



Village of Fraser Lake

Bylaw 888, 2026

A bylaw to prohibit and prevent pollution in the Village of Fraser Lake

The Council of the Village of Fraser Lake in an open meeting enacts as follows:

PART 1: ADMINISTRATION

1. Citation

- a. This bylaw may be cited as "Bylaw 888, 2026 Pollution Prevention."

2. Application

- a. This bylaw applies to any polluting substance:
 - i. being handled or stored within the Village of Fraser Lake; or
 - ii. released onto soil or into any drainage system and/or watercourse within the Village of Fraser Lake.
- b. This bylaw applies to all persons except that Section 6 of this bylaw does not apply to the Village.
- c. Section 7 of this bylaw does not apply to agricultural activities.

3. SEVERABILITY

- a. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

4. Definitions

APPLICANT means the person who has applied for a Permit.

CORPORATE OFFICER means the Corporate Officer appointed by Council and assigned responsibility for corporate administration for the Village under section 148 of the *Community Charter*.

COUNCIL means the Council of the Village of Fraser Lake.

DANGEROUS GOODS means dangerous goods as defined in the *Transportation of Dangerous Goods Act 1992*, S.C. 1992, c. 34.

DEWATERING means the extraction of groundwater from temporary excavations and/or during construction activities.

DISCHARGE means either, according to the context in which such word is used in this bylaw:

- a. as a verb, the release of a substance into any drainage system and/or watercourse or onto or into any soil; or,
- b. as a noun, a substance which is released.

DRAINAGE SYSTEM means all storm sewer works and appurtenances owned, controlled, maintained and operated by the Village, including storm sewers, watercourses, storm service connections, ditches, channels, sloughs, detention facilities, pumping stations and outfalls laid within any highway, Village right-of-way or easement or Village-owned property.

ENVIRONMENT means air, land, water and all other external conditions or influences under which humans, animals and plants live or are developed.

ENVIRONMENTAL LAWS means all applicable federal, provincial, and Village laws, statutes, regulations, ordinances, bylaws, and codes, all applicable policies, standards, protocols, orders, directives, and decisions issued, rendered or promulgated by any ministry, federal or provincial department, or judicial, administrative, or regulatory agency or body, whatsoever relating to fisheries, public health and safety, occupational health and safety, the protection or preservation of the environment, or the manufacture, operation, processing, distribution, use, treatment, storage, disposal, release, transport, handling, or remediation of contaminants, all as may be amended or replaced from time to time, including, but not limited to, the *Environmental Management Act*, S.B.C. 2003 c. 53, the *Canadian Environmental Protection Act*, 1999 S.C. 1999, c. 33, and the *Fisheries Act*, R.S.C. 1985, c. F-14 (as may be amended or replaced from time to time), and all applicable principles of common law and equity.

INDUSTRIAL PROCESS WATER means water from any source that is used in, or produced as a waste product of, industrial processes or other industrial activities.

MINIMUM DISCHARGE CRITERIA means the following criteria that any permitted non-stormwater discharge must meet:

pH	6.5-9.0
Temperature	<= 19°C
Dissolved Oxygen	>= 5.0mg/l
Turbidity	<= 8 NTU, and <= 50 NTU during storm events

MONITOR/MONITORING means to observe, record, or detect.

NON-STORMWATER DISCHARGE means any substance that is discharged to the Village's drainage system and/or any watercourse that has not originated from naturally occurring precipitation flowing over the land surface and includes any discharge from dewatering activities and industrial process water.

NON-STORMWATER DISCHARGE QUALITY DECLARATION means a statutory declaration or letter, in the form provided by the Village from time to time or in form otherwise satisfactory to the Village, signed and sealed by a Qualified Environmental Professional, certifying the findings of site investigation work as to the quality of the proposed non-stormwater discharge and confirmation that the proposed non-stormwater discharge meets the minimum discharge criteria.

ORDER TO COMPLY means an order referred to in this bylaw.

OWNER means a person who is the registered owner of an estate in fee simple.

PARCEL means a lot, block, or other area in which land is held, or into which land is legally subdivided.

PERMIT means an authorization by the Village to allow non-stormwater discharge to enter a drainage system or watercourse.

PERMITTEE means the holder of a Permit.

PERSON includes the Village, a government body, an individual, corporation, partnership or other party, and the personal or other legal representatives of a person to whom the context can apply according to law.

POLLUTING SUBSTANCE means any substance, whether liquid or solid, that damages or is capable of damaging the environment and includes dangerous goods and any substance that does not conform to the British Columbia Water Quality Guidelines for the Protection of Aquatic Life, the Canadian Council of Ministers of the Environment - Canadian Water Quality Guidelines for the Protection of Aquatic Life, the British Columbia Hazardous Waste Regulation, or any substance containing human or animal remains or waste.

PROFESSIONAL ENGINEER means a person who is registered or licensed as a professional engineer pursuant to the Engineers and Geoscientists Act, R.S.B.C. 1996, c. 116.

PROPERLY STORE/STORED means stored and identified so as to prevent the overflow, release, or leakage of a polluting substance into a drainage system, a watercourse and/or the environment.

QUALIFIED ENVIRONMENTAL PROFESSIONAL means an applied scientist or technologist registered and in good standing in British Columbia with an appropriate professional organization constituted by provincial statute, insured against professional liability arising from errors and omissions occurring in the performance of professional services, acting under that association's code of ethics, and subject to disciplinary action by that association, including but not limited to agrologists, biologists, engineers, foresters, geoscientists and technologists.

RELEASE means spill, discharge, leak, pump, pour, emit, empty, inject, migrate, escape, leach, dispose, dump, deposit, spray, bury, abandon, incinerate, seep, place, or any other similar action.

RESPONSIBLE PERSON means the person who has possession, charge, or control of a polluting substance when a spill of such polluting substance occurs, or is at imminent risk of occurring.

SPILL means the introduction of a polluting substance into the environment, either intentionally or unintentionally, other than as authorized under the *Environmental Management Act*.

VILLAGE means the Village of Fraser Lake

WATERCOURSE means a channel through which water flows at any time of the year and includes a brook, river, stream, creek, lake, pond and any other body of water running through or situated partially or fully within the Village.

WATER QUALITY MONITORING AND RESPONSE PLAN means a written plan prepared by a Qualified Environmental Professional that includes:

- a. an outline of the steps to be taken to ensure that the proposed discharge complies at all times with this bylaw, other Village requirements and all environmental laws; and
- b. details the mitigation, remediation, and communication responses to be undertaken by the owner if there is noncompliance with this bylaw.

PART 2: POLLUTION MANAGEMENT

5. Prohibitions

- a. No person or owner shall release, cause to be released, or allow to be released a polluting substance into any drainage system, watercourse or onto or into the soil, other than as authorized by all applicable environmental laws.

6. Storage and Handling

- a. Every person storing or handling any polluting substance must ensure that such polluting substance is properly stored.
- b. Any person storing or handling dangerous goods must ensure that such dangerous goods are properly stored in an impervious containment system which is of sufficient capacity to hold the larger of:
 - i. 110% of the largest volume of free liquid dangerous goods in any given container or tank, or
 - ii. 25% of the total volume of free liquid dangerous goods in storage.

7. Spill Response

- a. Where a spill has occurred, the responsible person shall in accordance with all environmental laws:
 - i. immediately and at their own expense, or at the expense of the owner, where the responsible person is an employee or agent of the owner, contain such spill and clean:

- i. any residue of the polluting substance;
 - ii. any absorbent materials which have come into contact with, and have, in the opinion of the Village, become contaminated by such polluting substance; and
 - iii. any areas impacted by the spill, including without limitation, the drainage system, any watercourse and any soil, to the satisfaction of the Village;
- ii. if required by the Village, complete any necessary remediation to the satisfaction of the Village or to the applicable standards set out in the environmental laws.

8. Non-Stormwater Discharge Management

- a. No person shall allow any non-stormwater discharge to enter any drainage system or any watercourse without first making an application for and obtaining a Permit, and every such discharge shall be undertaken in accordance with all requirements and regulations of this bylaw, the terms and conditions of the Permit, and all applicable environmental laws.
- b. Unless exempted by the Chief Administrative Officer or their designate, an application for a Permit must:
 - i. be made in the form provided by the Village;
 - ii. be made by the owner of the source parcel, or by an agent of the owner, provided that such agent has been granted written authority to act on behalf of the owner;
 - iii. include written confirmation from the owner that the owner will waive, release, remise, indemnify, and save harmless the Village and its elected officials, agents, employees, officers, and servants from and against all claims, demands, losses, costs (including legal costs), damages, actions, suits, or proceedings whatsoever brought by reason of, or arising from, the issuance of the Permit by the Village, or the breach of any of the terms and conditions of the Permit by the owner or by those for which the owner is responsible at law, or the proposed discharge of non-stormwater discharge by or on behalf of the owner;
 - iv. be accompanied by one of the following:
 - i. a non-stormwater discharge quality declaration satisfactory to the Village; or
 - ii. a copy of the written approval of the proposed discharge from the applicable federal or provincial regulatory authority as required by the applicable environmental laws;
 - v. be accompanied by proof of insurance in an amount and on the terms satisfactory to the Village;
 - vi. be accompanied by a water quality monitoring and response plan satisfactory to the Village;

- vii. be accompanied by a capacity analysis of the drainage system and, based on the capacity analysis, a letter signed and sealed by an appropriate Qualified Environmental Professional (being a professional engineer) confirming that the drainage system has capacity to accommodate the flow rate of the proposed discharge;
 - viii. if required by the Village, be accompanied by evidence satisfactory to the Village that the owner has been denied a permit to discharge the non-stormwater discharge into the sanitary waste disposal system servicing the parcel, if any; and
 - ix. be accompanied by any supporting documentation requested by the Village relevant to the matters referred to in this section.
- c. An application will be deemed to have been abandoned if the Applicant fails to fully and completely respond to a request by the Chief Administrative Officer or their designate for documentation or information under this bylaw within 6 months of the date the request is made. If the Applicant wishes to proceed with a discharge after any such abandonment, the Applicant must, unless exempted in writing by the Village, submit a new application for a Permit.
- d. If it is determined by the Chief Administrative Officer or their designate that any discharge of non-stormwater discharge has occurred without a valid Permit, all work must cease and the appropriate Permit application must be immediately submitted.
- e. Subject to this section, the Chief Administrative Officer or their designate may issue a Permit upon being satisfied that:
 - i. the proposed discharge of non-stormwater discharge complies with this bylaw and all applicable environmental laws;
 - ii. the proposed discharge of non-stormwater discharge can be carried out safely, without undue nuisance or interference to adjacent parcels or the public, or damage or injury to persons, property, or the environment; and
 - iii. the Applicant has complied with the applicable requirements of this bylaw.
- f. The Chief Administrative Officer or their designate may refuse to issue a Permit if the requirements of this bylaw have not been met or the Chief Administrative Officer or their designate is of the opinion that the proposed discharge of non-stormwater discharge will or is reasonably likely to:
 - i. endanger, damage, or otherwise adversely affect any adjacent parcel, structure, highway, easement, utility works and services or right-of-way, whether privately or publicly owned;
 - ii. foul, obstruct, destroy, impede, divert, or otherwise adversely affect any watercourse or drainage system, whether privately or publicly owned;
 - iii. contravene any applicable environmental laws;

- iv. threaten the health, safety, or welfare of the public or be otherwise contrary to the public interest; or
 - v. cause a federal, provincial or municipal authority to incur excessive costs to provide public utilities, works, or services to the subject parcel, or an adjoining or reasonably adjacent parcels.
- g. In addition to any terms and conditions contained in a Permit, no person shall cause or permit the discharge of non-stormwater discharge except in accordance with the following requirements, unless exempted in writing by the Chief Administrative Officer or their designate:
 - i. the Permittee shall engage a Qualified Environmental Professional to supervise and monitor the discharge;
 - ii. the Permittee conducts water quantity monitoring to confirm and ensure that the discharge does not exceed the allowable flow rate set out in the capacity analysis referred to in subsection 8(b)(vii) of this Bylaw, and, if requested by the Village, provides a copy of the monitoring results signed and sealed by a Qualified Environmental Professional to the Village;
 - iii. the Permittee conducts continuous monitoring of water levels in the pipe, box culvert or ditch receiving the discharge and if water levels overload the pipe or box culvert or exceed the maximum hydraulic gradeline of the ditch, the Permittee shall:
 - i. immediately discontinue the discharge;
 - ii. report to the Village that the drainage system is over capacity;
 - iii. retain the effluent from the discharge on the subject parcel until the drainage system is no longer over capacity; and
 - iv. only resume the discharge once the drainage system is no longer over capacity and the discharge will not cause it to become over capacity.
 - iv. the Permittee complies with the water quality monitoring and response plan and, if requested by the Village provide a copy of the monitoring results to the Village;
 - v. the discharge complies with the minimum discharge criteria;
 - vi. the Permittee complies with all applicable environmental laws;
 - vii. the Permittee shall obtain any and all approvals and authorizations required, in addition to the Permit, by any applicable governmental authority, public utility or other governmental agency; and
 - viii. the Permittee shall immediately report to the Village any emergency or the existence of any condition which prevents the operation of any treatment system required in relation to the water being discharged.
 - ix. Every Permit issued under this bylaw shall expire and cease to authorize any discharge of non-stormwater discharge twenty-four (24) months following the date of issue or upon such earlier date as

may be specified in the Permit unless an expiry date for a different term is specified in the Permit or a renewal has been issued in accordance with this bylaw.

9. Order to Comply

- a. If a person fails to comply with any provision of this bylaw and/or any Permit, the Chief Administrative Officer or their designate may deliver an Order to Comply to such person, indicating the cessation and remedy of any action which contravenes this bylaw and/or any Permit, within such period of time as the Chief Administrative Officer or their designate stipulates in the Order to Comply.
- b. The Chief Administrative Officer or their designate may, when the remedy ordered has been completed, authorize continuation of any action which was ceased or ordered remedied.

10. Emergency Situations

- a. Where the Village has determined that there has been a possible contravention of this bylaw which poses a possible threat to the environment or the health or safety of individuals, and immediate action is required to remedy the situation, the Village may immediately take whatever action the Village considers necessary to remedy the situation without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken, and the expense of doing so shall be paid by the owner.
- b. If not paid within 30 days, a 10% penalty shall be applied, and any amounts owing at December 31 of a given year shall be deemed to be taxes in arrears.

PART 3: ENFORCEMENT AND PENALTIES

11. Enforcement

- a. The Chief Administrative Officer or their designate may suspend any Permit where, in their opinion, there is a contravention of or non-compliance with the terms and conditions of the Permit, this bylaw, or any other relevant Village bylaw. The Permit shall remain suspended and will cease to authorize the discharge of non-stormwater discharge until, in the opinion of the Chief Administrative Officer or their designate, compliance is obtained.
- b. Where a Permit is suspended, the Chief Administrative Officer or their designate will deliver written notice of suspension to the Permittee and to the owner of the subject parcel by registered mail and to be posted on the subject parcel where possible.
- c. Sections 11(a) and 11(b) are without prejudice to any other remedies available to the Village under this bylaw, any other law, or in equity.

- d. If a Permittee or the owner of the subject parcel contravenes a provision of this bylaw or a term of a Permit:
 - i. such person shall immediately cease any and all contravening actions;
 - ii. the Chief Administrative Officer or their designate may notify the Permittee or the owner in writing of such contravention; and
 - iii. the Chief Administrative officer or their designate may instruct the Permittee and/or the owner to correct the contravention by a date specified in the notice.
 - iv. If the correction of the contravention will not be completed by the date specified in the notice, the Permittee or the owner must inform the Village and immediately take all reasonable steps to begin to correct the contravention.
 - v. If a Permittee or the owner of the subject parcel fails to cease all contravening actions and/or correct a contravention referenced in this section by the date specified in the notice or otherwise instructed, Remedial Action subject to the provisions of the Community Charter may be invoked by Council resolution.
- e. The Village will not be liable for any damage, loss or expense of any nature or kind whatsoever, arising out of or in connection with the issuance of a Permit, or the discharge of non-stormwater discharge, or any other action by the Village under this bylaw or a Permit.
- f. In the event of damage to Village or privately-owned drainage system, watercourses, highways, lands, or other Village property or privately-owned property or facilities, resulting from a discharge of non-stormwater discharge operation, the Permittee, or an agent of the Permittee, will promptly and properly repair the damage at their own expense.

12. Penalties

- a. Any person who:
 - i. violates or who causes or allows any of the provisions of this bylaw to be violated;
 - ii. fails to comply with any of the provisions of this bylaw;
 - iii. neglects or refrains from doing anything required under the provisions of this bylaw; or
 - iv. makes any false or misleading statement in connection with this bylaw,
- b. and, in the opinion of the Chief Administrative Officer or their designate, the offence that was unintentional, not materially significant, or otherwise easily remedied, the penalties in *Bylaw 856*, *Bylaw Enforcement Bylaw* apply; or
- c. in the opinion of the Chief Administrative Officer or their designate, was dishonest, intentional, malicious, or has caused or was liable to cause

materially significant damage to the people, property, or the environment, is subject to a fine under the *Offence Act* of:

Minimum	Maximum
\$5,000	\$50,000

That *Bylaw 856, Bylaw Enforcement Bylaw* be amended as follows:

by adding the following table to Schedule A:

Bylaw 888, Pollution Prevention Bylaw

Bylaw	Section	Description	A1 Penalty	A2 Early Payment	A3 Late Penalty	A4 Compliance Agreement Available
888	4	Dumping or allowing to be dumped non-permitted effluent or materials into the stormwater system, a watercourse, or soil	\$250	\$200	\$300	Yes
888	5	Improper storage or handling of materials leading to potential non-permitted effluent or other materials into the stormwater system, a watercourse, or soil	\$100	\$50	\$200	Yes
888	6	Failure to promptly clean a spill	\$300	\$200	\$400	Yes
888	7	Discharging without a permit	\$400	\$300	\$500	Yes

READ A FIRST TIME THIS	10	DAY OF SEPTEMBER	2026
READ A SECOND TIME THIS	10	DAY OF SEPTEMBER	2026
READ A THIRD TIME THIS	10	DAY OF SEPTEMBER	2026
ADOPTED THIS	11	DAY OF SEPTEMBER	2026

Mayor

Corporate Officer