

VILLAGE OF ALERT BAY
BYLAW #675

WATER RATES AND REGULATIONS BYLAW

A BYLAW TO REQUIRE OWNERS OF REAL PROPERTY TO CONNECT THEIR BUILDINGS AND
STRUCTURES TO THE APPROPRIATE WATER CONNECTIONS;
TO IMPOSE A CONNECTION CHARGE AND FIX THE TERMS AND CONDITIONS OF PAYMENT;
TO REGULATE THE DESIGN AND INSTALLATION OF WATER WORKS PROVIDED BY PERSONS
OTHER THAN THE MUNICIPALITY;
AND TO IMPOSE A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE
USE OF THE WATER SYSTEM.

WHEREAS it is deemed desirable and expedient that all lands or real property within the Municipality which require the service and are capable of being served by the water works should be so served;

AND WHEREAS it is necessary from time to time to extend the said water works to provide service to other residents of the Municipality;

AND WHEREAS it is deemed just that the cost of making such extensions to the said water works should not be permitted to place any undue burden upon the revenues of this system;

AND WHEREAS, it is expedient to provide for the connection of water lines from houses and other buildings with the water distribution system of the Village of Alert Bay and to regulate same;

NOW THEREFORE the Council of the Corporation of the Village of Alert Bay, in an open meeting assembled, ENACTS AS FOLLOWS:

Citation

1. This bylaw may be cited as "Water Rates and Regulations Bylaw #675, 2004".

Definitions/Interpretations

2. In this Bylaw:
 - a) "Administrator" means the Chief Administrative Officer for the Municipality or his/her designate.
 - b) "Applicant" means an owner or his agent making application for a water service connection and from whom the Village may expect to receive revenue on a continuing basis for this service.
 - c) "Building or structures" means any building or structure used wholly or in part for human habitation, or which human beings are employed in respect of any trade, business or calling.
 - d) "Building Inspector" means a person or persons appointed from time to time by the Council of the Municipality as Building Inspector and includes Deputy and Assistant Building Inspectors.

- e) **"Building Code,"** means the same as the "British Columbia Building Code" in the Building Regulations of British Columbia made pursuant to the *Community Charter* and the *Local Government Act* as amended from time to time.
- f) **"Collector"**, means the Collector of the Municipality appointed by Council pursuant to the provisions of the *Community Charter*.
- g) **"Council"** means the Municipal Council of the Corporation of the Village of Alert Bay.
- h) **"Dwelling unit"** means a unit containing a kitchen, a bathroom, a sleeping area and a living area.
- i) **"Enactment"** means any applicable act, regulation, bylaw, order, or authorization, by federal, provincial, regional, municipal government or their authorized representatives.
- j) **"Foreman"** means the Public Works Foreman for the Municipality or his/her designate.
- k) **"Municipality"** means the Corporation of the Village of Alert Bay.
- l) **"Owner"** means any person who is registered under the *Land Title Act* as the owner of land or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any building situated on the land.
- m) **"Permission"** means permission given by the Foreman or Administrator or their duly authorized representatives.
- n) **"Premises"** means any land or building, structure or all or any part thereof.
- o) **"Public property"** means a highway, road, roadway, street; public sidewalk, boulevard, lane, alley or land controlled by the Municipality and includes a right of way.
- p) **"Quarter"** means the relevant 3-month period ending on the last day of March, June, September, and December of any year.
- q) **"Residential property"** means a property which is used primarily for the purpose of a residence by persons on a permanent, temporary or seasonal basis.
- r) **"Right-of-way"** means an acquired legal right for the specific use of land owned by others.
- s) **"Subdivision Bylaw"** means Bylaw #163, being the "Subdivision Bylaw #163" as amended or a successor bylaw as adopted by Council.
- t) **"Water"** includes surface water, ground water and ice.
- u) **"Watercourse"** means:
 - i) A river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of fresh water, or

- ii) A canal, ditch, reservoir or other manmade surface feature designed to carry or hold water or storm water whether it contains or conveys water continuously or intermittently.
- v) **"Water connection"** means the section of water piping on public property from the water main to the property line, which is intended to carry potable water only.
- w) **"Water line"** means the section of water line on private property from the property line to the building or structure it serves which is intended to carry potable water only.
- x) **"Water Main"** means and shall include any water main upon, or under, any public street, lane, right-of-way, or easement which is owned or maintained by the Municipality, whether laid by it or any other person whomsoever.
- y) **"Waterworks"** means any works owned or otherwise under the control or jurisdiction of the Municipality that collects, treats, transports, distributes or stores drinking water.

WATER CONNECTION REQUIRED

- 3. a) Every owner of real property which abuts a street or lane or other public right-of-way upon which there is laid a water main, or is within 30 m of such water main and upon which there is situated a building or structure shall connect or cause to be connected, the said building or structure to the common water works in the manner provided by this bylaw.

APPLICATION FOR CONNECTION

- 4. a) All applications for an installation of all water connections shall be made to the Municipal Office by the owner or his agent.
- b) The said applications shall be accompanied by the required connection charge as laid down in Schedule "A" of this bylaw.
- c) Upon approval of the application, the Foreman shall cause to be laid, a water connection extending from the water main to the applicant's building water line at the property line.
- d) If the application is rejected, the Administrator shall notify the owner of the reasons for the rejection and return the connection charge, which accompanied the application.
- e) Any extension to any water services shall be at the expense of the owner, in accordance with the provisions of this bylaw.
- f) Where a new building or structure is being built and will come within the provisions of this bylaw, the owner or his agent shall make application for a connection permit and pay the connection charge at the time he makes application for the connection permit.

CONNECTION CHARGE

- 7) a) The connection charge covers:

- i) the connection of the water service from the water main to the property line of the applicant;
- ii) the inspection of the applicant's building water service and water lines.

FAILURE TO CONNECT

- 8) a) In the event of any owner failing to make application for a connection required under this bylaw, the Administrator may serve on the owner a notice stating that the said owner shall connect or cause to be connected, his buildings or structures to the common water within thirty (30) days of the date of the notice, or the Municipality will have the work done at the expense of the owner, including a 15% administration fee.
- b) After the expiration of the (30) thirty-day period, the Municipality may enter upon the property of the owner and cause the connection to be made. The total cost and expense of making the connection, including the cost of installing the building water service and the water connection, shall be charged against the owner of the property, including a 15% administration fee. Any amount remaining unpaid on the 31st day of December shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
- c) In the event of failure to make a proper connection to the satisfaction of the Building Inspector, the Administrator shall give notice to correct within 30 days of notice.

WATER SERVICES

- 9). a) The minimum diameter of every water line and water connection shall be 20mm.
- b) Each lot must be separately and independently connected with any water.
- c) All water lines from houses and other buildings shall be installed by and at the cost of the owner and shall be constructed of one of the following materials:
- i) plastic ABS 20mm or 20mm copper pipe
 - ii) such other material as may be approved from time to time by the B.C. Plumbing Code.
 - iii) The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even, and free of any internal obstruction.
 - iv) Where the manufacturer provides couplings, the couplings shall be installed in accordance with the manufacturer's specifications.
- d) All underground pipes shall not be less than 46cm below the surface of the ground and all other pipes where situated so as to be exposed to frost shall be properly protected so as to prevent freezing, and it shall be the duty of every consumer to see that all pipes, taps,

fittings, and other things connected with the service within his/her premises are sufficient and kept in good working order, and that a stop and waster cock be properly placed to drain such service when necessary, and the Council may refuse to turn on the water to any premises and may discontinue any service in case of non-compliance with the provisions of this section.

e) Any applicants requiring a water service of a larger diameter than 20mm shall make application to the Village office. The Council, if reviewing such application, shall in every case determine the size of the pipe to be used in supplying the premises and also the position in the street in which it is to be laid. The applicant shall pay in advance the difference between the cost of a 20mm pipe and the cost of the pipe required, the cost of the connection fee, and any additional cost involved in laying the pipe required as determined by Council.

f) All applications for the installation of a water service connection shall be made to the Municipal Office by the owner or its duly authorized agent, and shall be in the form contained in Schedule "D", which said Schedule is hereby made a part of this Bylaw.

g) No work of any kind connected with the water system either for laying new or repairing old services shall be done upon or under any street or lane in the Village by any other than the employees or agents of Council.

h) Immediately inside the premises and in an accessible position, the owner shall install a shut-off valve of the same diameter as the connection.

i) Water user charges will be imposed once a service has been installed to any property or premises.

APPLICATIONS WATER TURN ON AND SHUT-OFF

10.) a) Monthly water charges will be billed to the owner unless an application for water shut-off has been submitted and paid for at the Municipal office.

b) Applications for water turn on or water shut-off from any premises or property shall be signed by the owner or its duly authorized agent and submitted to the Municipal office with the appropriate fees.

c) Applications for water turn on and shut-off shall be in the form contained in Schedule "B" and Schedule "C", which said Schedules are hereby made a part of this Bylaw.

d) No turn on or shut-off of any water service shall be done by any person other than the employees or agents of Council.

INSPECTION OF BUILDING WATER SERVICES

11.) a) When the owner has completed the installation of his building connection, but before the same has been backfilled, he shall inform the Building Inspector or Foreman that the installation is complete and the

Building Inspector or Foreman shall forthwith make an inspection of the work.

b) The backfilling of the water service shall not be commenced until the Building Inspector or Foreman has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other bylaws have been adhered to.

c) Materials and workmanship which, in the opinion of the Building Inspector or Foreman are defective, or otherwise not in accordance with the provisions of this bylaw shall be removed and replaced by the owner, at the direction of the Building Inspector or Foreman and the water service shall not be backfilled unless and until the said house water connections have been accepted and approved by the Building Inspector or Foreman. Failure to replace materials of workmanship as provided in this section shall be cause for the municipality to proceed with the issuance of a notice referred to in Section 8 (c) of this bylaw.

d) Officers, employees and agents of the Municipality are authorized to enter upon any lands and premises in the Village at all reasonable times to ascertain whether the requirements and regulations of the Bylaw are being observed.

USER CHARGE

12). a) There shall be and is hereby imposed and levied a water user charge against the owner or occupier of real property whose property or premises is connected to any water system.

b) Each parcel of land or premises shall be classified in accordance with the categories set out in "Schedule A" attached hereto and forming part of this bylaw and the user charge imposed shall be the rate shown opposite the relevant category.

c) In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the water connection was made, if made on or before the fifteenth (15th) day of the month, the user charge shall be for the total month, or if made after the fifteenth (15th) day of the month, the charge shall be for Fifty Percent (50%) of the current monthly user charge.

d) The user rates as set forth in Schedule "A" to this Bylaw shall be charged irrespective of whether the premises are occupied

e) The user rates and charges as set forth in Schedule A shall be payable quarterly, unless otherwise required, at the Municipal Office, on or before the last business day of the current quarter, and if the charges remain unpaid after the last day of the quarter a 10% penalty shall be imposed.

f) When any rates, rents, or penalties imposed to any person or property under this bylaw for water services supplied by the Village remains unpaid on the thirty-first (31st) day of December, these unpaid charges shall be deemed taxes in arrears in respect of the property to which the service was provided and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.

GENERAL CONDITIONS

- 13) a) No person shall use any hydrant other than a member of the Alert Bay Volunteer Fire Department in the course of his/her duties as such member, or the Foreman, or any employee of the Municipality authorized by him/her, for any purpose, except by permission in writing of the Foreman.
- b) No person shall in any manner interfere or meddle with the water service in any street, or make any addition or alteration whatsoever in or about or turn on or shut-off any stop-cock or gate without written permission from the Foreman.
- c) No person shall destroy or injure or in any way tamper with any hydrant or other fixture or property with or belonging to the Waterworks.
- d) No person shall obstruct in any manner the access to any hydrant, valve, stop-cock, meter, or other fixture connected with the Waterworks.
- e) The Foreman or any other person authorized by the Council may make personal inspection of all taps and pipes used for distributing water in any building or premises in the Municipality, and in the event of there being any defective tap or pipe, or if any waste is found to exist, he/she shall give notice in writing to the owner or occupant to remedy such defect within twenty-four (24) hours from the service of such notice, or the Foreman may turn off the water.
- f) Every consumer shall comply with the provisions of this Bylaw.
- g) The Municipality shall not be liable for any loss or damage whatsoever arising from the failure of the water supplied in consequence of any accident or damage to the waterworks or the temporary stoppage of water on account of alterations or repairs, whether such failure arises from the negligence or any person in the employ of the Municipality or any other person or persons whomsoever or otherwise howsoever, or for the failure through Act of God, but an equitable reduction could be made on all rates for service affected thereby at the discretion of the Council.
- h) The Council may prohibit or further control the use of water for the purpose of watering lawns, gardens, yards or grounds or washing vehicles by hose or sprinkler when in the opinion of the Council the public interest require such action.

OFFENSES

- 14) a) Any person who violates any of the provisions of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provisions of this bylaw, commits an offence and is liable on conviction to a fine of not more than the sum of Two Thousand Dollars (\$2,000.00), plus the actual cost of repairs. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.

REPEAL

15.) Bylaw No. 152, Bylaw # 166, Bylaw #284, and Bylaw #600 are now hereby repealed.

READ for a first time this 24th day of August, 2004

READ for a second time this 24th day of August, 2004

Mass mail out in all post office boxes on September 8th, 2004

READ for a third time this 12th day of October, 2004

ADOPTED this 26th day of October, 2004



Mayor



Chief Administrative Officer



Certified a true copy of the Water Rates and Regulations Bylaw # 675, 2004 as adopted by resolution # 12798 on the 26th day of October, 2004



Chief Administrative Officer

SCHEDULE "A"

I	WATER RATES	<u>Monthly</u>	<u>Quarterly</u>
a)	Each self contained dwelling unit, including each suite within a multiple dwelling or each apartment Within an Apartment Block - Each Unit	\$8.80	\$26.40
b)	Each residential property owned or occupied by a Senior citizen	\$4.40	\$13.20
c)	Commercial Rates		
	i) School	\$44.00	\$132.00
	ii) Hotel with licensed premises	\$26.40	\$79.20
	iii) Shipyards	\$26.40	\$79.20
	iv) Café	\$17.60	\$52.80
	v) Laundrymat	\$17.60	\$52.80
	vi) Licensed premises	\$12.50	\$37.50
	vii) Service Station	\$12.50	\$37.50
	viii) Power House	\$12.50	\$37.50
	ix) Community Hall	\$12.50	\$37.50
	x) Bakeries	\$8.80	\$26.40
	xi) Hairdressers	\$8.80	\$26.40
	xii) Barbers	\$8.80	\$26.40
	xiii) Theatres	\$8.80	\$26.40
	xiv) Churches	\$8.80	\$26.40
	xv) Other shops & premises	\$8.80	\$26.40
	xvi) Boarding, rooming house, Bed & Breakfast per room Available for let	\$2.20	\$6.60
d)	Meter Charges		
	i) For the first 4,000 gallons or part thereof	\$26.40	\$79.20
	ii) For every additional 1,000 gallons or part thereof	\$0.88	\$2.64
II	CONNECTION CHARGES		
a)	Water connection	\$1,000.00 per connection	
b)	All road crossings and rock excavating shall be an additional cost.		
c)	150mm storm sewer connection		cost
III	WATER TURN ON & SHUT-OFF FEES		
a)	Water turn on fees		\$20.00
b)	Water shut-off fees		\$20.00
IV	INSPECTION FEES		
a)	Inspection fees		\$20.00

SCHEDULE "B"

SHUT-OFF WATER RELEASE FORM



VILLAGE OF ALERT BAY

I, _____ of _____, BC.
this _____ day of _____, 20 _____ hereby request that the
water be turned off at the following location _____
_____ by the Village on my behalf and
agree to pay for the same. The Village has requested information from me as to
the draining of the pipes, water heater, and toilets at the location, and in
consideration for the Village carrying out work for myself, I agree to
indemnify the Village of any damages to pipes, water heaters and toilets and
any and all consequential damages because of damage to pipes, water heaters
and toilets due to freezing and bursting.

Witness

Signature of Contracting Party

<u>DATE</u>	<u>LOCATION</u>	<u>RATE</u>	<u>AMOUNT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SCHEDULE "C"

TURN-ON WATER RELEASE FORM



VILLAGE OF ALERT BAY

I, _____ of _____,
BC., this _____ day of _____, 19____ hereby agree
that the water was turned on at the following location _____
_____ by the Village on my behalf and agree
to pay for the same. I or my agent (_____
_____) was present when the water service was
turned back on.

Witness

Signature of Contracting Party

<u>DATE</u>	<u>LOCATION</u>	<u>RATE</u>	<u>AMOUNT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SCHEDULE "D"

APPLICATION FOR WATER CONNECTION & INSPECTION



VILLAGE OF ALERT BAY

APPLICATION IS FOR

TAX ROLL # _____

_____ 20mm (3/4") street connections;

_____ street connection, at cost (invoiced on completion)

_____ inch service inspection, (additional to connection fee);

for the property located at _____
legal description.

USE: _____ Residential: _____ Single: _____ Duplex: _____
Other; Suites _____:
_____ Commercial/Industrial; Type _____

I hereby apply as indicated above, and agree to follow all regulations contained in Bylaw #675, 2004, and further agree to provide the Public Works Foreman, Building Inspector or Chief Administrative Officer with additional information if required. Installation required by (date): _____

Signature (owner/agent): _____

Mailing Address: _____

Phone number: _____ Date: _____

OFFICE USE:

Approval is hereby given for a _____ inch street connection to be installed (date) _____ and/or a _____ inch service connection;

Applicant notified on _____ by (Title) _____ (signature) _____, Date: _____

Payment: Receipt No.: _____ Date: _____ Amount \$ _____

NOTES: (with regards to actual or other charges as per Schedule "A" of the fees & charges Bylaw #675, 2004 which may be amended from time to time:

INSPECTOR USE: (a drawing of the street connection location along with the approximate service location shown on the back page).

The service connection and/or service installed on _____

Is satisfactory.

Signature: _____ Date: _____

CHIEF ADMINISTRATIVE OFFICER'S REMARKS:

Approval given to applicant to apply for a water turn on _____ (date).