

VILLAGE OF QUEEN CHARLOTTE

WATER BYLAW NO. 73 - 2014

A Bylaw to provide for the establishment of rates, regulations and connections for the water distribution system within the municipality

The Council for the Village of Queen Charlotte, in open meeting, enacts as follows:

PART 1 DEFINITIONS

1.1 For the purpose of this Bylaw:

"Collector" means the person appointed as Collector by the Council and his designate.

"Community Charter" means Community Charter, S.B.C. 2003, c. 26 and its amendments.

"Council" means the Council of the Village;

"Dwelling Unit" includes two or more rooms used or intended to be used as permanent residence with cooking, eating, living, sleeping, and sanitary facilities.

"Fixture" includes but not limited to any apparatus, connection, curb stop, fitting, pipe, valve, water meter, or equipment used to distribute or supply water.

"Nonresidential" means a building or use that is not Residential;

"Quarterly" means each successive period of three calendar months commencing January 1st of each year;

"Rate" includes but not limited to a rate, charge or fee.

"Residential" includes single family Dwelling Unit, two family Dwelling Unit, multiple family Dwelling Unit, row housing, apartments, condominiums, boarding houses, rooming houses, lodges, trailers and mobile homes and any other facility used for residential purposes.;

"Service Line" means the water line between a building and the connection with the Water Service at the property;

"Superintendent of Public Works" means the person appointed by the Council and his designate;

"Village" means the Village of Queen Charlotte;

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"Water Service" includes but is not limited to any equipment or pipes, such as water stops and water meters between the water main and the connection with the Service Line.

"Water Distribution System" means the system established by Section 2 of this Bylaw.

PART 2 WATER DISTRIBUTION SYSTEM

- 2.1 A water distribution system is hereby established and continued for the Village
- 2.2 The Superintendent of Public Works is responsible for the use, maintenance and operation of the Water Distribution System.

PART 3 WATER RATES

- 3.1 A person must do the following:
 - (a) pay the rates in Schedule A on or before the due date for the water supplied by the Village;
 - (b) pay for the water supplied by the Village whether or not the person received a bill from the Village or not;
 - (c) notify the Village in writing when any changes or modifications are made to the premises that may affect the rates; or
 - (d) Not withhold information about the premises which could affect the rates for the water supplied by the Village.
- 3.2 The Collector must bill a person for the water supplied by the Village quarterly.
- 3.3 If the person has not paid the full amount owing for the water supplied by the Village because the rate on the bill is less than the rate for the actual amount of water used, the Collector may bill the person the outstanding difference in rates for the applicable period which may not exceed 12 months in total.
- 3.4 Despite section 3.3, the Collector may bill the person the outstanding differences in rates for the applicable period which exceeds 12 months, if any of the following conditions apply:
 - (a) the person has committed fraud or theft of service;
 - (b) the person was aware of the full amount owing and failed to notify the Village of the potential discrepancy in the amount owing; or
 - (c) the person has refused access to the property to allow for maintenance to the equipment.

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- 3.5 Any rates which remain unpaid by a person after the 31st day of December in any year shall be deemed to be taxes in arrears on the property concerned.

PART 4 WATER SERVICE LINE CONNECTIONS

- 4.1 A person must do the following:
- (a) apply to the Village to have the Service Line for the premises connected to the Water Distribution System;
 - (b) pay the rates set out in Schedule B for the Service Line connection; and
 - (c) notify the Village of any subsequent changes to the premises after the Service Line for the premises has been connected to the Water Distribution System.
- 4.2 If a person has applied to have a Service Line for the premises connected to the Water Distribution System, the Superintendent of Public Works may do the following:
- (a) determine the location and size of the Fixtures to be used to make the Service Line connection;
 - (b) bring the Service Line to the nearest property line of the premises for connection to the Water Distribution System; or
 - (c) require the person to do certain things on the property to facilitate the Service Line connection.
- 4.3 A person must do the following:
- (a) not take water from the Water Distribution System without having obtained permission from the Village and paying applicable rates,
 - (b) not tap or make any connection to the Water Distribution System, unless that person is an employee or agent of the Village;
 - (c) maintain all curb stops and water meters located at or near the property line for the purposes of water turn-off at finished ground level at the person's own costs;
 - (d) keep all Fixtures on the property in good repair and order at the person's own expense;
 - (e) protect all Fixtures on the property from frost at the person's own expense; and
 - (f) pay the costs to repair to any damage to the Fixtures, Service Line or Water Distribution System caused by misuse, abuse or lack of accessibility to the Service Line or Water Distribution System.
- 4.4 A person must have an employee or agent of the Village present at:
- (a) any underground water excavation, construction or thaw that take place on Village property; or
 - (b) any service connection excavation.

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PART 5 TEMPORARY WATER SERVICE

- 5.1 A person may request the Village to do the following:
- (a) disconnect the Water Service for temporary construction or seasonal purposes;
 - (b) reconnect the Water Service for temporary seasonal purposes.
- 5.2 If a person makes a request under section 5.1, a person must do the following:
- (a) give written notice to the Village;
 - (b) pay the rates set out in Schedule C;
 - (c) continue to pay the rates set out in Schedule A during temporary disconnection of Water Service.
- 5.3 The Superintendent of Public Works may waive the requirements under this Part in case of emergencies.
- 5.4 A person must not disconnect or reconnect a Water Service on Village property, unless that person is an employee or agent of the Village.
- 5.5 If a person has connected a Service Line and there has been no request to reconnect the Water Service, the Collector may bill the person the full amount owing for the water for the applicable period which may not exceed 12 months in total.
- 5.6 Despite section 5.5, the Collector may bill the person the outstanding amount for the applicable period which exceeds 12 months if any of the following conditions apply:
- (a) the person has committed fraud or theft of service;
 - (b) the person was aware of the full amount owing and failed to notify the Village of the potential discrepancy in the amount owing; or
 - (c) the person has refused access to the property to allow for maintenance to the equipment.

PART 6 GENERAL

- 6.1 The Village may do the following:
- (a) disconnect or reconnect the Water Service;
 - (b) adjust the water supply pressure; or
 - (c) interrupt the water supply

due to emergency conditions or to upgrade or carry out general maintenance on the Water Distribution System.

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- 6.2 If any of the conditions in section 6.1 occurs, the Village may give notice to affected persons where it is practical to do so and time permits.
- 6.3 A person shall not have any claim against the Village by the reason for doing any of things listed in section 6.1.
- 6.4 An employee or agent of the Village may do the following:
- (a) enter at all reasonable times any property subject to this bylaw to ascertain compliance with this bylaw;
 - (b) inspect all Fixtures for distributing water;
 - (c) if any Fixture is defective or any water is being wasted, give notice to a person to rectify the situation.
- 6.5 A person must not do the following:
- (a) interfere or tamper with any fire hydrant or part of a fire hydrant in any way;
 - (b) maintain a water connection or Fixture not in accordance with the requirements of this bylaw;
 - (c) maintain a water connection or Fixture which causes noise, pressure disturbances or any other nuisance which may
 - (i) result in the annoyance to other persons,
 - (ii) damage the Water Distribution System; or
 - (iii) contribute to a potential contamination of the Water Distribution System;
 - (d) misuse, abuse or damage the Water Distribution System.
- 6.6 The Superintendent of Public Works may do any of the following:
- (a) give notice to require person to rectify the situation or pay the costs instead, if a person violates any provision of this bylaw;
 - (b) disconnect the Water Service if a person violates section 6.5; or
 - (c) waive any of the requirements under Part 5.
- 6.7 If a persons does not comply with the notice in section 6.6 (a), the Council may order the work be done to rectify the problem and recover the costs for the work in accordance with the Community Charter.

PART 7 PENALTY

- 7.1 A person who contravenes this bylaw commits an offence.
- 7.2 A person who is convicted of an offence under this bylaw is liable to a fine of not more than \$10,000 or to imprisonment for not more than 6 months or to both.
- 7.3 Each day that a person contravenes this bylaw constitutes a separate offence.

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PART 8 REPEAL

- 8.1 The following bylaws and their amendments are repealed:
- (a) Queen Charlotte City Specified Area Water Regulations, Fees and Connections Amending Bylaw No. 384, 1999; and
 - (b) Village of Queen Charlotte Bylaw No. 60 – 2012 A Bylaw to Fix Fees, Rents and Charges

PART 9 SCHEDULES

- 9.1 The following schedules are attached to and form part of this bylaw:
- (a) Schedule A - Water Rates;
 - (b) Schedule B - Service Line Connection Rates;
 - (c) Schedule C - Temporary Water Service Rates;

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PART 10 CITATION

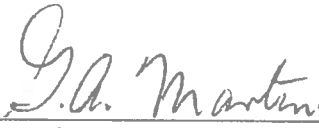
10.1 This bylaw may be cited for all purposes as the Water Bylaw No. 73 – 2014.

READ A FIRST TIME the 7 day of July, 2014

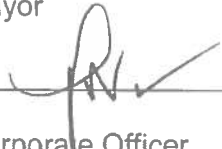
READ A SECOND TIME the 7 day of July, 2014

READ A THIRD TIME the 7 day of July, 2014

ADOPTED ON THE 21 day of July 2014



as per
Mayor



Corporate Officer

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SCHEDULE "A" – WATER RATES

1.0 The following rates apply:

Type of Premises	Monthly Rate per Unit
Residential	
Single Family Dwelling Unit	\$17.89
Two Family Dwelling Unit	\$17.89
1 unit = 1 Dwelling Unit	
Multi Family Dwelling Unit, such as Apartments, Duplexes, Condominiums, Row Houses, Boarding Houses, Rooming Houses, Lodges	\$17.89
1 unit = 1 Dwelling Unit	
Residences outside specified water area (Robertson Island)	\$28.13
Trailers and Mobile Homes	\$17.89
Non Residential	
Barber Shops and Beauty Parlours	\$26.83
Bed and Breakfast	\$8.04
1 unit = 1 room	
Campgrounds	\$8.04
1 unit = 1 serviced area	
Churches, Religious Meeting Places and Halls	\$26.83
1 unit = Maximum 30 seating capacity	
Commercial Store	\$44.72
1 unit = 6 employees (a manager is considered an employee)	
Commercial Office	\$22.33
1 unit = 6 employees (a manager is considered an employee)	
Hotels and Motels	\$8.04
1 unit = 1 room	
Hospital	\$17.89
1 unit = 1 bed	

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SCHEDULE "A" – WATER RATES

Hostels and Dormitories 1 unit = 6 beds with charges in increments of 6 beds	\$8.04
Ice House	\$125.23
Laundromats	\$44.72
Restaurant, café, dining rooms 1 unit = Maximum 20 seat capacity	\$17.89
Service Station or Garages without car washing facilities	\$44.72
Service Station or Garage with car washing facilities	\$70.48
School 1 unit = Maximum 30 persons	\$17.89

Types of Premises	Monthly Rate (Flat Rate)
Wharf	\$245.42
Fish Plant	\$245.42

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SCHEDULE "B" - SERVICE LINE CONNECTION RATE

1.0 The following rates apply.

Type of Service Line Connection	Rate
Service Line Connection	The actual costs of the labour, materials, equipment, supervision for the installation of the Service Line

2.0 In order to connect the Service Line, the person must pay in advance of the Village making the connection, the estimated costs for the labour, materials, equipment, supervision of the installation for the Service Line.

3.0 Once Service Line connection has been completed, the following applies:

- (a) if the actual costs are more than the estimated costs, the person requesting the Service Line connection must pay the difference; or
- (b) if the actual costs are less than the estimated costs, the Village must refund the difference between the actual costs and the estimated costs.

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SCHEDULE "C" – TEMPORARY WATER SERVICE RATES

1.0 The following rates apply.

Type of Temporary Water Service Rate	Rate
To disconnect Water Service on a temporary basis	\$75.00
To reconnect Water Service after a temporary disconnection of the water service	\$75.00
To repair or construct Water Service as a result of a disconnection or a reconnection	\$25.00