

CAPITAL REGIONAL DISTRICT

BYLAW NO. 1792

A BYLAW TO MAKE RULES FOR THE PROVISION, OPERATION AND ADMINISTRATION OF THE
LOCAL SERVICES FOR THE SUPPLY OF WATER

WHEREAS the Capital Regional District may be bylaw under section 786(1)(c) of the Municipal Act make rules for the provision, operation and administration of a service and for the management and maintenance of property under its control and may set conditions respecting use of that property and access to it.

AND WHEREAS the Capital Regional District may, under section 791 of the Municipal Act where the Board has established a local service in a service area and has the power to regulate persons or property, exercise such power within each electoral area within the appropriate service area.

AND WHEREAS the Board of the Capital Regional District has deemed it necessary to make rules for the provision, operation and administration of all local services established by it for the supply, treatment, conveyance, storage and distribution of water including the regulation of persons and their property in relation to such service.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. TITLE:

This Bylaw may be cited as "Water Regulations Bylaw No. 1, 1990."

PART I - INTERPRETATION

2. INTERPRETATION:

In this Bylaw, unless the context otherwise requires:

"Applicant" means an owner or his agent making application for a service connection to provide him with a supply of water from the System.

"Building Bylaw" means the Building Regulation Bylaw of the Regional District.

"Board" means the Regional Board of the Regional District.

"Chief Building Inspector" means the Chief Building Inspector of the Regional District and includes any person appointed or designated by him to act on his behalf.

"Chief Engineer" means the Chief Engineer of the Regional District and includes any person appointed or designated by him to act on his behalf.

"Consumer" means a person to whom water is supplied under this Bylaw.

"Curb Stop" means a shut-off valve installed by the Regional District with a protective housing to the surface of the ground and located within a highway or Regional District or Municipal Right-of-Way or Easement at the property line of a Consumer.

"Consumer Supply Line" means the water supply pipeline and all valves, connections, taps, meters and other appurtenances connecting a Curb Stop at the property line to a building or structure on the property of a Consumer.

"Local Service Area" means the Local Service Area created and authorized by Bylaw of the Regional District for the purpose of supplying water to a Consumer.

"Parcel of Land" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

"Premises" includes land, buildings and structures.

"Regional District" means the Capital Regional District.

"Service Connection" means a pipe and all necessary valves, connections and other appurtenances necessary to and actually used to connect a Water Main to a Curb Stop at the property line.

"System" means the water supply, storage and distribution system of a Local Service Area owned and operated by the Regional District.

"Waterworks Extension" means an installation requiring the construction of a Water Main from an existing Water Main, but does not include a Service Connection or a Consumer Supply Line.

"Water Main" means the water supply pipeline in a highway or Regional District or Municipal Right-of-Way or Easement being part of the System.

PART II - USE OF WATERWORKS SYSTEM

3. CONDITIONS OF SUPPLY

It is a term and condition of the supply of water that the Regional District shall not be liable for any injury, damage or loss, including economic loss, to any person or property:

- a) arising or occurring from the use of water from the System;
- b) resulting from a failure of water supply to any Consumer;
- c) resulting from any impurity, lack of pressure, increased supply pressure, or other condition affecting the water supplied by the System.

4. ILLEGAL CONNECTIONS

No person shall connect or allow to be connected or allow to remain connected to the System, any Premises without first obtaining the required permits or written authorization from the Chief Engineer and in accordance with the provisions of this Bylaw.

5. ILLEGAL USE

- a) No person shall use or allow to be used water supplied by the System except in accordance with the provisions of this Bylaw.
- b) No person shall use or allow to be used water supplied by the System contrary to a direction of the Board under Section 12 of this Bylaw.

6. TAMPERING WITH THE SYSTEM

- a) No person shall tamper with, operate, remove or make any alteration or connection to any hydrant, standpipe, meter, Curb Stop, valve, pumping station, reservoir chamber, or other fixture or appurtenance connected with the System without first obtaining the required permits or written authorization from the Chief Engineer.
- b) No person shall wilfully damage, destroy, uncover, deface or otherwise tamper with any part of the System.

7. USE OF FIRE HYDRANT OR STANDPIPE

No person, except a member of a fire department or an employee of the Regional District acting in the course of his duties, shall make use of any hydrant or standpipe.

8. WATER WASTE

No person shall waste or allow to be wasted the water from the System.

9. OBSTRUCTION OF ACCESS

- a) No person shall obstruct at any time or in any manner the access to any hydrant, standpipe, valve, Curb Stop, or other fixture connected to the System.
- b) If any person obstructs access to any hydrant, standpipe, valve, Curb Stop, or other fixture connected to the System by placing thereon or in the vicinity thereof any lumber, rock, soil, gravel, or any other material, the Chief Engineer may order the removal of such obstruction at the expense of the person responsible for the obstruction, and if the charge imposed remains unpaid on the 31st day of the December of the year in which such work is done, it shall be recoverable in accordance with Section 810(6) of the Municipal Act.

10. DISCONNECTION OR ILLEGAL CONNECTIONS

The Chief Engineer may, in accordance with the procedure set out in paragraph 11, cause to be disconnected at the expense of the owner any connection to the System made without the necessary permits or written authorization of the Chief Engineer or contrary to any other provision of this Bylaw.

11. TERMINATION OF WATER SUPPLY

- (a) The Chief Engineer may, on thirty (30) days written notice sent to the Consumer, by registered mail to the address of the Consumer on the application for connection or as changed in writing by the Consumer, notice of which has been received by the Regional District, order the disconnection of the water supply to any Consumer for:
 - i) violation of any provision of this Bylaw;
 - ii) failure to maintain to the standard of the B.C. Plumbing Code the Consumer Supply Line and other plumbing on Premises owned or occupied by the Consumer that is connected to the System;
 - iii) failure by the Consumer to obey any direction of the Board under Section 12;
 - iv) failure to pay to the Regional District when due any fee, rate, charge or tax imposed by this Bylaw.
- b) A notice to the Consumer under subparagraph (a) shall be deemed to have been received three (3) days after mailing.
- c) The Chief Engineer may order the immediate disconnection of the water supply to any Consumer if, in the opinion of the Chief Engineer, the condition of a consumer Supply Line poses a reasonable threat of contamination or wastage of water supplied by the System.
- d) The Chief Engineer may shut off any part of, or all of the System to permit repair, renewal, operation, maintenance, and to prevent injury or damage to persons or property.

12. RESTRICTION OF WATER USE

If at any time the Board considers it to be in the public interest, it may direct that the use of water by any or all of the Consumers be reduced or discontinued until the Board considers it advisable to permit full use of water. Notice of water use restrictions may be hand delivered to the consumers or be published in a newspaper circulating in the Local Service Area to which the restriction applies at least seven (7) days prior to the commencement of the restriction.

PART III - SERVICE CONNECTIONS13. APPLICATION FOR SERVICE CONNECTION

- a) A person who wishes a Service Connection to the system shall make an application to the Regional District.
- b) The application shall be made on the form prescribed by Schedule "A" to this Bylaw and signed by the Applicant.

14. SERVICE CONNECTION FEE

The Applicant shall, at the time of making an application for a Service Connection, pay the service connection fee as prescribed in Schedule "A" of the Bylaw imposing fees and other charges for the Local Service Area in which the parcel to be supplied with water is located.

15. WAIVER OF SERVICE CONNECTION FEE

Where at the date of the adoption of this Bylaw, a Service Connection was installed by and at the sole cost of a person other than the Regional District, then the Service Connection fee payable by an Applicant shall be waived.

16. INDIVIDUAL CONNECTION

- a) Each Parcel of Land shall have its own Service Connection which shall be installed by the Regional District.
- b) Where two or more buildings are constructed on one Parcel of Land, each building shall have a separate Service Connection, unless the Chief Engineer grants written authorization to the contrary.
- c) Where water meters are required the Service Connection shall include an approved water meter of a size required for the connection installed at the property line upstream of the Curb Stop.

17. SERVICE CONNECTION LOCATION

Where possible, a Service Connection will be located where requested by the Applicant. If the applicant's requested location will result in additional costs, or is not practicable due to unsuitable ground conditions or the existence of installed surface improvements or underground utilities, the Chief Engineer may designate the location of the Service Connection.

18. SIZE OF SERVICE CONNECTION

The minimum inside diameter of the piping forming part of the Service Connection shall be twenty (20mm) millimetres. The size of the piping from the Service Connection to a Premises on the applicant's property shall be as approved by the Chief Building Inspector.

19. INSTALLATION

All Service Connections shall be installed in accordance with the plans and specifications of the Regional District.

PART IV - CONSUMER SUPPLY LINE20. BUILDING BYLAW

- a) A Consumer Supply Line on private property shall be installed in accordance with the British Columbia Building Code and shall be installed by the owner entirely at his own expense.
- b) A Consumer Supply Line must be approved by the Chief Building Inspector prior to connection to the Curb Stop on the Service Connection at the property line.
- c) A Consumer Supply Line must be constructed under a valid and subsisting plumbing permit issued by the Chief Building Inspector.

21. RESPONSIBILITY OF OWNER

A Consumer Supply Line and all plumbing connected thereto shall be maintained in good working order and repair by the property owner at his own expense.

22. TURN-ON AND TURN-OFF

- a) To facilitate repairs to a Consumer Supply Line, the Regional District may, upon request and at its earliest convenience, turn off or turn on the water supply at the Curb Stop.
- b) Prior to the turn-on and turn-off the Consumer shall pay to the Regional District the fee prescribed in Schedule "B" to the Bylaw imposing fees and other charges for the Local Service Area in which the parcel supplied with water is located.
- c) No person except an employee of the Regional District in the course of his duty shall turn a Curb Stop off or on.

23. ABANDONMENT

When a serviced Property is abandoned and the owner of the Property wishes to discontinue the water supply he shall notify the Regional District and the Regional District may, at its earliest convenience, turn off the water at the Curb Stop and disconnect and cap-off the Consumer Supply Line. Prior to the turn-off the owner shall pay the turn-off fee prescribed in Schedule "B" to the Bylaw imposing fees and other charges for the Local Service Area in which the property is located.

24. FROZEN WATER LINE

A Consumer shall take all reasonable precautions to ensure that a Consumer Supply Line does not freeze. Property owners may request turnoffs for dwellings left unoccupied during winter months and turn-ons when required for reoccupation. Prior to the turn-on or turn-off, the owner shall pay the fee prescribed in Schedule "B" to the Bylaw imposing fees and other charges for the Local Service Area in which the Property is located.

25. INDEPENDENT WATER SUPPLY

A Consumer who has a source of water supply independent from the Service Connection of the Regional District shall not connect or cause to be connected any portion of the independent water supply distribution system to a Consumer Supply Line or any other pipe or other facility that is connected to the Service Connection or the System of the Regional District.

26. WORKS ON PRIVATE PROPERTY

A Consumer shall keep the works on their premises in good order and repair. No person shall permit the consumer supply line or plumbing connected to it to leak. If on inspection, authorized Regional District personnel find a leak or leaks in the consumer supply line or plumbing connected thereto, they will instruct the consumer to repair the leak(s) within thirty days. If these repairs are not done by the consumer within the thirty days, the Regional District will have this work done and charge the cost of such repairs to the consumer.

27. CONTROLLED USE OF WATER

No person shall use water for watering stock, filling of swimming pools or reservoirs, or as motive power without written permission of the Chief Engineer.

Wherever water supplied by the Regional District is to be placed into a well, pond, swimming pool, stock watering trough, cistern or any other container open to the atmosphere, it shall be done in such a manner that it is impossible for the water in such instances to flow into the Regional District System under any circumstances.

28. WATER PRESSURE

The Regional District does not guarantee a specific pressure or a continuous supply of water or water of a special quality to meet special requirements.

PART V - WATERWORKS EXTENSIONS29. EXTENSION APPLICATIONS

An owner of land within the Local Service Area who wishes a Waterworks Extension shall make a written application to the Chief Engineer.

30. EXTENSIONS BY BOARD DESIGNATION

- a) The Board may designate specific Waterworks Extensions to be undertaken by the Regional District in the Local Service Area.
- b) Waterworks Extensions designated by the Board shall be financed in accordance with the provisions of the Bylaw that created the Local Service Area.

31. EXTENSIONS OTHER THAN BY BOARD DESIGNATION

- a) If an owner of land wishes to proceed with a Waterworks Extension which has not been designated by the Board, the Chief Engineer may, with the approval of the Board, allow the Waterworks Extension subject to the conditions as set out in subsection (b).
- b) A Waterworks Extension authorized pursuant to subsection (a) above shall be, prior to the connection to the System:
 - i) installed by the Regional District or by the owner, but only with the approval of the Chief Engineer, entirely at the Owner's expense;
 - ii) constructed in accordance with the plans and specifications of the Regional District;
 - iii) inspected by the Regional District prior to backfilling, if installed by the owner;
 - iv) approved by the Chief Engineer.
- c) Construction of a Waterworks Extension shall not relieve an owner from payment of a Service Connection fee for each Parcel of Land to be served by the Waterworks Extension. This includes properties to be subdivided subsequent to the installation of the extension.

32. SUBDIVISIONS

Where new lots are created by subdivision, within the Local Service Area, it will be a condition of the subdivision that the owner shall at his own expense supply the required Water Extension and Water connections to each newly created lot.

33. EXTENSION LIMITS

Where a Waterworks Extension, other than one provided by the Board, is constructed:

- a) the Minimum inside diameter of the Water Main shall be one hundred and fifty (150mm) millimetres or such lesser size as approved by the Chief Engineer; and
- b) the Waterworks Extension shall extend from the most convenient existing water main of the System having sufficient surplus capacity to a point opposite the furthest boundary of the last Parcel of Land to be serviced by the Waterworks Extension.

34. COST SHARING FOR OVERSIZED EXTENSIONS

Where a Waterworks Extension other than one designated by the Board is to be constructed and where the Regional District desires to install a Water Main of greater capacity than the minimum size specified in paragraph 33 or is required to serve the Parcel of Land for which application for a Waterworks Extension has been made, and if such excess capacity will be available to permit further extension

beyond the boundaries of the Parcel of Land to be served thereby, the Regional District shall pay the difference in cost of installation between the actual cost of the Water Main installation and the estimated cost of installation of a Water Main of sufficient size to provide an adequate supply of water at appropriate pressure to the Parcel of Land that the owner of the Parcel wishes to service.

PART VI INSPECTION AND ENFORCEMENT

35. RIGHT OF ENTRY FOR INSPECTION

The Chief Engineer or Bylaw Enforcement Officer of the Regional District may enter at all reasonable times on property subject to this Bylaw for the purpose of inspecting the Premises and water pipes and other fixtures to ascertain whether or not the provisions of this Bylaw or any directions of the Regional District pursuant to this Bylaw are being observed.

36. DIRECT ENFORCEMENT

Where this Bylaw requires any permits to do anything, in default by that person the thing may be done at the expense of the person in default by the Regional District which may recover the expense with interest at six (6%) percent per year, with costs in the same manner as taxes.

37. OFFENCE

A person who does any act or suffers or permits any act to be done in contravention of this Bylaw commits an offence.

38. PENALTY

a) A person who commits an offence contrary to this Bylaw is liable on summary conviction to a penalty of not less than one hundred (\$100.00) dollars and not more than one thousand (\$1,000.00) dollars for a first offence and for each subsequent offence to a fine of not less than two hundred (\$200.00) dollars and not more than two thousand (\$2,000.00) dollars. A separate offence shall be deemed to be committed upon each day during and on which the contravention occurs or continues.

b) The penalties imposed under subsection (a) hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation

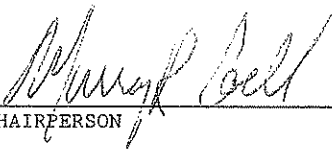
39. This Bylaw may be cited as "Water Regulations Bylaw No. 1, 1990."

READ A FIRST TIME THIS 13th day of June 1990

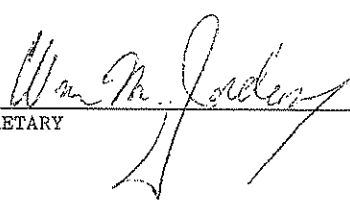
READ A SECOND TIME THIS 13th day of June 1990

READ A THIRD TIME THIS 13th day of June 1990

RECONSIDERED AND FINALLY ADOPTED this 13th day of June 1990



CHAIRPERSON



SECRETARY

SCHEDULE "A"

APPLICATION FOR SERVICE CONNECTION

Capital Regional District
Application for Connection to Sewer/Water Utility



PLEASE PRESS HARD YOU ARE MAKING FOUR (4) COPIES

Pursuant to the regulations applicable to the Utility indicated below

I, _____, being the owner or acting with the owner's consent hereby make application for a utility connection to the property indicated below.

I agree to be subject to all Bylaws, Rules and Regulations and to pay such rates as are thereby specified.

Name of Owner _____	Name of Contractor _____
M A Street _____ A D	Street _____
I D City _____	City, Village _____
L R Prov. _____ Postal Code _____	Prov. _____ Postal Code _____
I E Phone No. _____	Phone No. _____
N S	
G S	

Utility/Utilities to which a connection is requested.

SEWER UTILITIES

- View Royal
- Port Renfrew
- Mallview Estates
- Magic Lake Estates
- Ganges
- Other (specify) _____

WATER UTILITIES

- Port Renfrew
- Lyall Harbour/Boot Cove
- Magic Lake Estates
- Highland
- Fernwood
- Other (specify) _____

Description of Property to which a connection is requested.

Street Address (if applicable) _____

Legal Description - Lot Number _____ Section _____ Plan No. _____

Tax Assessment Folio Number _____

INTENDED USE OF PROPERTY _____

Date _____ Signature of applicant _____

FOR OFFICE USE ONLY

Your application for a utility connection has been approved as detailed below.

This connection will be installed upon receipt of the connection fee and necessary approvals.

The fee for this connection is: \$ _____

Details of Connection: _____

Approved By: _____ Date: _____

Date application received _____

Drawings received: Yes _____ No _____

Application reviewed by _____

Date payment received _____

Date work order issued _____

Date installation complete _____