

VILLAGE OF GOLD RIVER

Bylaw 613, 2001

A bylaw to establish rules for the provision, operation and administration of the local services for the supply of water.

WHEREAS pursuant to the *Local Government Act*, RSBC 1996, Chapter 323, the Council may, by bylaw, establish the rates, terms and conditions under which water may be supplied, and further may provide for the classification of users and prescribe different rates, terms and conditions for different users;

NOW THEREFORE, the Council of the Village of Gold River in open meeting assembled, enacts as follows:

1. In this Bylaw unless the context otherwise requires,

'Applicant'	shall mean an owner or his agent making application for a Service Connection to provide a supply of water from the System.
'Building Bylaw'	shall mean the Building Regulation Bylaw of the Village of Gold River.
'Building Inspector'	shall mean the Building Inspector of the Village of Gold River and includes any person appointed or designated to act on his behalf.
'Business Premises'	shall mean all or part of a store, office, warehouse, factory, enclosure, yard or other place occupied or intended to be occupied by any person for the purpose of any business, trade or occupation.
'Business Unit'	shall mean each individual business unit or outlet contained within a Business Premise that has access to services and is intended to be occupied by any person for the purpose of any business, trade or occupation.
'Council'	shall mean the Council of the Village of Gold River.
'Consumer'	shall mean a person to whom water is supplied under this Bylaw.
'Curb Stop'	shall mean a shut-off valve installed by the municipality connected either directly or indirectly to the System to the surface of the ground and located within a highway or municipal right-of-way or easement at the property line of a Consumer or group of Consumers.
'Municipal Collector'	shall mean the person duly appointed as such from time to time in accordance with the <i>Local Government Act</i> ;

‘Multiple Residential Premises’	shall mean a building containing two or more Residential Premises for rental purposes.
‘Municipality’	shall mean the municipality of the Corporation of the Village of Gold River.
‘Municipal Water Area’	shall mean the area created and authorized by bylaw of the Municipality for the purpose of supplying water to a consumer.
‘Municipal Water System’	shall mean the water distribution system of a Municipal Water Area owned and operated by the Municipality.
‘Occupied Business Unit/Outlet’	shall mean Business Unit for which no Certificate of Vacancy has been issued by the Municipal Collector under Section 6 of this bylaw;
‘Occupied Residential Premises’	shall mean Residential Premises for which no Certificate of Vacancy has been issued by the Municipal Collector under Section 4 of this bylaw.
‘Parcel of Land’	shall mean any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.
‘Premises’	shall mean land, buildings and structures.
‘Rate’	shall mean the sum of money to be paid by any user of real property connected to the System.
‘Residential Premises’	shall mean a self-contained suite of rooms, containing its own cooking and sanitary facilities and plumbing intended for occupancy as a single household.
‘Service Connection’	shall mean a pipe and all necessary valves, connections and other appurtenances necessary to and actually used to connect a water main to a curb stop.
‘Standby Rate’	shall mean the sum of money to be paid for each unoccupied Residential Premises contained in a Multiple Residential Premises or for each unoccupied Business Unit contained in a Business Premise.
‘Superintendent’	shall mean the municipal Superintendent of Public Works, the Assistant Superintendent of Public Works, Administrator or any employee designated by the Administrator acting on behalf of the Village.

‘User’	shall mean any person, Corporation, partnership or party and the heirs, successors and assigns of them or any of them to whom the context can apply whose premises are connected to the Municipal Water System.
‘Waterworks Extension’	shall mean an installation requiring the construction of a water main from an existing Water Main, but does not include a Service Connection or a Consumer Supply Line.
‘Water Main’	shall mean the water supply pipeline in a highway or municipal right-of-way or easement being part of the System but does not include a Service Connection.

2. Use of Waterworks System

Users of the Municipal Water System shall pay the rates and charges as set out in Schedule “A” hereto annexed and which said schedule is hereby incorporated with and made part of this Bylaw.

3. Occupied Residential Users

An annual residential water user rate provided for Occupied Residential Users as set out in Schedule “A” of this Bylaw shall be attached to the annual real property tax notice for the residence.

4. Unoccupied Multiple Residential Users

An owner of Multiple Residential Premises may make application to the Municipal Collector accompanied by a statutory declaration by the owner that one or more of the Residential Premises in the owner’s Multiple Residential Premises is or will be unoccupied. Upon being satisfied with the application, the Municipal Collector may issue a Certificate of Vacancy stating that one or more of the Residential Premises is “unoccupied” for the purpose of this Bylaw, and is not liable in the ensuing month for payment of the residential water rates, except the standby rate, as set out in Schedule “A” of this Bylaw. The Certificate will be valid only for a period of one month, and for each subsequent month of vacancy, the owner must apply for a new Certificate.

5. Commercial Users

Accounts for commercial user rates and charges as set out in Schedule “A” of this Bylaw shall be rendered quarterly unless otherwise required, on the first day of each quarter in each year and shall be due and payable within thirty days from the date of billing.

6. Unoccupied Business Unit/Outlet

An owner of Business Premises may make application to the Municipal Collector accompanied by a statutory declaration by the owner that one or more of the Business Units/Outlets in the owner’s Business Premise is or will be unoccupied. Upon being satisfied with the application, the Municipal Collector may

issue a Certificate of Vacancy stating that one or more of the Business Units/Outlets is “unoccupied” for the purpose of this Bylaw, and is not liable in the ensuing month for payment of the commercial water rates, except the standby rate, as set out in Schedule “A” of this Bylaw. The Certificate will be valid only for a period of one month, and for each subsequent month of vacancy, the owner must apply for a new Certificate.

7. Failure to Pay

Pursuant to the provisions of Section 376 of the *Local Government Act*, any rate or charge imposed under Sections 2, 3, 4, 5 or 6 of this Bylaw which is due and payable prior to the 31st day of December of the year in which the rate or charge was levied and which remains unpaid on the 31st day of December of the said year, is in arrears, and shall forthwith be entered on the real property tax roll in respect of the property as taxes in arrears.

8. Conditions of Supply

It is a term and condition of the supply of water that the Municipality shall not be liable for any injury, damage or loss, including economic loss, to any person or property:

- a) arising or occurring from the use of water from the System,
- b) resulting from the failure of water supply to the Consumer,
- c) resulting from any impurity, lack of pressure, increased supply pressure, or other condition affecting the System.

9. Illegal Connections

No person shall connect or allow to be connected or allow to remain connected to the System, any Premises without first obtaining the required permits or written authorization from the Superintendent.

10. Illegal Use

- a) No person shall use or allow to be used water supplied by the System except in accordance with the provisions of this Bylaw.
- b) No person shall use or allow to be used water supply by the System contrary to a direction of the Superintendent under Section 16 of this Bylaw.
- c) No person shall make changes or additions to a Consumer Supply Line unless made in accordance with the BC Plumbing Code. Cross connections shall be avoided at all cost.

11. Tampering with the System

- a) No person shall tamper with, operate, remove or make any alteration or connection to any hydrant, standpipe, meter, curb stop, valve, pumping station, reservoir chamber or other fixture or appurtenance connected with the System without first obtaining the required permits or written authorization from the Superintendent.
- b) No person shall willfully damage, destroy, uncover, deface or otherwise tamper with any part of the System.

12. Use of Fire Hydrant or Standpipe.

No person, except a member of a fire department, an employee of the Municipality or persons who have first obtained permission from the Superintendent, shall make use of any hydrant or standpipe.

13. Water Waste

No person shall waste or allow to be wasted the water from the System by run off into a storm sewer system or by run off on and for other than irrigation purposes.

14. Obstruction of Access

- a) No person shall obstruct at any time or in any manner the access to any hydrant, standpipe, valve, Curb Stop, or other fixture connected to the System.
- b) If any person obstructs access to any hydrant, standpipe, valve, Curb Stop, or other fixture connected to the System by placing thereon or in the vicinity thereof any lumber, rock, soil, gravel or any other material the Superintendent may order the removal of such obstruction at the expense of this person responsible for the obstruction, and if the charge imposed remains unpaid on the 31st day of December of the year in which such work is done, it shall be recoverable in accordance with Section 376 of the *Local Government Act.*

15. Disconnection or Illegal Connections

The Superintendent, may, in accordance with the procedure set out in Section 16, cause to be disconnected at the expense of the owner any connection to the System made without the necessary permits or written authorization of the Superintendent or contrary to any other provision of this Bylaw.

16. Termination of Water Supply

- a) The Superintendent may, on fourteen (14) days written notice sent to the Consumer, by registered mail to the address of the Consumer on the application for connection or as changed in writing by the Consumer, notice of which has been received by the Municipality, order the disconnection of the water supply to any Consumer for:

- i) violation of any provision of this Bylaw,
 - ii) failure to maintain to the standard of the BC Plumbing Code the Consumer Supply Line and other plumbing on Premises owned or occupied by the Consumer that is connected to the System,
 - iii) failure by the Consumer to obey any direction of the Municipality under Section 17,
 - iv) failure to pay the Municipality when due any fee, rate, charge or tax imposed by this Bylaw,
- b) A notice to the Consumer under subparagraph (a) shall be deemed to have been received three (3) days after mailing.
 - c) The Superintendent may order the immediate disconnection of the water supply to any Consumer if, in the opinion of the Superintendent, the condition of a Consumer Supply Line poses a reasonable threat of contamination to the water supplied by the System,
 - d) The Superintendent may shut off any part of, or all of the System to permit repair, renewal, operation, maintenance, or to prevent injury or damage to persons or property.

17. Restriction of Water Use

If at any time the Superintendent considers it to be in the public interest, the Superintendent may direct that the use of water by any or all of the Consumers be reduced or discontinued until the Superintendent considers it advisable to permit full use of water. Notice of water use restrictions may be hand delivered to the Consumers or be published in a newspaper circulating in the Municipal Water Area to which the restriction applied at least seven (7) days prior to the commencement of the restrictions.

18. Application for Service Connection

- a) A person who wishes a Service Connection to the System shall make an application to the Municipality.
- b) The application shall be made in the form of Schedule "B" to this Bylaw, signed by the Applicant and approved by the Superintendent.

19. Service Connection Fee

The Applicant shall, at the time of making an application for a Service Connection, pay the Service Connection Fee as estimated by the Superintendent. Upon completion, the Superintendent will calculate the Actual Cost for the Service Connection. The Fee shall be for actual costs to the Municipality in man hours, equipment time, parts and any other related disbursements or costs, and shall include a ten percent (10%) addition to the actual costs determined for overhead and administrative costs.

20. Waiver of Service Connection Fee

Where at the date of the adoption of this Bylaw, a Service Connection was installed by and at the sole cost of a person other than the Municipality, then the Service Connection fee payable by an Applicant shall be waived.

21. Individual Connection

- a) Each parcel of Land shall have its own Service Connection which shall be installed by the Municipality unless it is part of a new subdivision in which utilities and services are installed as part of the Subdivision Bylaw.
- b) Where two or more buildings are constructed on one Parcel of Land, each building shall have a separate Service Connection, unless the Superintendent grants written authorization to the contrary.
- c) Where water meters are required the Service Connection shall include an approved water meter of a size required for the connection installed at the property line upstream of the Curb Stop. Water meters shall be purchased from the Municipality and installed as required by the BC Plumbing Code.

22. Service Connection Location

Where possible, a Service Connection will be located where requested by the Applicant. If the Applicant's requested location will result in additional costs, or is not practicable due to unsuitable ground conditions or the existence of installed surface improvements or underground utilities, the Superintendent may designate the location of the Service Connection.

23. Size of Service Connection

The minimum inside diameter of the piping forming part of the Service Connection shall be twenty (20 mm) millimeters. The size of the piping from the Service Connection to a Premises on the Applicant's property shall be as approved by the Building Inspector.

24. Installation

All Service Connections shall be installed in accordance with the plans and specifications of the Subdivision Bylaw of the Municipality and the BC Plumbing Code.

25. Building Bylaw

- a) A Consumer Supply Line on private property shall be installed in accordance with the BC Building Code and shall be installed by the owner entirely at the property owner's expense.
- b) A Consumer Supply Line must be approved by the Building Inspector prior to connection to the Curb Stop on the Service Connection at the property line.

26. Responsibility of Owner

A Consumer Supply Line shall be maintained by the property owner at his own expense. No changes are permitted without appropriate permits and approvals by the Superintendent.

27. Turn On and Turn Off

- a) To facilitate repairs to a Consumer Supply Line, the Municipality may, upon request and at its earliest convenience, turn off or turn on the water supply at the Curb Stop.
- b) Prior to the turn on and turn off the Consumer shall pay to the Municipality the fee prescribed in Schedule "A" of the Bylaw imposing fees and other charges for the Municipal Water Area in which the parcel supplied with water is located.
- c) No person except an employee of the Municipality in the course of his duty shall turn a Curb Stop off or on.

28. Abandonment

When a serviced property is abandoned and the owner of the Property wishes to discontinue the water supply he shall notify the Municipality and the Municipality may, at its earliest convenience, turn off the water at the Curb Stop and disconnect and cap-off the Consumer Supply Line. Prior to the turn off the owner shall pay the turn off fee prescribed in Schedule "A" of the Bylaw imposing fees and other charges for the Municipal Water Area in which the property is located.

29. Frozen Water Line

A Consumer shall take all reasonable precautions to ensure that a Consumer Supply Line does not freeze. Property owners may request turn offs for dwellings left unoccupied during winter months and turn ons when required for reoccupation. Prior to the turn on or turn off, the owner shall pay the fee prescribed in Schedule "A" of the Bylaw imposing fees and other charges for the Municipal Water Area in which the property is located.

30. Independent Water Supply

A Consumer who has a source of water supply independent from the Service Connection of the Municipality, shall not connect or cause to be connected any portion of the independent water supply distribution system to a Consumer Supply Line or any other pipe or other facility that is connected to the Service Connection or the System of the Municipality.

31. Extension Application

An owner of land within the Municipal Water Area who wishes a Waterworks Extension shall make a written application to the Superintendent.

32. Extensions by Council Designation

- a) Council may designate specific Waterworks Extensions to be undertaken by the Municipality in the Municipal Water Area.
- b) Waterworks Extensions designated by Council shall be financed in accordance with the provisions of the Bylaw that created the Municipal Water Area.

33. Extensions other than by Council Designation

- a) If an owner of land wishes to proceed with a Waterworks Extension which has not been designated by Council, the Superintendent may, with the approval of Council, allow the Waterworks Extension subject to the conditions as set out in subsection (b).
- b) A Waterworks Extension authorized pursuant to subsection (a) above shall be, prior to the connection to the System:
 - i) installed by the owner or the Municipality entirely at the Owner's expense,
 - ii) constructed in accordance with the plans and specifications of the Municipality,
 - iii) inspected by the Municipality prior to backfilling, if installed by the Owner,
 - iv) approved by the Superintendent.
- c) Construction of a Waterworks Extension shall not relieve an owner from payment of a Service Connection Fee for each Parcel of Land to be served by the Waterworks Extension.

34. Extension Limits

Where a Waterworks Extension, other than one provided by Council, is constructed:

- a) the minimum inside diameter of the Water Main shall be one hundred and fifty millimeters (150 mm).
- b) the Waterworks Extension shall extend from the most convenient existing Water Main of the System having sufficient surplus capacity to a point opposite the furthest boundary of the last Parcel of Land to be serviced by the Waterworks Extension.

35. Cost Sharing for Oversized Extensions

Where a Waterworks Extension other than one designated by Council is constructed and where the Municipality desires to install a Water Main of greater capacity than the minimum size specified in paragraph 34, or is required to serve the Parcel of Land for which application for a Waterworks Extension has been made, and if such excess capacity will be available to permit further extension beyond the boundaries of the Parcel of Land to be served thereby, the Municipality shall pay the difference in cost of

installation between the actual cost of the Water Main installation and the estimated cost of installation of a Water Main of sufficient size to provide an adequate supply of water at appropriate pressure to the Parcel of Land that the owner of the Parcel wishes to service.

36. Direct Enforcement

Where in this Bylaw, any thing required to be done by a Property Owners, which is found in default, may be done by the Municipality which may recover the expense with interest in the same manner as taxes.

37. Right of Entry for Inspection

The Superintendent or Bylaw Enforcement Officer of the Municipality may enter at all reasonable times on property subject to this Bylaw for the purpose of inspecting the Premises and water pipes and other fixtures to ascertain whether or not the provisions of this Bylaw or any directions of the Municipality pursuant to this Bylaw are being observed.

38. Offence

A person who does any act or suffers or permits any act to be done in contravention of this Bylaw commits an offence.

39. Penalty

- a) A person who commits an offence contrary to this Bylaw is liable on summary conviction to a penalty of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00) for a first offence and for each subsequent offence to a fine of not less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00). A separate offence shall be deemed to be committed upon each day during, and on which, the contravention occurs or continues.
- b) The penalties imposed under subsection (a) hereof shall be in addition to and not in substitution for, any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

40. Repeal

The Village of Gold River Water Rates and Regulations Bylaw No. 595, 1999 is hereby repealed.

41. Citation

This Bylaw may cited for all purposes as the Village of Gold River Water Rates and Regulations Bylaw No. 613, 2001.

- 42. This Bylaw shall become effective June 30, 2001.

READ A FIRST AND SECOND TIME THIS	17 TH	DAY OF	APRIL	2001.
READ A THIRD TIME THIS	7 TH	DAY OF	MAY	2001.
ADOPTED THIS	9 TH	DAY OF	MAY	2001.



Dayle Crawford MAYOR



L. Plourde CLERK

VILLAGE OF GOLD RIVER

Bylaw No. 613, 2001

SCHEDULE "A"

Residential Premises	Fee
Single Family Homes/Townhouses/Strata/ Duplex/Condominium	\$ 145.20/yr
Occupied Multiple Residential	\$ 12.10/month
Unoccupied Multiple Residential (standby rate)	\$ 3.00/month
Residential Mobile Home Park (occupied lots)	\$ 12.10/month

Commercial

All metered users all pay the following fees:

Administration fee, per meter and	\$ 3.00
Per volume usage fee of	\$.65 per 100 cu. ft.

or a rate of:

- per occupied business unit/outlet	\$ 9.80/month
- per unoccupied business unit/outlet (standby rate)	\$ 3.00/month
- Manager/Caretaker Residence	\$ 9.80/month

whichever is greater.

Water Turn Off and Turn On

During the normal working hours,

Water turn-off	\$ 25.00
Water turn-on	\$ 25.00

Outside the normal working hours,

Water turn-off	\$ 50.00
Water turn-on	\$ 50.00

VILLAGE OF GOLD RIVER

Bylaw No. 613, 2001

SCHEDULE "B"

Application for Water Service Connection

I/We _____ owner/agent of owner hereby make application for water service connection to: Street Address: _____, with a legal description of: Lot _____ Block _____ District Lot _____ Plan _____.

Payment remitted is to be 125% of the Superintendent's estimated cost.

Estimated Cost:	\$ _____
Plus: 25%	\$ _____
Total Payment Received:	\$ _____

Any unused funds will be refunded to the owner within fifteen (15) days of work completion. Any additional costs will be invoiced to the owner and are due and payable upon receipt of invoice.

I/WE further agree to pay the amount assessed against the foresaid property from time to time in respect of the said water service, pursuant to the provisions of the bylaws of the Village of Gold River.

Date

Signature of Owner/Agent