

VILLAGE OF KEREMEOS
BY-LAW NO. 251
REVISED: March 19, 2025

CONSOLIDATED FOR CONVENIENCE TO INCLUDE BYLAWS 552, 1996; 556, 1997; 653, 2003; 668, 2004; 703, 2005; 713, 2006; and 251-01, 2025

WATER RATES AND REGULATIONS

NOW THEREFORE, the Municipal Council of the Village of Keremeos, in open meeting assembled, enacts as follows:

SECTION 1
INTERPRETATION

In this by-law, unless the context otherwise requires

"Chief Administrative Officer" means the Chief Administrative Officer of the Village of Keremeos;

"water connection" means the water line extending from the water main to the property line of the property being serviced or about to be serviced;

"consumer" means any person, company or corporation who is the owner or agent for the owner of any premises to which water is supplied or made available from the works and also any person who is the occupier of any such premises, and also includes any person who is actually a user of water supplied to any premises or by any service from the said works;

"service-pipes" means that portion of the water supply line extending from the property line of the property concerned to the building situated thereon, and joining the water connection to the plumbing system at the building;

"water mains" means any water service under the control of the municipality which is intended for public use;

"water service" means the supply of water from the waterworks to any person and all the taps, valves, meters, connections and other things necessary to any actually used for the purpose of such supply;

"works" means the waterworks of the Village of Keremeos.

SECTION 2
APPLICATION FOR SERVICE

- (1) Application in the form of "Schedule B" attached to and forming part of this by-law for the supplying of water to any property shall be made and delivered to the Chief Administrative Officer, and must be signed by the owner of such property or his duly authorized agent, signing as such or by the consumer applying for such service.
Each application, when signed by the potential customer, shall be an agreement whereby the customer agrees to abide by the terms and conditions of this by-law.

- (2) Upon approval of the application by the Chief Administrative Officer, he may turn on or cause to be turned on, the water service to the consumer's premises.

SECTION 3

SERVICE PIPES

(Amended by Bylaw # 251-01, 2025)

- (1) Before any person shall install or construct any water service, or commence doing any construction work in relation to or in connection with such service, he shall notify the Chief Administrative Officer in writing. No person shall commence installation until he has paid the appropriate "connection fee" as described in Schedule "4" of the Fees and Charges Bylaw, as amended from time to time. If required by the Chief Administrative Officer, he shall furnish a plan and specification which shall show:
 - (a) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation;
 - (b) a description of the material which the applicant proposes to use in connection with such installation or construction.
- (2) The installation of service pipes shall be the responsibility of the property owner but shall conform to specifications approved by the Chief Administrative Officer.
- (3) All underground pipes on any premises shall be placed below the frost line, and in no case, not less than sixty inches (60") below the surface of the ground or if placed under a driveway, sidewalk or other area that will be cleared of snow, not less than eighty-four inches (84") below the surface of the ground. All other pipes exposed to frost shall be properly and sufficiently protected there from.
- (4) It shall be the duty of every consumer to provide that all taps, fittings and other things connected with the service within the premises are in good order and installed and connected in accordance with the provisions of the Building and Plumbing By-laws.
- (5) Every premises shall have a properly placed stop and waste cock.
- (6) When the owner's service pipe plans and water connection application have been approved he may proceed with the installation of the service pipes. When the service pipes have been installed, but before the excavation is backfilled, the Village of Keremeos shall be notified that such work is ready for inspection and he shall make such inspection within two days thereafter, excluding Sundays and holidays.
- (7) The backfilling of the service pipes shall not be commenced until the Village of Keremeos has signified in writing that it is satisfied that the materials and workmanship employed are to its satisfaction and that the pertinent sections of this and other by-laws have been adhered to.
- (8) The Chief Administrative Officer or any other officer or employee of the municipality shall refuse to turn on water to any premises not complying with this section.
- (9)
 - (a) In the event of leakage, freezing or other condition which causes the interruption of supply in the service pipe, repairs shall be the responsibility of the consumer. If the consumer feels that such conditions are present in the municipality's connection pipe, and not in the consumer's service pipe, he shall deposit with the municipality a sum of money equal to the Chief Administrative Officer's estimate of the cost of excavation and backfilling required.
 - (b) In the event that the municipality's connection pipe is faulty and is the cause of the consumer's complaint, the municipality shall repair such faults and return the deposit to the consumer. If there is no fault found in the Municipality's connection pipe, 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. The consumer shall have the right to inspect the site of the excavation by the municipality and satisfy himself as to the condition of the connection pipe.
- (10) Every consumer shall provide for each service to his premises a pressure-reducing valve and pressure relief valve in the event the water pressure in the main serving his premises shall be or become so great as may cause damage.

SECTION 4 RATES

(1) There is hereby imposed and levied a water user rate upon all users of water supplied by the municipal water utility.

(Amended by Bylaw # 251-01, 2025)

(2) The Chief Administrative Officer shall classify each consumer in accordance with the categories set out in Schedule "4" of the Fees and Charges Bylaw, as amended from time to time, and the consumer is liable for the appropriate rate.

(3) (a) The user rate shall be due and payable on a yearly basis at the office of the Collector, Municipal Office, on the last day of February in each year. Rates remaining unpaid at this time are subject to a 10% (ten per centum) penalty on that date and 2% (two per centum) per month thereafter.

(Section 4(3)(b) deleted by Bylaw 703, 2005)

(c) For the purposes of pro-rating a user rate, the yearly rate shall be divided by twelve (12) to obtain a monthly rate. A new consumer shall be charged with the full monthly rate if his application is dated on or before the 15th date of the month., otherwise he shall be charged one-half of the monthly charge. The user rate for the remainder of the year shall be paid by new consumers at the time application is made.

(d) A rebate may be allowed if a consumer gives notice in writing in advance that he requires the water turned off. Such rebate shall be limited to the remaining full monthly rates which have been paid, unless the water is turned off prior to the fifteenth (15th) of any month, then an additional half () months rate will be rebated.

(4) Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrear in respect of the property in respect of which the consumer dwells and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrear.

(5) (a) No contractor, builder or other person shall use for building purposes of any kind any water from any pipe or main of the waterworks or from any other consumer without the written approval of the Chief Administrative Officer.

(b) Applications for such service shall be made in the manner prescribed in Sections 2 and 3 of this by-law and the user shall agree to pay the rates applicable, the connection fee if one is required and to properly protect the supply pipes, meter and other facilities of the waterworks.

(6) (a) No person, except an employee of the municipality in the course of his employment, or a member of the municipal fire department on duty, shall without the written authority of the Chief Administrative Officer, open any hydrant, standpipe or valve or use any water there from. Such authority shall reserve to the municipality the right to stop such use at any time for any reason without liability for damages resulting there from in any manner whatsoever.

(b) Every person who receives such authority shall deposit with the Chief Administrative Officer a cash bond of Fifty Dollars (\$50.00) and the municipality may deduct from such bond whatever charges shall be payable to the municipality in its reasonable discretion for the use of the water and for damages to the main, hydrant, standpipe or valve.

(c) Every person who uses water from any hydrant or standpipe shall pay to the municipality on demand the minimum charge of Twenty Dollars (\$20.00) or the sum of Five Dollars (\$5.00) per day for such use or any part thereof, whichever sum shall be the greater.

SECTION 5
REGULATIONS

- (1) No person shall destroy, injure or tamper with any hydrant, or other fixture of the waterworks, and no person shall in any manner interfere or meddle with the water connection or works in any street, or make any additions or alterations to the water system or any connection, or turn on or off any corporation stop-cock, service valve or gate-valve without express approval of the Chief Administrative Officer.
- (2) No person shall sell or dispose of water from the municipal water system, or give it away to any person or persons whatsoever, or permit it to be taken away or carried away by any person or persons, whomsoever, or use or supply it to the use or benefit of others.
- (3) No connection or cross connection between the municipal water system and any other water system or source of water supply shall be permitted.
- (4) No person shall use water for irrigation purposes, other than the normal watering of lawns and gardens.
- (5) No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock or other fixture connected with the works, and should any person obstruct such access the Chief Administrative Officer or any other employee or servant of the Municipality may, by his order, remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending, and on non-payment thereof, on demand, the municipality may recover the said expense in a Court of competent jurisdiction.
- (6) No person shall obstruct or prevent the Chief Administrative Officer or any person authorized by him from carrying out any or all of the provisions of this by-law, nor shall any person refuse to grant the Chief Administrative Officer or any person authorized by him, permission to inspect any water service work at any reasonable time.

SECTION 6
ADMINISTRATION

- (1) The Chief Administrative Officer is hereby authorized and directed to have a general supervision over the municipal waterworks system and to see that the provisions of this by-law are carried out.
- (2) The Chief Administrative Officer shall have the power, subject to the consent of the Council, to appoint assistants and inspectors for the purpose of effectually carrying, out the provisions of this by-law, and wherever the Chief Administrative Officer is authorized or directed to perform any act or duty under this by-law, such act or duty may be performed by any inspector or employee authorized by the Chief Administrative Officer to perform such act or duty.
- (3) Nothing contained in this by-law shall be construed to impose any liability on the municipality to service any person or premises or to give a continuous supply of water to any person or premises.
- (4) The municipality shall not be liable for the failure of the water supply in consequence of any accident or damage to the works, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the municipality or other person whomsoever, or through natural deterioration or obsolescence of the municipality's system or otherwise, howsoever; but in the event of such failure or stoppage continuing for more than five consecutive days, an equitable reduction shall be made on all rates or services affected thereby.
- (5) The Municipality may, without notice, disconnect the water service to any premises for any of the following reasons, and the municipality shall not be liable for damages by reason of discontinuing water service for such reasons:
 - (a) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;

- (b) non-payment of rates;
 - (c) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water;
 - (d) for repairs;
 - (e) for want of supplies;
 - (f) for employing any pump, booster or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without obtaining the approval of Council;
 - (g) for violation of any of the provisions of this by-law.
 - (Section 6(5)(h) and (i) added by Bylaw 703, 2005
 - (h) the occupation of a residence or business without a valid and approved Occupancy Inspection Report issued by the Building Inspector”.
 - (i) the failure of an owner or occupant to comply with an order issued by the Fire Commissioner, Health Inspector, RCMP or Village regarding safety, use, or occupancy.
- (6) The Council may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the municipal water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.

(Section 7 replaced by Bylaw 703, 2005)

SECTION 7
OFFENCES

“Any person who contravenes any Section of this bylaw is liable to a fine either imposed by the Village of Keremeos Municipal Ticket Information Bylaw, a Prosecution under Summary Conviction, and or may result in the Village of Keremeos disconnecting the water service.”

“Any person who turns the water service back on after it has been turned off by the Village will be liable to a minimum fine of \$500 for each day or each offence, and be liable for all and any damage caused to any Municipal Works.”

“Non payment of fines and damages will be added as taxes in arrears if unpaid as of December 31st in each year, with interest.”

SECTION 8

The "Village of Keremeos Water Rates By-Law No. 199, 1976" and "No. 49, 1962" are hereby repealed.

SECTION 9

CITATION

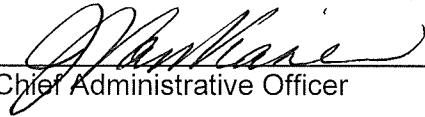
This by-law may be cited as the "Village of Keremeos Water Rates and Regulations By-Law No. 251, 1980".

READ a first, second and third time by Municipal Council this 19th day of February, 1980.

APPROVED by the Minister of Municipal Affairs this 25th day of March 1980.

RECONSIDERED, finally passed and adopted by Municipal Council this 25th day of March, 1980.

Consolidated under the provisions of the Community Charter to include Bylaws 552, 1996; 556, 1997; 6563, 2003; 668, 2004; 703, 2005; 713, 2005; and 251-01, 2025. Printed under the authority of the CAO of the Village of Keremeos this 19th day of March, 2025.



Chief Administrative Officer

Schedule A deleted by Bylaw # 251-01, 2025

APPLICATION FOR THE SUPPLY OF WATER FROM
THE VILLAGE OF KEREMEOS

I/We _____ owner/agent
of owner, hereby make application for the supply of water to

and agree to abide by the terms and conditions as established by By-Law No. 251 and amendments thereto, regulating the supply and use of the water utility of the municipality.

Date: _____, 20 _____
Signature of owner or agent

BY LAW NO. 251

SPECIAL PROVISIONS

1. For the year 1980, and only in 1980 the following conditions and regulations shall apply:
 - (a) On or before June 30, 1980 the appropriate pro-rated user rate for the period from April 1, 1980 to December 31, 1980 shall become due and payable at the office of the Collector.
 - (b) There will be a prompt payment discount of 10% allowed on accounts paid in full by April 30, 1980.
 - (c) Accounts remaining unpaid after June 30, 1980 shall be subject to a 10% penalty on that date and 2% per month thereafter.
2.
 - (a) On January 1, 1981 these special provisions shall become null and void, thereby being replaced by the regular provisions of this by-law.
 - (b) The above-mentioned "Special Provisions" shall in no way interfere with any other provisions contained within By-Law No. 251 and only apply to the relevant provisions as described above.

