

GILLIES BAY IMPROVEMENT DISTRICT

WATER DISTRIBUTION REGULATION BYLAW No. 226, 2018

A by-law for regulating the distribution and use of water and prescribing penalties for non-compliance with the regulations

WHEREAS the Gillies Bay Improvement District has authority under the *Local Government Act* to regulate the distribution of water and to establish penalties for failure to comply with the regulations;

NOW THEREFORE the Trustees of the Gillies Bay Improvement District in open meeting assembled, enact as follows:

Interpretation

1. In this by-law, unless the context other requires:
 - a. **"Improvement District"** shall mean the Gillies Bay Improvement District and/or their duly authorized representative(s).
 - b. **"Trustees"** shall mean the Trustees of the Improvement District and/or their duly authorized representative(s).
 - c. **"District"** shall mean the area serviced by the Improvement District's water works system.
 - d. **"Applicant"** shall mean the landowner of the lands.
 - e. **"Consumer"** shall mean the landowner and/or occupant of the lands.
 - f. **"Application"** shall mean the prescribed form as approved by the Improvement District.
 - g. **"Water"** shall mean water conveyed through the works operated or maintained by the Improvement District.
 - h. **"Works"** shall mean anything capable of or useful for diverting, storing, measuring, or conveying, conserving, retarding, confining or using water.
 - i. **"Swimming pool"** shall mean an artificially created body of water having a depth of 18" or more used for recreational or physiotherapy purposes.

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 Improvement District.
3. Where an Applicant for water service requires a quantity, pressure or type of service in excess of that which can be supplied from the District works, the Improvement 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 toward the future provision of such works. Applicants considered under this section may be required to enter into a formal agreement with the Improvement District regarding the special terms and conditions under which water is supplied.
4. Before any person shall install or construct any works, or shall commence any construction work related or connected thereto, they shall apply to the Improvement District in writing and obtain a written permit therefor, and if required by the Improvement District, the Applicant shall submit the Improvement District's Application Form that will include the specifications which shall show:
 - a. The street address, complete legal description and BC Assessment Folio Number of the premises in which the installation or connection is to be made.
 - b. The name and billing address of the property owner.
 - c. The land use type (purpose), size and material of pipes and the number of outlets related or connected thereto.
 - d. A sketch or plan of the property, including dimensions, approximate location of structure(s), septic field, requested point of service and any other important information.
5. Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the Improvement District shall be notified that such works have been inspected by a qualified trades person. The works shall not be covered until they have been inspected, tested under pressure, and certificate of inspection provided to the Improvement District.

Change of Ownership

6. No agreement between the owner of the premises and the Improvement District with respect to existing water service to those premises may be transferred to another owner. New owners of the premises shall submit an Application to the Improvement District for water service utilizing the prescribed application form, submit the prescribed charges and

fees and receive permission before they commence to use water. Each Change of Ownership request shall include a survey and report of present water connection.

Turn Off and Turn On

7. Consumers who wish to have their water service discontinued shall pay the prescribed turn-off charge, and shall give the Improvement District written notice. Before the service is again renewed, the Consumer shall pay to the Improvement District the prescribed turn-on charge for the renewal of service.
8. The Improvement District may order the water to be turned off to any premises where tolls have been owing to the Improvement District for two months or longer.

Improvement District's Right of Access

9.
 - a. The Improvement District shall have the right of access to all parts of a person's property or 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 Improvement District from carrying out any of the provisions of this by-law.

District's Works

10. No person except the Improvement District shall open, shut, adjust, draw water from or tamper with any of the District's works. Penalties may be applied at the discretion of the Improvement District.
11. No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock or any other fixture connected with the District's 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 thereto any structure or material, the Improvement District may remove such obstruction at the expense of the offending person(s).
12. When a request from a landowner for any of the District's works situated within an easement in favour of the Improvement District 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

13. No person to whose premises water is supplied shall make, or permit to be made, any additional connection to their service of either temporary or permanent nature, for the purpose of supplying water to another building, or house trailer on theirs or any other property without the permission of the Improvement District.
14. No person shall interconnect any portion of works on private property which are supplied by the District's works with an external source of water, such as a well, except with written permission of the Improvement District. Wherever works on private property which are supplied by the District's works 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 Improvement District.
15. No change or addition to the number or type of fixtures on a person's premises, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the Improvement District and written permission therefor obtained. Any extra charge or higher tolls payable due to the change or addition shall be paid before the change or addition may commence.
16. 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 Improvement District, whether such pipe forms part of the District's works or of the works on the said person's premises. The Improvement District may, without notice, discontinue service to any person employing such pump or other device.
17. No service 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 Improvement 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 District's works.
18. 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 District's curb stop or standard waterworks valve at their property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky or imperfect pipes or fixtures.
19. No reduction in rates shall be allowed on account of any waste of water unless the Improvement 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 their control and that the consumer used all reasonable diligence to stop such waste.

Water Use Regulations

20. Where, in the opinion of the Improvement 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 Improvement 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 measures deemed necessary by the Improvement District under this section shall be paid by the owner or owners concerned.
 - a. The Improvement District may limit the amount of water used by any service in the interests of efficient operation of the District's works and equitable distribution of water.
21. The Improvement District may at any time substitute a metered service for an unmetered service to any premises. Each dwelling shall have a meter separate from any other dwelling, in a position approved by the Improvement District. All meters shall be the property of the Improvement District.
22. No owner or occupant of any premises supplied with water by the District's works 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.
23. No person shall use any service as motive power for the purpose of operating machinery without permission of the Improvement District, and such permission may be terminated or withdrawn at any time.
24.
 - 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 Improvement District, 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, maintained and operated as set out in the BC Pool Regulation under the *Public Health Act*.

Water Restrictions

25.
 - a. The Improvement District 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 purposes 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 District, by mail, or by posting to the Improvement District's website.

- b. Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person shall, without permission of the Improvement District:
 - 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 ½" in internal diameter; or
 - iii. Use an open pipe or hose for sprinkling purposes; or
 - iv. Irrigate more than ¼ acre of land (including that occupied by dwellings).

Liability of District

26. The Improvement District does not guarantee a specific pressure or continuous supply of water quality to meet the special requirements of individual users. The Improvement District reserves the right 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 water users affected.

Penalties

27.
 - a. No occupier of land shall cause, suffer or allow irrigation water to flow onto or to be released on or to be used on the land which they occupy or any part of such land, unless the water being lawfully supplied to such land is in accordance with the provisions of this by-law.
 - b. The Trustees may, on 24 hours written notice, turn off the supply of water to any person in default of the requirements of this by-law. The person in default shall not be entitled to receive any further water from the District until such person(s) whose water has been turned off, pursuant to this section, to turn such water on again, or take any water from the District's works until such time as the Trustees again turn on the water.

Repeal

28. Gilles Bay Improvement District Water Distribution Regulation By-law 75, 1984 is hereby repealed.
29. Gilles Bay Improvement District Water Distribution Regulation By-law 124 to amend By-law 75, 1991 is hereby repealed.

Citation

30. This By-law may be cited as the “**Water Distribution Regulation By-law 226, 2018**”.

INTRODUCED and given first reading by the Trustees on the 17th day of January, 2018.

RECONSIDERED and finally passed by the Trustees on the 17th day of January, 2018.

I hereby certify that this is a true copy of Bylaw No. 226.

*A true copy of By-Law No. 226
registered in the office of the Inspector
of Municipalities this*

*30 day of January
20 18*

Deputy Inspector of Municipalities



Audrey Atkins, Chair of the Trustees



Theresa Beech, Acting Corporate Officer

