



CITY OF RICHMOND

FLOOD PROTECTION

BYLAW NO. 10426

DATE OF ADOPTION – November 28, 2022

EFFECTIVE DATE – January 1, 2023



Flood Protection Bylaw No. 10426

The Council of the City of Richmond enacts as follows:

PART ONE: DRAINAGE CONNECTIONS

1.1 Requirement to Connect to City Drainage System

1.1.1 Unless specifically exempted in this Bylaw, every **property owner** must:

- (a) ensure that all surface water originating from such **property owner's** property is contained entirely on that property and connected to and discharged into the **City drainage system**, when such system is available to the property;
- (b) ensure that no **groundwater** originating from such **property owner's** property is discharged into the **City drainage system**, unless otherwise permitted by the **General Manager of Engineering & Public Works**; and
- (c) pay the connection charges specified in Schedule A for connection to the **City drainage system** (including without limitation the charges relating to the supply and installation of **inspection chambers, manholes**, service pipes, and connections to main).

1.1.2 Where the **property owner** does not connect the **property owner's** property to the **City drainage system**, as required in subsection 1.1.1, the **General Manager, Engineering & Public Works** may direct that the **City** undertake such connections at the expense of the **property owner**.

1.1.3 Any costs incurred by the **City** under the provisions of subsection 1.1.2 if not paid by December 31st in the year in which they were incurred are considered to be taxes in arrears on the property in question.

1.2 Imposition of Connection Charges

1.2.1 Subject to subsection 1.2.2, every **property owner** wishing to connect a property to the **drainage system** must, prior to installation:

- (a) apply to the **City** to make the connection or connections;

- (b) pay to the **City** the connection charges specified in Schedule A, as applicable (including without limitation the charges relating to the supply and installation of **inspection chambers, manholes**, service pipes, and connections to main);
- (c) submit a design plan or a drawing of each proposed connection, including:
 - (i) existing services;
 - (ii) proposed services; and
 - (iii) the location of buildings, trees, driveways and sidewalks;

which plan or drawing has been prepared by a professional engineer in accordance with the current version of Design Specifications and Supplementary Specifications and Detail Designs, publications of the **City's Engineering & Public Works Department**; and

- (d) at the request of the **property owner** of a **one-family dwelling** or **two-family dwelling**, a design plan or drawing referred to in paragraph (c) may be prepared by the **City** for the fee specified in the Consolidated Fees Bylaw No. 8636.

1.2.2 Notwithstanding subsection 1.2.1(b), the **property owner** must pay to the **City** an amount quoted by the **City** for the cost of construction where:

- (i) the connection charge is not specified in Schedule A; or
- (ii) due to utility conflict or any other reason, the connection charge specified in Schedule A does not apply.

The construction cost will be quoted by the **City** based on approved final design drawings. The **property owner** will make an advance payment equal to the total quoted construction cost, prior to commencement of the construction. If a design change is required during construction, it will be considered as scope change or extra work. The **property owner** will be responsible for the cost of the extra work, in addition to the quoted construction cost.

1.2.3 Where access required for the purpose of connecting to the **City drainage system** is, in the opinion of the **General Manager, Engineering & Public Works**, blocked or impeded, the **property owner** must immediately remove the blockage or impediment to the extent determined necessary by the **General Manager, Engineering & Public Works**.

1.2.4 Where the **property owner** does not remove the blockage or impediment pursuant to subsection 1.2.3, the **General Manager, Engineering & Public Works** may direct that the **City** undertake the work at the expense of the **property owner**.

1.2.5 No connection to the **City drainage system** will be made until all required connection charges and any other related costs have been paid in full.

1.3 Requirements Prior to Demolition

- 1.3.1 A **property owner** wishing to demolish a **building** connected to the **City drainage system** must not do so until all connections the **drainage system** have been disconnected and capped in a manner satisfactory to the **General Manager, Engineering & Public Works**.
- 1.3.2 Where a **property owner** chooses not to disconnect and cap the connection to the **City drainage system**, the **General Manager, Engineering & Public Works** may direct that the **City** undertake such disconnections and capping at the expense of the **property owner** and the **property owner** shall forthwith pay the **City** the demolition charges set out in Schedule A.
- 1.3.3 Where a **property owner** fails to disconnect the connection from such **property owner's** property to the **City drainage system** in accordance with this Bylaw and such failure results in damage to the **City drainage system**, the **property owner** must pay the actual costs incurred by the **City** in repairing the resulting damage.
- 1.3.4 Any costs incurred by the **City** under the provisions of subsection 1.3.2 or 1.3.3 if not paid by December 31st of the year in which they were incurred are considered to be taxes in arrears on the property in question.

1.4 Inspection and Maintenance

- 1.4.1 Subject to section 16 of the *Community Charter*, an employee of, or other person authorized by, the **City** may access, enter into or upon private property to:
- (a) inspect and determine compliance with the provisions of this Bylaw;
 - (b) inspect and investigate the **City's drainage system**, including **inspection chambers, manholes**, fixtures and any other works or infrastructure associated with the **City's drainage system**; and
 - (c) repair, replace and maintain the **City's drainage system**, at the discretion of the **General Manager of Engineering & Public Works**.
- 1.4.2 No person shall prevent or obstruct, or attempt to prevent or obstruct, access or entry permitted pursuant subsection 1.4.1 of this Bylaw.

PART TWO: FLOOD PROTECTION USER FEES

2.1 Imposition of Flood Protection System User Fees

- 2.1.1 Every **property owner** in the **City** must pay a **flood protection system** fee in the amount specified in Schedule B for the period from January 1 to December 31 of each year.

2.2 Date of User and Flood Protection System Fee Payments

- 2.2.1 All **flood protection system** fees must be paid on or before the invoice due date.
- 2.2.2 Extensions to the invoice due date may be granted at the discretion of the **General Manager, Engineering & Public Works**.

2.3 Discounts

- 2.3.1 All **flood protection system** fees which are paid on or before the due dates specified in section 2.2 will be subject to a ten (10%) percent discount.

2.4 Private Property Service Requests

- 2.4.1 Where the **City** responds to a request for maintenance or emergency service to the **drainage system** and the **City** determines that the problem originates on private property, the **property owner** must pay the fees specified in Consolidated Fees Bylaw No. 8636.

PART THREE: GENERAL

3.1 Grease Management

- 3.1.1 No person responsible for a **food sector establishment** or a **building**, including an **operator, property owner**, agent or contractor, shall discharge or suffer, allow, cause or permit **fat, oil or grease** to be discharged into a **drainage system** within the **City**.

3.2 Offences and Penalties

- 3.2.1 (a) A violation of any of the provisions identified in this Bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*; and
- (b) A violation of any of the provisions identified in this Bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*.
- 3.2.2 Every person who contravenes any provision of this Bylaw is considered to have committed an offence against this Bylaw and is liable on summary conviction, to a fine of not less than One Thousand Dollars (\$1,000) and not more than Fifty Thousand Dollars (\$50,000), and each day that such violation is caused, or allowed to continue, constitutes a separate offence.

3.3 Interpretation

In this Bylaw, unless the context requires otherwise:

BUILDING	means a structure or portion of a structure, including foundations and supporting structures for equipment or machinery or both, which is used or intended to be used for supporting or sheltering a use, occupancy, persons, animals, or property.
CITY	means the City of Richmond.
COUNCIL	means the current Council of the City .
DRAINAGE SYSTEM	means all storm sewer works and appurtenances owned, controlled, maintained and operated by the City , including storm sewers, storm service connections, ditches, channels, detention facilities, pumping stations and outfalls laid within any highway, City right-of-way or easement or City -owned property.
DWELLING UNIT	means a room or suite of two or more rooms designed for or occupied by one family only as a single housekeeping unit providing cooking, sanitary and sleeping facilities.
DIKE SYSTEM	means an embankment, wall, fill, piling, pump, gate, floodbox, pipe, sluice, culvert, canal, ditch, drain or any other thing that is constructed, assembled or installed to prevent the flooding of land.
FAT, OIL OR GREASE	means any solvent or extractable material of animal, vegetable or mineral origin, including but not limited to hydrocarbons, esters, fats, oils, waxes and high molecular weight carboxylic acids.
FLOOD PROTECTION SYSTEM	means all components of the drainage system or the dike system .
FOOD SECTOR ESTABLISHMENT	means: <ul style="list-style-type: none"> (a) a business establishment or institutional facility where food is prepared or made ready for eating or packaged and shipped to any establishment described in (b) or (c) below; (b) a retail establishment or institutional facility where food is prepared and made ready for

retail sale or sold to the public and includes grocery stores, fresh produce stores, bakeries, butcher shops and similar establishments; and

- (c) a business or institutional eating or drinking establishment or facility where food is prepared or made ready for eating and is sold or served to the public or to persons employed at, served by or attending the establishment, whether or not consumed on the premises, and includes restaurants, delicatessens, fast-food outlets, cafeterias, hospitals, pubs, bars, lounges, or other similar establishments

**GENERAL MANAGER OF
ENGINEERING & PUBLIC WORKS**

means the person appointed to the position of General Manager of Engineering & Public Works, and includes a person designated as an alternate.

GROUNDWATER

means water found beneath the surface of the ground.

INSPECTION CHAMBER

means a covered chamber which provides an access point for making connections or performing maintenance on the underground **drainage system** or related service lines.

MANHOLE

means a covered chamber which provides an access point for making connections or performing maintenance on the underground **drainage system** or related service mainlines.

MULTIPLE-FAMILY DWELLING

means a detached, multi-floor **building** containing three or more residential **dwelling units**.

ONE-FAMILY DWELLING

means a detached **building** used exclusively for residential purposes, containing one **dwelling unit** only.

OPERATOR

means a proprietor, lessee, manager, employee, or other person who carries on the operations of a facility or business on behalf of the owner of the business and includes any person managing or supervising such facility or business.

PROPERTY OWNER

means the registered owner of a parcel of land in the **City**.

TWO-FAMILY DWELLING

means a detached **building** used exclusively for residential purposes containing two **dwelling units** only, which **building** is not readily convertible into additional **dwelling units** and the plans for which have been filed with the Building Inspector showing all areas of the **building** finished, and the design of the **building** showing each **dwelling unit** consisting of:

- (a) one storey only, not set upon another storey or upon a basement; or
- (b) two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a basement; or
- (c) a split level arrangement of two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a basement.

PART FOUR: PREVIOUS BYLAW REPEAL

- 4.1 Drainage, Dyke and Sanitary Sewer System Bylaw No. 7551 (adopted December 9, 2002) and the following amendment bylaws are repealed:

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
No. 7615	January 1, 2004
No. 8752	January 1, 2005
No. 8004	January 1, 2006
No. 8151	January 1, 2007
No. 8284	January 1, 2008
No. 8452	January 1, 2009
No. 8549	January 1, 2010
No. 8595	January 1, 2011
No. 8679	January 1, 2011
No. 8848	January 1, 2012
No. 8977	January 1, 2013
No. 9081	January 1, 2014
No. 9101	March 10, 2014
No. 9081	January 1, 2015
No. 9203	February 10, 2015
No. 9219	October 13, 2015
No. 9495	January 1, 2016
No. 9634	January 1, 2017
No. 9751	October 10, 2017
No. 9718	October 23, 2017
No. 9782	January 1, 2018
No. 9943	January 1, 2019

No. 10114	January 1, 2020
No. 10169	March 30, 2020
No. 10221	January 1, 2021
No. 10331	March 14, 2022

PART FIVE: SEVERABILITY AND CITATION

- 5.1 If any part, section, sub-section, clause, or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.
- 5.2 This Bylaw is cited as “**Flood Protection Bylaw No. 10426**”, and is effective January 1st, 2023.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER

SCHEDULE A to BYLAW NO. 10426**DRAINAGE SYSTEM CONNECTION CHARGES****1. DEMOLITION CHARGES**

- | | |
|---|---------------|
| a) Cap and abandon existing service | \$ 1,300 each |
| b) Adjustment to top elevation of inspection chamber or manhole | \$ 1,300 each |
| c) Repair of inspection chamber | \$ 1,300 each |

2. INSPECTION CHAMBERS

- | | |
|---|---------------|
| a) Supply and installation of inspection chamber | \$ 3,300 each |
| b) Adjust existing inspection chamber | \$ 1,000 each |

3. CONNECTION TO MAIN

- | | |
|---|---------------|
| a) Connection to sewer main up to 1.5 metres deep | \$ 4,000 each |
| b) Connection to sewer main over 1.5 metres deep | By Estimate |

4. SERVICE PIPE

- | | |
|---|-----------------|
| a) Supply and install 100 to 150 mm dia lateral pipe, up to 1.5 m in depth | \$500 per metre |
| b) Supply and install 200 mm dia lateral pipe, up to 1.5 metres in depth | \$600 per metre |
| c) Supply and install lateral pipes greater than 200mm dia or greater than 1.5 metres in depth. | By Estimate |

5. MANHOLES

- | | |
|--|---------------|
| a) Supply and install 1050 mm dia manhole, up to 1.5 metres in depth | \$ 8,000 each |
| b) Supply and install 1200 mm dia manhole, up to 1.5 metres in depth | \$ 8,700 each |
| c) Supply and install 1500 mm dia manhole, up to 1.5 metres in depth | \$ 9,400 each |
| d) Supply and install 1800 mm dia manhole, up to 1.5 metres in depth | \$10,000 each |
| e) Supply and install manholes over 1800 mm dia | By Estimate |
| f) Supply and install manholes over 1.5 metres deep | By Estimate |

SCHEDULE B to BYLAW NO. 10426**FLOOD PROTECTION USER FEES**

	Annual Fee
(a) Residential Dwellings (per dwelling unit)	
(i) One-Family Dwelling or Two-Family Dwelling	\$248.98
(ii) Multiple-Family Dwellings	\$196.29
(b) Agricultural properties	\$248.98
(c) Stratified industrial, commercial and institutional properties (per strata lot)	\$248.98
(d) Non-stratified industrial, commercial and institutional properties with lot areas less than 800 m ²	\$248.98
(e) Non-stratified industrial, commercial and institutional properties with lot areas between 800 m ² and 2,000 m ²	\$581.07
(f) Non-stratified industrial, commercial and institutional properties with lot areas between 2,000 m ² and 10,000 m ²	\$734.48
(g) Non-stratified industrial, commercial and institutional properties with lot areas between 10,000 m ² and 20,000 m ²	\$1,574.21
(h) Non-stratified industrial, commercial and institutional properties with lot areas between 20,000 m ² and 50,000 m ²	\$1,674.66
(i) Non-stratified industrial, commercial and institutional properties with lot areas between 50,000 m ² and 100,000 m ²	\$1,842.76
(j) Non-stratified industrial, commercial and institutional properties with lot areas between 100,00 m ² and 500,000 m ²	\$1,927.13
(k) Non-stratified industrial, commercial and institutional properties with lot areas greater than 500,000 m ²	\$2,011.68