

CITY OF SALMON ARM
BYLAW NO. 4694

A bylaw to amend "City of Salmon Arm Fee for Services Bylaw No. 2498"

The Municipal Council of the City of Salmon Arm, in open meeting assembled, enacts that the City of Salmon Arm Fee for Services Bylaw No. 2498 be amended as follows:

Amendments to Schedule B, Appendix 10 – Curbside Collection Service Fees

1. That Section 1 be deleted in its entirety that reads:

"A Curbside Collection Fee shall be levied and is hereby imposed upon the owners/occupiers of real property within the boundaries of the City of Salmon Arm on which one (1) or more single family dwellings or mobile homes are situated (hereinafter referred to as a Curbside Household)."

And replacing Section 1 with:

"Curbside Collection Fee(s) shall be levied and hereby imposed upon the owners of real property within the boundaries of the City of Salmon Arm on which one (1) or more Curbside Households are situated; where Curbside Household is as defined in Bylaw 4281 and amendments thereto."

2. That the words "Property owners/occupiers" in Section 7 be deleted and replaced with the word "Property owners".
3. That the words "Property owner/occupier" in Section 8 be deleted and replaced with the word "Property owner".
4. That Section 9 be deleted in its entirety that reads:

"Upon application for a building permit to construct a Curbside Household, the property owner shall be billed the pro-rated Curbside Collection Fee for the remaining portion of the year, calculated from the first (1st) day of the fourth (4th) month following the date of the building permit issuance or from the date of occupancy permit issuance, whichever is earlier."

And replacing Section 9 with:

- a) "Upon application for a building permit to construct a Curbside Household, the property owner shall be billed the pro-rated Curbside Collection Fee(s) for the remaining portion of the year, calculated as follows:
 - i. Single Family Dwellings and Duplexes: Calculated from the date of occupancy permit issuance or from the first (1st) day of the eighth (8th) month following the issuance of the building permit, whichever is earlier.

- ii. Dwellings of three or more units approved to receive the Curbside Collection Service in accordance with Bylaw 4281 and amendments thereto: Calculated from the date of occupancy permit issuance or from the first (1st) day of the twelfth (12th) month following the issuance of the building permit, whichever is earlier.
 - b) Upon approval of an application (“opt-in”) for the Curbside Collection Service, in accordance with Section 6 of Bylaw 4281 and amendments thereto, the property owner shall be billed the pro-rated Curbside Collection Fee(s) for the remaining portion of the year, calculated from the first (1st) day of the month following the date of approval of the application, and thereafter shall be billed on an annual basis on their property tax bill.
 - c) The billing of the Curbside Collection Fee shall in no way constitute the City’s approval of a non-conforming dwelling or the granting of occupancy; it is solely for the purpose of billing for and providing the Curbside Collection Service.
5. That Section 10 be deleted in its entirety that reads:

Any property owner found to have been receiving the Curbside Collection service and/or the Additional Food Waste Collection service, but not being billed, may be charged retroactively for the service(s) for a period of up to one (1) year.

And replacing Section 10 with the following:

Any property owner found to be receiving the Curbside Collection Service and/or the Additional Food Waste Collection service without being billed, shall be billed the pro-rated fee(s) for the remaining portion of the year from the date the City becomes aware of the service(s) being provided.

6. That Section 11 be deleted in its entirety that reads:

All property owners/occupiers shall be billed on an annual basis on their property tax notice. The Curbside Collection Fee shall be due and payable on the property taxation due date, at 4:00 p.m. on the first (1st) working day following the first (1st) day of July in each year.

- a) A penalty of ten (10) per centum shall be charged on any Curbside Collection Fee unpaid on the taxation due date, at 4:00 p.m., the first working day following the first (1st) day of July of each year.
- b) Notwithstanding any provisions herein contained, all accrued and unpaid Curbside Collection Fees are deemed to be a debt to the City of Salmon Arm and any unpaid amounts remaining unpaid on the 31st day of December in the year that Curbside Collection Fees apply, shall be added to and form part of the taxes payable on the property as property taxes in arrears. All such arrears will be collected in the same manner and with the same remedies as property taxes pursuant to the provisions of the Local Government Act, RSBC 1996, Chapter 323.

And replacing Section 11 with the following:

All property owners shall be billed on an annual basis on their property tax notice. The Curbside Collection Fee and Additional Food Waste Collection fee (if applicable) shall be due and payable on the property tax due date at 4:00 p.m. on the first (1st) working day following the first (1st) day of July in each year.

- a) A penalty of ten percent (10%) shall be charged on any Curbside Collection Fee and Additional Food Waste Collection fee remaining unpaid on the property tax due date.
- b) Notwithstanding any provisions contained herein, all accrued and unpaid Curbside Collection Fees and Additional Food Waste Collection fees are deemed to be a debt to the City of Salmon Arm and any amounts remaining unpaid on the 31st day of December in the year that these fees apply shall be added to and form part of the taxes payable on the property, as property taxes in arrears.

Addition of Appendix 11 - Water and Sanitary Sewer Utility Billing to Schedule B

- 6. That Appendix 11 – Water and Sanitary Sewer Utility Billing be added to Schedule B with the following Sections:

Section 1:

1. DEFINITIONS

The following definitions are applicable to Bylaw 2498, Schedule B, Appendix 11 and Schedules C and D, unless the context otherwise requires:

“Accessory Dwelling Unit” shall mean the same as defined in City of Salmon Arm Zoning Bylaw No. 2303 and amendments thereto.

“City Water” shall mean water supplied from the City of Salmon Arm Waterworks, as defined in City of Salmon Arm Waterworks Regulation Bylaw No. 1274 and amendments thereto.

“City Sewer” shall mean the City of Salmon Arm Sanitary sewer, as defined in City of Salmon Arm Sewer Connection Bylaw No. 1410 and amendments thereto.

“Secondary Suite” shall mean the same as defined in City of Salmon Arm Zoning Bylaw No. 2303 and amendments thereto.

“Services” shall mean City Water and City Sewer services, individually or collectively.

Section 2:

The rates set-out in Schedule C – Water Rates of this bylaw are hereby imposed and shall be charged, levied and collected by the City for City Water supplied to any property within the boundaries of the City of Salmon Arm, and shall be paid to the City by the owner of the property to which the water is supplied.

Section 3:

The rates set out in Schedule D – Sewer Rates of this bylaw are hereby imposed and shall be charged, levied and collected by the City from any property within the boundaries of the City of Salmon Arm connected to the City Sewer, and shall be paid to the City by the owner of the connected property.

Section 4:

- a) The annual charge rates set out in Schedules C and D shall be billed to flat-rate billing properties annually. A penalty of ten percent (10%) shall be charged on any amount remaining unpaid at 4:00 p.m. on the first (1st) working day following the first (1st) day of July in each year.
- b) The metered rates set out in Schedules C and D shall be billed to metered billing properties bi-monthly and shall be due and payable on the 15th day of the month following the month billed, after which date a penalty of ten percent (10%) shall be charged.
- c) The City shall allow a discount of ten percent (10%) on annual payments received on or before the 15th day of February for the current calendar year, whether payment is made in full or in part, for annual charge rates (flat-rate billing) provided in Schedules C and D.

Section 5:

Upon application for a building permit, the property owner shall be billed for the applicable Services at the rates set out in Schedules C and D, as follows:

- a) Single Family Dwellings, Duplexes, Secondary Suites and Accessory Dwelling Units: The property owner shall be billed the pro-rated annual charge rate for the remaining portion of the year, calculated from the date of occupancy permit issuance or from the first (1st) day of the eighth (8th) month following the building permit issuance, whichever is earlier.
- b) All other properties: The property owner shall be billed the metered billing rate commencing from the date of water meter installation, the date of occupancy permit issuance, or from the first (1st) day of the twelfth (12th) month following building permit issuance, whichever is earliest.

Section 6:

Upon connection of new Services (where a building permit is not required), the resumption of existing Services, or where the City becomes aware of existing Services that are not being billed, the property owner will be billed for the applicable Services at the rates set out in Schedules C and D, as follows:

- a) The property owner shall be billed from the date of connection, the date of service resumption, or the date the City becomes aware of the Services; whichever date is applicable.

- b) Where flat-rate billing is applicable, the property owner shall be billed the pro-rated annual charge rate for the remaining portion of the year from the date determined in Section 6 a).
- c) No penalty shall be imposed for non-payment for a period of four (4) weeks from the date of invoice.

Section 7:

The billing of Services for a Secondary Suite or Accessory Dwelling Unit shall in no way constitute the City's approval of a non-conforming dwelling or the granting of occupancy; it is solely for the purpose of billing for and providing the Services.

Section 8:

Any person liable for rates for the usage of Services shall be liable for the payment of these rates until such a time that the Services become decommissioned, at which time the property owner will be billed up to the decommissioning date.

Section 9:

The non-receipt of a bill for Services will not exempt the property owner from paying for the Services.

Section 10:

Notwithstanding any provisions contained herein, all accrued and unpaid rates are deemed to be a debt to the City of Salmon Arm and any amounts remaining unpaid on the 31st day of December in the year that the rates apply shall be added to and form part of the taxes payable on the property, as property taxes in arrears.

7. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

8. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

9. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

10. CITATION

This bylaw may be cited as “City of Salmon Arm Curbside Collection Amendment Bylaw No. 4694.”

READ A FIRST TIME THIS 14 DAY OF April 2025

READ A SECOND TIME THIS 14 DAY OF April 2025

READ A THIRD TIME THIS 14 DAY OF April 2025

ADOPTED BY COUNCIL THIS DAY OF 2025

MAYOR

CORPORATE OFFICER