

CITY OF ARMSTRONG

WATER AND SEWER REGULATION BYLAW

BYLAW NO. 1722

A Bylaw to Establish Water and Sewer Regulations and their Terms and Conditions

WHEREAS the Council of the City of Armstrong is empowered and authorized by the *Community Charter* to establish water and sewer regulations and the terms and conditions under which services may be provided by the City; and

WHEREAS the Council deems it necessary and expedient to establish water and sewer regulations and the terms and conditions under which services may be provided.

NOW THEREFORE the Council of the City of Armstrong, in the Province of British Columbia, in an open meeting assembled, **Hereby Enacts As Follows:**

Title

1. This Bylaw may be known and cited as the "**City of Armstrong Water and Sewer Regulation Establishment Bylaw No. 1722**".

Definitions

2. In this bylaw:

Account – means an account for invoice or billing purposes.

Backflow – means the flow of water or other substances back into any plumbing system connected to the City Water Utility.

Backflow Prevention Device – means a mechanical device, assembly or piping arrangement that when subject to backpressure or back siphonage will prevent Backflow, and is approved for use by the City.

Backflow Prevention Assembly Tester – means a person who is approved by the City Manager and holds a current certification from the British Columbia Water and Wastewater Association to test Approved Backflow Preventers.

Bulk Water Filling Station – means a station used for the provision of bulk water from the City Water Utility.

Bylaw Enforcement Officer – means that person appointed by Council to enforce the regulations of this bylaw.

City - means the City of Armstrong.

Connection - means a service connection from the City Water, Sanitary Sewer or Storm Sewer System.

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Contaminant – means any substance or matter in water which may render the water unfit for drinking according to guidelines and regulations of the province of British Columbia.

Council - means the elected Municipal Council of the City of Armstrong.

Cross Connection – means any connection whereby the City Water Utility is connected, directly or indirectly to any device or source which may result in Backflow or Contaminants entering into any plumbing connected to the City Water Utility including bypass arrangements, jumper connections removable sections, swivel or changeover devices, or any other temporary, or permanent connecting arrangements.

Customer – means any person, company, or corporation who has opened an account with the City for the purpose of being supplied water from the City Water Utility.

Flat Rate Service - means a non-metered Connection to the City Water or Sanitary Sewer Utility System.

Group of Parcels - means where a building or other improvement extends over more than one parcel of land, those parcels if contiguous may be treated by the Assessor as one parcel and assessed accordingly.

Hydrant Use Permit – means a permit issued for use of a fire hydrant for purposes other than fire protection and suppression.

Inspection Chamber – means a device used to inspect and clean out a Sewer Service.

Manager – means the person appointed by Council to manage and oversee the day-to-day operation of the City Water Utility and along with other City staff to administer this bylaw.

Metered Service - means a service that has had a meter installed for determining the quantity of water supplied by such service.

Owner - means the legal owner or registered lessee of any real property who has the right of access to and control of any land, building or premises to which any of the provisions of this bylaw apply.

Parcel - means any lot, block or other area in which real property is held or into which is subdivided.

Rate - means the price or sum of money to be paid by any consumer for the service supplied to him as provided by this bylaw.

Service – means:

1. On-Site Service – from the property line to the building contained therein;
2. Off-Site Service – within the City owned right of way;
3. Water Service – the curb stop valve shall delineate where the On-site Service starts. If there is no curb stop, the property line shall delineate the On-site and Off-site Service;
4. Sewer Service - the sanitary inspection chamber shall delineate where the On-site Service starts. If there is no inspection chamber the property line shall delineate On-site and Off-site Service; or

System - means the City of Armstrong Water Utility, which includes all pipes, valves, transmission and distribution lines, pumping equipment, dams, weirs and the like from the source of water up to and including the individual Service Connection and Water Meter; and the Sanitary Sewer Utility, which includes all pipes, valves, sanitary sewer collection lines, pumping stations and equipment and the like

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from the individual Service connection up to and including the Sewer Outfall and Irrigation.

Unit - means each residential premise occupied as a single-family residence.

Universal Residential Water Metering Project – means the one-time installation of water meters to all non-metered residences at the City’s expense.

Volume – means the volume of sewage discharged in a given period as measured by the amount of water delivered to the user during that period.

Water Meter – means an apparatus or device used for measuring the volume of water passing through it, and includes any accessories such as a remote reader device and the connecting cable.

Water Meter Pit – means a chamber constructed underground, which is used to install a Water Meter or Approved Backflow Preventer.

General Conditions

3. All Off-Site Services contained within the City Right of Way are the responsibility of the City.
4. All On-Site Services shall be the responsibility of the Property Owner.

Water Utility Conditions

5. Fees to connect a new water service shall be charged as outlined in the City of Armstrong Rates and Fees Bylaw. The Service will not be connected until the request is received in the City Administration office from the property owner along with said fees.
6. A fee for turning on or shutting off a Water Utility Service shall be charged as outlined in the City of Armstrong Rates and Fees Bylaw. The Service will not be turned on or shut off until the request is received in the City Administration office from the property owner along with said fee. Notice to Public Works, through the City Administration office, for water shut off requires 24 hours in advance.

Water Meters

7. Each water Connection shall be equipped with a Water Meter.
8. For strata complexes, the Manager will, at his discretion, determine whether a Water Meter shall be installed for each strata Unit or whether a central Water Meter be installed for the entire complex. In the case of a central Water Meter installed at a strata complex, billing will be rendered to the applicable strata council.
9. Water Meters are owned and maintained by the City except for supplementary Water Meters installed in a location after the primary Water Meter. Supplementary Water Meters are installed, owned and maintained by the Owner, at the Owner’s expense, and are used for their own internal measurement purposes.
10. Applicants for building permits shall pay the deposit amount outlined in the City of Armstrong Rates and Fees Bylaw before the issuance of a building permit to ensure that the Water Meter is installed in accordance

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with City requirements.

11. The deposit will be returned to the applicant once the City has confirmed that the Water Meter has been properly installed.
12. Should the Water Meter not be installed according to City requirements, the City may use all or a portion of the deposit to complete the installation. Any funds remaining from the deposit will be returned to the applicant and any additional costs over and above the deposit will be invoiced to the property owner.
13. All non-residential Water Meters shall be read on a quarterly basis by the City or by a designated contractor.
14. All residential Water Meters shall be read on a semi-annual basis by the City or by a designated contractor.
15. Where any Water Meter fails to register or to properly indicate the quantity of water consumed or used, the City shall estimate the consumption of water and shall render an account to the Owner.
16. Where an account is rendered pursuant to Section 15, the City, in estimating the account, shall consider the previous two billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the City, may affect the consumption of water.
17. All Flat Rate Services shall be invoiced annually on the Property Tax Notice.
18. It shall be an offence under this bylaw for anyone to disconnect, remove, tamper with or bypass any Water Meter.
19. Water Meters for commercial and industrial buildings shall be placed in a mechanical room with an access door to the outside and the room shall contain a floor drain.
20. During the Universal Residential Water Metering Project, where an Owner does not allow or permit the City or its designated contractor access to premises to install a Water Meter upon request, the City may, at the cost of the Owner, install the Water Meter under the adjacent road allowance in a Water Meter Pit and in such a case, all additional costs incurred by the City for such installation shall be an additional fee payable by the Owner forthwith upon demand.

Backflow Devices

21. A Backflow Prevention Device shall be installed as per the BC Plumbing Code and the City of Armstrong Subdivision and Development Servicing Bylaw, at the expense of the owner, upon all Institutional, commercial and industrial premises that require a Connection to supply water from the City water System.
22. Applicants for building permits shall pay the deposit amount outlined in the City of Armstrong Rates and Fees Bylaw before the issuance of a building permit to ensure that the Backflow Prevention Device is installed in accordance with City requirements.
23. The deposit will be returned to the applicant once the City has confirmed that the Backflow Prevention Device has been properly installed.
24. Should the Backflow Prevention Device not be installed according to City requirements, the City may use all or a portion of the deposit to complete the installation. Any funds remaining from the deposit will be returned

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to the applicant and any additional costs over and above the deposit will be invoiced to the property owner.

25. It shall be an offence under this bylaw for anyone to disconnect, remove, tamper with or bypass any Backflow Prevention Device.
26. Backflow Prevention Devices for commercial and industrial buildings shall be placed in a mechanical room with an access door to the outside and the room shall contain a floor drain to be located immediately underneath the Backflow Prevention Device.
27. Backflow Prevention Devices required within a commercial or industrial building that are located after the main Backflow Prevention Device shall be installed and owned by the building owner.
28. Annual inspection and testing of required devices as per CSA Standards shall be carried out by a qualified Backflow Prevention Assembly Tester hired by the owner of the building. Records of these inspections and testing shall be forwarded to the City on an annual basis.
29. Should the records of the inspections and testing as required in Section 28 not be completed and submitted to the City on an annual basis, Water Service may be discontinued until all requirements are met.
30. If the City finds a Cross Connection, the Owner will be ordered to rectify the situation immediately. If the City needs to rectify a Cross Connection, the Owner will be billed the actual cost plus an administrative charge in accordance with the City of Armstrong Rates and Fees Bylaw.

Fire Hydrant Use

31. The Manager may approve a Hydrant Use Permit submitted to the City of Armstrong with a minimum of 24 hour notice, for the purposes of:
 - a. construction road compaction
 - b. construction dust control
 - c. construction utility testing
 - d. utility line flushing
 - e. road sweeping
 - f. other uses as approved by Manager

Bulk Water

32. The Manager may approve a Bulk Water Hauling Permit submitted to the City of Armstrong with a minimum of 24 hour notice, for the purposes of:
 - a. construction road compaction
 - b. construction dust control
 - c. construction utility testing
 - d. utility line flushing
 - e. road sweeping
 - f. other uses as approved by Manager

Sanitary Sewer Utility Conditions

33. A fee to connect a new sanitary Sewer Service shall be charged as outlined in the City of Armstrong Rates and Fees Bylaw. The Service will not be connected until the request is received in the City Administration office from the property Owner along with said fee.

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34. Each Unit must connect to the sanitary Sewer System if availability exists for that Unit. An Owner failing to connect to the Sewer System shall be invoiced on the basis of a Flat Rate Service in accordance with the City of Armstrong Rates and Fees Bylaw.
35. An Inspection Chamber shall be installed upon all premises within the City.
36. Inspection Chambers and all servicing therein shall be as specified by the City.
37. Ownership of and responsibility for the Inspection Chamber shall remain with the City once installed.
38. Applicants for a building permit, where a commercial or industrial business is being constructed, shall pay the deposit outlined in the City of Armstrong Rates and Fees Bylaw before the issuance of a building permit to ensure that the Inspection Chamber is installed according with City requirements.
39. The deposit will be returned to the applicant once the City has confirmed that the Inspection Chamber has been properly installed.
40. Should the applicant not install Inspection Chamber properly, the City may use all or a portion of the deposit to complete the installation. Any funds remaining from the deposit will be returned to the applicant and any additional costs over and above the deposit will be invoiced to the property owner.
41. All residential users shall be invoiced for sewer annually on the Property Tax Notice.
42. All non-residential metered water users shall be invoiced for the sewer volume on a quarterly basis by the City.
43. Where a non-residential water meter fails to register or to properly indicate the quantity of water consumed or used, the City shall estimate the consumption of water and sewer and shall render a sewer utility account to the Owner accordingly.
44. Where an account is rendered pursuant to Section 43, the City, in estimating the account, shall consider the previous two billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors, which, in the opinion of the City, may affect the use of sanitary Sewer Services.

Severability

45. If any portion of this bylaw is declared ultra vires by a Court of Competent Jurisdiction, that portion shall be deemed to be severed from the bylaw to the extent that the remainder of the bylaw shall continue in full force and effect.

Offences & Penalties

46. Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall constitute a separate offence.

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47. Any person who violates any of the provisions of this bylaw shall, upon summary conviction, be liable to a penalty of not more than \$10,000 or a term of imprisonment not exceeding sixty days or both.

READ a first time this 28th day of May, 2012.

READ a second time this 28th day of May, 2012.

READ a third time this 28th day of May, 2012.

RECONSIDERED AND ADOPTED this 11th day of June, 2012.

Signature on File

CITY CLERK

Signature on File

MAYOR

