



Regional District of Alberni-Clayoquot

Bylaw F1119

A Bylaw of the Regional District of Alberni-Clayoquot to establish Rates and Regulations for the Beaver Creek Water System Local Service Area

WHEREAS, the Regional District Board has established, operates and maintains the Beaver Creek Water System as described in Bylaw No. E1054 cited as, "Beaver Creek Water System Local Service Area Establishment, 2012";

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 and to establish rates and charges for such services;

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

1. INTERPRETATION

1.1 In this bylaw, unless the context requires otherwise:

"Connection" means a water connection at the owner's property line for the purpose of conveying water to the said customer, and will include a water meter and a shut-off valve that shall be the property of the Regional District, Beaver Creek Water System.

"Consumer Unit" shall be defined as follows:

- a. An independent residential 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, each dwelling unit of an apartment building, and each unit in a mobile home park;
- b. 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 proved that each such commercial unit has water supplied to it from the Beaver Creek Water System for the exclusive use of the occupants of such commercial unit and their customers;
- c. Any other structure requiring water.

“Regional District” means the Regional District of the Alberni-Clayoquot, the Regional District Board or persons duly authorized to represent the Regional District Board in respect of this Bylaw.

“Water System” means the Beaver Creek Water System of the Alberni-Clayoquot Regional District.

“Works” includes anything capable of or useful for diverting, storing, measuring, or conveying, conserving, retarding, confining or using water.

2. SERVICE CONNECTIONS

- 2.1 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.
- 2.2 Applications for the installation and connection of a water service shall be made to the Regional District, and shall be made in the form of Schedule “A” of this Bylaw and shall be accompanied by the proper fee enumerated on Schedule “B” of this Bylaw. 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 Bylaw.
- 2.3 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 Water System, the Regional District 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.
- 2.4 Where an applicant may require an additional Connection on their current lot for a separate Consumer Unit, the subsequent Connection requires approval from the Regional District. Each additional Connection shall be charged the higher rate as classified on Schedule “B” of this Bylaw.
- 2.5 Where an applicant may require an additional Consumer Unit be added to an existing Connection the owner must inform the Regional District of this additional use. Each additional Consumer Unit shall be charged the higher rate as classified on Schedule “B” of this Bylaw and the consumption thresholds will be increased accordingly.
- 2.6 Immediately after the completion of any Works, and before such Works or any part thereof has been covered or concealed, the Regional District 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 Regional District.

3. TURN OFF AND TURN ON

- 3.1 Consumers who wish to have their water service discontinued for a period of time greater than one (1) month shall contact the Regional District office. The service shall be cut off upon the availability of the Maintenance Technician(s). Before the service is again renewed, the tenant or occupant shall pay to the Regional District the prescribe re-connection charge as invoiced for the renewal of the service as enumerated on Schedule "B" of this Bylaw.
- 3.2 Consumers who require to have their water service shut off for their needs including repairs or maintenance shall contact the Regional District office with as much notice as possible. There will be no re-connection charge applied as long as it is during normal working hours. If it does not occur during regular working hours the re-connection fee will be applicable as enumerated on Schedule "B" of this Bylaw.

4. RIGHT OF ACCESS

- 4.1 The Regional District 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 the purpose of installing, removing, reading or inspecting meters.
- 4.2 No person shall obstruct or prevent the Regional District from carrying out any of the provisions of this Bylaw.

5. BEAVER CREEK WATER SYSTEM WORKS

- 5.1 No person except Regional District Maintenance Technician(s) or their designate shall open, shut, adjust, or draw water from or tamper with any of the Water System Works.
- 5.2 No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock 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 to or by placing thereon or near thereon any structure or material, the Regional District may remove such obstruction at the expense of the offending person.
- 5.3 When a landowner requests that any of the Water System Works situated within an easement in favour of the Regional District, Beaver Creek 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.

Location and Alignment

- 5.4 No person, organization or authority shall install any utility or other material longitudinally or crossing the existing Water System infrastructure at less than one (1) meter separation.
- 5.5 Or where Section 5.4 is not possible or practical written specifications and permission must be obtained from the Regional District before proceeding with any installation. Costs to produce specifications will be borne by the applicants.
- 5.6 In Accordance with the Ministry of Health requirements no storm or sanitary sewer is to be constructed within 3.0 meters of a watermain, nor within 0.45 meters vertical clear separation at sewer cross-unders without the written permission of the Public Health Engineer.

6. WORKS ON PRIVATE PROPERTY

- 6.1 No person to whose premises water is supplied shall make, or permit to be made, any additional Connection to his/her service of either temporary or permanent nature, for the purpose of supplying water to another building, or house trailer on his/her or any other property without permission of the Regional District.
- 6.2 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.
- 6.3 To prevent backflow and cross contamination to the Water System the owner of the private property shall install and maintain an approved Canadian Standards Association (CSA) back flow preventer device on every cross-connection as per the most current BC Building Code requirements.
- 6.4 No change or addition to the number or type of fixtures on a premise, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the Regional District and written permission therefore obtained. Any extra charge or higher charge payable due to the change or addition shall be paid before the change or addition is commenced.
- 6.5 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 Regional District, whether such pipe forms part of the Water System Works or of the works on the said person's premises. The Regional District may, without notice, discontinue service to any person employing such pump or other device.

- 6.6 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 Regional District 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.
- 6.7 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/her property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky or imperfect pipes or fixtures.
- 6.8 No reduction in rates shall be allowed on account of any waste of water unless the Regional District 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/her control and that the consumer used all reasonable diligence to stop such waste.

7. WATER USE REGULATIONS

- 7.1 Where, in the opinion of the Regional District, 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 Regional District 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 measured deemed necessary by the Regional District under this section shall be paid by the owner or owners concerned.
- 7.2 The Regional District 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.
- 7.3 The Regional District 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 anytime for the purpose of making repairs or alterations to the works. If the service is to be interrupted for non-emergency work for more than 4 consecutive hours, due notice shall be given to those users affected.

8. METERS

- 8.1 Unless determined otherwise by the Regional District, all commercial, industrial and institutional consumers with a service Connection shall install a water meter complete with bypass and isolation valves in a location easily accessible to the Regional District for inspection and reading the meter. If a building or structure exists at the location where the meter is to be installed, the property owner shall be responsible for constructing and maintaining the meter vault in accordance with the standards issued by the Regional District's Consulting Engineer.

Meter Size and Supply

- 8.2 The Regional District shall determine the size of meter required and shall supply and install the meter.

Operation Bypass

- 8.3 No person shall in any way tamper with, operate or remove the water meter or sealed bypass valves after installation without first obtaining the permission of the Regional District.

Meter Ownership

- 8.4 All meters shall be the property of the Regional District, Beaver Creek Water System.

Water Restrictions

- 8.5 No owner or occupant of any premises supplied with water by the 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 Regional District.
- 8.6 No person shall use any service as motive power for the purpose of operating machinery without permission of the Regional District, who may terminate without such permission at any time.
- 8.7 The Regional District may at any time introduce regulations restricting the use of water for sprinkling or any other purposes. 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 Service Area by mail, or by posting notices at prominent locations in the community.

- 8.8 Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore proved, no person shall, without permission of the Regional District.:
- a. Use water for sprinkling in excess of reasonable requirements;
 - b. Use more than two outlets at one time for sprinkling purposes, neither or which said outlets shall exceed 13 millimeters (1/2") in internal diameter;

9. BILLING AND PAYMENT

- 9.1 The several rates and charges enumerated in Schedule "B" of this Bylaw are hereby imposed and levied for water services supplied by the Regional District, Beaver Creek Water System. Rates and charges for Trailer Courts will be billed monthly and shall be due and payable no less than thirty (30) days after the issuance of the bill. Rates and charges for all other classifications shall be billed quarterly and shall be due and payable on the due date stated on the invoice, no less than thirty (30) days after the issuance of the bills.
- 9.2 The basic monthly charge is billed at the start of each billing period, whereas the overages of the consumption thresholds are billed in the next billing period based on the meter reads.
- 9.3 The Regional District may assess an interest rate of 2% on outstanding rates and charges, from the prior period, which are overdue.
- 9.4 The rates and charges specified in Schedule "B" and any assessed interest charges on the outstanding balance are due and payable by December 31st of each year and if unpaid on that date shall be deemed to be taxes in arrears and shall be so entered on the tax roll by the Surveyor of Taxes.

10. WATER SYSTEM OWNERSHIP

- 10.1 All water pipes, Connections, appurtenances of facilities required for water distribution in public highways, or within Beaver Creek Water System Service Area rights-of-ways or property, shall be the property of the Regional District.

11. PENALTIES

- 11.1 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 Bylaw shall be guilty of an infraction thereof.

- 11.2 The Regional District may, on written notice, turn off the supply of water to any persons in default of the requirements of this Bylaw. The person 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 Regional District again turns on the water.
- 11.3 No occupier of land will cause, suffer or allow irrigation water to flow onto or to be released on or to be used on the land which he/she occupies or any part of such land, unless the water is being lawfully supplied to such land in accordance with the provisions of this bylaw.
- 11.4 Every person who offends against any of the provisions of this Bylaw or suffers or permits any act or thing to be done in contraventions of or violation of any of the provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done under this Bylaw or who does any act or thing which violates any of the provision of this Bylaw, shall be deemed to have committed an offence under this Bylaw shall be liable on summary conviction to penalty in accordance with the *Offence Act*.

12. CITATION

- 12.1 This Bylaw may be cited for all purposes as the “Beaver Creek Water System Service Area Rates and Regulations Bylaw No. F1119, 2015”.

13. REPEAL

- 13.1 The following Beaver Creek Improvement District bylaws are hereby repealed effective March 31, 2015:
- a. Beaver Creek Water System Service Area Rates and Regulations Bylaw No. F1110, 2014

14. EFFECTIVE DATE

14.1 This Bylaw comes into effect on April 1, 2015.

Read a first time this 25th day of March, 2015.

Read a second time this 25th day of March, 2015.


Read a third time this 25th day of March, 2015.

ADOPTED this 25th day of March, 2015,

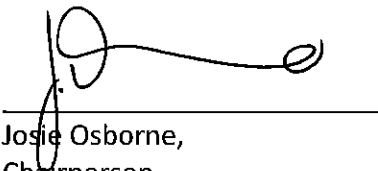
by an affirmative vote of at least two-thirds the votes cast.

Certified true and correct copy of
**“Beaver Creek Water System
Service Area Rates and Regulations
Bylaw No. F1119, 2015”**

The Corporate seal of the Regional
District of Alberni-Clayoquot was hereto
affixed in the presence of:



Russell Dyson,
Chief Administrative Officer



Josie Osborne,
Chairperson

Schedule "A"

Beaver Creek Water System Application for Water Service

Application Date:	
Name of Owner(s)	
Telephone #:	
Mailing Address:	
Service Address:	
Legal Description:	

I/we, being the registered owner or purchaser of the lands and premises described as above hereby apply to the Alberni-Clayoquot Regional District for a supply of water through a connection to the works operated, maintained or controlled by the Alberni-Clayoquot Regional District.

What purpose do you require water service for:

Single Family Residential	<input type="checkbox"/>	Business	<input type="checkbox"/>
Multi-Family Dwelling	<input type="checkbox"/>	Farm	<input type="checkbox"/>

The following information is required to properly size the water service:

# of Consumer Units	_____	Sinks	_____
Showers/Bathtubs	_____	Hose bibs	_____
Washers	_____	Dishwashers	_____
Toilets	_____		

Do you intend to install a firefighting system:
(If yes please provide design specifications)

Yes No

Do you intend to install a lawn sprinkler or irrigation system:
(If yes please provide design specifications) Yes No

Do you intend to install a swimming pool: Yes No

Do you intend to install a hot tub: Yes No

Do you intend to add another connection that will use water from this service:
Yes No

If your purpose for a water service connection is other than single family residential please provide the following information or arrange to meet with the Regional District's Environmental Services Department to discuss your connection and flow demands.

Expected daily demand _____ | Peak flow demand _____

The Alberni-Clayoquot Regional District advises that the property owner(s) is responsible for:

- Installation of a shut off valve for emergencies and to facilitate changes to or cleaning of water lines on my/our property
- Installation of a Canadian Standards Association (CSA) back flow preventer or other appurtenance on hot water tanks to prevent drain off during interrupted water service
- Installation of a pressure reducing valve

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, Beaver Creek Water System shall in no case be liable for shortage or failure of water supply.

It is agreed 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 provision in that behalf contained in the Local Government Act.

Signature: _____ Date: _____
Applicant/Owner

For Office Use Only:	
Reviewed by:	Date:
Approved:	Denied:
Connection Fee:	Paid:

Schedule “B”

Beaver Creek Water System Rates and Charges

1. WATER METER RATES

- a. All metered accounts are subject to the following basic charge per month:

Classification	Rate
Single Family Residential	\$51.67
Each additional water use on same lot	\$58.67
Trailer Courts each unit	\$51.67
Commercial	\$58.67

- b. An additional charge of \$2 per cubic meter (m³) per month shall be calculated on consumption that exceeds the following thresholds:

Effective Date	Cubic Meters
April 2015	41
April 2016	36

- c. If a meter fails to register or to properly indicate the flow of water, consumption will be estimated and billed based on the average previous consumption. This estimate will take into account seasonal variations and other factors, such as ownership changes, that may affect the consumption of water.
- d. The Alberni-Clayoquot Regional District reads the meters once every quarter. If access is not provided to the meter during the regular quarterly readings, return visits to read meter are \$25.00 per call.

2. CONNECTION CHARGES

- a. Water Connection & Meter - \$3,800 per lot or cost of construction as determined by the Regional District, whichever is larger.
If a Connection requires a line extension the cost of this construction is to be paid by the applicant.
- b. Re-connection - \$50.00 for each turn on of water service.