

THE CORPORATION OF THE VILLAGE OF TELKWA

WATER RATES AND REGULATIONS BYLAW NO. 527, 2001

A bylaw to provide for the establishment, rates, and regulations for the water distribution system within the municipality, to supply water for any and all purposes to the inhabitants of the municipality.

The Council of the Corporation of the Village of Telkwa, in open meeting assembled, enacts as follows:

1. DEFINITIONS:

"Clerk" means the Clerk duly appointed from time to time by the Council, pursuant to the Local Government Act.

"Collector" means the person appointed as Collector for the Village pursuant to the Local Government Act;

"consumer" means a person, company, or corporation who is the owner or agent for the owner of any premises to which water is supplied from the works, and any person who actually is the user of water supplied to any premises or is the tenant of any premises;

"Corporate Administrator" means the person appointed as Corporate Administrator for the Village pursuant to the Local Government Act;

"Council" means the Council of the Corporation of the Village of Telkwa;

"dwelling" means a building or part thereof used or intended to be used as a place of residence, and occupied by not more than two families living independently of each other;

"Engineer" means the person authorized to act as such by Council;

"Financial Administrator" means the person appointed as Financial Administrator for the Village pursuant to the Local Government Act

"house" means a building, used, or intended to be used, solely as a place of residence and occupied by not more than two families living independently of each other;

"Foreman" means the person authorized to act as such by Council;

"joint use of plumbing" means:

- 1) the sharing of a meter
- 2) two or more families living with or near each other and sharing the same pipeline
- 3) business premises sharing sanitation
- 4) a residence using water for both private and commercial purposes;

"meter service" means a service having attached thereto a meter for determining the quantity of water supplied by such services;

"rate" means the price or sum of money to be paid by any consumer for the quantity of water supplied to him/her;

"rent" means the sum of money charged for the use of a water meter;

"service" means and includes the supply of water from the works to any person, company or corporation, and all pipes, taps, valves, connections and other things necessary to or actually used for the purposes of such supply;

"vacant commercial building" means a commercial premises where the water service is still connected and operational and is shut off, but the building is not currently used for a commercial enterprise. "Vacant commercial building", without limiting the generality of the foregoing, does not include premises used for storage or where a business is closed for a period not exceeding three months.

"Village" means the Corporation of the Village of Telkwa;

"works" means the waterworks of the Village including, but not limited to, pipes, fittings, pumps, hydrants, and reservoirs.

ESTABLISHMENT

2. There shall be within the Village a water distribution system to supply water for any and all purposes for the inhabitants of the Village.

RATES

3. The Collector or Financial Administrator shall collect all water rates and rents.
- 4. The tolls, rates and rents payable by all persons, firms or corporations who use water shall be those set out in Schedule A, attached to and forming part of this bylaw.
5. In the case of a building or premises being used as separate units, with a common service, each unit created or independent use must pay the appropriate user fee as set out in Schedule A.
- 6. In the case of a residence being vacant for 3 months, water and sewer utility fees for the full vacant months will be reimbursed. If a residence is vacant at the time of billing and then becomes occupied after such time, a new bill will be issued for the remainder of the year.

7. a) Water rates shall be levied annually for the period of January to December and shall be

payable, at the office of the Collector, by 4:30 pm, March 31st of the same year.

- b) The Collector shall apply a ten percent (10%) discount to all water bills which are fully paid by the March 31st due date.
- c) In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the water connection is made, and if made on or before the 15th day of the month, the full monthly rate shall be charged, otherwise the charge shall be one-half of the monthly charge and the user charge for the remainder of the year shall be paid in advance.
- d) If an owner of real property classified as a commercial premise under Schedule "A" wishes to apply for a change in classification, application may be made in the format prescribed by the Village. In the case of a request for a reclassification to "vacant commercial building", the building must be vacant for a period of three months before application can be made. An application fee of \$10 must be paid at time of application.
- e) If the classification of a commercial premises changes after the annual utility invoices are distributed, the Village may reclassify the property appropriately and issue a supplementary utility invoice.

APPLICATION FOR SERVICE

- 8. Any person desiring to have his premises connected with the water distribution system of the Village shall make application at the Village Office on the form provided, and no connection shall be made to the premises of such person until:
 - a) an application for a water connection, and meter if required, and payment for the same are completed in accordance with the application form and connection charges described in Schedule C, attached to and forming part of this bylaw, and further provided that such application and payment for a water connection and meter if required must be completed prior to an application being made for a building permit.
 - b) The applicant for water agrees that each service connection will be inspected by the Foreman or Engineer prior to backfill, and further agrees that such inspections will occur between the hours of 8:30 a.m. and 4:30 p.m. during Village working days, and after forty-eight (48) hours notice of the need for an inspection has been given to the Village Office.
- 9. Any person requiring water shall first sign an agreement to take, use and pay for such water according to the amount set out in Schedule A.

SERVICE INSTALLATION

10. Every consumer shall give every facility for the installation, inspection and protection of water services.
11. All service pipes to any premises shall be laid at a depth of not less than seventy-two (72) inches (or at such greater depth as may be determined by the Inspector) below the surface of the ground and where they cross under or new excavations, they shall be properly protected against settlement; and in all cases they must be laid so as to be protected from frost. Every service pipe shall be provided with a suitable stop and drain valve, which shall be installed in an accessible location immediately inside the property line or in such other suitable location as the Inspector may approve. In addition, every service pipe shall be provided with a suitable stop and drain valve, which shall be installed in an accessible location immediately inside the outside wall of the premises or in such other suitable location as the Foreman or Engineer may approve, for the use of the owner or occupant to shut off water in cases of leaks or when premises become vacant. In addition, each service pipe shall be provided with a suitable pressure reducing valve to be located immediately after the interior stop and drain.
12. All water service pipes (as defined in the British Columbia Plumbing Code) shall be installed in conformance with the British Columbia Plumbing Code.
13. Each parcel, or potential parcel of land must have independent and separate water services and pay the independent connection and service fees of the Village.

SERVICE REGULATIONS

14. The employees of the Village shall have free access, at a reasonable time, to all land and all parts of every building in which water is delivered and consumed. Further, Village employees shall determine the position of every service pipe and in doing so, may defer as may be practicable to the requirements of the application.
15. All property owners or occupiers must keep their service pipes and plumbing fixtures on their premises in good repair and order, at their own expense.
16. The Village may, without notice, disconnect the water service to any premises for any of the following reasons, and the Village is not liable for any damage by reason of disconnecting water services for such reasons:
 - a) Unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling.
 - b) Failure to repair or replace defective pipes, fittings, valves, tanks, or appliances which are leaking or otherwise not in a good state of repair and which are or may cause a leak of water.

WATER METERS

- 17. Council may require that a meter be installed on all residences. The meters will be paid for by

the Village on all existing construction. The rates for metered service shall be those set out in Schedule B, attached to and forming part of this bylaw.

- 18. Water meters may be required and included in all construction plans for commercial services over three quarter inch (3/4"). The cost of any meter installed on new buildings in the water distribution system shall be borne by the property owner, and such meters shall remain the property of the Village.
19. All new residences shall have a line setter and spacer capable of accepting a 3/4 inch water meter installed before the inside stop and drain valve.
20. Every meter shall be installed according to Village requirements and Village employees shall have access to the premises of every property owner for the inspection of meters and all appurtenances connected with any service.
21. Every consumer shall give every facility for the installation, inspection and protection of water meters upon his premises and whenever the Foreman or Engineer finds a water meter blocked, out of order and failing to register the full amount of water supplied, or indicating that no water has been used, it shall be lawful to charge the same rates as if the meter had registered correctly and such rate shall be based on the average rate for the preceding six months.

TEMPORARY DISCONTINUANCES

22. Any property owner who desires a temporary discontinuance of service (ie/ turn water off) must give notice in writing to the Village Office and shall pay a service fee of twenty five dollars (\$25.00) at the time notice is provided. Discontinuance of services does not eliminate rates, as outlined in Section 5 of this bylaw.
23. Where any service has been discontinued, a fee of twenty five dollars (\$25.00) shall be paid before service is resumed (ie/ water is turned back on).

DEMOLITION OF BUILDINGS

24. When a building or structure within the village is removed or demolished, it shall be the duty of the owner or his agent to immediately apply to the Village Office for a permit to disconnect from the water distribution system, at the property line. The Foreman or Engineer shall then cause such disconnection to be made. The fee for disconnection shall be the actual cost of the work as determined by the Foreman or Engineer.

PROHIBITIONS

25. The Village shall not be liable for the cost or any work done in connection with any service on private property.

26. The Village shall not be liable for any loss or damage whatsoever arising from the failure of water supplies in consequence or any accident or damage to waterworks or the temporary stoppage of water on account of alterations or repairs, whether such failure arises from negligence of any person in the employ of the Village or act of God.
27. No person except a duly authorized agent or employee of the Village shall tap or make connection with any main of the water distribution system, and no person shall tamper with, destroy, or obstruct the access of any part of the Village's water distribution system.
28. No person except those duly authorized and employed by the Village shall tap or make any connection with the Village's water distribution system, or turn on or off any service pipe or curb stop. No person shall tamper with any meter or pipes connected thereto so as to interfere with the recording of the quantity of water supplied to any lands or premises.
29. No person, unless authorized by the Village in writing, shall draw water from, open, close or in any way injure or interfere with any fire hydrant, curb stop or meter being the property of the Village or obstruct the free access to any fire hydrant or meter.

CONTRAVENTION AND PENALTIES

30. Any person who is guilty of any breach or infraction of any of the provisions of this bylaw shall be liable upon summary conviction to a fine or penalty not exceeding the sum of two thousand dollars (\$2,000).

SEVERABILITY

31. The provisions of this bylaw shall be severable. If any provisions of this bylaw are for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this bylaw.

REPEAL

32. "Village of Telkwa Water Rates and Regulations Bylaw No. 466, 1998." "Water Distribution System Establishment and Use Bylaw No. 230, 1986," Amendment Bylaw No. 315, 1992," "Water Distribution System Establishment and Use Amendment Bylaw No. 385, 1995," "Water Rates Amendment Bylaw No. 388, 1996," "Water Rates Amendment Bylaw No. 474, 1999" and Water Rates and Regulations Bylaw 506, 2001 are hereby repealed.

CITATION

33. This bylaw may be cited for all purposes as "Village of Telkwa Water Rates and Regulations Bylaw No. 527, 2002."

READ FOR A FIRST TIME this 28 day of October, 2002

READ FOR A SECOND TIME this 12 day of November, 2002

READ FOR A THIRD TIME this 9 day of December, 2002

ADOPTED this 17th day of December, 2002

Sharon L. Hartwell
Mayor

Gary McIntyre
Corporate Administration

Certified a true and correct copy of "Village
of Telkwa Water Rates and Regulations
Bylaw No. 527, 2002."

Gary McIntyre
Corporate Administration

THE CORPORATION OF THE VILLAGE OF TELKWA
BYLAW NO. 527, 2002

SCHEDULE A

SCHEDULE OF WATER USER RATES

	<u>Per Month</u>	<u>Per Year</u>
1. Single Family	\$ 11.50	\$ 138.00
2. Apartment/Suite Per Unit	\$ 5.50	\$ 65.00
3. Pubs and similar licensed premises	\$ 27.50	\$ 330.00
4. Motels/Residence	\$ 44.00	\$ 528.00
5. Restaurant/Bakery	\$ 34.00	\$ 408.00
6. Restaurant	\$ 33.00	\$ 396.00
7. Restaurant and Residence	\$ 33.00	\$ 396.00
8. Garage/Restaurant/Laundromat	\$ 47.00	\$ 546.00
9. Autobody	\$ 22.50	\$ 270.00
10. Car Wash	\$ 28.00	\$ 336.00
11. Retail/Wholesale - 0 - 250 square feet	\$ 19.00	\$ 228.00
12. Retail/Wholesale - 250-500 square feet	\$ 22.00	\$ 264.00
13. Retail/Wholesale - 501 Square Feet	\$ 30.00	\$ 360.00
14. Retail/Laundromat	\$ 47.00	\$ 564.00
15. Retail/Home Based Business	\$ 12.25	\$ 147.00
16. Milk Producing Plant & Retail Business	\$ 235.00	\$ 2,820.00
17. Cement Plant	\$ 96.00	\$ 1,152.00
18. School Per Classroom	\$ 12.00	\$ 144.00
19. Lumberyard and Feed Centre	\$ 30.00	\$ 360.00
20. Business Office - 500 square feet	\$ 19.00	\$ 227.00
21. Business Office - over 500 square feet	\$ 28.00	\$ 336.00
22. Out of Town	\$ 24.00	\$ 288.00
23. Residence/Hair Dresser	\$ 28.00	\$ 336.00
24. Seniors' Centre		

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SCHEDULE B

SCHEDULE OF WATER USER RATES FOR METERED SERVICES

For every use of a metered service, the water rate shall be:

1 - 45,000 Litres (45 Cubic Meter)	\$0.26 per cubic meter
45,000-90,000 Litres (45 - 90 Cubic Meters)	\$0.23 per cubic meter
90,000-180,000 Litres (90 -180 Cubic Meters)	\$0.21 per cubic meter
180,000-340,000 Litres (180 - 340 Cubic Meters)	\$0.17 per cubic meter
340,000 - 450,000 Litres (340 -450 Cubic Meters)	\$0.15 per cubic meter
450,000 Litres and over (450 Cubic Meters and over)	\$0.13 per cubic meter

All metered accounts are subject to a minimum charge of:

For a 3/4" (19 mm) Service Line	\$15.22 per month
For a 1" (25 mm) Service Line	\$16.74 per month
For a 1 1/2" (38 mm) Service Line	\$43.37 per month
For a 2" (50 mm) Service Line	\$66.95 per month
For a 3" (75 mm) Service Line	\$111.57 per month
For a 4" (100 mm) Service Line	\$156.20 per month

THE CORPORATION OF THE VILLAGE OF TELKWA
BYLAW NO. 527, 2001

SCHEDULE C

CONNECTION FEES:

The fees for the installation of water service as hereinafter provided shall be as follows:

- (a) For a three-quarter (3/4) inch connection.....Cost of Connection
- (b) For a one (1) inch connection.....Cost of Connection
- ©) For all connections over one (1) inch at a
minimum cost.....Cost of Connection

the costs shall be estimated and paid to the Village by the applicant before the work is begun, provided however, should such estimate cost be insufficient to cover the cost, the deficiency shall be charged against the persons for whom such installation was made, and provided further that any excess payment shall be returned to the persons for the installation.

In the case where there is an existing service connection to the property line that has been paid for or installed by a private developer (ie/ not the Village of Telkwa) the connection fee shall be \$100.00 plus any costs necessary to correct, alter, or repair the connection as may be required.

An application in the form shown on the next page must be completed at the time of application for a water connection.

Corporation of the Village of Telkwa
Bylaw No. 527, 2001
Schedule C

**APPLICATION FOR A WATER CONNECTION TO
THE VILLAGE OF TELKWA**

I/We _____ owner/authorized agent of owner,
hereby make application for water connection to:

(legal description of property)

I herewith tender the sum of \$ _____ to cover the cost of such connection, and further agree to pay the amount assessed against the aforesaid property from time to time in respect to the said water pursuant to the provisions of the bylaws of the Corporation of the Village of Telkwa. I agree that an inspection of the water connection including both stop and drain valves, the connecting pipe and the pressure reducing valve, will be made between the hours of 8:30 a.m. and 4:30 p.m. during Village working days, after giving the Village Office 48 hours notice.

Date

Signature of Owner/Authorized Agent

Office Use Only:

Roll Number: _____

Utility Account No.: _____

Date Connected: _____