

TOWN OF GOLDEN

BYLAW NUMBER 1280, 2011

WATER SYSTEM RATES AND REGULATIONS

Being a bylaw to provide for connection to and regulations for the Town of Golden Water System, and to establish rates and charges for the use of water from the Water System

The Council of the Town of Golden, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited for all purposes as the “*Water System Rates and Regulations Bylaw No. 1280, 2011.*”

2. DEFINITIONS

For the purpose of this or other bylaws pertaining to the Water System, unless the context otherwise requires, the following terms will have the meanings hereinafter assigned to them:

“Annual”	means the twelve calendar months in each year.
“Council”	means the Council for the Town.
“Irrigation”	means the application of water to land solely for the purpose of watering plants, including but not limited to lawns, gardens, vegetables, decorative planting, trees, shrubs, and agricultural crops.
“Manager of Operations”	means the person holding the position of Manager of Operations for the Town, or a person appointed to act in his or her place.
“Metered”	means connected to the Water System of the Town and equipped with an approved device to measure the consumption of water from that system.
“Non-Residential User”	means any user other than a Residential User.
“Owner”	has the same meaning as in the <i>Community Charter</i> , and in relation to the common property under the <i>Strata Property Act</i> , means the strata corporation.
“Parcel”	has the same meaning as in the <i>Community Charter</i> .
“Premises”	means any Parcel of land, building, erection or thing which may use water from the Water System.
“Quarterly”	means every three months.
“Residential Unit”	means a housing unit of one family consisting of either a detached residence, one self-contained suite in a residence, one side of a duplex or one self-contained suite in a building containing three or more such suites.

“Residential User”	means any connection to the Water System from a building used exclusively for residential purposes containing not more than two (2) Residential Units.
“Town”	means the Town of Golden, or the area contained within the boundaries of the said Town.
“Turn off”	means to Turn Off the water supply to a premise by closing a Town owned valve or by any other means approved by the Manager of Operations.
“Turn on”	means to allow the flow of water by opening a Town owned valve or by any other means approved by the Manager of Operations.
“Unmetered”	means any water supply that is not Metered.
“Water Service Connection”	means a piping connection that conveys water from the Water System to the inside of a building.
“Water System”	means any Water System or part thereof, owned or operated by the Town.
“Water User”	means a person who uses water from the Water System.

3. CONNECTIONS TO THE WATER SYSTEM

- (1) The Town will not be obligated to supply water to Premises which do not abut the Water System, nor to make connections to any Premises during such periods of the year when frozen ground may be expected.
- (2) Every Owner whose property abuts the Water System must connect their Premises to the Town’s Water System and pay to the Town the applicable connection fee set out in Schedule A attached to and forming part of this Bylaw.

4. APPLICATIONS

A person must apply in writing, to the Town, in a form approved by the Manager of Operations in order to do any of the following:

- a) use water from the Water System;
- b) terminate the use of water from the Water System;
- c) install a new connection to the Water System; or
- d) Turn On or Turn Off the water supply to the Premises.

5. CONSTRUCTION STANDARDS

- (1) Every Owner must ensure that:
 - a) all Water Service Connections are laid and maintained in accordance with the Town of Golden *Subdivision and Development Servicing Bylaw Number 1223, 2008*, as

amended or replaced from time to time;

- b) all plumbing works connecting the Water System with or contained in any Premises must be done in good and workmanlike manner with approved material in accordance with the British Columbia *Building Code* and the *Canadian Plumbing Code* in force and any amendments thereto; and
 - c) plumbing works connecting the Premises to the Water System remain uncovered until the plumbing works have been inspected and approved by the Manager of Operations.
- (2) The Manager of Operations may Turn Off, or refuse to Turn On, the supply of water to a premise until satisfied that the requirements and standards of the *Building Code*, the *Canadian Plumbing Code*, and this bylaw have been met.
- (3) In the case of Premises which may be or are occupied by separate occupiers and do not have separate Water Service Connections which can be controlled outside the property line:
- a) provision must be made within the Premises for control of water supply to each such occupier;
 - b) the Owner or occupier of each Premises must allow reasonable entry and access for inspection of the water supply control equipment by the Manager of Operations or a person designated by the Manager; and
 - c) the Manager of Operations or a person designated by the Manager may enter the Premises to inspect the water supply control equipment, and may, in accordance with the *Community Charter*, this or another bylaw of the Town, or other enactment, shut off and seal the control valves to such parts of the said Premises as the Manager deems necessary or advisable to effect compliance with those enactments or otherwise to ensure that the Water Service Connections and water supply control equipment are installed, operated and maintained in a safe and proper manner.

6. WATER METERS AND BACKFLOW PREVENTERS

(1) An Owner of any of the following properties:

- a) Non-residential Premises;
- b) residential Premises containing three (3) or more Residential Units; or
- c) strata property;

must, at the Owner's sole expense, install a water meter on the Water Service Connection that:

- i. meets the standards of the Canadian Standards Association or the American Water Works Association;
- ii. is of a type and size and at a location approved by the Manager

of Operations; is capable of being remotely read; and

- iii. includes a backflow prevention device in accordance with the Town's *Cross Connection Control Bylaw, No. 1178*, as amended or replaced from time to time.
- (2) Every Owner must ensure that a water meter required on the Premises is properly protected at all times against damage including impact, vandalism, corrosion and freezing.
 - (3) The Owner or occupant must promptly notify the Manager of Operations of any damage that may occur to the meter, and must take immediate steps to repair or replace the meter, and notify the Manager of Operations of the repair or replacement.
 - (4) Owner is responsible for the cost to replace a water meter when:
 - a) the replacement is at the initiative of the Owner;
 - b) the replacement is necessary or required due to change of use, capacity, renovations, new construction or other circumstances under the control of the Owner;
 - c) the meter has been damaged or fails to work properly due to negligence, vandalism, corrosion, freezing, wear, or aging; or
 - d) where the replacement of a water meter is initiated by the Town, the Town will bear the cost of the meter and its installation; and
 - e) the Owner is responsible thereafter as set out in this Bylaw.
 - (5) All water meters shall be and remain the property of the Town.

7. SERVICE STANDARDS

- (1) In the event of a frozen Water Service Connection or similar type of problem, the Owner shall first call a plumber, at the Owner's expense, and if it is determined that the problem is on the Town portion of the Water Service Connection, the Owner shall call the Manager of Operations, who will arrange for the problem to be attended to.
- (2) If repairs or replacements are required to the Water System that are due to a failure by the Owner or occupant to comply with this Bylaw, the *Building Code*, the *Plumbing Code*, or to another cause arising from the action, inaction or fault of the Owner, the current Owner will be liable for all costs incurred by the Town to repair or replace any part of the Water System.

8. WATER CONSERVATION

- (1) During a power outage, Water Users must not use water for non-essential uses which include:
 - a) fountains;
 - b) jets;
 - c) garden and lawn sprinklers;
 - d) water play areas;
 - e) car washing;
 - f) clothes washing; and
 - g) recreational purposes.
- (2) In event of a power outage all Water Users shall take steps to ensure that both manual and automated watering systems are turned off.
- (3) For the purpose of conserving water supplies, the watering of lawns and gardens is restricted throughout the year as follows:
 - a) Water Users and service providers of Premises having odd-numbered addresses must not water lawns and gardens except on the odd numbered days of the month during the hours of 4am to 10am and 7pm to 10pm;
 - b) Water Users and service providers of Premises having even-numbered addresses must not water lawns and gardens except on the even numbered days of the month during the hours of 4am to 10am and 7pm to 10pm;
 - c) Watering of lawns and gardens where the Irrigation system relies on a person to operate it must comply with sections 8.(3)a) and 8.(3)b);
 - d) Watering of lawns and gardens via an automated Irrigation system is permitted only during the hours of midnight to 6am in accordance with the even and odd address and day conventions stipulated in sections 8.(3)a) and 8.(3)b); and
 - e) Hand watering of plants using a hose with a working spring-loaded shut-off nozzle or a hand-held container is allowed at any time.

- (4) The Manager of Operations may, by notice to the Manager of Corporate Services, temporarily alter any aspect of the watering restriction, suspend or stop the supply of water to any or all consumers for use in fountains, jets, garden sprinklers, or like appliances, and may alter the days or hours for using the same and may define the number and delivery capacity of such appliances whenever, in the opinion of the Manager of Operations, weather or climate conditions, or extended electrical disruption, warrant the alteration, suspension or cessation or it is otherwise necessary in order to conserve water for more essential uses.
- (5) On receiving notice of a temporary change pursuant to section 8.(4), the Manager of Corporate Services will publish a notice thereof at the Town Hall and a notice in a newspaper circulated in the Town, and may, in addition, publish a notice on the Town's website, deliver circulars to Water Users, or take such other steps to provide notice as the Manager of Corporate Services considers reasonable.
- (6) If a Water User has placed new sod on the Premises, has a newly seeded lawn, or otherwise needs to use water outside the restriction to foster similar new growth or landscaping, the Water User may apply to the Manager of Operations for a Watering Variance Permit to water outside of the restrictions, whereupon The Manager of Operations will consider the request and may issue a permit for the applicant to water outside of the watering restrictions for a period of no longer than 21 days.
- (7) The Manager of Operations may refuse or suspend a permit in accordance with this Bylaw.
- (8) A permit described in section 8.(6), its date of issue and ending date must be prominently displayed on the frontage of the affected Premises and the permit must be removed from display when it is no longer valid.

9. REGULATIONS

- (1) The Manager of Operations or a person designated by the Manager may enter at all reasonable times, any property or Premises to which Town water is supplied, and access locations and equipment on the property or Premises related to the Water System including, without limitation, the curb stop, the water meter, the backflow preventer and water supply control equipment, to inspect for compliance with this bylaw.
- (2) A person must not obstruct or prevent entry of a property or Premises for the purposes identified in section 9.(1).
- (3) A person must not make connection to, Turn On, Turn Off, damage or otherwise interfere with, in any manner, any portion of the Water System including but not limited to, any water mains, connections, curb-cocks, isolation valves, wells, pumps, hydrants and reservoirs, without having first obtained the express written permission of the Manager of Operations.
- (4) A person must not wilfully, through inaction, neglect or by cause:

- a) hinder or interrupt the Town, its contractors, servants, agents or workers in the exercise of any of the powers or duties authorized by this or any other bylaws of the Town, or in the carrying out of duties specified under Provincial or Federal legislation;
 - b) discharge or run off any water from the Water System so that the water runs to waste or to no provident use;
 - c) obstruct the free access to any fire hydrant by parking or placing on or within 5m of such hydrant any vehicle, material, rubbish or obstruction including snow;
 - d) in any way introduce any contaminants to the Water System, foul the water in the Water System, or commit any damage to the Water System;
 - e) alter or damage any water meter or water meter seal or open or tamper with the meter bypass line so as to lessen or alter the amount of water registered;
 - f) sell, give away, permit to be taken away, or dispose of any water supplied by the Water System to any Parcel of property or Premises which does not have an authorized connection to the Water System, unless:
 - i. the sale or distribution of that water is by a landlord to a tenant;
 - ii. by a strata corporation to a member;
 - iii. the person has first received authorization in writing to do so by the Manager of Operations; and
 - iv. any charge for that water to the tenant or member for Water Use does not exceed the amount charged by the Town.
 - g) trespass on reservoirs, pump stations or other Water System properties; or
 - h) contaminate the water table within the well capture zone or contaminate the ground within the well capture zone which may lead to contamination of the water table.
- (5) In the event of any waste of water being found to exist in the Water System, the Manager of Operations will give the Owner of the Premises notice to have the relevant defect remedied.
- (6) If, in the opinion of the Manager of Operations, a waste of water is discovered and determined to be of an urgent and serious nature, the Manager may immediately shut off the supply of water to the Premises and service will not again be turned on until such defect has been remedied as required and the appropriate turn-off and turn-on fees have been paid by the Owner.
- (7) No person will have any claim against the Town by reason of shutting off the water supply as is herein authorized.

10. WATER USER FEES

- (1) Every Owner of Premises to which water is supplied from the Water System is responsible to pay, as established in Schedule 'A' of this Bylaw for:
 - a) the applicable connection fee;
 - b) the applicable monthly fee; and
 - c) any turn-on and turn-off fees.
- (2) Any Water User fees that are due and payable by December 31st, if not paid on or before that date, may be collected and payment enforced in the same manner as taxes in arrears in accordance with the provisions of the *Community Charter*.
- (3) Fees for connection, Turn On or Turn Off of water, or other occasional services for which an application is required or a request is made, are due and payable at the time of application or request.
- (4) Unless otherwise specified, amounts stated on any invoice for services or actions taken under this bylaw by or on behalf of the Town are due and payable within thirty (30) days of being delivered.
- (5) In the case of a connection being made during any year, the fees imposed will begin with the month during which the water supply is turned on. If made before the fifteenth (15th) day of the month, the full monthly fee will be charged, otherwise the fee will be one-half ($\frac{1}{2}$) of the monthly fee.
- (6) In the case of a water service being discontinued during any year:
 - a) the final invoice will be calculated for the month in which the termination request was made;
 - b) if made before the fifteenth (15th) day of the month, the full monthly fee will be charged, otherwise the fee will be one-half ($\frac{1}{2}$) of the monthly fee; and
 - c) for Metered users the consumption charge will be calculated based on the final reading when the water supply is turned off.
- (7) Where any premise is occupied by a person or persons other than the Owner, the Owner may request that the Water User fee invoices be addressed to the Owner's agent, but payment of such invoices remains the responsibility of the Owner.
- (8) Any invoice will be considered tendered if mailed to the Owner at the address set out in the real property tax roll, or otherwise to the last address provided to the Town by the Owner.
- (9) During an exceptional event, e.g. a Water Service Connection burst or meter failure where the Metered water quantity is abnormal, the Manager of Operations may assess the event, review historical data and adjust the invoice to increase or decrease fees as appropriate.

11. UNMETERED USERS

- (1) Unmetered Water Users will be invoiced on an annual flat rate basis.
- (2) Fees for Unmetered Water Users will be calculated and invoiced in accordance with "Schedule A" of this Bylaw as either a Residential User or a Non-Residential User.
- (3) Every Unmetered Water User who pays their Water User Fee for the year on or before the first (1st) business day of March in each year will be entitled to a discount amounting to one month's Water User Fee.
- (4) After the third (3rd) business day of June in each year, Unmetered Water Users who have not paid their Water User Fee will be assessed a penalty of ten percent (10%) on the amount outstanding.

12. METERED USERS

- (1) Metered Water Users will be invoiced on a Quarterly basis and the fees contained therein will become due and payable to the Town thirty (30) days from the date of the invoice.
- (2) Metered Water Users who have not paid their Water User fees within thirty (30) days from the date of the invoice will be assessed a penalty of ten percent (10%) on the amount outstanding.

13. BULK WATER USERS

- (1) Bulk water sold from the Thirteenth Street well will be sold on a per load basis as non-potable water only, and at the rates provided in "Schedule A" of this Bylaw.
- (2) Bulk Water Users who have not paid their Water User fees within thirty (30) days from the date of the invoice will be assessed a penalty of ten percent (10%) on the amount outstanding and a further penalty of ten percent (10%) will be assessed on the amount outstanding at the end of each month for which the invoice remains unpaid.

14. VIOLATION OF BYLAW

- (1) Every person who violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, commits an offence, and each day that a violation continues constitutes a separate offence.
- (2) Upon conviction of an offence under this bylaw, a person is liable:
 - a) to pay a fine of up to \$10, 000.00 if proceedings are brought under the *Offence Act*;
or
 - b) to pay the fine imposed for that offence in the "*Municipal Ticket Information Utilization Bylaw No. 1035*", as may be amended or replaced from time to time.

15. SEVERABILITY

If any portion of this bylaw is found invalid by a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

16. SCHEDULE

Schedule A is attached to and forms a part of this bylaw.

17. REPEAL

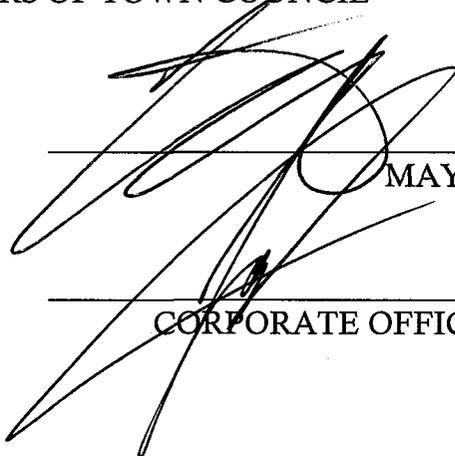
The “*Water System Rates and Regulations Bylaw Number 1224, 2008*” and any and all amendments thereto, are hereby repealed in their entirety.

READ A FIRST TIME THIS 15TH DAY OF MARCH , 2011.

READ A SECOND TIME THIS 24TH DAY OF MAY , 2011.

READ A THIRD TIME THIS 7TH DAY OF JUNE , 2011.

ADOPTED THIS 21ST DAY OF JUNE , 2011, BY A UNANIMOUS DECISION OF ALL MEMBERS OF TOWN COUNCIL PRESENT AND ELIGIBLE TO VOTE



MAYOR

CORPORATE OFFICER

Water Systems Rates & Regulations Bylaw No. 1280, 2011

Schedule "A"

Water User Fees

2011
Monthly
Rate

(1) UNMETERED USERS

Unmetered customers are billed annually in accordance with this bylaw. Bills are comprised of the basic Unmetered rate PLUS the non-residential Unmetered user rate.

a) Basic Unmetered Rates

Basic Unmetered User – per Residential Unit	\$16.90
Basic Unmetered User – per non-Residential Unit	\$16.90

b) Non-Residential Unmetered User Rates

Bakery	\$16.90
Beauty Salon (hairdresser, manicure, pedicure)	\$16.90
Bed & Breakfast - per rental room	\$7.88
Beer parlours, Lounges, Pubs	\$16.90
plus each seat	\$1.60
Boarding houses – per rental room	\$7.88
Cafe, Restaurant - up to 20 seats	\$25.73
plus each additional seat	\$2.50
Chiropractor/Physiotherapy/Massage	\$16.90
Church with Parish Hall	\$22.63
Daycare/Playschool (residential or commercial)	\$16.90

Garage or service station	\$25.73
Home office that does not require additional water above residential use, e.g. for accounting, real estate, personal services, are exempt	\$0.00
Hotel - per rental room	\$7.88
plus additional for beverage room	\$25.73
Hostel - per bed	\$3.95
Medical/Dental offices - per treatment unit	\$7.88
plus additional for reception area	\$16.90
Motel - per unit	\$7.88
Office, store - per unit	\$16.90
Other Premises not specified	\$16.90
Pool room, Bowling alley, Arcade	\$16.90
Sawmill	\$48.50
Suite in any bldg other than an apartment bldg	\$16.90
Theatre	\$16.90
Trailer courts - per unit	\$16.90

(2) METERED USERS

Metered customers are billed Quarterly in accordance with this bylaw.

Metered billing will not apply to participants of the Water Smart Volunteers Residential Metering Program.

Bills are comprised of the basic meter rate PLUS the Quarterly consumption charge calculated by applying an escalating rate per volumetric unit consumed, then adding these amounts for the quarter.

- a) Basic Meter Rate
per month \$20.00

- b) Quarterly Consumption Charge
The Quarterly consumption charge is calculated by applying an escalating rate per volumetric unit consumed, then adding these amounts for the quarter.

For Imperial Meters - per 1000 gallons	
0 – 5,000 gallons	\$2.28
5,001 - 20,000 gallons	\$2.64
Over 20,000 gallons	\$2.98

For Metric Meters - per m ³	
0 – 1,100m ³	\$0.50

1,101 – 4,399m ³	\$0.58
Over 4,399m ³	\$0.65

(3) BULK WATER SALE FEES

For non-potable water sold from the 13th Street well.

Per fill including the first 1000 imperial gallons	\$ 16.95
Per 1000 imperial gallons over 1000 gallons	\$ 8.49

(4) CONNECTION FEES

¾” water service from the main to the property line, **PLUS** the actual cost of materials and labour for Asphalt Road Replacement, Asphalt or Concrete Driveway Replacement, Traffic Control, Sewer Pumping, Trench Dewatering, Boulevard Restoration and Landscape Restoration as determined by the Town Official. \$2,500

For all other Water Service Connections the actual cost of materials & labour as determined by the Town Official.

(5) TURN-ON AND TURN-OFF FEES

a) During normal working hours:	
Turn-off fee, per event	\$0.00
Turn-on fee, per event where billing has been continuous	\$0.00
Turn-on fee, per event where billing has been interrupted or for new billing	\$60.00
b) Outside of normal working hours:	
Turn-Off fee, per event	\$125.00
Turn-On fee, per event	\$125.00