

TOWN OF COMOX
CONSOLIDATED BYLAW NO. 892

Please note: This is a consolidated bylaw prepared for
Convenience only and is not a certified copy.

A BYLAW TO REGULATE CONNECTIONS TO THE STORM DRAIN SYSTEM

Consolidated to include the following bylaws:

Bylaw No.	Adopted	Name	Purpose
939	01-Nov-1989	Comox Storm Drain Connection By-Law Amendment 1989	Replace Schedule 'A'.
1173	07-Jun-1995	Comox Storm Drain Connection By-Law Amendment No. 2, 1995	Replace Schedule 'A'.
1500	15-Feb-2006	Comox Storm Drain Connection By-Law Amendment No. 3, 2006	Replace Schedule 'A'.
1742	05-Dec-2012	Comox Storm Drain Connection By-Law Amendment No. 4, 2012	Replace Schedule 'A'.
1921	20-Oct-2021	Comox Storm Drain Connection Amendment Bylaw, No. 1921	Northeast Comox Amendments

WHEREAS the Municipal Act provides for the regulating and imposition of fees for the connection of drainage pipes from houses and other buildings to a common storm drainage system.

AND WHEREAS the existing storm drain connection by-law needs updating.

NOW THEREFORE the Town of Comox in open meeting assembled enacts as follows:

1. TITLE:

This by-law may be cited as the "Comox Storm Drain Connection By-law, 1988".

2. DEFINITIONS:

- a) "BUILDING STORM DRAIN" means the storm drain pipe extending from the property line of the parcel of land being serviced to the building situated thereon and joining the storm drain connection to the drainage system of the building.
- b) "COMMON DRAIN" means the storm drain system under the control of the Town which is intended for public use.

Definition added, Bylaw 1921, Oct 20, 2021

- c) "NORTHEAST COMOX" means the area shown shaded on Schedule 'B'.

Definition added, Bylaw 1921, Oct 20, 2021

- d) "RESIDENTIAL ZONE" means a zone listed as such in s. 4.1 of Comox Zoning Bylaw 1850 and, for certainty, does not include any multi-family residential zone.

Definition added, Bylaw 1921, Oct 20, 2021

- e) "ROOF LEADER" means a pipe installed to drain and dispose of water from roof gutters or eavestroughs.
- f) "STORM DRAIN CONNECTION" means the storm drain extending from the common drain to the property line to the parcel of land being serviced.
- g) "TOWN" means the Town of Comox.

Definition added, Bylaw 1921, Oct 20, 2021

- h) "WORKS AND SERVICES BYLAW" means Town of Comox Subdivision and Development Servicing Bylaw No. 1261 and any replacement bylaw enacted under s. 506 of the Local Government Act

Section 3 replaced, Bylaw 1921, Oct 20, 2021

3. PROPERTY TO BE CONNECTED:

- a) The owner of every parcel of land on which is located a building occupied by one or more persons, that abuts a street, lane or right of way on or which is laid a common drain, shall connect such building with the common drain in the manner provided in the Works and Services Bylaw.
- b) In Northeast Comox on parcels in residential zones, roof leaders installed after the date of adoption of Comox Storm Drain Connection Amendment Bylaw, No. 1921 shall not be connected to the common drain but shall be arranged and installed so as to discharge, either directly or indirectly via a rain barrel or splash pad, to a landscaped area on the parcel permitting the absorption of drainage, as indicated schematically in Schedule 'C'.

4. APPLICATION AND FEE CHARGES - STORM DRAIN CONNECTION:

Prior to a connection being made, the owner or occupier of the building or land to be serviced, or his agent, shall make application at the Town office to connect to the common drain and he shall deposit monies with the Town as shown on Schedule 'A' attached to and forming part of this By-law.

5. INSTALLATION OF STORM DRAIN CONNECTION:

Upon receipt of the application and the fee required under Section 4 above the Town shall cause to be laid (unless already laid) a storm drain connection extending from the common drain to the applicant's property line.

6. OWNER - FAILURE TO MAKE A CONNECTION:

If an owner of premises or land fails to connect to the common drain, pursuant to provisions of this By-law the Town may serve on the owner an order to install a connection to the common drain within thirty (30) days of receipt of the order. Failure of the owner to comply with the order shall constitute an infraction of this By-law.

In the event an owner fails to install a connection to the common drain within the thirty (30) day period, the Town may enter upon the property and cause the connection to be made. The total cost and expense of making the connection including the installing of the storm drain connection and building storm drain shall be charged against the owner of the property. A certificate of cost entailed in making the connection shall be prepared and certified by the Town's Public Works Superintendent and filed with the Town's Treasurer and Collector who shall add the amount so certified to the taxes levied against the property and shall be treated in all respects as taxes receivable.

Section 7 added, Bylaw 1921, Oct 20, 2021

7. OWNER – DISCONNECTION OF ROOF LEADERS

- a) If an owner of premises in Northeast Comox connects any roof leader to a building perimeter drainage system in contravention of Section 3(b) or otherwise causes roof drainage to enter a common drain, the Town may serve on the owner an order to disconnect the roof leader so as to discharge to an on-site landscaped area as described in Section 3(b) within thirty (30) days of receipt of the order.
- b) Failure of the owner to comply with the order shall constitute an infraction of this bylaw and the Town may enter upon the premises, disconnect the roof leader and direct the roof drainage as described in Section 3(b).
- c) The total cost and expense of disconnecting the roof leader including the installing of a suitably landscaped disposal area on the premises may be

- charged against the owner of the premises.
- d) A certificate of cost entailed in performing the work shall be prepared and certified by the Town's Public Works Superintendent and filed with the Town's Treasurer and Collector who shall add the amount so certified to the taxes levied against the premises and such amount shall be treated in all respects as taxes receivable.

8. INSPECTION AND TESTING OF BUILDING STORM DRAIN:

On completion of a building storm drain installation, but prior to backfilling, the owner shall notify the Public Work's Superintendent so that he or his delegate can inspect the work and carry out any required tests.

No backfilling of the building storm drain shall take place until the person authorized to carry out the inspection has signified that the installation is to his satisfaction. If the installation is found to be defective the owner shall have the defects corrected and request a further inspection.

Section 9 updated, Bylaw 1921, Oct 20, 2021

9. BY-LAW INFRACTION - FINE:

Any person guilty of an infraction of this By-law shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding TEN THOUSAND DOLLARS (\$10,000.00).

Section 10 added, Bylaw 1921, Oct 20, 2021

10. BYLAW INFRACTION – MUNICIPAL TICKET INFORMATION

- a) This bylaw may be enforced by means of a ticket in the form prescribed for the purposes of s. 264 of the Community Charter.
- b) Bylaw enforcement officers and members of the Royal Canadian Mounted Police are designated to enforce this bylaw pursuant to s. 264(1)(b) of the Community Charter.
- c) Authorization is hereby delegated to the Bylaw Enforcement Officer, Corporate Officer or Deputy Corporate Administrator to refer tickets issued with respect to this bylaw to the Provincial Court for hearing pursuant to section 269(1) of the Community Charter.
- d) The words and expressions set forth in Column 1 of Schedule 'D' of this bylaw are authorized pursuant to s. 264(1)(c) of the Community Charter to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.

- e) The amounts appearing in Column 3 of Schedule 'D' of this bylaw are the fines established by Council pursuant to s. 265(1)(a) of the Community Charter for the corresponding offence designated in Column 1.

11. REPEALMENT:

The following By-laws are hereby repealed:

By-law No. 527 "Comox Storm Drain Connection By-law, 1979"

By-law No. 545 "Comox Drain Connection Fee Amendment By-law, 1979"

12. ADOPTION:

READ A FIRST AND SECOND time this 7th day of September ,1988.

READ A THIRD time this 7th day of September ,1988.

RECONSIDERED AND ADOPTED this 28th day of September ,1988.

MAYOR

MUNICIPAL CLERK

Schedule A replaced, Bylaw 939, Nov 1, 1989
Schedule A replaced, Bylaw 1173, Jun 7, 1995
Schedule A replaced, Bylaw 1500, Feb 15, 2006
Schedule A replaced, Bylaw 1742, Dec 5, 2012

SCHEDULE 'A' **Storm Drain Connection Bylaw**

Effective December 5, 2012

1. Connection Fees

- a. Pipe Size - 150 mm - \$1,100 per connection
- b. For all connections over 150 mm, the fee shall be based on estimated cost of labour, equipment and materials with a minimum fee of **\$2,500**.

2. Additional Costs

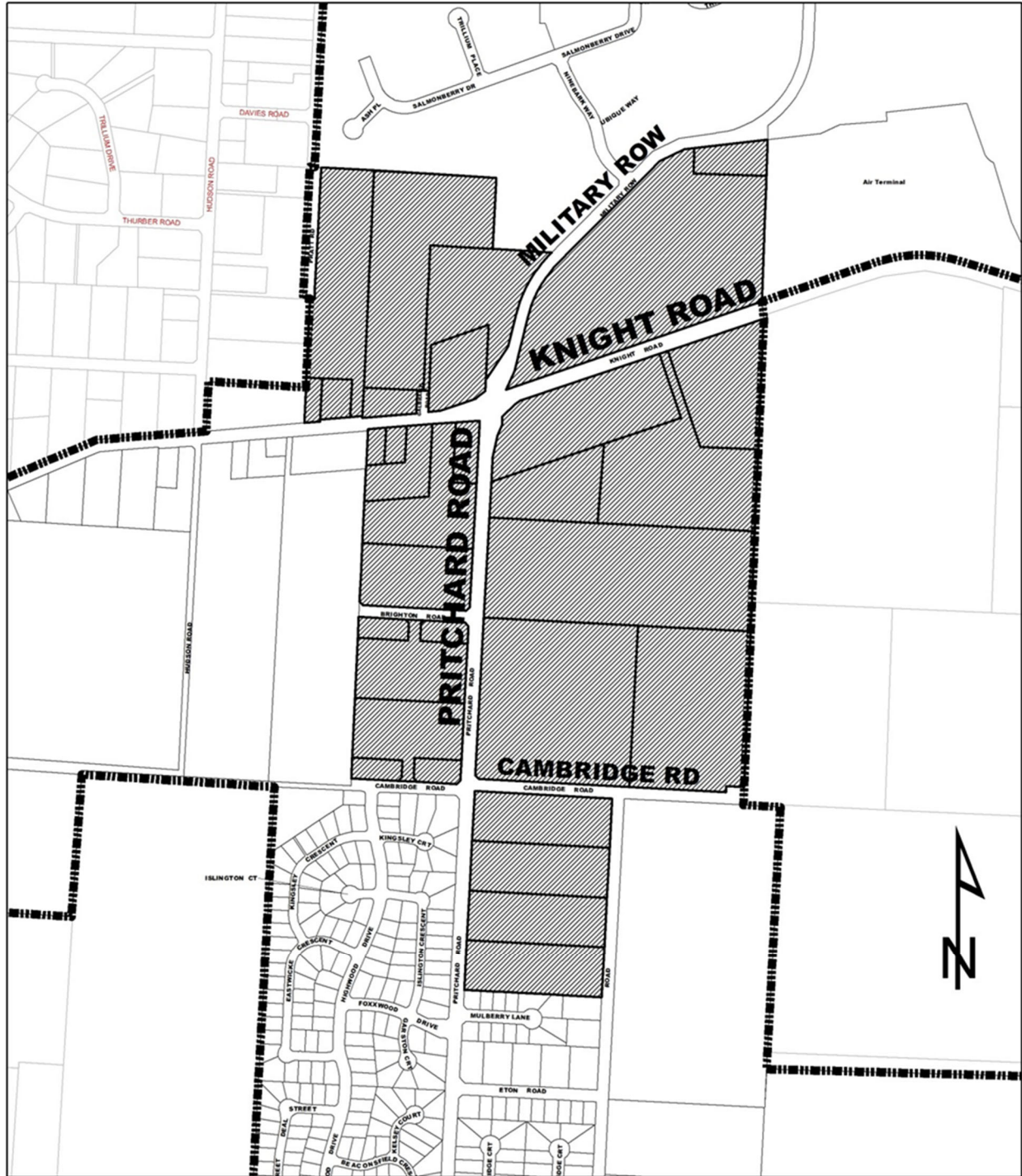
- a. Where curb and gutter have been installed on the street, an additional cost over and above the connection fee of \$235 is required to cover repairs thereto;
- b. Where a concrete sidewalk exists, an additional cost, over and above the connection fee, of \$350 is required to cover repairs thereto;
- c. Where there is a requirement to cut existing road pavement, an additional cost, over and above the connection fee, of \$1,000 is required to cover repairs thereto.

3. Inspection Fee

An inspection fee of \$50 shall be charged when materials, labour or equipment are not required to be supplied from the Municipality to make the connection.

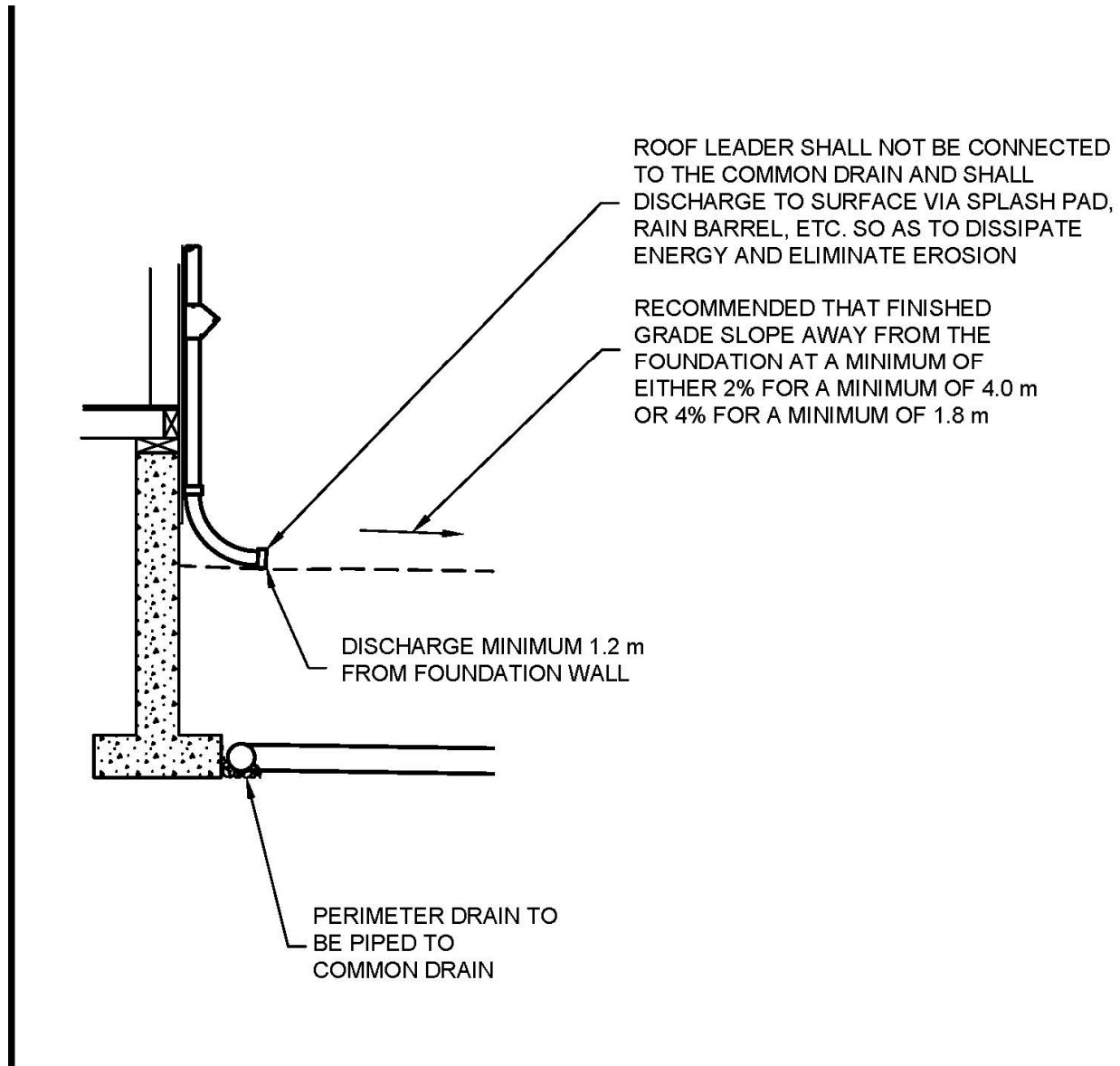
Schedule B added, Bylaw 1921, Oct 20, 2021

SCHEDULE 'B' NORTHEAST COMOX



Schedule C added, Bylaw 1921, Oct 20, 2021

SCHEDULE 'C' SERVICE CONNECTION WITH DISCONNECTED ROOF LEADERS



Schedule D added, Bylaw 1921, Oct 20, 2021

SCHEDULE 'D'

MUNICIPAL TICKET INFORMATION DESIGNATIONS

Offence	Bylaw Section No.	Fine
Failure to connect to common drain	3 a)	\$1000
Unlawful roof leader connection	3 b)	\$1000
Failure to comply with disconnection order	6	\$1000