

WATER UTILITY BYLAW, 2000, NO. 8124

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Includes Bylaw Amendment No. 8185, 8299, 8419, 8444, 8457, 8466, 8480, 8484, 8523, 8565, 8571, 8579, 8629, 8618, 8725, 8788, 8795, 8826, 8881, 8898, 8944, 8969, 9057, 9108, 9162, 9208, 9253, 9310, 9357, 9365, 9398, 9471, 9534, 9596, 9621, 9666, 9691, 9742, 9866, 9974, 10097, and 10221.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 8124

RESPECTING THE WATER UTILITY

WHEREAS the Council of The Corporation of the District of Saanich owns, operates and maintains a water utility for supplying water to and for the inhabitants of the Municipality of Saanich and adjacent localities;

AND WHEREAS it is deemed desirable and expedient to fix the rates, terms and conditions under which water may be supplied to and used by such inhabitants;

NOW THEREFORE the Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

Definitions

1. In this Bylaw:

- (a) "Agricultural Land", means
 - (i) Land classified as farm pursuant to Section 23 of the *Assessment Act*, 1996, R.S.B.C., C. 20, or
 - (ii) Land designated as "Agricultural Land" under Section 11 of the *Agricultural Land Reserve Act*, 1996, R.S.B.C., C. 10.
- (b) "Agricultural Water Service Connection" means a connection into the Municipal Waterworks System to permit the supply of water for irrigation purposes.
- (c) "Collector" means the Collector of the Corporation and includes the Supervisor in the Waterworks Office of the Corporation and his/her assistants.
- (d) "Director of Engineering" means the person appointed by the Council to be the Director of Engineering and includes his or her delegates.
- (e) "Fire Connection" means a connection to the Corporation's watermain which is not serviced by a water meter and which is designed to supply water to a building exclusively for fire protection purposes.
- (f) "Highway Landscaping" means landscaping installed within a highway which is irrigated by the municipality or the provincial government or a contractor or agent of the Municipality or the Provincial Government.
- (g) "Irrigation Purposes" means the use of water on soil or land for the purpose of affording nourishment to or promoting the growth of or sustaining any form of plant life, including plant life in greenhouses.
- (h) "Lawn or Garden" includes a lawn, grass, ground cover, gardens, shrubs, trees, plants, flowers or any other vegetation but does not include vegetables.

- (i) "Person" includes any corporation, partnership or party and the heirs, executors, administrators or other legal representatives of such person to whom the context can apply according to law.
- (j) "Provisional Services" means a capped line run to the property line of a lot created by subdivision.
- (k) "Residential Lot" means any lot on which there is located a dwelling unit as defined in the Zoning Bylaw, 1988, or any successor bylaw.
- (l) "Restrictive Device" means any nozzle, sprinkler, or other device which, when attached to the orifice, pipe, tap, hose or other connection drawing or permitting the flow of water from the mains of the said waterworks system of the Corporation, or connections thereto, prevents the flow of more than 25 percent of the water which would flow through such outlet if such nozzle, sprinkler or other device were not affixed to such outlet.
- (m) "Subsequent Connection" means a connection made to an existing watermain under municipal jurisdiction.
- (n) "Water Service Area" means all those parts of the Municipality served by the Water Utility.
- (o) "Water Utility" means the water distribution system owned and operated by The Corporation of the District of Saanich to supply water to the inhabitants of the Municipality and adjacent localities.

Water Utility

- 2. The waterworks system owned and operated by The Corporation of the District of Saanich to supply water to the inhabitants of the Municipality and adjacent localities shall continue to operate as a municipal water utility.

Water Service Area

- 3. The water utility shall serve all lands in the District of Saanich except those lands shown hatched on the map attached hereto as Schedule "A".

Extension to Adjacent Localities

- 4. (a) The Council may authorize the extension of the water service area to serve areas outside the territorial boundary of the District of Saanich.
- (b) The Council hereby authorizes the extension of the water utility to serve the following land at the same rate and on the same terms and conditions as water is supplied to the inhabitants of the District of Saanich:
 - Lot A, Section 9, Esquimalt District, Plan 49364, in the Town of View Royal
 - Lot 1, Section 9, Esquimalt District, Plan VIP78169, in the Town of View Royal
 - Lot 2, Section 9, Esquimalt District, Plan VIP78169, in the Town of View Royal
 - Lot 3, Section 9, Esquimalt District, Plan VIP78169, in the Town of View Royal.

Connecting Pipes

5. Connecting pipes shall be laid from the watermain to the land only upon receipt of an application therefore signed by the owner of the land or his duly authorized agent, who shall pay in advance, the connection charge specified in this bylaw.

Agricultural Water Service Connections

6. (a) Where an application has been made for an agricultural water service connection, and
- (i) the land is agricultural land or highway landscaping, and
 - (ii) the Director of Engineering is satisfied that the existing waterworks system is capable of supplying water to the land at the rate requested in the application, the Director of Engineering may approve the application.
- (b) Where, in the opinion of the Director of Engineering, there is a possibility that the agricultural water service connection may lead to a harmful contamination of the Municipal waterworks system, he/she may, as a condition of approval of the connection, require the applicant to install, at his/her own expense, an approved back flow preventer.
- (c) No person shall use water supplied through an agricultural water service connection for any purpose other than irrigation purposes.
- (d) It shall be unlawful for any owner or occupant of lands serviced with an agricultural water service connection to convey or permit to be conveyed water supplied through the connection to any parcel or parcels of land not described in the application for an agricultural water service connection.
- (e) No person shall use water supplied through an agricultural water service connection to irrigate highway landscaping at any time except between the hours of 2:00 a.m. and 6:00 a.m.

Connection and Other Fees

7. The owner of real property who receives any of the following services, or for whose benefit any of the following work is carried out on the municipal water utility, must pay the fee for the service or work prescribed by the Sewer, Water and Storm Drainage Connection Fee Bylaw, 2021, No. 9688, as amended or replaced from time to time:
- (a) a 19 mm subsequent connection;
 - (b) a 19 mm provisional connection;
 - (c) a 25 mm subsequent connection;
 - (d) a 25 mm provisional connection;
 - (e) installation of a 19 mm or 25 mm water meter;
 - (f) to raise a water meter box up to 25mm;
 - (g) conduct of a water main or fire hydrant flow test;
 - (h) removal of rock for the purpose of laying connecting pipes;
 - (i) performance of work under this Bylaw that interferes with the movement of traffic on a highway, major road, collector road or truck route as designated by map 15 in the

- Official Community Plan, as amended or replaced from time to time;
- (j) laying of connecting pipes at a depth greater than 3.0 metres;
- (k) reuse of an existing connection;
- (l) a subsequent connection or provisional connection in excess of 25 mm;
- (m) disconnecting and capping a water service connection less than or equal to 25 mm;
and
- (n) Disconnecting and capping a water service connection greater than 25 mm.

Limits on Water Connections

- 8.1 Except as provided in Sections 8.2 and 8.3, a maximum of one connection to the Water Utility shall be permitted per lot or parcel of land.
- 8.2 The limitation on the number of connections under Section 8.1 does not apply to:
- (a) fire connections; or
 - (b) agricultural water service connections.
- 8.3 Despite Section 8.1, the Director of Engineering may permit the establishment of more than one connection to a lot or parcel of land where he or she is satisfied that a single connection to the Water Utility is not sufficient to serve the buildings and structures on the lot or parcel.

Water Meters

9. All connections to the watermains of the Corporation shall have meters attached thereto to measure the supply of water except connections for fire protection purposes which:
- (a) contain equipment which automatically alerts the Fire Department when water flows through the connection, or
 - (b) contains an approved detector check meter.

Such meters shall remain the property of the Corporation.

Water Bills

10. (a) Except as hereinafter provided, the readings of meters from time to time shall form the basis for the calculation of the charge for water supplied by the Corporation.
- (b) Except as hereinafter provided, all meters shall be read every four (4) months and an account rendered for water supplied and other charges.
- (c) Where any meter fails to register or to properly indicate the flow of water or is otherwise unable to be read, the Collector shall estimate the consumption of water and shall render an account to the customer.
- (d) Any accounts rendered by the Corporation shall be due and payable on receipt.

- (e) A five percent (5%) penalty shall be added to account balances remaining unpaid after forty-five (45) days from each billing date.
- (f) Water accounts are payable at the Municipal Hall and such other places as the Treasurer may determine.
- (g) A charge of \$25 shall be imposed for the special reading of water meters between scheduled reading dates.
- (h) Leak adjustments shall be applied as per Council Policy "Water Leakage Allowance Rate".
- (i) Penalty reversals shall be applied as per Council Policy "Reversal of Residential Utility Billing Late Payment Penalties".
- (j) Notwithstanding 10 (e), in the event of a mail delivery service disruption, the penalty shall be added to the account balances remaining unpaid after forty-five (45) days plus the number of days of the duration of the mail delivery service disruption from each billing date. This provision does not apply to account holders registered for electronic billing through MySaanich.

Water Rates

11. (a) **Regular Water Rate:**
Subject to sub-sections 11 (b), (c), (d) and (e), the rate for water supplied shall be \$1.828 for each cubic meter or part thereof.
- (b) **Agricultural Water Rate:**
Subject to sub-section (c) the rate for water supplied through an agricultural water service connection shall be \$0.880 for each cubic meter or part thereof.
- (c) **Farm Water Rate:**
The rate where an agricultural water service connection serves land classified as farm pursuant to section 23 of the *Assessment Act* 1996, R.S.B.C., C. 20, shall be \$0.211 for each cubic meter or part thereof.
- (d) The aforesaid rates for water supplied through an agricultural water service connection shall only apply for so long as the land remains agricultural land; if the land should lose its status as agricultural land, the rate set under Section 11 (a) shall apply to water supplied through the agricultural water service connection.
- (e) **Park Water Rate:**
The rate for water supplied to land operated as a Municipal Park, Royal Oak Burial Park, The Horticultural Centre of the Pacific or Community Garden as defined in the Saanich Zoning Bylaw shall be \$0.733 for each cubic meter or part thereof.

Temporary Connections

12. Notwithstanding any other provisions of the Bylaw, a person desiring to obtain a temporary supply of water for construction purposes may apply to the Municipality for a connection to a municipal hydrant. The connection shall be installed and removed by the Municipality and the rate for such connection and supply shall be \$85 per day during which the service is provided.

Monthly Charge

13. In addition to the above rate there is hereby imposed and levied a monthly charge for each connection as follows:

<u>Size</u>	<u>Monthly Charge</u>
12.5 mm	12.25
19 mm	16.38
25 mm	30.37
37 mm	58.55
50 mm	93.50
75 mm	174.80
100 mm	291.40
150 mm	581.20
200 mm	930.60
250 mm	1,464.00

Multi Family Charge

14. Where one water connection and meter serves more than four self-contained dwelling units, there is hereby imposed and levied a further additional monthly charge in respect of such connection in accordance with the following scale:

- For a 25 mm connection - \$1.44 per unit in excess of 4 units served;
- For a 37 mm connection - \$1.44 per unit in excess of 8 units served;
- For a 50 mm connection - \$1.44 per unit in excess of 12 units served;
- For a 75 mm connection - \$1.44 per unit in excess of 24 units served;
- For a 100 mm connection - \$1.44 per unit in excess of 36 units served;
- For a 150 mm connection - \$1.44 per unit in excess of 72 units served;
- For a 200 mm connection - \$1.44 per unit in excess of 120 units served.

Unpaid Accounts

15. (a) Where any account rendered for water used is not paid in accordance with the provisions of Section 10 of this Bylaw, the Collector may cause the water service to the premises to be discontinued, provided however, that water service shall not be discontinued until notice in writing has been given to the owner or person responsible for payment of the account giving him/her 48 hours notice of such discontinuance.
- (b) In the event of water service being discontinued pursuant to this Section, the service shall not be resumed until the water account has been paid in full, together with a turn-on fee of \$15.00.
- (c) Where any account rendered for water used is not paid in accordance with the provisions of Section 10 of this Bylaw by the 31st day of December in the then current year, the Collector shall add the amount of the charges to the Collector's Roll in respect of the real property and such charges shall then be added to and form part of the taxes payable in respect of such real property as taxes in arrear.

Water Meter Access

16. (a) The Collector is hereby authorized to enter at all reasonable times upon any property for the purpose of administering and enforcing this bylaw.
- (b) Every owner of land to which water is supplied pursuant to this Bylaw shall clear or trim, within a three (3) foot diameter around, and four (4) feet above the water meter access, any bush, trees, weeds or other forms of vegetation growing on the land in such proximity to the water meter that it hinders or impedes access to the meter from the boulevard and shall remove any other thing which obstructs access to the meter.
- (c) Where the collector finds any obstruction, brush, trees, weeds or other vegetation placed or growing on land contrary to subsection (b), he may give notice to the owner of the land requiring him or her to remove the offending obstruction or clear or trim the offending vegetation within a specified period of time in default of which the Municipality by it's workers and others may enter upon the said lands and effect such removal at the expense of the owner and the charge for doing so, if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

Irrigation Connection

17. No person shall use water for irrigation purposes unless the service from which the water is used for such irrigation has attached thereto a restrictive device as defined in this Bylaw.

Fire Connection

18. No person shall use water supplied through a fire connection for any purpose other than suppressing a fire.

Re-conveyance of Water

- 18.1 It shall be unlawful for any owner or occupier of lands supplied with water by the Water Utility to re-convey or supply such water to another parcel of land unless,
- (a) The other parcel or parcels are listed on the original application for a water service connection, or
 - (b) The Director of Engineering has approved the re-conveyance or supply of water in writing.

Plumbing Fixture Repair

19. All consumers must keep their service pipes and stop cocks, and other plumbing fixtures on their premises in good repair and order at their own expense.

Interference With Municipal Property

20. No person shall interfere or meddle with any hydrant, valve, meter, watermain or pipe, or any connection therewith, which is the property of the Corporation, or interfere with any act, matter or thing done by any of the persons employed in the Waterworks Section in the exercise of the power herein contained.

Discontinuing and Resuming Water Service

21. (a) Any person or persons who may desire to have water service discontinued shall give to the Director of Engineering 48 hours notice in writing of such desire, and in default thereof, the rates therefore will be charged until such notice is given and the water turned off. Persons wishing to have water resumed shall give 48 hours notice in writing to the Director of Engineering and such service shall only be resumed upon payment of all water rates that may be then due and payable in respect of the said buildings or premises including the applicable monthly charge for the period during which the water service was discontinued.
- (b) The fee levied for discontinuance and resumption of water service is \$35.00.

Work on Municipal Streets

22. No work of any kind connected with the waterworks service, either for the laying of new or the repair of old services, shall be done upon or under any streets in the District of Saanich by any person other than the employees of the Corporation or as directed by the Director of Engineering.

Penalties

23. Any person violating any of the provisions of this Bylaw shall be guilty of an offence and shall, upon summary conviction, be liable to a penalty not less than \$50.00 nor more than \$250.00.

Repeal

24. Bylaw No. 7528 being the “Water Utility Bylaw, 1996, No. 7528” is hereby repealed except insofar as it may repeal any other bylaw.

Title

25. This Bylaw may be cited for all purposes as the “**WATER UTILITY BYLAW, 2000, NO. 8124**”.

Special Provision – Pandemic Relief

26. Section 10(e) shall not apply to an account rendered by the Corporation during the period from February 1, 2020 to December 31, 2021.

< **Note: Schedule A attached to and forms part of this bylaw is available by contacting the Legislative Division at (250) 475-1775.**

Includes Bylaw Amendment No. 8185, 8299, 8419, 8444, 8457, 8466, 8480, 8484, 8523, 8565, 8571, 8579, 8629, 8618, 8725, 8788, 8795, 8826, 8881, 8898, 8944, 8969, 9057, 9108, 9162, 9208, 9253, 9310, 9357, 9365, 9398, 9471, 9534, 9596, 9621, 9666, 9691, 9742, 9866, 9974, 10097, and 10221.