	CLEAN FILL	\$0.00	
2.1.13.1	<del>Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.</del>		
2.1.13.2	<del>The appropriate Waste Management Declaration is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.</del>		
2.1.14	CONTAMINATED SOIL APPLICATION	\$250.00 per application	<b>RDOS approval form required.</b>
2.1.15	CONTAMINATED SOIL	\$25.00	\$50.00 minimum charge
2.1.15.1	<del>(Metals: &gt; Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.</del>		
2.1.15.2	<del>(Non Metals: &gt; Hazardous Waste) Soil, sediment or fill materials containing concentrations of non-metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non-metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.</del>		
2.1.15.3	<del>Small Volume Contaminated Soil (under 5 cubic metres) (&lt; 5 m<sup>3</sup>). No Relocation agreement required. The appropriate Waste Management Declaration is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.</del>		

	Organic and Agricultural	Charge per tonne per load	Charge Information
	FRUIT WASTE	Not accepted	
2.1.16	YARD AND GARDEN WASTE	<del>—\$0.00 up to 100 kg; \$60.00 portion above 100 kg</del>	<del>\$5.00 minimum charge for loads greater than 100 kg</del>
	WOOD WASTE	See Section 2.1.7 above	
	CONTAMINATED WOOD PRODUCT	See Section 2.1.8 above	
	PRESERVED WOOD	See Section 2.2 below	
	TREE STUMPS	See Section 2.2 below	
2.1.17	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
2.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
2.1.19	SMALL DIMENSION GREEN ORGANICS	\$0.00	<b>No Charge when DEPOSITED in designated location</b>

	Recyclables	Charge per tonne per load	Charge Information
--	-------------	---------------------------	--------------------

2.1.20	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
2.1.21	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
2.1.22	CORRUGATED CARDBOARD	\$0.00	Free of CONTAMINATION
2.1.23	Container Glass	\$0.00	Bottles and jars free of all other material except container label
2.1.24	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
2.1.25	METAL	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg
2.1.26	BATTERIES	\$0.00	
2.1.27	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
2.1.28	OVERSIZE TIRES	\$500.00	Rims removed
	PRESSURIZED TANKS	See Section 2.4 below	
	TIRES with Rims	See Section 2.4 below	
	REFRIGERATION UNITS	See Section 2.4 below	
	Mattress and Box Springs	See Section 2.4 below	

**2.2 — The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Okanagan Falls Sanitary Landfill are:**

	Waste	Charge per tonne per load	Charge Information
2.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior delivery of materials to SITE
2.2.2	BIOSOLIDS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
2.2.3	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
2.2.4	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
2.2.5	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
2.2.6	BULKY WASTE	\$200.00	\$50.00 minimum charge
2.2.7	TIMBER WASTE	\$300.00	\$50.00 minimum charge
2.2.8	TREE STUMPS	\$50.00	\$50.00 minimum charge
2.2.9	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
2.2.10	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

**2.3** The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Okanagan Falls Sanitary Landfill are:

	Prohibited Waste	Charge per tonne per load	Charge Information
2.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

**2.4** The following charges that are in addition to the general charges outlined in 2.1 and 2.2 of Schedule 5, shall also apply:

	Recyclables	Addition to General Charges	Charge Information
2.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
2.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
2.4.3	REFRIGERATION UNITS	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
2.4.4	TIRES with Rims	\$ 3.00 per unit	Maximum 10 per day
2.4.5	Mattress	\$10.00 per unit	Any size
2.4.6	Box Spring	\$10.00 per unit	Any size

**2.4.7** Any REFUSE that is DEPOSITED at the ACTIVE FACE or the REFUSE BINS that contains RECYCLABLE WASTE shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.

**2.4.8** Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

**2.4.9** Any MIXED LOAD DEPOSITED at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

**2.4.10** The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.

**2.4.11** The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is DEPOSITED and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.

**2.4.12** In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in this Schedule.

**2.4.13** All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.

**2.4.14** Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule



- ~~2.4.15 SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of LOCAL GOVERNMENT IMPROVEMENTS owned by The City of Penticton, The Village of Keremeos or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. MIXED LOADS shall be charged the applicable fees as set out in this Schedule~~
- ~~2.4.16 DEPOSIT of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, FOOD WASTE and BURNED MATERIALS is not authorized for DISPOSAL at the Okanagan Falls SITE~~

## Schedule 5 – Public Works and Engineering Fees

### Section 7 – Sanitary Landfills

#### 3.0 Oliver Sanitary Landfill

**3.1 The general charges for depositing SOLID WASTE at the Oliver Sanitary Landfill are:**

	Refuse	Charge per tonne per load	Charge Information
3.1.1	REFUSE	\$ 110.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
3.1.2	ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 up to 500 kg; \$500.00 portion above 500 kg	\$25.00 minimum charge. RDOS approval form required.
3.1.3	NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.4	CONSTRUCTION MIXED LOAD	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	\$50.00 minimum charge
3.1.5	GYP SUM BOARD	\$95.00	\$5.00 minimum charge
3.1.6	WOOD WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
3.1.7	CONTAMINATED WOOD PRODUCT	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	SMALL DIMENSION WHITE WOOD (KILN DRIED)	\$200.00	\$50.00 minimum charge
	PRESERVED WOOD	See Section 3.2 below	
3.1.8	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE SEPARATED	\$20.00	\$5.00 minimum charge
3.1.9	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
3.1.10	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE SEPARATED	\$60.00	\$5.00 minimum charge
3.1.11	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
3.1.12	CLEAN FILL	\$0.00	
3.1.12.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		

3.1.12.2	<del>The appropriate waste management form is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.</del>		
3.1.13	CONTAMINATED SOIL APPLICATION	\$250.00 per application	<del>RDOS approval form required.</del>

3.1.14	CONTAMINATED SOIL	\$25.00	\$50.00 minimum charge
3.1.14.1	<del>(Metals: &gt; Hazardous Waste) Soil, sediment or fill materials containing concentrations of metal parameters greater than Agricultural (AL) but not greater than the concentrations for the applicable metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.</del>		
3.1.14.2	<del>(Non Metals: &gt; Hazardous Waste) Soil, sediment or fill materials containing concentrations of non metal parameters greater than Agricultural (AL), but not greater than or equal to the concentrations for the applicable non metal parameter for HAZARDOUS WASTE as specified in the CONTAMINATED SITES REGULATION and disposed of in accordance with the HAZARDOUS WASTE REGULATION.</del>		
3.1.14.3	<del>Small Volume Contaminated Soil (under 5 cubic metres) (&lt; 5 m<sup>3</sup>). No Relocation agreement required. The appropriate waste management Declaration is to be completed and twenty four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the material to the SITE.</del>		

	Organic and Agricultural	Charge per tonne per load	Charge Information
3.1.15	FRUIT WASTE	\$10.00	\$5.00 minimum charge
3.1.16	YARD AND GARDEN WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads more than 100 kg
3.1.17	AGRICULTURAL ORGANIC MATERIAL other than FRUIT WASTE	\$0.00	
3.1.18	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
3.1.19	SMALL DIMENSION GREEN ORGANICS	\$0.00	No Charge when DEPOSITED in designated location
3.1.20	COMPOST Sales	\$50.00	Retail price per tonne when available

	Recyclables	Charge per tonne per load	Charge Information
3.1.21	RESIDENTIAL RECYCLING	\$0.00	Free of CONTAMINATION
3.1.22	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
3.1.23	CORRUGATED CARDBOARD	\$0.00	
3.1.24	Container Glass	\$0.00	Bottles and jars free of all other material except container label

3.1.25	METAL	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
3.1.26	PAINT	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
3.1.27	E-WASTE	\$0.00	RESIDENTIAL quantities which originate within the SERVICE AREA
3.1.28	BATTERIES	\$0.00	
3.1.29	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
3.1.30	OVERSIZE TIRES	\$ 500.00	Rims removed

**3.2 The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Oliver Sanitary Landfill are:**

	Waste	Charge per tonne per load	Charge Information
3.2.1	Environmental Cleanup Materials	\$0.00 (see Information on Charge)	Requires written permission of the MANAGER prior to delivery of materials to SITE
3.2.2	PRESERVED WOOD and LEAD PAINTED MATERIALS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.3	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.4	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
3.2.5	Screenings and sludge from municipal sewage treatment plants, pump stations and domestic septic systems	\$200.00	\$50.00 minimum charge
3.2.6	Condemned foods	\$200.00	\$50.00 minimum charge
3.2.7	CLINICAL/LABORATORY WASTE	\$200.00	\$50.00 minimum charge
3.2.8	BULKY WASTE	\$200.00	\$50.00 minimum charge
3.2.9	CARCASSES	\$50.00	\$5.00 minimum charge
3.2.10	Manifested ASBESTOS or ASBESTOS CONTAINING MATERIAL (ACM)	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location with proof of hazard assessment
3.2.11	BURNED MATERIALS	\$ 50.00 up to 500 kg; \$ 200.00 portion above 500 kg	\$10.00 minimum charge

3.2.12	Foundry Dust	\$200.00	\$50.00 minimum charge
3.2.13	FOOD PROCESSING WASTE	\$200.00	\$50.00 minimum charge
3.2.14	TIMBER WASTE	\$300.00	\$50.00 minimum charge
3.2.15	TREE STUMPS	\$50.00	\$10.00 minimum charge
3.2.16	RENDERABLE PRODUCT	\$200.00	\$50.00 minimum charge
3.2.17	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
3.2.18	Non-RECYCLABLE CONCRETE	\$60.00	\$50.00 minimum charge

**3.3** ~~The following charges that are in addition to the general charges outlined in 3.1 and 3.2 of Schedule 5, shall also apply:~~

	Recyclables	Addition to General Charges	Charge Information
3.3.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
3.3.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
3.3.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
3.3.4	TIRES with Rims	\$ 3.00 per unit	Maximum 10 per day
3.3.5	Mattress	\$10.00 per unit	Any size
3.3.6	Box Spring	\$10.00 per unit	Any size

~~3.3.7 Any REFUSE that is DEPOSITED at the ACTIVE FACE, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD, that contains RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load whichever is greater.~~

~~3.3.8 Any SOLID WASTE load that is deposited in a designated stockpile area, and that contains CONTAMINANTS or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.~~

~~3.3.9 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.~~

~~3.3.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.~~

~~3.3.11 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is deposited and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the VEHICLE.~~

~~3.3.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each motor vehicle and a fee shall be charged as outlined in this Schedule.~~

~~3.3.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.~~

~~3.3.14 – Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule~~

~~3.3.15 – SOLID WASTE generated in the SERVICE AREA through the DEMOLITION, RENOVATION and CONSTRUCTION of Local Government Improvements owned by The Town of Oliver or the RDOS are exempt from tipping fees provided the SOLID WASTE is SOURCE SEPARATED prior to delivery, the MANAGER is notified 24 hours in advance and the materials are DEPOSITED appropriately at the SITE. DEMOLITION AND RENOVATION MIXED LOAD shall be charged the applicable fees above.~~



## Schedule 5 – Public Works and Engineering Fees

### Section 7- Sanitary Landfills

#### 4.0 Keremeos Sanitary Landfill

4.1 The general charges for depositing SOLID WASTE at the Keremeos Sanitary Landfill are:

	Refuse	Charge per tonne per load	Charge Information
4.1.1	REFUSE	\$ 110.00	\$5.00 minimum charge

	Demolition, Renovation and Construction Materials	Charge per tonne per load	Charge Information
	DEMOLITION-RENOVATION AND CONSTRUCTION MIXED LOAD	Mixed Loads Not Accepted	
4.1.2	GYP SUM BOARD	\$95.00	\$ 5.00 minimum charge
4.1.3	WOOD WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
4.1.4	CONTAMINATED WOOD PRODUCT	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads greater than 100 kg
	SMALL DIMENSION WHITE WOOD (KILN DRIED)	\$200.00	\$50.00 minimum charge
	PRESERVED WOOD	See Section 4.2 below	
4.1.5	CONCRETE, ASPHALT, MASONRY AND ROCKS SOURCE SEPARATED	\$20.00	\$5.00 minimum charge
4.1.6	Ceramic Fixtures	\$20.00	\$5.00 minimum charge
4.1.7	ASPHALT SHINGLES, TAR & GRAVEL ROOFING SOURCE SEPARATED	\$60.00	\$5.00 minimum charge
4.1.8	Plate glass or other non-container glass	\$95.00	\$5.00 minimum charge

	Soil	Charge per tonne per load	Charge Information
4.1.9	CLEAN FILL	\$0.00	
4.1.9.1	Clean soil materials that do not exhibit concentrations of metals and non-metal parameters greater than Agricultural (AL) as specified in the CONTAMINATED SITES REGULATION.		
4.1.9.2	The appropriate Waste Management Declaration is to be completed and twenty-four (24) hours' notice given to the REGIONAL DISTRICT prior to delivery of the fill to the SITE.		

	Organic and Agricultural	Charge per tonne per load	Charge Information
--	--------------------------	---------------------------	--------------------

4.1.11	YARD AND GARDEN WASTE	\$0.00 up to 100 kg; \$60.00 portion above 100 kg	\$5.00 minimum charge for loads more than 100 kg
4.1.12	AGRICULTURAL ORGANIC MATERIAL	\$0.00	
4.1.13	SOURCE SEPARATED AGRICULTURAL PLASTIC	\$0.00	Must be placed in clear bags or bundled appropriately
4.1.14	SMALL DIMENSION GREEN ORGANICS	\$0.00	No Charge when DEPOSITED in designated location

	Recyclables	Charge per tonne per load	Charge Information
4.1.15	RESIDENTIAL RECYCLING	\$0.00	Free of contaminants
4.1.16	UNSORTED RESIDENTIAL RECYCLING	\$95.00	\$5.00 minimum charge. Free of CONTAMINATION
4.1.17	CORRUGATED CARDBOARD	\$0.00	Free of contaminants
4.1.18	Container Glass	\$0.00	Bottles and jars free of all other material except container label
4.1.19	METAL	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads more than 500 kg
4.1.20	E-WASTE	\$0.00	Acceptable quantities which originate within the SERVICE AREA
4.1.21	BATTERIES	\$0.00	
4.1.22	Recyclable TIRES (Max. 10 per customer/day)	\$0.00	Rims removed
4.1.23	OVERSIZE TIRES	\$500.00	Rims removed
	PRESSURIZED TANKS	See Section 4.4 below	
	TIRES with Rims	See Section 4.4 below	
	REFRIGERATION UNITS	See Section 4.4 below	
	Mattress and Box Springs	See Section 4.4 below	

**4.2 — The charges for depositing authorized CONTROLLED WASTE and authorized PROHIBITED WASTE at the Keremeos Sanitary Landfill are:**

	Waste	Charge per tonne per load	Charge Information
4.2.1	PRESERVED WOOD	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
4.2.2	INVASIVE PLANTS	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
4.2.3	INFESTED VEGETATION	\$200.00 (see Information on Charge)	No Charge when DEPOSITED in designated location
4.2.4	TREE STUMPS	\$50.00	\$10.00 minimum charge

4.2.5	Authorized PROHIBITED WASTE	\$200.00	\$50.00 minimum charge
4.2.6	Non-RECYCLABLE CONCRETE	—\$60.00	\$50.00 minimum charge

~~4.3 The charges for depositing PROHIBITED WASTE as per 2.4.16 at the Keremeos Sanitary Landfill are:~~

	Prohibited Waste	Charge per tonne per load	Charge Information
4.3.1	PROHIBITED WASTE	\$500.00	\$250.00 minimum charge

~~4.4 The following charges that are in addition to the general charges outlined in 4.1 and 4.2 of Schedule 5, shall also apply:~~

	Recyclables	Addition to General Charges	Charge Information
4.4.1	Large PRESSURIZED TANKS	\$1.00 per unit	4.5 kg. (10 lb.) or greater
4.4.2	Small PRESSURIZED TANKS	Free	Less than 4.5 kg. (10 lb.)
4.4.3	REFRIGERATION UNIT	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES
4.4.4	TIRES with Rims	\$3.00 per unit	Maximum 10 per day
4.4.5	Mattress	\$10.00 per unit	Any size
4.4.6	Box Spring	\$10.00 per unit	Any size

~~4.4.7 Any REFUSE that is DEPOSITED in the REFUSE BINS that contains RECYCLABLE WASTE or CONTROLLED WASTE shall be charged two times the rate for REFUSE or two times the highest rate for any materials contained in the load, whichever is greater.~~

~~4.4.8 Any SOLID WASTE load that is DEPOSITED in a designated stockpile area, and that contains CONTAMINANTS or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.~~

~~4.4.9 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.~~

~~4.4.10 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.~~

~~4.4.11 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the LOAD is DEPOSITED and shall be based on the NET WEIGHT, difference in weight between the GROSS WEIGHT and the TARE WEIGHT of the empty VEHICLE.~~

~~4.4.12 In the event the weigh scale is not operational or at the discretion of the MANAGER, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.~~

~~4.4.13 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In Situ Agricultural Chipping Program may pay a fee as determined by the REGIONAL DISTRICT.~~

~~4.4.14 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.~~

~~4.4.15 DEPOSIT of PROHIBITED WASTE including but not limited to ASBESTOS CONTAINING MATERIALS, FRUIT WASTE, DEMOLITION RENOVATION AND CONSTRUCTION MIXED LOAD, LEAD PAINTED MATERIALS and BURNED MATERIALS is not authorized for DISPOSAL at the Keremeos SITE.~~

#### Schedule 5 – Public Works and Engineering Services Fees CHANGES/additions in blue

#### Section 7- Sanitary Landfills

#### Regulatory Bylaw 2723.01

#### Campbell Mountain, Okanagan Falls, Oliver Landfills and Keremeos Waste Transfer Station

**Commented [DH6]:** Previously each Landfill had its own Schedule now have consolidated into one

1.0 The general TIPPING FEE is per metric tonne per load, or when stated per unit, when each SOLID WASTE is SOURCE SEPARATED, not CONTAMINATED and DISPOSED in the DESIGNATED LOCATION. Capitalization of a word indicates that it is defined in the Waste Management Service Regulatory Bylaw.

TIPPING FEE charges that are in addition to the general TIPPING FEE listed in Section 1.1 to 1.4 are identified in 2.0.

<u>1.1 REFUSE</u>	<u>Campbell Mountain Landfill</u>	<u>Okanagan Falls Landfill</u>	<u>Oliver Landfill</u>	<u>Keremeos Waste Transfer Station</u>	<u>Charge Information</u>
<u>REFUSE</u>	<u>\$110.00</u>	<u>\$110.00</u> <u>Must not contain items listed in Section 2.13</u> <u>FOOD WASTE.</u>	<u>\$110.00</u>	<u>\$110.00</u> <u>Must not contain items listed in Section 2.12</u>	<u>Charge per metric tonne per load and see 1.0</u>  <u>\$5.00 minimum charge.</u> <u>Okanagan Falls Landfill cannot accept FOOD WASTE.</u>

**Formatted Table**

1.2 DEMOLITION, RENOVATION, CONSTRUCTION MIXED LOAD SOLID WASTE	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load and see 1.0
ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$90.00 to 500 kg; \$500.00 portion above 500 kg	\$90.00 to 500 kg; \$125.00 portion above 500 kg	\$90.00 to 500 kg; \$500.00 portion above 500 kg	Not Accepted	RDOS approval form required. \$25.00 minimum charge
NON-SERVICE AREA ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	Not Accepted	\$150.00	Not Accepted	Not Accepted	RDOS approval form required. Materials generated outside the SERVICE AREA of a SITE.
NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$200.00 to 500 kg; \$700.00 portion above 500 kg	\$150.00 up to 500 kg; \$500.00 portion above 500 kg	\$200.00 up to 500 kg; \$700.00 portion above 500 kg	Not Accepted	\$50.00 minimum charge.
CONSTRUCTION MIXED LOAD	\$200.00 to 500 kg; \$700.00 portion above 500 kg	\$90.00 to 500 kg; \$125.00 portion above 500 kg	\$200.00 to 500 kg; \$700.00 portion above 500 kg	Not Accepted	RDOS approval form required. \$25.00 minimum charge

Commented [CB7]: Was \$200. Reduced due to lower than expected tonnage received.

Commented [CB8]: Was \$250. Reduced due to lower than expected tonnage received.

Commented [CB9]: Was \$200. Reduced due to a lower than expected tonnage received.

1.3 RECYCLABLE (see Charge Information with each SOLID WASTE)	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load, or as stated per unit, and see 1.0
Alarms (smoke, CO detectors)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.
Antifreeze (liquid & containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted.
ASPHALT	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
ASPHALT SHINGLES	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
BATTERIES LEAD-ACID, BATTERIES - HOUSEHOLD	\$0.00	\$0.00	\$0.00	\$0.00	Lead acid, Household.
CERAMIC FIXTURES and Ceramic Tile	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETE	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETE BULKY	\$60.00	\$60.00	\$60.00	Not Accepted	Means CONCRETE measuring greater than 1

					m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm. \$50.00 minimum charge.
CORRUGATED CARDBOARD	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities.
FRUIT WASTE	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$5.00 minimum charge for loads greater than 500 kg
FRUIT/GRAIN BY-PRODUCT	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	
GLASS CONTAINERS	\$0.00	\$0.00	\$0.00	\$0.00	Clean, empty. Commercial volumes accepted in DESIGNATED LOCATION
GYSPUM BOARD-NEW	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge.
GYSPUM BOARD NON-RECYCLABLE	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge
Lighting (fixtures and bulbs)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.
<b>1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load, or as stated per unit, and see 1.0
MASONRY	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge
Mattress or Box Spring	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	Any size.
Mercury containing materials (thermostat switches)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted HHW Facility.
METAL	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg. Under 2.4 meters (8 ft.) in length and/or width.
Oil (used motor oil, filters and containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted. HHW Facility.

**Commented [CB10]:** Changed from \$10 M/T with \$5 min. charge to match rate at Campbell Mtn Landfill. Small loads are comparatively easy to handle as compared to large loads.

**Commented [DH11]:** New Definition to accommodate waste generated by cottage beverage producers. Small volumes are comparatively easy to handle as compared to large volumes.

**Commented [CB12]:** Raised from \$95 to match cost per tonne to recycle.

**Commented [CB14]:** Raised from \$95 to match cost of disposal.

**Commented [CB13]:** Asbestos restrictions have limited ability to recycle old recovered gypsum from structures. This new charge will allow for separation of recyclable and non-recyclable gypsum at the same price.



					(Limit of 20 gallons per load per day).
OPERATIONALLY BENEFICIAL	\$0.00	\$0.00	\$0.00	\$0.00	As determined by the MANAGER.
Paint - residential	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted (limit of 20 gallons per load per day).
PRESSURIZED TANKS - Large	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	4.5 kg (10 lb.) capacity or greater.
PRESSURIZED TANKS - Small	\$0.00	\$0.00	\$0.00	\$0.00	Less than 4.5 kg (10 lb.) capacity.
PRODUCT STEWARDSHIP MATERIALS	\$0.00	\$0.00	\$0.00	\$0.00	Acceptable PRODUCT STEWARDSHIP MATERIALS and acceptable quantities from within the SERVICE AREA.
REFRIGERATION UNIT (Fridges, Freezers, AC units etc.)	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES. If ODS is removed provide acceptable certification.
RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE	\$0.00 <a href="#">see Charge Information</a>	Not Accepted	See Oil, Paint Antifreeze, Lighting	Not Accepted	Residential quantities accepted. Oliver LF accepts only what is listed.
RESIDENTIAL PACKAGING	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
RESIDENTIAL POLYSTYRENE PACKAGING	\$0.00	Not Accepted	\$0.00	\$0.00 <a href="#">see Charge Information</a>	Not CONTAMINATED.
RESIDENTIAL PLASTIC FILM	\$0.00	Not accepted	\$0.00	\$0.00	Not CONTAMINATED.
<b>1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load, or as stated per unit, and see 1.0
RESIDENTIAL PRINTED PAPER	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	Not CONTAMINATED.
RESIDENTIAL RECYCLING- UNSORTED	<del>\$110.00</del>	<del>\$110.00</del>	<del>\$110.00</del>	<del>\$110.00</del>	<del>\$5.00 minimum charge.</del> Not CONTAMINATED.
ROCKS	\$20.00	\$20.00	\$20.00	\$20.00	Not greater than 40 cm in any direction. \$5.00 minimum charge.
TAR AND GRAVEL ROOFING	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
TIRE	\$0.00	\$0.00	\$0.00	\$0.00	Maximum 10 per load/day.

**Commented [CB15]:** Program for unsorted blue bags. Unlike sorted residential recycling, the RDOS must pay for the shipping and recycling. Tipping fee covers cost of recycling.

	<a href="#">see Charge Information</a>	<a href="#">see Charge Information</a>	<a href="#">see Charge Information</a>	<a href="#">see Charge Information</a>	
TIRE – with rims	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	Maximum 10 per load/day.
TIRE-OVERSIZE	\$500.00	\$500.00	\$500.00	\$500.00	Per Metric Tonne
WOOD PRODUCT CONTAMINATED	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE-TREE STUMP	\$50.00	\$50.00	\$50.00	\$50.00	\$10.00 minimum charge.
YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
YARD WASTE SMALL DIMENSION	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	No Charge when loads contain only chipped yard waste, grass, and/or leaves.
Compost Sales	For Campbell Mountain Landfill compost sales, contact City of Penticton. Compost site is operated by the City of Penticton.				

**Commented [CB16]:** Fees removed for pre-chipped yard waste grass and leaves. (tree removal & landscaping companies). These materials can be used on site without additional cost of grinding.

1.4 Authorized CONTROLLED WASTE	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information
					Charge per metric tonne per load or as indicated and see 1.0
AGRICULTURAL ORGANIC MATERIAL	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	RDOS approval required. <b>Penalties will apply if not suitably prepared.</b>
AGRICULTURAL PLASTIC	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	\$0.00 <a href="#">see Charge Information</a>	RDOS approval required. <b>Penalties will apply if not suitably prepared.</b>
ASBESTOS CONTAINING MATERIALS (ACM)	\$0.00 <a href="#">see Charge Information</a>	Not Accepted	\$0.00 <a href="#">see Charge Information</a>	Not Accepted	RDOS approval required. <b>PROHIBITED WASTE</b> when not suitably contained and DISPOSED of.

BULKY WASTE	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge.
BURNED MATERIALS that have been allowed to cool for no less than a two-week period.	\$200.00	Not Accepted	\$200.00	Not Accepted	<b>RDOS approval required.</b> \$5.00 minimum charge.
CARCASSES	\$50.00	Not Accepted	\$50.00	Not Accepted	\$10.00 minimum charge.
CLINICAL/ LABORATORY STERILIZED WASTE	\$200.00	Not Accepted	\$200.00	Not Accepted	\$50.00 minimum charge
Condemned foods	\$200.00	Not Accepted	\$200.00	Not Accepted	<b>RDOS approval required.</b> \$50.00 minimum charge.
Foundry Dust	\$150.00	Not Accepted	\$150.00	Not Accepted	\$50.00 minimum charge
ILLEGALLY DUMPED WASTE	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. Regular charges will apply if not RDOS approved prior to DISPOSAL.
INFESTED VEGETATION	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	Penalties will apply if not DISPOSED of in DESIGNATED LOCATION.
INVASIVE PLANTS	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	Penalties will apply if not DISPOSED of in DESIGNATED LOCATION.
LEAD-BASED PAINT coated materials	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	<b>PROHIBITED WASTE</b> when not suitably DISPOSED of.
<b>1.4 Authorized CONTROLLED WASTE continued</b>	<b>Campbell Mountain Landfill</b>	<b>Okanagan Falls Landfill</b>	<b>Oliver Landfill</b>	<b>Keremeos Waste Transfer Station</b>	<b>Charge Information</b> Charge per metric tonne per load or as indicated and see 1.0
PROHIBITED WASTE – authorized	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge. RDOS approval required.
Sludge and Screenings from municipal sewage treatment plants	\$110.00 see Charge Information	Not Accepted	\$110.00 see Charge Information	Not Accepted	\$50.00 minimum charge. RDOS approval required. If not RDOS approved prior to DISPOSAL a charge of \$200 M/T will apply with a \$50.00 minimum.

**Commented [CB17]:** Removed component of lower fees under 500 kg per load.

**Commented [CB18]:** Name updated from Environmental Clean Up Materials.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

SOIL CLEAN	\$0.00	\$0.00	\$0.00	\$0.00	RDOS approval required.
	see Charge Information	see Charge Information	see Charge Information	see Charge Information	
SOIL CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	Soil Relocation Application required.
Soil Relocation Application	\$250.00 per application	\$250.00 per application	\$250.00 per application	Not Applicable	RDOS approval required.
SOIL SMALL VOLUME CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	RDOS approval required.
WOOD-PRESERVED	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	PROHIBITED WASTE when not suitably DISPOSED of.
WOOD WASTE INDUSTRIAL	\$300.00	\$300.00	\$300.00	Not Accepted	\$50.00 minimum charge.
WOOD WASTE-SMALL DIMENSION	\$200.00	\$200.00	\$200.00	Not Accepted	

Commented [DH19]: Declaration

Commented [CB20]: Existing designation that has been applied to all landfills except Keremeos. Does not require Soil Relocation Application.

Commented [DH21]: SMALL VOLUME CONTAMINATED SOIL Requires approval & completion of a Small Volume Relocation Form

2.0 The following charges are in addition to the general charges outlined above [in 1.0 to 1.4](#), [shall also apply](#):

2.1 Any REFUSE that is deposited at the ACTIVE FACE or REFUSE BINS, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD that contains CONTROLLED WASTE or RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.

Formatted: Indent: Left: -0.1", Hanging: 0.59", Don't add space between paragraphs of the same style, Line spacing: single

Formatted: Font: Bold

2.2 Any SOLID WASTE load that is deposited in a DESIGNATED LOCATION and that is CONTAMINATED or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.

Formatted: Font: +Body (Calibri), 11 pt

Formatted: List Paragraph, Line spacing: Multiple 1.15 li, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0" + Indent at: 0.25"

2.3 DISPOSING of unauthorized PROHIBITED WASTE in a manner contrary to the RDOS approved protocol shall be charged \$500 per tonne with a \$300 minimum charge, or as determined by the MANAGER.

Formatted: List Paragraph, Indent: Left: 0.25", Line spacing: Multiple 1.15 li

Formatted: Font: (Default) +Body (Calibri), 11 pt

Formatted: Font: (Default) +Body (Calibri), 11 pt

2.4 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.

2.5 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.

2.6 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the load is DISPOSED and shall be based on the WEIGHT - NET, difference in weight between the WEIGHT - GROSS and the WEIGHT - TARE of the empty VEHICLE.

2.7 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.

2.8 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program shall pay a fee as determined by the REGIONAL DISTRICT.

2.9 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.

See 2.3

2.10 SOLID WASTE generated by LOCAL GOVERNMENT IMPROVEMENTS are exempt from tipping fees when prepared and DISPOSED of in a manner approved by the MANAGER.

2.11 Any SOLID WASTE generated outside the designated Landfill SERVICE AREA that is DISPOSED of at a SITE shall be charged two times the rate for REFUSE, or two times the highest rate for any SOLID WASTE contained in the load, whichever is greater, with a \$20 minimum charge, or as indicated in Section 1.2.:

2.12 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, CONSTRUCTION MIXED LOAD, DEMOLITION AND RENOVATION MIXED LOAD, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Keremeos SITE.

2.13 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, FOOD WASTE, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Okanagan Falls SITE.

## Schedule 6 – Parks and Recreation Fees

---

### 1.0 Naramata Parks and Recreation

1.1 Wharf Park		
1.1.1	Park Rental (No Power) daily	\$100
1.2 Manitou Park		
1.2.1	Park Rental (No Power) daily	\$100
1.2.2	Power daily	\$25
1.3 Deposit for Park Rental		\$500
1.4 Recreation Programs		
1.4.1	Instructed Programs (per series – price not to exceed)	\$175
	1.4.1.1 Drop-in (per session – price not to exceed)	\$15
2.4.2	Summer Day Camp - daily	\$25
2.4.5	Summer Camp Weekly	\$100



1.1 Wharf Park		
1.1.1	Park Rental (No Power) daily	\$100
1.2 Manitou Park		
1.2.1	Park Rental (No Power) daily	\$100
1.2.2	Power daily	\$25
1.3	Deposit for Park Rental	\$500
1.4	Recreation Programs	
1.4.1	Instructed Programs (per series - price not to exceed)	\$175
1.4.1.1	Drop-in (per session - price not to exceed)	\$15
1.4.2	After School Program (per session)	\$ 3
1.4.3.1	One-time Membership	\$10
1.4.3	Summer Day Camp - Daily	\$ 25
1.4.4	Summer Day Camp - Weekly	\$ 100

## 2.0 Okanagan Falls Parks and Recreation

2.1 Kenyon House		
2.1.1	Kenyon House - Monday to Friday daily	\$ 75
2.1.2	Kenyon House - Saturday or Sunday daily	\$110
2.1.3	Kenyon House - Full Weekend	\$200
2.2 Community Center		
2.2.1	Full Facility Kitchen Activity Room and Gym - Saturday or Sunday	\$325
2.2.2	Full Facility Kitchen Activity Room and Gym - Full Weekend	\$450
2.2.3	Gym or Activity Room - Monday to Friday 3pm to 9pm daily	\$60
2.2.4	Gym or Activity Room - Weekend Saturday or Sunday daily	\$150
2.2.5	Gym or Activity Room - Full Weekend (Friday 3pm to Sunday 9pm)	\$250
2.2.6	Kitchen with Rental of Activity Hall or Gym	\$75
2.2.7	Children's Birthday Party - 3hr max	\$60-75
2.2.8	Kitchen Only - Daily	\$100
2.2.9	Kitchen Only - Full Weekend	\$150
2.3 Zen Center		
2.3.1	Day Rate	\$60
2.3.2	Full Weekend	\$100
2.4 Children Programs		
2.4.1	Drop in rate - floor hockey, game night and Multisport	\$3
2.4.2	Active Kids Programs – per visit	\$3-\$10
2.4.3	Special Onetime Events	\$10-\$20
2.4.4	Summer Day Camp - daily	\$25
2.4.5	Summer Camp Weekly	\$100
2.5 Adult Programs		
2.5.1	Instructed Programs - Drop in	\$10
2.5.2	Instructed Programs - 5 Pass Package	\$40
2.5.3	Instructed Programs - 10 Pass Package	\$65
2.5.4	Instructed Programs - 20 Pass Package	\$120
2.5.5	Drop –In	\$3

2.6 Lions	2.6.1	Wedding Vows - Ceremonies	\$75
2.7 Keogan			
	2.7.1	Youth / Teen	\$10
	2.7.2	Cricket / Baseball Adult Exclusive	\$75

### 3.0 Kaleden Parks and Recreation

3.1 Parks			
	3.1.1	Kaleden Hotel Day Rate (Includes power)	\$ 400
3.2 Community Hall		(rental includes Hall, Bar and Sound System)	
	3.2.1	Day Rate <del>(8 am – midnight)</del>	<del>\$2500</del>
		3.2.1.1. Weddings	\$2500
		3.2.1.1 Hotel Park and Hall	<del>\$375</del>
		<del>With alcho</del>	\$
			\$2800425
	3.2.1.2	<del>Full Wee</del> Meetings and Events	<del>\$415</del>
	3.2.2	Weekend Rate (6 pm Friday to noon	\$2700
	3.2.3	Sunday) <del>kend (noon Friday to noon</del>	\$50
		<del>Sunday) (includes Kitchen)</del>	\$150
	3.2.3.1	Hourly Rate	\$350
	3.2.3.2	Hall (3 hour minimum)	\$100
	3.2.3.3	Add Kitchen (\$200)	
		Children's Birthday Parties	<del>700</del>
		Kaleden Residents receive a 25% discount on all Rentals	
	3.2.4	Damage Deposit – <u>required</u>	<del>30%</del> \$600
	3.2.5	Sports <del>Drop In Rates (2.5 hours)</del> Rental	\$3
		<u>Rates (2 Hours)</u>	\$4
		<u>3.2.5.1 Drop In Per Person</u>	\$2.50
		<u>3.2.5.2 Individual Fee paid in advance</u>	\$25Free
	3.2.6	<u>per class</u>	No Chg
	3.2.7	3.2.5.3 Club Fee	20%
	3.2.8	Kaleden Youth Organized Groups	No Chg
	3.2.9	Discount for Non-Profit Organizations	No Chg
		Discount for Local Charitable Fundraising	
		Local Groups Providing Community	
		Events	
3.3 Equipment for Rent Off Premise			
	3.3.1	Rectangular Tables (each)	\$8
	3.3.2	Chairs (each)	\$2
	3.3.3	Portable Sound System (mp3, iPod compatible (per day)	\$150
	3.3.7	10x10 Awnings (each)	\$60
	3.3.8	Administration Fee on all Off Premise Rentals	\$55
			\$40

Formatted: Justified

Formatted: Justified

	3.3.8.1 Weekday	\$60
	3.3.8.2 Weekend	
3.4 Insuran	Mandatory Coverage	
3.4.1	Church Group	\$5
3.4.2	Children's Party	\$30
3.4.3	Wedding or Adult Party	\$60
	3.4.3.1 Add. Insurance if Alcohol served	\$100
3.5 Deposit for All Types of Rentals		30%
****Special Requests can be submitted to the Kaleden Recreation Commission Board***		
3.6 Recreation Programs		
3.6.1	Drop in rate - floor hockey, game night and Multisport	\$3
3.6.2	Active Kids Programs – per visit	\$3-\$10
3.6.3	Special Onetime Events	\$10-\$20
3.6.4	Instructed Programs - Drop in	\$10
3.6.5	Fitness / Yoga businesses providing instruction	\$10-\$15
	- 30% of gross revenue paid to Kal-Rec	
<b>4.0 Keremeos</b>		
4.1 Facility Rentals		
4.1.1	Bowling lanes	<del>\$8079</del>
	4.1.1.2 School Rates	<del>\$6055</del>
4.1.2	Squash/Racquetball	<del>\$550</del>
4.1.3	Climbing Wall	\$45
4.2 Keremeos Community Pool		
4.2.1	Single Admission Rates	
4.2.1.1	Pre-school - under 5	\$1.25
4.2.1.2	Child – 5 – 12 years	<del>\$4.00-25</del>
4.2.1.3	Teen – 13 – 19 years	<del>\$4.2550</del>
4.2.1.4	Adult – 19+	<del>\$4.755.00</del>
4.2.1.5	10 Flex Pass	<del>\$3436</del>
4.2.1.6	Family Rate	<del>\$11.50</del>
4.2.2	Red Cross	
4.2.2.1	Duck – Level 7	<del>\$563</del>
4.2.2.2	Level 8 – 10	<del>\$762</del>
4.2.3	Early Bird Club *changed from 3 days per week to 2 days	<del>\$1150</del>
4.2.4	Adult Fitness	<del>\$1150</del>
4.2.5	Aquacise	<del>\$90-115</del>
<u>4.2.6</u>	<u>Aquacise Combined</u>	<u>\$170</u>
<u>4.2.6</u>	<u>Red Cross Lessons</u>	
<u>4.2.6.1</u>	<u>Pre-school</u>	<u>\$50</u>

	<del>4.2.6.2</del>	<del>Levels 1 – 7</del>	<del>\$50</del>
	<del>4.2.6.3</del>	<del>Levels 8, 9 and 10</del>	<del>\$68</del>
4.2.7	Pool Rental – per hour		<del>\$75</del> <u>\$80</u>
4.3 Keremeos Fitness Room			
4.3.1	Single Admission Rates		
	4.3.1.1	Youth	\$4.75
	4.3.1.2	Adult	\$7
4.3.2	1 Month Pass		
	4.3.2.1	Youth	<del>\$48</del> <u>\$53</u>
	4.3.2.2	Adult	<del>\$68</del> <u>\$75</u>
4.3.3	3 Month Pass		
	4.3.3.1	Youth	<del>\$125</del> <u>\$130</u>
	4.3.3.2	Adult	<del>\$153</del> <u>\$145</u>
	4.3.3.3	Family	<del>\$255</del> <u>\$240</u>
4.3.4	6 Month Pass		
	4.3.4.1	Youth	<del>\$480</del> <u>\$190</u>
	4.3.4.2	Adult	<del>\$235</del> <u>\$250</u>
4.3.5	1 Year Pass		
	4.3.5.1	Youth	<del>\$305</del> <u>\$320</u>
	4.3.5.2	Adult	<del>\$405</del> <u>\$425</u>
	4.3.5.3	Family	<del>\$605</del> <u>\$635</u>
4.3.6	Lost Card Replacement		<del>\$40</del> <u>\$12</u>
4.4 Keremeos Ice Rink			
4.4.1	Single Admission Rates		
	4.4.1.1	Child – 5 – 12 years	\$ 4.00
	4.4.1.2	Teen – 13 – 19 years	\$ 4.50
	4.4.1.3	Adult – 19+	\$ 5.00
	4.4.1.4	Family	\$10.50
	4.4.1.5	Parent/Tot	<del>\$ 6.50</del> <u>\$25</u>
	4.4.1.6	10 Flex Pass	<del>\$30.00</del> <u>\$32.00</u>
4.4.2	Learn to Skate		
	4.4.2.1	3 – 6 Years	<del>\$60</del> <u>\$65.00</u>
	4.4.2.2	7 and up	<del>\$90.00</del> <u>\$65.00</u>
4.4.3	Mite's Hockey – Boys and Girls 5 – 8 Years old		<u>\$5.25</u> ←
	<del>4.4.3.1</del>	<del>Entire Program</del>	<del>\$55.00</del>
	<del>4.4.3.2</del>	<del>Drop-In</del>	<del>\$5.00</del>
4.4.4	Sticks and Pucks 9 -14 Years old		<del>\$4.50</del> <u>\$5.25</u>

Formatted Table

4.4.5	Sticks and Pucks – Adult	\$8. <del>00</del> <u>50</u>
4.4.6	Ice Rental – Per hour	
4.4.6.1	School Age Keremeos	\$ 80.00
4.4.6.2	Adult	\$100. <del>00</del>
4.4.7	Skate Rental	\$2.50
4.5	Keremeos Bowling	
4.5.1	League Bowling	
4.5.1.1	Adult	\$11.50
4.5.1.2	Senior	\$11.00
4.5.1.3	<u>Fun Bowl</u>	<u>\$9.50</u>
4.5.2	Drop- In	
4.5.2.1	Adult	\$ 5.25
4.5.2.2	Youth	\$ 4.25
4.5.2.3	Family	\$10.50
4.5.3	Shoe Rental	\$ 2.00
4.6	<del>Squash Tokens (each)</del>	<del>\$ 2.65</del>
4.6.1	<del>Per Year</del>	<del>\$68.00</del>
	<del>Punch-in Fitness</del>	<del>\$64.76</del>
4.67	Climbing	
4.7.1	Child	\$ 3.00
4.7.2	Teen	\$ 4.00

All Program fees are set at a level sufficient at minimum to cover all instructors, expendable and consumable materials and extraordinary costs.

## **Schedule 7 – Transit Fees**

---

### **1.0 Local Routes**

1.1	Single Fare Tickets	\$2.25
1.2	Sheet of Ten Tickets	\$20.25
1.3	Day Pass	\$4.50
1.4	Adult Monthly Pass	\$45.00
1.5	Student/Senior Monthly Pass	\$35.00

### **2.0 Regional Routes (Multi-Zone)**

2.1	Single Fare Tickets	\$4.00
2.2	Sheet of Ten Tickets	\$36.00
2.3	Day Pass	\$8.00
2.4	Adult Monthly Pass	\$60.00
2.5	Student/Senior Monthly Pass	\$40.00

Students enrolled on a full-time basis and persons of the age 65 and over are eligible for the discounted rate, as outlined in the schedule. Discounted rates apply to monthly passes, only.



## Schedule 87 – Freedom of Information and Protection of Privacy Request Fees<sup>2</sup>

### Schedule of Maximum Fees

1. For applicants other than commercial applicants:	
(a) for locating and retrieving a record	\$7.50 per ¼ hour or portion thereof after the first 3 hours.
(b) for producing a record manually	\$7.50 per ¼ hour.
(c) for producing a record from a machine readable record excluding records produced on the Geographic Information System (G.I.S.)	\$16.50 per minute for cost of use of mainframe processor on all locally attached devices plus \$7.50 per ¼ hour for developing a computer program to produce the record.
(d) for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour.
(e) for shipping copies	actual costs of shipping method chosen by applicant.
(f) for copying records:	
(i) photocopies and computer printouts	\$0.25 per page (8.5 x 11, 8.5 x 14) \$0.30 per page (11 x 17)
(ii) floppy disks	\$10.00 per disk
(iii) computer tapes	\$40.00 per tape, up to 2400 feet
(iv) microfilm/fiche to paper duplication	\$0.50 per page
(v) photographs (colour or black & white)	\$5.00 to produce a negative \$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" 3.00 each for 5" x 7"
(vi) hard copy laser print, B/W 300 dots/inch hard copy laser print, B/W 1200 dots/inch hard copy laser print, colour	\$0.25 per page \$0.40 per page \$1.65 each
(vii) photographic print of textual, graphic or cartographic record (8" x 10" black & white)	\$12.50 each
(viii) slide duplication	\$0.95 each
(ix) plans	\$1.00 per square metre
(x) video cassette (1/4" or 8mm)	\$11.00 per 60 minute cassette plus \$7.00 per ¼ hour of recording \$20.00 per 120 minute cassette plus \$7.00 per ¼ hour of recording
(xi) video cassette (1/2") duplication	\$15.00 per cassette plus \$11.00 per ¼ hour of recording
(xii) video cassette (3/4") duplication	\$40 per cassette plus \$11.00 per ¼ hour of recording
(xi) photomechanical reproduction of 1055 mm cartographic record/plan	\$3.00 each
2. For Commercial Applicants for each service listed in item 1.	the actual cost of providing that service.

## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** January, 18 2018

**RE:** Waste Management Service Regulatory Bylaw 2796, 2018

---

### Administrative Recommendation:

**THAT Bylaw No. 2796 Regional District of Okanagan-Similkameen Waste Management Services Regulatory Bylaw be read a first, second, and third time.**

### Purpose:

Update and refine current Waste Management Service Regulatory Bylaw 2535, 2014.

### Reference:

- Regional District of Okanagan-Similkameen, Waste Management Service Regulatory Bylaw, 2535, 2014.
- Summary of Additions and Deletions as outlined in Schedule A.

### Business Plan Objective:

Compliance with the goals of the Solid Waste Management Plan.

### Background:

The Waste Management Service Regulatory Bylaw is a foundational document critical to the proper management of all Regional District administered Landfill Sites. The primary purpose of The Waste Management Service Regulatory Bylaw is to indicate acceptable materials and methods of disposal that are in compliance with Landfill Operational Certificates issued to the RDOS Landfill Sites under the British Columbia *Environmental Management Act* and in compliance with the statutes of the British Columbia Occupational Health and Safety Regulations.

The Waste Management Service Regulatory Bylaw also reflects the general and the unique requirements that the RDOS has for the optimal categorization and placement of waste materials, as well as guidelines and expectations for the safe and efficient operation of vehicles and conduct of patrons entering and on the Sites.

The Landfill Fees and Charges assessed by the RDOS for materials delivered to the Landfill Sites is heavily reliant upon the definitions and directions contained in the Regulatory Bylaw. The RDOS incentivizes the disposal of well segregated uncontaminated materials in the correct location through low tipping fees and correspondingly charges high fees for materials that are not source

separated or contaminated and deposited incorrectly. Due to the significant monetary differences inherent in the characterization of waste types, the definitions contained in the Waste Management Service Regulatory Bylaw must be as unambiguous as possible.

### **Analysis:**

The proposed Waste Management Service Regulatory Bylaw reflects RDOS acknowledgment that as Solid Waste Management evolves through changing technologies, waste composition and the advent of new recycling and disposal requirements, the RDOS must legislatively adapt. Staff have spent an extensive amount of time reviewing previous RDOS Bylaws, similar Bylaws from other jurisdictions and have developed a comprehensive document which features Capitalization of all Defined Terms, Waste Type Categorization and Alphabetical arrangement for ease of use. In addition the Bylaw contains an Appeal Process Protocol that ensures fairness in application and indicates a measurement of clarity.

### **Alternatives:**

1. Reject current modifications and require additional revisions.
2. Maintain existing Waste Management Service Regulatory Bylaw.

### **Communication Strategy:**

Once adopted, the Bylaw will be included in the RDOS Bylaw Data Base, and the Bylaw will be made available on the RDOS Web Site. The Regulatory Bylaw is also a basic operational document that will be distributed to applicable Staff.

### **Respectfully submitted:**

*Don Hamilton*

\_\_\_\_\_  
D. Hamilton, Solid Waste Facilities Supervisor

### **Endorsed by:**

*Janine Dougall*

\_\_\_\_\_  
J. Dougall, Public Works Manager

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2796, 2018

---

A bylaw to establish regulations for waste disposal at the Campbell Mountain, Okanagan Falls, Oliver and Keremeos Landfills.

---

**WHEREAS** the Regional District operates the “Campbell Mountain Landfill” (CML) located on District Lot 368, SDYD, the “Okanagan Falls Landfill” (OFL) located on a portion of District Lot 2710, SDYD, the “Keremeos Landfill” (KL) located on a portion of District Lot 2821, SDYD; and the “Oliver Landfill” (OL) located on a portion of District Lot 2450s, SDYD.

**AND WHEREAS** under the *Local Government Act*, the Regional Board may, by bylaw, require persons to use a waste disposal or recycling service and require owners or occupiers of real property to remove trade waste, garbage, rubbish and other matter from their property and take it to a specified place; may operate any service that the board considers necessary or desirable for all or part of the Regional District; may, by bylaw, regulate and prohibit the use of Regional District works and facilities; may, by bylaw, impose a fee or charge payable in respect of a service of the Regional District; and may base the fee or charge on any factor specified in the bylaw;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

#### **1.0 Citation**

- 1.1 This Bylaw may be cited as the **“Waste Management Service Regulatory Bylaw No. 2796, 2018”**.

#### **2.0 Repeal**

- 2.1 **“Waste Management Service Regulatory Bylaw No. 2535, 2014” and all amendments thereto are hereby repealed.**

#### **3.0 Interpretation**

- 3.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in Section 4 of this Bylaw are used in the body or schedules of this Bylaw, they have the meaning ascribed to them as set out in Section 4.
- 3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting the scope or the intent of the provisions of this Bylaw.

- 3.3 Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Regional District, as amended, revised, consolidated or replaced from time to time.
- 3.4 If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw

#### **4.0 Definitions**

- 4.1 In this Bylaw:

ACTIVE FACE means the area of the SITE where the placing, spreading, compacting and covering of REFUSE is currently taking place.

AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, excluding FRUIT WASTE and FOOD WASTE, that is not CONTAMINATED, and has been suitably prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to orchards, nurseries, vineyards and silviculture operations (see CONTROLLED WASTE).

AGRICULTURAL PLASTIC means plastic used in agricultural applications that are not CONTAMINATED, and have been suitably contained and prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film (see CONTROLLED WASTE).

ASBESTOS CONTAINING MATERIAL (ACM) means a material as defined in the *OCCUPATIONAL HEALTH AND SAFETY REGULATION*, *ENVIRONMENTAL MANAGEMENT ACT*, and *HAZARDOUS WASTE REGULATION*, and suitably contained for disposal as per the Regulation, RDOS Bylaws and RDOS Policies (see CONTROLLED WASTE).

ASPHALT means a sticky, black and highly viscous liquid or semi-solid form of petroleum based material used primarily in roads (see RECYCLABLE).

ASPHALT SHINGLES are a waterproof roof covering consisting ASPHALT SHINGLES and ASPHALT Roll Roofing and must not be CONTAMINATED with, including, but not limited to; Tar Paper, TAR AND GRAVEL ROOFING, Torch-on or SBS roofing products, organic material and large metal and flashing materials (see RECYCLABLE).

ASSESSED means to evaluate and determine the quality, extent, significance of a SOLID WASTE, which is verified by the required documentation provided by the HAULER, in a manner determined by the MANAGER.

ASSESSED DEMOLITION AND RENOVATION MIXED LOAD means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all

identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE without appropriate assessment documentation will be determined a NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD.

BATTERIES - LEAD-ACID means a product that falls under the 'Lead-acid Battery' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Lead-acid batteries for automobiles, motorcycles, recreation vehicles, marine vehicles and locomotives (see RECYCLABLE).

BATTERIES – HOUSEHOLD means batteries that fall under the 'Electronic and Electrical' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Nickel Cadmium (NiCad), Lithium Ion (Li-Ion), Nickel Metal Hydride (Ni-MH), Small-Sealed Lead (Pb), or non-chargeable and rechargeable batteries weighing no more than 5 kilograms (11 pounds) each (see RECYCLABLE).

BIOMEDICAL WASTE means waste that is defined as such in the *Hazardous Waste Reg. B.C. 63/88* and in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992) (see PROHIBITED WASTE).

BULKY WASTE means waste articles that are too large by reason of their bulk or shape to manage using regular DISPOSAL methods as determined by the MANAGER, including but not limited to those items with materials greater than 2.4 metres (8 feet) in length (see CONTROLLED WASTE).

BURNED MATERIAL means materials damaged by fire, heat, electricity or a caustic agent that have been allowed to entirely cool for no less than a two-week period, and in a manner acceptable to the MANAGER (see CONTROLLED WASTE). BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two week period is a PROHIBITED WASTE.

CARCASSES means dead animals, or portions thereof, that are not a PROHIBITED WASTE (see CONTROLLED WASTE).

CERAMIC FIXTURES means toilets, sinks, bathtubs, other fixtures or other products such as tile made of ceramic material, and can also include ceramic tiles, where non-ceramic materials, such as metal and plastic are removed (see RECYCLABLE).

CLINICAL/LABORATORY STERILIZED WASTE means non-anatomical waste, including SHARPS, that is generated by institutions including but not limited to, hospitals, laboratories, doctors' offices, medical clinics, and veterinary clinics, and has been sterilized such that all micro-organisms including bacteria, viruses, spores, and fungi are killed (see CONTROLLED WASTE).

COMPOST means a stabilized earthy matter having the properties and structure of humus produced in accordance with the *Organic Matter Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT*.



CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. CONCRETE must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) nor measure greater than 1 m. in any dimension (see RECYCLABLE).

CONCRETE BULKY means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm (see CONTROLLED WASTE).

CONSTRUCTION MIXED LOAD means MIXED LOAD SOLID WASTE produced through new construction, where no existing structures have been altered, and that contains two or more RECYCLABLE building materials including but not limited to ASPHALT SHINGLES, WOOD WASTE, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM, and must not contain DEMOLITION AND RENOVATION MIXED LOAD materials. The HAULER must provide appropriate documentation in a manner acceptable to the MANAGER (see CONTROLLED WASTE). All CONSTRUCTION MIXED LOAD arriving at the SITE without appropriate documentation shall be determined to be NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD.

CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior as defined by the MANAGER.

CONTROLLED WASTE means waste that is approved for DISPOSAL at the SITE but which, because of its inherent nature and quantity, may require special handling and DISPOSAL techniques to avoid creating health hazards, nuisances, or environmental pollution, including, but not limited to:

- (a) AGRICULTURAL ORGANIC MATERIAL;
- (b) AGRICULTURAL PLASTIC;
- (c) ASBESTOS CONTAINING MATERIAL
- (d) ASSESSED DEMOLITION AND RENOVATION MIXED LOAD;
- (e) BULKY WASTE;
- (f) BURNED MATERIAL;
- (g) BURNED MATERIAL with ASBESTOS CONTAINING MATERIAL
- (h) CARCASSES;
- (i) CLINICAL/LABORATORY STERILIZED WASTE;
- (j) CONCRETE BULKY;
- (k) Condemned foods;
- (l) CONSTRUCTION MIXED LOAD;
- (m) DEMOLITION AND RENOVATION MIXED LOAD;
- (n) Foundry Dust;
- (o) GYPSUM BOARD NON-RECYCLABLE;
- (p) HAZARDOUS WASTE those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (q) ILLEGALLY DUMPED WASTE
- (r) INFESTED VEGETATION;
- (s) INVASIVE PLANTS;
- (t) LEAD-BASED PAINT coated materials;
- (u) METAL DRUMS AND TANKS;
- (v) NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD;
- (w) REFRIGERATION UNIT containing ODS;
- (x) RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE;

- (y) Sludge and screenings from municipal sewage treatment plants;
- (z) SOIL CONTAMINATED, and SOIL SMALL VOLUME CONTAMINATED;
- (aa) WOOD-PRESERVED; and
- (bb) WOOD WASTE-SMALL DIMENSION.

CORRUGATED CARDBOARD means containers or materials used in containers consisting of three or more layers of Kraft paper materials and having smooth exterior liners and a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, rodent secretions, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise CONTAMINATED (see RECYCLABLE).

DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the demolishment of a structure or the act of alteration through addition, remodeling, refurbishing or restoring of buildings, structures, or other types of real property that contains two or more RECYCLABLE Building Materials; including but not limited to ASPHALT SHINGLES, WOOD WASTE, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM. (see ASSESSED DEMOLITION AND RENOVATION MIXED LOAD and see CONTROLLED WASTE).

DESIGNATED LOCATION means an area dedicated to the collection of SOURCE SEPARATED SOLID WASTE.

DISPOSE, DISPOSAL, DISPOSED, DISPOSING means the transfer of SOLID WASTE from a VEHICLE to a DESIGNATED LOCATION at the SITE. The SOLID WASTE becomes the jurisdiction of the REGIONAL DISTRICT and subject to the restrictions, allocations and policies/procedures of the REGIONAL DISTRICT.

ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE) means various types of domestic and commercial waste containing mainly electronic components, including, but not limited to computers, televisions, small appliances, residential light bulbs and lighting fixtures which are included within the *Recycling Regulation* of the *EMA* (see RECYCLABLE), and does not include METAL and REFRIDGERATION UNITS.

ENVIRONMENTAL MANAGEMENT ACT (EMA) means the Province of British Columbia Law brought into force on July 8, 2004. The *EMA* provides an authorization and enforcement framework based on contemporary environmental management technologies to protect human health and the quality of water, land and air in British Columbia. The *EMA* replaces the *Waste Management Act*.

FOOD PROCESSING WASTE means any organic materials and/or waste by-product that may be produced in commercial volumes by a food processing operation as determined by the MANAGER, such as slaughter house, fish hatchery, and cannery operations (see PROHIBITED WASTE).

FOOD WASTE means any food substance, raw or cooked, which is discarded, or intended or required to be discarded from RESIDENTIAL, agricultural and Industrial, Commercial, Institutional establishments, but does not include FOOD PROCESSING WASTE or SPECIFIED RISK MATERIALS.

FRUIT WASTE means waste consisting of the fleshy seed-associated structures of a plant that are sweet or sour and edible in the raw state, such as, but not limited to, apples, apricots, cherries, peaches, pears, plums, grapes, strawberries, tomatoes, and raspberries (see RECYCLABLE).

FRUIT/GRAIN BY-PRODUCTS means waste by-products typically generated by beverage producers, such as but not limited to; breweries, cideries, distilleries, and wineries. (see RECYCLABLE).

GLASS CONTAINERS means all clear and coloured containers made of glass as defined as a PRODUCT STEWARDSHIP MATERIAL and does not include window glass, laminated glass, safety or tempered glass, mirrored glass, automotive glass, fiberglass, Plexiglas, light bulbs, fluorescent tubes, kitchenware, ceramics or other types of containers, or any container that contained HAZARDOUS WASTE, or ASBESTOS CONTAINING MATERIAL and does not contain any liquid or solids (see RECYCLABLE).

GYPSUM BOARD-NEW also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED off-cuts and scraps or gypsum removed from new construction and is not an ASBESTOS CONTAINING MATERIAL, and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD NON-RECYCLABLE means gypsum board removed from existing structures and is not RECYCLABLE (see CONTROLLED WASTE).

HAULER means the VEHICLE in which a load is contained as measured by the SCALE.

HAZARDOUS WASTE means any material defined as such in the Hazardous Waste Regulation, *British Columbia Reg. 63/88* of the *ENVIRONMENTAL MANAGEMENT ACT* (see CONTROLLED WASTE and see PROHIBITED WASTE).

HOUSEHOLD HAZARDOUS WASTE (HHW) see RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE.

IGNITABLE WASTE as per the meaning prescribed in the *HAZARDOUS WASTE REGULATION BC Reg. 63/88* (see PROHIBITED WASTE).

ILLEGALLY DUMPED WASTE means SOLID WASTE discarded in an improper or illegal manner. The HAULER must obtain permission from the MANAGER to bring the ILLEGALLY DUMPED WASTE to the SITE (see CONTROLLED WASTE).

INFESTED VEGETATION means trees, shrubs, herbaceous plants or associated fruit that show the presence of plant disease, NOXIOUS INSECTS, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit and that may be spread to another plant or plants with economic, ornamental or aesthetic value (see CONTROLLED WASTE).

INVASIVE PLANTS means all plants as designated in the *Weed Control Regulation, Schedule A, Parts I & II* of the *Weed Control Act* (see CONTROLLED WASTE).

LEAD-BASED PAINT is any coated or painted materials containing lead of any detectable quantity (see CONTROLLED WASTE).

LOCAL GOVERNMENT IMPROVEMENTS refers to the structures, systems, and facilities owned or operated by an Indian Band, Municipality or Regional Government within the SITE SERVICE AREA and suitably prepared as determined by the MANAGER, such as, roads, bridges, tunnels, water supply, sewers, electrical grids, and telecommunications.

MANAGER means the official appointed to that position by the REGIONAL DISTRICT responsible for SOLID WASTE Management and includes any PERSON appointed or designated by the MANAGER to act on his or her behalf.

MASONRY means material bound by mortar used primarily in structures. RECYCLABLE MASONRY must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm.) or be a BULKY WASTE (see RECYCLABLE).

METAL means RECYCLABLE ferrous and non-ferrous metallic materials, containing more than 80% metal by volume, and under 2.4 meters (8 feet) in length and/or width, including but not limited to, metal food containers, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, machinery, metal furniture, tire rims, metal appliances typically finished in enamel or stainless steel; such as clothes washers, dishwashers, clothes dryers, ranges, stoves, hot water tanks and REFRIDGERATION UNITS evacuated of ODS by a certified technician, baseboard heaters with thermostat switches removed, and is not a BULKY WASTE, a PRESSURIZED TANK or METAL DRUMS AND TANKS, and the METAL material does not contain any fluids. batteries, mercury thermostat switches, or ballasts with PCBs.

METAL DRUMS AND TANKS a drum is cylindrical container designed to confine or contain materials most commonly liquids. To receive at the SITE all DRUMS must be empty and have the lid or one end removed. A TANK is a vessel used to store liquids, for SITE acceptance TANKs must be empty with an sufficiently sized aperture (minimum 35 cm X 35 cm (14"x14")) to verify that the TANK is empty and allow for sufficient venting, does not include PRESSURIZED TANKs. (see CONTROLLED WASTE).

MIXED LOAD means a load containing two or more SOLID WASTES, as designated in the RDOS Fees and Charges Bylaw as amended from time to time.

NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD means a DEMOLITION AND RENOVATION MIXED LOAD or CONSTRUCTION MIXED LOAD brought to a SITE without verification of assessment as determined by the MANAGER (See ASSESSED DEMOLITION AND RENOVATION MIXED LOAD and CONTROLLED WASTE).

NON-SERVICE AREA means materials generated outside the SERVICE AREA of a SITE.

NOXIOUS INSECTS means all insects so designated by the REGIONAL DISTRICT'S *Noxious and Destructive Insects Bylaw* (see INFESTED VEGETATION).

OCCUPATIONAL HEALTH AND SAFETY (OHS) REGULATION means a Regulation under the *Workers Compensation Act* which contains legal requirements that must be met by all workplaces under the inspection jurisdiction of WorkSafeBC.

OPERATIONALLY BENEFICIAL means a material which is of functional value to the operation of the Landfill process, for use as cover material, erosion control, construction and other operational benefits as determined by the MANAGER.

OZONE DEPLETING SUBSTANCE (ODS) means a substance defined as such in the *Ozone Depleting Substances and other Halocarbons Regulation, British Columbia Reg. 387/99* under the *ENVIRONMENTAL MANAGEMENT ACT*.

PERSON means an individual, corporation, partnership, association or any other legal entity or an employee or agent thereof.

PRESSURIZED TANK means a closed metal container designed to hold gases or liquids at a pressure substantially different from the ambient pressure including, but not limited to, diving cylinders, fire extinguishers and storage vessels for liquefied gases such as ammonia, propane, butane, or helium (see RECYCLABLE).

PRODUCT STEWARDSHIP MATERIAL means material that falls under a product category of the *Recycling Regulation, B.C. Reg. 449/2004* such as *ELECTRONIC* and *ELECTRICAL PRODUCTS* (see RECYCLABLE).

PROHIBITED WASTE means SOLID WASTE designated in an Operational Certificate or by the REGIONAL DISTRICT from time to time, to be inappropriate for DISPOSAL for environmental, regulatory or legal reasons, or reasons related to the safe or efficient operation of the SITE except as permitted in this bylaw, currently including but not limited to the following specified materials:

- (a) BIOMEDICAL WASTE defined as such in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992);
- (a) BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two week period;
- (b) HAZARDOUS WASTE other than those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (c) FOOD PROCESSING WASTE;
- (d) IGNITABLE WASTE;
- (e) Liquid or semi-solid wastes;
- (f) RADIOACTIVE WASTE;
- (g) REACTIVE WASTE;
- (h) SHARPS;
- (i) SPECIFIED RISK MATERIAL regulated federally under the *Health of Animals Act and Regulations*;
- (j) VEHICLES and other large metallic objects; and

- (k) Such other materials as are designated by the MANAGER from time to time to be inappropriate for DISPOSAL at the SITE for environmental reasons or reasons related to the safe or efficient operation of the SITE.

RADIOACTIVE WASTE means a "nuclear substance" as defined in the *Nuclear Safety and Control Act* (Canada), in sufficient quantity or concentration to require a licence for possession or use under the Act and regulations made under that Act (see PROHIBITED WASTE).

REACTIVE WASTE means waste that is defined as such in the *Hazardous Waste Regulation* (see PROHIBITED WASTE).

RECYCLABLE means all SOURCE SEPERATED materials that are suitably prepared and not CONTAMINATED as determined by the MANAGER, including but not limited to:

- (a) ASPHALT;
- (b) ASPHALT SHINGLES;
- (c) Ballasts not containing PCBs;
- (d) Baseboards with thermostat switches removed & switches disposed to HHW;
- (e) BATTERIES-LEAD-ACID, BATTERIES-HOUSEHOLD;
- (f) CERAMIC FIXTURES and Ceramic Tile;
- (g) CONCRETE;
- (h) CORRUGATED CARDBOARD;
- (i) ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE);
- (j) FRUIT WASTE;
- (k) FRUIT/GRAIN BY-PRODUCTS;
- (l) GLASS CONTAINERS;
- (m) GYPSUM BOARD non-CONTAMINATED;
- (n) MASONARY;
- (o) Mattress, Box spring;
- (p) METAL;
- (q) PRESSURIZED TANK;
- (r) PRODUCT STEWARDSHIP MATERIAL;
- (s) REFRIGERATION UNIT with ODS removed;
- (t) RESIDENTIAL RECYCLING and RESIDENTIAL RECYCLING UNSORTED;
- (u) ROCKS (not greater than 40 centimetres in any direction);
- (v) TAR AND GRAVEL ROOFING;
- (w) TIRE and TIRE – OVERSIZE;
- (x) WOOD WASTE;
- (y) WOOD WASTE INDUSTRIAL;
- (z) WOOD WASTE-TREE STUMP;
- (aa) YARD AND GARDEN WASTE; and
- (bb) YARD WASTE SMALL DIMENSIONAL

REFRIGERATION UNIT means refrigerators, freezers, air conditioners or any other item that may contain an OZONE DEPLETING SUBSTANCE (see CONTROLLED WASTE).

REFUSE means any SOLID WASTE that is designated for DISPOSAL in the ACTIVE FACE that does not constitute a RECYCLABLE, a HAZARDOUS WASTE, a CONTROLLED WASTE, or a PROHIBITED WASTE.



REFUSE BINS means the large bins at the SITE that have been provided to receive REFUSE from self-haul residential customers.

REGIONAL BOARD means the Board of the REGIONAL DISTRICT.

REGIONAL DISTRICT (RDOS) means the REGIONAL DISTRICT of Okanagan-Similkameen.

RE-SCALE means to pass over a scale with a MIXED LOAD more than once in order to determine the weight of each of the different types of SOLID WASTES DISPOSED.

RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE (HHW) is a RECYCLABLE CONTROLLED WASTE accepted in RESIDENTIAL quantities at specific Landfill SITES including but not limited to:

- (a) Alarms (Smoke and Carbon Monoxide Detectors);
- (b) Aerosol Cans;
- (c) Antifreeze;
- (d) Corrosive Liquid (Inorganic Acids & Caustics);
- (e) Cyanide;
- (f) Flammable/Toxic Liquids;
- (g) Gasoline & Fuels, Mixed Fuels;
- (h) Household Cleaning Products;
- (i) Inorganic Oxidizers;
- (j) Mercury or Mercury Containing Materials (i.e. Fluorescent Light Tubes and Compacts, Wall or Baseboard Thermostats);
- (k) Oil Filters, and Used Motor Oil, and Waste Plastic Oil Containers;
- (l) Organic Peroxides;
- (m) Organic Solids (Toxic Solids);
- (n) Paint Thinner, Solvent, Paint & Related Products;
- (o) PCB Containing Materials (i.e. Light Ballasts);
- (p) Pesticides, Pesticide Containers;
- (q) Reactive Chemicals (To Air And Water); and
- (r) Smoke Detectors

RESIDENTIAL PACKAGING means SOURCE SEPARATED residentially generated packaging materials, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes paper packaging for liquids, metal packaging and hard plastic packaging.

RESIDENTIAL PLASTIC FILM means SOURCE SEPARATED residentially generated stretchy plastic film, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes grocery bags and overwrap for paper towels.

RESIDENTIAL POLYSTYRENE PACKAGING means SOURCE SEPARATED residentially generated polystyrene packaging, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes trays for meat, beverage cups and packaging used to protect items.

RESIDENTIAL PRINTED PAPER means SOURCE SEPARATED residentially generated printed paper, as indicated by posted notices or signs or directed by a

SITE OFFICIAL and SITE OPERATOR, which commonly includes newspaper, magazines, directories, boxboard and cardboard.

RESIDENTIAL RECYCLING means all packaging and printed paper generated by RESIDENTIAL structures, single family and multifamily units included in *Schedule 5* of the *Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT* and sorted into the appropriate material types as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR (see RECYCLABLE).

RESIDENTIAL RECYCLING UNSORTED means RESIDENTIAL RECYCLING that is not CONTAMINATED, has not been sorted into the appropriate material types and DISPOSED in the DESIGNATED LOCATION as by posted notices or signs and/or directed by a SITE OFFICIAL (see RECYCLABLE).

RESIDENTIAL SOLID WASTE means wastes generated by residential structures, single family and multifamily units.

ROCKS means natural inorganic mineral matter of variable composition assembled by the action of heat or water, RECYCLABLE ROCKS must not measure greater than 40 centimetres in any direction (see RECYCLABLE).

SCALED means to estimate or measure utilizing a standardized unit to establish the quantity, dimension, capacity or weight. SCALED by weight is established by measurement of WEIGHT GROSS minus WEIGHT TARE establishes WEIGHT NET. The TIPPING FEE is based upon the NET WEIGHT of the SOLID WASTE load type.

SERVICE AREA means the SERVICE AREA of the SITE as defined by the SITE's applicable *Service Establishment Bylaw*.

SHARPS means anything that may cause a puncture wound that exposes an individual to blood or other potentially infectious material for example; needles, syringes, blades or laboratory glass (see PROHIBITED WASTE).

SITE means, where applicable, the Campbell Mountain Landfill (CML), the Okanagan Falls Landfill (OFL), the Keremeos Landfill (KL) or the Oliver Landfill (OL).

SITE OFFICIAL means an individual employed by the REGIONAL DISTRICT and designated by the MANAGER to conduct the business of the SITE.

SITE OPERATOR means a PERSON contracted by the REGIONAL DISTRICT to provide operation and maintenance services at the SITE, including but not limited to inspecting, sorting, hauling compacting and covering SOLID WASTE.

SOIL CLEAN means not CONTAMINATED mineral soil materials free of ROCKS exceeding 30 cm. in any dimension that is suitable for OPERATIONALLY BENEFICIAL cover material and includes but not limited to sod, and top soil.

SOIL CONTAMINATED means soil with organic and inorganic contaminants as identified in the *Contaminated Sites Regulation, British Columbia Reg. 375/96* under the *EMA* (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL). (Refer to RDOS Soil Relocation Application).

SOIL SMALL VOLUME CONTAMINATED means the total volume of soil does not exceed 5 cubic metres as exempted under *Part 8 - Contaminated Soil Relocation, Section 41 of the Contaminated Sites Regulation of the EMA* (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL).

SOLID WASTE means any material defined by this bylaw suitable for DISPOSAL at the SITE.

SOURCE SEPARATED means SOLID WASTE separated by a PERSON other than a SITE OFFICIAL or SITE OPERATOR and DISPOSED into a clearly distinguishable DESIGNATED LOCATION as directed by a SITE OFFICIAL, SITE OPERATOR or signage at the SITE.

SPECIFIED RISK MATERIAL WASTE means the skull, brain, trigeminal ganglia (nerves attached to brain), eyes, tonsils, spinal cord and dorsal root ganglia (nerves attached to the spinal cord) of cattle aged 30 months or older, the distal ileum (portion of the small intestine) of cattle of all ages, and cattle deadstock (see PROHIBITED WASTE).

TAR AND GRAVEL ROOFING means roofing consisting of layers of bitumen and felt paper that form the roof surface and may contain embedded gravel including Torch-on, SBS, membrane and TAR AND GRAVEL roofing products and other inextricably adhered roofing materials. Loads must be free of contaminants such as, but not limited to, REFUSE, loose tar paper, roof ventilators and flashing materials (see RECYCLABLE, and see OPERATIONALLY BENEFICIAL).

TIPPING FEE means the charge levied upon a given quantity of SOLID WASTE received at a SITE to offset the costs of opening, maintaining, closure and post-closure of the SITE. The TIPPING FEE can be charged per load, per tonne, or per unit depending on the source and type of the SOLID WASTE in accordance with the RDOS Fees and Charges Bylaw.

TIRE means the outer pneumatic rubber covering of wheels including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and OTR TIRES which are included within *Schedule 4 of the Recycling Regulation of the EMA*. (See RECYCLABLE).

TIRE-OVERSIZE means assorted agricultural, industrial and OTR (Off The Road) TIRES excluded from *Schedule 4 of the Recycling Regulation of the EMA*. (See RECYCLABLE).

VEHICLE means, as per the *British Columbia Motor Vehicle Act*, a device in, on or by which a PERSON or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, mobile equipment or a motor assisted cycle.

VISITOR means a PERSON who is present at the SITE for purposes other than to DISPOSE of SOLID WASTE.

WEIGHT GROSS means total weight of the VEHICLE and load.

WEIGHT NET means GROSS WEIGHT less TARE WEIGHT.

WEIGHT TARE means the weight of a VEHICLE or container after a load has been removed.

WOOD-PRESERVED means wood products which have been treated with preservatives such as chromated copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances (see CONTROLLED WASTE).

WOOD PRODUCT CONTAMINATED means engineered, manufactured or finished wood products containing 95% or greater wood fibre including but not limited to; painted wood, composite wood, glued and laminated wood and veneered wood products such as: particle and fibre board, panels, doors, window frames, furniture, flooring, cabinetry and molding's; but does not include WOOD-PRESERVED or LEAD-BASED PAINT.

WOOD WASTE means clean, organic material including, but not necessarily limited to, kiln dried dimensional lumber, wood pallets; which are a maximum of 2.4 metres (8 feet) in length and may contain metallic nails or screws (see RECYCLABLE). WOOD WASTE may not be CONTAMINATED with any other material including but not limited to WOOD PRODUCT CONTAMINATED, WOOD-PRESERVED, ROCKS, METALS other than nails or screws, paint including LEAD-BASED PAINT, wire, fiberglass, asphalt roofing material, plastic and any other non-wood materials. WOOD WASTE does not include WOOD WASTE INDUSTRIAL or WOOD WASTE-SMALL DIMENSION.

WOOD WASTE-SMALL DIMENSION means kiln dried dimensional WOOD WASTE and WOOD PRODUCT CONTAMINATED that are processed to less than 5cm (2 inches) in diameter and width and no longer than 15 cm. (6 inches) in length including but not limited to sawdust (see CONTROLLED WASTE).

WOOD WASTE INDUSTRIAL means WOOD WASTE material generated through the industrial processing of wood including but not limited to; sawmills, and pulp and paper industry (see CONTROLLED WASTE).

WOOD WASTE-TREE STUMP means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, soil and other debris (see RECYCLABLE). Does not include AGRICULTURAL ORGANIC MATERIAL.

YARD AND GARDEN WASTE means non-food vegetative matter free of CONTAMINANTS including prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length and less than 20cm (8 inches) in diameter, hedge, shrub and tree clippings, flowers, vegetable stalks, woody or herbaceous waste (see RECYCLABLE). YARD AND GARDEN WASTE does not include FRUIT WASTE, vegetable waste, YARD WASTE SMALL DIMENSION, or WOOD WASTE-TREE STUMP.

YARD WASTE SMALL DIMENSION means chipped YARD AND GARDEN WASTE and WOOD WASTE-TREE STUMPS that is no greater than 4 cm. (1.5 inches) in diameter and no longer than 13 cm. (5 inches) in length. YARD WASTE SMALL DIMENSION also includes lawn clippings, conifer needles and leaves that is not CONTAMINATED with materials such as METAL and ROCKS (see RECYCLABLE).

## **5.0 SITE Regulations**

### **5.1 Conditions of Use**

5.1.1 The REGIONAL DISTRICT accepts no responsibility or liability for damage or injury to any PERSON or property. Each PERSON entering a SITE does so solely at their own risk and, as a condition of entry to a SITE waives all claims against the REGIONAL DISTRICT and releases the REGIONAL DISTRICT from any and all liability and claims for all injury, death, loss, damage and expense of any kind that the PERSON or any other PERSON may suffer as a result of or in connection with the PERSON'S use of a SITE due to any cause whatsoever, including but not limited to negligence, breach of contract, breach of any statutory duty or duty of care on the part of any of the REGIONAL DISTRICT and also including the failure on the part of the REGIONAL DISTRICT to safeguard or protect any PERSON from the risks, dangers and hazards associated with the use of a SITE.

5.1.2 No PERSON shall;

- a) remain at the SITE for longer than is reasonably required to proceed directly on designated roads to the DESIGNATED LOCATION, SCALE, make payment and immediately leave the SITE;
- b) enter the SITE or DISPOSE of any material at the SITE at any time other than the designated hours of operation, except by prior arrangement with the REGIONAL DISTRICT.
- c) remove, alter, destroy or deface any sign or traffic control device placed or erected at the SITE.
- d) DISPOSE of SOLID WASTE at the SITE without first having the SOLID WASTE inspected by the SITE OFFICIAL or SITE OPERATOR for the purpose of determining compliance with this Bylaw. All loads shall be SCALED to determine the applicable TIPPING FEE and DISPOSED in a manner or location as directed by the bylaw, signage and the written or verbal direction of the SITE OPERATOR or SITE OFFICIAL.
- e) DISPOSE of any material at the SITE that does not originate from within the SERVICE AREA unless designated acceptable within the RDOS Fees and Charges Bylaw or the MANAGER approves otherwise. Failure to obtain MANAGER approval may result in refusal of entry to the SITE.

5.1.3 All SOLID WASTE generated within the SERVICE AREA shall be handled in a manner and location that is approved by the Ministry of Environment when such approval is required, and in compliance with this Bylaw.

- 5.1.4 No HAULER shall enter the SITE transporting a load of SOLID WASTE which requires assistance by the SITE OPERATOR or their equipment for DISPOSAL.
- 5.1.5 All material DISPOSED at the SITE shall become the property of the REGIONAL DISTRICT, except where such material is DISPOSED contrary to the provisions of this Bylaw. No PERSON shall salvage or remove anything from the SITE without the express written permission of the REGIONAL DISTRICT.

## **5.2 DISPOSAL Restrictions**

- 5.2.1 DISPOSAL of PROHIBITED WASTE at the SITE is not allowed unless the DISPOSAL of such waste is specifically authorized by both the REGIONAL DISTRICT and the applicable Provincial Ministry.
- 5.2.2 No PERSON shall cause the release to the atmosphere of an OZONE DEPLETING SUBSTANCE at the SITE.
- 5.2.3 DISPOSAL of CONTROLLED WASTE at the SITE;
- a) is not allowed unless the MANAGER determines that special handling and DISPOSAL techniques are not required, or where special handling and DISPOSAL techniques are required, the MANAGER has determined that the CONTROLLED WASTE can be DISPOSED of safely at the SITE;
  - b) must be declared or manifested as required by the REGIONAL DISTRICT and by the applicable Provincial Ministry;
  - c) sufficient notice is provided as required by the REGIONAL DISTRICT prior to DISPOSAL of CONTROLLED WASTE at the SITE.
- 5.2.4 SOIL CONTAMINATED will not be accepted for DISPOSAL without completion and authorization in accordance with the RDOS Soil Relocation Agreement. The MANAGER shall determine as to when and which SITE(S) the SOIL CONTAMINATED is to be directed.
- 5.2.5 The REGIONAL DISTRICT shall regulate DISPOSAL time, location, containment and notice required for delivery of SOLID WASTE to the SITE.
- 5.2.6 The REGIONAL DISTRICT retains the right to deny acceptance or to limit the volume and frequency of any SOLID WASTE delivered to the SITE due to safety, operational or other considerations.
- 5.2.7 The MANAGER may designate SOLID WASTE materials delivered to the SITE as being OPERATIONALLY BENEFICIAL and apply TIPPING FEES accordingly.
- 5.2.8 The REGIONAL DISTRICT shall require the completion of any documents that may include, Manifests, Waivers, Applications and/or Declarations for a VISITOR or salvaging and for any SOLID WASTE including but not limited to ASBESTOS CONTAINING MATERIAL, LEAD-BASED PAINT, ASSESSED DEMOLITION, AND RENOVATION MIXED LOAD, CONSTRUCTION MIXED LOAD, SOIL CLEAN, SOIL SMALL VOLUME CONTAMINATED, SOIL CONTAMINATED and ILLEGALLY DUMPED WASTE.



### **5.3 Secure Loads**

- 5.3.1 All Motor VEHICLES entering the SITE shall have their loads adequately covered and secured so as to prevent any materials from blowing, bouncing dropping, sifting, leaking, or otherwise escaping from the VEHICLE while in transit in accordance with the following criteria:
- (a) *meets Motor Vehicle Act Regulation 35.06 Covering of Aggregate Loads*, which requires that: "A person must not drive or operate a vehicle on a highway while the vehicle is carrying aggregate material if any of the material is likely, if not covered, to bounce, blow or drop from the vehicle in transit, unless;
    - (i) the material is covered in a way that prevents any of it from blowing, bouncing or dropping from the VEHICLE, and
    - (ii) the cover is securely and tightly fastened so that it is not, and cannot become, a hazard".
  - (b) an adequate cover is a tarpaulin, other overlay, or container that is used to confine the material to the VEHICLE; or all materials must be contained within intact secured closed garbage bags or containers. The cover and/or container must be securely and tightly fastened so that it is not, and cannot become, a hazard.
  - (c) items such as, but not limited to, BULKY WASTE, appliances, WOOD WASTE-TREE STUMPS, TIRES, shall be securely chained or strapped to or in the VEHICLE as required by section 4.3.1 (a & b).
  - (d) loads shall be contained so as to prevent the spillage of liquids.

### **5.4 Safety**

- 5.4.1 No VISITOR shall enter the SITE without checking in at the SITE office and completing the appropriate waiver.
- 5.4.2 No PERSON shall light or smoke any cigarette, cigar, pipe or any other substance, or ignite a fire, cause a fire to be ignited, within the boundaries of the SITE or DISPOSE at the SITE materials that are on fire, are smouldering or were recently on fire.
- 5.4.3 No PERSON shall fail to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR.
- 5.4.4 No PERSON shall act in a manner that is threatening, discourteous, disruptive, or wilfully negligent while on the SITE.
- 5.4.5 No PERSON shall allow children shorter than 42 inches (1.6 m.) or under the age of 10 years or pets to be outside a VEHICLE at the SITE.
- 5.4.6 No PERSON shall enter the SITE in a VEHICLE that is in violation of the British Columbia *Motor Vehicle Act Section 213 "1) On the prosecution of a PERSON charged with contravention of the regulations in operating or using on a highway a VEHICLE the weight of which or the weight of the load carried on which was in excess of the weight prescribed by the regulations, it is sufficient evidence for a credible witness to state on oath that, to the best of his or her judgment and opinion,*

*the weight of the VEHICLE or of the load carried on it at the time of the alleged contravention was in excess of the weight so prescribed”*

- 5.4.7 No PERSON shall enter the SITE in a VEHICLE that is not equipped or mechanically sound with regards to climatic or roadway conditions.
- 5.4.8 No VEHICLE shall exceed the posted speed limit while on SITE.
- 5.4.9 No PERSON shall without authorization, drive a motor VEHICLE on any part of the SITE other than on roads or areas so designated by signage or the SITE OFFICIAL or SITE OPERATOR.
- 5.4.10 All VEHICLES DISPOSING SOLID WASTE shall maintain a safe lateral distance away from other VEHICLES.
- 5.4.11 No PERSON shall discharge any firearm at the SITE, except as permitted under any applicable enactment.
- 5.4.12 No PERSON shall climb upon waste stockpiles or climb into REFUSE BINS or rummage in areas designated for SOLID WASTE DISPOSAL.
- 5.4.13 No PERSON shall place NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD in the DESIGNATED LOCATION reserved for ASSESSED materials.
- 5.4.14 No PERSON shall approach, harass, feed or attempt to lure wildlife encountered on the SITE
- 5.4.15 No PERSON while conducting SITE business shall utilize a communication or entertainment device which includes but is not limited to mobile phones, smart phones, hands-free devices, speaker phones, pagers, text messaging, lap top, ear pieces, head phones, or two way radios, or other activities that allow for distracted driving or the inability to hear instructions.
- 5.4.16 No PERSON shall enter the SITE on foot, all PERSONS entering the SITE must be in a motor propelled VEHICLE equipped with a cab, PERSONS while on SITE must remain within a 45 metre (150') proximity of their VEHICLE.

## **6.0 Fees and Charges**

- 6.1 Every PERSON delivering SOLID WASTE to the SITE shall pay the applicable TIPPING FEE set out in accordance with RDOS Fees and Charges Bylaw as amended from time to time.
- 6.2 Any TIPPING FEE assessed pursuant to this Bylaw must be paid to the SITE OFFICIAL prior to leaving the SITE. The TIPPING FEE shall be paid in cash, be placed on a REGIONAL DISTRICT pre-approved account or be paid by credit or debit card where such payment options are available at the SITE.
- 6.3 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a TIPPING FEE shall be charged as outlined in the RDOS Fees and Charges Bylaw.

## **7.0 Violations and Penalties**

- 7.1 No PERSON shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 7.2 Every PERSON who violates any provision of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or requirement of this Bylaw, shall be deemed to have committed an offence against this Bylaw and:
- a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence;
  - b) shall pay the applicable TIPPING FEE as set out in the RDOS Fees and Charges Bylaw as amended from time to time, in cases where the violation involves the contravention of a prohibition or regulation pertaining to the deposit of material at the SITE;
  - c) shall pay the penalties, that may be issued, as provided under the provisions of the *British Columbia Offence Act*, or to the penalties provided under the provisions of the *British Columbia Local Government Bylaw Notice Enforcement Act* and;
  - d) may be prohibited, by written notice, from DISPOSING SOLID WASTE at the SITE for such period as the REGIONAL DISTRICT may determine.
- 7.3 Notwithstanding any other provision of this Bylaw, any PERSON who:
- a) contravenes this Bylaw and/or fails to comply with rules or directions of a SITE OFFICIAL or SITE OPERATOR may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
  - b) contravenes this Bylaw and is deemed to be abusive or threatening may be ordered to immediately leave the SITE by a SITE OFFICIAL. Any Person deemed to be abusive or threatening may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
  - c) contravenes this Bylaw and fails to pay the TIPPING FEES as set out in the RDOS Fees and Charges Bylaw may be refused entry into any REGIONAL DISTRICT SITE until all TIPPING FEES and charges are paid.
- 7.4 Each offence committed against this Bylaw shall be deemed a separate and distinct offence and subject to a separate penalty.
- 7.5 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

## **8.0 Dispute Mechanism Notice**

- 8.1 Once a VEHICLE is SCALED a SITE OFFICIAL shall issue an invoice indicating the waste type and corresponding TIPPING FEE assessed including penalties. Upon payment all TIPPING FEES assessed or decisions made under this Bylaw can be appealed to the MANAGER.
- 8.2 Appeals must be submitted to the MANAGER within 60 days of the transaction.
- 8.3 All decisions rendered will be on a case by case basis, resolutions shall be based upon such factors as precedent, severity and frequency.
- 8.4 Loads DISPOSED outside of Public Hours of Operation can not be appealed.

## **9.0 Severance**

If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of Competent Jurisdiction, the invalid portion shall be severed and such decision shall not affect the validity of the remaining portions of this Bylaw.

## **10.0 No Limitation**

Nothing in this Bylaw shall limit the REGIONAL DISTRICT from utilizing any other remedy that would otherwise be available to the REGIONAL DISTRICT at law.

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Chief Administrative Officer

## **Bylaw No. 2796 Summary of Additions, Wording Changes, Deletions**

Reasons for updating the existing Bylaw No. 2535, 2014:

- Definitions reviewed to increase clarity for the acceptance of solid waste and associated fees and charges.
  - New definitions added to clarify new waste types developed since 2014.
  - Existing ones clarified.
  - Those definitions found to be confusing or too general were removed to increase clarity.
  - Interpretation Section 3 added because: This wording in another RD's Bylaw (Bulkley-Nechako) which was vetted by both Ministry and Legal Council, and recommended it be placed in SW Regulatory Bylaw.
  - All Sections after the Definitions were reviewed to ensure clarity, some new wording added to increase clarity, and some wording moved from one section to another to place under more relevant category.
1. Summary pages 1 to page 4 are the **Additions** to the updated Bylaw highlighted in yellow
  2. Summary pages 4 to page 12 Existing Definitions wording changed, or added to for clarity
  3. Summary pages 12 to page 14 Existing Definitions deleted
  4. Summary pages 14 to 17 Site Regulations – wording changes and additions for clarity
- 

### **1. RDOS Bylaw No. 2535, 2014 – Additions to updated Bylaw No. 2796:**

#### **3.0 Interpretation (3.1 to 3.4 added)**

- 3.1 Words or phrases defined in the *British Columbia Interpretation Act, Community Charter, or Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in Section 4 of this Bylaw are used in the body or schedules of this Bylaw, they have the meaning ascribed to them as set out in Section 4.
- 3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting the scope or the intent of the provisions of this Bylaw.
- 3.3 Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Regional District, as amended, revised, consolidated or replaced from time to time.
- 3.4 If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

#### **New definitions Added under 4.0 Definitions:**

**ASSESSED DEMOLITION AND RENOVATION MIXED LOAD** means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE without appropriate assessment documentation will be determined a NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD.

**CERAMIC FIXTURES** means toilets, sinks, bathtubs or other fixtures made of ceramic material, where non-ceramic materials, such as metal and plastic are removed.

**CONCRETE BULKY** means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm (see CONTROLLED WASTE).

**CONTROLLED WASTE** – added the following (highlighted in yellow )to the list:

- (a) **AGRICULTURAL ORGANIC MATERIAL;**
- (b) **AGRICULTURAL PLASTIC;**
- (c) ASBESTOS CONTAINING MATERIAL
- (d) **ASSESSED DEMOLITION AND RENOVATION MIXED LOAD;**
- (e) BULKY WASTE;
- (f) **BURNED MATERIAL;**
- (g) **BURNED MATERIAL with ASBESTOS CONTAINING MATERIAL**
- (h) CARCASSES;
- (i) CLINICAL/LABORATORY STERILIZED WASTE;
- (j) **CONCRETE BULKY;**
- (k) Condemned foods;
- (l) **CONSTRUCTION MIXED LOAD;**
- (m) DEMOLITION AND RENOVATION MIXED LOAD;
- (n) Foundry Dust;
- (o) **GYPSUM BOARD NON-RECYCLABLE;**
- (p) **HAZARDOUS WASTE** those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (q) **ILLEGALLY DUMPED WASTE**
- (r) INFESTED VEGETATION;
- (s) INVASIVE PLANTS;
- (t) LEAD-BASED PAINT coated materials;
- (u) METAL DRUMS AND TANKS;
- (v) NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD;
- (w) REFRIGERATION UNIT containing ODS;
- (x) RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE;
- (y) Sludge and screenings from municipal sewage treatment plants;
- (z) **SOIL CONTAMINATED, and SOIL SMALL VOLUME CONTAMINATED;**
- (aa) WOOD-PRESERVED; and
- (bb) WOOD WASTE-SMALL DIMENSION.

**DESIGNATED LOCATION** means an area dedicated to the collection of SOURCE SEPARATED SOLID WASTE.

**GYPSUM BOARD CONTAMINATED** means CONTAMINATED GYPSUM BOARD and not suitable for recycling (see CONTROLLED WASTE).

**FRUIT/GRAIN BY-PRODUCTS** means waste by-products typically generated by beverage producers, such as but not limited to; breweries, cideries, distilleries, and wineries. (see RECYCLABLE).

**ILLEGALLY DUMPED WASTE** means SOLID WASTE discarded in an improper or illegal manner. The HAULER must obtain permission from the MANAGER to bring the ILLEGALLY DUMPED WASTE to the SITE (see CONTROLLED WASTE).



**LEAD-BASED PAINT** is any coated or painted materials containing lead of any detectable quantity (see CONTROLLED WASTE).

**METAL DRUMS AND TANKS** a drum is cylindrical container designed to confine or contain materials most commonly liquids. To receive at the SITE all DRUMS must be empty and have the lid or one end removed. A TANK is a vessel used to store liquids, for SITE acceptance TANKs must be empty with an sufficiently sized aperture (minimum 35cm X 35cm (14"x14")) to verify that the TANK is empty and allow for sufficient venting, does not include PRESSURIZED TANKs. (see CONTROLLED WASTE).

**NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD** means a DEMOLITION AND RENOVATION MIXED LOAD or CONSTRUCTION MIXED LOAD brought to a SITE without verification of assessment as determined by the MANAGER (See ASSESSED DEMOLITION AND RENOVATION MIXED LOAD and CONTROLLED WASTE).

**NON-SERVICE AREA** means materials generated outside the SERVICE AREA of a SITE.

**PRODUCT STEWARDSHIP MATERIAL** means material that falls under a product category of the *Recycling Regulation, B.C. Reg. 449/2004* such as ELECTRONIC and ELECTRICAL PRODUCTS (see RECYCLABLE).

**RESIDENTIAL PACKAGING** means SOURCE SEPARATED residentially generated packaging materials, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes paper packaging for liquids, metal packaging and hard plastic packaging.

**RESIDENTIAL PLASTIC FILM** means SOURCE SEPARATED residentially generated stretchy plastic film, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes grocery bags and overwrap for paper towels.

**RESIDENTIAL POLYSTYRENE PACKAGING** means SOURCE SEPARATED residentially generated polystyrene packaging, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes trays for meat, beverage cups and packaging used to protect items.

**RESIDENTIAL PRINTED PAPER** means SOURCE SEPARATED residentially generated printed paper, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes newspaper, magazines, directories, boxboard and cardboard.

**RESIDENTIAL RECYCLING UNSORTED** means RESIDENTIAL RECYCLING that is not CONTAMINATED, has not been sorted into the appropriate material types and DISPOSED in the DESIGNATED LOCATION as by posted notices or signs and/or directed by a SITE OFFICIAL (see RECYCLABLE).

**SOIL CLEAN** means not CONTAMINATED mineral soil materials free of ROCKS exceeding 30 cm. in any dimension that is suitable for OPERATIONALLY BENEFICIAL cover material and includes but not limited to sod, and top soil.

**SPECIFIED RISK MATERIAL WASTE** means the skull, brain, trigeminal ganglia (nerves attached to brain), eyes, tonsils, spinal cord and dorsal root ganglia (nerves attached to the spinal cord) of cattle aged 30 months or older, the distal ileum (portion of the small intestine) of cattle of all ages, and cattle deadstock (see PROHIBITED WASTE).

**WOOD WASTE SMALL DIMENSION** means kiln dried dimensional WOOD WASTE and WOOD PRODUCT CONTAMINATED that are processed to less than 5cm (2 inches) in diameter and width and no longer than 15 cm. (6 inches) in length including but not limited to sawdust (see CONTROLLED WASTE).

**2. Existing Definitions wording changed, or added to for clarity:**

**1. Existing:**

AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, with the exception of FRUIT WASTE, including but not limited to orchards, nurseries, vineyards and silviculture operations.

**Updated to:** AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, excluding FRUIT WASTE and FOOD WASTE, that is not CONTAMINATED, and has been suitably prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to orchards, nurseries, vineyards and silviculture operations (see RECYCLABLE).

**2. Existing:**

AGRICULTURAL PLASTIC means suitably prepared plastic used in agricultural applications, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film.

**Updated to:** AGRICULTURAL PLASTIC means plastic used in agricultural applications that are not CONTAMINATED, and have been suitably contained and prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film.

**3. Existing:**

ASBESTOS CONTAINING MATERIAL (ACM) means a material as defined in the *OCCUPATIONAL HEALTH AND SAFETY REGULATION Part 6, Definitions of the Workers Compensation Act*.

**Updated to:** ASBESTOS CONTAINING MATERIAL (ACM) means a material as defined in the *OCCUPATIONAL HEALTH AND SAFETY REGULATION, ENVIRONMENTAL MANAGEMENT ACT, and HAZARDOUS WASTE REGULATION*, and suitably contained for disposal as per the Regulation, RDOS Bylaws and RDOS Policies (see CONTROLLED WASTE).

**4. Existing:**

ASPHALT means a sticky, black and highly viscous liquid or semi-solid form of petroleum based material used primarily in roads. RECYCLABLE ASPHALT must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) or be a BULKY WASTE.

**Updated to:** ASPHALT means a sticky, black and highly viscous liquid or semi-solid form of petroleum based material used primarily in roads (see RECYCLABLE).

**5. Existing:**

ASPHALT SHINGLES are a waterproof roof covering consisting of flat, rectangular shapes laid in courses from the bottom edge of the roof up, with each successive course overlapping the joints below. RECYCLABLE, ASPHALT SHINGLES must be free of contaminants including but not limited to TAR AND GRAVEL ROOFING Torch-on or SBS roofing products, ORGANIC material and large metal and flashing materials.

**Updated to:** ASPHALT SHINGLES are a waterproof roof covering consisting ASPHALT SHINGLES and ASPHALT Roll Roofing and must not be CONTAMINATED with, including, but not limited to; Tar Paper, TAR AND GRAVEL ROOFING, Torch-on or SBS roofing products, organic material and large metal and flashing materials (see RECYCLABLE).

**6. Existing:**

ASSESSED means to evaluate and determine the quality, extent, significance of a material based on established empirical and measurable standards which regulates the requirements to handle, transport or sort the material set forth by Local Government, Provincial and Federal law.

**Updated to:** ASSESSED means to evaluate and determine the quality, extent, significance of a SOLID WASTE, which is verified by the required documentation provided by the HAULER, in a manner determined by the MANAGER.

**7. Existing:**

BATTERY means a device consisting of one or more galvanic cells, which store chemical energy and makes it available in an electrical form. Battery Types include but are not limited to Alkaline, Lead Acid, Gell Cell, AGM, NiCad, NiMH and Li-Ion.

**Updated to:**

BATTERIES - LEAD-ACID means a product that falls under the 'Lead-acid Battery' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Lead-acid batteries for automobiles, motorcycles, recreation vehicles, marine vehicles and locomotives (see RECYCLABLE).

BATTERIES – HOUSEHOLD means batteries that fall under the 'Electronic and Electrical' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Nickel Cadmium (NiCad), Lithium Ion (Li-Ion), Nickel Metal Hydride (Ni-MH), Small-Sealed Lead (Pb), or non-chargeable and rechargeable batteries weighing no more than 5 kilograms (11 pounds) each (see RECYCLABLE).

**8. Existing:**

BIOMEDICAL WASTE means waste that is defined as such in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992).

**Updated to:** BIOMEDICAL WASTE means waste that is defined as such in the *Hazardous Waste Reg.* B.C. 63/88 and in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992) (see PROHIBITED WASTE).

**9. Existing:**

BULKY WASTE means articles with a volume greater than one and one half (1.5) cubic metres, materials greater than two and one-half (2.5) metres in length; and articles that the MANAGER determines require special handling and DISPOSAL techniques.

**Updated to:** BULKY WASTE means waste articles that are too large by reason of their bulk or shape to manage using regular DISPOSAL methods as determined by the MANAGER, including but not limited to those items with materials greater than 2.4 metres (8 feet) in length (see CONTROLLED WASTE).

**10. Existing:**

BURNED MATERIALS means material that has been damaged through combustion by fire, heat, radiation, electricity, or a caustic agent in such a way as to give off heat, gases, and, usually light.

**Updated to:** BURNED MATERIALS means materials damaged by fire, heat, electricity or a caustic agent that have been allowed to entirely cool for no less than a two week period, and in a manner acceptable to the MANAGER (see CONTROLLED WASTE). BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two week period is a PROHIBITED WASTE.

**11. Existing:**

CARCASSES means dead animals, or portions thereof, that are not a RENDERABLE PRODUCT.

**Updated to:** CARCASSES means dead animals, or portions thereof, that are not a PROHIBITED WASTE (see CONTROLLED WASTE).

**12. Existing:**

CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. RECYCLABLE CONCRETE must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) or be a BULKY WASTE.

**Updated to:** CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. CONCRETE must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) nor measure greater than 1 m. in any dimension (see RECYCLABLE).

**13. Existing:**

CONSTRUCTION MIXED LOAD means MIXED LOAD SOLID WASTE produced through new construction, building or putting together associated with buildings, structures, or other types of real property.

**Updated to:** CONSTRUCTION MIXED LOAD means MIXED LOAD SOLID WASTE produced through new construction, where no existing structures have been altered, and that contains two or more RECYCLABLE building materials including but not limited to ASPHALT SHINGLES, WOOD WASTE, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM, and must not contain DEMOLITION AND RENOVATION MIXED LOAD materials. The HAULER must provide appropriate documentation in a manner acceptable to the MANAGER (see CONTROLLED WASTE). All CONSTRUCTION MIXED LOAD arriving at the SITE without appropriate documentation shall be determined to be NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD.

**14. Existing:**

CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior.

**Updated to:** CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior as defined by the MANAGER.

**15. Existing:**

CONTAMINATED WOOD PRODUCT means Engineered, Manufactured or Finished Wood Products containing 95% or greater wood fibre, including but not limited to, composite wood, laminated wood and veneered wood products such as: particle and fibre board, panels, doors, windows, furniture, flooring, cabinetry, mouldings and painted boards. CONTAMINATED WOOD PRODUCT does not include PRESERVED WOOD.

**Updated to:** WOOD PRODUCT CONTAMINATED means engineered, manufactured or finished wood products containing 95% or greater wood fibre including but not limited to; painted wood, composite wood, glued and laminated wood and veneered wood products such as: particle and fibre board, panels, doors, window frames, furniture, flooring, cabinetry and molding's; but does not include WOOD-PRESERVED or LEAD-BASED PAINT.

**16. Existing:**

DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the indiscriminate reduction of a human-made structure or the act of improvement, through remodeling, refurbishing or restoring of buildings, structures, or other types of real property.

**Updated to:** DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the demolishment of a structure or the act of alteration through addition, remodeling, refurbishing or restoring of buildings, structures, or other types of real property that contains two or more RECYCLABLE Building Materials; including but not limited to ASPHALT SHINGLES, WOOD WASTE, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM.(see ASSESSED DEMOLITION AND RENOVATION MIXED LOAD).

**17. Existing:**

ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE) means various types of domestic and commercial waste containing mainly electronic components, included but not limited to, products included within *Schedule 3* of the *Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT*.

**Updated to:** ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE) means various types of domestic and commercial waste containing mainly electronic components, including, but not limited to computers, televisions, small appliances, residential light bulbs and lighting fixtures which are included within the *Recycling Regulation* of the *EMA* (see RECYCLABLE), and does not include METAL and REFRIDGERATION UNITS.

**18. Existing:**

GYPSUM BOARD also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper. RECYCLABLE GYPSUM BOARD consists of off-cuts and scraps or gypsum removed from structures and is not an ASBESTOS CONTAINING MATERIAL.

**Updated to (two definitions):**

GYPSUM BOARD-NEW also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED off-cuts and scraps or gypsum removed from new construction and is not an ASBESTOS CONTAINING MATERIAL, and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD NON-RECYCLABLE means gypsum board removed from existing structures and is not RECYCLABLE (see CONTROLLED WASTE).

**19. Existing:**

HAZARDOUS WASTE means any material defined as such in the *HAZARDOUS WASTE REGULATION* of the *EMA* and any SOLID WASTE which, because of its inherent nature and quantity requires special DISPOSAL techniques to avoid creating health hazards, nuisances or environmental pollution.

HAZARDOUS WASTE REGULATION means the *HAZARDOUS WASTE REGULATION, British Columbia Reg. 63/88, under the EMA*.

**Updated to:**

HAZARDOUS WASTE means any material defined as such in the Hazardous Waste Regulation, *British Columbia Reg. 63/88* of the *ENVIRONMENTAL MANAGEMENT ACT* (see CONTROLLED WASTE and PROHIBITED WASTE).

HOUSEHOLD HAZARDOUS WASTE (HHW) see RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE.

**20. Existing:**

HOUSEHOLD HAZARDOUS WASTE (HHW) means hazardous RESIDENTIAL SOLID WASTE materials including but not limited to: antifreeze, oil filters, used motor oil, waste plastic oil containers, gasoline & fuels, mixed fuels, paint thinner, solvent, paint & related products, pesticides, pesticide containers, corrosive liquid (inorganic acids & caustics), aerosol cans, inorganic oxidizers, organic solids (toxic solids), flammable/toxic liquids, mercury or materials containing mercury, cyanide, reactive chemicals (to air and water), and organic peroxides.

**Updated to:** RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE (HHW) is a RECYCLABLE CONTROLLED WASTE accepted in RESIDENTIAL quantities at specific Landfill SITES including but not limited to:

- (a) Alarms (Smoke and Carbon Monoxide Detectors);
- (b) Aerosol Cans;
- (c) Antifreeze;
- (d) Corrosive Liquid (Inorganic Acids & Caustics);
- (e) Cyanide;
- (f) Flammable/Toxic Liquids;
- (g) Gasoline & Fuels, Mixed Fuels;
- (h) Household Cleaning Products;
- (i) Inorganic Oxidizers;
- (j) Mercury or Mercury Containing Materials (i.e. Fluorescent Light Tubes and Compacts, Wall or Baseboard Thermostats);
- (k) Oil Filters, and Used Motor Oil, and Waste Plastic Oil Containers;
- (l) Organic Peroxides;
- (m) Organic Solids (Toxic Solids);
- (n) Paint Thinner, Solvent, Paint & Related Products;
- (o) PCB Containing Materials (i.e. Light Ballasts);
- (p) Pesticides, Pesticide Containers;
- (q) Reactive Chemicals (To Air And Water); and
- (r) Smoke Detectors

**21. Existing:**

INFESTED VEGETATION means trees, shrubs, herbaceous plants or associated fruit that show the presence of PLANT DISEASE, NOXIOUS INSECTS, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit.

**Updated to:** INFESTED VEGETATION means trees, shrubs, herbaceous plants or associated fruit that show the presence of plant disease, NOXIOUS INSECTS, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit and that may be spread to another plant or plants with economic, ornamental or aesthetic value (see CONTROLLED WASTE).

**22. Existing:**

INVASIVE PLANTS means all plants designated within the Provincial and Regional Noxious Weed lists of the *Weed Control Act* and any plant which has the potential to pose negative or detrimental impacts on humans, animals or ecosystems.

**Updated to:** INVASIVE PLANTS means all plants as designated in the *Weed Control Regulation, Schedule A, Parts I & II* of the *Weed Control Act* (see CONTROLLED WASTE).



**23. Existing:**

METAL means recyclable ferrous and non-ferrous metallic materials, containing more than 75% metal by volume, including but not limited to, metal food containers, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, metal furniture, tire rims, WHITE GOODS and REFRIDGERATION UNITS evacuated of ODS by a certified technician.

**Updated to:** METAL means RECYCLABLE ferrous and non-ferrous metallic materials, containing more than 80% metal by volume, and under 2.4 meters (8 feet) in length and/or width, including but not limited to, metal food containers, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, machinery, metal furniture, tire rims, metal appliances typically finished in enamel or stainless steel; such as clothes washers, dishwashers, clothes dryers, ranges, stoves, hot water tanks and REFRIDGERATION UNITS evacuated of ODS by a certified technician, baseboard heaters with thermostat switches removed, and is not a BULKY WASTE, a PRESSURIZED TANK or METAL DRUMS AND TANKS, and the METAL material does not contain any fluids. batteries, mercury thermostat switches, or ballasts with PCBs.

**24. Existing:**

OPERATIONALLY BENEFICIAL means a material which is of functional value to the operation of the Sanitary Landfilling process, for use as cover material, erosion control, construction and other operational benefits.

**Updated to:**

OPERATIONALLY BENEFICIAL means a material which is of functional value to the operation of the Landfill process, for use as cover material, erosion control, construction and other operational benefits as determined by the MANAGER.

**25. Existing:**

PRESERVED WOOD means wood products which have been treated with preservatives such as chromated copper arsenate (CCA) aromatic hydrocarbons (PAHs), and ammonium copper arsenate (ACA) to prevent rotting.

**Updated to:** WOOD-PRESERVED means wood products which have been treated with preservatives such as chromated copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances (see CONTROLLED WASTE).

**26. Existing:**

PRESSURIZED TANK means a closed metal container designed to hold gases or liquids at a pressure substantially different from the ambient pressure. Examples of pressure vessels are diving cylinders, fire extinguishers and storage vessels for liquefied gases such as ammonia, chlorine, propane, butane, helium, etc.

**Updated to:** PRESSURIZED TANK means a closed metal container designed to hold gases or liquids at a pressure substantially different from the ambient pressure including, but not limited to, diving cylinders, fire extinguishers and storage vessels for liquefied gases such as ammonia, propane, butane, or helium (see RECYCLABLE).

**27. Existing:**

PROCESSED ORGANICS means TREE STUMPS, WOOD WASTE or YARD AND GARDEN WASTE that has ferrous metals removed and has been chipped to less than 50 mm (2 inches) in any dimension.

**Updated to:** YARD WASTE SMALL DIMENSION means chipped YARD AND GARDEN WASTE and WOOD WASTE-TREE STUMPS that is no greater than 4 cm. (1.5 inches) in diameter and no longer than 13 cm.(5 inches) in length. YARD WASTE SMALL DIMENSION also includes lawn clippings, conifer needles and leaves that is not CONTAMINATED with materials such as METAL and ROCKS (see RECYCLABLE).

**28. Existing:**

RECYCLE means the act of extracting all or a portion of the components of end of life waste materials with the intention of treating or processing these materials to make new products for reuse, the purpose of which is to prevent waste of potentially useful materials, reduce the consumption of fresh raw materials, reduce energy usage, and reduce air, land and water pollution.

**Updated to:** RECYCLABLE means all SOURCE SEPERATED materials that are suitably prepared and not CONTAMINATED as determined by the MANAGER, including but not limited to:

- (a) ASPHALT;
- (b) ASPHALT SHINGLES;
- (c) Ballasts not containing PCBs;
- (d) Baseboards with thermostat switches removed & switches disposed to HHW;
- (e) BATTERIES-LEAD-ACID, BATTERIES-HOUSEHOLD;
- (f) CERAMIC FIXTURES and Ceramic Tile;
- (g) CONCRETE;
- (h) CORRUGATED CARDBOARD;
- (i) ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE);
- (j) FRUIT WASTE;
- (k) FRUIT/GRAIN BY-PRODUCTS;
- (l) GLASS CONTAINERS;
- (m) GYPSUM BOARD non-CONTAMINATED;
- (n) MASONARY;
- (o) Mattress, Box spring;
- (p) METAL;
- (q) PRESSURIZED TANK;
- (r) PRODUCT STEWARDSHIP MATERIAL;
- (s) REFRIGERATION UNIT with ODS removed;
- (t) RESIDENTIAL RECYCLING and RESIDENTIAL RECYCLING UNSORTED;
- (u) ROCKS (not greater than 40 centimetres in any direction);
- (v) TAR AND GRAVEL ROOFING;
- (w) TIRE and TIRE – OVERSIZE;
- (x) WOOD WASTE;
- (y) WOOD WASTE INDUSTRIAL;
- (z) WOOD WASTE-TREE STUMP;
- (aa) YARD AND GARDEN WASTE; and
- (bb) YARD WASTE SMALL DIMENSIONAL

**29. Existing:**

SOURCE SEPARATED means SOLID WASTE separated by a PERSON other than a SITE OFFICIAL or SITE OPERATOR and placed into clearly distinguishable accumulations as directed by a SITE OFFICIAL, SITE OPERATOR or signage at the SITE.

**Updated to:** SOURCE SEPARATED means SOLID WASTE separated by a PERSON other than a SITE OFFICIAL or SITE OPERATOR and DISPOSED into a clearly distinguishable DESIGNATED LOCATION as directed by a SITE OFFICIAL, SITE OPERATOR or signage at the SITE.

**30. Existing:**

TAR AND GRAVEL ROOFING means tar and gravel roofing consisting of layers of ASPHALT and tar paper that are fastened to the roof surface with molten asphalt applications and may contain embedded gravel; OPERATIONALLY BENEFICIAL TAR AND GRAVEL ROOFING is free of CONTAMINANTS such as Torch-on or SBS roofing products, insulation, ORGANIC material and large metal and flashing materials.

Updated to: TAR AND GRAVEL ROOFING means roofing consisting of layers of bitumen and felt paper that form the roof surface and may contain embedded gravel including Torch-on, SBS, membrane and TAR AND GRAVEL roofing products and other inextricably adhered roofing materials. Loads must be free of contaminants such as, but not limited to, REFUSE, loose tar paper, roof ventilators and flashing materials (see OPERATIONALLY BENEFICIAL).

**31. Existing:**

TIMBER WASTE means WOOD WASTE generated from the processing of harvested trees by sawmills and the pulp and paper industry.

Updated to: WOOD WASTE INDUSTRIAL means WOOD WASTE material generated through the industrial processing of wood including but not limited to; sawmills, and pulp and paper industry (see Prohibited Waste).

**32. Existing:**

TREE STUMP means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter.

Updated to: WOOD WASTE-TREE STUMP means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, soil and other debris (see RECYCLABLE). Does not include AGRICULTURAL ORGANIC MATERIAL.

**33. Existing:**

WOOD WASTE means clean, ORGANIC material including, but not necessarily limited to:

- (a) Kiln dried dimensional lumber such as wood pallets, and DRC derived WOOD WASTE;
- (b) Branches greater than 12.5 millimetres (1/2 inch) in diameter and a maximum of 1.8 metres (6 feet) in length;

provided such material is free of CONTAMINATED WOOD PRODUCT, PRESERVED WOOD, ROCKS, METALS other than nails and screws, heavy coats of paint, wire, fibreglass, asphalt roofing material, and other non-wood materials.

Updated to: WOOD WASTE means clean, organic material including, but not necessarily limited to, kiln dried dimensional lumber, wood pallets; which are a maximum of 2.4 metres (8 feet) in length and may contain metallic nails or screws (see RECYCLABLE). WOOD WASTE may not be CONTAMINATED with any other material including but not limited to WOOD PRODUCT CONTAMINATED, WOOD-PRESERVED, ROCKS, METALS other than nails or screws, paint including LEAD-BASED PAINT, wire, fiberglass, asphalt roofing material, plastic and any other non-wood materials. WOOD WASTE does not include WOOD WASTE INDUSTRIAL or WOOD WASTE SMALL DIMENSION.

**34. Existing:**

**YARD AND GARDEN WASTE** means non-food vegetative matter including PRUNINGS, grass and hedge clippings, leaves, grass, flowers, vegetable stalks; woody or herbaceous waste does not include FRUIT WASTE and vegetable waste.

**Updated to:** **YARD AND GARDEN WASTE** means non-food vegetative matter free of CONTAMINANTS including prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length and less than 13cm (5 inches) in diameter, hedge, shrub and tree clippings, flowers, vegetable stalks, woody or herbaceous waste (see RECYCLABLE). YARD AND GARDEN WASTE does not include FRUIT WASTE, vegetable waste, YARD WASTE SMALL DIMENSION, or WOOD WASTE-TREE STUMP.

**35. Existing:**

**FOOD PROCESSING WASTE** means any ORGANIC materials and/or waste by-product that may be produced from a COMMERCIAL food processing operation, and that is unsuitable for composting within existing programs.

**Updated to:**

**FOOD PROCESSING WASTE** means any organic materials and/or waste by-product that may be produced in commercial volumes by a food processing operation as determined by the MANAGER, such as slaughter house, fish hatchery, and cannery operations (see PROHIBITED WASTE).

**36. Existing:**

**FOOD WASTE** means any food substance, raw or cooked, which is discarded, or intended or required to be discarded from RESIDENTIAL and ICI establishments.

**FOOD WASTE** means any food substance, raw or cooked, which is discarded, or intended or required to be discarded from RESIDENTIAL, agricultural and Industrial, Commercial, Institutional establishments, but does not include FOOD PROCESSING WASTE or SPECIFIED RISK MATERIALS.

**3.Existing Definitions deleted:**

**AGGREGATE LOAD** as per the *Motor Vehicle Act Regulations* of the *Motor Vehicle Act* "a load comprised of an aggregate material including rock, gravel, sand, garbage, loose paper or any collection of small articles."

**ASBESTOS** is a set of six naturally occurring silicate minerals exhibiting thin fibrous crystals. Long popular among manufacturers and builders because of its sound absorption, average tensile strength, its resistance to fire, heat, electrical and chemical damage. The prolonged inhalation of asbestos fibers can cause serious illnesses including malignant lung cancer, mesothelioma, and asbestosis.

**BIOSOLIDS** means a treated human sewage by-product, derived from sewage and wastewater treatment.

**COMMERCIAL** means, engaged in commerce for the exchange of goods or services for money or in kind, usually on a scale large enough to require transportation of commodities from place to place with the primary objective of making money.

**CONTROLLED WASTE CELL (CWC)** means a designated cell located on the SITE and located by GPS for the deposit of CONTROLLED WASTE.

**DECONSTRUCTION** means the dismantling of a human-made structure in a manner that enables maximum salvage of reusable building components and the remaining building components are SOURCE SEPERATED.

**EXTENDED PRODUCER RESPONSIBILITY (EPR)** extends the traditional environmental responsibilities that producers and distributors have previously been assigned to include management at the post-consumer stage. Two key features of EPR policy: (1) the shifting of responsibility (physically and/or economically, fully or partially) upstream to the producer and away from Local Government, and (2) to provide incentives to producers to take environmental considerations into the design of the product.

**INDUSTRIAL/COMMERCIAL/INSTITUTIONAL (ICI) WASTE** means wastes generated by non - RESIDENTIAL sources including COMMERCIAL businesses, institutions and industrial facilities.

**MARKETABLE** means a commodity that is acceptable and of value to purchasers.

**ORGANIC** means matter composed of a class of chemical compounds that are derived from the remains of once-living organisms such as plants and animals and their waste products in the environment. All living organisms are composed of ORGANIC compounds.

**ORGANIC WASTE** means SOURCE SEPERATED WOOD WASTE, YARD AND GARDEN WASTE and CONTAMINATED WOOD PRODUCT.

**PAINT** means paint products included within *Schedule 2* of the *Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT*.

**PLANT DISEASE** means a condition that exists in a plant or seed as the result of the action of virus, fungus, bacterium, or any other similar or allied organism and that injures or may injure the plant or any part thereof, and that may be spread to another plant or plants with economic, ornamental or aesthetic value.

**PRUNINGS** means hedge clippings and shrub and tree branches that are less than 12.5 millimetres (1/2 inch) in diameter.

**RECYCLABLE WASTE** means SOURCE SEPERATED materials that are MARKETABLE or, as determined by the MANAGER, can be diverted for beneficial use and may include materials recognized and accepted for RECYCLING within the *Recycling Regulation* of the *Environmental Management Act*.

**REMEDIATE** means the action of remedying something, esp. the reversal or stopping of damage to the environment. Environmental REMEDIATION is based on assessments of human health and ecological risks and the removal, for the general protection of human health and the environment, of identified toxic contaminants.

**REMEDIATABLE SOIL** means CONTAMINATED SOIL containing substances in quantities or concentrations greater than those prescribed in *Column III* of *Schedules 4 & 5* to the *Contaminated Sites Regulation* but proven to the REGIONAL DISTRICT to be capable of being remediated to those specified quantities or concentrations.

**RENDERABLE PRODUCT** means dead animals, animal parts and animal by-products accepted for rendering or RECYCLING into other products (e.g. dog food) at any approved animal bone, meat, and fat

rendering facility, that were generated at such establishments as slaughter houses, butcheries, retail and wholesale stores, farms, and veterinary clinics.

**WHITE GOODS** means metal consumer appliances typically finished in enamel or stainless steel; such as clothes washers, dishwashers, clothes dryers, ranges, stoves hot water tanks and REFRIGERATION UNITS.

#### **4. Site Regulations – wording changes and additions for clarity:**

##### **Under Conditions of Use:**

##### **Existing**

4.1.2 Any PERSON who contravenes these regulations or fails to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR may be subject to the appropriate fines and may be prohibited from re-entry to the SITE for a period as determined by the REGIONAL DISTRICT.

##### **New wording - Moved under Safety and shortened to:**

5.4.3 No PERSON shall fail to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR.

##### **Existing:**

4.1.3 Without permission of the MANAGER no PERSON shall;

- a) remain at the SITE for longer than is reasonably required to proceed directly on designated roads to the designated DISPOSAL area, unload, RE-SCALE, make payment and immediately leave the SITE;
- b) remain at the SITE for longer than is reasonably required to conduct authorized business related to SITE operation;
- c) enter the SITE or DISPOSE of any material at the SITE at any time other than the designated hours of operation, except by prior arrangement with the REGIONAL DISTRICT.

##### **Updated to:** 5.1.2 No PERSON shall;

- a) remain at the SITE for longer than is reasonably required to proceed directly on designated roads to the DESIGNATED LOCATION, SCALE, make payment and immediately leave the SITE;
- b) enter the SITE or DISPOSE of any material at the SITE at any time other than the designated hours of operation, except by prior arrangement with the REGIONAL DISTRICT.
- c) remove, alter, destroy or deface any sign or traffic control device placed or erected at the SITE.
- d) DISPOSE of SOLID WASTE at the SITE without first having the SOLID WASTE inspected by the SITE OFFICIAL or SITE OPERATOR for the purpose of determining compliance with this Bylaw. All loads shall be SCALED to determine the applicable fee and DISPOSED in a manner or location as directed by the bylaw, signage and the written or verbal direction of the SITE OPERATOR or SITE OFFICIAL.
- e) DISPOSE of any material at the SITE that does not originate from within the

SERVICE AREA unless designated acceptable within the Fees and Charges Bylaw or the MANAGER approves otherwise. Failure to obtain MANAGER approval may result in refusal of entry to the SITE.

**Under Conditions Of Use wording Added for clarity:**

5.1.4 No HAULER shall enter the SITE transporting a load of SOLID WASTE which requires assistance by the SITE OPERATOR or their equipment for DISPOSAL.

**REGULATED WASTE wording changed for clarity (now called Disposal Restrictions):**

**Existing:**

4.2.1 DISPOSAL of PROHIBITED WASTE at the SITE is not allowed unless the deposit of such waste is specifically authorized by both the REGIONAL DISTRICT and the applicable Provincial Ministry.

**Updated to:** 5.1.1 The REGIONAL DISTRICT accepts no responsibility or liability for damage or injury to any PERSON or property. Each PERSON entering a SITE does so solely at their own risk and, as a condition of entry to a SITE waives all claims against the REGIONAL DISTRICT and releases the REGIONAL DISTRICT from any and all liability and claims for all injury, death, loss, damage and expense of any kind that the PERSON or any other PERSON may suffer as a result of or in connection with the PERSON'S use of a SITE due to any cause whatsoever, including but not limited to negligence, breach of contract, breach of any statutory duty or duty of care on the part of any of the REGIONAL DISTRICT and also including the failure on the part of the REGIONAL DISTRICT to safeguard or protect any PERSON from the risks, dangers and hazards associated with the use of a SITE.

**Existing:** 4.2.2 C) Replaced twenty four (24) hours notice to sufficient notice

**Updated to:**

5.2.3 DISPOSAL of CONTROLLED WASTE at the SITE; (used to be 4.2.2 c)

c) **sufficient** notice is provided as required by the REGIONAL DISTRICT prior to DISPOSAL of CONTROLLED WASTE as the SITE.

**Existing:** 4.2.6 Replaced waived with apply

**Updated to:**

5.2.7 The MANAGER may designate materials delivered to the SITE as being OPERATIONALLY BENEFICIAL and **apply** fees accordingly.

(reason: the word - waived changed to apply – provides the ability to apply a fee or not)

**Under Secure Loads wording added:**

5.3.1d) loads shall be contained so as to prevent the spillage of liquids.

**Under Safety wording added:**

5.4.3 No PERSON shall fail to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR. (was moved from 4.1.2 CONDITIONS OF USE)

5.4.9 No PERSON shall without authorization, drive a motor VEHICLE on any part of the SITE other than on roads or areas so designated by signage or the SITE OFFICIAL or SITE OPERATOR.



5.4.13 No PERSON shall place NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD in the DESIGNATED LOCATION reserved for ASSESSED materials.

5.4.14 No PERSON shall approach, harass, feed or attempt to lure wildlife encountered on the SITE

5.4.15 No PERSON while conducting SITE business shall utilize a communication or entertainment device which includes but is not limited to mobile phones, smart phones, hands-free devices, speaker phones, pagers, text messaging, lap top, ear pieces, head phones, or two way radios, or other activities that allow for distracted driving or the inability to hear instructions.

5.4.16 No PERSON shall enter the SITE on foot, all PERSONS entering the SITE must be in a motor propelled VEHICLE equipped with a cab, PERSONS while on SITE must remain within a 45 metre (150') proximity of their VEHICLE.

**Under Fees And Charges wording added**

6.3 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in the RDOS *Fees and Charges Bylaw*.

**Under Fees and Charges wording deleted as now ability to pay with Debit cards:**

5.3 The SITE OFFICIAL shall not accept as payment for assessed fees cash in the form of bills of a fifty dollar denomination (\$50.00) or greater where the change is greater than twenty dollars (\$20.00).

**Under Violations & Penalties wording changed for clarity:**

**Existing**

6.1 No PERSON shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.

6.2 Every PERSON who violates any provision of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or thing required by this Bylaw, shall be deemed to have committed an offence against this Bylaw and:

(a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence;

(b) shall pay the applicable fee as set out in the RDOS *Fees and Charges Bylaw* as amended from time to time, in cases where the violation involves the contravention of a prohibition or regulation pertaining to the deposit of material at the SITE;

(c) shall pay \$25.00 per tonne with a minimum of \$25.00, for each load that is in violation of Site Regulations not explicitly contained in the RDOS *Fees and Charges Bylaw* and;

(d) may be prohibited from depositing material at the SITE for such period as the REGIONAL DISTRICT may determine.

**Note:** only 6.2 c) deleted – 6.2 is now 7.2 with additional wording added (see Updated to, and wording highlighted in yellow).

**Updated to (new wording added is highlighted in yellow):**

7.1 No PERSON shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.

7.2 Every PERSON who violates any provision of this Bylaw, or who permits any act or

thing to be done in violation of this Bylaw, or who fails to do any act or requirement of this Bylaw, shall be deemed to have committed an offence against this Bylaw and:

- a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence;
- b) shall pay the applicable fee as set out in the RDOS Fees and Charges Bylaw as amended from time to time, in cases where the violation involves the contravention of a prohibition or regulation pertaining to the deposit of material at the SITE;
- c) shall pay the penalties, that may be issued, as provided under the provisions of the *British Columbia Offence Act*, or to the penalties provided under the provisions of the *British Columbia Local Government Bylaw Notice Enforcement Act* and;
- d) may be prohibited, by written notice, from DISPOSING SOLID WASTE at the SITE for such period as the REGIONAL DISTRICT may determine.

**7.3 Notwithstanding any other provision of this Bylaw, any PERSON who:**

- a) contravenes this Bylaw and/or fails to comply with rules or directions of a SITE OFFICIAL or SITE OPERATOR may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
- b) contravenes this Bylaw and is deemed to be abusive or threatening may be ordered to immediately leave the SITE by a SITE OFFICIAL. Any Person deemed to be abusive or threatening may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
- c) contravenes this Bylaw and fails to pay the fees as set out in the RDOS Fees and Charges Bylaw may be refused entry into any REGIONAL DISTRICT SITE until all fees and charges are paid.

**Existing:**

6.3 Each Day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.

**Updated to:** 7.4 Each offence committed against this Bylaw shall be deemed a separate and distinct offence and subject to a separate penalty.

**Existing** 6.4 is now 7.5 (wording has not changed)

7.5 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

**Under Dispute Mechanism Notice wording changed for clarity:**

**Existing:**

**7.0 Dispute Mechanism Notice** For decisions made under this Bylaw, a SITE OFFICIAL shall issue to the person for whom a decision has been made with respect to this Bylaw, a notice indicating the waste type and corresponding fee assessed including penalties. All fee's assessed or decisions made under this Bylaw can be appealed to the REGIONAL DISTRICT.

**Updated to:**

**8.0 Dispute Mechanism Notice** (wording changed in 8.1, and new wording added 8.2, 8.3, and 8.4)

8.1 Once a VEHICLE is SCALED a SITE OFFICIAL shall issue an invoice indicating the waste type and corresponding fee assessed including penalties. Upon Payment all fee's assessed or decisions made under this Bylaw can be appealed to the REGIONAL DISTRICT.

- 8.2 All decisions rendered will be on a case by case basis, resolutions shall be based upon such factors as precedent, severity and frequency.
- 8.3 Appeals must be submitted within 60 days of the transaction to be considered.
- 8.4 Loads DISPOSED outside of Public Hours of Operation cannot be appealed.

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** February 1, 2018

**RE:** SILGA Community Excellence Awards

---

### Administrative Recommendation:

**THAT the Board of Directors support a nomination to SILGA's Community Excellence Awards program for the South Okanagan Conservation Fund Program.**

### Purpose:

To share the RDOS's innovative initiatives by nominating the RDOS South Okanagan Conservation Fund Program for a SILGA Community Excellence Award in the Environmental Sustainability Category.

### Reference:

[South Okanagan Conservation Fund](#)

### Business Plan Objective:

Key Success Driver 1.0: Be a High Performing Organization

Key Success Driver 3.0: Build a Sustainable Community

### Background:

In 2016, the Regional District of Okanagan-Similkameen, with the assent of the public, adopted a bylaw to establish the South Okanagan Conservation Fund for the communities of Summerland, Penticton, Oliver, and Electoral Areas "A", "C", "D", "E" and "F". The funds are in support of conservation efforts to protect, enhance and restore natural areas, water, environment, wildlife, land and habitat.

### Analysis:

Recently, the first tranche was awarded to seven non-profit organizations to carry out environmental works within the service area and the Board can look forward to updates on those projects within the year.

Because this is only the third environmental conservation fund of its kind in BC, local governments around the province look to the RDOS as a leader in this area. The RDOS was honored to participate in the drafting of the 2<sup>nd</sup> edition of the '*Local Conservation Funds in British Columbia – A Guide for Local Governments and Community Organizations*' publication, an essential "how-to"

guide for local governments and community groups interested in establishing dedicated funds for local community sustainability.

In early 2017, the RDOS received an award from the Species and Ecosystems at Risk Local Government Working Group for the Conservation Fund service.

The Southern Interior Local Government Association has created a community excellence awards program to acknowledge those communities or regions which promote initiatives related to Environmental Sustainability, Social Responsibility, or Economic Development and invites all local governments to share their accomplishments as a nomination for one of these categories.

Administration recommends that the RDOS celebrate this innovative initiative by nominating the RDOS South Okanagan Conservation Fund Program for a SILGA Community Excellence Award in the Environmental Sustainability Category.

**Alternatives:**

1. THAT the Board of Directors support a nomination to SILGA's Community Excellence Awards program for the South Okanagan Conservation Fund Program.
2. THAT the Board of Directors chose not to nominate the South Okanagan Conservation Fund Program to SILGA Community Excellence Awards program

**Respectfully submitted:**

*"Christy Malden"*

---

C. Malden, Manager of Legislative Services