



Streamside Inspection and Maintenance Policy 201, 2022

District of Lake Country
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DATE

The following was adopted as Policy by **Resolution No. 2022-08-143** at the **Regular Council Meeting** held on **2022-08-16**.

PURPOSE

The District of Lake Country ("District") recognizes that, balanced against the nature and quality of the risk involved, the District's system of inspections is reasonable in light of all circumstances, including budgetary limits, available personnel and equipment, in the criteria of wanting to meet the standard duty of care.

POLICY

DEFINITIONS:

District means the organization of the District of Lake Country or the area within the municipal boundaries as the context may require.

Director means the Director of Engineering and Environmental Services or designate.

Stream(s) means a stream as defined in the Water Sustainability Act S.B. C. 2014, C. 15.

The **streams** are Crown land and not the property of the District. The Crown land includes lands of various widths adjacent to the **streams** beyond private property boundaries adjacent to a **stream**. The **District** assumes no responsibility for tree and vegetation maintenance or bank stabilization within private property or Crown lands adjacent to private property next to a **stream**.

Stream Channel means a stream channel as defined in the Water Sustainability Act.

Streamside means areas:

In or about a **stream**:

- (a) Any modification to the nature of a stream, including any modification to the land, vegetation and natural environment of a stream or the flow of water in a stream, or
- (b) Any activity or construction within a stream channel that has or may have an impact on a stream or a stream channel; and
- (c) as defined and amended, as necessary, within the BC Water Sustainability Act.

1. The **Director** shall be responsible for the implementation of this policy.
2. The **Director** shall consider the health and safety of the public in implementing this policy.
3. The **District** will rely upon reports of observed defects by members of the public, from **District** Road Maintenance contractors or from **District** staff.
4. The **District** shall not introduce a policy of systematic and regular inspections of **Streams** or **Stream Channels** however, will rely on a reactive response to notifications that a hazardous condition may exist in those areas.
5. The **District** will respond to a notification that a hazardous condition may exist within three (3) working days.
6. Where private property owners or the general public have made requests to the **District** regarding tree or vegetation maintenance, bank stabilization and/or debris removal in or about a **stream**, the **District** shall direct the owner or the general public to the appropriate agencies and procedures. It is the responsibility of the owners to protect their property from flood and flood related risks.
7. Costs associated with the investigation of notifications that hazardous conditions may exist in **streams, stream channels** or **streamside** areas shall be within the approved annual operational budgets.
8. Records related to notifications that hazardous conditions may exist in **streams, stream channels** or **streamside** areas shall be kept in the **District's** current Records Management System, and in accordance with Records Management Bylaw 1135, as amended or replaced from time to time.

ADOPTED this 16th day of August, 2022.

Original signed by James Baker _____
Mayor

Original signed by Reyna Seabrook _____
Corporate Officer