Consolidated Bylaw No. 4231C

Burnaby Sewer Charge Bylaw 1961
Bylaw No. 4231

Purpose: to impose a charge upon the owners or occupiers of real property or the use of the municipal sewerage system or the municipal combined sewerage and drainage system.

The following document is a copy of the above-named parent Bylaw in which every current enforceable amendment made to that Bylaw has been **CONSOLIDATED FOR CONVENIENCE** only. This consolidation is not a legal document. Certified copies of the signed or certified original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

To view an amendment bylaw made to **Bylaw No. 4231**, click on the link below:

https://heritageburnaby.ca/

Burnaby Sewer Charge Bylaw 1961			
No.	Amendment Bylaw No.	Final Adoption Date	Description
55	14785	09 Dec 2025	Repeal and replace Sec 5
54	14533	12 Dec 2022	Replace various Sections and Subsections, repeal Schedules “A”, “B”, “C” and “D”
53	14416	13 Dec 2021	Replace Schedules “A”, “B”, “C” and “D”
52	14263	14 Dec 2020	Replace Schedules “A”, “B”, “C” and “D”
51	14191	27 Jul 2020	Replace Section “4B”, submission of declaration
50	14111	27 Jul 2020	Replace Schedules “A”, “B”, “C” and “D” and various Subsections of Section “4A”
49	14094	02 Dec 2019	Repeal Subsection “4B”, replace rows “d” and “e” of Schedule “C”
48	14051	16 Sep 2019	Replace Subsections of Section “4A” and Schedule “C”, add to Section “4B”, charge for rented suites

47	14005	08 Apr 2019	Add Subsections to Section “4A”, sewer use charge for secondary suite or in-law suite
46	13962	10 Dec 2018	Repeal Section 3, replace various subsections, replace Schedules “A”, “B”, “C” and “D”
45	13824	11 Dec 2017	Replace Schedules “A”, “B”, “C” and “D” and Subsection “1” of Section “4A”
44	13694	12 Dec 2016	Replace Schedule “A” and “D”
43	13551	01 Jan 2016	Replace Schedules “A”, “B”, “C” and “D”
42	13414	08 Dec 2014	Replace various Subsections of Section “4A” and Schedules “A” and “B” attach Schedules “C” and “D”
41	13271	10 Dec 2013	Replace various Subsections of Section “4A” and Schedules “A” and “B”
40	13160	10 Dec 2012	Replace various Subsections of Section “4A” and Schedules “A” and “B”
39	13030	05 Dec 2011	Replace various Subsections of Section “4A” and Schedules “A” and “B”
38	13018	05 Dec 2011	Repeal Subsection “c” of “1A”, replace various subsections and amend Schedule “B”
37	12883	06 Dec 2010	Replace various Subsections of Section “4A” and Schedules “A” and “B”
36	12752	14 Dec 2009	Replace various Subsections of Section “4A” and Schedules “A” and “B”
35	12577	15 Dec 2008	Replace various Subsections of Section “4A” and Schedules “A” and “B”
34	12397	17 Dec 2007	Replace various Subsections of Section “4A” and Schedules “A” and “B”
33	12205	11 Dec 2006	Replace various Subsections of Section “4A” and Schedules “A” and “B”
32	12040	05 Dec 2005	Replace various Subsections of Section “4A” and Schedules “A” and “B”
31	11852	29 Nov 2004	Replace various Subsections of Section “4A” and Schedules “A” and “B”
30	11665	08 Dec 2003	Replace various Subsections of Section “4A” and Schedules “A” and “B”
29	11465	09 Dec 2002	Replace various Subsections of Section “4A” and Schedules “A” and “B”
28	11315	03 Dec 2001	Replace various Subsections of Section “4A” and Schedules “A” and “B”
27	11182	04 Dec 2000	Replace various Subsections of Section “4A” and Schedules “A” and “B”
26	11036	22 Nov 1999	Replace various Subsections of Section “4A” and Schedules “A” and “B”

25	10858	14 Dec 1998	Replace various Subsections of Section “4A” and Schedules “A” and “B”
24	10692	15 Dec 1997	Replace Schedule “A” and Subsection “1” of Section “4A”, includes Section “1A” and amends Section “2”
23	10540	10 Mar 1997	Replace Schedule “A” and Subsection “1” of Section “4A”
22	10321	11 Dec 1995	Replace Schedule “A” and Subsection “1” of Section “4A”
21	10148	05 Dec 1994	Replace Schedule “A” and Section “4A”
20	9990	20 Dec 1993	Replace Schedule “A” and Section “4A”
19	9824	14 Dec 1992	Replace Schedule “A” and Section “4A”
18	9680	06 Jan 1992	Replace Schedule “A” and Section “4A”
17	9533	21 Jan 1991	Replace Schedule “A” and Section “4A”
16	9119	12 Dec 1988	Replace Schedule “A” and Section “4A”
15	8926	14 Dec 1987	Replace Schedule “A” and Section “4A”
14	8659	02 Feb 1987	Replace Schedule “A” and Section “4A”
13	8449	13 Jan 1986	Replace Schedule “A” and Section “4A”
12	7994	04 Jan 1983	Replace Schedule “A” and Section “4A”
11	7814	14 Dec 1981	Replace Schedule “A” and Section “4A”
10	7575	08 Dec 1980	Replace Schedule “A” and Section “4A”
9	7446	07 Jan 1980	Replace various Sections and Subsections, including Schedule “A”
8	7366	03 Jul 1979	Replace Section “4A”, owners annual charge and Schedule “A”
7	7160	20 Mar 1978	Replace Schedule “A” and clause “a” of Section “3”, water delivered not measured by a water meter
6	7149	03 Jan 1978	Replace clauses “a” and “b” of subsection “1” of Section “4A”, owners annual charge
5	7015	24 May 1977	Amended Section “4A”, users to pay for the use of sewerage system
4	6767	12 Jan 1976	Replace Schedule “A”
3	6658	09 Jun 1975	Replace Schedule “A”
2	6458	27 May 1974	Replace Schedule “A”
1	6271	18 Jun 1973	Replace Schedule “A”
Original	4231	24 Apr 1961	To impose charge for municipal sewerage system or combined sewerage and drainage system.

THE CORPORATION OF THE DISTRICT OF BURNABY
BYLAW NO. 4231

A BYLAW to impose a charge upon the owners or occupiers of real property or the use of the municipal sewerage system or the municipal combined sewerage and drainage system.

(Consolidated for convenience with BYLAWS Nos. 6271, 6458, 6658, 6767, 7015, 7149, 7160, 7366, 7446, 7575, 7814, 7994, 8449, 8659, 8926, 9119, 9533, 9680, 9824, 9990, 10148, 10321, 10540, 10692, 10858, 11036, 11182, 11315, 11465, 11665 11852, 12040, 12205, 12397, 12577, 12752, 12883, 13018, 13030, 13160, 13271, 13414, 13551, 13694, 13824, 13962, 14005, 14051, 14094, 14111, 14191, 14263, 14416, 14533 and 14785)

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WHEREAS the municipality has established and operates a sewerage system comprising sanitary sewers and combined storm and sanitary sewers (hereinafter called the "sewerage system");

AND WHEREAS Council may by BYLAW with the approval of the Lieutenant-Governor in Council, impose a charge against the owner or occupier of real property for the use of a sewerage system, a drainage system, or a combined sewerage and drainage system, and may vary the charge for sewerage or combined sewerage and drainage facilities in accordance with

(a) the number of outlets served; or

(b) the quantity of water delivered to the premises by a utility;

(c) a classification of users or effluents; or

(d) any combination of such methods.

NOW THEREFORE the Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This BYLAW may be cited as "**BURNABY SEWER CHARGE BYLAW 1961**",

1A. In this Bylaw, unless the context otherwise requires (BYLAW 10692)

(a) 'BOD/TSS' means the *biochemical* oxygen demand and total suspended solids;

(b) 'GVS & DD' means the Greater Vancouver Sewer and Drainage District;

(c) Repealed. (BYLAW 13018)

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(d) 'special industrial user' means a user of the sewerage system that, due to the high BOD/TSS levels in the effluent it discharges into the sewerage system, must hold a permit from the GVS & DD allowing it to discharge that effluent into the sewerage system. (BYLAW 10858)

2. (1) Unless in this BYLAW otherwise provided, the owner or occupier of every parcel of real property shall pay to the municipality for the use of the sewerage system a charge calculated according to the quantity of water delivered by the municipal water utility to the parcel of real property and the table of rates set out in the Burnaby Consolidated Fees and Charges Bylaw. For metered sewer customers for which a separate sewerage meter has not been installed, the calculation of the charge is based on 100% of metered water consumption. (BYLAW 13962, 10858, 14533)

(2) Where the owner or occupier of a parcel of real property is a special industrial user, that owner or occupier shall pay to the municipality for the use of the sewerage system a charge calculated according to the quantity of water delivered by the municipal water utility to the parcel of real property and the table of rates set out in the Burnaby Consolidated Fees and Charges Bylaw. (BYLAW 13018, 14533)

(3) The owner or occupier of every parcel of real property who is required to pay a charge calculated pursuant to this section shall be entitled to a deduction from such charge determined as follows:

(a) in the case of a monthly charge, the lesser of:

(i) an amount equal to one twelfth (1/12) of the current year's annual sewer parcel tax levied or charged against that parcel of real property as set out in the Burnaby Consolidated Fees and Charges Bylaw; and

(ii) the amount of that monthly charge; or

(b) in the case of a quarterly charge, the lesser of:

(i) an amount equal to one quarter (1/4) of the current year's annual sewer parcel tax levied or charged against that parcel of real property, as set out in the Burnaby Consolidated Fees and Charges Bylaw; and

(ii) the amount of that quarterly charge.

Where there are two or more occupiers of the parcel who are separately charged under this section the owner may in writing direct the municipality to allocate the deduction among those occupiers in the manner specified in that written direction. (BYLAW NO. 13962, 14533)

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(4) The Municipal Treasurer shall levy and collect the charge hereby imposed, either monthly or quarterly, in the same manner as he levies and collects water rates in respect of the same parcel of real property pursuant to the Burnaby Consolidated Fees and Charges Bylaw. (BYLAW 14533)

3. Repealed. (BYLAW NO. 13962)

4A. (1) The owner of every residential strata lot, multiple-family dwelling and two family dwelling shall pay for the use of the sewer system the annual charge set out in the Burnaby Consolidated Fees and Charges Bylaw. (BYLAW 14051, 14533)

(1.1) Every person obtaining a permit to discharge groundwater into the sanitary sewer system from a contaminated site shall pay the charge set out in the Burnaby Consolidated Fees and Charges Bylaw. (BYLAW 13414, 14533)

(2) The charges payable pursuant to this section shall be collected in the same manner and with like remedies as ordinary taxes upon land and improvements are collectable under the Community Charter. (BYLAW 13018)

(3) Every owner of a property exempt from payment of municipal taxation pursuant to Section 220 of the *Community Charter* shall pay for the use of the sewer system the annual charge set out in the Burnaby Consolidated Fees and Charges Bylaw.(BYLAW 14111, 14533)

(4) Repealed. (BYLAW 14111)

4B. (BYLAW 14051)

(1) Except as set out in subsection (4) below, every owner of a single family dwelling and two family dwelling with a suite shall pay the charge for a rented suite set out in the Burnaby Consolidated Fees and Charges Bylaw if the suite was, is or will be rented at any time during the calendar year for which the fee is imposed. (BYLAW 14533)

(2) If the owner of a single family dwelling or two family dwelling has not previously submitted a declaration in accordance with this section 4B(2), such owner shall submit a declaration, in form and content established by the Chief Financial Officer, to the City confirming the following in respect of the dwelling for the next calendar year by November 30th of the prior calendar year; (BYLAW 14191, 14533)

(a) whether the dwelling contains a suite or not;

(b) if the dwelling contains a suite, whether the suite is or will be rented at any time; and

(c) if the dwelling is or will be rented, whether one or more of the owners is or will be residing at the dwelling.

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Where a declaration is not submitted by the November 30th due date, the information contained in the City's last record for the property is deemed to be the current information for the year in which the fee is payable pursuant to subsection (1) above.

(3) An owner shall submit a further declaration within 30 days if the status of a suite changes from not rented to rented or will be rented at any time following the submission of a declaration pursuant to subsection (2) above.

(4) Repealed. (BYLAW 14094)

(5) For the purpose of this section 4(B):

(a) "rented" shall mean the receipt of rental income in exchange for use or occupancy of the suite for any period of time, including renting to family members or relatives; and

(b) "suite" shall mean one or more habitable rooms constituting one self-contained unit with a separate entrance and containing a kitchen or set of cooking facilities, all of which are accessory to a Single Family Dwelling or Two Family Dwelling, whether or not such "suite" complies with other City bylaws.

(6) No owner shall submit to the City a declaration pursuant to subsection (2) or (3) above that contains false or inaccurate information.

(7) The fee applied pursuant to subsection (1) above shall not be:

(a) prorated if a suite is only rented for part of a calendar year; or

(b) refunded if a declaration is submitted pursuant to subsection (2) or (3) confirming the suite is or will be rented but the owner subsequently does not rent the suite.

5. All properties (including residential, commercial, industrial and institutional) that do not receive or are not required to receive metered service under this BYLAW will be subject to the applicable annual flat rate charges, as set out in the Burnaby Consolidated Fees and Charges Bylaw, commencing on the earlier of issuance of an Occupancy Permit, or if applicable, full registration of a strata subdivision plan for the property. The applicable annual flat rate charge shall be prorated from the commencement date to the remainder of the calendar year, or to such a time as metered rates become effective. (BYLAW 14785)

Read a first time this 10th day of April, 1961.
Read a second time this 10th day of April, 1961.
Read a third time this 10th day of April, 1961.
Received the approval of the Lieutenant-Governor in Council this 17th day of April, 1961.
Reconsidered and adopted this 24th day of April, 1961.

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SCHEDULE "A"
Repealed by Bylaw 14533

SCHEDULE "B"
Repealed by Bylaw 14533

SCHEDULE "C"
Repealed by Bylaw 14533

SCHEDULE "D"
Repealed by Bylaw 14533

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