

VILLAGE OF CANAL FLATS

BYLAW NUMBER 289, 2025

WATER SYSTEM REGULATIONS

Being a bylaw to establish regulations for the Village of Canal Flats' Water System

The Council of the Village of Canal Flats, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited for all purposes as the "*Village of Canal Flats Water System Regulations Bylaw No. 289, 2025.*"

2. INTERPRETATION

(1) In this Bylaw:

A reference to a statute in this Bylaw refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation, code or Bylaw refers to that enactment as it may be amended or replaced from time to time. In the event of a conflict between this Bylaw and a Provincial enactment, the stricter one prevails. Headings in this Bylaw are for convenience only and must not be construed as defining or in any way limiting its scope or intent.

"Annual"	means the twelve calendar months in each year.
"Auxiliary Water Supply"	means any water available on or to a Premise that originates from a source or system other than the Water System.
"Curb Stop"	means a Turn-Off valve on the Water System at or near a property line used to control water flow to a Water User.
"Council"	means the Council for the Village of Canal Flats.
"Dwelling Unit"	means a housing unit sheltering not more than one Family and not more than one set of cooking facilities, consisting of either a detached housing unit; a self-contained unit within a Domestic building; a self-contained unit within a commercial building used as a principal residence; one half of a duplex, or a self-contained suite in a building containing three or more such suites.

“Family”	means (a) Persons related by blood, marriage, adoption or foster care, or (b) A group of not more than three unrelated non-transient Persons living together as a single non-profit group in a Dwelling Unit and using common cooking facilities and excludes boarders, lodgers and servants, but includes a Person living alone.
“Historical Data”	means the available data from the three (3) Quarters prior to the Quarter being reviewed.
“Irrigation”	means the application of water to land solely for the purpose of watering plants, including but not limited to lawns, gardens, vegetables, decorative planting, trees, shrubs or agricultural crops.
“Metered”	means a Water Service Connection equipped with a device to measure the consumption of water from the Water System.
“Commercial/Industrial User”	means any User other than a Domestic User.
“Ornamental”	means shrubs, trees, grass, and flowers planted and maintained largely or solely for cosmetic appearance in a physical landscape.
“Owner”	has the same meaning as in the <i>Community Charter</i> , and in relation to the common property under the <i>Strata Property Act</i> , means the strata corporation.
“Parcel”	has the same meaning as in the <i>Community Charter</i> .
“Person”	means and includes a natural person as well as a corporation, firm or partnership, and the personal or other legal representative of a Person.
“Premises”	means any Parcel of land, building, erection or thing connected to the Water System.
“Quarterly”	means every three (3) months during a calendar year.
“Domestic User”	means a Person using a connection to the Water System from a building exclusively for Domestic purposes.
“Sprinkler”	means a device with perforations through which water issues from a connected hose but excludes a micro-irrigation or drip-irrigation system.

“Staged Water Restriction”	means a level of prescribed water use restrictions applying to a Water User.
“Trustee”	means any Person appointed by Council to administer, enforce or carry out the provisions of this Bylaw including but not limited to the Chief Administrative Officer, Public Works Foreman, Bylaw Officer, Building Official, or an authorized third-party contractor working on behalf of the Village.
“Turn-Off”	means to turn off the water supply to a Premise by closing a Village-owned valve or by any other means.
“Turn-On”	means to allow the flow of water by opening a Village owned valve or by any other means.
“Unmetered”	means any water supply that is not water Metered.
“Village”	means the Village of Canal Flats, or the area contained within the boundaries thereof.
“Water Service Connection”	means a piping connection and its necessary appurtenances that conveys water directly from the Water System to the inside of a building.
“Water System”	means any Water System or a part of it, owned or operated by the Village.
“Water User”	means a person who uses water from the Water System.

3. WATER SYSTEM CONNECTIONS

- (1) No person shall allow water to be supplied to a Premises by way of a well, spring or other source of water supply that is not connected to the Water System unless the alternate source of water is authorized by Council, such authorization being subject to such terms and conditions as Council deems necessary, including a limit on the period of time for which an alternate supply of water may be used.
- (2) No person who has been granted an authorization to use an alternate source of water supply shall allow the alternate source of water supply to be connected to the Water System.
- (3) A Dwelling Unit that is a detached housing unit must have a unique Water Service Connection.
- (4) An Owner must connect their Premises to the Water System and pay to the Village the applicable connection fee.

- (5) The Village is not obligated to
 - a) supply water to Premises which do not abut the Water System, or
 - b) make connections to Premises during such periods of the year when the ground is frozen or typically frozen.

4. WATER SYSTEM APPLICATIONS

- (1) Prior to proceeding with any of the following, a Person must apply in writing to the Village using Village approved pro forma to:
 - a) use water from the Water System;
 - b) permanently terminate the use of water from the Water System;
 - c) install a new connection to the Water System; or
 - d) Turn-On or Turn-Off the water supply to the Premises.
 - e) For clarity, upon approval for permanent service termination, the Village shall be responsible for Turn-Off at the Curb Stop valve and the Owner shall be responsible for closure of any valve connections within the Premise and severing the connection to the Curb Stop.
- (2) The Village may require the following information as part of an application to use water from the Water System or to install a new connection to the Water System:
 - a) The location of the Premises to be served;
 - b) The manner in which the water from the Water System will be used; and
 - c) Sufficient details to verify compliance with any other applicable Village bylaws.

5. CONSTRUCTION STANDARDS

- (1) Every Owner must ensure that:
 - a) all Water Service Connections are laid and maintained in accordance with the Village's current subdivision and development servicing bylaw if in effect, and as amended or replaced from time to time;
 - b) all plumbing works connecting the Water System with or contained in any Premises must be done in good and workmanlike manner with approved material in accordance with the *British Columbia Building Code* and the *Canadian Plumbing Code* as amended or replaced from time to time; and

- c) plumbing works connecting the Premises to the Water System remain uncovered until the plumbing works have been inspected and accepted by the Public Works Foreman.
- (2) The Public Works Foreman may Turn Off, or refuse to Turn On, the supply of water to a Premise until satisfied that the requirements and standards of the *Building Code*, the *Canadian Plumbing Code*, and this Bylaw have been met.
- (3) In the case of Premises which may be or are separate Dwelling Units and do not have separate Water Service Connections which can be controlled outside the property line, provision must be made within the Premises for control of water supply to each such Dwelling Unit.
- (4) the Owner or occupier of each Premises must allow entry and access for inspection of the water supply control equipment by a Trustee at reasonable times and in a reasonable manner, and after taking reasonable steps to notify the Owner or occupier before entry, and in the case of a Domestic Unit if any one of the following applies:
- (i) the occupier consents;
 - (ii) the municipality has given the occupier at least 24 hours' written notice of the entry and the reasons for it;
 - (iii) the entry is made under the authority of a warrant under this or another Act;
 - (iv) the person exercising the authority has reasonable grounds for believing that failure to enter may result in a significant risk to the health or safety of the occupier or other persons;
 - (v) the entry is by a Trustee for inspecting and determining whether all regulations, prohibitions and requirements are being met in relation to any matter under this Bylaw.
- (5) the Public Works Foreman may, subject to 24 hours' notice except in an emergency, Turn Off and seal the control valves to such parts of the said Premises as they deem necessary or advisable to effect compliance with those enactments or otherwise to ensure that the Water Service Connections and water supply control equipment are installed, operated and maintained in a safe and proper manner. An Owner or occupier may apply to Council for reconsideration of the decision of the Public Works Foreman.
- (6) Should an Owner fail to abide by any requirements under this Bylaw, including but not limited required to repairs and maintenance, the Village shall be entitled to fulfill the Owner's requirements and to recover the costs from the Owner.
- (7) Upon the completion of a Water Service Connection, The Village's portion and responsibility of the Water Service Connection ends at the Curb Stop. Any piping connection, or portion thereof, located on the Owner's side of the Curb Stop is the sole responsibility of the Owner, provided that a Village owned water meter located inside the Premise is the responsibility of the Village.

6. REPAIR PROTOCOLS

- (1) In the event of a frozen or blocked Water Service Connection or similar type of problem, the Owner shall first call a plumber, at the Owner's expense, and if it is determined that the problem is on the Village portion of the Water Service Connection, the Owner must call the Village which will arrange for the problem to be attended to.
- (2) If repairs or replacements are required to the Water System that are due to a failure by the Owner or occupant to comply with this Bylaw, the *Building Code*, the *Plumbing Code*, or to another cause arising from the action, inaction or fault of the Owner, the current Owner is liable for all costs incurred by the Village to repair or replace any part of the Water System.

7. WATER SYSTEM LIABILITY LIMITS

- (1) In the event that the supply of water to any Water User fails, whether from natural causes or accident or from any other causes whatsoever, the Village shall not be liable for damage by reason of such failure.
- (2) Water Users depending on a continuous or uninterrupted supply of water or having processes or equipment which require particularly clear or pure water shall provide such emergency storage, oversize piping, pumps, tanks, filters, pressure regulators, check valves, additional service pipes, or other means for continuous and adequate supply of water suitable for their requirements.
- (3) The Village shall not be liable for any injury or damage to any Person, Parcel or Premises arising or occurring from the use of the Water System.
- (4) The Village shall not be responsible for the maintenance of pressure within the Water System nor for increases or decreases in pressure nor for any damages that may result.
- (5) The Village shall not be liable in case the water contains sediments, deposits, or other foreign matter.

8. WATER METERING AND BACKFLOW PREVENTION

- (1) Council may require an Owner of any of the following properties:

- (1) Non-Domestic Premises;
- (2) Domestic Premises containing three (3) or more Domestic Units; or
- (3) strata property;

to, at the Owner's sole expense, install a water meter on the Water Service Connection in an approved location that:

- (i) meets the standards of the Canadian Standards Association or the American Water Works Association;
- (ii) is of a type and size and at a location approved by the Public Works Foreman;

- (iii) is capable of being remotely read; and
 - (iv) includes a backflow prevention device in accordance with the Village's current bylaw regulating cross connection and control as amended or replaced from time to time.
- (2) Notwithstanding s.8(1), all in-ground sprinkler and irrigation systems connected to the Water System must have a backflow prevention device installed and maintained by the Water User.
 - (3) Every Owner of Premises must ensure that a water meter required on the Premises is protected always against damage including impact, vandalism, corrosion and freezing.
 - (4) Every Owner of Premises must promptly notify the Village of damage that may have occurred to the meter, and must take immediate steps to repair or replace the meter, and notify the Public Works Foreman of the repair or replacement.
 - (5) The Owner must replace and pay the cost of replacement of a water meter when
 - a) the replacement is at the initiative of the Owner;
 - b) the replacement is necessary or required due to change of use, capacity, renovations, new construction or other circumstances under the control of the Owner; or
 - c) the meter has been damaged or fails to work properly due to negligence, vandalism, corrosion, freezing, wear, aging or any other reason; provided that if the replacement of a water meter is initiated by the Village, the Village will bear the cost of the meter and its installation, and the Owner is thereafter responsible as set out in this Bylaw.
 - d) For clarity, all Water Meters installed and in operation under the provisions of this Bylaw are the property of the Village.

9. CONSERVATION MEASURES

- (1) No person shall damage or allow the deterioration of any appliance so as to result in a waste of water.
- (2) No person shall waste water by using more than is required to provide a service, produce a product or complete a task, including but not limited to allowing a tap or hose to run water unnecessarily, or over-watering of landscaped areas, gardens or lawns to the point of saturation and run-off to other areas.
- (3) The watering of ornamental lawns and gardens is restricted by Staged Conservation Restrictions as directed by the Village, applying to all Water Users.
- (4) Stage 1 applies between June 1 and September 15 unless other Stages take effect in the interim.
- (5) The Public Works Foreman and the Chief Administrative Officer are authorized to implement Stages 2, 3 or 4 as a means of further reducing water consumption and

- conserving the Village's water supply.
- (6) Stage 1 Restriction means:
- a) Watering of Ornamental lawns gardens, trees and landscaped areas is restricted to use of a hand-held hose with an automatic shut-off mechanism, hand-held canister, or use of a Sprinkler or a drip irrigation system with:
 - (i) Even numbered civic addresses permitted to apply water on even numbered calendar days between the hours of 6:00am to 10:00am and 6:00pm and 10:00pm; and
 - (ii) Odd numbered civic addresses permitted to apply water on odd numbered calendar days between the hours of 6:00am to 10:00am and 6:00pm and 10:00pm.
 - b) All other outdoor uses of water may only be undertaken with the use of containers or a hand-held hose with an automatic shut-off mechanism.
- (7) Stage 2 Restriction means:
- a) Outdoor watering of Ornamental lawns, gardens, trees and landscaped areas is prohibited. Food plants may be watered only by a hand-held hose with an automatic shut-off mechanism or hand-held canister during the days and times articulated in Stage 1.
 - b) All other outdoor use of water including the filling and refilling of more than 15% of the volume of outdoor spas is prohibited except to the minimum extent to provide basic hygienic cleaning.
- (8) Stage 3 Restriction means all outdoor applications of water are prohibited.
- (9) Stage 4 Restriction means the Provisions of Stage 3 remain in effect; use of water indoors is restricted to drinking, cooking and sanitation purposes only.
- (10) Exemptions from Staged Conservation Restrictions include:
- a) Watering of Ornamental lawns, gardens, trees and landscaped areas of a Parcel planted within 90 days of announcing a Stage 2 Restriction.
 - b) Water line and hydrant flushing, emergency response, including fire, or any use deemed in the best interest of the Village of Canal Flats are exempt during all stages.
- (11) No exemptions shall apply for any Water User while under Stage 3 or 4 Restrictions.
- (12) The Village shall post notice of the implementation of Restriction Stages 2, 3, or 4 upon its website, through social media, and by publication in the Canal Flats Newsletter prior to the commencement of the restrictions.

10. WATER SYSTEM REGULATIONS

- (1) The Public Works Foreman may with reasonable notice and times enter any Parcel or Premises with a Water Service Connection and access locations and equipment on the Parcel or Premises related to the Water System including, without limitation, the Curb Stop, any water meter, backflow preventer and water supply control equipment, for inspecting and determining whether all regulations, prohibitions and requirements are being met in relation to any matter under this Bylaw.
- (2) A person must not obstruct or prevent entry on a Parcel or Premises for the purposes identified in section 10(1).
- (3) A person must not make connection to, Turn On, Turn Off, or otherwise interfere with, in any manner, any portion of the Water System including but not limited to, any water mains, connections, Curb Stops, isolation valves, wells, pumps, hydrants or reservoirs, without having first obtained the express written permission of the Public Works Foreman.
- (4) Notwithstanding s.10(3), in the event of an emergency, such as but not limited to structural flooding, a Person may Turn Off the water supply to the Premises but shall report the Turn Off to the Public Works Foreman in writing within the next business day.
- (5) A person must not wilfully, through inaction, neglect or by cause:
 - a) hinder or interrupt the Village, its contractors, servants, agents or workers in the exercise of any of the powers or duties authorized by this or any other bylaws of the Village, or in the carrying out of duties specified under Provincial or Federal legislation;
 - b) obstruct the free access to any fire hydrant by parking or placing on or within 5m of such hydrant any vehicle, material, rubbish or obstruction including snow;
 - c) in any way introduce any contaminants to the Water System, foul the water in the Water System, or commit any damage to the Water System;
 - d) alter or damage any water meter or water meter seal or open or tamper with the meter bypass line so as to lessen or alter the amount of water registered;
 - e) sell, give away, permit to be taken away, or dispose of any water supplied by the Water System to any Parcel of property or Premises which does not have an authorized connection to the Water System, unless:
 - (i) the sale or distribution of that water is by a landlord to a tenant;
 - (ii) the sale or distribution of that water is by a strata corporation to a member;
 - (iii) the person has first received authorization in writing to do so by the Public Works Foreman; and
 - (iv) any charge for that water to the tenant or member for Water Use does not exceed the amount charged by the Village;

- f) trespass on reservoirs, pump stations or other Water System properties;
 - g) without limiting paragraph f), sell or resell water by wholesale from the Water System in bulk, in containers of any size, or by pipeline; or
 - h) contaminate the water table within the well capture zone or contaminate the ground within the well capture zone which may lead to contamination of the water table.
- (6) In the event of any waste of water being found to exist in the Water System, a Trustee will give the Owner of the Premises notice to have the relevant defect remedied.
- (7) If a waste of water is discovered and determined to be of an urgent and serious nature, a Trustee may immediately shut off the supply of water to the Premises and service will not again be turned on until such defect has been remedied as required and the appropriate Turn-Off and Turn-On fees have been paid by the Owner.
- (8) No person will have any claim against the Village because of Turning Off the water supply, if this is authorized under this Bylaw.
- (9) Council may order the Turn-Off to any Water Service Connection on thirty days' written notice for failure to maintain the private portion of the Curb Stop in a reasonable condition, extended non-payment of rates or fees when due, refusing to provide for the proper installation of a water meter, or when, in the opinion of the Council, the public interest require such action.

11. WATER USER RATES, FEES AND CHARGES DETERMINATIONS

- (1) Every Owner of Premises to which water is supplied from the Water System must pay for:
- a) the applicable connection fee;
 - b) the applicable monthly or annual fee; and
 - c) any Turn-On or Turn-Off fees.
- (2) The Village may enforce the collection of Water User rates due Annually and payable by 4:30pm on the first working day following July 1st and if not paid on or before that date, in the same manner as taxes in arrears in accordance with the provisions of the *Community Charter*.
- (3) Fees for connection, Turn-On or Turn-Off of water, or other occasional services for which an application is required, or a request is made, are due and payable at the time of application or request.

- (4) Unless otherwise specified, amounts stated on any invoice for services or actions taken under this Bylaw by or on behalf of the Village are due and payable within thirty (30) days from the invoice date. A service charge of 1% per month (12% per annum) will be charged on all overdue accounts.
- (5) In the case of a connection being made during any year, the fees imposed will begin with the month during which the water supply is turned on.
- (6) In the case of a water service being permanently discontinued during any year, the final invoice will be calculated for the month in which the termination request was made. For Metered users the consumption charge will be calculated based on the final reading when the water supply is turned off.
- (7) Any invoice will be considered tendered if mailed to the Owner at the address set out in the real property tax roll, or otherwise to the last address provided to the Village by the Owner. Notwithstanding, non-receipt of an account billing will not exempt an Owner from the payment of the billing or any penalty or interest.

12. UNMETERED WATER USER RATES

- (1) Unmetered Water Users will be charged on an annual flat rate basis, calculated in accordance with the Village's current bylaw concerning fees and charges as amended from time to time, included on the Owner's property tax notice.
- (2) Unmetered User Rates are due Annually by 4:30pm on the first working day following July 1st.
- (3) A service charge of 10% will be charged on all overdue accounts.

13. METERED WATER USER RATES

- (1) Metered Water Users will be invoiced on a Quarterly basis and the fees contained therein will become due and payable to the Village thirty (30) days from the date of the invoice.
- (2) A service charge of 1% per month (12% per annum) will be charged on all accounts past 30 days.

14. LEAK ADJUSTMENTS (FOR METERED WATER SERVICE CONNECTIONS)

- (1) Metered Water Service Connections are eligible for a one-time water leak adjustment in the form of a utility credit applied to their account, providing they meet the criteria set out in this Bylaw. Application for a billing adjustment (utility credit) shall be due specifically to a water leak on private property.
- (2) Metered Water Users are responsible for monitoring higher than expected flow volumes and must investigate higher than expected flow volumes to determine if there is a private property-side leak. Water Users shall promptly repair found leaks.

- (3) The Village may only determine utility credits when ALL of the following requirements are met:
 - a) After all leaks have been repaired and verified with an actual meter read following repairs being made. Obtaining a meter read is necessary to verify whether flow volumes have returned to normal;
 - b) Reasonable effort (including hiring a plumber) to locate the leak and complete repairs have been undertaken by the Water User; and
 - c) Tangible proof of a repair being completed has been provided (plumber repair invoices/materials receipts) to the satisfaction of the Village.
- (4) There is no extension of the due date or the time for paying utility bills because of a pending utility credit request. Water Users shall pay the entire amount due within the normal payment period or enter into payment arrangements for the excessive flow volume in order to remain in good standing of all current billings. Utility credits will only occur after an adjustment request is granted.
- (5) The adjustment shall be limited to one Quarterly billing period.
- (6) Adjustments may include both the water consumption portion and the related sewer charge portion if determined appropriate by the Village.
- (7) The amount of excess flow volume shall be determined by the Village based on a determination of normal average consumption during three previous corresponding quarterly billing periods. For example, if a leak is discovered in Q2, the average of three previous Q2 consumption values will be determined. Once normal flow volume is determined it is subtracted from the current meter reading and consumption in excess of that determination shall be credited to the Water User's account at the rates determined by the Village's current fees and charges bylaw as amended from time to time.

15. BULK WATER SALES

- (1) The Village shall determine the location, volume, and applicable fees for any bulk water sales, facilitated by the Public Works Foreman.
- (2) Bulk water fees are due and payable within 30 days from the date of invoice.

16. VIOLATION OF BYLAW

- (1) Any Person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this Bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this Bylaw, commits an offence, and each day that a violation continues constitutes a separate offence.

- (2) Upon conviction of an offence under this Bylaw, a person is liable to pay a fine of not less than \$2,000 and up to \$10,000 if proceedings are brought under the *Offence Act*; or

17. SEVERABILITY

If any portion of this Bylaw is found invalid by a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the Bylaw.

18. REPEAL

"Village of Canal Flats Merged Water Local Service Area Water Rates and Regulations Bylaw No. 153, 2013", Village of Canal Flats Bylaw No. 232, 2020 and any amendments thereto, are hereby repealed in their entirety.

READ A FIRST TIME THIS 24th DAY OF NOVEMBER, 2025.

READ A SECOND TIME THIS 24th DAY OF NOVEMBER, 2025.

READ A THIRD TIME THIS 24th DAY OF NOVEMBER, 2025.

ADOPTED THIS 8th DAY OF DECEMBER, 2025.


MAYOR


CORPORATE OFFICER

CERTIFIED a true and correct copy
of "Village of Canal Flats Water System
Regulations Bylaw No. 290, 2025"

Corporate Officer

