



NORTHERN ROCKIES REGIONAL MUNICIPALITY

Water Rates & Regulations Bylaw No. 37, 2010

Consolidated December 24, 2018 for ease of public use

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Consolidated version includes and is amended by:

- Water Rates & Regulations Amendment Bylaw No. 163, 2018



Northern Rockies Regional Municipality Water Rates & Regulations Bylaw No. 37, 2010

A bylaw of the Northern Rockies Regional Municipality to regulate the use, operation, connections and charges for use of the water utility.

WHEREAS pursuant to the *Community Charter* a local government may regulate, prohibit and impose requirements and fees with respect to municipal services;

AND WHEREAS, the municipality has established a system of supply and distribution of water;

NOW THEREFORE, the Regional Council for the Northern Rockies Regional Municipality, in open meeting assembled, hereby enacts as follows:

1. Citation

- (1) This bylaw may be cited as "The Northern Rockies Regional Municipality Water Rates and Regulations Bylaw No. 37, 2010."

2. Interpretation

- (1) In this bylaw the following definitions shall apply:

{ "Commercial User" definition is added to section 2(1) by Bylaw 163, 2018 }

"Commercial User" - any customer of the Community Water System on a Property that is zoned as Commercial, and any customer of the Community Water System on a Property zoned as Residential or Agriculture under the Northern Rockies Regional Municipality Zoning Bylaw, that is determined by the Director to be used for business purposes that may reasonably be expected to use more water than a typical Residential User;

"Council" - the elected Regional Council of the Northern Rockies Regional Municipality;

"Director" - the person as may be appointed as the Director of Public Works by the Regional Council from time to time;

"Municipality" - the Northern Rockies Regional Municipality;

{ "Industrial User" definition is added to section 2(1) by Bylaw 163, 2018 }

"Industrial User" - any customer of the water utility on a Property zoned as industrial under the Northern Rockies Regional Municipality Zoning Bylaw;

“Institutional, Commercial, Industrial (ICI)” – Meters shall be installed on the following properties: each grocery, meat market, bakery or retail food store, business office, hardware, dry goods, shoe, dental, florist, gift, variety, furniture, drug or confectionary store, hotel, motel, cabin or self-contained room, bus depot, service station, garage, car wash, police office and/or barracks public beverage room, café, restaurant or dining room, school, community college, laundry and drycleaner, hospital, hairdresser, barber shop or beauty parlour, pool hall or bowling alley, community, dance or banquet hall, and concrete plant;

{“Institutional User” definition is added to section 2(1) by Bylaw 163, 2018}

“Institutional User” - any customer of the water utility on a Property zoned as institutional under the Northern Rockies Regional Municipality Zoning Bylaw;

{“Multi-Family Residential User” definition is added to section 2(1) by Bylaw 163, 2018}

“Multi-Family Residential User” - any Residential User of the water utility on a Property with more than two residential units;

{“Owner” definition is added to section 2(1) by Bylaw 163, 2018}

“Owner” - the Person or Persons registered with the Land Titles Office of British Columbia as owner in fee simple of a Property, or that Person’s authorized agent;

{“Person” definition is added to section 2(1) by Bylaw 163, 2018}

“Person” - any individual, partnership, firm, company or corporation;

{“Property” definition is added to section 2(1) by Bylaw 163, 2018}

“Property” - real property which has a legal description registered with the Land Titles Office of British Columbia, including any building or other part thereof;

“Residential” - Residential rates are applicable to residences and home based businesses located on lots zoned as Residential;

{“Residential User” definition is added to section 2(1) by Bylaw 163, 2018}

Residential User” - any customer of the water utility on Property zoned as Residential or Agriculture under the Northern Rockies Regional Municipality Zoning Bylaw, except where the Property is determined by the Director to be used for business purposes that may reasonably be expected to use more water than a typical Residential User;

{“Service” definition is added to section 2(1) by Bylaw 163, 2018}

“Service” - the supply of water from the water utility through a Service Connection to a customer’s Property, or the provision of Bulk Water at a dedicated facility for trucked delivery to a bulk water customer;

{“Service Connection” definition is added to section 2(1) by Bylaw 163, 2018}

“Service Connection” - a pipe and any other appurtenances necessary to, and actually used to, connect the Community Water System to the property line of any parcel of land for the provision and supply of water;

“Water Connection” – the pipe extending from the common water main to the property line of any parcel of land;

{“Water Meter” definition is added to section 2(1) by Bylaw 163, 2018}

“Water Meter” - a device owned or authorized by the Municipality to measure the volume of water that passes through the device for Municipal revenue purposes, and includes remote reading accessories where provided;

“Water Service” – the system of pipes, pumps, pressure reducing stations, etc. used for the provision and supply of water;

“Water Utility” – the system of pipes, pumps, pressure reducing stations, etc. used for the provision and supply of water.

3. Regulations Governing Connections to the Water Utility

- (1) No property owner or other person shall install any water service or water connection by any means to the water utility except in compliance with the provisions of this section and any other governing regulations as may be established by Municipal bylaw.
 - (a) A property owner shall make application in writing for a water connection and for permission to install his or her water service and shall pay at the time of application the respective connection fee, or in the case where actual cost is used, the Director estimate of such costs, the balance to be billed or returned following completion of the work, as shown on Schedule “A”, attached to and forming part of this bylaw.
 - (b) Municipal work forces shall install the water connection to the property line, unless otherwise approved by the Director.
 - (c) Installation of the water service is the responsibility of the property owner; however, it shall be installed in compliance with the following regulations:
 - (i) the type and size of pipe shall be approved by the Director;
 - (ii) all water services shall be buried below the frost line (108”) and shall be adequately frost-protected to the satisfaction of the Director;

- (iii) when the water service pipe has been installed, but before the excavation is backfilled, the Director shall be notified and shall inspect the installation within 48hours.
- (iv) it shall be the responsibility of the property owner to supply, install and maintain the connection or joint at the property line between the water service and the water connection, and the connection or joint shall be of an approved flange, or flare-type fitting;
- (v) no soldered joints below ground shall be permitted.

{Section 3(2) is added by Bylaw 163, 2018}

- (2) All Commercial, Industrial, and Institutional Properties that have a Service Connection shall have a Water Meter, except as authorized by the Director.

{Section 3(3) is added by Bylaw 163, 2018}

- (3) Where the Director deems a customer that is located on a Property in a Residential or Agricultural zone to be operating for business purposes that may reasonably be expected to use more water than a typical Residential User, a Water Meter shall be installed on the customer's connection at the customer's cost.

{Section 3(4) is added by Bylaw 163, 2018}

- (4) At the time of construction or renovation of premises on a Commercial, Industrial, Institutional or Multi-Family Residential Property:
 - (i) A Water Meter must be installed at the Owner's expense, and in accordance with this Bylaw and the Northern Rockies Regional Municipality Subdivision and Development Servicing Bylaw; and
 - (ii) Notwithstanding (i), a Water Meter is not required for a Water Service Connection that is designed and used for the sole purpose of standby fire protection and has no physical interconnection on the Owner's Property with a water system used for any other purpose.

{Section 3(5) is added by Bylaw 163, 2018}

- (5) A Service Connection used for the sole purpose of irrigation shall have a Water Meter, except as authorized by the Director.

{Section 3(6) is added by Bylaw 163, 2018}

- (6) Any Owner of an unmetered Multi-Family Residential Property may apply to the Director for the installation of a Water Meter, accompanied by the applicable fees and charges as prescribed in Schedule "A" of this Bylaw.

{Section 3(7) is added by Bylaw 163, 2018}

- (7) The Director may:
 - (i) Determine the location of the Water Meter installation;
 - (ii) Determine the type and size of the Water Meter to be installed; and
 - (iii) Require a Water Meter to be relocated.

4. Regulations Governing Repairs to Water Connections and Water Services

- (1) In the event of leakage, freezing or other condition which causes the interruption of water supply, repairs necessary to the water service shall be the responsibility of the property owner and repairs to the water connection shall be the responsibility of the utility. In cases of dispute as to the location of the leakage, freezing or cause of interruption, where practicably possible, both parties shall be present when necessary excavations and repairs are being undertaken in order that responsibility for repair costs can be determined on the site when the exposed pipe can be inspected.
- (2) Property owners are responsible for any damages and resulting repair costs for any corporation cock servicing their property.

5. Regulations Governing the Use and Control of the Water Utility

- (1) No person shall destroy, injure or tamper with any hydrant, valve, pipe, pump or other fixture of the water utility and no person shall in any manner make any additions, alterations or other changes to the water utility.
- (2) No person shall turn off or turn on any main valve, corporation cock or gate valve, or open any hydrant, standpipe or valve, or use any water therefrom without the approval of the Director; excepting members of the Municipal Fire Department.
- (3) The Director shall have authority to authorize temporary connections to the water system for use of water under such conditions as the Director sees fit and at such rate as is specified in Schedule "B" to the bylaw.
- (4) No person shall obstruct at any time or in any manner the access to any hydrant, valve, corporation cock or other fixture connected with the utility, and should any person obstruct such access the Director may personally or by order remove such obstruction at the expense of the person or property owner involved.
- (5) Nothing contained in this bylaw shall be construed to impose any liability or responsibility on the Municipality to service any person or premises, or to give or provide a continuous supply of water to any person or premises.

- (6) The Municipality shall not be liable for the failure of the water supply in consequence of any accident or damage to the works or excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the Municipality or other persons whomsoever, or through natural deterioration or obsolescence of the Municipality's system or otherwise, but in the event of such failure or stoppage continuing for more than 5 consecutive days, an equitable reduction shall be made on all rates or services affected.
- (7) The Municipality may, without notice, disconnect the water service to any premises for any of the following reasons, and the Municipality shall not be liable for damages by reason of discontinuing water service for such reasons:
- (i) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;
 - (ii) non-payment of rates;
 - (iii) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste or water;
 - (iv) for repairs;
 - (v) for want of supplies;
 - (vi) for employing any pump, booster or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without first obtaining the approval of the Municipality;
 - (vii) for violation of any of the provisions of this bylaw.
- (8) Every property owner shall provide for each service to their premises a pressure-reducing valve in the event the water pressure in the main serving their premises shall be or become so great as may cause damages.
- (9) The Council may by resolution, at its discretion and whenever the public interest so requires, suspend or limit the consumption of water from the municipal water system, or may regulate the hours or use, or may further prescribe the manner in which such water may be used.

6. Regulations Governing Rates and Payment of Rates

- (1) There is hereby imposed and levied a water user rate against the owner of real property which is connected to and serviced by the water utility.
- (2) Real property shall be classified in accordance with the categories set out in Schedule "B", which is attached to and forms part of this bylaw, and each owner of real property is liable for the applicable rate.
- (3) The user rate shall be due and payable quarterly and a 10% penalty shall be added at the end of the quarter for non-payment. Any rates unpaid on the 31st

day of December of any year shall be deemed to be taxes in arrears in respect of the property and shall be entered on the real property tax roll as taxes in arrears.

- (4) The rate for water turn on or water turn off caused or requested by a property owner or consumer shall be \$25.00

{Section 6(5) is added by Bylaw 163, 2018}

- (5) Where the Director deems a customer that is located on a Property in a Residential or Agricultural zone to be operating for business purposes that may reasonably be expected to use more water than a typical Residential User, Commercial rates will apply for Service to that customer.

7. Entry onto Land

{Section 7(1) is amended by Bylaw 163, 2018}

- (1) The Director, and all employees or appointees of the Municipality who are authorized by the Director to do so, may enter at all reasonable times upon any Property, for the purpose of installing, inspecting, maintaining, repairing, removing, and replacing components required for the operation of the Water Utility, and to ascertain whether the requirements of this Bylaw are being observed.

8. Offences

- (1) Any person who violates any provision of this bylaw is liable on summary conviction to a penalty not exceeding \$500 plus the costs of prosecution, and each day during which such violation is continued shall be deemed to constitute a new and separate violation.

9. Severability

- (1) If any division, section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the bylaw.
- (2) Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.

10. Repeals

- (1) The following bylaws and any amendments thereto are hereby repealed in their entirety:
 - (i) The Town Water Rates & Regulations Bylaw No. 503, 1995

- (ii) The North-West Water Service Area Rates and Regulations Bylaw No. 76,
1995

READ a first time this 4th day of October, 2010

READ a second time this 4th day of October, 2010

READ a third time this 4th day of October, 2010

Adopted this 18th day of October, 2010

Original signed by:

Bill Streeper, Mayor

Original signed by:

Heather Cosman, Corporate Manager

SCHEDULE “A”

Connection Charges

To defray the cost of water connections, all owners of land upon which are situated buildings or structures shall be subject to a water connection charge.

- (1) Where water connection and water service already exist for the property, the cost shall be: \$100
- (2) In all other cases and subject to Section 3 of Schedule A, the cost shall be: the actual cost of installing the water connection and the water service.
- (3)
 - (a) Where a person provides any part of the water utility to serve land other than the land developed or subdivided by that person, whether or not required by the Municipality to provide that part of the water utility, that person must be reimbursed by the Municipality for the cost of the provision of that part of the water utility, when another person applies for water connection or water service to the land to be serviced by that part of the water utility.
 - (b) A person connecting to any part of a water utility provided under subsection 3(a) shall pay a proportionate share of the cost of the provision of that portion of the water utility, which share shall be calculated when application for water connection is made.
 - (c) The determination of the proportionate share of cost to be charged under subsection 3 (b) shall be made by the Director, or their designate.
 - (d) In making such determination, the Director shall take into account:
 - (i) the proportion of the cost of providing that part of the water utility servicing the property for which an application for water connection is made; and,
 - (ii) the extent to which the land which is the subject of the application for water connection will benefit from the part of the water utility.
 - (e) Charges payable under subsection 3(b) shall be collected for a period of 5 years, commencing on the date that water connection to the water utility is completed.
- (4) All unpaid charges owing to the Municipality under this Schedule shall be collected as all other charges under this bylaw and shall be subject to interest at the rate of 10% per annum calculated from the date the water connection to the water utility is completed.

{Section (5) is added to "Schedule A" by Bylaw 163, 2018}

- (5) The Charge for installation of a Water Meter is the actual expense incurred by the Municipality for procurement and installation, including administration expense.

{“Schedule B” is amended by Bylaw 163, 2018}

SCHEDULE "B"

Water Use Rates

Water supplied from the Northern Rockies Regional Municipality water treatment plant shall be charged for as set out below. Property shall be classified into the applicable following categories and the property-owner shall pay the respective rates for each quarter or metering period.

Water Rate Classification	Cost/QTR	Cost/m³
<u>1. Residential</u>		
Residential Rate 1: For each unmetered single-family dwelling, trailer or apartment unit; and,	\$85.00	\$NA
For each sleeping unit in an unmetered Bed & Breakfast	\$28.33	\$NA
Residential Rate 2: For each metered Service Connection	Minimum charge \$30/quarter	\$0.92
<u>2. Industrial, Commercial and Institutional</u>		
ICI Rate 3 0 to 300m ³ /quarter	Minimum charge \$30/quarter	\$0.92
ICI Rate 4 >300 to 4,100m ³ /quarter	\$NA	\$1.38
ICI Rate 5 >4,100 to 11,400m ³ /quarter	\$NA	\$2.07
ICI Rate 6 >11,400 to 22,200m ³ /quarter	\$NA	\$3.11
ICI Rate 7 >22,000 to 36,500m ³ /quarter	\$NA	\$4.66
ICI Rate 8 > 36,500m ³ /quarter	\$NA	\$6.60
<u>3 Fort Nelson First Nation</u>	\$NA	\$0.92

4 Bulk Water Tanker- from bulk water station

		Oct 1/10	Sept 1/11	Sept 1/12	Sept 1/13	Sept 1/14
Commercial haulers	Cost/m³	\$6.93	\$7.28	\$7.64	\$8.02	\$8.42
Residential haulers	Cost/m³	\$0.92	\$0.92	\$0.92	\$0.92	\$0.92

