

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 3157, 2026

A bylaw to allow for holding tanks on a temporary basis within the Vintage Views Wastewater System Service Establishment Area.

WHEREAS under subsection 506.03(2) of the *Local Government Act*, as a condition of the issue of a building permit the Regional District of Okanagan-Similkameen may require the owner of the land to provide works and services, in accordance with the standards established in a bylaw under section 506 [works and services requirements] or 506.02 [requirements in respect of certain systems], on the site being developed;

WHEREAS by Establishment Bylaw No. 3068, 2024, the Regional District of Okanagan-Similkameen established a community sewer service in Electoral Area “D” known as the Vintage Views Wastewater System Service for the purpose of the acquisition, maintenance and operation of works for wastewater purposes;

WHEREAS the Vintage Views Wastewater System Service is currently unable to accept additional connections or provide wastewater service to new developments pending significant upgrades to the Vintage Views Wastewater System;

WHEREAS pursuant to the Subdivision and Development Servicing Bylaw No. 2900, 2024, as a condition of the issue of a building permit, the Regional District of Okanagan-Similkameen requires developments within the Vintage Views Wastewater System Service Area to connect to and be served by the Vintage Views Wastewater System; and

WHEREAS under section 304(1)(a) of the *Local Government Act*, the Board of Directors subject to the *Public Health Act*, may, by bylaw, regulate and prohibit for the purposes of maintaining promoting or preserving public health or maintaining sanitary conditions

NOW THEREFORE the Board of Directors of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

1. TITLE

- 1.1. This bylaw may be cited as the “Regional District of Okanagan-Similkameen Temporary Holding Tanks Bylaw No. 3157, 2026.”

2. PURPOSE

- 2.1. The purpose of this bylaw is to allow the use of holding tanks as a temporary method of on-site sewage disposal for residential developments within the Vintage Views Wastewater System Service Area until the Vintage Views Wastewater System can accept additional connections and provide wastewater service to new developments in the Service Area.

3. DEFINITIONS

- 3.1. In this bylaw:

“development” has the same meaning as in the Subdivision and Development Servicing Bylaw No. 2900, 2024;

"holding tank" means a watertight container for holding domestic sewage until the domestic sewage is removed for treatment;

"maintenance plan" means the maintenance plan for the holding tank provided under the *Sewerage System Regulation* as modified by any conditions attached to the holding tank permit;

“Manager” means the person appointed as Senior Manager of Public Works and any employee authorized to act on their behalf;

“Permit” means a permit authorizing the construction of a holding tank issued by a health officer under the *Sewerage System Regulation*;

“Regional District” means the Regional District of Okanagan-Similkameen;

“Service Area” means that part of Electoral Area “D” defined as the Vintage Views Wastewater System Service Area under the Establishment Bylaw No. 3068, 2024; and

“System” means the Vintage Views Wastewater System.

4. VARIANCE FOR SERVICE AREA PARCELS

- 4.1. Despite subsections 4.2.1.2 and 4.2.2.3 of the Subdivision and Development Servicing Bylaw No. 2900, 2024, a building inspector may issue a building permit for a new residential development within the Vintage Views Wastewater System Service Area and the owner may delay connecting the new development to the Vintage Views Wastewater System if the owner of the land:

- (a) applies for and is issued a Permit;

- (b) provides the Regional District with copies of:

- (i) the Permit application;

- (ii) the proposed maintenance plan for the holding tank; and

- (iii) a certified copy of the Permit, including any conditions attached to the Permit.

- (c) the owner of the land covenants with the Regional District to:
 - (i) construct and use the holding tank in accordance with the Permit, including the maintenance plan;
 - (ii) remedy any health hazard or unsanitary condition caused by the use of the holding tank;
 - (iii) connect the development to the System in accordance with the Subdivision and Development Servicing Bylaw No. 2900, 2024 within ninety (90) days of receipt of written notice from the Regional District that the System can accept additional connections and provide wastewater service to the development;
 - (iv) decommission and remove the holding tank from the land within ninety (90) days of connecting to the System; and
 - (v) indemnify the Regional District against any breach of the covenant, including for any expenses that may be incurred by the Regional District as a result of a breach of the covenant and any fees and charges that would be payable for the Vintage Views Wastewater System Service to connect and upon connection to the System;

and registers the covenant against title to the land under section 219 of the *Land Title Act*.

5. PUMP OUT AND DISPOSAL RECORDS

- 5.1. The owner must retain all pump-out, disposal and other maintenance records for the holding tank for a minimum of 24 months and provide copies of them to the Manager every ninety (90) days or upon request until the holding tank is decommissioned and removed from the land.

6. OFFENCES AND ENFORCEMENT

- 6.1. A person must not:
 - (a) obstruct a building inspector, the Manager or other authorized official of the Regional District engaged in the enforcement of this bylaw;
 - (b) fail or refuse to:
 - (i) connect the development to the System in accordance with the Subdivision and Development Servicing Bylaw within ninety (90) days of receipt of written notice from the Regional District that the System can accept additional connections and providing wastewater service to the development;
 - (ii) decommission and remove the holding tank from the land within ninety (90) days of connecting to the System;

- (iii) remedy any health hazard or unsanitary condition caused by the use of a holding tank;
- (iv) construct and use the holding tank in accordance with the Permit, including the maintenance plan.

6.2. Any person who:

- (a) violates or fails to comply with any provision of this bylaw;
- (b) permits, suffers or allows any action or thing to be done in violation of any provision of this bylaw; or
- (c) fails or neglects to do anything required to be done under this bylaw

contravenes this bylaw and, when the contravention is a continuing one, each day that the contravention continues constitutes a separate contravention.

6.3. Any person who contravenes this bylaw commits an offence and is liable upon conviction by way of a prosecution under the *Offence Act*, to a fine of up to \$50,000.00, or a term of imprisonment of not more than six months, or both.

7. EFFECTIVE DATE

7.1. This Bylaw comes into force upon adoption.

READ A FIRST, SECOND AND THIRD TIME this 16th day of July, 2026.

COPY DEPOSITED WITH THE MINISTER OF HEALTH SERVICES pursuant to section 304 1)(a) of the *Local Government Act* and the Public Health Bylaws Regulations, this 6th day of August, 2026.

ADOPTED this 20th day of August, 2026.



Board Chair



Corporate Officer