



2021 Water Regulations & Rates Bylaw

Bylaw 1357

Effective 2021 May

CASTLEGAR

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WHEREAS the *Local Government Act*, R.S.B.C. 1996, Chapter 323, the *Community Charter*, S.B.C. 2003, Chapter 26 and all other applicable legislation provide that Council may by bylaw, establish a municipal water service within the jurisdiction of the City of Castlegar;

NOW THEREFORE, the Council of the City of Castlegar in an open meeting assembled enacts as follows:

PART 1: CITATION

- 1.1 This Bylaw may be cited as "The Corporation of the **City of Castlegar Waterworks Regulations and Rates Bylaw No. 1357, 2021**".

PART 2: INTERPRETATION

2.1 Definitions

In this Bylaw, the following terms have the following meanings:

- (a) "**Backflow**" means the flow of water or other substances back in to any plumbing system connected to the Waterworks System;
- (b) "**Building Code**" means the means the Provincial building code and other regulations enacted to regulate buildings;
- (c) "**Building Connection**" means the water pipe extending from the property line of the property concerned to the building situated thereon;
- (d) "**Business Day**" means a day other than Saturday, Sunday or a statutory holiday in the Province of British Columbia;
- (e) "**Bylaw Enforcement Officer**" means:
 - i. Bylaw Enforcement Officers appointed pursuant to the *Police Act* and *Community Charter*; and
 - ii. a person appointed by Council as a licensing inspector, building inspector or animal control officer;
- (f) "**Bylaw Notice**" means a ticket issued under the City of Castlegar Municipal Ticket Information Bylaw;
- (g) "**City**" and "**City of Castlegar**" means The Corporation of the City of Castlegar;
- (h) "**Collector**" mean the person appointed from time to time by the Council as Collector;
- (i) "**Common Ground Irrigation Meters**" mean meters which are verified by the City as meters which are for irrigation purposes only;
- (j) "**Contaminant**" means any substance or matter in water which may render the water unfit for human consumption in accordance with guidelines and regulations of the Province of British Columbia;

- (k) "**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 Waterworks System, any person who is the occupier of such premises or any person who is actually using water supplied to such premises;
- (l) "**Council**" means the duly elected Council for the Corporation of the City of Castlegar;
- (m) "**Cross Connection**" means any device or connection to which the Waterworks System is connected, directly or indirectly, which may result in Backflow or Contaminants entering into any plumbing connection to the Waterworks System including bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or any other temporary or permanent connecting mechanism;
- (n) "**Curb Stop**" means the City-owned shut-off valve on a Service Connection, with or without a protective housing to the ground surface, located on a City roadway or statutory right of way or within an easement at or near the Property being serviced by Waterworks System;
- (o) "**Director of Municipal Services**" means the person appointed to the position of Director of Transportation and Civic Works by the Council of the City and any person delegated to assist him in carrying out his duties under this Bylaw;
- (p) "**Fire Hydrant**" means a device equipped with special threaded connections installed by the City within a roadway highway, statutory right of way, easement or on City property and connected to a Water Main to supply water for fire protection purposes;
- (q) "**Fire Protection**" means all aspects of fire safety, prevention, firefighting, planning, training, suppression, investigation and the protection of life and property including, but not limited to, rescue operations and administering first aid;
- (r) "**Fire Protection Use**" means the use of the Waterworks System exclusively for the purposes of providing a standby water service for fire protection;
- (s) "**Fire Service**" means any connection, pipe or device using water from the Waterworks System only for Fire Protection Use;
- (t) "**Hydrant Use Permit**" means a permit issued for use of a Fire Hydrant for purposes other than fire protection and suppression;
- (u) "**Industrial, Commercial and Institutional (ICI)**" shall mean all other units which do not fall into the Single Family Dwelling and Multi-Family Unit definitions;
- (v) "**Metered Service**" means a service having attached thereto a Water Meter or other measuring device for determining the quantity of water used by such service;
- (w) "**Multi-Family Unit (MF)**" means a self-containing living unit that is in a configuration of four units or more within a building;
- (x) "**Owner**" means the registered Owner of Property;

- (y) "**Private Service**" means pipes and other appurtenances on private property not installed or owned by the City and used to convey water from the Waterworks System to the private Property;
- (z) "**Property**" means any lot, block, or other area in which lands situated in the City of Castlegar are subdivided;
- (aa) "**Rate**" means the sum of money to be paid by a Customer for the quantity of water supplied or made available by the Waterworks System;
- (bb) "**Regular Working Hours**" means the time from 7:00 am to 2:45 pm on each and every day that is a Business Day;
- (cc) "**Secondary Suite**" shall mean a second Single Family Dwelling (self-contained living quarters including cooking equipment and a bathroom), located within the structure of an owner-occupied single family dwelling;
- (dd) "**Service Connection**" means the City-owned connecting pipe from the Waterworks System to the boundary of private Property, and includes all related pipes, Curb Stop, valves and other appurtenances;
- (ee) "**Service**" means and includes the supply of water from the Waterworks System to any Consumer and includes all pipes, taps, valves, fittings, connections, meters and other appurtenances and things necessary to or actually used for the purpose of such supply;
- (ff) "**Single Family Dwelling (SFD)**" means a single residential dwelling unit, including duplexes and triplexes;
- (gg) "**Water Main**" means the City-owned pipe including valves, fittings and other appurtenances other than a Service Connection, situated adjacent to or nearby Property being serviced by the Waterworks System;
- (hh) "**Water Meter**" means a device used to measure and indicate the volume of water passing through the device and includes all associated remote reading accessories that meet City specifications;
- (ii) "**Water Meter Pit**" means a chamber constructed underground, which is used to install a Water Meter;
- (jj) "**Water Meter Setting**" means the plumbing, including pipes, strainers, valves and couplers that comprise the exact opening in to which a Water Meter can be installed; and
- (kk) "**Waterworks System**" means the entire network of pipes, pumps, water treatment facilities, reservoirs, valves, hydrants and all other appurtenances or facilities that make up the City's waterworks and distribution system.

2.2 **Number and Gender**

Wherever the singular or masculine is used in the Bylaw the name shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs,

executors, administrators, successors and assigns.

PART 3: ESTABLISHMENT OF WATER SERVICE

Operation of the City Waterworks System

- 3.1 To the extent that the City has not already established the service of water supply, the City hereby establishes the service of supplying water to the City through the Waterworks System and operating, constructing, maintaining and regulating the Waterworks System.
- 3.2 The Director of Municipal Services is authorized to administer and oversee the day-to-day operations of the Waterworks System and to administer and enforce this bylaw.

Application for Service Connection

- 3.3 A property Owner must make application to the City to install a Service Connection to the Waterworks System and shall be made on the form contained in Schedule "A" of this Bylaw. Each application shall contain the applicant's provision of the following:
- (a) a full and correct statement of the size and description of the premises, the purpose for which water is required and all other pertinent information that the City may require to determine the rates chargeable or the amount of water to be supplied;
 - (b) an agreement to pay the City for all water supplied at such rates as may be from time to time in force;
 - (c) a covenant that the applicant will protect and save harmless the City from all claims, demands, costs and charges of whatsoever kind, arising out of or in any manner connected to the applicant's use of the Waterworks System for the supply of water;
 - (d) a covenant that the applicant will comply with all requirements of this Bylaw; and
 - (e) a confirmation that a building permit or a plumbing permit has been obtained from the City;
 - (f) Applications for a water service submitted by other than the registered property owner must be accompanied by a letter of consent or authorization from the registered or legal property owner.
- 3.4 At the time of making the application referred to in section 3.3, the Property owner shall pay the connection fee, as set out in Schedule "B" of this Bylaw.
- 3.5 After completion of the installation of the Service Connection, the actual cost of the installation shall be determined by the Director of Municipal Services and any variation of more than 10% or \$500.00, whichever is greater, from the fee paid under section 3.4 shall be refunded by or become payable to the City, as the case may be.
- 3.6 No person shall connect or attempt to connect, or allow to be connected, or allow to remain connected to the Waterworks System any Property or premises otherwise than in accordance with the provisions of this Bylaw.

Construction of Service Connection

- 3.7 After a Property owner's application for a Service Connection has been approved by the Director of Municipal Services, and payment of the installation fee has been received by the City, the City shall, in the case of an application for water Service to a premises that abuts a roadway in which a Water Main is located, install the Service Connection to the Property line. **(Bylaw 1374)**
- 3.8 In the case of an application for water service to a premises that does not abut a roadway in which a Water Main is located, the applicant must pay the actual cost for the installation of a Service Connection to the Waterworks Systems, as determined by the Director of Municipal Services, and the applicant must, prior to such connection, pay a deposit in an amount equal to the estimate for Service Connection and installation of a Water Meter, with any balance owing to be paid by the applicant upon completion of the connection and installation works.
- 3.9 A connection to the Waterworks System will not be made until all required connection charges and any other related costs have been paid in full.
- 3.10 No person shall construct a Service Connection other than an employee of the City, unless the written consent of the Director of Municipal Services is first obtained.
- 3.11 No Service Connection shall be permitted to any premises supplied with water from any other source without the prior written consent of the Director of Municipal Services.
- 3.12 Each Property shall have no more than one Service Connection including all of the land shown on a strata plan. A Property owner may make application for more than one Service Connection to the Director of Municipal Services and must pay the application fee in the amount set out in this Bylaw.
- 3.13 Where possible the Service Connection will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the Director of Municipal Services may designate an alternate location of the Service Connection.

Construction of Private Service

- 3.14 No person shall connect to a Service Connection or any part of the Waterworks Systems for any purpose whatsoever without prior written consent of the Director of Municipal Services.
- 3.15 A Property owner is responsible, at their sole cost and expense, for the installation of a Private Service.
- 3.16 Private Service pipes shall be laid at a depth of not less than 5 feet/1.5 m meters below the ground surface, or such greater depth as may be determined by the Director of Municipal Services, and must be laid in a manner to protect against frost.
- 3.17 Private Service pipes that cross under or near excavations must be properly protected from settlement.
- 3.18 Each Private Service pipe shall be installed with a shut off valve and waste tap, approved for use

by the City, located within the premises on the Property that is to be serviced by the Waterworks System.

- 3.19 Each Private Service providing service to a residential or commercial building containing more than one cold water tap service and used by one or more persons that is serviced by a Water Main with a static pressure of 60 pounds per square inch or greater shall be installed with a pressure relief valve approved for use by the Director of Municipal Services.
- 3.20 All plumbing installations connecting the Waterworks System to premises on the Property to be serviced by the Waterworks System shall be installed in accordance with the BC Plumbing Code, as may be amended from time to time.

PART 4: OPERATION OF WATER SERVICE

Maintenance of Private Service

- 4.1 Every Property owner shall keep maintained, at the Property owner's sole expense, the Private Service and all pipes, shut-off valves and other fixtures on the Property in good working order and repair. In the event any leakage, defect or imperfections in the Service Connection or Private Service are observed or known to a Consumer, the Consumer shall immediately notify the City. If the defect is determined to be located in the Private Service, the City shall notify the Property owner and the Property owner shall upon immediate receipt of receiving such notice, set forth to effect repairs to the Private Service.
- 4.2 In the event the Property owner refuses or neglects to carry out repairs within a reasonable amount of time, the City may cause to have repair work performed at the expense of the Property owner, and the City shall charge the Property owner the cost thereof.

Access to Curb Stop

- 4.3 The Property owner shall, at all times, maintain the Curb Stop in an accessible condition and where the Curb Stop has not been made accessible, the costs for access shall be borne by the Property owner.

Turn On and Shut Off of Service

- 4.4 A Property owner may apply to the City to have the supply of water from the Service turned on or shut off. Applications for turning on or shutting off the Service shall be made in writing in a form prescribed by the City and not less than 24 hours before the turn on or shut off is required. Upon notification of an emergency shut off, the City will make its best efforts to shut off the water as soon as possible.
- 4.5 Every Property owner must, prior to commencing any demolition work on Property that is serviced by the Service, apply to the Director of Municipal Services for discontinuance of the Service and pay the fees set out in Schedule "C" of this Bylaw.

Charges for Turn On or Shut Off of Service

- 4.6 A Property owner making an application to have the Service turned on or shut off during Regular Working Hours shall pay the charges set out in Schedule "D" of this Bylaw for each turn on or

shut off of the Service performed during Regular Working Hours.

- 4.7 A Property owner making an application to have the Service turned on or shut off outside of Regular Working Hours shall pay the applicable charges set out in Schedule "D" of this Bylaw for each turn on or shut off of the Service performed outside Regular Working Hours.
- 4.8 Application for disconnection of a water connection shall be made to the City and shall be made on the form contained in Schedule "A" of this Bylaw and shall be accompanied by the proper fee as specified in schedules "C" of this Bylaw. Until such application has been submitted, water rates may be charged as prescribed by this Bylaw.

Service Shut Off by City

- 4.9 The Director of Municipal Services may shut off the Service to any Property for any of the following reasons:
- (a) application made for turning off the Service;
 - (b) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
 - (c) non-payment of water Rates and charges;
 - (d) the period of time for the Temporary Use has expired;
 - (e) an emergency threatens the safety of the Waterworks System or the public;
 - (f) where the condition of the Private Service is causing a wastage of water or creating a risk of public safety or Property damage;
 - (g) non-compliance with any provision of this Bylaw.

Notice for Water Service Shut Off

- 4.10 Where the Service is to be shut off for reason of non-compliance with any provision of this Bylaw, the person affected will have an opportunity to make representations to Council in respect of such non-compliance.
- 4.11 Where the Service is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Waterworks System, the City will provide at least 1 Business Days' notice for scheduled work, but no notice may be given for emergencies where public safety or Property damage is at risk.
- 4.12 The City may provide notice by means of posting notice on the Property, providing notice on an invoice for a Customer's account, mailing notice to the Property, mailing notice to the Property owner's last known address set out on the assessment roll or publishing notice in a local newspaper.
- 4.13 The City is not responsible for notice failing to reach a Property owner or other Consumer of the Service prior to the Service being shut off.

- 4.14 Notwithstanding any other provision of this Bylaw, no notice may be given for emergencies where public safety or Property damage is at risk.

Short Supply of Water

- 4.15 The City may at such times and for such length of time as the Director of Municipal Services considers necessary or advisable due to water shortage, restrict or prohibit irrigation, yard and garden watering, car washing and private pool filling to reduce water usage.
- 4.16 Every Consumer shall comply with water restrictions imposed by the City in accordance with Schedule "H" of this Bylaw.

Charges for Water Meter Reading (*Bylaw 1374*)

- 4.17 A Property owner making an application to have a water meter reading completed for the purposes of a property sale or leak detection shall pay the charges set out in "Schedule D" of this Bylaw for each reading performed. (*Bylaw 1374*)
- 4.18 A Property owner making an application to have the meter reading determined for a date before the date of application shall pay the charges set out in "Schedule D" of this bylaw for each reading requested. (*Bylaw 1374*)

PART 5: WATER METERS

Requirement of Water Meters

- 5.1 All new residential construction and any existing non-residential property using or consuming water from the City mains or supply lines shall install and use an approved water meter.
- 5.2 The single-family dwelling property owner shall, through the City, obtain an approved water meter and radio read unit (MXU). The water meters and radio read (MXU) shall be at the resident's cost. All installation to be organized and the cost incurred shall be at the resident's cost.
- 5.3 All Industrial/Commercial/Institutional property owners shall, through the City, obtain an approved water meter and radio read unit (MXU) at their expense and shall install the meter and MXU at their expense at a location on the premises as specified by the Director of Municipal Services.
- 5.4 The charges as prescribed in Schedule "B" shall apply.
- 5.5 The single-family dwelling water meter and MXU shall, despite their installation in the property owner's premises, be the property of the City.
- 5.6 The owner of a new residence shall be placed on the appropriate user rate as prescribed in this Bylaw after an inspection and operational check of the equipment has been confirmed by the Director of Municipal Services.
- 5.7 Any person(s) found to have a connection upstream of the water meter will be billed at the appropriate annual flat rate until the illegal connection is certified disconnected by the Director of Municipal Services.

- 5.8 Every meter shall be equipped with a radio read unit (MXU) installed at a location on the premises specified by the Director, to reasonably enable the Director to monitor the consumption of water through the meter, and no person shall prevent the Director from entering on premises to read a meter, perform a flow test or operate a radio read unit (MXU) connected to a meter.
- 5.9 In the event that a meter or radio read unit (MXU) is malfunctioning or the Director of Finance is unable to read a meter in any monitoring period, and at the Director's discretion in respect of premises where water consumption is not likely to differ materially from quarter to quarter, the Director of Finance may estimate the consumption of water, the rates charged for the premises for that period shall be based on the Director's estimate, and an adjustment shall be made on the Property Owner's account when the meter is next read. **(Bylaw 1374)**
- 5.10 If a water meter reading cannot be obtained for three consecutive months, the City shall transfer the utility account to the appropriate flat rate.
- 5.11 All water meters equipped with a bypass device shall be sealed and no person shall break such seal without the written authorization of the Director of Municipal Services.
- 5.12 No person shall interfere with, tamper with, disconnect or damage any water meter or remote keypad, nor cause or allow water being supplied by the City to bypass any meter, without the written authorization of the Director of Municipal Services.
- 5.13 Residential water meters or MXU's deemed to be malfunctioning by City staff, will be repaired or replaced by the City.

Notice of Water (Bylaw 1374)

- 5.14 The City may provide notice to residents requesting investigation of water meters that are not reading properly. The City will send up to three notices prior to placing the account on the appropriate annual flat rate. **(Bylaw 1374)**
- 5.15 The City may provide notice by means of posting notice on the Property, mailing notice to the Property, or mailing notice to the Property owner's last known address set out on the assessment roll. **(Bylaw 1374)**
- 5.16 The City is not responsible for notice failing to reach a Property owner or other Consumer of the Service prior to applying the flat rate. **(Bylaw 1374)**

Installation of Water Meters

- 5.17 Every Water Meter Setting and Water Meter Pit shall be installed in accordance with the BC Plumbing Code.
- 5.18 No drain valve, water bypass, branch line or any other type of fixture through which water may be taken shall be located upstream of a Water Meter unless approved by the Director of Municipal Services.
- 5.19 The Director of Municipal Services may determine and specify the type and size of Water Meter for each type of Property and use, having consideration for the Director of Municipal Services

estimate of water consumption and other factors related to use of the Service and location and operation of the Water Meter.

Ownership and Maintenance of Water Meters

- 5.20 All single-family dwellings Water Meters and Water Meter Pits, remain the property of the City.
- 5.21 All Water Meters and MXU's, other than single-family dwellings, are not the responsibility of the City and if require replacement or maintenance, the costs will be at the Owners expense.
- 5.22 The City has the authority to inspect, maintain, repair, replace and read Water Meters.
- 5.23 A Property owner must, at all reasonable times, provide adequate, convenient and unobstructed access to the City for inspecting, maintaining, repairing, replacing and reading the Water Meter.

Location of Water Meters

- 5.24 Water Meters must be located in a building as close as possible to the entrance point of the Private Service into the building and in a location where it can be easily accessed and read unless otherwise approved by the Director of Municipal Services.
- 5.25 If a Water Meter is not located in a building, the owner of the Property must house the Water Meter in an approved Water Meter Pit in a location approved by the Director of Municipal Services.

Protection and Damage to Water Meter

- 5.26 A Property owner must provide adequate protection for the Water Meter against freezing, heat and other severe conditions that might damage the Water Meter.
- 5.27 If a Water Meter installed on a Property is destroyed, lost or damaged in any way, the Property owner shall pay the costs of repairs to or replacement of the Water Meter.
- 5.28 If any breakage, stoppage or other irregularity in a Water Meter is observed by or known to a Property owner, the Property owner shall notify the City immediately.

Removal of Water Meter

- 5.29 No person shall remove or in any way disturb a Water Meter except under direction of the Director of Municipal Services.
- 5.30 Upon removal of a Single-family dwelling Water Meter, the Water Meter shall be returned to the City.

PART 6: WATER QUALITY PROTECTION

Cross Connections

- 6.1 No person shall connect; cause to be connected or allow to remain connected any pipe, fixture, fitting, container, appliance or Cross Connection, in a manner which, under any circumstances,

could cause or allow any part of the Waterworks System to become contaminated as established in the City of Castlegar Cross Connection Control Bylaw No. 1014 and amendments thereto.

Hydrant Use

- 6.2 No person shall obstruct access to, open, interfere or tamper with any Fire Hydrant without the prior written approval of the Director of Municipal Services.
- 6.3 Any hydrant used for purposes other than fire protection or suppression requires a Hydrant Use Permit in the form prescribed by the City for that purpose and pay any associated fee for the water use and Hydrant Use Permit.
- 6.4 The Director of Municipal Services, in issuing a Hydrant Use Permit may impose terms and conditions regarding the use of the hydrant comprising:
- (a) the location of the hydrant that may be used;
 - (b) the type of hydrant that may be used;
 - (c) the dates and times when the hydrant may be used; and
 - (d) precautions to be taken in connecting to and using the hydrant.
- 6.5 No person shall operate any hydrant or use water drawn from any hydrant pursuant to a Hydrant Use Permit otherwise than in accordance with the terms and conditions of the Hydrant Use Permit.
- 6.6 At any time the Director of Municipal Services may cancel or suspend a Hydrant Use Permit issued pursuant to this Bylaw:
- (a) if the Director of Municipal Services considers that the use of the hydrant may result in a risk to the Waterworks System; or
 - (b) if the holder of the Hydrant Use Permit fails to comply with the provisions of this Bylaw or the terms and conditions of the Hydrant Use Permit.

PART 7: RATES AND CHARGES

- 7.1 Every owner of Property which is not billed as a Metered Service shall pay to the City the applicable flat Rate and charges, set out in Schedule "B" of this Bylaw.
- 7.2 Every owner of Property which has a Metered Service installed for the purpose of billing shall pay for water consumption at the rates set out in Schedule "B" of this Bylaw.
- 7.3 Every Owner of Property that is serviced by the Service shall pay to the City the applicable connection charge and Service fee set out in the Schedule "B" of this Bylaw.
- 7.4 User rates shall be invoiced quarterly for the periods ending March 31, June 30, September 30 and December 31. The quarterly charges shall be due and payable when invoiced.

- 7.5 The Service fee shall be subject to a late fee of five (5%) percent imposed upon the balance of the current quarter balance (or any portion thereof) that is unpaid by the last day of each respective quarter.
- 7.6 Upon the discretion of the Director of Finance, the water utility fee may be adjusted as special circumstances exist.

Billing Start Date for New Connections

- 7.7 For all new connections, the effective date for billing charges shall be the first day in which the City's building official has permitted occupancy to the premises.

Taxes in Arrears

- 7.8 All fees and charges required to be paid under this Bylaw that are not paid on or before the 31st day of December in any years shall be deemed to be taxes in arrears in respect of the Property served by the Waterworks System and such sum shall be recoverable as taxes under the *Community Charter (BC)*.

PART 8: RESPONSIBILITIES OF THE PERSONS USING SERVICE

General Prohibitions

- 8.1 No person shall, without a permit from the City:
- (a) willingly allow the wastage of water supplied to a Property by the Waterworks System whether through imperfection or leakages in the Service Connection, plumbing fixtures or otherwise;
 - (b) use water for purposes other than those for which water is supplied to a Property;
 - (c) use water through a Fire Service for any use other than a Fire Protection Use;
 - (d) install or permit the use of booster pumps, quick-closing valves, siphons, standpipes, non-recirculating air conditions and refrigeration or water-cooled compressors in any building or structure connected to the Service;
 - (e) install or permit a pump, device or other fitting to be used for the purpose of, or having the effect of, increasing or decreasing the availability water flow in the water system.

Tampering With the Waterworks System

- 8.2 No person shall make any connection to the Waterworks System or in any way tamper with, operate, remove, or make any alteration to any Fire Hydrant, Water Meter, Curb Stop, valve, pumping station, reservoir, chamber or other fixture or appurtenance connected with the Waterworks System without the prior written consent of the Director of Municipal Services.
- 8.3 Every person who breaks a seal on a Water Meter without the Director of Municipal Services' written authorization, or tampers with, disconnects or damages any Water Meter or radio read unit (MXU) shall be liable to pay the City's actual cost of replacing or repairing the seal, meter or

radio read unit (MXU), as the case may be, and in addition shall pay the City an administrative penalty of \$500.00. **(Bylaw 1374)**

- 8.4 Connections to the service line up stream of the water meter is prohibited.
- 8.5 The City shall not be required to supply water to any property with the City which is supplied by other than the City water system.
- 8.6 No person being a property owner, occupant, or tenant of any premises supplied with water by the City shall sell or dispose of any water or give away or permit the same to be taken away or applied for the benefit of others, except to those person provided written authorization form the Director of Municipal Services.

Liability

- 8.7 It is a condition of the supply of water that;
- (a) In the event that the supply of water to any Customer shall fail, whether from natural causes or accident or from any other causes whatsoever, the City shall not be liable for damage by reason of such failure.
 - (b) The City shall not be liable for any injury or damage to any person or property arising or occurring from the use of water from the Waterworks System.
 - (c) The City does not guarantee that water supplied by the Waterworks System is free of any impurity that would affect a manufacturing process.

B.C. Plumbing Code

- 8.8 A Private Service shall be installed in accordance with the B.C. Plumbing Code and shall be constructed by and at the expense of the owner. Supply of any fittings required to join the Service Connection to the Private Service shall be the Property owner's responsibility.

Service to be Protected from Freezing

- 8.9 Every Customer shall keep their Private Service and other fixtures located within their Property in good order and repair and protected from freezing and damage, all at their own expense.
- 8.10 If, in the opinion of the Director of Municipal Services, a Private Service is damaged by freezing, it shall be the sole responsibility of the Property owner to thaw the Private Service and carry out whatsoever repairs are required, at the owner's expense, to repair the Private Service. The Property owner shall be fully responsible for any damage caused by the thawing methods utilized by the owner in effecting such repairs. If the Property owner's inaction or negligent action in thawing the Private Service causes the Service Connection to become frozen, the owner shall pay the cost of thawing the Service Connection.

PART 9: ENFORCEMENT AND PENALTIES

Offence

- 9.1 A person who:
- (a) contravenes or fails to comply with this Bylaw;
 - (b) permits, suffers or allows any act or thing to be done in contravention of this Bylaw;
 - (c) fails to carry out an order made under this Bylaw; or
 - (d) fails or neglects to do anything required under a Permit;
 - (e) commits an offence and each day such an offence continues or is permitted to continue will constitute a separate offence.
- 9.2 On being found guilty of an offence under this Bylaw, a person will be liable to pay a fine of up to \$10,000 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and in default of payment of the fine to imprisonment for an additional term not exceeding six months under the *Offence Act*.

Designation of Bylaw and Bylaw Enforcement Officers

- 9.3 This Bylaw is designated under section 264 of the *Community Charter* as a bylaw that may be enforced by means of the City's Municipal Ticket Information Bylaw.
- 9.4 Without limiting the enforcement options under section 9.1, a person who commits an offence under this Bylaw will be liable to a penalty established under the City's Municipal Ticket Information Bylaw.
- 9.5 Bylaw Enforcement Officers are designated to enforce this Bylaw by means of the City's Municipal Ticket Information Bylaw under section 264 of the *Community Charter*.
- 9.6 No person may obstruct a Bylaw Enforcement Officer in the fulfillment of his or her duties under this Bylaw.

PART 10: GENERAL

Severability

- 10.1 If any part, section, sub-section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

Notice

- 10.2 Any notice required to be given under this Bylaw shall sufficiently be given if in writing and delivered by hand or sent by prepaid registered mail at the Property owner's last known address set out on the assessment roll.

Repeal and Replacement

- 10.3 The Corporation of the **City of Castlegar Waterworks Regulations and Rates Bylaw No. 1309, 2020** are hereby repealed.

Effective Date

10.4 This Bylaw comes into force and effect upon its adoption.

READ A FIRST TIME this 17 day of May, 2021.
READ A SECOND TIME this 17 day of May, 2021.
READ A THIRD TIME this 17 day of May, 2021.
ADOPTED this 17 day of May, 2021.

Kirk Duff
Mayor

Tracey Butler
Director of Corporate Services

List of Amending Bylaws
Bylaw 1374 January 10, 2022

**SCHEDULE "A" to the Water Regulations and Rates Bylaw
CONNECTION TO WATERWORKS SYSTEM PERMIT AND AGREEMENT**

Waterworks System Connection Permit:

APPLICATION FOR WATER SUPPLY AND SERVICE(S)

I, _____ being the Property owner of the premises described as:

Lot _____ Block _____ D.L. _____ Plan _____

and situated at # _____ Street/Avenue, in the City of Castlegar, hereby make application for the following services:

___ supply and use of water. The use or occupancy of the Property or premises supplied will be _____ (describe current or proposed occupancy and zoning) consisting of _____ square meters of total building floor area.

- ___ new water connection(s). Size: _____
- ___ water meter purchases(s). Size: _____
- ___ water connection repairs(s), replacement(s) or adjustment(s).
- ___ other (provide description) _____

DATED at the City of Castlegar this _____ day of _____, 20_____.

_____ Date: _____
(Applicant Signature)

Phone Number: _____ Email: _____

REQUESTED COMPLETION DATE: _____

(The City cannot guarantee that work will be completed by the above date, but it will be used for planning purposes.)

- note: (a) a detailed cost summary is attached for the Property owners review.
- (b) the total costs presented herein will be held firm for a period not exceeding sixty (60) from date of issuance.

_____ Date: _____
(Director of Municipal Services)

(Bylaw 1374)

**SCHEDULE "A" to the Water Regulations and Rates Bylaw
CONNECTION TO WATERWORKS SYSTEM PERMIT AND AGREEMENT**

Waterworks System Connection Agreement:

AGREEMENT FOR WATER SUPPLY AND SERVICE(S)

The completion of this agreement does not relieve the applicant, authorized agent or owner from conforming to all requirements or every pertinent bylaw and regulation enforced within the City of Castlegar.

In consideration of the approval of this application, I/we agree to duly pay all applicable user rates and service charges for all water services provided herein as prescribed by the "City of Castlegar Water Regulations and Rates Bylaw", and amendments thereto. I/we further agree that I/we will be bound by all the provisions of the said Bylaw where applicable and the rules and regulations made thereunder and that in consideration of the aforesaid I will protect and save harmless the City of Castlegar from all claims for damages caused by the delivery of the said service(s). I/we further agree to release and indemnify the City of Castlegar, its Council members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgements, losses, damages, costs and expenses of whatever kind I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assignees may have to incur in consequence of or incidental to this agreement.

DATED at the City of Castlegar this _____ day of _____, 20_____ .

Property Owner

(signature)

AUTHORIZATION TO PROCEED WITH WORKS:

(Director of Municipal Services)

DATE: -----

(Bylaw 1374)

**Schedule "B" to the Waterworks Regulation and Rates Bylaw No. 1357, 2021
CONNECTION TO WATERWORKS SYSTEM CHARGES**

Connection Service Charges:

1. Charges for installation of a water service:	
(a) 19 mm diameter	\$1800.00 (minimum) plus any additional service costs itemized in (d) below
(b) 25.4 mm to 50 mm diameter	\$ 2300.00 (minimum) plus any additional service costs itemized in (d) below
(c) renewal (upgrading existing 12 mm diameter to 19 mm diameter)	\$ 1800.00 (minimum) plus any additional service costs itemized in (d) below
(d) additional service costs not included in (a), (b) and (c) above:	
i. administration	15%
ii. service extension (where the service length is greater than 15 m)	\$120.00/linear metre plus any additional service costs itemized in (c)
iii. Water main extension	\$200 per linear meter
iv. restoration	
1) asphalt road repair	\$ 85.000/square metre
2) asphalt curb	\$ 25.00/linear metre
3) concrete curb	\$ 65.00/linear metre
4) sidewalk (concrete)	\$ 120.00/square metre
5) boulevard landscaping	\$ 15.00/square metre
6) boulevard swale or ditch	\$ 20.00/linear metre
7) over excavation (depth of bury exceeding 2.0 m)	\$ 20.00/cubic metre
v. meter purchase and installation inspection	
1) residential	At cost
2) residential retrofit	At cost
3) meter greater than 19 mm diameter	at cost
4) industrial/commercial	at cost
5) industrial/commercial retrofit	at cost
6) installation inspection and initial read	\$ 25.000
vi. additional charge for meter reading	\$ 25.00

vii.	meter installation (greater than 19 mm diameter)	at cost
viii.	approved use of fire hydrant	\$ 25.00 per day plus administration
ix.	additional charge for meter reading	\$ 25.00

**Schedule "C" to the Waterworks Regulation and Rates Bylaw No. 1357, 2021
DISCONNECTION TO WATERWORKS SYSTEM CHARGES**

Disconnection Service Charges:

2. Charges for disconnection of water service:	
(a) \$ 920.00 (minimum) plus any additional services costs itemized in (b) below	
(b) additional service costs not included in (a) above:	
i. administration	15%
ii. restoration	
1) asphalt road repair	\$ 85.000/square metre
2) asphalt curb	\$ 25.00/linear metre
3) concrete curb	\$ 65.00/linear metre
4) sidewalk (concrete)	\$ 120.00/square metre
5) boulevard landscaping	\$ 15.00/square metre
6) boulevard swale or ditch	\$ 20.00/square metre
7) over excavation (depth of bury exceeding 2.0 m)	\$ 20.00/cubic metre

**Schedule "D" to the Water Regulations and Rates Bylaw
TURN ON/OFF TO WATERWORKS SYSTEM CHARGES**

Turn On/Off Service Charges:

2. Each time water supply is turned on:	
a. During normal working hours	\$ 0.00 initial \$25 subsequent
b. Outside normal working hours	\$ 125.00
3. Each time water supply is turned off:	
a. During normal working hours	\$ 0.00 initial \$25 subsequent
b. Outside normal working hours	\$ 125.00

Initial turn on and off to be made to new home construction only.

Water Meter Reading Charges

3. Meter reading for leak detection or property sale	
a. During normal working hours	\$ 25.00 per read
4. Meter reading for a date prior to the date of application	
a. During normal working hours	\$ 125.00 per read

(Bylaw 1374)

Schedule "E" to the Waterworks Regulation and Rates Bylaw No. 1357, 2021
EXEMPTION CHARGES

Exemption Charges:

4. Exemption permit:	\$ 10.00
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**Schedule "F" to the Water Regulations and Rates Bylaw
METERED USER RATES CHARGES**

Metered User Rates Charges:

A. USER RATES – METERED ACCOUNTS	
1. Metered Rate: Annual Flat Fee	
(a) Single Family Dwelling	\$ 381.24
(b) Secondary Suite	25% of single family dwelling
(c) Multi-Family Unit	\$ 292.28
(d) Industrial, Commercial & Institutional	\$ 343.12

1. Metered Rate: Consumption Charges	
(a) Single Family Dwelling	\$ 0.72/cubic metre over 30 cubic metres
(b) Secondary Suite	\$ 0.72/cubic metre over 7.5 cubic metres
(c) Multi-Family Unit	\$ 0.51/cubic metre for all flows
(d) Industrial, Commercial & Institutional	\$ 0.51/cubic metre for all flows
(e) Common Ground Irrigation Systems	\$ 0.40/cubic metre for all flows

(Bylaw 1374)

**Schedule "G" to the Water Regulations and Rates Bylaw
UNMETERED USER RATES CHARGES**

Unmetered User Rates Charges:

1. Unmetered Rate: Annual Flat Fee	
(a) Single Family Dwelling	\$ 1,040.61
(b) Secondary Suite	25% of single family dwelling
(c) Multi-Family Unit	\$ 443.99
(d) Trailer Camps or Courts	
Each trailer pad, stall or dwelling unit	\$ 443.99
(e) Restaurants, Cafes, Coffee Shops, Beer Parlours, Licensed Lounges	
Minimum per year (first 60 seats)	\$ 1,105.85
Per seat (over 60 seats)	\$ 18.75
(f) Garages and Service Stations	\$ 674.82
(g) Hairdressers and/or Barbers	
Each basin and toilet	\$ 465.24
Each additional basin	\$ 106.97
(h) Offices, Stores and Medical or Dental Clinics	
Each basin and toilet	\$ 465.24
Each additional basin	\$ 106.97
(i) Pool Rooms, Health Spas, Curling Rinks and Bowling Alleys	
Per unit of occupancy load	\$ 14.77
(j) Private Halls, Theatres	
Per unit of occupancy load	\$ 3.63
(k) Hotels, Motels, Tourist Cabins	No refund on vacancies
Owner's unit	\$ 590.95

Per suite, room or overnight sleeping accommodation	\$ 160.27
Swimming pool (year round)	\$ 1,696.81
Swimming pool (seasonal)	\$ 854.13
(l) For all unmetered users not here provided for	
Each set of basin and toilet	\$ 590.95
Each additional basin or urinal	\$ 114.30
(m) Institutional Offices, Churches and Halls	
Each set of basin and toilet	\$ 278.24
Each additional basin or urinal	\$ 99.23
(n) Schools (all types) – each Classroom	\$ 678.82
(o) Hospitals – per bed	\$ 252.94

(Bylaw 1374)

Schedule "H" to the Waterworks Regulation and Rates Bylaw No. 1357, 2021
WATER RESTRICTIONS

1. During the period from June 15 to September 15 of each year use of water for irrigation or sprinkling will be prohibited:
 - (a) between the hours of 11:00 p.m. and 5:00 a.m., and
 - (b) between the hours of 11:00 a.m. and 5:00 p.m.
2. Notwithstanding Paragraph 1, of Schedule "H", the City may, whenever in its discretion the public interest so requires, suspend or limit the use of water from the City water system, or may further regulate the hours of use, or may further prescribe the manner in which such water may be used.
 - (a) Owners and occupiers of residential and commercial properties, the civic address of which ends in an odd number may water lawns, trees, shrubs and gardens on odd numbered days of the month.
 - (b) Owners and occupiers of residential and commercial properties, the civic address of which ends in an even number may water lawns, trees, shrubs and gardens on even numbered days of the month.
 - (c) Auto washing allowed on regular watering day.
 - (d) Owners and occupiers of residential and commercial properties with a water regulating system shall be permitted to water between the hours of 11:00 p.m. and 5:00 a.m. on an alternating day basis.
3. No water shall be used for irrigation, sprinkling, construction involving soil removal or replacement when restrictions have been imposed, under Paragraph 1. and 2. of Schedule "H", except:
 - (a) as described by such restrictions or
 - (b) as a permitted exemption under Paragraph 4. of Schedule "H"
4. Application for exemption from water usage restrictions or regulations in place under Paragraph 1, of Schedule "H", shall be made to the City on the form contained in Schedule "I" of this bylaw and shall be accompanied by the proper fee or charge as specified in Schedule "E". Water usage exemption permits under this section may be issued for the following applications.
 - (a) New residential lawn or landscaping installation or construction.
 - (b) As a means of controlling dust or cleaning of private driveways or parking lots of a metered commercial or multi-family user
 - (c) Within a construction or building project under a building or development permit issued by the City.

5. An exemption permit may be revoked at any time.
6. The following activities and facilities be exempt from Paragraph 1, of Schedule "H": commercial nursery operations, public works activities and repair work, and water parks.

**Schedule "I" to the Waterworks Regulation and Rates Bylaw No. 1357, 2021
WATER USE EXEMPTION PERMIT**

Water Use Exemption Permit:

WATER USE EXEMPTION PERMIT

Pursuant to Schedule "H" of the City of Castlegar Water Regulations and Rates Bylaw 1282 exemption from the current restriction imposed is granted under the following terms and conditions.

- Watering a new residential lawn or landscaping installation or construction
- As a means of controlling dust or the cleaning of a private driveway or parking lot within a metered commercial or multifamily zone
- Watering within a construction or building project under a building or development permit issued by the City
- The exemption permit expiration date will be _____ days from the date of issuance
- Receipt of fees prescribed by Schedule "E" of this bylaw

DATED at the City of Castlegar this _____ day of _____, 20_____.

APPLICANT:

(signature)

AUTHORIZATION SIGNATURE:

_____ DATE: _____
(Director of Municipal Services)