



The Corporation of the District of North Cowichan

Waterworks Bylaw

Bylaw 3620

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The Council of The Corporation of the District of North Cowichan enacts as follows:

PART 1 – INTERPRETATION

Definitions

1 In this Bylaw:

“Approving Officer” means the person so appointed under section 77 [*appointment of municipal approving officers*] of the *Land Title Act*;

“backflow prevention device” means a backflow preventer that complies with requirements of the Canadian Standards Association document entitled *Selection and Installation of backflow preventers/Maintenance and field testing of backflow preventers*, published in 2011, as amended from time to time;

“backflow tester” means a person holding a valid certificate from the British Columbia Water and Waste Association for testing backflow prevention devices;

“consumer” means an owner or occupier of premises served by the waterworks system;

“cross-connection” means an actual or potential connection between a potable water system and a source of pollution or contamination;

“~~Director of Engineering and Operations~~Director of Engineering” means the person so appointed by the Chief Administrative Officer;

"fire service" means any installation which may be provided to supply water, over and above what the consumer usually requires, for firefighting purposes;

"hand water" means to water a lawn, tree, garden, shrub or other plant on a property from a bucket, or using a spring-loaded nozzle attached to a water hose;

"hydrant" means a device equipped with special threaded connections installed by the Municipality within a highway, municipal right-of-way, easement or on municipal property, connected to a water main to supply water for fire protection purposes, and includes a standpipe;

"main" means a pipe, including valves, fittings and other appurtenances other than a service connection, pumping station, treatment plant or reservoir in the waterworks system;

"meter" means a device used to measure and indicate the volume of water passing through the device and may include remote reading accessories;

"micro-drip irrigation" means an irrigation system, other than a soaker hose, that delivers water to the root zone of plants and uses less than 51.8 L (20 gal) per hour at less than 172 kPa (25 psi);

"residential premise" means any building, structure, or part thereof, used or intended to be used, as a self-contained place of abode and includes any form of strata lot ownership served by a common meter;

"sprinkle or sprinkling" ~~means a conventional irrigation system, a sprinkler system, or a hose connected to a sprinkler, but excludes a hand-operated hose equipped with a shut-off nozzle or a micro-irrigation or drip-irrigation system means the application or distribution of water on lawns, gardens or boulevards by sprinkling or spraying but does not include the method known as "drip irrigation" nor hand watering;~~

"sprinkler" means a sprinkler system or a hose connected to a sprinkler, but excludes a hand-operated hose equipped with a shut-off nozzle or a micro-irrigation or drip-irrigation system;

"structure" means any construction fixed to, supported by, or sunk into land or water but excludes concrete slabs and retaining walls;

"unit" means each section or suite of a residential premise, or senior citizen's housing complex used or intended to be used as a place of residence or abode, or each section of a commercial premise containing a separate business;

"water" means water supplied by the Municipality;

"water connection" means a pipe and the necessary valves and protective boxes, connections, thaw wires, and any other material necessary to and actually used to connect the water main to a curb stop, or meter setter;

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

"waterworks system" is an administrative term used to refer, collectively, to all North Cowichan water local area services.

PART 2 – WATER CONNECTIONS

Applying for water service

- 2
- (1) Every owner of real property within a water local area service, who desires water service, must apply for a connection in writing to the ~~Director of Engineering and Operations~~Director of Engineering in the form prescribed by the ~~Director of Engineering and Operations~~Director of Engineering.
 - (2) A person constructing a new building or structure within a water local area service, who wants the waterworks system to service the building or structure, must
 - (a) apply to connect the building or structure to the waterworks system, and
 - (b) connect the building or structure to the connection servicing the property on which the building or structure is located, if the application is approved.
 - (3) Each parcel must be serviced by a separate connection to the waterworks system.
 - (4) Unless the Approving Officer waives road frontage requirements for the purpose of subdivision, the Municipality must not supply water service
 - (a) to any building or structure which does not have road frontage, or
 - (b) through a private easement.

Watermain extensions and rebates

- 3
- (1) An application for a water connection that requires a watermain extension must not be approved without Council approval.
 - (2) Subject to sections 507 and 508 of the *Local Government Act*, an applicant must pay the full cost of a watermain extension.

One connection per property

- 4
- (1) The Municipality must provide only one water service connection to a parcel.
 - (2) The water service connection provided must be
 - (a) at least 19 mm in size for a residential parcel, and
 - (b) of such size as determined by the ~~Director of Engineering and Operations~~Director of Engineering, for a commercial parcel.
 - (3) If more than one property is served by one connection to a watermain, the Municipality may disconnect the service until each property is, at the expense of the property owner, directly connected to the watermain in accordance with this Bylaw.
 - (4) For a commercial water service connection larger than 51 mm, a consumer must apply to the ~~Director of Engineering and Operations~~Director of Engineering and pay the connection fee set out in the Fees Bylaw before such connection is made.

Connection to other waterworks system

- 5
- (1) If a connection or cross-connection exists between the waterworks system and any other water supply system or source of water supply,

- (a) the Municipality must, at the owner's expense, disconnect that service immediately and reconnect to the waterworks system, and
- (b) the owner must pay the applicable fees set out in the Fees Bylaw.

Underground pipes

- 6** (1) All underground water service pipes must be placed at least
- (a) 600 mm below the surface of a landscaped grade, and
 - (b) 900 mm below a driveway grade.
- (2) Any other water pipe must be properly protected so as to prevent freezing.

Pressure reducing and relief valves

- 7** A consumer must provide a pressure reducing valve and a pressure relief valve if
- (a) the water pressure in the watermain serving the consumer's premises exceeds 550 kPa (80 psi), or
 - (b) the ~~Director of Engineering and Operations~~Director of Engineering so directs the consumer in order to avoid damage.

Connection costs

- 8** (1) On approving an application to connect to the waterworks system, the ~~Director of Engineering and Operations~~Director of Engineering must have the necessary connection or connections made.
- (2) An applicant must pay the connection fee set out in the Fees Bylaw at the time the application is made.

PART 3 – METERS

Meter requirement

- 9** (1) A meter must be installed on the following connections to a Municipal water main:
- (a) every new connection,
 - (b) an existing connection where an upgrade to the water service is required by the ~~Director of Engineering and Operations~~Director of Engineering,
 - (c) any existing connection where section 24 of this Bylaw is violated.
- (2) Every fire service must be installed so that water used or that may be used for other than to fight a fire is metered.
- (3) A fire service that may be used for fire purposes only must have a detector check valve installed instead of a meter.
- (4) If water from a service having a detector check valve is used other than to fight a fire, the ~~Director of Engineering and Operations~~Director of Engineering must shut off the service until a meter is installed on the service at the owner's expense.
- (5) Each meter and detector check valve used on a fire service must be as approved by the ~~Director of Engineering and Operations~~Director of Engineering.

- (6) The cost of every meter, gate valve, and detector check valve and their installation, required by this section, must be borne by the owner or occupant of the premises or property where a fire service is located.

Right to ask for meter

- 10** A consumer who suspects their water service is leaking
- (a) may ask the Municipality to install a meter, and
 - (b) must pay all applicable fees set out in the Fees Bylaw.

Type and arrangement of meters

- 11** The ~~Director of Engineering and Operations~~Director of Engineering must determine the type, size and arrangement of a meter, pipe, and flow detecting device to establish a water service, or subsequently move or change a meter.

Location of meters

- 12**
- (1) The ~~Director of Engineering and Operations~~Director of Engineering may require a meter to be located on private property or on a highway.
 - (2) The consumer must provide unobstructed access to a meter, and appurtenances used to read the meter, on private property, in a statutory right of way, or in a registered easement.
 - (3) A hedge, planting or structure must not be placed so as to obstruct access to a meter.
 - (4) On private property, the pipes, valves, and other appurtenances to the meter must be installed in accordance with the standards specified in the British Columbia Building Code – Book II (Plumbing Systems).
 - (5) A meter, pipe, valve and appurtenance, must be installed by either the Municipality or, at the ~~Director of Engineering and Operations~~Director of Engineering' discretion, the owner of the property being provided with the water service.

Cost of meter installation and repair

- 13**
- (1) A person must not turn on, turn off or tamper with any meter.
 - (2) A consumer must pay the cost to install or repair damage to the meter or meter box on or for their property.

Relocation of meters

- 14** On written application to the ~~Director of Engineering and Operations~~Director of Engineering, and payment of a meter relocation fee set out in the Fees Bylaw, the Municipality may allow a meter's location or elevation to be changed.

Maintenance of meters

- 15**
- (1) The Municipality must
 - (a) maintain and repair a meter, or water connection, rendered unserviceable by reasonable wear and tear, and

- (b) renew and replace a meter or water connection, if necessary.
- (2) Where maintenance, repair, renewal or replacement of a meter or water connection is rendered necessary by the act, neglect or carelessness of the consumer, or an invitee of the consumer, the consumer is liable for any expense incurred by the Municipality.

Rereading, inspecting and testing of meters

- 16**
- (1) If a consumer questions, in writing, the accuracy of the record of their water meter, the Municipality must have the meter reread.
 - (2) The Municipality must also, upon written request and deposit with the ~~Director of Engineering and Operations~~ Director of Engineering of a meter testing fee set out in the Fees Bylaw, test the meter and have a report on it made.
 - (3) If the test discloses an error against the consumer of more than 5%, the Municipality must refund the meter testing fee to the consumer, install an accurate meter, and adjust the consumer's bill accordingly.
 - (4) If the test of such meter shows an accurate measurement of water, or an error in favour of the consumer, the Municipality must retain the meter testing fee to cover part of the cost of testing the meter.

PART 4 – WATER CONSERVATION & PROHIBITED USES

Water conservation measures

- 17**
- (1) Stage 1 water conservation measures are in effect from May 1 through October 31 each year.
 - (2) The Director of Engineering must determine when stage 1 water conservation measures are insufficient for effective water conservation and may authorize stage 2, stage 3, or stage 4 water conservation measures.
 - (3) A person must not use a sprinkler to water a lawn, vegetable garden, fruit trees, ornamental trees, shrubs, or flower gardens, except between the hours of 7:00 p.m. and 9:00 a.m. for a maximum of 2 hours per day.
 - (a) for even numbered addresses on
 - (i) Wednesdays and Saturdays during stage 1
 - (ii) Wednesdays during stage 2
 - (b) for odd numbered addresses on
 - (i) Thursdays and Sundays during stage 1
 - (ii) Sundays during stage 2
 - (4) A person must not use a sprinkler to water a lawn, vegetable garden, fruit trees, ornamental trees, shrubs, flower gardens, at any time during stage 3 and stage 4.
 - (5) A person must not hand water or use micro-drip irrigation on vegetable gardens, or fruit trees, except between the hours of 7:00 p.m. and 9:00 a.m.
 - (a) for a maximum of 4 hours per day during stage 1 and stage 2

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- (b) for a maximum of 2 hours per day during stage 3 and stage 4
- (6) A person must not hand water or use micro-drip irrigation on ornamental trees, shrubs, or flower gardens, except between the hours of 7:00 p.m. and 9:00 a.m.
- (a) for a maximum of 2 hours per day during stage 1 and stage 2
- (b) for a maximum of 1 hour per day during stage 3 and stage 4
- (7) A person must not hand water or use micro-drip irrigation on lawns, except between the hours of 7:00 p.m. and 9:00 a.m.
- (a) for a maximum of 2 hours per day during stage 1
- (b) for a maximum of 1 hour per day during stage 2
- (8) A person must not use a sprinkler on new lawns, except between the hours of 7:00 p.m. and 9:00 a.m. for a maximum of 2 hours per day
- (a) for even numbered addresses on
- (i) Wednesdays and Saturdays during stage 1, unless an irrigation permit has been obtained for additional watering, in accordance with section 20 of this Bylaw
- (b) for odd numbered addresses on
- (i) Thursdays and Sundays during stage 1, unless an irrigation permit has been obtained for additional watering, in accordance with section 20 of this Bylaw
- (9) A person must not use a sprinkler on new lawns, except between the hours of 7:00 p.m. and 9:00 a.m. for a maximum of 1 hour per day, on any day during stage 2 and stage 3, with a valid irrigation permit, obtained in accordance with section 20 of this Bylaw.
- (10) A person must not hand water or use micro-drip irrigation on new lawns, except between the hours of 7:00 p.m. and 9:00 a.m.
- (a) for a maximum of 2 hours per day during stage 1
- (b) for a maximum of 1 hour per day during stage 2
- (c) for a maximum of 1 hour per day during stage 3, unless an irrigation permit has been obtained for additional watering, in accordance with section 20 of this Bylaw
- (11) A person must not:
- (a) fill a swimming pool or hot tub during stage 3, and stage 4, except for the purpose of topping up the swimming pool or hot tub
- (b) wash a vehicle or boat during stage 3, except for the purpose of applying paint, or for flushing salt water out of the motor of a boat
- (c) wash a vehicle or boat during stage 4
- (d) wash a house, fence, deck, driveway or sidewalk during stage 2, and stage 3, except for the purpose of preparing to: apply paints or preservatives, or to pour

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(c) wash a house, fence, deck, driveway or sidewalk during stage 4

(1) Stage 1 water conservation measures are in effect from May 1 through October 31 each year.

Notice of water conservation measures

- 18** (1) The Municipality must notify a consumer of a prohibition or limitation imposed on the use of water in accordance with this Bylaw.
- The Director of Engineering and Operations must notify a consumer of a prohibition or
- (2) The notice requirement under subsection (1) shall be given using at least one of the following methods: website, social media, signage placed in relevant public locations, publishing in local newspaper, radio, television station broadcasting in the area where the prohibition or limitation is to be imposed
- Notice under subsection (1) must be considered to be given and served on all consumers by publishing a notice in a local newspaper, or on a radio or television station broadcasting in the area where the prohibition or limitation is to be imposed.
- (3) In the event of an emergency, notice is considered to be immediate and the Municipality must make all reasonable efforts to distribute the notice as quickly as possible.

Exemptions

19 (1)

(1) Section 17 does not apply, unless ordered otherwise by Council, to the following:

- (a) school and municipal playing fields
- (b) municipal employees in the course of their duties
- (c) municipal property

(2) Section 17 (11)(b) does not apply during stage 3, unless ordered otherwise by Council, to commercial enterprises that require water use to facilitate normal business activities, including power washing, window washing, car dealerships, and commercial car wash businesses.

(3) Section 17 (11)(d) does not apply during stage 2 and stage 3, unless order otherwise by Council, to commercial enterprises that require water use to facilitate normal business activities, including power washing, window washing, and commercial car wash businesses.

Section 17 does not apply, unless ordered otherwise by Council, to the following:

Sprinkling permits

sprinkler on a new lawn, in accordance with the terms of the irrigation permit, when stage 1 water conservation measures are in effect, and additional watering is required.

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- (2) A consumer must apply to the Municipality for an irrigation permit to use a sprinkler on a new lawn, in accordance with the terms of the irrigation permit, before stage 2 water conservation measures are in effect, and additional watering is required.
- (3) A consumer must apply to the Municipality for an irrigation permit to hand water or to use micro-drip irrigation on a new lawn, in accordance with the terms of the permit, when stage 3 water conservation measures are in effect, and additional watering is required.
- (4) An applicant must pay the Municipality the permit fee set out in the Fees and Charges Bylaw.

~~(1) A consumer may apply to the Municipality for a permit to sprinkle a new lawn or new landscaping, in accordance with the terms of the permit, when stage 1 water conservation measures are in effect.~~

- 21** (1) A Municipal employee may enter on a property whose owner or occupier is suspected of violating a water conservation requirement, and
- (a) require the owner or occupier to comply with a water conservation requirement, or
 - (b) turn off the source of non-compliance if the owner or occupier is not present.
- (2) The Municipality may stop supplying water temporarily to a property whose owner or occupier is violating a water conservation requirement.
- (3) If the Municipality stops supplying water temporarily under subsection (2), the owner or occupier must pay the applicable fees set out in the Fees Bylaw.

Prohibited uses of water

- 22** (1) A consumer must not do the following:
- (a) allow water to run to waste, whether willfully or by allowing leaky, imperfect, defective or improper taps, pipes, meters, indicators or other fixtures to remain unrepaired;
 - (b) sell, give or dispose of water;
 - (c) allow water to be carried, taken away, used or applied to or for
 - (i) another person's benefit or use, or
 - (ii) a use or benefit other than the consumer's own use or benefit in the usual course of the purpose for which the same is supplied;
 - (d) increase the amount of water to which the consumer is entitled under this Bylaw;
 - (e) use water from a service bypassing a meter;
 - (f) use water from a metered service for which a meter has not yet been installed;
 - (g) supply water, using a sprinkler or otherwise, to a premise or a property other than that in respect of which the consumer has paid the applicable rates set out in the Fees Bylaw;

- (h) use water for the purpose of washing any street, lane or public thoroughfare, unless authorized by the ~~Director of Engineering and Operations~~Director of Engineering.
- (2) A Municipal employee must make reasonable attempts to notify a consumer violating the previous subsection.
- (3) When notified under the previous subsection, the consumer must discontinue the violation immediately or face disconnection of their premises from the waterworks system.
- (4) A consumer whose premises are disconnected from the waterworks system under the previous subsection must pay the applicable fees set out in the Fees Bylaw.

PART 5 – WATERWORKS SYSTEM

Work to be done by Municipal employees

- 23** All work on the waterworks system on public land or in a public right of way must be done by Municipal employees, except as directed, in writing, by the ~~Director of Engineering and Operations~~Director of Engineering.

- 24** (1) A person must not enter a Municipal watershed used as a reservoir for the waterworks system, without the prior written authorization of the ~~Director of Engineering and Operations~~Director of Engineering.
- (2) Subsection (1) does not apply to an employee of the Municipality or a member of the North Cowichan Fire Department, in the course of the employee's or member's duties.

Use of hydrant, valve or hose connection

- 25** (1) A person must not open or use water from a Municipal hydrant, valve or hose connection, without a permit from the ~~Director of Engineering and Operations~~Director of Engineering.
- (2) Subsection (1) does not apply to a Municipal employee or firefighter in the course of their duties.
- (3) A person who receives a permit under this Bylaw from the ~~Director of Engineering and Operations~~Director of Engineering to open, or use water from, a hydrant, valve or hose connection, must
- (a) pay a water use permit fee, and damage deposit set out in the Fees Bylaw,
 - (b) keep an accurate record of
 - (i) every date on which water is taken,
 - (ii) the number of every hydrant,
 - (iii) the approximate quantity of water taken, and
 - (iv) the purpose for which water was used,
 - (c) forward the record referred to in the previous paragraph to the ~~Director of Engineering and Operations~~Director of Engineering within
 - (i) 30 days of the expiry of the permit, or
 - (ii) 5 days, upon request by the ~~Director of Engineering and Operations~~Director of Engineering, and
 - (d) not use unauthorized equipment or fittings in conjunction with the waterworks system.
- (4) The Municipality may deduct from the damage deposit referred to in the previous subsection
- (a) a water use fee, or
 - (b) the amount to repair any damage resulting from the use of a hydrant, valve or hose connection.
- (5) The ~~Director of Engineering and Operations~~Director of Engineering may direct a Municipal employee to open or close a hydrant, valve or hose connection, at the permit holder's expense.
- (6) Unauthorized equipment or fittings attached to the waterworks system may be

- (a) seized by the Municipality and
 - (b) retrieved by the owner upon payment of the fee set out in the Fees Bylaw.
- (7) A person must not use water from a Municipal hydrant for a purpose other than the following:
 - (a) constructing or maintaining a road or public utility;
 - (b) developing a subdivision;
 - (c) fire protection;
 - (d) commercial lawn or yard care;
 - (e) commercial power washing.
- (8) The ~~Director of Engineering and Operations~~Director of Engineering may require a person who has been granted a permit to use a hydrant to install a backflow prevention device on any tanker or other device receiving water from a hydrant.
- (9) The Municipality may, without liability for any resulting damage, revoke a permit issued by the ~~Director of Engineering and Operations~~Director of Engineering and prevent the use of a hydrant for any reason.
- (10) A permit to use a hydrant, valve or hose connection expires no later than December 31 of the year the permit was issued.

Obstructing access to the waterworks system

- 26**
- (1) A person must not obstruct or impede in any way, access to a hydrant, valve, corporation stop, meter, curb stop, or other fixture or property connected with or belonging to the waterworks system.
 - (2) The Municipality may remove any obstruction to the waterworks system at the expense of the person who violates subsection (1).
 - (3) Any structure, vegetation or other obstruction blocking access or good visibility to a hydrant or water connection may be removed by the Municipality at the expense of the owner of the adjacent property.

Interference with waterworks system

- 27**
- (1) Unless authorized by this Bylaw, a person must not
 - (a) operate,
 - (b) interfere or tamper with, or
 - (b) cause or allow to be caused, in any way, damage to a hydrant, valve, corporation stop, meter, curb stop, or other fixture or property connected or belonging to the waterworks system.
 - (2) The Municipality may perform any necessary consequential repairs or inspections at the expense of the person who violates subsection (1).

Turning service on or off

- 28**
- (1) A person must not apply to turn off the water from any premises in use or occupied by any other person until the person's use or occupancy of the premises stops and the premises are vacated.
 - (2) A person must not turn off a water service turned on by the Municipality or turn on a water service turned off by the Municipality.
 - (3) If a water service turned on by the Municipality is turned off by a person other than an employee of the Municipality, the owner is liable to pay all applicable fees set out in the Fees Bylaw.
 - (4) If a water service turned off by the Municipality is turned on by a person other than an employee of the Municipality,
 - (a) the service is considered to have been continued from the date on which it was turned off, and
 - (b) the owner is liable for all applicable fees set out in the Fees Bylaw.
 - (5) Other than in an emergency, a person requiring their water service to be turned on or off after regular business hours must pay the fees set out in the Fees Bylaw.

Maintenance of apparatus on premises

- 29**
- (1) Every consumer must ensure that all taps, fittings, fixtures and other apparatus
 - (a) in commercial or residential premises, or on private property, and
 - (b) connected to the waterworks system,are adequate, properly maintained, and installed in accordance with applicable provincial regulations and Municipal bylaws.
 - (2) The ~~Director of Engineering and Operations~~Director of Engineering may disconnect the supply of water to a consumer who fails to immediately repair, when notified to do so, faulty or defective equipment or connections.
 - (3) The supply of water will be resumed upon completion of such repairs and payment of all applicable fees set out in the Fees Bylaw.
 - (4) Every consumer must ensure that a private hydrant connected to the waterworks system is maintained in accordance with the British Columbia Fire Code.
 - (5) Every connection to the waterworks system must provide for backflow prevention in accordance with applicable provincial regulations.
 - (6) The ~~Director of Engineering and Operations~~Director of Engineering may refuse to supply or discontinue supplying water to any premise owned or occupied by a person violating this section.

PART 6 – CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

Condition of service

- 30**
- Water service supplied to a consumer must only be provided where the ~~Director of Engineering and Operations~~Director of Engineering is of the opinion that the waterworks system has been effectively protected from cross connection.

Cross connection and backflow prevention

- 31** (1) A person must not create a cross-connection by connecting, causing to be connected, or allowing to remain connected to the waterworks system, any device, pipe fixture, fitting, appliance, chattel or thing which may under any circumstance allow non-potable water, used water, wastewater or any chemical liquid, gas or other substance to enter the waterworks system.
- (2) If the ~~Director of Engineering and Operations~~Director of Engineering believes that a cross-connection exists, the ~~Director of Engineering and Operations~~Director of Engineering may
- (a) give written notice to a consumer to correct the cross-connection at the consumer's expense by installing a backflow prevention device as directed by the ~~Director of Engineering and Operations~~Director of Engineering,
 - (b) shut off the water service to the premises and notify the consumer that a backflow prevention device must be properly installed at the consumer's expense before the water service will be turned on, or
 - (c) install a backflow prevention device at the water connection and charge the installation to the consumer.
- (3) An owner of a private water system must install a backflow preventer that is
- (a) approved by the ~~Director of Engineering and Operations~~Director of Engineering,
 - (b) located where the private water system connects to the waterworks system, or at such other location as the ~~Director of Engineering and Operations~~Director of Engineering may require.
- 32** If, in the opinion of the ~~Director of Engineering and Operations~~Director of Engineering, the configuration of any water connection creates a risk of contamination to the waterworks system, the consumer must, promptly upon notice from the ~~Director of Engineering and Operations~~Director of Engineering, install a backflow prevention device on a private water service where the service connects to the waterworks system.
- 33** A consumer must provide a report to the Municipality from a backflow tester, within 30 days of initial installation, repair or relocation of a backflow prevention device, confirming the following:
- (a) the installation date of the backflow prevention device;
 - (b) the location of the backflow prevention device and the cross connection or hazard it is intended to prevent;
 - (c) the manufacturer, model, size and serial number of the backflow prevention device;
 - (d) the fact that the backflow prevention device is installed correctly and is in proper operating condition.
- 34** A consumer on whose premises a backflow prevention device is installed must
- (a) ensure that the backflow prevention device

- (i) remains in proper working condition,
 - (ii) is tested annually, or as directed by the ~~Director of Engineering and Operations~~Director of Engineering, by a backflow tester, and
 - (iii) is repaired or replaced if the results of testing show that the device is not in proper working condition, and
- (b) submit all backflow tester's reports to the ~~Director of Engineering and Operations~~Director of Engineering.

- 35** If a consumer fails to have a backflow prevention device tested as required under this Bylaw, the ~~Director of Engineering and Operations~~Director of Engineering, on written notice to the consumer, may require that the backflow prevention device be tested within 96 hours, or other period of time specified, of the consumer receiving the notice.
- 36** Failure to be sent or receive a notice does not excuse a consumer from the duty to comply with applicable bylaws.
- 37** A consumer on whose property a backflow prevention device is located must
- (a) immediately notify the ~~Director of Engineering and Operations~~Director of Engineering if there is any indication that the backflow prevention device is malfunctioning, and
 - (b) not use the private water service until the backflow prevention device is determined by the ~~Director of Engineering and Operations~~Director of Engineering to be repaired or properly functioning.
- 38** A person must not turn on a water service to a newly constructed, renovated or reconstructed premise until the plumbing system in such premises has been inspected for cross-connections and approved by the Building Inspector or the ~~Director of Engineering and Operations~~Director of Engineering.
- 39** Each season, before using a private water service for commercial or agricultural irrigation, a consumer must have the backflow prevention device inspected and tested, at the consumer's expense, by a backflow tester.

Auxiliary water supplies

- 40** No connection may be installed or maintained where water from an auxiliary water system may enter the waterworks system or consumer's private water service unless such auxiliary water system and the method of connection and use of such system has been approved by the ~~Director of Engineering and Operations~~Director of Engineering.

Installation of noncompliant apparatus prohibited

- 41** A consumer must not install, place, or maintain in any premise any water connection, pipe, fixture or any other apparatus which is not in accordance with the requirements of this Bylaw or any other pertinent bylaw.

PART 7 – WATER FEES

Payment of water rates

- 42** A consumer must pay waterworks fees, set out in the Fees Bylaw, whether or not water is used.

Payment for metered service

- 43** (1) Every consumer having a metered service must pay for the full amount of water as registered by the meter, according to the rate applicable to the service.
- (2) Where more than one commercial or residential premise exists on one parcel served by a single connection, each is considered to be a separate unit and must be billed accordingly.

Fee reduction

- 44 (1) No fee adjustment is allowed because of a leak unless the ~~Director of Engineering and Operations~~Director of Engineering is satisfied that
- (a) the leak arose from accidental damage to a pipe or fitting on the consumer's premises, arising from a cause beyond the consumer's control, and
 - (b) the consumer took all reasonable care and made all reasonable haste in stopping the leak and preventing it from recurring.
- (2) For clarity, interior plumbing and irrigation system leaks will not be considered for a fee adjustment.
- (3) If the ~~Director of Engineering and Operations~~Director of Engineering decides under subsection (1) to allow a fee adjustment, the consumer must pay the base water use fee for the billing period, plus
- (a) for a commercial premises, 50% of the excess charges, or
 - (b) for a residential premises, 50% of the excess charges to a maximum of \$500.

Failure of meter

- 45 If any meter stops or fails to indicate correctly the quantity of water passing through it, the Municipality may charge for such water according to the average consumption for the 12 months before the date when the meter was last found to function properly.

Penalties and remedies for unpaid water rates

- 46 Subject to the late payment provisions set out in the Fees Bylaw, a 10% penalty must be added to any unpaid current water charges 45 days after each billing period for residential and commercial users. [BL3676]
- 47 If a consumer does not pay a fee payable under this Bylaw within one month of the date on which the fee is due, the Director of Financial Services may order that the service, in respect of which such fee is due and payable, be shut off without notice and the owner must pay all applicable fees set out in the Fees Bylaw.

Collection of unpaid fees

- 48 (1) Fees payable under this Bylaw must be collected in the same manner and with like remedies as property taxes.

PART 8 – DISCONNECTION

Disconnection

- 49 (1) The ~~Director of Engineering and Operations~~Director of Engineering may, upon 30 days written notice to a consumer, disconnect a water service connection for any of the following reasons:
- (a) failure to install or test a backflow prevention device as required by this Bylaw;
 - (b) failure to repair or replace defective pipes, fittings, valves, tanks or appliances which are leaking or otherwise not in good repair;

- (c) failure to carry out any work authorized under this Bylaw in accordance with the terms of this Bylaw or the applicable permit;
 - (d) failure to pay fees or taxes owing in relation to the water service.
- (2) Upon receipt of a notice provided under subsection (1), a consumer may request an opportunity to make representations to Council by providing the Director of Corporate Services with written notification setting out why the consumer wants Council to reconsider the matter and providing a copy of information the consumer believes is relevant to Council's reconsideration of the matter.
- (3) A consumer who wants to disconnect the consumer's premises from the waterworks system must
- (a) notify the Municipality in writing at least 7 days in advance, and
 - (b) pay the water disconnection fee set out in the Fees Bylaw.

PART 9 – GENERAL

No obligation to supply water

- 50** (1) Nothing in this Bylaw imposes a duty or obligation on the Municipality to provide a continuous supply of water to any consumer or to supply water of any given quality or pressure.
- (2) Council may regulate the quantity of water supplied or refuse to supply water at any time to any consumer, land or premise.
- (3) The ~~Director of Engineering and Operations~~Director of Engineering may interrupt the supply of water at any time to maintain, repair, or modify the waterworks system.

Inspections

- 51** Pursuant to section 16 *[authority to enter on or into property]* of the *Community Charter*, a Municipal employee may, in the performance of their duties, enter any premises supplied with water under this Bylaw for the purpose of inspecting all pipes, taps, and devices used for water distribution, and confirm compliance with this Bylaw.

Non-Compliance

- 52** If a consumer fails to comply with this Bylaw, Council may
- (a) direct that the non-compliance be remedied at the expense of the consumer, and
 - (b) recover any related expense in the same way that Municipal taxes are recovered.

Penalty

- 53** A person who contravenes this Bylaw is liable on summary conviction to a fine or penalty not less than \$2 000.

Repeal

- 54** "Waterworks Bylaw 1995," No. 2839, is repealed.

Read a first time on May 4, 2016
Read a second and third time on June 1, 2016
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