

TOWN OF COMOX

BYLAW 1921

A BYLAW TO AMEND THE STORM DRAIN CONNECTION BYLAW

The Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as "Comox Storm Drain Connection Amendment Bylaw, No. 1921".

2. Amendments

Comox Storm Drain Connection Bylaw, 1988 is amended as follows:

(1) By adding to Section 2 DEFINITIONS the following definitions:

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

"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.

"ROOF LEADER" means a pipe installed to drain and dispose of water from roof gutters or eavestroughs.

"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.

(2) By replacing Section 3 with the following:

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'.

(3) By adding the following as Section 7 and renumbering Section 7 as Section 8:

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.

(4) By renumbering Section 8 as Section 9 and by changing the fine amount mentioned in that Section to "TEN THOUSAND DOLLARS (\$10,000.00)".

(5) By adding the following as Section 10:

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.

(6) By renumbering Sections 9 and 10 as Sections 11 and 12.

(7) By adding as Schedule 'B' the map attached to and forming part of this bylaw.

(8) By adding as Schedule 'C' the drawing attached to and forming part of this bylaw.

(9) By adding as Schedule 'D' the table attached to and forming part of this bylaw.

3. Adoption

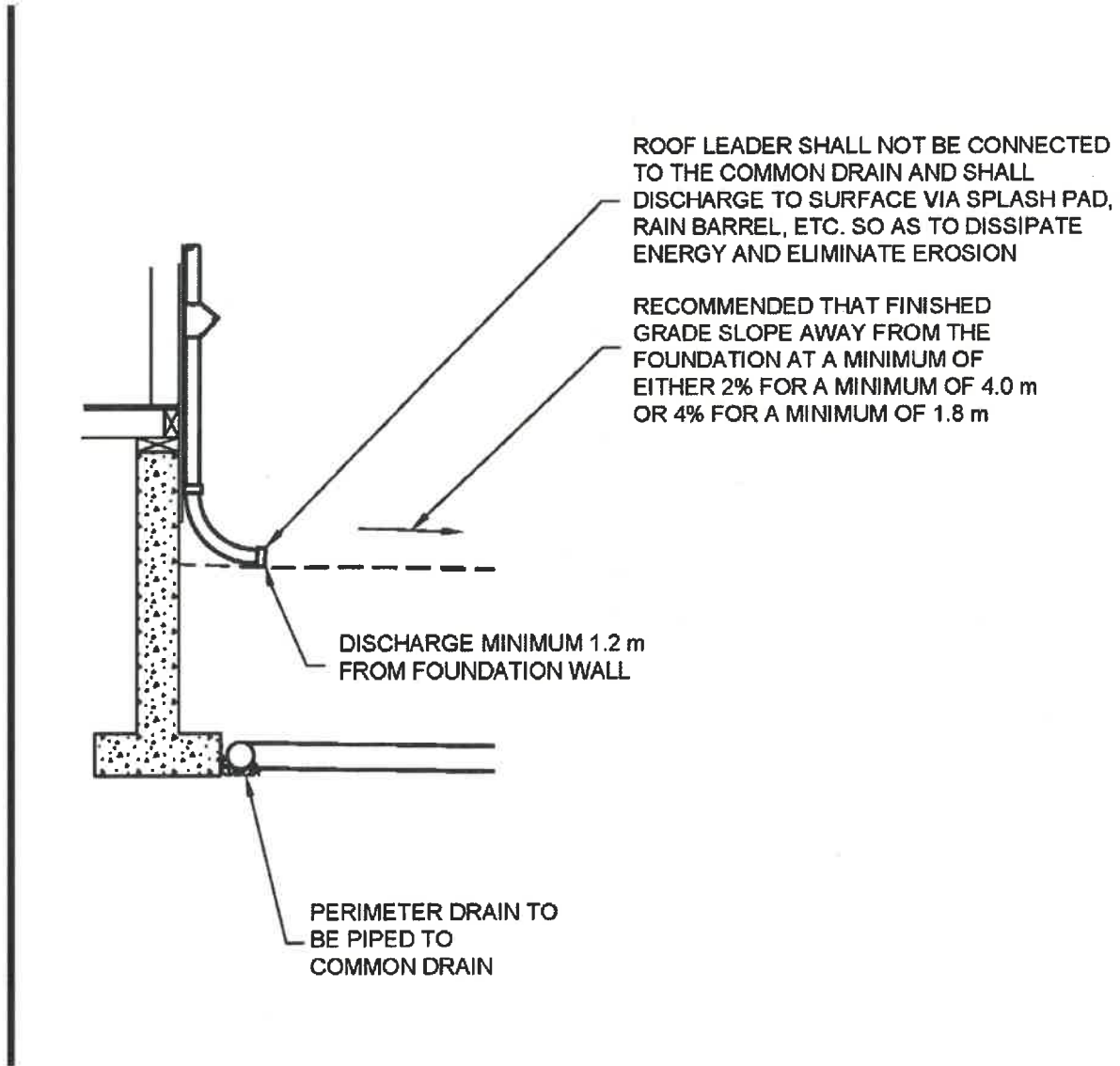
- (a) READ A FIRST time this 16th day of June, 2021
- (b) READ a SECOND time this 16th day of June, 2021
- (c) READ A THIRD time this 8th day of September, 2021
- (d) ADOPTED this day of , 2021

MAYOR

CORPORATE OFFICER

SCHEDULE 'C'

SERVICE CONNECTION WITH DISCONNECTED ROOF LEADERS



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 |