



CHAPTER 95.

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

[4th March, 1914.]

WHEREAS under the provisions of the "Local Improvement Act" any municipality undertaking local improvements under that Act is under obligation in certain cases to bear a portion of the cost of such works:

And whereas a petition has been presented by the Corporation of the District of Saanich asking for power to do local improvements in connection with the installation of light, water, and sewers at the entire cost of the persons to be benefited and without any cost to the municipality:

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,—

"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. The Council may from time to time, by resolution,—

- (a.) Constitute any part of the municipality a sewer and drainage district (hereinafter referred to as “sewer district”):
- (b.) Constitute any part of the municipality as a water district (hereinafter referred to as “water district”):
- (c.) Constitute any part of the municipality as an electric light and power district (hereinafter referred to as “electric light district”).

3. Notwithstanding anything contained in the “Local Improvement Act,” the Corporation shall not be under liability to bear any portion of the cost of any sewer-construction work within any sewer district for the undertaking of which as a work of local improvement any by-law of the Corporation may hereafter be passed, and the entire cost of any such work may be specially assessed upon the lands within such sewer district which are liable to be assessed in respect of such work under the provisions of the “Local Improvement Act.”

4. If the cost of any sewer within the municipality shall wholly or in part be assessed as a work of local improvement upon any lands, it shall nevertheless be lawful for the Corporation to extend any such sewer in the municipality beyond the limits of any lands so assessed, and the Corporation shall have the right to allow any person or persons residing in the municipality, whether in any sewer district or on lands assessed as aforesaid or not, to connect up and use any such sewer on such terms as to the Corporation shall seem fit: Always provided, however, that the service to the persons assessed or resident upon lands assessed as aforesaid shall not in any case be prejudicially affected. In case of such extension, the Corporation shall have the right thereafter to assess the lands of such person or persons connecting up with and using said sewer to the like extent as if the said lands had been originally included in the sewer district the sewer of which is so extended, and in any such case the said lands of said person or persons shall thereafter be liable to the same extent as the lands in the sewer district; and the amounts levied on such additional assessment shall be paid into the sinking fund for the said sewer.

5. The Corporation may enter into contracts with any adjoining municipality 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 of any such adjoining municipality, providing for the carrying-away by any sewer 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 of any

adjoining municipality shall be included and assessed as a portion of the cost of any local improvement work of construction of the sewer within the sewer district of said municipality which connects with or drains into the sewer 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 as a work of local improvement upon the lands in said sewer district, the sewer whereof the Corporation has acquired the right to connect with the sewer in the adjoining municipality. The amount of any such contribution towards operation and maintenance of any sewer of an adjoining municipality as aforesaid shall be paid out of the general revenue of the Corporation.

6. Notwithstanding anything contained in the "Local Improvement Act," the Corporation shall not be under liability to bear any portion of the cost of construction of any waterworks system within any water district for the undertaking of which as a work of local improvement any by-law of the Corporation may hereafter be passed, and the entire cost of any such work may be specially assessed upon the lands within such water district which are liable to be assessed in respect of such work under the provisions of the "Local Improvement Act."

7. If the cost of any waterworks system within the municipality shall wholly or in part be assessed as a work of local improvement upon any lands, it shall nevertheless be lawful for the Corporation to extend any such waterworks system in the municipality beyond the limits of any lands so assessed; and the Corporation shall have the right to allow any person or persons residing in the said municipality, whether in any water district or on lands assessed as aforesaid or not, to connect up with and use any such water system and to use water therefrom on such terms as the municipality shall deem fit: Always provided that the service to the persons assessed or resident upon lands assessed as aforesaid shall in no case be prejudicially affected. In case of such extension, the Corporation shall have the right thereafter to assess the lands of such person or persons connecting up with and using said waterworks system to the like extent as if the said lands had been included in the water district the system of which is so extended, and in any such case the said lands of said person or persons shall thereafter be liable to the same extent as the lands in the said water district; and the amount levied on such additional assessment shall be paid into the sinking fund for the said waterworks system.

8. The Corporation shall have the right to enter into contracts to buy water from any municipality or corporation and to sell the same to any persons in the municipality upon such terms and conditions as may be deemed advisable: Provided that should any such contract

extend for more than one year, it shall not be binding upon the municipality unless a by-law approving the same shall be submitted to and approved by the ratepayers as in the case of money by-laws.

9. The Corporation shall have the right at all times to use the water from any waterworks system for the purpose of fire-protection and sanitation, and the cost of the said water so used shall be borne by the municipality at large. The cost of all necessary construction and installation of hydrants and laterals in any water district providing for the convenient use of said water for fire-protection and sanitation shall be included in the cost of the waterworks system, and shall be assessed in the same way as the balance of the cost of local improvement.

10. Notwithstanding anything contained in the "Local Improvement Act," the Corporation shall not be under liability to bear any portion of the cost of any electric light or power construction work within any electric light district for the undertaking of which as a work of local improvement any by-law of the Corporation may hereafter be passed, and the entire cost of any such work may be specially assessed upon the lands within such electric light district which are liable to be assessed in respect of such work under the provisions of the "Local Improvement Act."

11. If the cost of any electric light and power system within the municipality shall wholly or in part be assessed as a work of local improvement upon any lands, it shall nevertheless be lawful for the Corporation to extend any such electric light and power system in the municipality beyond the limits of any lands so assessed; and the Corporation shall have the right to allow any person or persons residing in the municipality, whether in any electric light district or on lands assessed as aforesaid or not, to connect up with and use any such electric light system on such terms as the municipality may deem fit: Always provided that the service to the persons assessed or resident upon lands assessed as aforesaid shall not in any case be prejudicially affected. In case of such extension, the Corporation shall have the right thereafter to assess the lands of such person or persons connecting up with and using said electric light and power system to the like extent as if the said lands had been originally included in the electric light district the system of which is so extended, and in any such case the said lands of said person or persons shall thereafter be liable to the same extent as the lands in the said electric light district; and the amount levied on such additional assessment shall be paid into the sinking fund for the said electric light and power system.

12. If the cost of any sewer, water, or electric light system within the municipality shall wholly or in part be assessed as a work of

local improvement upon any lands, notwithstanding the provisions of subsection (4) of section 24 of the "Local Improvement Act," the amount of any reduction made in the assessment of any lot under the provisions of said section shall not be paid by the Corporation, but shall be chargeable upon the lots liable to be specially assessed.

13. The provisions of the "Local Improvement Act," except in so far as they are inconsistent with the provisions of this Act, shall apply to all work referred to in this Act.

14. This Act may be cited as the "Saanich Electric Light, Water, and Sewer Act, 1914."

VICTORIA, B.C.:

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