

# THE CORPORATION OF THE CITY OF GREENWOOD

## WATER REGULATIONS BYLAW NO. 912, 2016

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### A bylaw to provide for the regulation and use of the water system of the City of Greenwood

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The Council of the City of Greenwood in an open meeting assembled enacts as follows:

#### **1.0 GENERAL PROVISIONS**

- 1.1 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.
- 1.2 The City does not guarantee water pressure, continuous supply or direction of water flow. The City reserves the right at any time, without notice, to change the operating pressure, to shut off water or to change the direction of flow. The City, its officers, employees, nor agents shall not be liable for any damage or other loss caused by changes in water pressure, shutting off water or change in direction of flow or by reason of the water containing sediments, deposits, or other foreign matter.
- 1.3 Nothing contained in this bylaw shall be construed to impose any liability on the City to provide water to any Person or property or to provide a continuous supply of water or water of any particular quantity or quality.
- 1.4 Any supply of water by the City is subject to the following conditions, in addition to the other conditions set out in this bylaw:
  - (a) the City is not responsible for the failure of the water supply as a result of any accident or damage to the Waterworks System;
  - (b) the City is not responsible for any excessive water pressure or lack of water pressure;
  - (c) the City is not responsible for any temporary stoppage of water supply on account of alterations or repairs to the Waterworks System,

whether such arises from the negligence of any Person in the employ of the City or another Person, or through natural deterioration or obsolescence of the Waterworks System or otherwise.

- 1.5 The City is not responsible for sampling and testing the Water quality outside the City or an area considered a system within a system. It is the responsibility of the Regional District to sample and test the water quality in areas within the Regional District. Reports shall be submitted to the City.
- 1.6 Owners of properties designated by Interior Health as having a water system within a system are responsible for sampling and testing the water quality and submitting the reports to the City.

## **2.0 APPLICATIONS FOR SERVICE CONNECTION AND WATER CONNECTION**

- 2.1 An Owner or an Owner's duly authorized agent must make an application to the City to install a Water Service from the Waterworks System to the Owner's Parcel Boundary, and the Water Connection from property line to his or her private property must submit the application on the required form(s), as provided by the City and amended from time to time. Such Applicant shall, on making the application, pay to the City the applicable fee(s) as set out in **Schedule "A"**.

## **3.0 CONSTRUCTION OF THE WATER SERVICE**

- 3.1 Upon a completed application being received for the installation of a Service Connection, and payment of applicable fee(s) in full, a contractor pre-approved by the City may install a Service Connection from the Waterworks System to the Parcel Boundary and a Curb Stop at the Parcel Boundary.
- 3.2 An Owner is responsible for the installation of a Water Service and a Curb Stop at the Parcel Boundary, or location decided by the Manager, at his or her sole cost.
- 3.3 Each property shall have only one Service Connection except where a separate connection is required by the Manager.
- 3.4 The size of the pipe to be used in providing a Water Service to any premises and also the position in the street in which the Water Service is to be laid shall be determined by the Manager.
- 3.5 No work of any kind in relation to a Water Service, either for the laying of a new Water Service or repair of an existing Water Service, shall be done by any Person other than a contractor approved by the Manager.

## **4.0 CONSTRUCTION OF THE WATER CONNECTION**

- 4.1 Upon a completed application being received for the installation of a Water Connection and payment of the applicable fee(s) in full, the Owner may install a Water Connection from the property line to the Owner's private property and the Manager shall classify

the Owner as either a Domestic User, a Non-domestic User, an Agricultural User, or any combination thereof.

- 4.2 An Owner is responsible for the installation of a Water Connection, at his or her sole cost.
- 4.3 Installation of a Water Connection must comply with the following requirements:
  - (a) the type and size of pipe used for the Water Connection must meet the standards for piping as determined by the Manager or his/her designate;
  - (b) all Water Connection lines shall be installed to provide a minimum depth of 1.5 metres cover;
  - (c) where required by the Manager, a Backflow Preventer must be installed at the building as close as possible to the entrance point of the Water Connection into the building; and
  - (d) after the Water Connection lines have been installed, the Owner must not backfill the excavation until the installation of the Water Connection has been inspected and approved by the City.
- 4.4 No work of any kind in relation to a Water Connection, either for the laying of a new Water Connection or repair of an existing Water Connection, shall be done by any Person other than a contractor approved by the Manager.
- 4.5 The Owner is solely responsible for supplying, installing and maintaining the Curb Stop and the connection or joint at the property line between the Water Service and the Water Connection.
- 4.6 The Owner is responsible for any damage caused by the Owner to the Curb Stop and must immediately notify the Manager of any such damage. The City will repair and bill the repair on utility bill.
- 4.7 All property owners required to have a cross connection control device, shall follow regulations as set out in the Cross Control Regulation Program.
- 4.8 An Owner is responsible for maintaining the Water Connection control device and Backflow Preventer in good repair and in a clean and sanitary condition at all times, and must remedy any defect in the Water Connection as soon as the Owner becomes or is made aware of the defect. The Owner must immediately advise the Manager of any defect in the Water Connection.

- 4.9 All required property owners as set out in section 4.7 shall have the back flow preventers inspected annually by a qualified professional at the owner's expense. A copy of the report shall be submitted to the City.
- 4.10 All new water connections shall be serviced from a street rather than the highway whenever possible. The Manager shall make the decision regarding the location of water connections. The City is responsible for the service connection. The owner is responsible for the water connection from the house up to and including the curb stop.
- 4.11 Existing highway connections may be changed to a street connection if the Manager decides the street is the most cost effective long term solution. The City is responsible for the service connection. The owner is responsible for the water connection from the house up to and including the curb stop.

#### **5.0 WATER TURN-OFF / TURN-ON**

- 5.1 All applications for the Turn-off or Turn-on of the water Service must be made in writing to the Manager not less than forty-eight (48) hours before the Turn-off or Turn-on is required.
- 5.2 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in **Schedule "A"**.
- 5.3 Any Person who applies to the City for the Turn-on of the Water Connection shall provide to the Manager confirmation that the Water Connection was satisfactorily tested, inspected and approved by the City.
- 5.4 No Person shall make an application for the Turn-off of the Water Connection from any premises in use, or occupied by any other Person, until such use or occupation has ceased, the premises have been vacated or the occupying Person has been given notification of thirty (30) days.
- 5.5 Any unauthorized Person found to have turned the water on or off is guilty of an offence under this bylaw and will be subject to a penalty as set out in **Schedule B**.

#### **6.0 WATER DISCONNECTION/RECONNECTION**

- 6.1 When any building within the City is removed, demolished or abandoned, application for disconnection of a water Service shall be made in writing, by the property Owner, on the required form(s) as provided by the City and amended from time to time and delivered to the City Office. Until such application has been submitted, water rates may be charged as prescribed in the **Utilities Billing and Payment Schedule Bylaw** to the property Owner.

- 6.2 All applications for the disconnection or reconnection of the water Connection must be made in writing to the Manager not less than one (1) week before the disconnection/reconnection is required.
- 6.3 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in **Schedule "A"**.
- 6.4 Any Person who applies to the City for reconnection of the Water Service shall provide to the Manager confirmation that the Water Service was satisfactorily tested, inspected and approved by the City.
- 6.5 When the City or the Owner shuts off the water, the Owner will continue to pay for water utilities.
- 6.6 Should the property owner elect to have the water service to a building turned on or off. The water customer charge and fixed and capital fees will continue to be charged.

## **7.0 RESTRICTIONS ON USE OF WATER**

- 7.1 Council may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit irrigation, yard and garden Sprinkling, car washing and private pool filling to reduce water usage when it considers water to be in short supply and every Person shall abide by such restriction or prohibition.
- 7.2 The City may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit other water uses when it considers water to be in short supply and every Person shall abide by such restriction or prohibition.

## **8.0 OFFENCES AND PROHIBITIONS**

Fines set out in **Schedule B**.

- 8.1 No Person shall:
- (a) connect or maintain any connection to, or use water from the Waterworks System without first obtaining permission from the Manager in accordance with this bylaw;
  - (b) connect, cause to be connected or allow to remain connected any building on any property already connected to the Waterworks System to any other source of water;

- (c) connect, cause to be connected or allow to remain connected to the Waterworks System any pipe, fixture, fitting, container, appliance or apparatus, in any manner which, under any circumstances, could cause or allow any part of the Waterworks System to become contaminated;
- (d) sell, dispose of or otherwise give away water from the City Waterworks System; unless a written request has been approved by the Manager.
- (e) connect any apparatus, fitting, or fixture to the Waterworks System which may in any way harm the Waterworks System.

8.2 No Person shall cause, permit or allow any device or apparatus of any kind to be or remain connected to the Waterworks System or allow it to be operated in such a manner as to cause sudden large demands for water or otherwise affect the stability of water pressure in the Waterworks System and, for the purposes of this section, such prohibited devices and apparatuses include, without limitation:

- (a) booster pumps;
- (b) quick opening valves or quick closing valves;
- (c) flush meters;
- (d) rod hopper water closets;
- (e) water-operated pumps or siphons;
- (f) standpipes;
- (g) large outlets.

8.3 Notwithstanding Section 8.2, an Owner may apply to the Manager in writing for permission to connect a prohibited device or apparatus to the Waterworks System. Upon receiving written permission from the Manager, the Owner may connect a prohibited device or apparatus to the Waterworks System, subject to any terms and conditions imposed by the Manager.

8.4 No Person shall destroy, injure, obstruct access to, or tamper with any hydrant, valve, Curb Stop, pipe, pump or other fixture of the Waterworks System or the Water Connection and no Person shall, in any manner, make any additions, alterations or other changes to the Waterworks System or the Water Connection.

**9.0 SHUT OFF OF WATER SUPPLY**

9.1 The Manager may shut off the supply of water to any property for any or all of the following reasons:

- (a) a request for Turn-off or discontinuance of the Service;
- (b) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
- (c) an emergency that threatens the safety of the Waterworks System, utilities, property, or the public;

and the City may shut off the supply of water to any property for any or all of the following reasons;

- (d) non-compliance with any provision of this bylaw;
- (e) shortage of water supply.
- (f) failure to pay utility bills as set out in the City of Greenwood Utilities Billing and Payment Schedule Bylaw.

**10.0 NOTICES OF WATER SHUT OFF**

10.1 Where water supply is to be shut off for non-compliance with any provision of this bylaw, the City will give notice to the Owner.

10.2 Where water supply is to be shut off for non-compliance due Section 9.1 (f), the City will give notice to the owner as set out in the City of Greenwood Utility Billing and Payment bylaw.

10.3 Where water supply is to be shut off for reason of non-compliance with section with any provision of this bylaw, the City will give the Person affected the opportunity to make representations to Council in respect of such non-compliance, unless where safety of life or property is at risk.

10.4 Where water supply is to be shut off for reason of shortage of water supply, the City will give at least seven (7) days' notice, but no notice will be given where safety of life or property is at risk.

10.5 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Waterworks System, the City will give at least 2

working days' notice for scheduled work, but no notice will be given where safety of life or property is at risk.

10.6 Notice under Sections 9.1, 9.3, 9.4 and may be given by one or more of the following:

- (a) posting notice on the property;
- (b) providing notice on an Owner's water bill;
- (c) mailing notice to the address supplied by the Owner or the address of the property;
- (d) telephoning the Owner, which may include speaking directly to the Owner or leaving a message at the telephone number supplied by the Owner.

10.7 The City is not responsible for any notice failing to reach an Owner or other Water User prior to the shut off of water.

#### **11.0 BILLING AND PAYMENTS**

11.1 Billing, payments, utility rates, payment violations and penalties are defined and enacted in the **Utilities Billing and Payment Schedule Bylaw**.

12.2 The Utilities Billing and Payment Schedule Bylaw shall be amended annually.

12.3 There shall be an annual inflation rate increase for water in the Utilities Billing and Payment Schedule Bylaw.

12.4 Council may increase the water rates above the annual inflation rate.

#### **13.0 INSPECTION**

13.1 The Manager and any Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether the regulations and requirements of this bylaw are being observed.

13.2 No Person shall obstruct or interfere with the Manager or any Bylaw Enforcement Officer in the performance of his or her duties or the exercise of his or her powers under this bylaw.

#### **14.0 DEFINITIONS**

14.1 In this Bylaw, unless the context otherwise requires:



**“Agricultural User”** means any Owner of land in the Agricultural Land Reserve or agricultural land that is connected to the Waterworks System;

**“Applicant”** means any Owner or duly authorized agent making an application for Service, Water Connection/Disconnection or the Turn-on or Turn-off of water;

**“Backflow Preventer”** means a mechanical apparatus installed in a water system that prevents the backflow of contaminants into the potable Waterworks System;

**“Agricultural Land”** means land used for agricultural purposes, as defined by the BC Assessment Authority;

**“Bylaw Enforcement Officer”** means a person(s) designated by a local government as a bylaw enforcement officer and every Peace Officer;

**“City”** means the Corporation of the City of Greenwood;

**“City specifications”** means the specifications, drawings and other standards for works and services established under the Subdivision, Development and Servicing Bylaw;

**“Commercial”** means all industrial, utility and business properties as defined as Class 2, 4, 5 and 6 under the B.C. Assessment Act and any institutional and apartment buildings with three or more units and any residential with two or more units within the same assessment folio, upon written application by the Owner;

**“Council”** means the Municipal Council of the Corporation of City of Greenwood;

**“Curb Stop”** means the valve on a Service pipe located on the street or lane at or near an Owner’s Parcel Boundary;

**“Domestic User”** means any Owner of land connected to the Waterworks System using water for residential household requirements, sanitation, fire prevention or lawn and garden irrigation purposes;

**“Dwelling Unit”** means a building or a part of a building in which a person or persons live. This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building;

**“Highway”** means Highway 3;

**“Manager”** means the Public Works Manager or designate.

**“Non-Domestic User”** means any Owner of land connected to the Waterworks System that is not using water as a Domestic User or Agricultural User;

**“Occupier”** has the same meaning as in the Community Charter, as amended from time to time;

**“Owner”** has the same meaning as in the Community Charter, as amended from time to time;

**“Parcel Boundary”** means the line that defines the perimeter of a parcel of land;

**“Person”** includes a corporation, partnership or party and the Personal or legal representatives of a Person to whom the context can apply, according to law;

**“Service”** means and includes the supply of water to any Owner or any lot and all the pipes, valves, fittings, meters, connections and other things necessary for the purpose of such supply;

**“Service Connection”** means the connecting line from the Waterworks System to the Parcel Boundary and includes all related pipes, shut off valves and other appurtenances;

**“Single-family Detached Dwelling”** means a Dwelling Unit generally designed for and occupied by one family;

**“Sprinkling”** means to allow water from the City’s water supply to enter onto lawns, gardens and other outdoor areas;

**“Street”** means a street, avenue, lane, or a road, excluding Highway 3;

**“Turn-off”** means to discontinue the Service to any Owner or any lot by closing a Curb Stop or by such other means as the City finds appropriate;

**“Turn-on”** means to commence the Service to any Owner or any lot by opening a Curb Stop or by such other means as the City finds appropriate;

**“Water Connection”** means the pipes and appurtenances on private property used or intended to be used to conduct water from the Curb Stop to the private property;

**“Water User”** means any Person who is the Owner or agent for the Owner of any premises to which the Service is provided and also any Person who is the Occupier of any such premises and also any Person who is actually a user of water supplied to any premises; and

**“Waterworks System”** means the entire water system of the City, including without limitation, the distribution system and the intake, reservoirs and any water treatment facilities.

**15.0 CITATION**

This bylaw is cited for all purposes as the “Water Regulation Bylaw No. 912, 2016”.

**16.0 REPEAL**

16.1 That the “Water Rates and Regulation Bylaw No. 687”, the “Water Rates and Regulation Amendment Bylaw No. 895, 2015” and all other previous Water Rates and Regulation Bylaws be repealed.

**17. EFFECTIVE DATE**

17.1 THAT the Water Regulation bylaw 912, 2016 will be in effect on January 1, 2017.

1<sup>st</sup> Reading                      28<sup>th</sup> day of              November, 2016

2<sup>nd</sup> Reading                     28<sup>th</sup> day of              November, 2016

3<sup>rd</sup> Reading                     28<sup>th</sup> day of              November, 2016

4<sup>th</sup> and FINAL READING    12th day of              December, 2016



Mayor

I hereby certify this to be a true and correct copy of Bylaw No. 912, 2016 as adopted.



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**CORPORATION OF THE CITY OF GREENWOOD**

**WATER REGULATION BYLAW NO. 912, 2016**

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**Schedule A**  
**Fees**

**SERVICE FEES:**

1. Public Works Installation fee: \$800.00 or an amount equal to the cost of the water connection including all materials, labour, administration, equipment and overhead, whichever is greater.
2. Charges for after-hours callout – evenings, weekends, statutory holidays:
  - 2.1 If determined by the Manager to be a private water system issue or the issue was caused by the private water system there is a flat rate charge of \$250.
3. Contractor hired by the City:
  - (a) The Owner will pay all Contractor costs, including any additional service costs itemized in (b), plus a 15% administration fee.
  - (b) Additional service costs not included in (a) above:
    - (i) Restoration including but not limited to: asphalt road repair, concrete curb, sidewalk (concrete), and boulevard landscaping.
4. Turn on Fees: \$30.00
5. Turn off Fees: \$30.00

**CORPORATION OF THE CITY OF GREENWOOD**

**WATER REGULATION BYLAW NO. 911, 2016**

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**Schedule B**

The following amounts shall apply as fines:

**1. Fines:**

**First Offence:           \$ 200.00**  
**Second Offence:        \$ 500.00**  
**Third Offence:         \$ 1,000.00**

**2. Continual failure to comply results in the disconnection of the water at the owners expense.**

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