

COWICHAN BAY WATERWORKS DISTRICT

BYLAW NO. 230

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

The Trustees of Cowichan Bay Waterworks District ENACT AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires:

- (a) "Trustees" means the Trustees of the District or their duly authorized representatives.
- (b) "Water" means water conveyed through the works operated or maintained by the District.
- (c) "Works" means anything capable of or used for diverting, storing, measuring, or conveying, conserving retarding, confining or using water.
- (d) "Swimming pool" means 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 connections and the arrangement of valves and other appurtenances required to regulate the water shall be specified in writing in the design specifications for the 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 works, the 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 water requirements. Alternatively, the said applicant may be required to make a capital contribution towards the future provisions of such works. Applicants considered under this section may be required to enter into a formal agreement with the District regarding the special terms and conditions under which water is supplied.
- 4. Before any person installs or constructs any works, he will apply to the District in writing and obtain a written permit therefore, and if required by the District, he/she will furnish a plan and specifications which must show;
 - (a) The purpose of the size of pipes and the number of outlets related or connected thereto.
 - (b) A description of the material, which the applicant proposes to use.
 - (c) The street address and complete legal description of the premises in which the installation or connection is to be made.
- 5. Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the District must be notified that such works are ready for inspection. The works must not be covered until they have been inspected, tested under pressure, and accepted in writing by the District.

Water Distribution Regulation Bylaw No. 230 - 2010

Change of Occupancy

6. No agreement between the occupant of premises and the District with respect to water service to those premises may be transferred to another occupant. New occupants of premises must apply in writing to the District for water service and receive permission before they commence to use water.

Turn Off and Turn On

7. Consumers who wish to have their water service discontinued must pay the prescribed turn off charge, and give the District fourteen (14) days notice. The service will be cut off at the end of the month succeeding the termination notice. Before the service is again renewed, the tenant or occupant must pay to the District the prescribed turn on charge for the renewal of the service.
8. The District may order the water be turned off to any premises where water tolls, miscellaneous charges and any fees related to the service of water to the property, have been owing to the District for ninety (90) days or longer.

Trustees Right of Access

9. (a) The Trustees or their delegate shall have 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 will obstruct or prevent the Trustees or their delegate from carrying out any of the provisions of this bylaw.

Improvement District's Works

10. No person except the Trustees or their delegate will open, shut, adjust, draw water from or tamper with any of the District's works, unless permission has been granted in writing by the Board of Trustees.
11. No person will obstruct at any time or in any manner the access to any hydrant, valve, stop cock or 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 Trustees may remove such obstruction at the expense of the offending person.
12. When a landowner requests that any of the District's works situated within an easement in favour of the District be moved or relocated, the entire cost of moving or relocating the said works will 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 will 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, where the building or house trailer is intended to be used or is capable of being used for human habitation.

Any connection to a building or house trailer intended to be used or capable of being used for human habitation must comply with all other bylaws of the District including the capital expenditure charge bylaw.

Water Distribution Regulation Bylaw No. 230 - 2010

For the purposes of this regulation, a building or trailer capable of being used for human habitation includes such a building or trailer which contains, amongst other things, bathroom facilities including toilet, shower, sink or bathtub and kitchen facilities including the kitchen sink and kitchen appliances including a stove and refrigerator.

14. No person will interconnect any portion or works on private property, which are supplied by the District with an external source of water, such as a well. Wherever works on private property which are supplied by the District 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 will install and maintain a back-flow preventer on every such potentially dangerous cross-connection to the approval of the District.
15. No change or addition to the number or type of fixtures on a premise, for the purpose of expanding a commercial or industrial enterprise, will be made until notice thereof has been given in writing to the Trustees and written permission therefore obtained. Any extra charge or higher toll payable due to the change or addition must be paid before the change or addition is commenced.
16. No person will 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 Trustees, whether such pipe forms part of the District's works or the works on the said person's premises. The District may, without notice, discontinue service to any person employing such pump or other device.
17. 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 Trustees who, in consultation with the health inspector, will ensure that the device is so designed and installed that such substance cannot be introduced into District's works.
18. The property owner will be responsible for the safekeeping, 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 his/her property line and will protect them from frost or other damage, and will promptly repair frozen, leaky or imperfect pipes or fixtures.
19. No reduction in rates will be allowed on account of any waste of water unless the Trustees 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.

Water Use Regulations

20. Where, in the opinion of the Trustees, 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 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 District under this section must be paid by the owner or owners concerned. The Trustees may limit the amount of water used by any service in the interest of efficient operation of the District's works and equitable distribution of water.

Water Distribution Regulation Bylaw No. 230 - 2010

21. The Trustees may, at any time, substitute a metered service for an unmetered service to any premises. Each dwelling must have a meter separate from any other dwelling, in a position approved by the District. All meters will be the property of the District.
22. No owner or occupant of any premises supplied with water by the District will 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. (a) No person will use water for watering stock, filling of swimming pools or reservoirs, or for any purpose other than that required for normal domestic use, except by written permission of the Trustees, which must 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 must be equipped with a recirculation and filtration system as set out in Part V of the swimming pool, spray pool and wading pool regulations under the *Health Act*.

(c) No person will use any service as motive power for the purpose of operating machinery without permission of the Trustees, who may terminate or withdraw such permission at any time.
24. (a) The Trustees may, at any time, introduce regulations restricting the use of water for sprinkling or any other purpose. Upon receiving due notice of such restrictions, no person will 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 or by mail.

(b) Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person will, without permission of the Trustees:
 - 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 1/2" in internal diameter; or
 - iii. Use an open pipe or hose for sprinkling purposes; or
 - iv. Irrigate more than 1/4 acre of land (including that occupied by dwellings).

Liability of District

25. The District does not guarantee a specific pressure or a continuous supply of water quality to meet the special requirements of individual users. The 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 four (4) consecutive hours, due notice will be given to those water users affected.
26. That in no event will the District be liable in damages or otherwise whatsoever for any shortage of or failure of water supply, or for any loss caused by the bursting of any pipes, malfunction of apparatus or for any interruption, or for any loss caused by any matter or thing arising out of, or incidental to said service.

Penalties

27. The Trustees may, on twenty-four (24) hours written notice, turn off the supply of water to any person in default of the requirements of this bylaw. The person in default shall not be entitled to receive any further water from the District until such person has remedied the default. It will 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 District's works until such time as the Trustees again turn on the water.

28. No occupier of land will cause, suffer or allow irrigation water to flow onto or to be released on or to be used on the land which he/she occupies or any part of such land, unless the water is being lawfully supplied to such land in accordance with the provisions of this bylaw.

Water Distribution Regulation Bylaw No. 230 - 2010

29. A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.

30. This Bylaw repeals Bylaw No. 209

31. This Bylaw may be cited as the “Water Distribution Regulation Bylaw 230 - 2010”.

INTRODUCED and given first reading by the Trustees on the 30th of March 2010.

RECONSIDERED and finally passed by the Trustees on the 30th day of March 2010.

Chairman, Board of Trustees

District Administrator

I hereby certify under the SEAL OF THE DISTRICT that this is a true copy of the “Water Distribution Regulation Bylaw 230 – 2010 of the COWICHAN BAY WATERWORKS DISTRICT passed on the 30th day of March 2010.

District Administrator

