



CORPORATION OF THE
DISTRICT OF TOFINO

**District of Tofino Water Utility Bylaw
No. 1346, 2024**

Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw No. 1346.01, 2026	March 17, 2026

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 1346 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 1346 and all amending bylaws must be consulted.

Bylaw numbers appearing in the margin of this consolidated version refer to the applicable amendment bylaw.

DISTRICT OF TOFINO

BYLAW NO. 1346, 2024

A Bylaw to impose fees, charges, terms and conditions for the supply and use of potable water.

WHEREAS pursuant to Section 8 of the *Community Charter* a municipality may provide any service that the council considers necessary or desirable and may, by bylaw, regulate, prohibit and impose requirements in relation to that municipal service;

AND WHEREAS pursuant to section 194 of the *Community Charter* a council may, by bylaw, impose a fee payable in respect of all or part of a service of the municipality and may establish terms and conditions for payment of a fee, including discounts, interest and penalties;

NOW THEREFORE the Council of the District of Tofino, in open meeting, enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as “District of Tofino Water Utility Bylaw No. 1346, 2024.”

2. Definitions

In this Bylaw:

Act means an Act of the British Columbia Legislature, whether referred to as a statute or by any other name, and includes the *Community Charter* and *Local Government Act*;

Commercial and Other Class means a Service that is not Fire Flow Class or Residential Class.

Contaminant means any substance in water which may render the water unfit for drinking according to guidelines and regulations of the Province of British Columbia and the Island Health Authority.

Council means the District of Tofino Council;

Cross Connection means any physical connection between the District Water System and any unapproved private water supply system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or other source of contaminated water, liquid, gases, sewage or other waste or contaminant.

Customer means the owner or occupier of a property or an agent acting on behalf of the owner or occupier.

District means the Corporation of the District of Tofino.

Bylaw No.
1346.01

District Water System means the District of Tofino’s water supply, treatment, storage, and distribution infrastructure, including Water Mains and pre-meter service lines up to and including the Water Meter, but does not include Service Connections, Private Services, or plumbing located beyond the Water Meter or on private property.

Fire Flow Class means a metered water service that only supplies water for the purpose of fire suppression.

Manager means the person authorized by the District to manage the District Water System.

Owner has the same meaning as defined in the *Community Charter* as of the date of adoption of this bylaw.

Bylaw No.
1346.01

Pre-Meter Service Line means the water service pipe and appurtenances extending from the District Water Main to the Water Meter.

Bylaw No.
1346.01

Private Service means pipes and other appurtenances on private property not installed or owned by the District and is used to convey water from the terminus of the Service Connection at the boundary of the private property.

Residential Class means a metered Service that serves one single-family dwelling, one duplex, or one residence within a Strata, but does not include a Service under which multiple residences within a Strata share a water meter.

Service means the supply of water to a Customer via the District Water System.

Bylaw No.
1346.01

Service Connection means the pipes and equipment appurtenances up to and including the point of metering between the District Water System and the boundary of the private property.

Strata means a strata corporation created to divide a building(s) and/or a parcel of land into separate components that are individually owned and common components owned by all of the owners.

Bylaw No.
1346.01

Turn Off means to discontinue the water service to any lot by closing a shut off valve on a service line connected to the District Water System or by another method lawfully exercised by the District under this Bylaw.

Turn On means the initiation or restoration of water service by opening a shut-off valve on a service line that has been connected to the District's water system.

Wasting of Water means no useful purpose as determined by the Manager.

Water Meter means an apparatus or device used for measuring the quantity of water used.

Water Mains means pipes in a system supplying water to an area, not an individual parcel of land.

Bylaw No.
1346.01

3. Water Service

The District shall provide Service to land and buildings within the District's boundaries in accordance with this Bylaw. For certainty, nothing in this Bylaw requires the District to provide Service to a property where there is insufficient capacity in the District Water System to accommodate the water supply demands of that property.

Bylaw No.
1346.01

4. Conditions of Service

- (1) The Service may be subject to increases or decreases in water pressure from time to time, and may be interrupted temporarily to allow for maintenance, repairs, extensions, alterations, replacements or improvements to the District Water System or for reasons beyond the District's control.
- (2) The District is authorized and empowered to enter onto property to conduct on-site review of the water use, facilities, meters, piping, equipment, operating conditions and maintenance records for the purpose of evaluation for conformity with the terms and conditions of this Bylaw.
- (3) The Manager may make orders requiring that any regulation or provision prescribed in this bylaw be carried out.
- (4) Where a Service Connection is approved by the Manager, the Manager shall determine the appropriate Service Connection size and the Manager's determination shall include consideration of:
 - (a) the use of the property served; and,
 - (b) the expected water supply demand for the Service.

- (5) The Manager may for the purposes of protecting the District Water System and preventing adverse effects on other users:
- (a) limit the number, size, and capacity of Service Connections;
 - (b) determine water meter location;
 - (c) refuse the extension or enlargement of a Service Connection;
 - (d) refuse a Service Connection;
 - (e) refuse to provide Service at any location where the District Water System is not effectively protected from any actual or potential Cross Connection;
 - (f) issue temporary orders prohibiting or regulating the use of water supplied from the system in cases of emergency; and
 - (g) allow for the excess consumption of water.
- (6) For certainty, the Manager may exercise their authority under (5)(a)(c) and (d) where, in the opinion of the Manager, there is insufficient capacity in the District Water System to accommodate the additional water supply demand associated with additional or larger Service Connections, an extension or enlargement of an existing Service Connection, or a new Service Connection.

5. Payment

- (1) The District hereby imposes the fees and charges set out in Schedule "A".
- (2) Every Service Connection shall be classed as providing one or more of the following Services:
- (a) Residential Class;
 - (b) Fire Flow Class; and
 - (c) Commercial, and Other Class.
- (3) Every Owner of a property receiving a Service or capable of receiving a Service shall pay the District the quarterly Fixed Charge per Service and the variable charge per cubic meter delivered for the class of Service at the rates set out in Schedule "A".
- (4) All rates or charges as set forth by this Bylaw shall be due and payable on or before the due date specified on the invoice sent by the District, which due date shall be no less than thirty (30) days from the invoice date.
- (5) If a person fails to make a payment required under this Bylaw before the due date, that person must also pay the Penalty on Overdue Accounts set out in Schedule "A".
- (6) The rates and charges imposed under the provisions of this Bylaw are for work done or services provided to land or improvements and may be collected in the same manner and with the same remedies as property taxes.
- (7) Where the District determines that a water meter has for any reason failed to correctly indicate the quantity of water passing through it, the District shall estimate the water delivered for the purpose of imposing the per cubic meter charge using the average amount of water delivery for the same quarter over the previous years, up to four, that the meter operated correctly.

Bylaw No.
1346.01

6. Connection to Service

- (1) Subject to section 4(4), every owner of a property wishing to connect to the District Water System shall do so through a Service Connection. For certainty, nothing in this Bylaw requires an owner of a property to connect to the District Water System or prohibits an owner of property from utilizing an alternative source of water approved by the authorities having jurisdiction.
- (2) A person may apply for a Service Connection by submitting the form prescribed by the Manager and by paying the District the Service Connection Fee.

- (3) The Service Connection Fee for the size of Service Connection to be installed is set out in Schedule "A".
 - (4) Each property is limited to one Service Connection unless an additional Service Connection is required for fire suppression or is otherwise approved by the Manager.
 - (5) All hydrants, sprinklers and other fire suppression devices on a property must use a separate and dedicated Service Connection and the size of that Service Connection will be determined through a Works and Services Agreement based on the standards of the District's Subdivision and Development Control Bylaw.
 - (6) Enter into a Works and Services Agreement with the District if a Service Connection extension, enlargement, or relocation is requested by the Owner.
 - (7) Every Owner of a property with a Service Connection must ensure that private backflow preventers are installed, maintained, and tested in accordance with Province of British Columbia and Island Health Authority regulations.
 - (8) An Owner or Customer wishing to turn on or turn off a Service Connection must make an application in writing to the District and pay the associated fee outlined in Schedule "A".
 - (9) Turning off a Service Connection does not provide an exemption from charges imposed under this Bylaw.
 - (10) The District shall not Turn on any new Service Connection until:
 - (a) a completed application form has been submitted to the District;
 - (b) the Service Connection Fee has been paid;
 - (c) the Service Connection has been inspected by the District;
 - (d) a site plan demonstrating the location of the Private Service has been submitted to the District; and,
 - (e) a Works and Service Agreement has been executed (if required by the Manager).
 - (11) The Manager may Turn off a Service to a property if:
 - (a) charges for the Service have gone unpaid for at least two months;
 - (b) the Owner of the property was sent a written reminder of unpaid charges at least one month prior to the turn off;
 - (c) the Owner and the Customer of the property were sent a notice of turn off, related to the unpaid charges, 5 business days prior to the turn off; and
 - (d) notice of the turn off was posted on the property 5 business days prior to the turn off.
 - (12) The Manager may turn off a Service to a property:
 - (a) if the Owner has not addressed a known leak within 5 business days; and
 - (b) with notice delivered to the Owner and Customer of the property at the time of a disconnection that is done in response to a contravention of this Bylaw that the Manager considers exposes the District Water System to the risk of contamination or substantial wasting of water; or
 - (c) with 10 business days' notice delivered to the Owner and Customer of the property in response to all other contraventions of this Bylaw;
- and the Owner and Customer may make representations to District Council regarding a disconnection under this section at the next regularly scheduled Council meeting.

7. Water Meters

- (1) All Service Connections must include a Water Meter.

- (2) Water Meters are installed by District employees and upon installation of a water meter the Owner must pay the fees in accordance with "Schedule A".
- (3) All Water Meters shall be:
 - (a) read and billed on a quarterly basis, or as required for the security of the water system;
 - (b) located on a District Right of Way adjacent the property line and the District's nearest water main, unless otherwise approved by the Manager and secured through a statutory right of way agreement; and,
 - (c) of a type and size that accords with the specifications set out in the District's Subdivision and Development Control Bylaw.
- (4) Where a Works and Service Agreement provides for the installation or alteration of a Service Connection to the District Water System, the Owner must pay the Service Connection Fees in accordance with "Schedule A" prior to the District installing any Water Meters.
- (5) Subject to section 7(4), the District is responsible for:
 - (a) the supply and installation of Water Meters for all properties where a Service Connection exists and connection fees have been paid; and,
 - (b) the maintenance, repair, and replacement of all Water Meters on Service Connections.
- (6) The Owner and Customer must:
 - (a) notify the District as soon as possible if the Owner or Customer observes a breakage, stoppage or other irregularity in a Water Meter;
 - (b) ensure that the District has full and unobstructed access at all times to the Water Meter; and,
 - (c) reimburse to the District the actual costs of repair or replacement of a Water Meter where, in the opinion of the Manager, the Water Meter has been damaged by the negligence, carelessness or wilful destruction by the Owner or Customer.

8. Prohibitions

- (1) No person shall obstruct or prevent the District from carrying out an inspection under this Bylaw.
- (2) No person other than a designated employee of the District shall turn on or shut off any hydrant, valve, stop-cock, water meter or other fixture of the District Water System or shall tamper with such objects in any way whatsoever.
- (3) No person other than a District designated employee, designated volunteer (fire fighter), or designated contractor shall operate the District Water System.
- (4) No person shall obstruct access to any fire hydrant, valve, stop-cock, water meter or other fixture of the District Water System.
- (5) No person shall connect any pipe or other fitting or thing to the District Water System which is in any way connected to or supplied from any other water system.
- (6) No person shall cause or allow a Cross Connection.
- (7) No person shall introduce any substance into the District Water System or otherwise contaminate the District Water System.
- (8) No person shall cause or allow the wasting of water through a leak or other means.

- (9) No person shall use a Fire Flow Class Service for any purpose other than firefighting without the written permission of the Manager.

9. Offence

- (1) Every person who violates any provision of this Bylaw or who permits or allows any act or thing to be done in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues to exist is deemed to be a separate offence against the Bylaw.
- (2) Every person who commits an offence contrary to the provisions of this Bylaw is liable upon summary conviction to a penalty of not more than \$10,000.00 and to any payment of the costs of the prosecution that the court may order.

10. Severability

If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

11. Repeal

“District of Tofino Water Utility Bylaw No. 1213, 2015” is hereby repealed.

12. Effective Date

This Bylaw shall come into force and effect on July 1, 2024

READ A FIRST TIME on June 19, 2024

READ A SECOND TIME on June 19, 2024

READ A THIRD TIME on June 19, 2024

ADOPTED on June 25, 2024

Dan Law, Mayor

Keegan McColl, Corporate Officer

Schedule 'A'

District of Tofino Water Utility Bylaw No. 1346, 2024

Water Utility Rates and Charges

1. Water Utility Rates and Charges

Residential Class		
Quarterly Fixed Charge per service connection, based on size of water meter		
	5/8"	\$44.49
	3/4"	\$44.49
	1"	\$74.30
	1.5"	\$148.15
	2"	\$237.13
	3"	\$444.90
	4"	\$741.65
	6"	\$1,482.85
Variable Charge		
	First 0m ³ to 30m ³ supplied in quarter	Included
	Next 30m ³ up to 75m ³ supplied in quarter	\$2.10
	Amount over 75m ³ supplied in quarter	\$3.56
Commercial and Other Class		
Quarterly Fixed Charge per service connection, based on size of water meter		
	5/8"	\$50.85
	3/4"	\$50.85
	1"	\$84.92
	1.5"	\$169.33
	2"	\$271.03
	3"	\$508.50
	4"	\$847.67
	6"	\$1,694.83
Variable Charge		
	First 0m ³ to 2000m ³ supplied in quarter	\$2.10
	Amount over 2000m ³ supplied in quarter	\$3.00
Fire Flow Class		
Quarterly Fixed Charge per service connection, based on size of water meter		
	5/8"	\$50.85
	3/4"	\$50.85
	1"	\$84.92
	1.5"	\$169.33
	2"	\$271.03
	3"	\$508.50
	4"	\$847.67
	6"	\$1,694.83
The fixed and variable charges in all rate classes will be subject to a 4% increase on January 1 of each year		

2. Service Connection Fees

The connection fees are as follows:

Meter Size	Fee	Meter Size	Fee
19mm (3/4")	\$1,000.00	75mm (3")	\$4,750.00
25mm (1")	\$1,250.00	100mm (4")	\$5,500.00
38mm (1.5")	\$1,750.00	150mm (6")	\$8,000.00
50mm (2")	\$2,500.00	>150mm (6")	actual cost

3. Penalty on Overdue Accounts

The penalty on overdue utility accounts is 10% of the current amount billed.

4. Turn On/Turn Off Service Fee

The fee to turn on the Service is \$100.00.

The fee to turn off the Service is \$150.00.