



CHAPTER 112.

An Act to confer upon the Corporation of the District of Saanich certain Powers in connection with Water, Sewers, and Motor-buses.

[Assented to 17th April, 1920.]

WHEREAS a petition has been presented by the Corporation of the District of Saanich asking for the passage of an Act providing for certain powers in connection with its waterworks distribution system, proposed sewerage systems, and proposed motor-bus service: Preamble.

And whereas it is deemed expedient to grant the prayer of the petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. In this Act, unless the context otherwise requires:—

Interpretation.

“Municipality” shall mean the territorial limits of the Corporation of the District of Saanich:

“Council” shall mean the Council for the time being of the Corporation of the District of Saanich:

“Corporation” shall mean the Corporation of the District of Saanich:

All other words shall have the meaning given to them by the “Interpretation Act,” the “Municipal Act,” and the “Local Improvement Act.”

2. It shall be lawful for the Corporation from time to time, without the assent of the electors, to construct, operate, and maintain an extension or extensions of the waterworks distribution system of the municipality for supplying water for any purpose to the inhabitants of the Municipality and of the municipalities or localities adjacent thereto, as may be deemed expedient by the Council, but the Corpora-

Power to construct or extend waterworks system.

tion shall not have power to and shall not divert any water from any stream except as authorized to do so under the "Water Act, 1914," and amending Acts.

Construction of
sewer districts.

3. The Council may from time to time, by resolution:—

(a.) Constitute any part or parts of the municipality as sewer or drainage districts, or both (hereinafter referred to as "sewer districts"):

(b.) Vary from time to time the boundaries of any sewer district as may be deemed advisable by the Council:

Always provided that the service to the persons assessed or resident upon lands assessed shall not in any case be prejudicially affected. In case of extension of any sewer district, the Corporation shall have the right thereafter to assess and levy rates and rentals upon any lands that may be added to the original sewer district, as if the said lands had been originally included in the sewer district.

Cost of sewers to be
borne by lands in
sewer district.

4. Notwithstanding anything contained in the "Municipal Act" or the "Local Improvement Act," the Council may by by-law provide that the entire cost of carrying out a sewerage or drainage scheme, or both, within any sewer district shall be borne by the lands within such district.

Sewer-rent.

5. The Council may by by-law provide for charging owners or occupiers of land and real property, whether vacant or otherwise, which is capable of being drained into a branch or common sewer or drain, whether the same is drained into a sewer or drain or not, with a reasonable rent for the use, or the opportunity of user, of the same; and for regulating the proportion of rent so to be charged, which shall be, where capable of being proportioned on a frontage rate, at per foot frontage of the lands and real property fronting upon the said main or common sewer or drain, and for determining an equitable proportion where such frontage rate is incapable or difficult of determination, and for regulating the time or times and the manner in which the same is to be paid; and for providing for the levying, collecting, and recovering thereof from the owner or occupier charged, in the same manner and under the same regulations as in the case of special rates under the provisions of the "Municipal Act" or any Act that may be substituted therefor; and such rent may by such by-law be declared to be specially charged upon the lands or real property whereof the owners or occupiers are made chargeable.

Sewer-rents for
connections.

6. The Council may by by-law provide for charging (with the like remedies for collecting and recovering) all persons who own or occupy property which is drained into a common sewer or drain

with a reasonable rent for the use of the connecting pipes or drains, and for regulating the time or times and manner in which the same is to be paid.

7. The Council may by by-law provide for levying annually a rate upon the assessable lands within the sewer district sufficient to meet the estimated total annual cost, which is comprised of:—

Levying rates to meet annual cost.

- (a.) The annual interest upon money borrowed to defray the cost of construction of the said sewers or drains:
- (b.) The sinking fund for the payment of such borrowed moneys:
- (c.) The cost of maintenance and repairs of said sewers or drains,—

after allowing for the estimated revenue from sewer frontage rates and sewer connection rentals as set out in sections 5 and 6 hereof.

8. It shall be lawful for the Council to charge and levy the rates and rentals under sections 5 and 6 hereof in connection with all sewers or drains into which the Corporation has the right to drain, whether under any working arrangement with any neighbouring municipality, under lease or otherwise, or jointly or solely owned by the Corporation.

Charging rentals in respect of sewers leased from adjoining municipality.

9. The Corporation may enter into contracts with any adjoining municipalities on such terms, including payment of an amount to be agreed upon as an adequate contribution towards the cost of construction, operation, and maintenance of any sewer or drain of any such adjoining municipality, providing for the carrying away by any sewer or drains of any adjoining municipality of the whole or any part of the sewerage or drainage of any sewer district in said municipality, as it shall deem fit. The amount of any such contribution towards the construction as aforesaid, or for the use of any sewer or drain of any adjoining municipality, shall be included and assessed as a portion of the cost of the laying of sewers or drains in the sewer district which connects with or drains into the sewer or drain of such adjoining municipality, contribution towards which or payment for the use of which has been made as aforesaid, or such amount may be assessed separately upon the lands in said sewer district the sewers or drains whereof the Corporation has acquired the right to connect with the sewer or drain in the adjoining municipality. The amount of any such contribution towards operation and maintenance of any sewer or drain of an adjoining municipality as aforesaid shall be added to the maintenance cost of the sewer or drainage system within the sewer district.

Contribution to cost of sewers of adjoining municipality.

10. The Council may by by-law provide for the construction of a complete sewerage or drainage system, or both, for any sewer district. Such by-law shall contain an estimate of the total cost of

Power to borrow for construction of sewers.

the proposed system for the whole sewer district, and shall before the final passage thereof receive the assent of the electors of the municipality in the manner provided in Division (1) of Part VI. of the "Municipal Act." If it be the intention of the Corporation to presently proceed with the construction of a portion only of such system, the by-law shall set out what portion it is intended to proceed with, together with an estimate of the cost thereof. Upon the final passage of such by-law it shall be lawful for the Corporation:—

- (a.) To borrow such sum as may be necessary to provide for the cost of construction of such portion of such proposed system as it is intended to presently proceed with:
- (b.) If the Provincial Board of Health or the Local Board of Health shall declare that an extension is desirable in the interest of the health of the municipality, or upon receipt of a petition praying for the extension of any partially constructed system, signed by the owners of at least one-half in value of the lands liable to be charged a rental for the use or opportunity of user of the extended portion of the system when extended, by further by-law, to which the assent of the electors shall not be required, to determine to extend the sewers or drains, or both, of any partially constructed system, and for such purpose to borrow such further sum or sums as, together with the moneys borrowed under subsection (a) of this section, shall not exceed the total estimated cost of the whole system as set out in the said first above-mentioned by-law.

Motor-buses.

11. The Council may by by-law purchase, construct, operate, and maintain motor-buses within the municipality and within the municipalities and localities adjacent thereto, and regulate the rates, fares, conditions, and terms under which the same may be used or operated: Provided that, as to the operation of such motor-buses in an adjoining municipality, the same shall be subject to such rules, regulations, and conditions as may have been or may hereafter be imposed by by-law by such adjoining municipality.

Short title.

12. This Act may be cited as the "Saanich Municipality Act, 1920."

VICTORIA, B.C. :

Printed by WILLIAM H. CULLIN, Printer to the King's Most Excellent Majesty.
1920.