

Regional District of Alberni-Clayoquot

Bylaw No. F1089

**A Bylaw of the Regional District of Alberni-Clayoquot to establish Rates and Regulations for the Bamfield Water System Specified Area**

**WHEREAS**, the Board of the Alberni-Clayoquot Regional District, constructed, operates and maintains a water system in the Bamfield Water System Specified Area established by Bylaw No. 268 of the Regional District, (hereinafter called the "Specified 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 and to establish rates and charges for such services;

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

**1. INTERPRETATION**

1.1 In this bylaw, unless the context requires otherwise:

"Consumer Unit" shall be defined as follows:

- a. 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;
- 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 provided that each such commercial unit has water supplied to it from the Bamfield Water System for the exclusive use of the occupants of such commercial unit and their customers;
- c. A hotel or motel and each individual room or suite of rooms therein intended as a unit of accommodation;
- d. Any other structure requiring water.

“Regional District” means the Regional District of Alberni-Clayoquot, the Regional District Board or persons duly authorized to represent the Regional District Board in respect of this Bylaw, which shall include the Bamfield Water Committee and the Bamfield Water System Contractor.

“Water” includes water conveyed through the works operated or maintained by the Regional District, Bamfield Water System.

“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, Bamfield Water System.

“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, Bamfield Water System Contractor in Bamfield.
- 2.2 Applications for the installation and connection of a water service shall be made to the Regional District, Bamfield Water System Contractor in Bamfield 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 Bamfield Water System, the Bamfield 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.
- 2.4 Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the Bamfield Water System Contractor 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 of Alberni-Clayoquot.

**4. TURN OFF AND TURN ON**

- 4.1 Consumers who wish to have their water service discontinued shall give the Bamfield Water System Contractor fourteen (14) days notice. The service shall be cut off at the end of the month succeeding the notice of termination. Before the service is again renewed, the tenant or occupant shall pay to the Regional District of Alberni-Clayoquot the prescribed re-connection charge as invoiced for the renewal of the service as enumerated on Schedule "B" of this Bylaw.
- 4.2 The Bamfield Water Committee may order the water be turned off to any premises where charges have been owing for one (1) month or longer.

**5. RIGHT OF ACCESS**

- 5.1 The Regional District, Bamfield Water System Contractor(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.
- 5.2 No person shall obstruct or prevent the Bamfield Water Committee from carrying out any of the provisions of this Bylaw.

**6. BAMFIELD WATER SYSTEM WORKS**

- 6.1 No person except Bamfield Water System Contractor(s) shall open, shut, adjust, draw water from or tamper with any of the water system works.
- 6.2 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 it or by placing thereon or near thereon any structure or material, the Bamfield Water System Contractor may remove such obstruction at the expense of the offending person.
- 6.3 When a landowner requests that any of the Water System Works situated within an easement in favour of the Regional District, Bamfield 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.

## **7. WORKS ON PRIVATE PROPERTY**

- 7.1 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 Bamfield Water Committee.
- 7.2 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, except with written permission of the Bamfield 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 Bamfield Water Committee.
- 7.3 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 Bamfield Water Committee 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.
- 7.4 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 Bamfield Water Committee, whether such pipe forms part of the Water System works or of the works on the said person's premises. The Bamfield Water Committee may, without notice, discontinue service to any person employing such pump or other device.
- 7.5 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 Bamfield 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.
- 7.6 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.

- 7.7 No reduction in rates shall be allowed on account of any waste of water unless the Bamfield 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/her control and that the consumer used all reasonable diligence to stop such waste.

## **8. WATER USE REGULATIONS**

- 8.1 Where, in the opinion of the Bamfield 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 Bamfield 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 measured deemed necessary by the Bamfield Water Committee under this section shall be paid by the owner or owners concerned.
- 8.2 The Bamfield 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.
- 8.3 The Regional District, Bamfield Water System Committee 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.

## **9. METERS**

- 9.1 Unless determined otherwise by the Bamfield Water Committee, 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 Bamfield Water System Contractor for inspection and reading the meter. Where the service is to a single building, the meter may be located in the building as close as possible to the entrance point of the water service into the building and before any take off points. 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.

- 9.2 The Bamfield Water Committee shall be entitled to, at any time, direct that the supply of water to any consumer or to the consumers in any part of the area supplied by the water system, shall be metered and thereupon the rates and charges for water supplied by meter shall be payable as soon as the meter shall be installed.

#### **Meter Size and Supply**

- 9.3 The Consulting Engineers shall determine the size of meter required and the Bamfield Water Committee shall supply the meter to the owner or his/her agent for installation.

#### **Access to Meter**

- 9.4 The consumer shall supply access to the water meter for the purpose of reading the meter and for maintenance during the normal working Hours of 8:30 am to 4:30 pm, Monday to Sunday inclusive. Failure to provide this access for the meter reading shall result in disconnection of service.

#### **Operation Bypass**

- 9.5 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 Bamfield Water Committee.

#### **Meter Ownership**

- 9.6 All meters shall be the property of the Regional District, Bamfield Water System.
- 9.7 No owner or occupant of any premises supplied with water by the Bamfield 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 Bamfield Water Committee.
- 9.8 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 Bamfield 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.
- 9.9 An approved swimming pool shall be equipped with a re-circulation and filtration system as set out in the swimming pool, spray pool and wading pool Regulations under the Health Act.

- 9.10 No person shall use any service as motive power for the purpose of operating machinery without permission of the Bamfield Water Committee, who may terminate or withdraw such permission at any time.
- 9.11 The Bamfield 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 Specified Area by mail, or by posting of notices at prominent locations in the community.
- 9.12 Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person shall, without permission of the Bamfield Water Committee:
- a. Use water for sprinkling in excess of reasonable requirements;
  - b. 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;
  - c. Use an open pipe or hose for sprinkling purposes;
  - d. Irrigate more than 1 hectare (2.2 acres) of land (including that occupied by dwellings).

## 10. BILLING AND PAYMENT

- 10.1 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, Bamfield Water System and all rates and charges shall be billed quarterly and shall be due and payable on or before the first (1<sup>st</sup>) day of the month following the issue of the bills.
- 10.2 When any rates or charges for water services are overdue for a period of one (1) month, such water services may be turned off from the premises in respect to which such rates or charges are overdue and such services shall not be turned on again to the said premises until there shall have been paid:
- a. The rates and charges overdue;
  - b. The charge as set out in Schedule "B" of this Bylaw to cover the cost of water re-connection;

- c. Any additional cost incurred in order to prevent the improper use of water after the source has been turned off.
- 10.3 The Bamfield Water Committee may assess an interest rate of 2% per month payable on all outstanding rates and charges which are overdue after a period of one (1) month.
- 10.4 The rates and charges specified in Schedule "B" and any assessed interest charges on the outstanding balance are due and payable by December 31<sup>st</sup> 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.

## **11. WATER SYSTEM OWNERSHIP**

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

## **12. PENALTIES**

- 12.1 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.
- 12.2 The Bamfield Water Committee may, on written notice, turn off the supply of water to any persons in default of the requirements of this Bylaw. 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 Bamfield Water Committee again turns on the water.
- 12.3 Every person who offends against any of the provisions of this Bylaw or suffers or permits any act or thing to be done in contravention 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 provisions of this Bylaw, shall be deemed to have committed an offence under this Bylaw and shall be liable on summary conviction to a fine and penalty of not less than \$25.00 nor more than \$500.00.



**13. CITATION**

13.1 This Bylaw may be cited for all purposes as the "Bamfield Water System Specified Area Rates and Regulations Bylaw No. F1089, 2010".

**14. ENACTMENT**

14.1 The Bamfield Water System Specified Area Rates and Regulations Bylaw No. 765, 1992 is hereby repealed.

14.2 This Bylaw comes into effect on July 1, 2010.

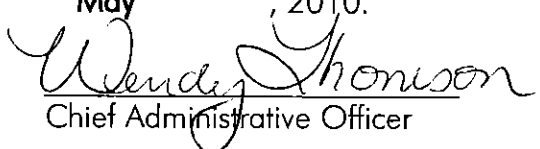
READ A FIRST TIME THIS           **28<sup>th</sup>** DAY OF       **April**           , 2010.

READ A SECOND TIME THIS       **26<sup>th</sup>** DAY OF       **May**           , 2010.

READ A THIRD TIME THIS       **26<sup>TH</sup>** DAY OF       **May**           , 2010.


RECONSIDERED AND ADOPTED **26<sup>th</sup>** DAY OF       **May**           , 2010.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Chief Administrative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. F1089, Bamfield Water System Specified Area Rates and Regulations Bylaw, 2010.

Dated at Port Alberni, BC this  
**26<sup>th</sup>** day of **May, 2010**.

  
\_\_\_\_\_  
Chief Administrative Officer

**Regional District of Alberni-Clayoquot**

**Bamfield Water System  
 Application for Water Service and Agreement**

<b>Application Date:</b>	
<b>Applicant/Owner Name:</b>	
<b>Address:</b>	
<b>Legal Description of Land to be Serviced</b>	

I/we submit the sum of \$ \_\_\_\_\_ for the installation of the above water service connection (size) \_\_\_\_\_. 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, Bamfield Water System from time to time and further agree that the said Regional District of Alberni-Clayoquot, Bamfield Water System shall in no case be liable for shortage 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 Local Government Act.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Applicant/Owner

<b>For Office Use Only:</b>	
Reviewed by:	Date:
Approved:	Denied:
Connection Fee:	Paid:

Schedule "B"

**Bamfield Water Rates and Charges**

1. **WATER METER RATES**

- a. All metered accounts are subject to a minimum charge (not including meter rental) of \$28.00 per month. An additional charge of \$2.00 per cubic meter (m<sup>3</sup>) per month shall be calculated on usage that exceeds the following thresholds:

DATE	THRESHOLD
Effective July 2010	31.417 m <sup>3</sup>
Effective October 2010	29.834 m <sup>3</sup>
Effective January 2011	28.251 m <sup>3</sup>
Effective April 2011	26.668 m <sup>3</sup>
Effective July 2011	25.085 m <sup>3</sup>
Effective October 2011	23.502 m <sup>3</sup>
Effective January 2012	21.919 m <sup>3</sup>
Effective April 2012	20.336 m <sup>3</sup>
Effective July 2012	18.753 m <sup>3</sup>
Effective October 2012	17.170 m <sup>3</sup>
Effective January 2013	15.587 m <sup>3</sup>
Effective April 2013	14.000 m <sup>3</sup>

- b. 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.
- c. All metered accounts are also subject to a monthly water meter rental charge as follows:

METER SIZE - Imperial	METER SIZE - Metric	RENTAL AMOUNT
Up to 1 inch	25mm	\$2.00 per month
1½ inch	38mm	4.00 per month
2 inch	50mm	6.00 per month
3 inch	75mm	10.00 per month
4 inch	100mm	20.00 per month
6 inch	150mm	30.00 per month
8 inch	200mm	40.00 per month
10 inch	250mm	50.00 per month

- d. The Bamfield Water System Contractor 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. Initial connection - \$450.00 basic charge plus the cost of fittings and parts as well as meter installed at property line.
- b. Re-connection - \$50.00 for each turn on of water service.