

VILLAGE OF MCBRIDE

WATER BYLAW NO. 737, 2013



“A TOWN ON TRACK”

Consolidated for convenience

WATER BYLAW NO. 737, 2013.

Amending Bylaws to the Village of McBride Water Bylaw No. 737, 2013

Description	Amending Bylaw No.	Amend Bylaw Adoption Date
<p>Amended to add the following under Part 3 – General Provisions:</p> <p>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:</p> <p>a) Any building(s) situated on the parcel is used or unoccupied;</p> <p>b) The Owner or Occupant makes use of the Water System; or</p> <p>c) The Water System is interrupted or altered in any manner</p> <p>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.</p> <p>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 3.5 of this Bylaw, cannot opt out of fees associated with providing the Water Service, as per the <i>Fees and Charges Bylaw</i></p>	772.2017	June 27 th 2017
<p>Amended to add the following under part 6 – Water Connection Permit Application</p> <p>6.1.2 Application fees and connection fees in accordance with the “Village of McBride Fees and Charges Bylaw No. 762, 2016” are as amended from time to time they are payable to the Village at the time of Application submission. For any non-standard water connection, the connection charge shall be an amount equal to the cost of the water connection including all materials, labour, equipment and overhead. The estimated cost</p>	807.2022	March 24, 2022

WATER BYLAW NO. 737, 2013.

<p>of the connection as determined by the Public Works Operations Manager or designate shall be paid with the application. At the completion of the work, the Operations Manager or designate will certify the actual cost and any refund to which the owner is entitled will be paid forthwith and any excess of the actual cost over the estimated cost will be paid within thirty (30) days. Any amount remaining unpaid on the 31st of December of any year will be added to the real property tax roll in respect of the property concerned. Review of the Application may only proceed when fees have been paid in full.</p>		

THE CORPORATION OF THE VILLAGE OF MCBRIDE

WATER BYLAW NO. 737, 2013

A Bylaw of the Corporation of the Village of McBride to establish a water service, 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. 737, 2013".

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;

"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;

WATER BYLAW NO. 737, 2013.

“Building Code” means the British Columbia Building Code;

“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 Cross Connection Control Tester by the British Columbia Section of the American Water Works 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 *Accepted Procedures and Practices in Cross Connections Control Manual* published by the British Columbia Section of the American Water Works Association or the *Manual for the Selection, Installation, Maintenance, and field testing of backflow prevention devices, CAN/CSA-B64.10-94*;

“Cross Connection Control Tester” has the meaning as defined by the BC Section of the American Water Works 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 only 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;

WATER BYLAW NO. 737, 2013.

“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 exclusively 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 Residential 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 *Engineers and Geoscientists 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;

WATER BYLAW NO. 737, 2013.

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

“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 “B”;

“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;

“Water Supply Shortage” means those times when the Village’s Water System is incapable of supplying sufficient flows for fire protection in combination with domestic consumption as determined by the Authorized Person; and

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

WATER BYLAW NO. 737, 2013.

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 the 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 3.5 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

WATER BYLAW NO. 737, 2013.

- 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, if they have reason to believe that a Water Supply Shortage exists or is imminent or the public interest may require it, issue a public notice prohibiting or restricting the use of water;
 - (e) 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
 - (f) 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 of contamination 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 an Application 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 No. 762, 2016” are as **amended from time to time** they are payable to the Village at the time of Application submission. For any non-standard water connection, the connection charge shall be an amount equal to the cost of the water connection including all materials, labour, equipment and overhead. The estimated cost of the connection as determined by the Public Works Operations Manager or designate shall be paid with the application. At the completion of the work, the Operations Manager or designate will certify the actual cost and any refund to which the owner is entitled will be paid forthwith and any excess of the actual cost over the estimated cost will be paid within thirty (30) days. Any amount remaining unpaid on the 31st of December of any year will be added to the real property tax roll in respect of the property concerned. 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;

WATER BYLAW NO. 737, 2013.

- (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.

WATER BYLAW NO. 737, 2013.

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, in a form approved by the Authorized Person, 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.

6.5 Water Connection Permit Form

- 6.5.1 The form of a Water Connection Permit may be substantially the same as Schedule "A" as applicable.

PART 7 – WATER CONNECTION STANDARDS AND SPECIFICATIONS

7.1 Individual Connections

- 7.1.1 Each 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 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.

WATER BYLAW NO. 737, 2013.

7.3 Size and Length of Connection

- 7.3.1 The minimum nominal diameter of a Water Connection shall be 19 millimeters. 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 is 20 metres. If the length of the Water Connection is longer than 20 metres 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 2.5 metres 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 unserved 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 Water Connection. 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.

WATER BYLAW NO. 737, 2013.

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.
- 8.2.3 Repairs to the Water System outside the boundaries of the Village shall be paid by the Owner of the property.
- 8.2.4 No further extensions of the Water Distribution System and Water Connections outside the Village boundaries are permitted unless the approvals are granted in accordance with the *Community Charter*.

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 7.1, 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.

WATER BYLAW NO. 737, 2013.

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 fire protection Water Connection is used solely for fire protection, the Authorized Person may allow the service to be unmetered. All other fire protection connections shall be metered.

PART 9 – WATER QUALITY PROTECTION

9.1 Hydrant Use

- 9.1.1 An Applicant who applies for the issue of a Hydrant Use Permit shall complete an Application and submit it to the Authorized Person.
- 9.1.2 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.
- 9.1.3 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; and
 - (d) civic address of the parcel.
- 9.1.4 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 times and dates for water use; and
 - (b) the Backflow Prevention Devices or other Backflow prevention methods.
- 9.1.5 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.
- 9.1.6 The form of a Water Connection Permit may be substantially the same as Schedule "A" as applicable.

WATER BYLAW NO. 737, 2013.

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 Hydrants 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 Water Connection 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:

WATER BYLAW NO. 737, 2013.

- (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 complete with isolation valves in a location and having a size 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 to a Distribution System 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.

WATER BYLAW NO. 737, 2013.

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 10.1.2 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.

WATER BYLAW NO. 737, 2013.

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 rates, charges and fees 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 “B” 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.

WATER BYLAW NO. 737, 2013.

PART 13 – SERVICE DISCONTINUANCE

- 13.1.1 After providing reasonable notice to the persons affected, and in relation to a discontinuance under subsection 13.1.1(b), an opportunity for the persons affected 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 rules established by this Bylaw or by contract respecting the use of the water service.
- 13.1.2 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 14 – INSPECTION

14.1 Right of Entry

- 14.1.1 The Owner or Consumer and the occupier of every Real Property 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 water service and related appurtenances.

PART 15 – OFFENSE AND PENALTY

15.1 Offense

- 15.1.1 No person shall make or maintain any connection to, or use water from the Water System unless authorized by a Permit.
- 15.1.2 No person shall tamper with, alter, remove, damage, deface or in any way interfere with the Water System unless authorized by a Permit.
- 15.1.3 No person shall introduce, or allow the introduction of, any Contaminant to the Water System.
- 15.1.4 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.
- 15.1.5 No Consumer shall permit the Waste of Water.
- 15.1.6 No Consumer shall use water contrary to this Bylaw and without limitation contrary to the water use restrictions set out in Schedule "C".

WATER BYLAW NO. 737, 2013.

- 15.1.7 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.
- 15.1.8 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.

15.2 Penalty

- 15.2.1 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 not less than \$2,000 and not exceeding \$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 16 – SEVERABILITY

- 16.1.1 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.

WATER BYLAW NO. 737, 2013.

PART 17 – REPEAL

17.1.1 “Village of McBride Water Rates and Regulations Bylaw No. 462, 1989” and all amending bylaws thereto are hereby repealed.

READ A FIRST TIME this 26 day of November , 2013.

READ A SECOND TIME this 26 day of November , 2013.

READ A THIRD TIME this 26 day of November , 2013.

All three readings passed by a **unanimous** decision of Members of Village Council present and eligible to vote.

ADOPTED THIS THE 11 DAY OF FEBRUARY , 2014, BY A UNANIMOUS 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. 737, 2013" as adopted.

Corporate Officer

WATER BYLAW NO. 737, 2013.

SCHEDULE "A"

WATER CONNECTION PERMIT APPLICATION

WATER BYLAW NO. 737, 2013.

WATER BYLAW NO. 737, 2013.

WATER BYLAW NO. 737, 2013.

SCHEDULE "B"
WATER SPECIFIED AREA MAP

WATER BYLAW NO. 737, 2013.

WATER BYLAW NO. 737, 2013.

SCHEDULE "C"
WATER USE RESTRICTIONS

1. In all areas served under this Bylaw:
 - a. No Sprinkling is allowed between 12:00 noon and 5:00 pm daily.
2. Watering Regulations:
 - a. Only those properties with a civic address ending in an even number may sprinkle lawn on that property on even numbered days.
 - b. Only those properties with a civic address ending in an odd number, may sprinkle lawn on that property on odd numbered days.
3. The Authorized Person, at their discretion, may further restrict or prohibit the use of water for the purposes of lawn Sprinkling during periods of drought, wild land fire threat, and public safety.