

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5522

A bylaw to fix and regulate the rates, terms and conditions under which water may be supplied and used in the Eagle Bay Estates Waterworks Service Area.

WHEREAS the Regional District is authorized, under Section 803(1)(c) of the Local Government Act, to impose fees and charges, by bylaw, for the purpose of recovering the annual costs for a service;

AND WHEREAS it is deemed desirable to fix and regulate the rates, terms and conditions under which water may be supplied and used in the Eagle Bay Estates Waterworks Service Area of Electoral Area 'C';

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 5121, cited as "Eagle Bay Estates Water Regulations and Rates Bylaw No. 5121" and amendments thereto, is hereby repealed.

2. For the purpose of this bylaw, the following definitions shall apply;

"Regional District" means the Columbia Shuswap Regional District, the Board or persons duly authorized to represent the Board in respect of this bylaw.

"Water Connection" means a connection to a main supply line and extending to the property line of the customer for the purpose of conveying water to the said property, and may or may not include a water meter and backflow prevention device, but shall include a shut-off valve and shall be the property of the Regional District.

"Disconnect" or "Disconnection" means the turning off, or complete removal, of a water connection.

"Cross-connection" is any actual or potential connection between the water supply and a source of contamination or pollution. Such cross-connections constitute a hazard to water users and can jeopardize the cleanliness and potability of the water system, in the event of a backflow or backsiphonage event.

3. Applications for the installation and connection of a water service in the Eagle Bay Estates Waterworks Service Area shall be made to the Regional District and shall be made in the form of Schedule "A" of this bylaw and shall be accompanied by the proper fee as specified in Schedule "B" of this bylaw. Each application, when duly signed by the potential customer, shall be an undertaking whereby the customer agrees to abide by the terms and conditions of this bylaw. Each residential structure requires a separate water connection

4. Applications for disconnection of any water service shall be made in writing and delivered to the Regional District.
5. The Regional District may, without notice, disconnect the water service to any premises for any of the following reasons, and the Regional District shall not be liable for damages by reason of discontinuing water service for such reasons as:
 - a) unnecessary wasteful use of water, or violation of regulations concerning watering or sprinkling;
 - b) failure to repair or replace defective pipe, fittings, valves, tanks or appliances on private property which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water;
 - c) supplying water to a dwelling on adjacent properties;
 - d) failure to pay the appropriate rates;
 - e) use of an on-site well which constitutes a threat of cross-contamination;
 - f) use of any surface water intake which constitutes a threat of cross-contamination;
 - g) any other form of cross-connection; or
 - h) unauthorized connection.
6. No individual on-site wells or surface water intakes will be permitted to supply domestic water to any property within the Eagle Bay Estates Waterworks Service Area.
7. No pump, booster or other device, shall be employed by any customer without permission in writing from the Regional District, for the purpose of, or having the effect of, increasing water pressure in service lines to a higher pressure than the normal pressure in the said service line, and the Regional District may, without notice, disconnect service to any customer employing such pump, booster or other device.
8. No work of any kind connected with the water system, either for the laying of new or repair of old service pipes, shall be done on or under any street or lane within the Eagle Bay Estates Waterworks Service Area by any other person or persons than contractors of the Regional District except such person or persons as shall be authorized by the Regional District.
9. No unauthorized person shall in any way interfere or tamper with any pipe, curb stop, fixture or fitting, or appliance of, or connected with, the water system of the Eagle Bay Estates Waterworks Service Area, whether on his own premises or elsewhere.
10. No person will place or introduce contaminants or pollutants into the Eagle Bay Estates Waterworks system.

11. The Regional District may, at its discretion, and whenever the public interest so requires, suspend or limit the consumption of water from the water system of the Eagle Bay Estates Waterworks Service Area, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.
12. All customers shall keep the service pipe, fixtures and fittings on their own premises in good order and repair, and protect them from frost at their own risk and expense.
13. The disconnection of water service on a seasonal basis shall not be permitted.
14. The several rates and charges enumerated in Schedule "B" of this bylaw are hereby imposed and levied for water services supplied by the Regional District and all rates and charges shall be billed annually on or before the fifteenth (15th) day of March and shall be due and payable on or before the thirty-first (31st) day of May in each year. A 10% discount will be allowed on the Water Rates Schedule if payment is received by the Regional District on or before the thirtieth (30th) day of April in each year.
15. In the event that applicable rates or charges for water service commence after the first (1st) day of April, the billing shall be issued within sixty (60) days and shall be due and payable within sixty (60) days of issue. Water rates will be prorated for the initial year only; thereafter the annual rate shall apply.
16. Pursuant to Section 363.2 of the Local Government Act, any unpaid balance owing at a fiscal year end will be deemed to be taxes in arrear.
17. Nothing contained in this bylaw shall be construed to impose any liability on the Regional District to give a continuous supply of water to any person or premises and the Regional District hereby reserves the right at any time to disconnect the water to any premises without giving notice.
18. Every person to whom water is supplied under this bylaw shall at all reasonable times allow any authorized person to enter into and upon the premises in respect of which such water is supplied for the purpose of inspecting the water pipes, fixtures and fittings used in connection with such water supply.
19. A person who contravenes or fails to comply with this Bylaw commits an offence and is liable upon conviction to the penalties prescribed by the Offence Act (British Columbia).
20. A municipal ticket information may be issued for any offence against this Bylaw that has been designated as a ticketable offence pursuant to the Regional District's municipal ticket information bylaw.

21. This bylaw may be cited as "Eagle Bay Estates Waterworks Regulations and Rates Bylaw No. 5522."

READ a first time this 12th day of December, 2008.

READ a second time this 12th day of December, 2008.

READ a third time this 12th day of December, 2008.

RECONSIDERED AND ADOPTED this 12th day of December, 2008.



MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)



CHAIR

CERTIFIED a true copy of
Bylaw No. 5522, as adopted.

Manager of Corporate
Administration Services (Secretary)

EAGLE BAY ESTATES WATERWORKS REGULATIONS AND RATES
BYLAW NO. 5522

SCHEDULE "A"

COLUMBIA SHUSWAP REGIONAL DISTRICT WATER CONNECTION
APPLICATION FOR SERVICES AND AGREEMENT

I, _____

of _____ being the owner

(or duly authorized agent of the owner) of the lands and premises described as follows:

hereby apply to the Columbia Shuswap Regional District for a supply of water through a standard connection to the said premises and, in the event of this application being granted, covenant and agree to be bound by all the regulations, charges, terms and conditions set out and imposed by the Columbia Shuswap Regional District from time to time and further agree that the said Columbia Shuswap Regional District shall in no case be liable for shortage or failure of water supply.

It is declared that this Agreement shall be binding upon my heirs, executors, and administrators, and that all charges payable in respect of the above premises shall constitute a charge against such premises, pursuant to the applicable provisions contained in the Local Government Act.

Dated this _____ day of _____, 2 _____

Owner

Tax Assessment Folio No. _____

**EAGLE BAY ESTATES WATERWORKS
REGULATIONS AND RATES BYLAW NO 5522**

SCHEDULE "B"

WATER RATES SCHEDULE

1. Connection Charge
Residential 3/4" (19mm) diameter\$2,000 plus Water Meter

2. Annual Water Rates
Residential.....~~21~~4
Community Hall~~23~~5

3. Chargeable Rates for Miscellaneous Works
 - ▶ Cost of Materials Plus 25%
 - ▶ Serviceman \$60 per hour (minimum charge two (2) hours)
 - ▶ Trades or Expertise – Rate Plus 25%

NOTE 1: Any other land use classification will require an amendment to this bylaw.

NOTE 2: Water meters must be pre-approved by Regional District.