

TOQUAHT NATION GOVERNMENT

PUBLIC WORKS AND SERVICES ACT

TNS 4/2018



OFFICIAL CONSOLIDATION – CURRENT TO MARCH 26, 2024

This is a certified true copy of the consolidated Public Works and Services Act TNS 4/2018
Current to March 26, 2024

Signed *Kirsten Johansen*
Law Clerk

TOQUAHT NATION GOVERNMENT
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PREAMBLE

As a treaty first nation, the Toquaht Nation assumes responsibility for providing public works and services on Toquaht lands and Toquaht foreshore. The Toquaht Nation wishes to ensure that core services are provided to Toquaht citizens and persons ordinarily resident or operating on Toquaht lands or Toquaht foreshore and that any services provided for or on behalf of the Toquaht Nation are provided efficiently, effectively and fairly.

The Toquaht Nation also wishes to ensure that any waste generated on Toquaht lands or Toquaht foreshore, including sewage, garbage and recycling, is disposed of in an appropriate manner, consistent with public health and safety standards.

To assist with realizing these goals, the Toquaht Nation wishes to establish rules governing the provision of sanitary and storm sewer services, potable water and fire protection services, garbage and recycling collection services and other services provided for or on behalf of the Toquaht Nation, including eligibility and fees for those services.

The Toquaht Nation adopts this Act based on these values.

PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Public Works and Services Act, TNS 4/2018.

Executive oversight

1.2 The member of the Executive holding the lands, public works and environmental protection portfolio is responsible for the executive oversight of this Act.

Authority and application

- 1.3 (a) This Act is enacted under
- (i) 13.12.1, 13.12.2, 13.14.1 and 13.27.1 of Chapter 13 Governance of the Maa-nulth Treaty,
 - (ii) section 3.2(w) of the Constitution, and
 - (iii) section 3.1(a)(iii) of the Foreshore Agreement.
- (b) This Act
- (i) establishes, and regulates the provision of, certain core Toquaht services, namely
 - (A) the Toquaht sewer service,
 - (B) the Toquaht water service, and
 - (C) the Toquaht garbage collection and recycling service, and
 - (ii) delegates law-making authority to the Executive to
 - (A) regulate any aspect of the core Toquaht services not addressed in this Act, and
 - (B) establish, and regulate the provision of, any other Toquaht service.
- (c) Unless expressly provided otherwise, this Act does not apply to the Toquaht Nation as represented by the Toquaht government.

Definitions

1.4 In this Act,

“applicant” means, as applicable, a person who submits a sewer application or a water application;

“application fee” means a fee in the amount prescribed;

“approved contractor” means a contractor on a list maintained by the director;

“condition of service” means a condition under section 4.2(c) or section 4.6(a);

“construction waste” means waste resulting from the construction or renovation of a building or structure;

“core Toquaht service” means the Toquaht sewer service, the Toquaht water service or and the Toquaht garbage collection and recycling service;

“curb valve” means a shut off valve installed on a water connection by or with authorization from the Toquaht government;

“director” means the director of assets;

“flankage” means, as applicable, in relation to a parcel of Toquaht lands or Toquaht foreshore that abuts the Toquaht sewer system or Toquaht water system along more than one boundary, the boundary that abuts the Toquaht sewer system or Toquaht water system and has the greatest length;

“frontage” means, as applicable, in relation to a parcel of Toquaht lands or Toquaht foreshore that abuts the Toquaht sewer system or Toquaht water system,

- (a) the boundary that abuts the Toquaht sewer system or Toquaht water system, if the parcel only abuts the Toquaht sewer system or Toquaht water system along one boundary, or
- (b) the boundary that abuts the Toquaht sewer system or Toquaht water system and has the least length, if the parcel abuts the Toquaht sewer system or Toquaht water system along more than one boundary;

“garbage” means solid waste other than recycling;

“garbage and recycling fee” means a fee in the amount prescribed under section 4.7(b);

“garbage bin” means a public garbage bin or a garbage bin utilized by an owner or occupier for the Toquaht garbage and recycling service;

“licensed sewage disposal business” means a waste removal business operating with and in accordance with any licence or permit required by law;

“licensed waste removal business” means a waste removal business operating with and in accordance with any licence or permit required by law;

“Toquaht garbage and recycling service” means the service established under section 4.1;

“Toquaht sanitary sewer system” means every part of any sanitary sewer system operated by or on behalf of the Toquaht Nation, including any sewer treatment facility, sewage lagoon, pipe, manhole, inspection chamber or meter used in the provision of sanitary sewer services by or on behalf of the Toquaht Nation;

“Toquaht service” means a service provided by or on behalf of the Toquaht Nation for the benefit of

- (a) the public,
- (b) Toquaht citizens,
- (c) individuals ordinarily resident on Toquaht lands or Toquaht foreshore, or
- (d) businesses or organizations operating on Toquaht lands or Toquaht foreshore;

“Toquaht sewer service” means the service established under section 2.1;

“Toquaht sewer system” means the Toquaht sanitary sewer system and the Toquaht storm sewer system;

“Toquaht storm sewer system” means every part of any storm sewer system operated by or on behalf of the Toquaht Nation, including any pipe, storm drain, manhole or inspection chamber used in the provision of storm sewer services by or on behalf of the Toquaht Nation;

“Toquaht water service” means the service established under section 3.1;

“Toquaht water system” means every part of any water system operated by or on behalf of the Toquaht Nation, including any reservoir, well, water storage or treatment facility, pipe, manhole, hydrant, standpipe, valve, curb valve or meter used in the provision of potable water or fire protection services by or on behalf of the Toquaht Nation;

“other Toquaht service” means a Toquaht service other than a core Toquaht service;

“owner” means a person or persons who hold a

- (a) fee simple interest, or
- (b) lease,

or a person authorized in writing to act on behalf of that person or persons;

“plumbing system” means, as applicable, every part of any plumbing system on or under any Toquaht lands or Toquaht foreshore, or any building or structure on those Toquaht lands or Toquaht foreshore, which is intended to carry

- (a) sewage or storm water from those Toquaht lands or Toquaht foreshore to a sewer connection, or
- (b) water to those Toquaht lands or Toquaht foreshore from a water connection.

“private sanitary sewer system” means a sanitary sewer system installed, constructed, operated, maintained, repaired, upgraded and replaced in substantial compliance with

- (a) the British Columbia Building Code,
- (b) the Building and Development Authorization Act, TNS 2/2013,
- (c) this Act,
- (d) the British Columbia Sewerage System Standard Practice Manual,
- (e) the Sewerage System Regulation (British Columbia), and
- (f) any other applicable enactment;

“recycling” means any material or substance the director determines to be recyclable, by directive;

“recycling bin” means a public recycling bin or a recycling bin utilized by an owner or occupier for the Toquaht garbage and recycling service;

“residential property” means a property within Toquaht lands or Toquaht foreshore that is used for residential purposes and includes single-family homes, duplexes, townhouses, multi-family apartments, condominiums and co-ops;

“residential unit” means a self-contained dwelling unit within a residential property with separate living, cooking and sleeping facilities;

“sewage” means water carried waste but excludes storm water;

“sewer application” means a sewer connection application, a sewer extension application or a sewer disconnection application;

“sewer connection” means, as applicable,

- (a) a pipe installed or constructed by or with authorization from the Toquaht government from a sanitary sewer main to the property line of a parcel, which is intended to carry sewage from that parcel to that sewer main, and any appurtenance to that pipe, or
- (b) a pipe installed or constructed by or with authorization from the Toquaht government from a storm sewer main to the property line of a parcel, which is intended to carry storm water from that parcel to that sewer main, and any appurtenance to that pipe, and
- (c) if the director requires a meter to be installed under section 2.13(b), that meter.

“sewer connection application” means an application under section 2.2;

“sewer disconnection” means a disconnection from the Toquaht sewer service under section 2.17;

“sewer disconnection application” means an application under section 2.17(a);

“sewer extension” means an extension of the Toquaht sewer system under section 2.12;

“sewer extension application” means an application under section 2.12(a);

“sewer service fee” means a fee in the amount prescribed under section 2.16(b);

“storm water” means water resulting from natural precipitation from the atmosphere;

“water application” means a water connection application, a water extension application or a water disconnection application;

“water connection” means

- (a) a pipe installed or constructed by or with authorization from the Toquaht government from a water main to the property line of a parcel, which is intended to carry water to that parcel from that water main, and any appurtenance to that pipe, and
- (b) if the director requires a meter to be installed under section 3.12(d), that meter.

“water connection application” means an application under section 3.2;

“water disconnection” means a disconnection from the Toquaht water service under section 3.16;

“water disconnection application” means an application under section 3.16(a);

“water extension” means an extension of the Toquaht water system under section 3.11;

“water extension application” means an application under section 3.11(a);

“water service fee” means a fee in the amount prescribed under section 3.15(b).

Human occupancy

- 1.5** For certainty, for the purposes of this Act, a building or structure designed or used for human occupancy includes a building or structure occupied as a workplace during regular business hours.

PART 2 - SEWER SERVICE

Toquaht sewer service

- 2.1 The Toquaht sewer service is established and must be operated in accordance with this Part.

Connection application

- 2.2 The owner of Toquaht lands or Toquaht foreshore may apply
- (a) to connect an existing building or structure, or a building or structure to be constructed, on those Toquaht lands or Toquaht foreshore, to the Toquaht sewer system, or
 - (b) in the case of a renovation referred to in section 2.4(a)(iv), to install or construct a replacement sewer connection and reconnect the applicable building or structure to the Toquaht sewer system,

by submitting a sewer connection application in the prescribed form, together with the applicable application fee, to the director.

Connection required for abutting lands

- 2.3 (a) Subject to subsection (b), the owner of Toquaht lands
- (i) on which there is a building or structure designed or used for human occupancy, and
 - (ii) that front on the Toquaht sewer system for the entire frontage or flankage of those Toquaht lands,
- must cause that building or structure to be connected to the Toquaht sewer system in accordance with this Part.
- (b) The director may waive the requirement under subsection (a) if, in the director's opinion,
- (i) the capacity of the Toquaht sewer system is not sufficient to provide service to that building or structure, or
 - (ii) the sewage generated, or to be generated, in that building or structure is not suitable for discharge into the Toquaht sanitary sewer system.

Connection required for construction on lands

- 2.4 (a) An application for an authorization under the Building and Development Authorization Act, TNS 2/2013 must be accompanied by a sewer connection application, together with the applicable application fee, if
- (i) the application is in relation to Toquaht lands,
 - (ii) the building or structure set out in the application is designed or used for human occupancy,
 - (iii) the Toquaht lands set out in the application front on the Toquaht sewer system for the entire frontage or flankage of those Toquaht lands, and
 - (iv) the application is for renovation to a building or structure already connected to the Toquaht sewer system and
 - (A) the sewer connection for that building or structure is 30 years old or older,
 - (B) the total estimated construction cost for the renovation is greater than \$100,000, or
 - (C) the renovation will result in
 - (I) enlargement of the plumbing system by adding two or more plumbing fixtures, or
 - (II) an increase in the number of bedrooms,
 - (v) the application is for renovation to a building or structure not yet connected to the Toquaht sewer system, or
 - (vi) the application is for construction of a new building or structure.
- (b) The director may waive the requirement under subsection (a) if, in the director's opinion,
- (i) the capacity of the Toquaht sewer system is not sufficient to provide service to that building or structure,
 - (ii) the sewage generated, or to be generated, in that building or structure is not suitable for discharge into the Toquaht sanitary sewer system, or
 - (iii) in the case of a renovation to a building or structure already connected to the Toquaht sewer system, the existing sewer connection is adequate for providing sewer services to that building or structure.

Decision on application

- 2.5 (a) Subject to subsection (b), on receipt of a sewer connection application, together with the applicable application fee,
- (i) if,
 - (A) in the opinion of the director,
 - (I) the capacity of the Toquaht sewer system is sufficient to provide service to the building or structure set out in the application, and
 - (II) the sewage generated, or to be generated, in that building or structure is suitable for discharge into the Toquaht sanitary sewer system, and
 - (B) the Toquaht lands or Toquaht foreshore set out in the application front on the Toquaht sewer system for the entire frontage or flankage of those Toquaht lands or Toquaht foreshore,the director must approve the application,
 - (ii) if, in the opinion of the director, the capacity of the Toquaht sewer system is not sufficient to provide service to the building or structure set out in the application, the director may
 - (A) deny the application, or
 - (B) approve the application on the condition that the sewage discharged from that building or structure into the Toquaht sanitary sewer system be limited to an amount determined by the director or any other condition the director considers appropriate,
 - (iii) if, in the opinion of the director, the sewage generated, or to be generated, in the building or structure set out in the application is not suitable for discharge into the Toquaht sanitary sewer system, the director must deny the application, and
 - (iv) if the Toquaht lands or Toquaht foreshore set out in the application
 - (A) do not front on the Toquaht sewer system, or
 - (B) only front on the Toquaht sewer system for a portion of the frontage or flankage of those Toquaht lands or Toquaht foreshore,the director may

- (C) deny the application,
 - (D) approve the application on the condition that, prior to connecting that building or structure to the Toquaht sewer system, the Toquaht sewer system be extended to a point determined by the director, or
 - (E) approve the application without the condition referred to in subparagraph (D) if, in the director's opinion, that building or structure is suitable for a sewer connection without an extension to the Toquaht sewer system.
- (b) If a sewer connection application is in relation to a parcel of Toquaht foreshore,
- (i) the director must not approve the application without the prior approval of the Executive, and
 - (ii) the director must deny the application if, in the opinion of the Executive, that parcel is not suitable for a sewer connection.

Notice of decision

2.6 As soon as practicable after receipt of a sewer connection application, together with the applicable application fee, the director must deliver in accordance with Toquaht law to the applicant notice of the director's decision on the application.

2.7 [Repealed]

Connection at owner's cost

- 2.8** (a) If the owner of Toquaht lands
- (i) on which there is a building or structure designed or used for human occupancy, and
 - (ii) that front on the Toquaht sewer system for the entire frontage or flankage of those Toquaht lands,
- fails to cause that building or structure to be connected to the Toquaht sewer system in accordance with section 2.3, the director may, with prior approval of the Executive and 60 days' written notice to the owner, cause that building or structure to be connected to the Toquaht sewer system at the owner's cost.
- (b) Any cost incurred by the Toquaht Nation under subsection (a) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht

Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Pre-servicing at owner's cost

2.9 (a) If

- (i) a road improvement,
- (ii) an improvement to the Toquaht sewer system, or
- (iii) an extension of the Toquaht sewer system,

is scheduled along a road or right of way and a parcel of Toquaht lands fronts on that road or right of way, the director may direct that a sewer connection be installed or constructed to the property line of that parcel.

- (b) If a sewer connection is installed or constructed in accordance with subsection (a), the owner of that parcel must pay to the Toquaht Nation the portion of the construction or installation cost determined by the director, acting reasonably.
- (c) An amount payable under subsection (b) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to that owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Separate connection required

2.10 Unless otherwise approved by the director, in writing, a separate sewer connection is required for

- (a) each parcel of Toquaht lands or Toquaht foreshore, and
- (b) each building or structure on Toquaht lands or Toquaht foreshore, where two or more buildings or structures exist on a single parcel of Toquaht lands or Toquaht foreshore and those buildings or structures can be legally separated by the subdivision of land.
- (c) [Repealed]
- (d) [Repealed]

Obligation to discontinue septic tank

2.11 As soon as practicable after a building or structure is connected to the Toquaht sewer system in accordance with this Part, the owner of that building or structure must cause

- (a) any septic tank in that building or structure to be discontinued,
- (b) the contents of that septic tank to be removed and properly disposed of, and
- (c) that septic tank to be either
 - (i) dismantled and removed, or
 - (ii) filled with a material approved by the director, in writing.

Extensions

- 2.12**
- (a) The owner of Toquaht lands or Toquaht foreshore may apply to extend the Toquaht sewer system to a point opposite those Toquaht lands or Toquaht foreshore by submitting a sewer extension application in the prescribed form, together with the applicable application fee, to the director.
 - (b) On receipt of a sewer extension application, together with the applicable application fee, and after considering the following factors, the director may approve or deny the application with any conditions the director considers appropriate:
 - (i) whether the capacity of the Toquaht sewer system is sufficient to provide service to the building or structure set out in the application;
 - (ii) whether the sewage generated, or to be generated, in that building or structure is suitable for discharge into the Toquaht sanitary sewer system; and
 - (iii) the cost of operating and maintaining that sewer extension relative to the revenues from buildings or structures serviced by that sewer extension.
 - (c) If a sewer extension application is in relation to a parcel of Toquaht foreshore,
 - (i) the director must not approve the application without the prior approval of the Executive, and
 - (ii) the director must deny the application if, in the opinion of the Executive, that parcel is not suitable for a sewer extension.
 - (d) As soon as practicable after receipt of a sewer extension application, together with the applicable application fee, the director must deliver in accordance with Toquaht law to the applicant notice of the director's decision on the application.

Construction and operation of Toquaht sewer system

- 2.13** (a) The Toquaht sewer system, including any sewer connections and sewer extensions, must not be installed, constructed, operated, maintained, repaired, upgraded or replaced by any person except
- (i) a Toquaht government employee, or
 - (ii) an approved contractor.
- (b) For certainty, if the director approves a sewer application, the director may require the applicant to retain an approved contractor directly to carry out the sewer connection, sewer extension or sewer disconnection, as applicable.
- (c) The director may require a meter to be installed for any sewer connection.
- (d) As soon as practicable after the director becomes aware of any damage to or failure, breakdown, malfunction or blockage of the Toquaht sewer system, the director must make reasonable efforts to remedy that damage, failure, breakdown, malfunction or blockage and restore service to any affected buildings or structures.

Construction and operation of plumbing system

- 2.14** (a) The owner of Toquaht lands or Toquaht foreshore must cause any plumbing system on or under those Toquaht lands or Toquaht foreshore to be installed, constructed, operated, maintained, repaired, upgraded and replaced in substantial compliance with
- (i) the British Columbia Building Code,
 - (ii) the Building and Development Authorization Act, TNS 2/2013,
 - (iii) this Act, and
 - (iv) any other applicable enactment.
- (b) [Repealed]
- (c) [Repealed]
- (d) If
- (i) a garage, automobile service station, restaurant, fast food outlet or vehicle or equipment washing establishment is or will be operated in a building or structure serviced by the Toquaht sewer system, or

- (ii) in the opinion of the director, a grease, oil and sand interceptor is necessary for the proper handling of sewage generated within a building or structure serviced by the Toquaht sewer system,

the plumbing system for that building or structure must include a grease, oil and sand interceptor, of a type and at a location approved by the director, in writing.

- (e) As soon as practicable after the owner of Toquaht lands or Toquaht foreshore becomes aware of any damage to or failure, breakdown, malfunction or blockage of any plumbing system on or under those Toquaht lands or Toquaht foreshore, the owner must make reasonable efforts to remedy that damage, failure, breakdown, malfunction or blockage.

Maintenance at owner's cost

- 2.15** (a) If the owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht sewer system fails to operate, maintain, repair, upgrade or replace a plumbing system on or under those Toquaht lands or Toquaht foreshore in accordance with section 2.14, the director may, after 30 days' written notice to the owner, cause any necessary maintenance, repairs, upgrades or replacements to be carried out or made to that plumbing system at the owner's cost.
- (b) Despite subsection (a), if the director becomes aware of a material blockage or leak in a plumbing system on or under Toquaht lands or Toquaht foreshore serviced by the Toquaht sewer system and the owner of those Toquaht lands or Toquaht foreshore fails to cause that blockage or leak to be cleared or repaired, as required under section 2.14(e), the director may, after 24 hours' written notice to that owner, cause that blockage or leak to be cleared or repaired at the owner's cost.
- (c) Any cost incurred by the Toquaht Nation under subsection (a) or (b) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Sewer service fee

- 2.16** (a) On or before June 1 of each year, the director of finance must deliver in accordance with Toquaht law to each owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht sewer system a notice setting out the sewer service fee payable for that year for each building or structure on those Toquaht lands or Toquaht foreshore.

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- (b) On or before July 2 of each year or such other date as may be agreed upon in writing by the director of finance, the owner of a building or structure serviced by the Toquaht sewer system must pay the prescribed sewer service fee to the Toquaht Nation.
 - (c) In the year a building or structure is connected to or disconnected from the Toquaht sewer system, the sewer service fee for that building or structure must be prorated from or to the date the building or structure is connected or disconnected, as applicable.
 - (d) If a building or structure is connected to the Toquaht sewer system after June 1,
 - (i) the director of finance must, as soon as practicable after the building or structure is connected, deliver in accordance with Toquaht law to the owner of that building or structure a notice setting out the sewer service fee payable for that year for that building or structure, prorated in accordance with subsection (c), and
 - (ii) the owner must pay the prorated sewer service fee to the Toquaht Nation within 30 days of receipt of that notice or such other date as may be agreed upon in writing by the director of finance.
 - (e) If a building or structure is disconnected from the Toquaht sewer system after the sewer service fee for that year has been paid, the Toquaht Nation must refund any excess paid to the applicable owner, prorated in accordance with subsection (c).
 - (f) Despite subsection (e), if an owner of Toquaht lands or Toquaht foreshore has any outstanding sewer service fees, the director of finance may set off any refund payable under that subsection against
 - (i) the outstanding fees, or
 - (ii) any penalty or interest incurred in relation to those fees,and refund any balance to the applicable owner.
 - (g) For certainty, the sewer service fee must not be prorated and a refund must not be issued for any temporary suspension of the Toquaht sewer service.
 - (h) If a sewer service fee for Toquaht lands remains unpaid on December 31 of the year in which it becomes payable, the outstanding amount
 - (i) is deemed to be a tax levied under the Real Property Tax Act, and
 - (ii) incurs penalties and interest and may be collected in accordance with that Act.

- (i) For certainty, the fact that a sewer connection or sewer extension is installed or constructed at an owner's cost does not in any way exempt the owner from any sewer service fee payable under this section.
- (j) For certainty, the fact that
 - (i) no sewage is generated in a building or structure for all or a portion of a year, or
 - (ii) the Toquaht sewer service is temporarily suspended
 - (A) by the director under section 2.24(b), or
 - (B) due to any damage to or failure, breakdown, malfunction or blockage of the Toquaht sewer system,does not in any way exempt the owner of that building or structure from any sewer service fee payable under this section.

Disconnection on request

- 2.17** (a) The owner of a building or structure serviced by the Toquaht sewer system may apply to disconnect that building or structure from the Toquaht sewer system temporarily or permanently by submitting a sewer disconnection application in the prescribed form, together with the applicable application fee, to the director.
- (b) On receipt of a sewer disconnection application, together with the applicable application fee, the director may approve or deny the application with any conditions the director considers appropriate.
- (c) As soon as practicable after receipt of a sewer disconnection application, the director must deliver in accordance with Toquaht law to the applicant notice of the director's decision on the application.

Disconnection required on removal, demolition or damage

- 2.18** (a) If the owner of Toquaht lands or Toquaht foreshore intends to remove or demolish a building or structure on those Toquaht lands or Toquaht foreshore and that building or structure is serviced by the Toquaht sewer system, the owner must, prior to carrying out the removal or demolition, as applicable, cause that building or structure to be disconnected from the Toquaht sewer system in accordance with this Part.
- (b) If a building or structure serviced by the Toquaht sewer system is damaged to the extent that it can no longer be put to any legally permitted use, the owner of that building or structure must, as soon as practicable after the damage occurs, cause

that building or structure to be disconnected from the Toquaht sewer system in accordance with this Part.

- (c) If an owner fails to cause a building or structure to be disconnected from the Toquaht sewer system in accordance with subsection (a) or (b), the director may, with prior approval of the Executive and 60 days' written notice to the owner, cause that building or structure to be disconnected from the Toquaht sewer system at the owner's cost.
- (d) Any cost incurred by the Toquaht Nation under subsection (c) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Disconnection for non-compliance

- 2.19** (a) In addition to any penalty that may be imposed under this or any other enactment, if the owner or an occupier of a building or structure serviced by the Toquaht sewer system contravenes this Part, the director may, with prior approval of the Executive and 60 days' written notice to the owner and each known occupier of that building or structure,
- (i) cause that building or structure to be disconnected from the Toquaht sewer system at the owner's cost, and
 - (ii) establish the terms or conditions on which that building or structure may be reconnected to the Toquaht sewer system.
- (b) A notice under subsection (a) must be delivered in accordance with Toquaht law to the applicable owner or occupier.
- (c) The owner or an occupier may, within 14 days of receipt of a notice under subsection (a), request a review of that notice under the Administrative Decisions Review Act, TNS 7/2011.
- (d) Any cost incurred by the Toquaht Nation under subsection (a) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Prohibitions

- 2.20** (a) A person must not connect or attempt to connect any building or structure, or allow or cause any building or structure to be connected, to the Toquaht sewer system except in accordance with this Part.
- (b) A person must not discharge, or allow or cause to be discharged, into the Toquaht sanitary sewer system anything except sewage.
- (c) Unless otherwise approved by the director, in writing, the owner or an occupier of Toquaht lands or Toquaht foreshore serviced by the Toquaht sewer system must not discharge, or allow or cause to be discharged, into the Toquaht sanitary sewer system any sewage except sewage generated within those Toquaht lands or Toquaht foreshore.
- (d) A person must not discharge, or allow or cause to be discharged, into the Toquaht sanitary sewer system any
- (i) sewage of a type, concentration or quantity as may be prescribed,
 - (ii) sludge, material or deposit from a septic tank, or
 - (iii) substance for the purpose of diluting industrial sewage to meet prescribed tolerance standards, except where that dilution is expressly permitted by law.
- (e) A person must not discharge, or allow or cause to be discharged, into the Toquaht storm sewer system anything except storm water.
- (f) A person must not discharge sewage anywhere on Toquaht lands or Toquaht foreshore except into
- (i) the Toquaht sanitary sewer system,
 - (ii) a private sanitary sewer system, or
 - (iii) a sewage transport vehicle operated by a licensed sewage disposal business.
- (g) A person must not discharge sewage from a recreational vehicle anywhere except into a dump station operated for that purpose.
- (h) A person must not bury, cover or obstruct, at any time or in any manner, access to any manhole, inspection chamber or meter connected to the Toquaht sewer system by placing on or in the vicinity of that manhole, inspection chamber or meter any fencing, landscaping, lumber, brick, stone, gravel sand or other material or thing.

- (i) A person must not break, damage, destroy, deface, remove, uncover, open, close or tamper with any part of the Toquaht sewer system except in accordance with section 2.13.
- (j) A person must not provide false information or omit any relevant information
 - (i) in any application under this Part, or
 - (ii) to a Toquaht official in the performance of the Toquaht official's duties or the exercise of the Toquaht official's powers under this Part.

Inspection

- 2.21** (a) The director may, at any reasonable time,
- (i) enter any Toquaht lands or Toquaht foreshore or, with 24 hours' written notice, any building or structure on those Toquaht lands or Toquaht foreshore,
 - (ii) make reasonable inspections of those Toquaht lands or Toquaht foreshore,
 - (iii) make reasonable inquiries of the owner or an occupier of those Toquaht lands or Toquaht foreshore,
 - (iv) obtain a sample from any plumbing system on or under those Toquaht lands or Toquaht foreshore, or
 - (v) read any meter on those Toquaht lands or Toquaht foreshore,
- to determine the sewer service fee payable for those Toquaht lands or Toquaht foreshore.
- (b) A person must not interfere with or obstruct the director when exercising a power under subsection (a).

Accidental discharge

- 2.22** (a) Where a discharge of any substance into Toquaht sewer system occurs or is reasonably likely to occur in contravention of this Act, every person causing or contributing to the discharge or increasing the likelihood of such a discharge, and the owner or the person in charge, management or control of the substance before its discharge or likely discharge, must immediately
- (i) subject to any regulations, report the discharge or likely discharge to the director,

- (ii) at that person's cost, take all reasonable measures consistent with public safety to stop the discharge, repair any damage caused by the discharge and prevent or eliminate any danger to life, health, property or the environment that results or may be reasonably expected to result from the discharge or likely discharge.
- (b) Where a person fails or neglects to take remedial measures, as required under subsection (a), or where, in the opinion of the director, immediate remedial measures are required to protect the environment, public health or property or to minimize damage to the Toquaht sewer system, the director may, at that person's cost, cause those remedial measures to be carried out.
- (c) Any cost incurred by the Toquaht Nation under subsection (b) is due and payable by the applicable person to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the person, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.
- (d) For certainty, reporting a discharge or taking remedial measures, as required under subsection (a), does not relieve any person from liability or any penalty that may be imposed under this or any other enactment in respect of that discharge.

No liability for nuisance

2.23 The Toquaht Nation is not liable in any action based on nuisance or on the rule in the *Rylands v. Fletcher* case if the damages arise, directly or indirectly, out of any damage to or failure, breakdown, malfunction or blockage of the Toquaht sewer system.

No liability for change in operating conditions

- 2.24**
- (a) The Toquaht Nation does not guarantee continuity or adequacy of the Toquaht sewer service.
 - (b) The director may, at any time without notice, change the operating conditions of the Toquaht sewer system or temporarily suspend the Toquaht sewer service for any purpose, including maintenance, repairs, upgrades or replacements.
 - (C) The Toquaht Nation is not liable for any loss, damage, expense, death or injury, including bodily injury, sustained by any person as a result of any change in the operating conditions of the Toquaht sewer system or temporary suspension of the Toquaht sewer service.

PART 3 - WATER SERVICE

Toquaht water service

- 3.1 The Toquaht water service is established and must be operated in accordance with this Part.

Connection application

- 3.2 The owner of Toquaht lands or Toquaht foreshore may apply
- (a) to connect an existing building or structure, or a building or structure to be constructed, on those Toquaht lands or Toquaht foreshore, to the Toquaht water system, or
 - (b) in the case of a renovation referred to in section 3.4(a)(iv), to install or construct a replacement water connection and reconnect the applicable building or structure to the Toquaht water system,

by submitting a water connection application in the prescribed form, together with the applicable application fee, to the director.

Connection required for abutting lands

- 3.3 (a) Subject to subsection (b), the owner of Toquaht lands
- (i) on which there is a building or structure designed or used for human occupancy, and
 - (ii) that front on the Toquaht water system for the entire frontage or flankage of those Toquaht lands,
- must cause that building or structure to be connected to the Toquaht water system in accordance with this Part.
- (b) The director may waive the requirement under subsection (a) if, in the director's opinion, the capacity of the Toquaht water system is not sufficient to provide service to that building or structure.

Connection required for construction on lands

- 3.4 (a) An application for an authorization under the Building and Development Authorization Act, TNS 2/2013 must be accompanied by a water connection application, together with the applicable application fee, if
- (i) the application is in relation to Toquaht lands,

- (ii) the building or structure set out in the application is designed or used for human occupancy,
 - (iii) the Toquaht lands set out in the application front on the Toquaht water system for the entire frontage or flankage of those Toquaht lands, and
 - (iv) the application is for renovation to a building or structure already connected to the Toquaht water system and
 - (A) the water connection for that building or structure is 30 years old or older,
 - (B) the total estimated construction cost for the renovation is greater than \$100,000, or
 - (C) the renovation will result in
 - (I) enlargement of the plumbing system by adding two or more plumbing fixtures, or
 - (II) an increase in the number of bedrooms,
 - (v) the application is for renovation to a building or structure not yet connected to the Toquaht water system, or
 - (vi) the application is for construction of a new building or structure.
- (b) The director may waive the requirement under subsection (a) if, in the director's opinion,
- (i) the capacity of the Toquaht water system is not sufficient to provide service to that building or structure, or
 - (ii) in the case of a renovation to a building or structure already connected to the Toquaht water system, the existing water connection is adequate for providing water services to that building or structure.

Decision on application

- 3.5** (a) Subject to subsection (b), on receipt of a water connection application, together with the applicable application fee,
- (i) if,
 - (A) in the opinion of the director, the capacity of the Toquaht water system is sufficient to provide service to the building or structure set out in the application, and

- (B) the Toquaht lands or Toquaht foreshore set out in the application front on the Toquaht water system for the entire frontage or flankage of those Toquaht lands or Toquaht foreshore,

the director must approve the application,
 - (ii) if, in the opinion of the director, the capacity of the Toquaht water system is not sufficient to provide service to the building or structure set out in the application, the director may approve or deny the application with any conditions the director considers appropriate, and
 - (iii) if the Toquaht lands or Toquaht foreshore set out in the application
 - (A) do not front on the Toquaht water system, or
 - (B) only front on the Toquaht water system for a portion of the frontage or flankage of those Toquaht lands or Toquaht foreshore,

the director may
 - (C) deny the application,
 - (D) approve the application on the condition that, prior to connecting that building or structure to the Toquaht water system, the Toquaht water system be extended to a point determined by the director, or
 - (E) approve the application without the condition referred to in subparagraph 3.5(a)(iii)(D) if, in the director’s opinion, that building or structure is suitable for a water connection without an extension to the Toquaht water system.
- (b) If a water connection application is in relation to a parcel of Toquaht foreshore,
- (i) the director must not approve the application without the prior approval of the Executive, and
 - (ii) the director must deny the application if, in the opinion of the Executive, that parcel is not suitable for a water connection.

Notice of decision

3.6 As soon as practicable after receipt of a water connection application, together with the applicable application fee, the director must deliver in accordance with Toquaht law to the applicant notice of the director’s decision on the application.

3.7 [Repealed]

Connection at owner's cost

- 3.8** (a) If the owner of Toquaht lands
- (i) on which there is a building or structure designed or used for human occupancy, and
 - (ii) that front on the Toquaht water system for the entire frontage or flankage of those Toquaht lands,

fails to cause that building or structure to be connected to the Toquaht water system in accordance with section 3.3, the director may, with prior approval of the Executive and 60 days' written notice to the owner, cause that building or structure to be connected to the Toquaht water system at the owner's cost.

- (b) Any cost incurred by the Toquaht Nation under subsection (a) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Pre-servicing at owner's cost

- 3.9** (a) If
- (i) a road improvement,
 - (ii) an improvement to the Toquaht water system, or
 - (iii) an extension of the Toquaht water system,

is scheduled along a road or right of way and a parcel of Toquaht lands fronts on that road or right of way, the director may direct that a water connection be installed or constructed to the property line of that parcel.

- (b) If a water connection is installed or constructed in accordance with subsection (a), the owner of that parcel must pay to the Toquaht Nation the portion of the construction or installation cost determined by the director, acting reasonably.
- (c) An amount payable under subsection (b) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Separate connection required

- 3.10** (a) Unless otherwise approved by the director, in writing, a separate water connection is required for
- (i) each parcel of Toquaht lands or Toquaht foreshore, and
 - (ii) each building or structure on Toquaht lands or Toquaht foreshore, where two or more buildings or structures exist on a single parcel of Toquaht lands or Toquaht foreshore and those buildings or structures can be legally separated by the subdivision of land.
- (b) [Repealed]
- (c) [Repealed]

Extensions

- 3.11** (a) The owner of Toquaht lands or Toquaht foreshore may apply to extend the Toquaht water system to a point opposite those Toquaht lands or Toquaht foreshore by submitting a water extension application in the prescribed form, together with the prescribed application fee, to the director.
- (b) On receipt of a water extension application, together with the applicable application fee, and after considering the following factors, the director may approve or deny the application with any conditions the director considers appropriate:
- (i) whether the capacity of the Toquaht water system is sufficient to provide service to the building or structure set out in the application, and
 - (ii) the cost of operating and maintaining that water extension relative to the revenues from buildings or structures serviced by that water extension.
- (c) If a water extension application is in relation to a parcel of Toquaht foreshore,
- (i) the director must not approve the application without the prior approval of the Executive, and
 - (ii) the director must deny the application if, in the opinion of the Executive, that parcel is not suitable for a water extension.
- (d) As soon as practicable after receipt of a water extension application, together with the applicable application fee, the director must deliver in accordance with Toquaht law to the applicant notice of the director's decision on the application.

- (e) [Repealed]
- (f) [Repealed]
- (g) [Repealed]

Construction and operation of Toquaht water system

- 3.12** (a) The Toquaht water system, including any water connections and water extensions, must not be installed, constructed, operated, maintained, repaired, upgraded or replaced by any person except
- (i) a Toquaht government employee, or
 - (ii) an approved contractor.
- (b) For certainty, no person may
- (i) open or close any curb valve,
 - (ii) open any hydrant or standpipe, or
 - (iii) use any water from any hydrant or standpipe,
- except a person referred to in subsection (a).
- (c) For certainty, if the director approves a water application, the director may require the applicant to retain an approved contractor directly to carry out the water connection, water extension or water disconnection, as applicable.
- (d) The director may require a meter to be installed for any water connection.
- (e) As soon as practicable after the director becomes aware of any damage to or failure, breakdown or malfunction of the Toquaht water system, the director must make reasonable efforts to remedy that damage, failure, breakdown or malfunction and restore service to any affected buildings or structures.

Construction and operation of plumbing system

- 3.13** (a) The owner of Toquaht lands or Toquaht foreshore must cause any plumbing system on or under those Toquaht lands or Toquaht foreshore to be installed, constructed, operated, maintained, repaired, upgraded and replaced in substantial compliance with
- (i) the British Columbia Building Code,
 - (ii) the Building and Development Authorization Act, TNS 2/2013,

- (iii) this Act, and
- (iv) any other applicable enactment.
- (b) [Repealed]
- (c) [Repealed]
- (d) As soon as practicable after the owner of Toquaht lands or Toquaht foreshore becomes aware of any damage to or failure, breakdown or malfunction of any plumbing system on or under those Toquaht lands or Toquaht foreshore, the owner must make reasonable efforts to remedy that damage, failure, breakdown or malfunction.

Maintenance at owner's cost

- 3.14** (a) If the owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht water system fails to operate, maintain, repair, upgrade or replace a plumbing system on or under those Toquaht lands or Toquaht foreshore in accordance with section 3.13, the director may, after 30 days' written notice to the owner, cause any necessary maintenance, repairs, upgrades or replacements to be carried out or made to that plumbing system at the owner's cost.
- (b) Despite subsection (a), if the director becomes aware of a material blockage or leak in a plumbing system on or under Toquaht lands or Toquaht foreshore serviced by the Toquaht water system and the owner of those Toquaht lands or Toquaht foreshore fails to cause that leak to be repaired, as required under section 3.13(d), the director may, after 24 hours' written notice to that owner, cause that leak to be repaired at the owner's cost.
- (c) Any cost incurred by the Toquaht Nation under subsection (a) or (b) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Water service fee

- 3.15** (a) On or before June 1 of each year, the director of finance must deliver in accordance with Toquaht law to each owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht water system a notice setting out the water service fee payable for that year for each building or structure on those Toquaht lands or Toquaht foreshore.
- (b) One or before July 2 of each year or such other date as may be agreed upon in writing by the director of finance, the owner of a building or structure serviced by

the Toquaht water system must pay the prescribed water service fee to the Toquaht Nation.

- (c) In the year a building or structure is connected to or disconnected from the Toquaht water system, the water service fee for that building or structure must be prorated from or to the date the building or structure is connected or disconnected, as applicable.
- (d) If a building or structure is connected to the Toquaht water system after June 1,
 - (i) the director of finance must, as soon as practicable after the building or structure is connected, deliver in accordance with Toquaht law to the owner of that building or structure a notice setting out the water service fee payable for that year for that building or structure, prorated in accordance with subsection (c), and
 - (ii) the owner must pay the prorated water service fee to the Toquaht Nation within 30 days of receipt of that notice or such other date as may be agreed upon in writing by the director of finance.
- (e) If a building or structure is disconnected from the Toquaht water system after the water service fee for that year has been paid, the Toquaht Nation must refund any excess paid to the applicable owner, prorated in accordance with subsection (c).
- (f) Despite subsection (e), if an owner of Toquaht lands or Toquaht foreshore has any outstanding water service fees, the director of finance may set off any refund payable under that subsection against
 - (i) the outstanding fees, or
 - (ii) any penalty or interest incurred in relation to those fees,and refund any balance to the applicable owner.
- (g) For certainty, the water service fee must not be prorated and a refund must not be issued for any temporary suspension of the Toquaht water service.
- (h) If a water service fee for Toquaht lands remains unpaid on December 31 of the year in which it becomes payable, the outstanding amount
 - (i) is deemed to be a tax levied under the Real Property Tax Act, and
 - (ii) incurs penalties and interest and may be collected in accordance with that Act.

- (i) For certainty, the fact that a water connection or water extension is installed or constructed at an owner's cost does not in any way exempt the owner from any water service fee payable under this section.
- (j) For certainty, the fact that
 - (i) no water is used from a building or structure for all or a portion of the year, or
 - (ii) the Toquaht water service is temporarily suspended
 - (A) by the director under section 3.22(b), or
 - (B) due to any damage to or failure, breakdown or malfunction of the Toquaht water system,does not in any way exempt the owner of that building or structure from any water service fee payable under this section.
- (k) For certainty, the fact that a water service fee is due to a leak from a plumbing system on or under Toquaht lands or Toquaht foreshore does not in any way exempt the owner of those Toquaht lands or Toquaht foreshore from any water service fee payable under this section.

Disconnection on request

- 3.16**
- (a) The owner of a building or structure serviced by the Toquaht water system may apply to disconnect that building or structure from the Toquaht water system temporarily or permanently by submitting a water disconnection application in the prescribed form, together with the applicable application fee, to the director.
 - (b) On receipt of a water disconnection application, together with the applicable application fee, the director may approve or deny the application with any conditions the director considers appropriate.
 - (c) As soon as practicable after receipt of a water disconnection application, the director must deliver in accordance with Toquaht law to the applicant notice of the director's decision on the application.

Disconnection required on removal, demolition or damage

- 3.17**
- (a) If the owner of Toquaht lands or Toquaht foreshore intends to remove or demolish a building or structure on those Toquaht lands or Toquaht foreshore and that building or structure is serviced by the Toquaht water system, the owner must, prior to carrying out the removal or demolition, as applicable, cause that building or structure to be disconnected from the Toquaht water system in accordance with this Part.

- (b) If a building or structure serviced by the Toquaht water system is damaged to the extent that it can no longer be put to any legally permitted use, the owner of that building or structure must, as soon as practicable after the damage occurs, cause that building or structure to be disconnected from the Toquaht water system in accordance with this Part.
- (c) If an owner fails to cause a building or structure to be disconnected from the Toquaht water system in accordance with subsection (a) or (b), the director may, with prior approval of the Executive and 60 days' written notice to the owner, cause that building or structure to be disconnected from the Toquaht water system at the owner's cost.
- (d) Any cost incurred by the Toquaht Nation under subsection (c) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Disconnection for non-compliance

- 3.18** (a) In addition to any penalty that may be imposed under this or any other enactment, if the owner or an occupier of a building or structure serviced by the Toquaht water system contravenes this Part, the director may, with prior approval of the Executive and 60 days' written notice to the owner and each known occupier of that building or structure,
- (i) cause that building or structure to be disconnected from the Toquaht water system at the owner's, and
 - (ii) establish the terms or conditions on which that building or structure may be reconnected to the Toquaht water system.
- (b) A notice under subsection (a) must be delivered in accordance with Toquaht law to the applicable owner or occupier.
- (c) The owner or an occupier may, within 14 days of receipt of a notice under subsection (a), request a review of that notice under the Administrative Decisions Review Act, TNS 7/2011.
- (d) Any cost incurred by the Toquaht Nation under subsection (a) is due and payable by the applicable owner to the Toquaht Nation within 30 days of a written demand for payment by the director of finance, if that demand is delivered in accordance with Toquaht law to the owner, and may be collected by the Toquaht Nation in accordance with sections 5.6 to 5.11 of the Financial Administration Act, TNS 6/2011.

Prohibitions

- 3.19** (a) A person must not connect or attempt to connect any building or structure, or allow or cause any building or structure to be connected, to the Toquaht water system except in accordance with this Part.
- (b) A person must not sell or dispose of, or allow or cause to be sold or disposed of, any water from the Toquaht water system.
- (c) A person must not use or transport, or allow or cause to be used or transported, any water from the Toquaht water system, except for a purpose and in accordance with any conditions approved by the director, in writing.
- (d) A person must not willfully or knowingly waste any water from the Toquaht sewer system, including the owner of a building or structure willfully or knowingly failing to repair a leak in the plumbing system for that building or structure.
- (e) A person must not discharge, or allow or cause to be discharged, into the Toquaht water system any substance that is capable of injuring property or any life form, including humans, animals and plants.
- (f) A person must not bury, cover or obstruct, at any time or in any manner, access to any hydrant, standpipe, valve, curb valve, manhole or meter connected to the Toquaht water system by placing on or in the vicinity of that hydrant, standpipe, valve, curb valve, manhole or meter any fencing, landscaping, lumber, brick, stone, gravel sand or other material or thing.
- (g) A person must not break, damage, destroy, deface, remove, uncover, open, close or tamper with any part of the Toquaht water system except in accordance with section 3.12.
- (h) A person must not provide false information or omit any relevant information
- (i) in any application under this Part, or
- (ii) to a Toquaht official or an enforcement officer in the performance of the Toquaht official's duties or the exercise of the Toquaht official's powers under this Part.

Inspection

- 3.20** (a) For the purpose of performing the director's duties under this Act, the director may, at any reasonable time,
- (i) enter any Toquaht lands or Toquaht foreshore, including any building or structure on those Toquaht lands or Toquaht foreshore, provided that the

director must provide the occupier of a building or structure with at least 24 hours' notice prior to entry into that building or structure except where the occupier consents or in case of emergency,

- (ii) make reasonable inspections of those Toquaht lands or Toquaht foreshore,
 - (iii) make reasonable inquiries of the owner or an occupier of those Toquaht lands or Toquaht foreshore,
 - (iv) obtain a sample from any plumbing system on or under those Toquaht lands or Toquaht foreshore, or
 - (v) read any meter on those Toquaht lands or Toquaht foreshore.
- (b) A person must not interfere with or obstruct the director when exercising a power under subsection (a).

No liability for nuisance

3.21 The Toquaht Nation is not liable in any action based on nuisance or on the rule in the *Rylands v. Fletcher* case if the damages arise, directly or indirectly, out of any damage to or failure, breakdown or malfunction of the Toquaht water system.

No liability for change in operating conditions

- 3.22**
- (a) The Toquaht Nation does not guarantee continuity or adequacy of the Toquaht water system.
 - (b) The director may, at any time without notice, change the operating conditions of the Toquaht water system or temporarily suspend the Toquaht water service for any purpose, including maintenance, repairs, upgrades or replacements.
 - (c) The Toquaht Nation is not liable for any loss, damage, expense, death or injury, including bodily injury, sustained by any person as a result of any change in the operating conditions of the Toquaht water system or temporary suspension of the Toquaht water service.

PART 4 - GARBAGE AND RECYCLING SERVICE

Toquaht garbage and recycling service

- 4.1 The Toquaht garbage and recycling service is established and must be operated in accordance with this Part.

Scope of service

- 4.2 (a) The director must, by directive, identify properties serviced by the Toquaht garbage and recycling service.
- (b) The owner of Toquaht lands or Toquaht foreshore may apply to be added to or removed from a directive under subsection (a) by submitting a written request to the director, in a form approved by the director.
- (c) The director may approve or deny a request under subsection (b) with any conditions the director considers appropriate.

Frequency of service

- 4.3 The Toquaht Nation must collect garbage and recycling from each property serviced by the Toquaht garbage and recycling service
- (a) at regular intervals, and
- (b) at least 24 times per calendar year.

4.4 [Repealed]

4.5 [Repealed]

Conditions of service

- 4.6 (a) The director may, by directive, establish conditions of service for the Toquaht garbage and recycling service.
- (b) The director may refuse to collect garbage or recycling from a property serviced by the Toquaht garbage and recycling service if the owner or an occupier fails to comply with a condition of service.

Garbage and recycling fee

- 4.7 (a) On or before June 1 of each year, the director of finance must deliver in accordance with Toquaht law to each owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht garbage and recycling service a notice setting

out the garbage and recycling fee payable for that year for those Toquaht lands or Toquaht foreshore.

- (b) One or before July 2 of each year or such other date as may be agreed upon in writing by the director of finance, the owner of Toquaht lands or Toquaht foreshore serviced by the Toquaht garbage and recycling service must pay the prescribed garbage and recycling fee to the Toquaht Nation.
- (c) In the year the Toquaht garbage and recycling service is commenced or discontinued for Toquaht lands or Toquaht foreshore, the garbage and recycling fees for those Toquaht lands or Toquaht foreshore must be prorated from or to the date of commencement or discontinuance, as applicable.
- (d) If the Toquaht garbage and recycling service is commenced for Toquaht lands or Toquaht foreshore after June 1,
 - (i) the director of finance must, as soon as practicable after the Toquaht garbage and recycling service is commenced, deliver in accordance with Toquaht law to the owner of those Toquaht lands or Toquaht foreshore a notice setting out the garbage and recycling fee payable for that year for those Toquaht lands or Toquaht foreshore, prorated in accordance with subsection (c), and
 - (ii) the owner must pay the prorated garbage and recycling fee to the Toquaht Nation within 30 days of receipt of that notice or such other date as may be agreed upon in writing by the director of finance.
- (e) If the Toquaht garbage and recycling service is discontinued for Toquaht lands or Toquaht foreshore after the garbage and recycling fee for that year has been paid, the Toquaht Nation must refund any excess paid to the applicable owner, prorated in accordance with subsection (c).
- (f) Despite subsection (e), if an owner of Toquaht lands or Toquaht foreshore has any outstanding garbage and recycling fees, the director of finance may set off any refund payable under that subsection against
 - (i) the outstanding fees, or
 - (ii) any penalty or interest incurred in relation to those fees,and refund any balance to the applicable owner.
- (g) For certainty, the garbage and recycling fee must not be prorated and a refund must not be issued for any temporary suspension of the Toquaht garbage and recycling service.

- (h) If a garbage and recycling fee for Toquaht lands remains unpaid on December 31 of the year in which it becomes payable, the outstanding amount
 - (i) is deemed to be a tax levied under the Real Property Tax Act, and
 - (ii) incurs penalties and interest and may be collected in accordance with that Act.
- (i) For certainty, the fact that
 - (i) the owner or an occupier of Toquaht lands or Toquaht foreshore does not generate garbage or recycling for all or a portion of a year,
 - (ii) the director refuses to collect garbage or recycling due to non-compliance with a condition of service, or
 - (iii) the Toquaht garbage and recycling service is temporarily suspended by the director under section 4.8.1,

does not in any way exempt the owner of those Toquaht lands or Toquaht foreshore from any garbage and recycling fee payable under this section.

Discontinuance for non-compliance

- 4.8**
- (a) In addition to any penalty that may be imposed under this or any other enactment, if the owner or an occupier of Toquaht lands or Toquaht foreshore serviced by the Toquaht garbage and recycling service contravenes this Part, the director may, after 30 days' written notice to the owner and each known occupier of those Toquaht lands or Toquaht foreshore,
 - (i) discontinue the Toquaht garbage and recycling service for those Toquaht lands or Toquaht foreshore, and
 - (ii) establish the terms or conditions on which the Toquaht garbage and recycling service may be recommenced for those Toquaht lands or Toquaht foreshore.
 - (b) A notice under subsection (a) must be delivered in accordance with Toquaht law to the applicable owner or occupier.
 - (c) The owner or an occupier may, within 14 days of receipt of a notice under subsection (a), request a review of that notice under the Administrative Decisions Review Act, TNS 7/2011.

Temporary suspension

4.8.1 The director may, at any time without notice, temporarily suspend the Toquaht garbage and recycling service for any purpose.

Prohibitions

- 4.9**
- (a) A person must not place anything other than garbage into a garbage bin.
 - (b) A person must not place anything other than recycling into a recycling bin.
 - (c) A person must not place into a garbage bin or recycling bin any material or substance prohibited by the director, by directive.
 - (d) A person must not break, damage, destroy or deface any garbage bin or recycling bin.
 - (e) A person must not deposit garbage or recycling into a public garbage bin or recycling bin, except garbage or recycling produced during personal use of the public space where the garbage bin or recycling bin is located.

PART 5 - DEPARTMENT OF ASSETS

Definitions

5.1 In this Part,

- (a) “Toquaht government assets” means
 - (i) Toquaht housing,
 - (ii) Toquaht infrastructure,
 - (iii) any vehicles or boats managed, maintained or owned by the Toquaht Nation, and
 - (iv) any other Toquaht government asset determined by the Executive to be within the mandate of the Department of Assets;
- (b) “Toquaht housing” has the same meaning as in the Housing Act, TNS 1/2019;
- (c) “Toquaht infrastructure” has the same meaning as in the Housing Act, TNS 1/2019.

Department of Assets established

5.2 The Department of Assets is established as a division of the Toquaht administration.

Mandate

5.3 The mandate of the Department of Assets is to carry out the day-to-day management and administration of Toquaht government assets as required:

- (a) under this or any other Toquaht enactment, or
- (b) by the director of operations.

Office of the director of assets established

- 5.4 (a) The office of the director of assets is established.
- (b) The Executive must appoint an individual to hold the office of director after considering the recommendation of the director of operations on the appointment.
- (c) The director reports to the director of operations.

Duties of the director

5.5 The director must perform the following duties and may exercise the following powers:

- (a) manage the Department of Assets;
- (b) ensure that Toquaht government employees within the Department of Assets perform the duties assigned to them
 - (i) under this or any other Toquaht enactment,
 - (ii) by the director of operations, or
 - (iii) by the director;
- (c) report, as required by the director of operations, to the Executive on the Department of Assets and its activities; and
- (d) perform any additional duties or exercise any additional powers assigned to the director
 - (i) under this or any other Toquaht enactment, or
 - (ii) by the director of operations.

Director delegation authority

- 5.6** (a) Upon the approval of the director of operations, the director may delegate, in writing, the performance of any of the director's duties or the exercise of any of the director's powers to
- (i) another Toquaht director,
 - (ii) a Toquaht government employee, or
 - (iii) an independent contractor of the Toquaht Nation.
- (b) Despite the delegation of any duties or powers under subsection (a), the director remains responsible for ensuring that the duties are performed properly and the powers are exercised appropriately.

Asset management authorities

5.7 The Executive may

- (a) establish Toquaht public institutions under Toquaht law, and
- (b) incorporate entities under federal or provincial laws,

to manage, administer, or assist the Department of Assets in the management or administration of, Toquaht government assets.

Executive delegation authority

- 5.8** (a) Subject to subsection (b), the Executive may, by regulation, delegate to any body or persons any duty or power of the Department of Assets relating to the management or administration of Toquaht government assets.
- (b) Despite subsection (a), the Executive may not delegate to any body or person any of the following duties or powers of the Executive:
- (i) to enact a Toquaht enactment; or
 - (ii) to delegate a duty or power of the Executive under this or any other Toquaht enactment.
- (c) For certainty,
- (i) a delegation by the Executive to a body or person under subsection (a)
 - (A) may include all or any part of a duty or power of the Department of Assets relating to the management or administration of Toquaht government assets,
 - (B) may pertain to all or a specified area of Toquaht lands or Toquaht foreshore,
 - (C) is subject to any terms or conditions established by the Executive under the regulation making the delegation, and
 - (D) does not restrict the Executive from delegating any additional duties or powers of the Department of Assets to the body or person under another regulation, and
 - (ii) a body or person to which the Executive delegates a duty or power under subsection (a) may only perform the duty or exercise the power in accordance with this Act, the regulation making the delegation and all other applicable laws.

PART 6 - GENERAL PROVISIONS

Regulations

- 6.1 The Executive may make regulations which it considers necessary or advisable for the purposes of this Act.

Other Toquaht services

- 6.2 The Executive may, by regulation, establish and regulate the provision of any other Toquaht service, which regulation may prescribe
- (a) the terms or conditions on which that service is provided,
 - (b) fees for or in relation to that service or how fees for or in relation to that service will be established or calculated, and
 - (c) any other matter the Executive considers necessary or advisable for the efficient, effective and fair provision of that service.

- 6.3 [Repealed]

Offences

- 6.4 (a) Every person who contravenes this Act commits an offence and is liable, on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months.
- (b) Each day a contravention of this Act continues is a separate offence.

Transition

- 6.5 Until the first anniversary of the date this Act comes into force, the director of finance may, with the approval of the director of operations, reduce or waive a fee prescribed under this Act in circumstances where the director of finance decides it would be unfair or unreasonable to require the owner to pay a fee in the prescribed amount.

Housing Authority Act repealed

- 6.6 (a) Subject to subsections (b) and (c), the Housing Authority Act TNS 1/2013 and, for certainty, any regulations made under that Act, are repealed.
- (b) The Toquaht government assumes all right, title and interest, whether legal or beneficial, absolute or contingent, of the Toquaht Housing Authority Corporation in and to

- (i) all property of the Toquaht Housing Authority Corporation, real or personal, of every kind and wherever located owned or held by the Toquaht Housing Authority Corporation, if any,
 - (ii) all debts, accounts, claims, demands and money now due or owing or accruing due or which may afterwards become due or owing to the Toquaht Housing Authority Corporation, if any,
 - (iii) all contracts or agreements of any kind, including rental agreements, and all other rights, benefits and privileges now or afterwards taken, vested in or held by the Toquaht Housing Authority Corporation, and
 - (iv) all rights of action, claims or demands which the Toquaht Housing Authority Corporation now has or may at any time afterwards have against any person.
- (c) The Toquaht government will assume, pay, discharge, perform and be responsible for all obligations, liabilities and claims of any nature, accruing, arising out of, or relating to the Toquaht Housing Authority Corporation and its business, whether actual or contingent, matured or unmatured, liquidated or unliquidated, or known or unknown.

Commencement

- 6.7** (a) Subject to subsections (b) to (e), this Act comes into force by Order of the Executive.
- (b) An Order of the Executive under subsection (a) must not be made until
- (i) notice of that Order and a copy of this Act have been posted in accordance with Toquaht law for at least 30 days, and
 - (ii) notice of that Order has been published in accordance with Toquaht law.
- (c) A notice under subsection (b) must provide an opportunity for at least 30 days to persons affected by this Act to make representations to the Executive concerning this Act.
- (d) The Executive must give full and fair consideration to any representations received in accordance with subsection (c) and may, by regulation, make necessary amendments to the Act to address any concern raised by a representation received in accordance with subsection (c).
- (e) Section 6.6 comes into force on the date this Act is enacted.

LEGISLATIVE HISTORY

Public Works and Services Act 4/2018 enacted May 8, 2018

Amendments

Section	Amendment	In Force
Preamble	TNS 5/2024, s. 2.1(a)	March 26, 2024
1.1	TNS 5/2024, s. 2.1(b)	March 26, 2024
1.3	TNS 5/2024, s. 2.1(c)	March 26, 2024
1.3(a)(i)	TNS 5/2024, s. 2.1(d)	March 26, 2024
1.3(b)(i)	TNS 5/2024, s. 2.1(e)	March 26, 2024
1.4	TNS 5/2024, s. 2.1(f)	March 26, 2024
1.5	TNS 5/2024, s. 2.1(g)	March 26, 2024
2.10	TNS 5/2024, s. 2.1(u)	March 26, 2024
2.10(c)	TNS 5/2024, s. 2.1(v)	March 26, 2024
2.10(d)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
2.10(d)	TNS 5/2024, s. 2.1(w)	March 26, 2024
2.11	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
2.11	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
2.11(c)(ii)	TNS 5/2024, s. 2.1(x)	March 26, 2024
2.12	TNS 5/2024, s. 2.1(y)	March 26, 2024
2.13(a)	TNS 5/2024, s. 2.1(z)	March 26, 2024
2.13(b)	TNS 5/2024, s. 2.1(aa)	March 26, 2024
2.13(d)	TNS 5/2024, s. 2.1(bb)	March 26, 2024
2.14(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.14(a)	TNS 5/2024, s. 2.1(cc)	March 26, 2024
2.14(b)	TNS 5/2024, s. 2.1(dd)	March 26, 2024
2.14(c)	TNS 5/2024, s. 2.1(ee)	March 26, 2024
2.14(e)	TNS 5/2024, s. 2.1(ff)	March 26, 2024
2.14(e)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.15	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.15	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.15(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.15(a)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.15(b)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.15(b)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
2.15(b)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
2.15(b)	TNS 5/2024, s. 2.1(gg)	March 26, 2024
2.15(c)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
2.15(c)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
2.15(c)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.16(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.16(a)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024

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2.16(a)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.16(b)	TNS 5/2024, s. 2.1(hh)	March 26, 2024
2.16(b)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
2.16(d)(i)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
2.16(d)(ii)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.16(e)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.16(f)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.16(f)	TNS 5/2024, s. 2.1(ii)	March 26, 2024
2.16(g)	TNS 5/2024, s. 2.1(jj)	March 26, 2024
2.16(i)	TNS 5/2024, s. 2.1(kk)	March 26, 2024
2.16(j)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.16(j)(ii)(A)	TNS 5/2024, s. 2.1(ll)	March 26, 2024
2.17	TNS 5/2024, s. 2.1(oo)	March 26, 2024
2.17(a)	TNS 5/2024, s. 2.1(mm)	March 26, 2024
2.17(a)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.17(b)	TNS 5/2024, s. 2.1(nn)	March 26, 2024
2.18(a)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.18(a)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.18(b)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
2.18(c)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.18(c)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.18(c)	TNS 5/2024, s. 2.1(pp)	March 26, 2024
2.18(d)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
2.18(d)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.18(d)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.19(a)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
2.19(a)	TNS 5/2024, s. 2.1(qq)	March 26, 2024
2.19(a)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.19(a)(i)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.19(b)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.19(c)	TNS 5/2024, s. 2.1(tttt)	March 26, 2024
2.19(c)	TNS 5/2024, s. 2.1(rr)	March 26, 2024
2.19(c)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
2.19(d)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
2.19(d)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
2.19(d)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
2.2	TNS 5/2024, s. 2.1(h)	March 26, 2024
2.20(c)	TNS 5/2024, s. 2.1(ss)	March 26, 2024
2.20(j)(ii)	TNS 5/2024, s. 2.1(tt)	March 26, 2024
2.21(a)	TNS 5/2024, s. 2.1(uu)	March 26, 2024
2.21(a)(i)	TNS 5/2024, s. 2.1(vv)	March 26, 2024
2.21(a)(iii)	TNS 5/2024, s. 2.1(wwwww)	March 26, 2024
2.21(a)(iii)	TNS 5/2024, s. 2.1(ww)	March 26, 2024
2.21(b)	TNS 5/2024, s. 2.1(xx)	March 26, 2024

2.22(b)	TNS 5/2024, s. 2.1(yy)	March 26, 2024
2.22(c)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
2.22(c)	TNS 5/2024, s. 2.1(zz)	March 26, 2024
2.24(b)	TNS 5/2024, s. 2.1(aaa)	March 26, 2024
2.3(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
2.3(b)	TNS 5/2024, s. 2.1(i)	March 26, 2024
2.4(a)	TNS 5/2024, s. 2.1(j)	March 26, 2024
2.4(b)	TNS 5/2024, s. 2.1(k)	March 26, 2024
2.5(a)	TNS 5/2024, s. 2.1(l)	March 26, 2024
2.5(a)(ii)(B)	TNS 5/2024, s. 2.1(m)	March 26, 2024
2.5(a)(iv)(D)	TNS 5/2024, s. 2.1(n)	March 26, 2024
2.5(a)(iv)(E)	TNS 5/2024, s. 2.1(o)	March 26, 2024
2.5(b)(i)	TNS 5/2024, s. 2.1(p)	March 26, 2024
2.6	TNS 5/2024, s. 2.1(q)	March 26, 2024
2.7	TNS 5/2024, s. 2.1(r)	March 26, 2024
2.8	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.8	TNS 5/2024, s. 2.1(s)	March 26, 2024
2.8(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.8(b)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
2.9	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
2.9	TNS 5/2024, s. 2.1(t)	March 26, 2024
2.9(b)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
2.9(c)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
3.1	TNS 5/2024, s. 2.1(bbb)	March 26, 2024
3.10(a)	TNS 5/2024, s. 2.1(rrr)	March 26, 2024
3.10(b)	TNS 5/2024, s. 2.1(sss)	March 26, 2024
3.10(c)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
3.10(c)	TNS 5/2024, s. 2.1(tt)	March 26, 2024
3.11(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.11(a)	TNS 5/2024, s. 2.1(uuu)	March 26, 2024
3.11(b)	TNS 5/2024, s. 2.1(vvv)	March 26, 2024
3.11(c)(i)	TNS 5/2024, s. 2.1(www)	March 26, 2024
3.11(d)	TNS 5/2024, s. 2.1(xxx)	March 26, 2024
3.11(e)	TNS 5/2024, s. 2.1(yyy)	March 26, 2024
3.11(f)	TNS 5/2024, s. 2.1(zzz)	March 26, 2024
3.11(g)	TNS 5/2024, s. 2.1(aaaa)	March 26, 2024
3.12(a)	TNS 5/2024, s. 2.1(bbbb)	March 26, 2024
3.12(c)	TNS 5/2024, s. 2.1(cccc)	March 26, 2024
3.12(e)	TNS 5/2024, s. 2.1(dddd)	March 26, 2024
3.13(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
3.13(a)	TNS 5/2024, s. 2.1(eeee)	March 26, 2024
3.13(b)	TNS 5/2024, s. 2.1(ffff)	March 26, 2024
3.13(c)	TNS 5/2024, s. 2.1(gggg)	March 26, 2024
3.13(d)	TNS 5/2024, s. 2.1(hhhh)	March 26, 2024

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3.14	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024
3.14(a)	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024
3.14(a)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.14(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.14(b)	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024
3.14(b)	TNS 5/2024, s. 2.1(yyyyyy)	March 26, 2024
3.14(b)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.14(b)	TNS 5/2024, s. 2.1(iiii)	March 26, 2024
3.14(c)	TNS 5/2024, s. 2.1(uuuuuu)	March 26, 2024
3.14(c)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.14(c)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.15(a)	TNS 5/2024, s. 2.1(xxxxxx)	March 26, 2024
3.15(a)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.15(b)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.15(d)	TNS 5/2024, s. 2.1(xxxxxx)	March 26, 2024
3.15(d)(ii)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.15(e)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.15(f)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.15(f)	TNS 5/2024, s. 2.1(jjjj)	March 26, 2024
3.15(g)	TNS 5/2024, s. 2.1(kkkk)	March 26, 2024
3.15(i)	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024
3.15(i)	TNS 5/2024, s. 2.1(IIII)	March 26, 2024
3.15(j)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.15(j)(ii)(A)	TNS 5/2024, s. 2.1(mmmm)	March 26, 2024
3.15(k)	TNS 5/2024, s. 2.1(yyyyyy)	March 26, 2024
3.15(k)	TNS 5/2024, s. 2.1(nnnn)	March 26, 2024
3.16	TNS 5/2024, s. 2.1(qqqq)	March 26, 2024
3.16(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.16(a)	TNS 5/2024, s. 2.1(oooo)	March 26, 2024
3.16(b)	TNS 5/2024, s. 2.1(pppp)	March 26, 2024
3.17(a)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.17(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.17(b)	TNS 5/2024, s. 2.1(yyyyyy)	March 26, 2024
3.17(c)	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024
3.17(c)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.17(c)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.17(c)	TNS 5/2024, s. 2.1(rrrr)	March 26, 2024
3.17(d)	TNS 5/2024, s. 2.1(uuuuuu)	March 26, 2024
3.17(d)	TNS 5/2024, s. 2.1(bbbbbbb)	March 26, 2024
3.17(d)	TNS 5/2024, s. 2.1(zzzzzz)	March 26, 2024
3.18(a)	TNS 5/2024, s. 2.1(xxxxxx)	March 26, 2024
3.18(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
3.18(a)	TNS 5/2024, s. 2.1(ssss)	March 26, 2024
3.18(a)(i)	TNS 5/2024, s. 2.1(vvvvvv)	March 26, 2024

3.18(b)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
3.18(c)	TNS 5/2024, s. 2.1(tttt)	March 26, 2024
3.18(c)	TNS 5/2024, s. 2.1(tttt)	March 26, 2024
3.18(d)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
3.18(d)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
3.19(c)	TNS 5/2024, s. 2.1(uuuu)	March 26, 2024
3.19(d)	TNS 5/2024, s. 2.1(vvvv)	March 26, 2024
3.19(h)(ii)	TNS 5/2024, s. 2.1(wwww)	March 26, 2024
3.2	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
3.2	TNS 5/2024, s. 2.1(ccc)	March 26, 2024
3.2(a)	TNS 5/2024, s. 2.1(ddd)	March 26, 2024
3.2(b)	TNS 5/2024, s. 2.1(eee)	March 26, 2024
3.20(a)	TNS 5/2024, s. 2.1(xxxx)	March 26, 2024
3.20(a)(i)	TNS 5/2024, s. 2.1(yyyy)	March 26, 2024
3.20(a)(iii)	TNS 5/2024, s. 2.1(wwwww)	March 26, 2024
3.20(a)(iii)	TNS 5/2024, s. 2.1(zzzz)	March 26, 2024
3.20(b)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
3.22(b)	TNS 5/2024, s. 2.1(bbbbb)	March 26, 2024
3.22(c)	TNS 5/2024, s. 2.1(ccccc)	March 26, 2024
3.3(a)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
3.3(b)	TNS 5/2024, s. 2.1(fff)	March 26, 2024
3.4(a)	TNS 5/2024, s. 2.1(ggg)	March 26, 2024
3.4(b)	TNS 5/2024, s. 2.1(hhh)	March 26, 2024
3.5(a)	TNS 5/2024, s. 2.1(iii)	March 26, 2024
3.5(a)(ii)	TNS 5/2024, s. 2.1(jjj)	March 26, 2024
3.5(a)(iii)(D)	TNS 5/2024, s. 2.1(kkk)	March 26, 2024
3.5(a)(iii)(E)	TNS 5/2024, s. 2.1(III)	March 26, 2024
3.5(b)(i)	TNS 5/2024, s. 2.1(mmm)	March 26, 2024
3.6	TNS 5/2024, s. 2.1(nnn)	March 26, 2024
3.7	TNS 5/2024, s. 2.1(ooo)	March 26, 2024
3.8	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
3.8(a)	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
3.8(a)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
3.8(a)	TNS 5/2024, s. 2.1(aaaaa)	March 26, 2024
3.8(a)	TNS 5/2024, s. 2.1(ppp)	March 26, 2024
3.8(b)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
3.8(b)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
3.8(b)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
3.9	TNS 5/2024, s. 2.1(vvvvv)	March 26, 2024
3.9	TNS 5/2024, s. 2.1(qqq)	March 26, 2024
3.9(b)	TNS 5/2024, s. 2.1(yyyyy)	March 26, 2024
3.9(c)	TNS 5/2024, s. 2.1(uuuuu)	March 26, 2024
4.2	TNS 5/2024, s. 2.1(ddddd)	March 26, 2024
4.4	TNS 5/2024, s. 2.1(eeeee)	March 26, 2024

TOQUAHT NATION GOVERNMENT
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4.5	TNO 5/2024, s. 1	November 4, 2024
4.6	TNS 5/2024, s. 2.1(ggggg)	March 26, 2024
4.7	TNO 5/2024, s. 2	November 4, 2024
4.7(a)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
4.7(a)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
4.7(b)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
4.7(d)(i)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
4.7(d)(ii)	TNS 5/2024, s. 2.1(zzzzz)	March 26, 2024
4.7(e)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
4.7(f)	TNS 5/2024, s. 2.1(hhhhh)	March 26, 2024
4.7(g)	TNO 5/2024, s. 3	November 4, 2024
4.7(i)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
4.7(i)(i)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
4.7(i)(i)	TNS 5/2024, s. 2.1(jjjjj)	March 26, 2024
4.7(i)(ii)	TNS 5/2024, s. 2.1(kkkkk)	March 26, 2024
4.7(i)(iii)	TNS 5/2024, s. 2.1(lllll)	March 26, 2024
4.8	TNS 5/2024, s. 2.1(ooooo)	March 26, 2024
4.8(a)	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
4.8(a)	TNS 5/2024, s. 2.1(aaaaaa)	March 26, 2024
4.8(a)	TNS 5/2024, s. 2.1(mmmmm)	March 26, 2024
4.8(b)	TNS 5/2024, s. 2.1(bbbbbb)	March 26, 2024
4.8(c)	TNS 5/2024, s. 2.1(ttttt)	March 26, 2024
4.8(c)	TNS 5/2024, s. 2.1(nnnnn)	March 26, 2024
4.9	TNS 5/2024, s. 2.1(ppppp)	March 26, 2024
5	TNS 5/2024, s. 2.1(qqqqq)	March 26, 2024
5.2	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
5.4	TNS 5/2024, s. 2.1(xxxxx)	March 26, 2024
5.6	TNS 5/2024, s. 2.1(wwwww)	March 26, 2024
6.3	TNS 5/2024, s. 2.1(rrrrr)	March 26, 2024
6.5	TNS 5/2024, s. 2.1(sssss)	March 26, 2024

Amending Acts:

TNS 5/2024 Public Works and Services Act Amendment Act enacted March 26, 2024

Orders:

TNO 5/2024 Law Clerk Order enacted November 4, 2024

Regulations: