

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BY-LAW NO. 927**

**A BY-LAW OF THE REGIONAL DISTRICT OF  
ALBERNI-CLAYOQUOT TO ESTABLISH  
REGULATIONS FOR THE  
MILLSTREAM WATER LOCAL SERVICE AREA**

**WHEREAS** the Board of the Regional District of Alberni-Clayoquot, constructed, operates and maintains a water system in the Millstream Water Local Service Area established by By-law No. 762 of the Regional District, (hereinafter called the Local Service Area").

**AND WHEREAS** it is deemed necessary and expedient that provisions be made for the regulation and management of the water system and for terms and conditions upon which water services shall be provided.

**NOW THEREFORE** the Board of the Regional District of Alberni-Clayoquot in open meeting assembled, enacts as follows:

**INTERPRETATION**

1. In this by-law, unless the context otherwise requires:
  - (a) "Regional District means the Regional District of Alberni-Clayoquot, the Regional Board of persons duly authorized to represent the Regional Board in respect of this By-law, which shall include the Millstream Water Committee and the Millstream Water local representative.
  - (b) "Water Connection" means a connection at the owners property line for the purpose of conveying water to the said customer, and may or may not include a water meter but shall include a shut-off valve that shall be the property of the Regional District, Millstream Water System.
  - (c) "Water" shall mean water conveyed through the works operated or maintained by the Regional District, Millstream Water System.
  - (d) "Works" shall mean anything capable of or useful for diverting, storing, measuring, or conveying, conserving, retarding, confining or using water.

- (e) "Consumer Unit" shall be defined as follows:
- (i) An independent dwelling unit including, but not so as to restrict the generality of the foregoing, a detached dwelling house, a basement or other independent dwelling unit contained in a detached dwelling house, each dwelling unit of a duplex or other multiplex, and each dwelling unit of an apartment building,
  - (ii) an independent commercial unit including, but not so as to restrict the generality of the foregoing, a detached commercial building, each independent commercial unit of a duplex or other commercial multiplex, and each commercial unit of an office building PROVIDED THAT each such commercial unit has water supplied to it from the Millstream Water System for the exclusive use of the occupants of such commercial unit and their customers.
  - (iii) a hotel or motel and each individual room or suite of rooms therein intended as a unit of accommodation.

### SERVICE CONNECTIONS

2. The type and size of service connection and the arrangement of valves and other appurtenances required to regulate the water shall be specified in writing by the Regional District, Millstream Water System representative.
3. Applications for the installation and connection of a water service shall be made to the Regional District, Millstream Water System representative and shall be made in the form of Schedule "A" of this By-law and shall be accompanied by the proper fee. Each application, when duly signed by the potential customer, shall be an agreement whereby the customer agrees to abide by the terms and conditions of the By-law.
4. Where an applicant for a water service requires a quantity, pressure or type of service in excess of that which can be supplied from the works of the Millstream Water System, the Millstream Water Committee may require the said applicant to pay for all or part of any works considered necessary to augment system capacity in order to meet the water requirements. Alternatively, the said applicant may be required to make a capital contribution towards the future provision of such works. Applicants considered under this section may be required to enter into a formal agreement with the Regional District regarding the special terms and conditions under which water is supplied.

5. Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the Millstream Water System Representative shall be notified that such works are ready for inspection. The works shall not be covered until they have been inspected, tested under pressure, and accepted in writing by the Millstream Water Committee.

#### **TURN OFF AND TURN ON**

6. Consumers who wish to have their water service discontinued shall give the Millstream Water System Representative fourteen (14) days notice. The service shall be cut off at the end of the month succeeding the termination of the notice. Before the service is again renewed, the tenant or occupant shall pay to the Millstream Water System Representative the prescribed turn-on charge for the renewal of the service.
7. The Millstream Water Committee may order the water be turned off to any premises where tolls have been owing for six months or longer.

#### **RIGHT OF ACCESS**

8. (a) The Regional District, Millstream Water System Representative(s) shall have right to access to all parts of a person's property of premises at all reasonable hours for the purpose of inspecting or testing any works, fittings or appliances related to the use of water, or for the purpose of installing, removing repairing, reading or inspecting meters.  
  
(b) No person shall obstruct or prevent the Millstream Water Committee from carrying out any of the provisions of this By-law.

#### **MILLSTREAM WATER SYSTEM WORKS**

9. No person except Millstream Water System Representative(s) shall open, shut, adjust, draw water from or tamper with any of the water system works.
10. No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-clock or other fixture connected with the Water System Works, and should any person so obstruct access to any said fixture by allowing accumulation of surface water around it or by placing thereon or near thereon any structure or material, the Millstream Water System Representative may remove such obstruction at the expense of the offending person.

11. When a landowner requests that any of the Water System Works situated within an easement in favour of the Regional District, Millstream Water System be moved or relocated, the entire cost of moving or relocating the said works shall be borne by the landowner unless other arrangements are agreed upon in writing by both parties.

### **WORKS ON PRIVATE PROPERTY**

12. No person to whose premises water is supplied shall make, or permit to be made, any additional connection to his service of either temporary or permanent nature, for the purpose of supplying water to another building, or house trailer on his, or any other property without permission of the Millstream Water Committee.
13. No person shall interconnect any portion of works on private property which are supplied by the Water System with an external source of water such as a well, except with written permission of the Millstream Water Committee. Wherever works on private property which are supplied by the Water System are connected to a body of contaminated water, such as a swimming pool, in such a way that, if a reverse flow were to be induced, a health hazard could result, the owner of the private property shall install and maintain a back-flow preventer on every such potentially dangerous cross-connection to the approval of the Millstream Water Committee.
14. No change or addition to the number or type of fixtures on a premises, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the Millstream Water Committee and written permission therefore obtained. Any extra charge or higher toll payable due to the change or addition shall be paid before the change or addition is commenced.
15. No person shall use or permit the use of any pump or other device for the purpose of, or having the effect of, increasing the pressure in any pipe without the written permission of the Millstream Water Committee, whether such pipe forms part of the Water System works or of the works on the said person's premises. The Millstream Water Committee may, without notice, discontinue service to any person employing such pump or other device.
16. No device designed to introduce another substance into the water in the connection between the building and the water supply main shall be installed without written permission of the Millstream Water Committee who, in consultation with the Health Inspector, shall insure that the device is so designed and installed that such substance cannot be introduced into the Water System works.

17. The property owner shall be responsible for the safe-keeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the Water System's curb stop or standard waterworks valve at his property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky or imperfect pipes or fixture.
18. No reduction in rates shall be allowed on account of any waste of water unless the Millstream Water Committee are satisfied that such waste arose from an accident to the pipes or fittings on the consumer's premises arising from some cause beyond his control and that the consumer used all reasonable diligence to stop such waste.

### WATER USE REGULATIONS

19. Where, in the opinion of the Millstream Water Committee, the quantity of water being used or the rate which it is being used from time to time, through any service is in excess of that contracted for or otherwise considered adequate, the Millstream Water Committee may take such measures as are considered necessary to limit the supply to said service. These measures may include the installation of a meter, partially closing the controlling curb stop or standard waterworks valve, regulating the rate and time at which water may be used, and establishing special charges for water used in excess of a stipulated quantity or rate. The cost of any measure deemed necessary by the Millstream Water Committee under this section shall be paid by the owner or owners concerned.
  - (a) The Millstream Water Committee may limit the amount of water used by any service in the interests of efficient operation of the Water System works and equitable distribution of water.
20. No owner or occupant of any premises supplied with water by the Millstream Water System shall sell, dispose of, or give away water, or permit the same to be taken away or applied for the benefit of other persons or premises, except by permission of the Millstream Water Committee.
21.
  - (a) No person shall use water for watering stock, filling of swimming pools or reservoirs, or for any other purpose other than that required for normal domestic use, except by written permission of the Millstream Water Committee, which shall state the purpose, time of use and quantity of water to be used and additional charges if any, and any special works required to be altered or installed.
  - (b) An approved swimming pool shall be equipped with a recirculation and filtration system as set out in the swimming pool, spray pool and wading pool Regulations under the Health Act.

- (c) No person shall use any service as motive power for the purpose of operating machinery without permission of the Millstream Water Committee, who may terminate or withdraw such permission at any time.
22. (a) The Millstream Water Committee may at any time introduce regulations restricting the use of water for sprinkling or any other purpose. Upon receiving due notice of such restriction, no person shall use water for the purpose forbidden by, or in excess of the limits imposed by, such restrictions. Due notice of restrictions shall be given either by publication in a newspaper circulating within the Local Service Area by mail, or by posting of notices at prominent locations in the community.
- (b) Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person shall, without permission of the Millstream Water Committee:
- (I) Use water for sprinkling in excess of reasonable requirements; or
  - (ii) use more than two outlets at one time for sprinkling purposes, neither of which said outlets shall exceed 13 millimeters ( $\frac{1}{2}$ " ) in internal diameter; or
  - (iii) Use an open pipe of hose for sprinkling purposes; or
  - (iv) Irrigate more than 1 hectare ( $\frac{1}{4}$  acre) of land (including that occupied by dwellings).

### **NO GUARANTEE OF WATER**

23. The Regional District, Millstream Water System does not guarantee a specific pressure or a continuous supply of water quality to meet the special requirements of individual users. The right is reserved to interrupt water service at any time for the purpose of making repairs or alterations to the works. If service is to be interrupted for more than 4 consecutive hours, due notice shall be given to those users affected.

### **OWNERSHIP OF WATER SYSTEM**

24. (a) All water pipes, connections, appurtenances of facilities required for water distribution in public highways, or within Millstream Water System rights- of-way or property, shall be the property of the Regional District.

**PENALTIES**

25. (a) Any person who shall install, place or maintain in any premises any water connection, fixture or fitting not in accordance with the requirements of this By-law shall be guilty of an infraction thereof.
- (b) The Millstream Water Committee may, on written notice, turn off the supply of water to any persons in default of the requirements of this By-law. The person in default shall not be entitled to receive any further water from the Water System until such person has remedied the default. It shall be unlawful for any person whose water has been turned off, pursuant to this section, to turn such water on again or take any water from the Water System works until such time as the Millstream Water Committee again turn on the water.
- (c) Every person who offends against any of the provisions of this By-law or suffers or permits any act or thing to be done in contravention of or violation of any of the provisions of this By-law, or neglects to do or refrains from doing anything required to be done under this By-law or who does any act or thing which violates any of the provisions of this By-law, shall be deemed to have committed an offence under this By-law and shall be liable on summary conviction to a fine and penalty of not less than \$25.00 nor more than \$500.00

**RESCINDED**

26. Bylaw No. 811 cited as "Millstream Water Local Service Area Rates & Regulations is hereby rescinded".

**TITLE**

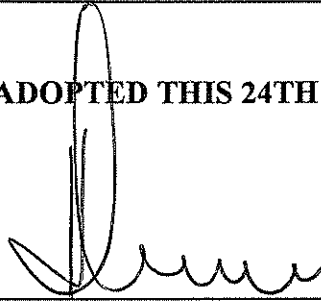
27. This By-law may be cited as the "Millstream Water Local Service Area Regulations By-law No. 927, 1995".
28. **This By-law shall come into force and take affect on and after the date of final passing hereof.**

**Read a first time this 24th day of May, 1995.**

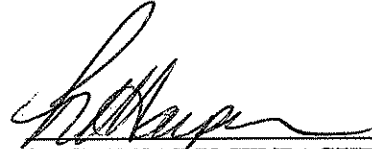
**Read a second time this 24th day of May, 1995.**

**Read a third time this 24th day of May, 1995.**

ADOPTED THIS 24TH DAY OF MAY, 1995.

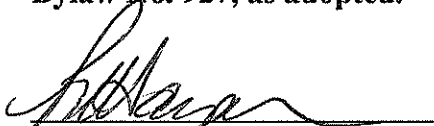


CHAIRMAN



SECRETARY-TREASURER

Certified a true copy of  
Bylaw No. 927, as adopted.

  
SECRETARY-TREASURER



**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**Millstream Water Local Service Area**

**SCHEDULE "A"**

**Application for Water Service and Agreement**

<b>APPLICANT/OWNER NAME:</b>
<b>ADDRESS:</b>
<b>LEGAL DESCRIPTION OF LAND TO BE SERVICED:</b>
<b>SIZE OF CONNECTION APPLIED FOR AND FEE:</b>

Up to 1" connection a basic charge of \$450.00

All connections to be metered each applicant to pay basic charge of \$450.00 plus cost of meter and fittings.

Applications for service over 1" will be charged the basic rate, but will have to be reviewed and approved by the Water Committee due to pressure and supply available. The cost of meter and fittings will also apply.

**SCHEDULE "A"**

I/We submit the sum of \$ \_\_\_\_\_ for the installation of the above water service connection \_\_\_\_\_. I/We covenant and agree to be bound by all the rules, regulations, bylaws, charges, terms and conditions set out and imposed by the Regional District of Alberni-Clayoquot, Millstream Water Local Service Area from time to time and further agree that the said Regional District of Alberni-Clayoquot, Millstream Water Local Service Area shall in no case be liable for storage or failure of water supplies.

It is declared that this agreement shall be binding upon my heirs, and administrators, and that all charges payable in respect of the above premises shall constitute a charge against said premises, pursuant to the provisions in that behalf contained in the Municipal Act.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1995.

\_\_\_\_\_  
**APPLICANT/OWNER**

PLEASE RETURN COMPLETED FORM AND PAYMENT TO:

Millstream Water Local Service Area  
c/o Regional District of Alberni-Clayoquot  
3008 Fifth Avenue  
Port Alberni, BC  
V9Y 2E3