



CITY OF TRAIL

WATERWORKS AND SANITARY SEWER REGULATION BYLAW

NO. 2398, 1998

Comprising a consolidation of the Waterworks and Sanitary Sewer Regulation Bylaw No. 2398, 1998 and the following amendments thereto:

	<u>Effective Date</u>
Bylaw No. 2418	January 25, 1999
Bylaw No. 2452	February 14, 2000
Bylaw No. 2474	January 22, 2001
Bylaw No. 2498	January 14, 2002
Bylaw No. 2531	January 27, 2003
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Bylaw No. 2557	January 12, 2004
Bylaw No. 2586	December 13, 2004
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Bylaw No. 2640	January 22, 2007
Bylaw No. 2666	January 14, 2008
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Bylaw No. 2838	December 18, 2017
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Bylaw No. 2893	November 23, 2020
Bylaw No. 2913	December 13, 2021
Bylaw No. 2924	January 11, 2023
Bylaw No. 2933	December 14, 2023
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Bylaw No. 2964	December 11, 2025

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SCHEDULES

A BYLAW TO REGULATE THE OPERATION, MAINTENANCE, USE AND EXTENSION OF THE WATERWORKS AND SANITARY SEWER SYSTEMS OF THE CITY OF TRAIL

WHEREAS the City has constructed and is operating and maintaining waterworks and sanitary sewer systems on a self-liquidating basis for the benefit of residents of the Municipality; and

WHEREAS it is deemed necessary to regulate the rates, conditions and terms under or upon which the waterworks and sanitary sewer systems may be supplied and used.

NOW, THEREFORE, the Council of the City of Trail, duly assembled, **ENACTS AS FOLLOWS:**

PART I - INTERPRETATION

In this bylaw unless the context otherwise requires:

“Applicant” means an owner or his agent making application for a water or sanitary sewer service connection and from whom the City may expect to receive revenue on a continuing basis for this service.

“BOD” (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C expressed in parts per million by weight.

“Building Inspector” means the Building Inspector of the City of Trail and his duly authorized representatives.

“Building Sewer” means a pipe, including manholes and inspection chambers laid on private property, connecting a service connection with a house or building.

“Capable of Connection” means that the parcel of land abuts a street, lane, public right-of-way or easement upon or under which there is a water or sanitary sewer main of a size and capacity acceptable to the City for the proposed use and if, in the opinion of the City, no other physical or topographical conditions make the connection impossible or uneconomical.

“City” means the City of Trail.

“Collector” means the Collector of the City duly appointed pursuant to the provisions of the Municipal Act.

“Consumer” means any person to whom water is supplied by the City.

“Council” means the Council of the City of Trail.

“Curb Stop” means a shut off valve installed by the City on a water service connection with a protective housing to the ground surface. The curb stop is located on the main side of the property line.

“Distribution System” means all water mains and appurtenances thereto including fire hydrants, pumping stations, reservoirs, pressure reducing stations, meters and service connections installed within any highway, Municipal right-of-way or easement or Municipal property.

“Due Date” means the final and last day as printed on the utility bill on which the prompt payment discount

shall apply.

**Bylaw
2474**

“Dwelling Unit” means one (1) or more habitable rooms which constitute a self-contained unit, used or intended to be used for living and sleeping purposes for which is provided:

- (a) cooking equipment or the facilities for the installation of cooking equipment;
and
- (b) one (1) or more bathrooms with a water closet, wash basin and shower or bath.

“Fire Chief” means the Fire Chief of the City of Trail and his duly authorized representatives.

“Fire Hydrant” means a device equipped with special threaded connections installed by the City within a highway, right-of-way, easement or on municipal property and connected to a water main to supply water for fire protection purposes.

“Garbage” means solid wastes from the preparation, cooking and dispensing of food or from the handling, storage and sale of produce.

“Main” means a pipe including valves, fittings and other appurtenances other than a service connection, pumping station, treatment plant or reservoir in the water distribution system.

“Manager” means the City Manager of the City of Trail and his duly authorized representatives.

“Meter” means a device used to measure and indicate the volume of water passing through the device.

“Metered Accounts” means those accounts billed monthly or for any other period established from time to time and of which the water consumption is measured through a device commonly known as a water meter.

“Owner” shall have the meaning assigned to it by Section 1 of the Municipal Act.

“Person” means and shall include not only a natural person but also a Corporation, Firm or Partnership.

“Properly Ground Garbage” means the waste from the preparation, cooking and dispensing of food, ground to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers.

“p.H.” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.

“Service Connection” for water means a pipe and the necessary valves and protective boxes, connections, thaw wires, and any other materials necessary to and actually used to connect the water main to a curb stop, and for sanitary sewer means a pipe which may include an inspection chamber or cleanout connecting a sewer to a building sewer at the property line of a parcel of land.

“Sewer” means a pipe including manholes and other appurtenances other than a service connection in the sewer system.

“Sewer Extension” means any installation requiring the construction of a sanitary sewer on any highway, Municipal right-of-way or easement, from the most convenient existing sewer. “Extension” shall not include a service connection.

“Sewer System” means all sanitary sewerage works and all appurtenances thereto, including sewers, service

connections, pumping stations, treatment plants, sewage lagoons and sewer outfalls laid within any highway, Municipal right-of-way or easement or municipal property.

“Sewage” means water-carried wastes from residences, buildings, business premises, institutions and industrial establishments, and shall include:

- (a) “Industrial Waste”
meaning the wastes from industrial processes.
- (b) “Sanitary Sewage”
meaning that portion of sewage exclusive of industrial wastes.

“Sprinkling” means the pouring of water by means of any hose, sprinkling device, water pot or other utensil upon or under the surface of gardens, lawns and all other grounds or upon any roof.

“Suspended Solids” means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

“Water Service” means a pipe including all valves, connections, taps and meters connecting a curb stop to the house or building.

“Waterworks” means the entire waterworks system of the City of Trail including the distribution system, intakes, wells and water treatment facilities.

PART II - USE OF WATERWORKS SYSTEM

2.1 Tampering with the Waterworks

No person shall make any connection to the waterworks or in any way tamper with, operate, remove, or make any alteration to any hydrant, meter, curb stop, valve, pumping station, reservoir, chamber or other fixture or appurtenance connected with the waterworks without first obtaining written permission from the Manager; or for the use of a hydrant, written permission from the Fire Chief. No person shall, without lawful excuse, break, damage, destroy, uncover, deface, mar or tamper with any part of the waterworks.

2.2 Liability

It is a condition of the supply of water that:

- (a) In the event that the supply of water to any consumer shall fail, whether from natural causes or accident or from any other causes whatsoever, the City shall not be liable for damage by reason of such failure.
- (b) The City shall not be liable for any injury or damage to any person or property arising or occurring from the use of water from the waterworks.
- (c) The City does not guarantee that water supplied by it is free of any impurity that would affect a manufacturing process or any other use of equipment and devices.

2.3 Termination of Water Supply

The Manager may order the termination of the water supply to any consumer on thirty (30)

days' written notice for violation of any of the provisions of this bylaw, for failure to maintain the water service pipe in good condition without any leaks, for the non-payment of rates or rents when due, or for refusing to provide for the proper installation of a water meter, or when, in the opinion of the Council, the public interests require such action.

2.4 Sale of Water

It shall be unlawful for any consumer to sell, waste, dispose of or give away City water for use other than on his premises or permit it to be taken or carried away by any person or persons unless such consumer is on a metered account and is conducting a business from the premises concerned in compliance with the bylaws of the City, or permission in writing has been granted by the Manager.

2.5 Water Use Restrictions

- (a) In the event of a water supply shortage, due to any reason whatsoever, the Manager may issue a notice prohibiting, restricting or limiting the use of water by any or all of the consumers or fixing the days and hours upon or during which sprinkling shall be allowed or to prohibit such sprinkling. Such notice shall be sufficiently given if delivered in writing, or broadcast by the local radio or television station, or advertised in at least two consecutive issues of a newspaper circulated in the municipality. Any person who refuses or fails to abide by such prohibition, restriction or limitation contained in the notice shall be deemed to have contravened this bylaw.
- (b) No person shall use water for cooling in air conditioning units until application has been made in writing to the office of the Manager and permission in writing has been granted to do so. The use of such equipment will not be permitted unless a water cooling tower is installed to prevent waste of water and a meter has been installed where such was not the case before application was made.

2.6 Consumers Outside City Boundaries

In the case of any consumer located outside the City boundary, the City shall maintain all parts of the water distribution system to the City boundary and all works installed beyond the City boundary shall be considered to be a water service and the complete responsibility of the consumer, whether he be a person, water improvement district, Regional District, Municipality or Industrial Complex.

PART III - WATER SERVICES

3.1 Plumbing Bylaw

Water services on private property shall be installed in accordance with the City's Plumbing Bylaw and shall be constructed by and at the expense of the owner, and shall be approved by the Building Inspector prior to connection being made to the water service at the property line. The City shall install that portion of the water service between the curb stop and property line. Any fittings required to join the City's pipe to the applicants, shall be the applicant's responsibility.

3.2 Maintenance

The water service shall be maintained by the property owner at his sole expense. In the event any defect is suspected in the service connection or water service, the consumer shall immediately notify the City and the City will, as soon as practicable, arrange to operate the curb stop and determine thereby if the defect exists in the water service or in the service connection. If the defect is determined to be in the water service, the property owner shall effect repairs within ten (10) days.

In order to facilitate repairs to the water service, the City will upon request and at its earliest convenience, during normal working hours, open or close the curb stop and the fee for such turn on or turn off shall be as provided in Schedule B of this bylaw. If the property owner requires a curb stop to be operated during hours when the City's waterworks personnel are not normally on duty, the owner shall be billed the actual costs involved in calling out crews and operating the valve.

In the event the property owner refuses or neglects to carry out repairs within the specified time, the Manager may, by his workmen or others, have the work done at the expense of the owner, and the City shall recover the cost thereof with interest at a similar rate as that charged for Municipal Taxes in arrears.

3.3 Turn On and Turn Off

When an owner wishes to turn on or turn off his water service at the curb stop, he shall advise the City and the Manager will carry out the work at the City's convenience and the fee for such turn on or turn off shall be as provided in Schedule B of this bylaw.

3.4 Abandonment

When any water service is abandoned, the owner or his agent shall notify the City and the Manager shall cut off the service connection at the junction with the main. The owner shall be liable for the abandonment charge specified in Schedule B of this bylaw.

3.5 Frozen Service

Pursuant to Section 4.2 if it is determined that the defect is a frozen water service, it is the owner's responsibility to thaw the pipe. On further application to the City and with the approval of the Provincial Inspector of Electrical Energy, the owner or his agent may connect a source of electricity to the curb stop in order to complete an electrical circuit to thaw his water service. The consumer shall be fully responsible for any damage caused by this thawing method.

The City may, at its convenience, and following the owner's application, thaw the water service at the rate specified in Schedule B of this bylaw. Priority shall always be given to thawing any frozen service connections before any water services.

3.6 Alternate Water Supply

In the event an owner has an alternate or auxiliary water supply source other than the City service connection, he shall not connect or in any way cause to be connected any portion of the alternate or auxiliary water supply distribution system with the distribution system

supplied by the service connection. On application to the Manager in writing, special permission may be given to cross connect the two systems provided all requirements of the Manager with respect to water quality, disinfection procedures and equipment, back flow protection devices and maintenance of such devices and equipment are met.

In the event an owner has more than one City service connection from different distribution system pressure zones, the owner shall install back flow prevention devices satisfactory to the Manager on each service connection and shall maintain said devices.

PART IV - WATER METERS

4.1 Installation of Meters

If instructed by the City, all commercial, industrial, residential and institutional consumers shall install at their expense a water meter and strainer complete with by-pass and isolation valves if required in a location easily accessible to the Manager for inspection and reading of the meter. Where the service is to be a single building, the meter may be located within the building as close as possible to the entrance point of the water service into the building and before any take off points.

If the water service is a distribution system to more than one building or structure, the meter shall be located upstream of any distribution point and as close as possible to the property line, and the water supply should go through one of the buildings to be metered. If no building or structure exists at the location where the meter is to be installed, the property owner shall be responsible for constructing the meter vault in accordance with the standard issued by the Manager.

4.2 Meter Size and Supply

The Manager shall determine the size of meter required and the City shall supply the meter and strainer, with the meter remaining the property of the City.

4.3 Access to Meter

The consumer shall supply access to the water meter for the purpose of reading the meter and for maintenance during the City's normal working hours. Failure to provide this access for meter reading shall result in an extra charge per call.

In the event convenient access cannot be supplied, the City shall, by its workmen or others, install suitable remote reading equipment at the expense of the owner. On failure to pay such costs within thirty (30) days of invoice, the City shall recover the expense thereof with interest at a similar rate as that charged for Municipal Taxes in arrears.

4.4 Operation of By-pass

No person shall in any way tamper with, operate or remove the water meter or sealed bypass valves after installation without first obtaining the permission of the Manager.

PART V - USE OF SEWER SYSTEM

5.1 Tampering With Sewer System

No person shall make any connection whatsoever to the sewer or in any way tamper with the sewer system without first obtaining written permission from the Manager. No person shall discharge, deposit or throw or cause, allow or permit to be discharged, deposited or thrown into any sewer, plumbing fixtures connected thereto, drain, manhole, inspection chamber or any other part of the sewer system, any substance of any kind whatsoever tending to obstruct or injure the sewer works or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the said sewer system. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, mar or tamper with any sewer or any of the appurtenances thereto or thereunto belonging.

5.2 Open Discharge

No person shall discharge into any ditch, drain, creek, stream or water course, any sanitary sewerage, other waters, industrial wastes, petroleum products, coal tar, or any refuse or substance arising from the manufacture or processing of gas or petroleum or other material and products without first obtaining written permission to do so from the Manager and the Medical Health Officer. Where no appropriate sewer is available, an industry shall discharge its wastes into such outlet or water course as may be prescribed by the Manager, subject to such standards of quality, quantity and rate of discharge as may be prescribed subject to the approval of the Medical Health Officer and the Pollution Control Board, if applicable.

5.3 No Discharge To Sewer System

No person shall discharge or cause or allow to be discharged into the sewer system any of the following sewage or wastes:

- (a) Any storm waters, surface water, ground water, roof run-off or surface drainage, and no person shall connect to any sanitary sewer any roof leaders, foundation drains, sump or other collectors of surface or ground water.
- (b) Any industrial cooling water.
- (c) Any water from air conditioning, cooling or condensing system or swimming pool subject to Section 2.12(d) of this Bylaw.
- (d) Any water except normal sanitary sewage arising from the operation of a non-circulating type car wash.
- (e) Any liquid having a temperature at or higher than 140°F.
- (f) Any vapor or gaseous substance.
- (g) Any waters or wastes which contain excessive amounts of fat, oil or grease.
- (h) Any waters, sewage or wastes having a pH factor lower than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to

structures, equipment, biological sewage treatment processes or personnel engaged in the operation or maintenance of the sewage works.

- (i) Any noxious or malodorous substance in any quantity capable of creating a public nuisance.
- (j) Any sewage, waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving waters of the effluent from sewage works or sewage treatment plant.
- (k) Any gasoline, benzine, naphtha, solvent, fuel oil or other flammable or explosive liquids, solids or gas.
- (l) Any radioactive wastes or sewage.
- (m) Any garbage except garbage ground by a device approved by the Building Inspector.
- (n) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, coal tar, asphalt, cement, plastics, wood, paunch manure, or any other solids or viscous substance capable of causing obstruction to the flow in the sewers or other interference with the proper operation of the sewage works.
- (o) Any waters, sewage or wastes containing dissolved suspended solids of such character and quantity that any abnormal attention or expense would be required in the treatment of such sewage.
- (p) Any waters, sewage or wastes containing more than 500 parts per million by weight of suspended solids.
- (q) Any waters, sewage or wastes having a B.O.D. count greater than 500 parts per million by weight.
- (r) Sludge or deposit contained in septic tanks. Where a sewer connection is made to premises where a septic tank exists, the owner shall forthwith discontinue the use of the septic tank, remove and dispose of all sludge or deposit. The owner shall then either dismantle or remove the septic tank, or fill the tank with sand or gravel.

5.4 Exceptions

Where there exists the possibility that there may be discharged into a sewer from any premises any of the wastes, sewage or substances described in Section 2.10 hereof, the Manager may issue a permit for the connection of such premises to the sewer system with special provisions governing treatment prior to discharge rate and quality of effluent discharged. When required by the Manager, primary treatment or protective devices, satisfactory to the Manager and Medical Health Officer shall be installed and maintained by the applicant to prevent discharge of such wastes, sewage or substances described in Section 2.10 hereof into the sewer system or neutralize the same.

5.5 Unpolluted Discharges

- (a) Unpolluted industrial waters shall not be discharged into the sewer system without the express consent of the Manager in writing.
- (b) Industrial cooling water which may be polluted with insoluble oils or greases or insoluble suspended solids shall be pre-treated for removal of the pollutants and the resultant unpolluted water shall be discharged into a storm sewer, ditch or approved natural outlet or water course.
- (c) Water from air conditioning, cooling or condensing systems shall be discharged into a storm sewer, ditch or approved natural outlet or water course.
- (d) Water from a swimming pool drain shall be discharged into a storm sewer, ditch or approved natural outlet or water course. Effluent from filter backwashing and skimmers shall be discharged to the sewer system.

5.6 Rate of Discharge

The rate or rates of discharge for various times of a twenty-four (24) hour period for any industry connected to the sewer system or any corporation, municipality or improvement district located outside the City limits and connected to the City's sewer system after all the other regular users have been accommodated. Such industries, corporations, municipalities or improvement districts shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the Manager to ensure that the specified flow rates shall not be exceeded.

5.7 Interceptors

Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of industries or commercial establishments when they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable wastes, sand, grit or other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times.

5.8 Sampling Chambers

The owner of each industrial enterprise or premises connected to the sewer system shall provide suitable means of inspection to facilitate operation, sampling and measurement of the wastes or sewage emanating therefrom.

5.9 Measurement and Testing

All measurements, tests and analysis of the characteristics of industrial waste, sewage or water to which reference is made in this Bylaw shall be determined in accordance with the "Standard Method of the Examination of Water and Sewage" of the American Public Health Association, and shall be determined at the sampling chamber provided for in Section 2.16

of this Bylaw, or upon suitable samples taken at said sampling point. In the event that no special sampling chamber has been required, the control manhole shall be considered to be the nearest downstream manhole in the sewer from the service connection point.

5.10 Sewer Flow Meters

**Bylaw
2819**

If instructed by the City, any commercial, industrial, residential and institutional consumer having an alternate water supply source other than the City service connection shall install at their expense a sewer flow meter in a location determined by, and easily accessible to, the Manager for inspection and reading of the meter.

The Manager shall determine the sewer flow meter required and the City shall supply the meter, with the meter remaining the property of the City. The consumer shall supply access to the sewer flow meter for the purpose of reading the meter and for maintenance during the City's normal working hours. Failure to provide this access for meter reading shall result in an extra charge per call.

In the event convenient access cannot be supplied, the City shall, by its workmen or others, install suitable remote reading equipment at the expense of the owner. On failure to pay such costs within thirty (30) days of invoice, the City shall recover the expense thereof with interest at a similar rate as that charged for Municipal Taxes in arrears.

PART VI - BUILDING SEWERS

6.1 Plumbing Bylaw

Building sewers shall be installed in accordance with the City's Plumbing Bylaw and shall be constructed by and at the expense of the owner, and shall be approved by the Building Inspector prior to connection being made to the service connection.

6.2 Blockages

The building sewer shall be maintained by the property owner at his sole expense. Where any sewer or service connection becomes stopped or otherwise fails to function, the owner or occupier of the premises served shall first engage the services of a qualified plumbing contractor to determine that the blockage is not located in his building sewer and then notify the Manager forthwith and the Manager shall, as soon as practical, arrange to have said sewer or service connection unstopped or otherwise restored to serviceable condition.

Where any stoppage or failure is found to exist in the service connection or sewer and where such stoppage or other failure is found to have been caused by the act or neglect of the owner or occupier of the premises, all costs incurred by the City in restoring service and unstopping the sewer or service connection shall be paid by such owner or occupier upon demand and if unpaid on the thirty-first day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned and shall be dealt with in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Municipal Act.

6.3 Abandonment

When any building sewer is abandoned, the owner or his agent shall notify the Manager

and the owner shall effectively block up the building sewer at a suitable location at or near the connection point of the building sewer and service connection with an approved water-tight seal.

PART VII - SERVICE CONNECTIONS

7.1 Illegal Connections

No person shall connect or attempt to connect, or allow to be connected, or allow to remain connected to the waterworks or sanitary sewer systems any property or premises otherwise than in accordance with the provisions of this bylaw.

7.2 Connection Application

Each application for a service connection shall be made to the City by the owner or his authorized agent in the form prescribed. Such applicant shall, on making application, pay to the City the applicable connection fee prescribed in Schedule A. If the connection is practicable; the City shall, within ninety (90) days, weather permitting, provide and install a service connection to the applicant's property. If such connection is not practicable, the Manager shall so notify the applicant within sixty (60) days and the City shall refund the charges or fees paid by the applicant.

7.3 Individual Connections

Each property shall have its own service connection which shall be installed by the City. Where two or more buildings exist on one parcel of land and where such parcel of land can be subdivided, each building shall have a separate service connection.

If the land cannot be subdivided, the City may require a separate service connection for each building.

7.4 Connection Location

Where possible the service connection will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the Manager shall designate the location of each service connection to each parcel of land or premises.

7.5 Size of Service Connection

The minimum inside diameter of a water service connection shall be three-quarter ($\frac{3}{4}$) inch. The size of the service connection for any premises shall be approved by the Building Inspector. If the requested service connection exceeds the then available capacity of the waterworks, the Manager may limit the size of the connection.

7.6 Depth of Bury

- (a) The minimum depth of bury of the water service connection below finished ground elevation shall be four (4) feet unless specifically authorized to the contrary by the Manager.

- (b) Where practicable as governed by the depth of the sewer the minimum depth of the sanitary sewer service connection at the property line shall be four (4) feet. Where possible, the service connection will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the sewer and the lowest floor of the building or structure.

7.7 Maintenance of Water Service Connection

In the event a defect is suspected in the water service connection or water service, the consumer shall immediately notify the City and the Manager will, as soon as practicable, operate the curb stop and determine thereby if the defect exists in the water service or in the water service connection. If the defect is determined to be located in the water service connection, the City shall repair the defect at no cost to the consumer.

If the defect is determined to be in the water service, the property owner shall effect the necessary repairs within ten (10) days. Should the consumer insist that the defect is in the water service connection and not in his water service, he shall deposit with the City a sum of money equal to fifty percent (50%) of the cost of a new connection to cover the cost of excavation and backfilling for inspection purposes. In the event the defect is found in the water service connection, the City shall carry out repairs and return the deposit to the consumer. If there is no fault or defect found in the water service connection, the consumer shall forfeit that portion of the deposit in the amount equal to the actual cost of the work, any surplus being returned to the consumer.

7.8 Existing Dual Connections

Where two buildings are presently served from an existing single service connection, a second connection may be installed on application provided the City receives the full amount for the second connection as prescribed in Schedule A of this bylaw.

7.9 Compulsory Service Connections

Where street surface improvements are scheduled for installation by the City during the current budget year, the Manager shall order a compulsory service connection to be installed to any property abutting such street and served by a sewer regardless of whether or not any improvement is constructed on the property and the cost of the service connection shall be recovered as set out in Section IX of this Bylaw.

7.10 Building Sewer Required

The owner of every parcel of land to which a sanitary sewer service connection can be or has been made, and on which a building or structure is situated shall connect such building or structure to the sewer system. In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the Manager to do so, the Manager, by his workmen or others, may have the work done at the expense of any such owner, and the City shall recover the expense thereof with interest and with costs in like manner as Municipal taxes. Notwithstanding the foregoing, an owner failing to connect his building or structure to the sewer system within the aforesaid period of thirty (30) days shall be liable to the penalties provided by this bylaw.

7.11 Disconnecting Illegal Connection

Any building or sewer connected to a sanitary sewer service connection without a permit therefor pursuant to this Bylaw and any sanitary sewer service connection connected to the sewer system and discharging therein any sewage, substance or matter prohibited by this Bylaw may be disconnected, stopped up and closed at the direction of the Manager and at the owner's cost. Any permit issued pursuant to Section 5.4 and 5.5 hereof shall be in effect so long as the treatment specified is satisfactory to the Manager and the Medical Health Officer. Upon the permit lapsing, the sanitary sewer service connection may be disconnected, stopped up and closed at the direction of the Manager and at the owner's expense.

7.12 Connection To Sanitary Sewer Service Connection

In all cases, the sanitary sewer service connection shall be installed by the City prior to installation of the building sewer and connection of the building sewer to the sanitary sewer service connection by the owner. The City shall not be responsible to meet the elevation or connect to an existing building sewer installed by the owner prior to installation of the service connection.

PART VIII - WATERWORKS AND SEWER SYSTEM EXTENSIONS

8.1 Extension Application

- (1) All applications for extensions to the waterworks or sewer systems shall be made in writing to the Manager by the owner or owners of the property to be served by such extensions.
- (2) Notwithstanding anything in this bylaw contained, the Council may refuse any application for a waterworks or sewer system extension should it consider the Municipal share of costs to be excessive, or should the existing waterworks distribution system or sewer system be inadequate to supply the area in question, or if it is considered technically necessary to install additions to either system thereby causing the Municipal share of the costs to be excessive. The option, however, shall be open to the applicant to pay whatever extra costs may be involved and, if deemed equitable by the Council, it may then approve such application.

8.2 Extension by Council Resolution

The Council of the City of Trail may designate waterworks or sewer system extensions for any budget planning unit covering one or more years and such designated extensions shall be included in a construction bylaw. Such extensions shall be financed by a method to be decided by Council at the time.

8.3 Extension Other Than Council Resolution

- (1) In the event an applicant within the City boundary wishes to proceed with a waterworks or sewer system extension which has not been designated by Council, the Manager may, with the approval of Council, proceed with the extension provided that the applicant shall pay to the City in advance the total cost of construction as estimated by the Manager.

- (2) (a) All such advance payments shall be held by the City without payment of interest thereon, pending completion and acceptance of the work, when they shall be applied against the actual costs incurred by the City in providing and completing the extension. The City shall inspect the works and accept them in writing once its standards are met.
- (b) Within sixty (60) days following the date of acceptance by the City of each waterworks or sewer system extension pursuant to this bylaw, the City Manager shall compute the actual costs incurred by the City in providing and completing the extension and so advise the applicant or applicants therefor in writing. Should the advance payment held by the City pursuant to subsection (2)(a) hereof be in excess of the actual costs or share thereof payable by each such applicant, the City shall refund the surplus resulting to each such applicant within six (6) months from the date of acceptance. No interest shall be payable to the applicant on any surplus held by the City.

Should the actual costs or share thereof payable by each such applicant exceed the advance payment held by the City, each such applicant shall be billed for and shall pay the shortage forthwith to the City. Should any such applicant fail to pay the said shortage by the 31st of December of the year in which the bill therefor is rendered by the City pursuant hereto, the sum then owing shall be deemed to be taxes in arrears on the real property concerned and recovered with interest thereon in like manner as municipal taxes.

- (3) The service connection costs for each parcel of land owned by the applicant or applicants to be served by such extension, shall be as set out in Schedule A to this bylaw and shall be added to and paid with such construction costs.
- (4) Notwithstanding any other provision of this bylaw, extensions to provide service to any parcel or parcels of real property being subdivided or developed, may be permitted subject to the following terms and conditions:
 - (a) Every such extension shall be taken from an existing water main or sewer having sufficient surplus capacity and pressure to provide service to the parcel or parcels of land being subdivided or developed and the intervening lands which shall be served thereby, and every such extension shall be of sufficient capacity to adequately serve the said lands and the development thereon and all of the intervening lands and the estimated potential development thereof.
 - (b) Every such extension shall be designed and constructed to the standards of the City and to the satisfaction of the City, and all costs involved therewith shall be paid by the applicant(s).
 - (c) The waterworks or sewer system extended under the provisions of this bylaw shall at all times be the property of the City.
 - (d) The City reserves the right to further extend at any time any such waterworks or sewer system extension without reference or rebate to any persons.
 - (e) The waterworks or sewer system extension shall be constructed by the City or its authorized construction agent.

- (f) When an extension subject to this Section has been approved and authorized by the Council, the City Manager shall determine the estimated cost of providing and constructing the same and shall estimate the maximum number of single family dwelling units or like units having similar water usage or sewer requirements which could ultimately be accommodated upon the lands which front upon and which will be served by the said extension, including the lands of the applicant and therefrom shall determine the estimated unit cost per single family dwelling unit of the capital cost of making such extension.
- (g) Every person who makes application for a service connection to an extension constructed pursuant to this bylaw at any time during the period extending from the date on which such extension was accepted and put into service to a date five (5) years thereafter shall, as a condition of receiving service therefrom, pay to the City in addition to the connection charge prescribed in Schedule A of this bylaw, the sum arrived at pursuant to subsection (f) hereof, for each of the estimated maximum number of single family dwellings or like units of consumption or sanitary sewer to be served by such service connection, and the said charge for each such unit of consumption is hereby levied and imposed upon all of the lands included by the City Manager as being served by an extension during the said five (5) year period.
- (h) During each of the five (5) years thence ensuing from the date of acceptance, the City shall refund annually to the developer responsible for the construction thereof, the sum arrived at pursuant to subsection (f) hereof and levied and imposed pursuant to subsection (g) hereof for every single family dwelling or like unit of consumption connected to the said extension outside of the lands of the developer in that current year.

If no such service connections are made to the extension in any year of the five (5) year term herein provided, no refund shall be made by the City in that year and no refund shall be made after five (5) years from the date of acceptance, and in no case shall the total refunds made to any such applicant(s) exceed the capital cost of the extension less that portion thereof required to serve the development or land of the developer, arrived at in accordance with the provisions of subsection (f) hereof.

8.4 Extension Limits

The estimated cost of every waterworks or sewer system extension shall be based on the cost of providing and installing a 6 inch diameter water main or 4 inch diameter sewer main, as the case may be, except where a larger diameter main is required complete with all fittings and appurtenances thereto, all to the standards of the City, and constructed and installed within the standards of the City, and constructed and installed within a dedicated highway allowance or statutory right-of-way from the most convenient existing water or sanitary sewer main, having sufficient surplus capacity and pressure to provide water or sanitary sewer service to the applicant and all intervening lands, to a point opposite to the farthest boundary of the last parcel of real property to be served thereby, or to such other point upon an intervening highway allowance or connection to another water or sanitary sewer main where the City may decide that such extension shall end. Where statutory rights-of-way are required for the construction of any portion of such extension, all costs

involved with the acquisition thereof by the City shall be added to and shall form part of the cost of providing said extension and shall be payable by the applicant therefor.

All required statutory right-of-way agreements shall be obtained and registered prior to the commencement of construction of the extension.

8.5 Costs Shareable for Oversize Extensions

Where any waterworks or sewer system is extended other than by Council Resolution and where the City may desire to install a water or sanitary sewer main of greater capacity than is required to provide service to the lands for which application for an extension has been made, and if such excess capacity will be available to permit further extension beyond the boundaries of the land to be immediately served thereby, the City shall pay the difference in cost of installation between the actual cost of water or sanitary sewer main installation with the excess capacity and the estimated cost of the main applied for. This is provided however that the funds required therefor are available and have been allocated specifically for waterworks or sewer system construction in the current annual budget of the City.

8.6 No provision of this bylaw shall be deemed or be held to limit or restrict in any way the City Council from exercising full jurisdiction and control over the operations of the waterworks or sewer system, and the fact that any extensions of the same may have been installed without cost to the City or the waterworks or sewer utility shall not in any way exempt the persons receiving service thereby from any regulation, order or bylaw of the City, nor shall the payment of part or all of the construction costs by any applicant for service be construed as a guarantee by the City with respect to continuity or adequacy of service.

PART IX - CHARGES FOR SERVICE

9.1 Connection and Abandonment Fees

The owner or his agent shall, on making application for a service connection, a turn on or turn off or the abandonment of a service connection, pay to the City the applicable fee prescribed in Schedule A attached hereto and forming part of this bylaw.

9.2 Fee Added to Taxes

Connection, turn on, turn off or abandonment fees not paid on or before the thirty-first day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land served by the said service connection and such sum shall be recoverable as such.

9.3 User Rate

The owner or occupier of real property shall pay in addition to all other rates, charges and fees for the use of the waterworks the amounts specified in Schedule B of this bylaw. The several rates enumerated in Schedule B hereto are hereby imposed and levied by the City, and all such rates shall be payable at the office of the City or any other place authorized and designated by Council on or before the date specified in Schedule B and shall form a charge on the lands and improvements to or upon which the service connection is made and if the rates imposed during any one calendar year remain unpaid after the thirty-first day of December, they shall be entered upon the tax roll as taxes in arrears.

The user rates as specified shall be applied on the date the water turn on or turn off is made

and in the case of unmetered accounts the rate charged for the first and the final billing period shall be prorated to the nearest full month of service.

9.4 Tadanac Irrigation System User Rate

This section shall apply to all properties within the area outlined in bold in Schedule C attached to this bylaw and described as the Tadanac residential area.

The owner or occupiers of real property served by the waterworks in the Tadanac residential area which is used for irrigation purposes only, shall pay the City the user rate as set out in Schedule B. Such user rate shall be levied in the same manner as set out in section 9.3 of this bylaw.

PART X - INSPECTION

10.1 Right of Entry

The owner of every parcel of land and the occupier of every premises shall at all reasonable times allow, suffer and permit any officer, employee or agent of the City of Trail to enter into or upon lands and premises for the purpose of inspecting the premises and water piping system, meter location, meter connection and bypass facilities in order to ascertain whether or not the provisions of this bylaw are being obeyed.

10.2 Inspection

Water Service pipes on private property shall have passed inspection by the Building Inspector prior to connection being made at the property line.

10.3 No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-clock, meter, mains or any other appurtenances connected to the waterworks, and should any person do so by placing thereon or near thereto any brick, stone, timber, or any other material or structure or thing, the Manager or any other authorized agent of the City may remove such obstruction at the expense of the offending person.

PART XI - PENALTIES

11.1 Penalties

Any person who violates any of the provisions of this bylaw shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding the sum of Five Hundred Dollars (\$500.00) together with costs for each offence and each day during which any violation, contravention or breach shall continue shall be deemed as a separate offence.

PART XII - AUTHORIZATION

12.1 This bylaw is a revision of the City of Trail Waterworks Regulation Bylaw 1972 (No. 1641) and the City of Trail Sanitary Sewer Bylaw 1973 (No. 1646) and amendments thereto, and is authorized by Bylaw Revision Authorization Bylaw No. 2383, 1998.

12.2 The City of Trail Waterworks Regulation Bylaw 1972 and the City of Trail Sanitary Sewer Bylaw 1973 are hereby repealed.

12.3 This bylaw shall come into force upon adoption.

12.4 This bylaw shall be cited as the “**Waterworks and Sanitary Sewer Regulation Bylaw No. 2398, 1998.**”

READ the **FIRST, SECOND** and **THIRD** time the 8th day of June, 1998.

ADOPTED the 22nd day of June, 1998.

MAYOR

CLERK

Certified a true copy
of Bylaw No. 2398, 1998.

CLERK

SCHEDULE "A"

1. **CONNECTION FEE**

Pursuant to Part VII of this bylaw, the fee payable by the applicant for a water service connection of any size or number shall be based on the actual cost of the installation to the City.

2. **ABANDONMENT FEE**

Pursuant to Section 3.4, the fee for disconnecting an abandoned water service connection at the water main shall be based on the actual cost to the City.

3. **THAWING PRIVATE WATER SERVICE**

Pursuant to Section 3.5, if the City has been requested to provide this service and has agreed to do so, the applicant shall pay the City \$160.00 or the actual cost of providing the service, whichever is greater.

4. **TURN ON AND TURN OFF**

Pursuant to Section 3.3 and any other pertinent section, the fee for turning on or turning off a water service shall be Thirty-five Dollars (\$35.00) provided the turn on or turn off is performed during regular working hours of the City of Trail crews. The fee for turning on or turning off a water service shall be Seventy Dollars (\$70.00) when the service is performed outside of the regular working hours of City of Trail crews.

5. **BLOCKAGES IN PRIVATE SEWERS**

If the City has been requested to clear a blockage in a private sewer service and has agreed to do so, the applicant shall pay the City \$160.00 or the actual cost of providing the service, whichever is greater.

SCHEDULE "B"**1. Water User Rates**

The user rate for unmetered accounts shall be as follows:

Bylaw 2964		<u>Annual Lump sum paid before Feb. 28th of Current Year</u>	<u>Annual Lump sum paid after Feb. 28th of Current Year</u>
	(a) <u>Domestic</u>		
	1. Each dwelling unit	658.00	711.00
	2. Apartments and suites having units with all individual plumbing, independent of other units within the same building:		
	- first (1) dwelling unit, per unit	658.00	711.00
	- second (2) and third (3) dwelling units, per unit	519.00	561.00
	- all dwelling units in excess of three (3), per unit	312.00	337.13
	3. Boarding Homes and Sleeping Rooms:		
	- rooms without individual plumbing, per room	137.66	148.75
	- rooms with kitchen or toilet (washing) facilities, per room	278.96	301.43
	- rooms with both kitchen and toilet (washing) facilities, per room	327.16	353.51
	4. Minimum charge for all domestic unmetered accounts	129.98	140.45

(b) Commercial

All commercial establishments shall be put on water meters unless the

City is satisfied that the total quantity of water used does not warrant this, in which case the user rate shall be as follows:

1. Each business or commercial unit	519.00	561.00
2. In multiple use buildings:		
- first three (3) businesses or commercial units, per unit	519.00	561.00
- all business or commercial units in excess of three (3), per unit	312.00	337.13

(c) Metered Accounts

All metered accounts are subject to a gross monthly minimum charge of **\$46.67**. The charge for the quantity of water used each month shall be calculated at the following rates:

Monthly Rate:

0 - 1,000 cu. ft./min.	\$3.08 per 100 cubic feet
1,000 - 10,000 cu. ft./min.	\$2.66 per 100 cubic feet
10,000+ cu. ft./min.	\$2.57 per 100 cubic feet

Annualized Rate if Paid in Lump Sum Before February 28th of the Current Year

Lump sum is calculated using the prior years' consumption and the current discounted bylaw rate:

0 - 1,000 cu. ft./min.	\$2.85 per 100 cubic feet
1,000 - 10,000 cu. ft./min.	\$2.46 per 100 cubic feet
10,000+ cu. ft./min.	\$2.38 per 100 cubic feet

(d) Tadanac Irrigation System User Rate

The user rate for those accounts served by the waterworks in the Tadanac residential area for irrigation purposes shall be as follows:

	<u>Yearly Rate</u>	<u>Annual Lump Sum Payment Before Feb. 28th of Current Year</u>
1. Each property	\$50.00	\$47.50

This schedule is payable in the same manner as set out in section 3 of this Schedule.

2. Sanitary Sewer User Rates

The user rate for unmetered accounts shall be as follows:

Bylaw 2947		Annual Lump sum paid before Feb. 28th of <u>Current Year</u>	Annual Lump sum paid after Feb. 28th of <u>Current Year</u>
	(a) <u>Domestic - Unmetered</u>		
	1. Each dwelling unit	284.00	307.00
	2. Apartments and suites having units with all individual plumbing, independent of other units within the same building:		
	- First three (3) dwelling units, per unit	284.00	307.00
	- all dwelling units in excess of three (3), per unit	156.34	169.00
	3. Boarding Homes and Sleeping Rooms:		
	- rooms without individual plumbing, per room	53.15	57.45
	- rooms with kitchen or toilet (washing) facilities, per room	111.53	120.56
	- rooms with both kitchen and toilet (washing) facilities, per room	135.49	146.46
	4. Minimum charge for all domestic unmetered accounts	70.96	76.70
	(b) <u>Commercial - Unmetered</u>		
	1. Each business or commercial unit	284.00	307.00
Bylaw 2695	2. In multiple use buildings:		
	- first three (3) businesses or		

commercial units, per unit	284.00	307.00
- all business or commercial units in excess of three (3), per unit	156.34	169.00

(c) Metered Accounts

All accounts connected to the City Waterworks System with a water meter installed are subject to a minimum monthly charge of **\$25.52**. The monthly user rate for these sanitary sewer accounts and for sewer flow metered accounts shall be calculated at the following rates:

Monthly Rate:

0 - 1,000 cu. ft./min.	\$1.09 per 100 cubic feet
1,000 - 10,000 cu. ft./min.	\$0.96 per 100 cubic feet
10,000 - 100,000 cu. ft./min.	\$0.89 per 100 cubic feet
100,000+ cu. ft./min.	\$0.74 per 100 cubic feet

Annualized Rate if Paid in Lump Sum Before February 28th of the Current Year

Lump sum is calculated using the prior year's consumption or discharge, as applicable, and the current discounted bylaw rate:

0 - 1,000 cu. ft./min.	\$1.01 per 100 cubic feet
1,000 - 10,000 cu. ft./min.	\$0.89 per 100 cubic feet
10,000 - 100,000 cu. ft./min.	\$0.82 per 100 cubic feet
100,000+ cu. ft./min.	\$0.68 per 100 cubic feet

For residential users who are not connected to the City Waterworks System, the rate shall be **\$23.69** per month per dwelling units and **\$284.28** annually per dwelling unit when paid in a lump sum before February 28th of the current year.

3. Billing Procedure

(a) Bills may be rendered by the City on a regular basis or as is convenient to the City.

(b) Payment and Due Date

All unmetered account payments shall become due and payable on or before December 31st of the current year.

All metered account payments shall become due and payable on the 20th day of the month following the month of the billing.

(c) Percentage Additions to Unpaid Water and Sewer Rates

(i) The City Treasurer, as soon as practical after December 31st in the current year, but not later than January 2nd, shall add an amount equal to 10% of the amount remaining unpaid on December 31st in the current year, to all unmetered accounts.

(ii) The City Treasurer, as soon as practical after the 20th day of each month after December 31st in the current year, shall add an amount equal to 1.67% of the amount remaining unpaid in each month to all metered accounts.

(d) Non-payment of Rates

In cases of non-payment of rates for thirty (30) days after they shall have become due and payable, the City Treasurer shall give notice, at his convenience and time to the consumer, that the rates have not been paid and if the same remain unpaid for a period of seven (7) days after the date of the notice, the City may cut off the service in respect to which such rates are due, without further notice.

(e) Connection to Water Supply

No contractor, builder or other person shall use for building construction purposes of any kind or description any water from any main, service or water connection of the waterworks until application, in writing, has been made to the City and until the rate fixed by this bylaw has been paid and all other rules and regulations for properly protecting such mains, service and water connections have been complied with and until the City has granted permission to do so.

(f) Notice of Discontinuance by Ratepayer

Consumers must give forty-eight (48) hours' notice of the discontinuance by the consumer of any service and such notice must be in writing and must be delivered at the City Treasurer's office at City Hall, or sent to the said City Treasurer by prepaid letter, properly addressed and the burden of proof of delivery or posting of such notice shall be upon the consumer. Every consumer shall be liable for the full amount of rates chargeable for the service for forty-eight (48) hours after such notice has been so delivered or received at the City Office, or until discontinuance by the City, if discontinued by it within forty-eight (48) hours.

(g) The rates contained in this Schedule will be in effect and payable from the time the curb stop is turned on by the City or 4 months from the date of the issuance of a building permit, whichever occurs first, unless otherwise authorized by the City upon the request of the owner being served.

4. Rate Reduction

**Bylaw
2722**

(a) For the purposes of this section, the following definitions apply:

“Rental Unit” means a dwelling unit, boarding home or sleeping unit occupied by persons other than the owner, and for which a rent payment is made to the owner for that purpose.

“Vacant” means not occupied by persons for the purposes of habitation and where the owner has received no rent payments.

(b) Rental units will be eligible for a reduction in rates levied pursuant to sections 1(a) and 2(a) of Schedule “B” under the following conditions:

1. The rental unit must have been vacant for 3 consecutive months.

2. The rate reduction will be applied when the rental unit has been vacant for the fourth consecutive month.
 3. A vacancy for a part of any month is not to be used for the purposes of this section.
- (c) All applications for a rate reduction must be submitted in the form prescribed and supported by documents acceptable to the City.
- (d) A rate reduction must be applied for by February 28th of the year following the year in which the rate was applied.
- (e) Rate reductions do not apply to rental units vacant as a result of:
1. a vacation or other absence of the tenant;
 2. being offered for sale unless the curb stop has been shut off by the City or the rental unit was subject to strata conversion and the shut off of the curb stop is impractical.
- (f) The minimum rate in sections 1(a)(4) and 2(a)(4) for each unit will be required.

BYLAW NO. 2398

RATE REDUCTION SCHEDULE

**Bylaw
2725**

(a) Domestic

If vacant in excess of
three continuous months

100% reduction based on
monthly user fee

(b) Apartments and Suites

Apartments with two or more
units, no minimum payment
required, provided at least
one or more units are occupied
all year round

100% reduction based on
monthly user fee

**Bylaw
2725**

(c) Boarding Homes and Sleeping Rooms

For each vacant unit in excess
of three continuous months

100% reduction based on
monthly user fee