

CITY OF GREENWOOD
BYLAW 687

WATER REGULATION BYLAW

**A BYLAW PURSUANT TO SECTION 640 AND 641 OF THE MUNICIPAL ACT
TO FIX RATES AND TERMS UNDER WHICH WATER FROM
THE CITY UTILITY MAY BE SUPPLIED AND USED**

WHEREAS it is deemed desirable to regulate the supply and use of City water from the City water utility system;

AND WHEREAS it is deemed advisable to establish and regulate rates and terms for the supply and use of such water;

NOW THEREFORE, the Council of the Corporation of the City of Greenwood, in open meeting assembled, ENACTS AS FOLLOWS:

Citation

1. This bylaw may be cited as "Water Rates and Regulation Bylaw #687".

Interpretation

2. In this bylaw, unless the context otherwise requires:
 - (a) "Act" means the Municipal Act (R.S.B.C. Chapter 290);
 - (b) "Council" means the Council of the Corporation of the City of Greenwood;
 - (c) "City" means the Corporation of the City of Greenwood;
 - (d) "Clerk" means the Clerk of the City appointed pursuant to the Act;
 - (e) "Water Connection" means the water line extending from the water main to the curb stop valve outside the property line of the property being serviced or about to be serviced;

- (f) "Consumer" means any person, or 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 works and also any person who is the occupier of any such premises, and also includes any person who is actually a user of the said works;
- (g) "Service Pipes" mean that portion of the water supply line extending from the curb stop valve outside the property line of the property concerned to the building situated thereon, and joining the water connection to the plumbing system at the building;
- (h) "Water Mains" mean any water service under the control of the City which is intended for public use;
- (i) "Water Service" means the supply of water from the waterworks to any person, and all the taps, valves, meters, connections and other things necessary to any actually used for the purpose of such supply;
- (j) "Works" means the waterworks of the Corporation of the City of Greenwood.

The words herein shall be construed as meaning singular or plural, and masculine or feminine, wherever the context so requires.

Application for Service

3. (a) Application for the supplying of water to any property shall be made and delivered to the Clerk, and must be signed by the owner of such property or his duly authorized agent signing as such, or by the consumer applying for such service. Each application, when signed by the potential customer, shall be an agreement to abide by the terms and conditions of this bylaw and amendments thereto.

(b) Upon approval of the application by the Clerk, he may turn on or cause to be turned on, the water service to the consumer's premises.

Application for Service New Connections

4. (a) Application for making a new connection shall be made in writing, and must be signed by the owner of the property or his authorized agent.

(b) Upon receipt of an application for connection of a service of up to 1.90 centimeters (3/4 inch) size with the required fee as stated in Schedule A attached to and forming part of this bylaw, the service from the main to the curb stop valve outside the lot line shall be laid as soon as possible, weather permitting.

© Where an applicant applies for a water service connection and the installation of such a connection requires the removal and replacement of asphalt and other hard surface road materials, the applicant shall be required to pay for the removal and replacement of such hard surface. Payment to be in an amount equal to the expenditure made by the City for the removal and replacement of the aforesaid hard surface.

Service Pipes

5. (a) Before any person shall install or construct any water service, or commence doing any construction work in relation to or in connection with such service, he shall notify the Clerk in specification which shall show:

- (1) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation;
- (2) a description of the materials which the applicant proposed to use in connection with such installation or construction

(b) The installation of service pipes shall be the responsibility of the property owner but shall conform to specifications approved by the Clerk.

© All underground pipes on any premises shall be placed below the frost line, and in no case, not less than 1.828 meters (6 feet) below the surface of the ground.

(d) It shall be the duty of every consumer to provide that all taps, fittings and other things connected with the service within the premises are in good order and installed and connected in accordance with the provisions of the building and plumbing bylaws.

(e) Every premise shall have properly placed stop and waste cock inside the property line and curb stop valve outside the property line.

(f) When the owner's service pipe plans and water connection application have been approved, he may proceed with the installation of the service pipes.

When the service pipes have been installed, but before the excavation is backfilled, the Clerk shall be notified that such work is ready for inspection and he shall make such inspection within two days thereafter, excluding Sundays and holidays.

(g) The backfilling of the service pipes shall not be commenced until the Clerk has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other bylaws have been adhered to.

(h) The Clerk or any other officer or employee of the City shall refuse to turn on water to any premises not complying with this section.

(i) (1) In the event of leakage, freezing or other conditions which causes the interruption of supply in the service pipe, repairs shall be the responsibility of the consumer. If the consumer feels that such conditions are present in the City's connection pipe and not in the consumer's service pipe, he shall deposit with the City a sum of money equal to the Clerk estimate of the cost of excavating and backfilling required.

(2) In the event the City's connection pipe is faulty and is the cause of the consumer's complaint, the City shall repair such faults and return the deposit to the consumer. If there is no fault found in the City's connection pipe, the consumer shall forfeit that portion of the deposit in the amount equal to the actual cost of the work, any surplus being returned to the consumer. The consumer shall have the right to inspect the site of the excavation by the City and satisfy himself as to the condition of the connection pipe.

Rates

6. (a) There is hereby imposed and levied a water user rate upon all users of water supplied by the City water utility.

(b) The Clerk shall classify each consumer in accordance with the categories set out in Schedule A attached to and forming part of this bylaw, and the consumer is liable for the appropriate rate.

- © The user rate shall be due and payable annually at the City Office as follows:
- (1) The water rates payable under Schedule A attached to and forming part of this bylaw shall be levied annually.
 - (2) All such rates shall be due and payable on or before the first working day after July 1st in each year.
 - (3) User rates paid by the close of business on the last working day in February, shall be subject to a 10% discount, and user rates not paid by the deadline date established as the first working day after July 1st in each year, shall be subject to a 10% penalty. A notice stating that such rates are due shall be mailed during the month of January in each year, and every such notice shall state the amount of the discount and the date by which the account is required to be paid in order for the discount to apply.
 - (4) Any charge remaining unpaid on the thirty-first day of December shall be deemed to be taxes in arrears in respect of the property and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.
 - (5) Any charges remaining unpaid on the thirty-first day of December 1997 shall have a ten percent (10%) penalty added, and shall be deemed to be taxes in arrears in respect of the property and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.

- (6) A new consumer shall be charged with the full monthly rate if his application is received on or before the 15th day of the month. Otherwise, he shall be charged one-half of the monthly charge.
 - (7) A rebate may be allowed if a consumer gives notice in writing in advance that he is leaving the premises. Such rebate shall be limited to the remaining full monthly rates which have been paid.
- (d) (1) No contractor, builder or other person shall use for building purposes of any kind, water from any pipe or main of the waterworks or from any other consumer without the written approval of the Clerk.
- (2) Applications for such service shall be made in the manner prescribed in Section 4 of this bylaw and the user shall agree to pay the rates applicable and the connection fee if one is required, and to properly protect the supply pipes, meter, and other facilities of the waterworks.
- (e)(1) No person, except an employee of the City in the course of his employment, or a member of the City fire department on duty, shall without written authority of the Clerk, open any hydrant, standpipe or valve or use any water therefrom. Such authority shall reserve to the City, the right to stop such use at any time for any reason without liability for damages resulting therefrom in any manner whatsoever.
- (2) Every person who receives such authority shall deposit with the Clerk a cash bond of Fifty Dollars (\$50.00) and the City may deduct from such bond whatever charges shall be payable to the City in its reasonable discretion for the use of the water and from damages to the main, hydrant, standpipe or valve.
- (3) Every person who uses water from any hydrant or standpipe shall pay to the City, on demand, the minimum charge of Twenty Dollars (\$20.00) or the sum of Ten Dollars (\$10.00) per consecutive day for such use or any part thereof, whichever sum shall be the greater.

Regulations

7. (a) No person shall destroy, injure or tamper with any hydrant or other fixture of the waterworks, and no person shall in any manner interfere or meddle with the water connection or works in any street, or make any additions or alterations to the water system or any connections, or turn on or off any City stop-cock, service valve or gate valve without express approval of the Clerk.
- (b) No person shall sell or dispose of water from the municipal water system, or give it away to any person or persons, whomsoever, or use or supply it for the use or benefit of others.

© No connection or cross connection between the municipal water system and any other water system or source of water supply shall be permitted "after adoption of this bylaw".

(d) 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 works, and should any person obstruct such access the Clerk or any other employee or servant of the City may, by his order, remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending, and on non-payment thereof, on demand, the City may recover the said expense in a Court of Competent Jurisdiction.

(e) No person shall obstruct or prevent the Clerk or any person authorized by him from carrying out any or all of the provisions of this bylaw, nor shall any person refuse to grant the Clerk or any person authorized by him, permission to inspect any water service work at any reasonable time.

Administration

8. (a) The Clerk is hereby authorized and directed to have a general supervision over the municipal waterworks system and to see that the provisions of this bylaw are carried out.

(b) The Clerk shall have the power, subject to the consent of the Council, to appoint assistants and inspectors for the purpose of effectively carrying out the provisions of this bylaw, and wherever the Clerk is authorized or directed to perform any act or duty may be performed by any inspector or employee authorized by the Clerk to perform such act or duty.

© Nothing contained in this bylaw shall be constructed to impose any liability on the City to service any person or premises or to give a continuous supply of water to any person or premises.

(d) The City shall not be liable for the failure of the water supply in consequence of any accident or damage to the works, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employment of the City or other person whomsoever, or through natural deterioration or obsolescence of the City's system or otherwise, howsoever, but in the event of such failure or stoppage continuing for more than five consecutive days, an equitable reduction shall be made on all rates or services affected thereby.

(e) The City may, without notice, disconnect the water service to any premises for any of the following reasons, and the City shall not be liable for damages by reason of discontinuing water service for such reasons:

- (1) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;
- (2) non-payment of rates;
- (3) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water;
- (4) for repairs;
- (5) for want of supplies;
- (6) for employing any pump, booster, or other device for the purpose of, or having the effects of, increasing water pressure in service lines, without obtaining the approval of Council.

(f) The Council may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the City water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.

Offenses

9. Any person who violates any provision of this bylaw shall be deemed to have committed an offence and is punishable in accordance with the Offence Act, and each day on which the violation occurs shall be considered a separate offence.

Repeal

10. This bylaw shall, upon coming into effect and force, repeal "Water Regulation Bylaw, 1965" No.252, and its amending Bylaws Nos. 349, 372, 400, 402, 407, 473, 541, 601, 636, and 650.

Effective Date

11. This Bylaw shall come into full force and effect and be binding on all persons as of January 1, 1997, except section 6(c)(2) and section 6(c)(3) of this bylaw which shall come in full force and effect and be binding on all persons as of January 1, 1998.

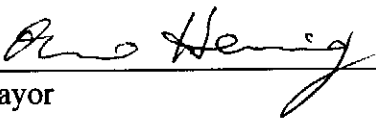
Read a FIRST time this 28th day of April, 1997.

Read a SECOND time this 28th day of April, 1997.

Read a THIRD time this 28th day of April, 1997.

Public Information Meeting held on this 12th day of May, 1997

FINALLY ADOPTED this 12th day of May 1997.




Mayor



Administrator

Certified a true copy of Bylaw #687
as adopted by resolution # 216-97
on the 12th day of May, 1997



Administrator

THE CORPORATION OF THE CITY OF GREENWOOD

SCHEDULE A - BYLAW NO. 687

This Schedule A of per annum Water Rates will apply effective January 1, 1997
(NOTE: "Outside the City" rates include \$15.00 per annum into the Capital Account.)

	<u>WITHIN THE CITY</u>	<u>OUTSIDE THE CITY</u>
<u>RESIDENTIAL</u> (Flat Rate)	\$ 168.00	\$ 168.00
<u>COMMERCIAL:</u>		
Apartment Buildings, Blocks, Units (per dwelling unit, rented or empty)	\$ 144.00	\$ 154.00
Doctor's Office	150.00	160.00
Auto Courts, Motels (per dwelling unit, rented or empty)	61.00	61.00
Bakery	168.00	186.00
Barber Shops	150.00	160.00
Beauty Parlours	168.00	186.00
Building Contractor	168.00	186.00
Butcher Shops	150.00	160.00
Cafes, Coffee Shops, Dining Rooms	330.00	331.00
Dentist's Office	150.00	160.00
Dry Cleaners	264.00	284.00
Florists, Greenhouses	168.00	186.00
Hotels, Saloons	330.00	331.00
Poolrooms, Arcades	150.00	160.00

Public Garages, Service Stations	168.00	186.00
Public Halls, Clubs, Theatres	168.00	186.00
Stores, Office Buildings (per store or office)	150.00	160.00

INDUSTRIAL:

Laundries & Small Industrial Users	444.00	499.00
Car Wash	264.00	288.00

INSTITUTIONAL:

Schools (per classroom & gym)	88.00	99.00
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CONNECTION FEE:

Upon receipt of an application for connection with the required fee of six hundred dollars (\$600.00), the three-quarter inch (3/4") service line from the main to the turn-on valve shall be laid as soon as possible, except in the winter season when the ground is not ready for excavation.

WATER TURN-ON/OFF FEE:

A twenty dollar (\$20.00) charge will be due and payable whenever water turn-on/off service is required. A Release Form must be completed and signed at the City Office requesting this service.