

# VILLAGE OF MCBRIDE

WATER BYLAW NO. 822, 2023



**“A TOWN ON TRACK”**

**Amending Bylaws to the Village of McBride Water Bylaw No. 822, 2023**

Description	Amending Bylaw No.	Amend Bylaw Adoption Date

# THE CORPORATION OF THE VILLAGE OF MCBRIDE

## WATER BYLAW NO. 822, 2023

**A Bylaw of the Corporation of the Village of McBride to establish a water system, to regulate, prohibit and impose requirements in relation to that service, and to encourage the conservation of water.**

**WHEREAS**, the *Community Charter* enables the Village to provide a water service that the Council considers necessary or desirable;

**AND WHEREAS** the *Community Charter* enables the Council to, by bylaw, regulate, prohibit and impose requirements in relation to a water service;

**AND WHEREAS** the Village has constructed and is operating and maintaining a water system on a self-liquidating basis in a manner responsive to community needs;

**AND WHEREAS** it is deemed desirable to encourage the conservation of water;

**NOW THEREFORE** the Council of the Corporation of the Village of McBride, in open meeting assembled, **ENACTS AS FOLLOWS:**

### **PART 1 - CITATION**

1.1. This Bylaw may be cited as the “The Village of McBride Water Bylaw No. 822, 2023”.

### **PART 2 - DEFINITIONS**

2.1 Unless otherwise defined herein, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act* and the *Community Charter*. In this Bylaw, unless the context otherwise requires:

**“Application”** means a written request by an Applicant in the form prescribed by the Village;

**“Applicant”** means the Owner or a representative of the Owner duly authorized to act in writing on the Owner’s behalf in relation to the Application;

**“Authorized Person”** means the Chief Administrative Officer of the Village or a person designated in writing, electronic or hardcopy, by the Chief Administrative Officer to carry out any act or function under this Bylaw;

**“Backflow”** means the flow of water or other liquids, gases or solids, from any source back into any plumbing system connected to the Water System;

**“Backflow Prevention Device”** means a device that has been approved by the Village and in accordance with the Cross Connection Control Manual;

**“Building Code”** means the British Columbia Building Code 2018 as amended or replaced from time to time;

**“Capable of Connection”** in respect of a parcel of land means that it is possible and practicable in the reasonable opinion of the Authorized Person to connect to a water Main having a minimum calculated static pressure of 210 KPa (30.5 psi);

**“Certified Tester”** means a person who is certified as a Backflow Assembly Tester by the British Columbia Water and Waste Association, or who is approved by the Authorized Person;

**“Construction Water Flat Rate Charge”** means the rate charged for a Consumer to be supplied with water from the Water System during a period that a building is under construction on the parcel served;

**“Consumer”** shall mean any person, company, or corporation who is supplied with water from the Water System;

**“Contaminant”** means any matter, substance or thing in water which may render the water unfit for drinking pursuant to guidelines and regulations as set by the Province of British Columbia;

**“Council”** means the elected officials of the Village;

**“Cross Connection”** means any physical connection or structural arrangement whereby the Water System is connected, directly or indirectly, with any unapproved water supply, sewer, drain, conduit, pool, storage, reservoir, plumbing fixture, or any other device or source;

**“Cross Connection Control Manual”** means the latest edition of the AWWA *Canadian Cross Connection Control Manual* published by the British Columbia Water and Waste Association or the *Selection and installation of backflow preventers/Maintenance and field testing of backflow preventers*, CAN/CSA B64.10;

**“Cross Connection Control Tester”** has the meaning as defined by the British Columbia Water and Waste Association ;

**“Curb Stop”** means a shut off valve on the water Main side of the property line installed by the Village on a Water Connection;

**“Drinking Water”** means water used or intended to be used for domestic purposes;

**“Duplex”** means a structure that contains two Dwelling Units but does not include a structure containing strata title units;

**“Dwelling Unit”** means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and containing a sink and cooking facilities;

**“Fire Chief”** means the Fire Chief appointed or designated by the Village;

**“Fire Protection System”** means an automatic sprinkler system, fire main loop with hydrant or connected hose standpipes located inside or outside of a building, fire protection monitors, or any other equipment used solely for emergency fire protection;

**“Health Authority”** means the Northern Health Authority or other appropriate provincial department of public health designated by regulatory authority to administer the *Health Act*;

**“Hydrant Use Permit”** means a Permit issued for use of a Village Fire Hydrant or a Private Fire Hydrant for purposes other than fire protection;

**“Irrigation”** means the use of a Water Connection for landscaped areas;

**“Laundromat or laundry”** means a structure used commercially to provide automatic operated machines or devices used for the washing of clothes or other fabrics;

**“Main”** means a pipe including valves, fittings and other appurtenances other than a Water Connection, pumping station, treatment plant or reservoir in the water Distribution System;

**“Meter”** means a device used to measure and indicate the volume of water passing through the device and may include remote reading accessories or other types of technology;

**“Metered Accounts”** means those accounts for which the water consumption is measured through a device commonly known as a water meter;

**“Motel”** means a structure providing rooms for commercial temporary accommodation in which each room has direct and separate exterior access;

**“Multiple Family Dwelling”** means a structure containing more than two Dwelling Units but does not include a structure containing Building Strata Lots;

**“Owner”** shall have the meaning assigned by the *Local Government Act*;

**“Permit”** means an approval issued to an Applicant by the Authorized Person;

**“Person”** means and shall include not only a natural Person but also a corporation, firm or partnership;

**“Private Fire Hydrant”** means a fire hydrant not owned by the Village;

**“Professional Engineer”** means a person who is registered or licensed under the provisions of the *Professional Governance Act*;

**“Property Water Service”** means a pipe including all valves, connections, taps, meters and all appurtenances connecting a Curb Stop to a house or building;

**“Public Announcement”** means one or more advertisements or public service announcements in any one of:

- a) The Village of McBride website.
- b) Village of McBride social media pages as deemed pertinent by the Authorized Person.
- c) A television, radio, or digital communication from a station that broadcasts to the Village.
- d) A newspaper or other publication intended for general circulation that is distributed at least once per week;

**“Qualified Professional”** means a Professional Engineer, geoscientist, architect, biologist, planner or other professional with experience relevant to the applicable matter, as determined by the Authorized Person;

**“Residential Strata”** means a residential Dwelling Unit established or created pursuant to the provisions of the *Strata Property Act*, for residential purposes;

**“Restriction Stage”** means restrictions on water use as specified in Schedule “B” of this bylaw;

**“School”** means a structure, publicly or privately owned, offering educational, recreational, cultural or religious courses and includes instruction by a private agency, higher educational institutions, kindergarten, day nursery, day care and vocational or skilled trades training;

**“Specified Area”** means the specified area shown on the map attached hereto as Schedule “A” of this bylaw;

**“Sprinkling”** means the discharge of Village water on any exterior surface including lawns, gardens and landscaping;

**“Temporary Hydrant Connection”** means the use of the Water System under a Hydrant Use Permit;

**“Trailer/Mobile Home Park”** means a site on which are located two (2) or more trailers or mobile homes which are occupied or intended to be occupied for residential use;

**“Village”** means the Corporation of the Village of McBride and includes its officers and employees;

**“Water Connection”** means a pipe and the necessary valves and protective boxes, connections, thaw wires, and any other material necessary to and actually used to connect the water Main to a Curb Stop;

**“Water Connection Permit”** means an approval issued to an Applicant authorizing that a Water Connection be installed;

**“Village Fire Hydrant”** means a fire hydrant owned by the Village;

**“Waste of Water”** means discharging or allowing the discharge of Drinking Water from the Water System for no useful purpose;

**“Water Distribution System”** means all Mains and appurtenances thereto including Village Fire Hydrants, Private Fire Hydrants, valves, meters and services and connections installed within any highway, Village right-of-way or easement or Village property or unprotected mains;

**“Water System”** means the water source, storage, pumping and treatment facilities, Water Distribution System and water in the entire system.

### **PART 3 – GENERAL PROVISIONS**

- 3.1 This Bylaw applies to the Water System.
- 3.2 Words in this Bylaw directing or empowering any officer or employee of the Village to do any act or thing, or to otherwise applying to him by name of office, include his successors in such office and his lawful deputy, and any person the Council may from time to time by bylaw or resolution designate to act in his place.
- 3.3 Officers and employees of the Village may enter on or into property, and use property in accordance with the authority under the *Community Charter*.
- 3.4 Whenever in this Bylaw an Authorized Person is empowered to approve, authorize, designate, permit or allow any act or thing, such approval, authorization, designating, permitting or allowing must be evidenced in writing, signed by the Authorized Person, before it is effective. To the extent that an Authorized Person is empowered to do anything or to act under this Bylaw, such authority is delegated to the Authorized Person.
- 3.5 Parcel Owners that are connected to the Water System, or are capable of being connected to the Water System, cannot opt out of the Water Service, regardless of whether:
  - (a) Any building(s) situated on parcel is used or unoccupied;
  - (b) The Owner or Occupant makes use of the Water System; or
  - (c) The Water System is interrupted or altered in any manner.
- 3.6 A Parcel is deemed capable of being connected to the Water System if the adjacent street, right of way, or easement has a public water main which has sufficient capacity to provide Water Service. If the Authorized Person determines that the public water main does not have sufficient capacity, Section 3.5 of this Bylaw does not apply.
- 3.7 An Owner of a vacant Parcel is not required to connect to the Water System, but if capable of being connected to the Water System as per 3.6 of this Bylaw, cannot opt out of fees associated with providing the Water Service, as per the Fees and Charges Bylaw.

### **PART 4 - ESTABLISHING THE SERVICE**

- 4.1 The Village hereby establishes the service of providing water within the Specified Area and

operating, constructing, maintaining and regulating the Water System.

## **PART 5 - CONDITIONS OF A WATER CONNECTION PERMIT**

5.1 It is a term and condition of every Water Connection Permit that:

- (a) the Village does not represent, warrant or guarantee the quantity, volume, pressure or purity of the water provided to any Consumer from the Water System;
- (b) every Consumer agrees not to make any claims, to sue or commence an action against the Village for any injury, loss, expense or damage to person or property or for economic loss arising directly or indirectly from the use of water from the Water System except where the same are the result of gross negligence of the Village;
- (c) where there is a violation of this Bylaw or of any terms or conditions of a Permit, the Authorized Person may suspend the Permit and water supply to any Consumer on 30 days written notice;
- (d) the Authorized Person may, at such times and for such length of time as is considered necessary or advisable by him or her, restrict or prohibit the use of water when the Authorized Person considers water to be in short supply and every Customer shall abide by such restriction or prohibition;
- (e) The Village may from time to time impose restrictions on water use, or change or revoke such restrictions, and in doing so may make the restrictions applicable at specified times or on specified days and may differentiate between classes of Consumers or areas of the Specified Area.
- (f) every Owner must:
  - i. maintain the Property Water Service pipe in good condition free of leaks;
  - ii. pay all rates, fees and charges for water service as specified in the Village of McBride Fees and Charges Bylaw, as amended from time to time, when due; and
  - iii. when required by this Bylaw, provide for and complete the installation of a water Meter in a good and workable condition; and
- (g) the Authorized Person may, in the event of an emergency or apprehended emergency as reasonably determined, enter onto lands or into buildings or structures authorized to be connected under a Water Connection Permit in order to take such steps necessary to prevent, reduce or mitigate any risk to the Water System.

## **PART 6 – WATER CONNECTION PERMIT APPLICATION**

### **6.1 Permit Application**

- 6.1.1 An Applicant who applies for the issue of a Water Connection Permit shall complete the Application provided by the Village and submit it to the Authorized Person.
- 6.1.2 Application fees and connection fees in accordance with the Village of McBride Fees and Charges Bylaw, as amended from time to time, are payable to the Village at the time of Application submission. Review of the Application may only proceed when fees have been paid in full.
- 6.1.3 The Applicant must provide the following information, at the Applicant's expense, to the Authorized Person at the time of Application submission, except to the extent that the



Authorized Person determines that the provision of the information is not required to assist the Council or the Authorized Person in their consideration of the Application:

- (a) name, address and signature of the Owner;
- (b) name, address and signature of the Applicant, if different from the Owner;
- (c) legal description of the parcel;
- (d) civic address of the parcel;
- (e) legal title search of the parcel dated the same day as the Application;
- (f) if the parcel is owned by a corporation a legal corporate search of the corporation dated the same day as the Application;
- (g) copy of all relevant charges registered on the legal title of the parcel;
- (h) existing and proposed use of the land, buildings and structures on the parcel;
- (i) proposed size and location of the Water Connection requested;
- (j) existing and proposed number of number of Dwelling Units, rooms, or beds on the parcel as applicable; and
- (k) any additional information the Authorized Person determines is required to assist the Council or the Authorized Person in their consideration of the Application.

## **6.2 Permit Terms and Conditions**

6.2.1 The Authorized Person may impose terms and conditions that must be met for obtaining or continuing to hold a Water Connection Permit, respecting the following matters:

- (a) the design and construction of the Water Connection; and
- (b) inspection during construction of the Water Connection by the Authorized Person or any authorized Village representative.

## **6.3 Delegation & Council Reconsideration**

6.3.1 Council delegates to the Authorized Person the powers of Council to grant, amend, refuse, suspend, cancel and impose terms and conditions that must be met for obtaining or continuing to hold a Water Connection Permit.

6.3.2 Within 30 days of the Authorized Person's decision to grant, amend, refuse, suspend, cancel and impose terms and conditions that must be met for obtaining or continuing to hold a Water Connection Permit, the Applicant may request that Council reconsider the decision subject to the following:

- (a) the request shall be in writing, and include reasons in support of the reconsideration;
- (b) upon receipt of a complete written request for Council's reconsideration, the Authorized Person shall prepare and forward a report to Council attaching the Application and setting out the reasons for the decision;
- (c) at a date and time set by Council the Applicant shall have the opportunity to appear before Council and be heard regarding the decision of the Authorized Person; and
- (d) following this, Council shall reconsider the decision of the Authorized Person and either uphold the decision or substitute the Council's decision for the Authorized Person's.

## **6.4 Security**

- 6.4.1 Council delegates to the Authorized Person the powers of Council to require security as a condition of the issue of a Water Connection Permit.
- 6.4.2 The Authorized Person may require that the Applicant provide security based on a complete construction cost estimate from a qualified professional in an amount equal to 120% of the estimated cost to:
- (a) construct a Water Connection;
  - (b) restore any works to their condition prior to the construction of the Water Connection;
  - (c) correct an unsafe condition; and
  - (d) correct damage to the environment.
- 6.4.3 The Authorized Person may require that the Applicant provide security and in an amount stated in the Permit, by whichever of the following the Applicant chooses:
- (a) irrevocable and automatically renewable letter of credit;
  - (b) cash; or
  - (c) certified cheque.

## **PART 7 – WATER CONNECTION STANDARDS AND SPECIFICATIONS**

### **7.1 Individual Connections**

- 7.1.1 Each fee simple parcel within the Specified Area shall have its own Water Connection.
- 7.1.2 Each Dwelling Unit in a Duplex shall have a separate Water Connection.
- 7.1.3 Where the operating pressure under average daytime conditions exceeds 550 Kpa (80 psi), connections to the Property Water Service must be made through a pressure reducing valve (PRV) connected directly to the Property Water Service. PRVs are to be installed on the Owner's property and maintained by the Owner.

### **7.2 Connection Location**

- 7.2.1 Where reasonably possible, the Water Connection will be installed at the location requested by the Applicant. In the event the Applicant's preferred location is not consistent with the Subdivision and Servicing Bylaw, as amended from time to time, and is not practicable due to the existence of installed surface improvements or is in conflict with installed underground utilities, the Authorized Person shall designate the location of the Water Connection.

### **7.3 Size and Length of Connection**

- 7.3.1 The minimum nominal diameter of a Water Connection shall be as defined in the Subdivision and Development Servicing Bylaw, as amended from time to time. The size

of the Water Connection for any premises shall be approved by the Authorized Person. The requested Water Connection must not exceed the available capacity as determined by the Authorized Person of the Water System.

- 7.3.2 The maximum length of a Water Connection shall be as defined in the Subdivision and Development Servicing Bylaw, as amended from time to time. If the length of the Water Connection is longer than the prescribed length such connection shall be considered a Distribution System extension as defined in Section 12.

#### **7.4 Depth of Connection**

- 7.4.1 The minimum depth of the Water Connection below finished ground elevation shall be as defined in the Subdivision and Development Servicing Bylaw, as amended from time to time unless otherwise allowed by the Authorized Person.

#### **7.5 Maintenance of Connection**

- 7.5.1 In the event a defect is suspected in the Water Connection or Property Water Service, the Village will, as soon as practicable determine if the defect exists in the Water Connection. If the defect is determined to be located in the Water Connection, the Village shall repair the defect at no cost to the Owner. If the defect is determined to be located in the Property Water Service, the defect shall be repaired by the Owner at no cost to the Village.

#### **7.6 Connections Prior to Paving**

- 7.6.1 Where street surface improvements are scheduled for installation by the Village, the Authorized Person may order a Water Connection to be installed to any unserviced property abutting such street served by the Water System, regardless of whether or not any improvement is constructed on the property or any Application for Water Connection is made by the Owner. Where a Water Connection is installed under this section, a connection fee as provided in the Village of McBride Fees and Charges Bylaw, as amended from time to time, shall then be levied against the property and shall be recovered as provided for in Section 11 of this Bylaw.

### **PART 8 – WATER SERVICES**

#### **8.1 Building Bylaw**

- 8.1.1 After reviewing the proposed development and site services layout, the Authorized Person may approve the installation of a Property Water Service. Property Water Service shall be installed in accordance with the British Columbia Building Code and Village's Building Bylaw, as amended from time to time, approved by the Authorized Person and shall be constructed at the expense of the Owner. The Village may install that portion of the Property Water Service between the Curb Stop and property line. Any fittings required to join the Village's pipe to the Applicant's building shall be the Owner's responsibility.

## **8.2 Maintenance**

- 8.2.1 The Property Water Service shall be maintained at the sole expense of the Owner including any portion that is installed by the Village. In the event any defect is discovered in the Property Water Service, the Owner of the Real Property shall repair the defect within 10 working days of being directed to do so by the Authorized Person.
- 8.2.2 In the event the property Owner refuses or neglects to carry out repairs within the specified time, the Authorized Person may, by Village workers or others, have the work done at the expense of the Owner. In the event the expense for the works has not been paid by the Owner within 30 days of the invoice, the expenses will be dealt with pursuant to Section 11.
- 8.2.3 Repairs to the Water Connection outside the boundaries of the Village shall be paid by the Owner of the property.

## **8.3 Turn On and Turn Off**

- 8.3.1 When an Owner wishes to turn on or turn off his Property Water Service at the Curb Stop, the Owner shall advise the Village and the Village will carry out the work at a mutually agreeable time.
- 8.3.2 If the turn on or turn off is for purposes other than maintenance or the commissioning of a new service, the fee for such turn on or turn off shall be as provided in the Village of McBride Fees and Charges Bylaw, as amended from time to time.

## **8.4 Abandonment**

- 8.4.1 When any Property Water Service is to be abandoned, the Owner shall notify the Village and the Authorized Person shall arrange to disconnect the Water Connection at the junction with the Main. The Owner shall pay the abandonment fee specified in the Village of McBride Fees and Charges Bylaw, as amended from time to time.

## **8.5 Frozen Service**

- 8.5.1 Pursuant to Section 7.4.1, if it is determined that any defect is due to a frozen Property Water Service, it is the Owner's responsibility to thaw the pipe.

## **8.6 Alternate Water Supply**

- 8.6.1 In the event an Owner has an alternate or auxiliary water supply source other than the Water Connection, the Owner shall not connect, or allow to be connected, any portion of the alternate or auxiliary water supply to the Water System.
- 8.6.2 In the event an Owner has more than one Water Connection from different Distribution System pressure zones, the Owner shall install Backflow Prevention Devices satisfactory to the Authorized Person on each Water Connection and shall maintain the Backflow Prevention Devices.

## **8.7 Fire Protection Connection**

- 8.7.1 Water Connections required solely to supply a Fire Protection System shall be installed

upon Application and payment of connection fees as set out in the Village of McBride Fees and Charges Bylaw, as amended from time to time. Such Fire Protection System must be approved by the Fire Chief.

- 8.7.2 Provided that the Water Connection is used solely for fire protection, the Authorized Person may allow the service to be unmetered. All other Water Connections with fire protection uses shall be metered.

## **PART 9 – WATER QUALITY PROTECTION**

### **9.1 Hydrant Use**

- 9.1.1 Any hydrant used for purposes other than fire protection or suppression shall require a Hydrant Use Permit. An Applicant who applies for the issue of a Hydrant Use Permit shall complete the Application provided by the Village and submit it to the Authorized Person.
- 9.1.2 The Authorized Person may issue a Hydrant Use Permit for the purposes of:
- (a) Construction compaction;
  - (b) Construction dust control;
  - (c) Construction water main testing;
  - (d) Utility line flushing;
  - (e) Wellpoint installation;
  - (f) Road sweeping and safety measures;
  - (g) Water tanker truck filling;
  - (h) Flow testing; or
  - (i) Special events.
- 9.1.3 The Authorized Person may refuse to issue a Hydrant Use Permit where the issuance of a Hydrant Use Permit may result in a risk to the Water System.
- 9.1.4 Application fees in accordance with the Village of McBride Fees and Charges Bylaw, as amended from time to time, are payable to the Village at the time of Application submission. Review of the Application may only proceed when fees have been paid in full.
- 9.1.5 The Applicant must provide the following information, at the Applicant's expense, to the Authorized Person at the time of Application submission, except to the extent that the Authorized Person determines that the provision of the information is not required to assist the Council or the Authorized Person in their consideration of the Application:
- (a) name, address and signature of the Owner;
  - (b) name, address and signature of the Applicant, if different from the Owner;
  - (c) legal description of the parcel;
  - (d) civic address of the parcel; and
  - (e) intended use of water.

- 9.1.6 The Authorized Person may impose terms and conditions that must be met for obtaining or continuing to hold a Hydrant Use Permit, respecting the following matters:
- (a) the location of the fire hydrant that may be used;
  - (b) the times and dates for fire hydrant use;
  - (c) the Backflow Prevention Devices or other Backflow prevention methods;
  - (d) precautions to be taken in connecting to and using the fire hydrant; and
  - (e) the volume and or flow rate of water that may be used.
- 9.1.7 An approved metered Backflow Prevention Device supplied by the Applicant must be installed and inspected by the Village prior to any connection to a hydrant pursuant to a Hydrant Use Permit.
- 9.1.8 Council delegates to the Authorized Person the powers of Council to grant, amend, refuse, suspend, cancel and impose terms and conditions that must be met for obtaining or continuing to hold a Hydrant Use Permit. Reconsideration of the Authorized Person's decision by Council shall follow the process outlined in Section 6.3.2 of this Bylaw.

## **9.2 Private Hydrants**

- 9.2.1 Owners shall be responsible for the maintenance of Private Fire Hydrants on their property. Such maintenance shall be certified by the person carrying out the maintenance and evidence of such regular maintenance shall be provided annually to the Authorized Person.
- 9.2.2 The Village may, upon the request of the Owner, carry out routine maintenance of a Private Fire Hydrant for the rate set out in Village of McBride Fees and Charges Bylaw, as amended from time to time.

## **9.3 Cross Connection and Backflow Prevention**

- 9.3.1 It is the responsibility of the Owner to ensure that no piping, fixture, fitting, container, meter, appliance or other device would, under any circumstance, allow any part of the Water System or a private service to become contaminated.
- 9.3.2 Where the Authorized Person determines that a connection or a Cross Connection exists which has the potential of contaminating any part of the Water System, the Authorized Person may give written notice to the Owner to correct the connection or Cross Connection within 96 hours. The cost of such correction is to be at the expense of the Owner.
- 9.3.3 An Owner to whom notice has been given under Section 9.3.2 of this Bylaw shall correct the Cross Connection in a manner acceptable to the Authorized Person.
- 9.3.4 Notwithstanding Section 5.1(c) and Section 9.3.2 of this Bylaw, where the Authorized Person determines that a connection or Cross Connection, prohibited by this Bylaw, places a Consumer or any other person at immediate risk, or if an Owner fails to correct any connection or Cross Connection as required by this Bylaw, the Authorized Person

may order and undertake at the expense of the Owner the disconnection of the water supply without notice until such time the connection or Cross Connection is corrected.

- 9.3.5 Every new Property Water Service that the British Columbia Building Code, as amended from time to time, requires a Backflow Prevention Device must have installed an approved Backflow Prevention Device or assembly in accordance with the Cross Connection Control Manual, unless exempted by the Authorized Person.
- 9.3.6 A new Water Connection shall not be turned on at the Curb Stop until the Owner's Property Water Service has been inspected by the Authorized Person and the Water System on the property meets the requirements of this Bylaw.
- 9.3.7 Every Owner shall, upon the installation of a testable Backflow Prevention Device and annually thereafter, or more often as required by the Authorized Person, arrange for the inspection and testing of the device by a Certified Tester. The results of all inspections and testing shall be submitted to the Authorized Person within 30 days of the inspection and testing.
- 9.3.8 Installation of Backflow Prevention Devices:
- (a) All double check valves, reduced pressure principle Backflow Prevention Devices, vacuum breakers, and air gaps shall be installed in accordance with the practice recommended in the Cross Connection Control Manual. Additional requirements are set out below:
    - i. All isolating valves adjacent to a Backflow Prevention Device shall be either gate valves with non-rising stems conforming to American Water Works Standard (500-61), or gate valves with outside screw and yoke, Crane Model 467 or equal as determined by the Authorized Person;
    - ii. A strainer shall not be installed upstream of a Backflow Prevention Device without prior approval of the Authorized Person.
  - (b) The Backflow Prevention Device shall be installed on the Consumer's property inside a building or structure sufficient to protect the said device from freezing. Double check valve devices may be installed below ground in a self-draining pit provided all test cocks on the device are plugged. Reduced pressure principle devices may, with the Authorized Person's prior approval, be installed below ground if a drain is provided of adequate size and orientation to prevent the relief valve vent port from being submerged.
  - (c) All reduced pressure principle devices shall be installed in a horizontal position.
  - (d) No piping capable of bypassing the Backflow Prevention Device shall be installed.
- 9.3.9 The Authorized Person may order a Backflow Prevention Device installed on any service. Such installation shall be done in accordance with the Cross Connection Control Manual and shall be at the expense of the Owner.

## **PART 10 – METERS**

### **10.1 Installation of Meters**

- 10.1.1 Notwithstanding any other provision of this Bylaw, the Authorized Person may require a Meter to be installed on any Property Water Service.
- 10.1.2 All buildings constructed after the adoption of this bylaw shall have an installed water Meter, and strainer as required, complete with isolation valves in a location acceptable to the Authorized Person for inspection and reading of the Meter. Institutional Consumers may also have strainer complete with bypass. If the Property Water Service is not solely for fire protection purposes, the Meter shall be located upstream of any distribution point and as close as possible to the property line. If no building or structure exists at the location where the Meter is to be installed, the property Owner shall be responsible for constructing and maintaining the Meter vault.

### **10.2 Meter Size and Supply**

- 10.2.1 The meter, remote reading equipment and strainer shall be provided by the Village for installation by the Owner in accordance with this bylaw and shall remain the property of the Village.
- 10.2.2 The Owner or his agent shall, upon abandonment of a metered connection, remove or cause to be removed and return to the Village the Meter, remote reading equipment and strainer installed on the Owner's premises in accordance with the provisions of this Bylaw. Failure to return the Meter and associated equipment will result in the Owner being invoiced for the cost of the equipment installed.
- 10.2.3 Notwithstanding Section 10.2.1 of this Bylaw, where a person is the Owner of a Single Family Dwelling or Duplex or Residential Strata Lot, and has volunteered to have a Meter installed, and has obtained approval from the Authorized Person, the Meter, remote reading equipment and strainer shall be provided by the Village for installation by the Village and shall remain the property of the Village. The Meter, remote reading equipment and strainer shall remain on the Water Connection for residential customers except in cases of when any the Property Water Service is to be abandoned. Sizes of water meters shall be determined by the Authorized Person.

### **10.3 Access to Meter**

- 10.3.1 An Owner and Consumer must allow reasonable access to the water Meter for the purpose of reading, inspecting, testing and maintaining the Meter. Failure to provide this access shall result in an extra charge per call after the first call each month as specified in the Village of McBride Fees and Charges Bylaw, as amended from time to time.
- 10.3.2 In the event reasonable access is not provided, the Village may by its workers or others, install suitable remote reading equipment at the expense of the Owner.



#### **10.4 Estimation of Meter Readings**

10.4.1 Meter reading estimates made on average consumption may be undertaken at the discretion of the Authorized Person.

#### **10.5 Operation of Bypass**

10.5.1 No person shall in any way alter, operate, tamper with or remove the water Meter or sealed bypass valves after installation without first obtaining the permission of the Authorized Person.

### **PART 11 – FEES AND CHARGES**

#### **11.1 Fees and Charges**

11.1.1 The Owner or Consumer shall pay, in addition to all other rates, charges and fees for the use of the Water System the amounts specified in the Village of McBride Fees and Charges Bylaw, as amended from time to time.

#### **11.2 Delinquent Fees and Charges**

11.2.1 Pursuant to the *Community Charter*, unpaid fees and charges may be collected in the same manner and with the same remedies as property taxes.

### **PART 12 – DISTRIBUTION SYSTEM EXTENSIONS**

#### **12.1 Extension Application**

12.1.1 All Applications for water Distribution System extensions pursuant to Section 12.1.2 shall be made in writing to the Authorized Person. All costs for the extension are the responsibility of the Applicant unless otherwise agreed to by the Authorized Person.

12.1.2 Where extension of the water Distribution System or Water Connections are requested or proposed to service properties outside the Specified Area, the Applicant shall request in writing to the Authorized Person an amendment to Schedule “A” to expand the Specified Area. The Authorized Person, after review of the request and consideration of the adequacy of Village water supply to provide water service to the properties, may proceed to request Council’s consideration and approval to permit expansion of the Specified Area.

12.1.3 Extension of the water Distribution System and Water Connections outside the Village boundaries is not permitted unless the approvals are granted in accordance with the Community Charter.

#### **12.2 Excess or Extended Capacity**

12.2.1 In the event an Applicant wishes to proceed with a Distribution System extension, the Authorized Person may approve the extension. The Authorized Person may include

requirements for the provision of excess or extended capacity to be provided in the extension over and above that applied for as a condition of a Permit. Extended Services and latecomer charges arising from extensions to the Distribution Systems under this Section shall be paid for in accordance with the Local Government Act.

### **12.3 Extension Size**

12.3.1 Where the Distribution System is extended, the minimum nominal diameter of the pipe shall be 150 millimetres unless otherwise specified by the Authorized Person.

## **PART 13 – WATER CONSERVATION AND RESTRICTIONS**

### **13.1 Restriction Stages**

13.1.1 All persons must comply with the water use restrictions contained in Schedule “B”.

13.1.2 The water use Restriction Stage 1, as described in Schedule “B”, is the default water restriction in place from May 1 to September 30 inclusive, except as provided for under Section 13.1.3.

13.1.3 Where determined necessary for the conservation of water or the preservation of the water supply, the Authorized Person may amend the effective period or time for Restriction Stage 1, or terminate, or bring in to effect a Restriction Stage more restrictive than Restriction Stage 1 at any time of the year for any period of time.

13.1.4 The Stage determined under Section 13.1.3 and the water use restriction prescribed in Schedule “B” for that Stage take effect on the commencement date stated in the bylaw or the Public Announcement notice of the implementation of said Restriction Stage and will remain in effect until that Restriction Stage is terminated or until a Public Announcement of another stage is issued.

13.1.5 In making a decision under Section 13.1.3, the following determining factors will be considered:

- (a) Time of year and typical seasonal trends.
- (b) Snowpack assessments and snowmelt forecasts.
- (c) Stream flows and monitoring data.
- (d) Weather, recent conditions, and forecasts.
- (e) Water usage, recent consumption, and trends.
- (f) Water supply system performance.

### **13.2 General Restrictions**

13.2.1 No person (not in the employ of the Village) shall use water at any time for the purpose of sprinkling any street or lane or public thoroughfare; provided that nothing in this Section shall prevent any person from sprinkling or watering that portion of any boulevard immediately adjoining his premises and such sprinkling or watering conforms with the preceding Sections.

### **13.3 High Volume Consumer Restrictions**

13.3.1 To preserve water for essential purposes, the Authorized Person may at their discretion temporarily prohibit the use of water for high volume consumers. For certainty, properties affected by the temporary prohibition will be allowed water use for essential purposes.

13.3.2 In making the decision under Section 13.3.1, the Authorized Person will consider the following factors:



- (a) The Water System must be under Restriction Stage 4 water conservation regulations, and
- (b) An emergency has or likely will impact the ability of the Village for the Village to supply treated drinking water for essential uses, and
- (c) The volume of water used daily by the property.

### **PART 14 – SERVICE DISCONTINUANCE**

14.1.1 After providing the persons affected by a water service discontinuation reasonable notice and an opportunity to make representations to Council, the Village may discontinue providing water service to a specific property or person:

- (a) because of unpaid fees or taxes in relation to the water service; or
- (b) because of non-compliance with the provisions of this Bylaw or the Permit conditions established under this Bylaw.

14.1.2 Reasonable notice shall include a letter that states the land or lands which are the subject of the notice, in general terms the purpose of the notice, and the Authorized Person's contact information, which is mailed or otherwise delivered to an Owner, as shown on the land title search at the date the notice is prepared.

### **PART 15 – INSPECTION**

#### **15.1 Right of Entry**

15.1.1 The Owner or Consumer and the occupier of every premises shall, at all reasonable times, allow and permit the Authorized Person, or Village Meter reader to enter into or upon Real Property for the purpose of inspecting the Real Property and inspecting and testing the water service and related appurtenances.

### **PART 16 – OFFENSE AND PENALTY**

#### **16.1 Offense**

16.1.1 No person shall make or maintain any connection to, or use water from the Water System unless authorized by a Permit.

16.1.2 No person shall tamper with, alter, remove, damage, deface or in any way interfere with

the Water System unless authorized by a Permit.

- 16.1.3 No person shall introduce, or allow the introduction of, any Contaminant to the Water System.
- 16.1.4 No Consumer shall sell, dispose or otherwise give away Village water for use off the premises to which the Permit applies unless the Consumer is on a metered account and the Permit is endorsed with a term authorizing such sale or disposal.
- 16.1.5 No Consumer shall permit the Waste of Water.
- 16.1.6 No Consumer shall use water contrary to this Bylaw and without limitation contrary to the water use restrictions set out in Schedule "B".
- 16.1.7 No Owner shall knowingly withhold information from the Village or fail to provide information to the Village about the use of their premises that could affect utility rates, fees or charges.
- 16.1.8 No person shall connect, cause to be connected or allowed to remain connected any piping, fixture, fitting, container, Meter, appliance, or Cross Connection in a manner or in circumstances that could cause or allow any part of the Water System or a private service to become contaminated.

## **16.2 Penalty**

- 16.2.1 Any person contravening or committing any breach of or committing any offence against 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 refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this Bylaw prescribed or imposed or required to be done is liable, on summary conviction, to a fine of up to \$10,000.00, and the cost of prosecution; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.

## **PART 17 – SEVERABILITY**

- 17.1 If any section, subsection, clause, sub-clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from this Bylaw and any such decision shall not affect the validity of the remaining portions of this Bylaw.

## **PART 18 – REPEAL**

- 18.1 "Village of McBride Water Rates and Regulations Bylaw No. 737, 2013" and all amending bylaws thereto are hereby repealed.

READ A FIRST TIME this 10th day of October, 2023.

READ A SECOND TIME this <day> day of <month>, 2023.

READ A THIRD TIME this <day> day of <month>, 2023.

ADOPTED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY A \_\_\_\_\_ DECISION OF ALL MEMBERS OF COUNCIL PRESENT AND ELIGIBLE TO VOTE.

MAYOR \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

*Certified a true copy of the "Village of McBride Water Bylaw No. xxx, 20xx" as adopted.*

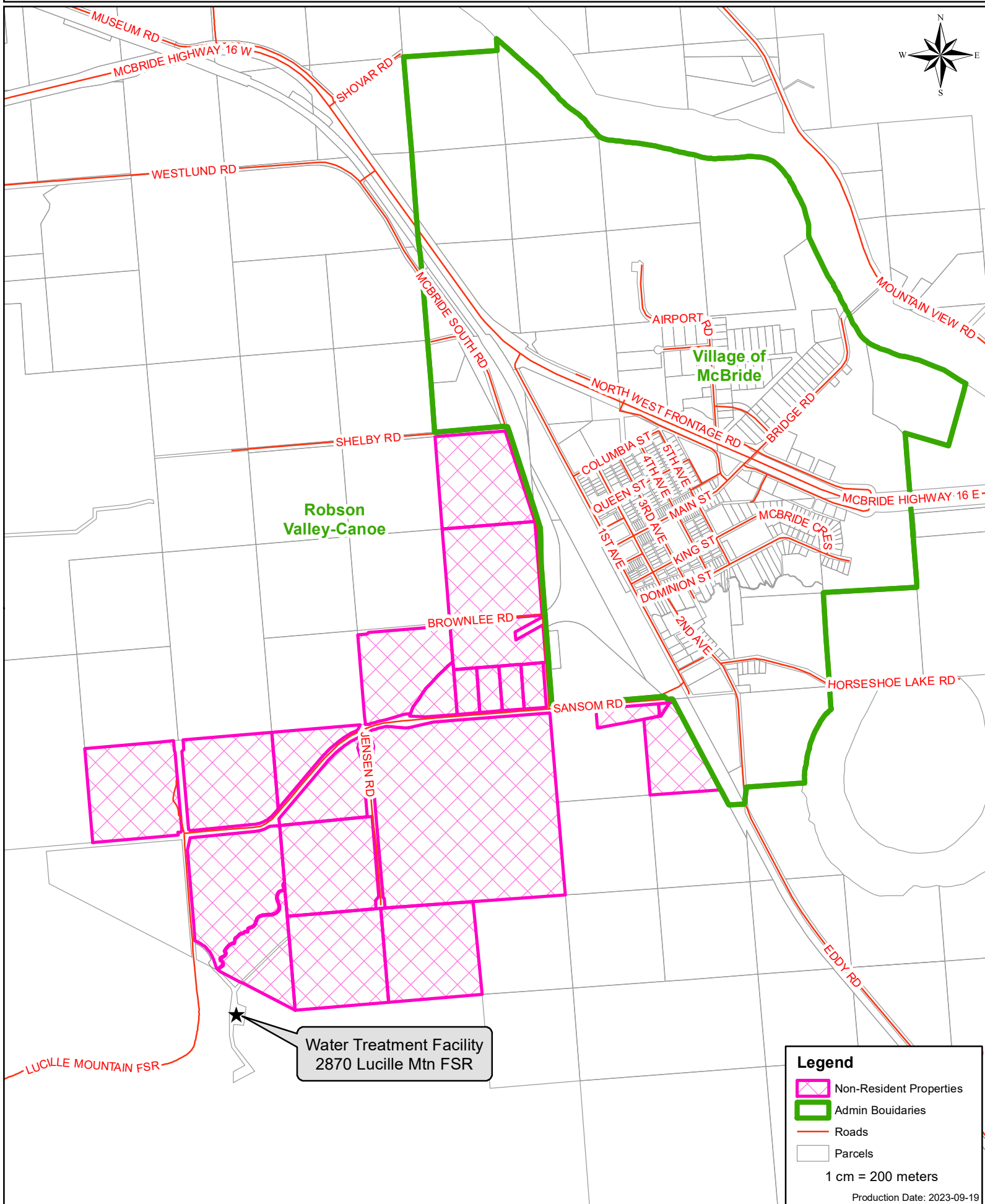
\_\_\_\_\_  
Corporate Officer

**SCHEDULE "A"**  
**WATER SPECIFIED AREA MAP**

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# Water Specified Area Map







Robson Valley-Canoe

Village of McBride

Water Treatment Facility  
2870 Lucille Mtn FSR

**Legend**

-  Non-Resident Properties
-  Admin Boudaries
-  Roads
-  Parcels

1 cm = 200 meters

Production Date: 2023-09-19

**SCHEDULE "B"**  
**WATER RESTRICTION STAGES**

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**1.0 Restriction Stage 1 – Water Supply Conditions: "Normal"**

**1.1 During Restriction Stage 1 a person may:**

- (a) use a sprinkler to water lawns, trees, shrubs, flowers or food producing plants and trees only during the following scheduled times:
  - i. on a property with an even numbered address on Tuesday, Thursday and Sunday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm; and
  - ii. on a property with an odd numbered address on Monday, Wednesday and Saturday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm;
- (b) at any time water lawns, trees, shrubs, flowers, and food producing plants and trees by hose equipped with a spray-trigger nozzle, hand-held container, or drip-irrigation;
- (c) at any time use water to wash a vehicle or boat, but must use a hand-held hose equipped with a spray-trigger nozzle or pressure washer, or hand-held container; or commercial car wash;
- (d) at any time use water to wash sidewalks, driveways, parking lots, exterior windows, decks, fences or exterior building surfaces, but must use a hose equipped with a spray-trigger nozzle, a pressure washer, or hand-held container; and
- (e) at any time use water to fill a swimming pool, spa, garden pond, or decorative fountain. Hydrant Use Permits are permitted.

**1.2 During Stage 1, the following exceptions apply:**

- (a) The Authorized Person may establish a separate schedule for sprinkling of public sports fields, and water use at community and recreational facilities to balance water demands. Public sector sprinkling of other landscaped areas and ornamental gardens follow the same schedule as set out in Section 1.1.



**SCHEDULE "B" CONTINUED**  
**WATER RESTRICTION STAGES**

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**2.0 Restriction Stage 2 – Water Supply Conditions: "Moderate"**

2.1 During Restriction Stage 2 a person may:

- (a) use a sprinkler to water lawns, trees, shrubs, flowers or food producing plants and trees only during the following scheduled times:
  - i. on a property with an even numbered address on Tuesday and Sunday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm; and
  - ii. on a property with an odd numbered address on Monday and Saturday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm;
- (b) at any time water lawns, trees, shrubs, flowers, and food producing plants and trees by hose equipped with a spray-trigger nozzle, hand-held container, or drip-irrigation;
- (c) at any time use water to wash a vehicle or boat, but must use a hand-held hose equipped with a spray-trigger nozzle or pressure washer, or hand-held container; or commercial car wash;
- (d) not use water to wash sidewalks, driveways, parking lots, exterior windows, decks, fences or exterior building surfaces, except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required for health and safety reasons; and
- (e) at any time use water to fill a swimming pool, spa, garden pond, or decorative fountain. Hydrant Use Permits are permitted.

2.2 During Restriction Stage 2, the following exceptions apply:

- (a) The Authorized Person may establish a separate schedule for sprinkling of public sports fields, and water use at community and recreational facilities to balance water demands. Public sector sprinkling of other landscaped areas and ornamental gardens follow the same schedule as set out in Section 2.1.

**SCHEDULE "B" CONTINUED**  
**WATER RESTRICTION STAGES**

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**3.0 Restriction Stage 3 – Water Supply Conditions: "Acute"**

**3.1 During Restriction Stage 3, a person may:**

- (a) use a sprinkler to water lawns, trees, shrubs, flowers or food producing plants and trees only during the following scheduled times:
  - i. on a property with an even numbered address on Tuesday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm; and
  - ii. on a property with an odd numbered address on Friday from 6:00 am to 9:00 am and from 7:00 pm to 10:00 pm;
- (b) at any time water lawns, trees, shrubs, flowers, and food producing plants and trees by hose equipped with a spray-trigger nozzle, hand-held container, or drip-irrigation;
- (c) not use water to wash a vehicle, boat or equipment unless required for health and safety reasons or legally required by a third party;
- (d) not use water to wash sidewalks, driveways, parking lots, exterior windows, decks, fences or exterior building surfaces, except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required for health and safety reasons; and
- (e) not use water to fill a swimming pool, spa, garden pond, or decorative fountain. Bulk water permits will be restricted.

**3.2 During Restriction Stage 3, the following exception apply:**

- (a) The Authorized Person may establish a separate schedule for sprinkling of public sports fields, and water use at community and recreational facilities to balance water demands. Public sector sprinkling of other landscaped areas and ornamental gardens follow the same schedule as set out in Section 3.1.
- (b) For certainty, essential water for livestock is exempt from Restriction Stage 3 restrictions.

**SCHEDULE "B" CONTINUED**  
**WATER RESTRICTION STAGES**

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**4.0 Restriction Stage 4 – Water Supply Condition: "Severe"**

- 4.1 During Stage 4, all outdoor water use for lawns, trees, and shrubs is banned. Handwatering and drip irrigation is permitted for vegetable gardens only.
- 4.2 Any other use of water is restricted unless required for health and safety reasons or legally required by a third party. Hydrant Use Permits are not permitted.
- 4.3 For certainty, essential water for livestock is exempt from Restriction Stage 3 restrictions.