



## VILLAGE OF TAHISIS

### WATER SYSTEM REGULATION BYLAW No. 644, 2021

---

#### A Bylaw to Regulate the Connection, Use and Extension of the Municipal Water System

---

Council of the Village of Tahsis, in open meeting assembled, hereby enacts as follows:

#### **PART A        ADMINISTRATION**

**1. Title:**

This bylaw may be cited for all purposes as the “Water System Regulation Bylaw No. 644, 2021”

**2. Administration**

The Chief Administrative Officer, Director of Infrastructure and Operations, Municipal Engineer, Bylaw Enforcement Officer and Building Inspector are appointed by Council to administer this bylaw.

**3. Applicability**

This Bylaw must be applicable to all land within the municipal boundaries of the Corporation of the Village of Tahsis.

**4. Definitions**

The following definitions apply to this bylaw. The context and meaning of any other terms not defined herein are to be determined in accordance with the *British Columbia Building Code, 2018*, this Bylaw, Zoning Bylaw No. 630, 2020 and the Canadian Oxford Dictionary.

“Building Inspector”	means the person appointed by Council to administer and enforce Building Bylaw No. 525, 2006, other Village bylaws and the BC Building Code.
“Curb Stop”	means a Village-owned valve on a Private Connection that is typically, although not always, located at or near a property line.
“Director”	means the Director of Infrastructure and Operations as designated by the Chief Administrative Officer to carry out the duties of this position and includes appointed delegates or representatives

“Improved Property”	means property on which one or more structures have been built for residential, business or other purpose.
“MMCD”	means the Master Municipal Construction Documents prepared under the auspices of the Master Municipal Construction Document Association.
“Municipal System”	means the system of hydrologic and hydraulic components which provide potable water supply to users within the municipality.
“Owner”	means the person registered with the Land Title and Survey Authority as owner of land or a charge on land or as “Owner” as defined in the Schedule to the <i>Community Charter</i> (SBC 2003, Ch 26).
“Private Connection”	means the fittings and appurtenances in the area between the building that it is served by and where it is linked to the Municipal System.
“Service Line”	means the municipal owned infrastructure that connects the municipal system to a property for conveying potable water

## 5. Offences and Penalties

- a) Every person who violates any provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything which violates any of the provisions of this Bylaw is guilty of an offence against this Bylaw and liable to penalties hereby imposed.
- b) Each day that a violation is permitted to exist must constitute a separate offence.
- c) Every person who commits an offence of a continuing nature is liable to a fine not exceeding \$10,000 for each day such offence is continued.
- d) Where any person contravenes any provision of this Bylaw and thereby causes damage to the municipal system, such person shall be liable to the Village for all costs incurred in making repairs or taking remedial action.
- e) If such costs are not paid forthwith after demand, the Village may recover the same by action in any court of competent jurisdiction.

## **6. Repeal**

The Village of Tahsis Water Regulations and Rates Bylaw No. 581, 2016 and all amendments thereto is hereby repealed.

### **PART B            GENERAL PROVISIONS**

#### **1. Supply of Water**

It is lawful for the Village to supply water to the residents of the Village who can be served by the municipal system.

#### **2. Purpose of the Municipal System**

The water supplied by the municipal system is for normal use and firefighting service.

#### **3. Not Liable for Failure of Municipal System**

The Village shall not be liable for the failure of the water supply due to an accident or damage to the municipal system or for excessive pressure or lack of pressure or any temporary stoppage on account of alterations or repairs, whether the failure arises from negligence of any person in the employ of the Village or any other person or through natural deterioration or obsolescence of the municipal system.

### **PART C            PRIVATE CONNECTIONS**

#### **1. Application for Private Connection**

- a) The Director is authorized to prescribe the form of application for:
  - i. the connection to the municipal system
  - ii. to alter and repair a private connection
  - iii. to abandon a private connection
  - iv. the turning on or turning off of the supply of water to any private connection from the municipal system
  - v. a temporary supply of water from a designated fire hydrant.
- b) Prior to connecting with the municipal system, the Owner must:
  - i. make application for a connection on the prescribed form; and
  - ii. make full payment of fees as prescribed in the applicable fees and charges bylaw
- c) If a private connection application is denied, the Owner will be informed with reasons given and the applicable fee refunded.
- d) The private connection will be installed at a location selected by the Owner wherever possible. If the Director determines the Owner's preferred location is not practicable, the Director will determine the location of the private connection.

- e) No person, other than the Village, its employees or its contractors, and under the direction of the Director, shall install, alter or remove or cause to be installed, altered or removed, any part of a private connection without written approval of the Director.
- f) For any private connection, the Director will install, at the Owner's expense, a curb stop on each separate branch of the private connection at the connection to the municipal system.
- g) Except where otherwise dictated by this bylaw, the standards for private connection to the municipal system, and for the repair or alteration of a private connection, shall be as required by the BC Building Code.

## **2. Compulsory Private Connection**

- a) All improved properties must be connected to the municipal system unless granted an exemption by the Director.
- b) The Owner of a property serviced with a service line is responsible for paying all applicable fees and charges.

## **3. Abandonment**

- a) When a building on a lot serviced by the municipal system is demolished or abandoned, the Director may require the turn off and/or discontinuation of the private connection. The cost for this work shall be recovered from the Owner.

## **PART D USE OF MUNICIPAL SYSTEM**

### **1. Prohibitions**

- a) No person must connect or attempt to connect, or allow to be connected, or allow to remain connected to the municipal system of any property or premises, otherwise, than in accordance with the provisions of this Bylaw.
- b) Unless authorized by this Bylaw or by the Director, in writing, or a person must not:
  - i) use, change, tamper, connect to, obstruct, destroy, damage or in any manner interfere with the municipal system or any part thereof;
  - ii) obstruct, at any time or in any manner, the Village access to the municipal system;
  - iii) connect, cause to be connected, or allow to remain connected to the municipal system any piping, fixture, fitting, container, or appliance which may cause pressure surges, or any other disturbance which may result in annoyance to any other customer, damage to any private connection or to the municipal system;
  - iv) permit the introduction of any contaminant or foreign matter whatsoever into the municipal system.

- c) Without first obtaining written approval from the Director, a person must not:
  - i) repair or alter, or cause any repairs or alteration to any private connection that is part of the municipal system;
  - ii) open or use any water from a fire hydrant, or a standpipe, or valve intended for firefighting purposes; and
  - iii) sell, give, or convey water beyond the premises to which the water is supplied under this Bylaw.
  
- d) The prohibitions under sections Part D(1)(a), (b) & (c) do not apply to:
  - i) the employees, agents or contractors of the Village when carrying out necessary works on the municipal system;
  - ii) the use of water for emergency purpose

## **2. Auxiliary Water Supplies**

No cross connection between an auxiliary water supply and the municipal system is permitted.

## **3. Backflow and Cross-Connection Prevention**

- a) No person shall allow water, wastewater, or any harmful liquid or substance, to enter any part of the waterworks system, including any water service or any fire hydrant or standpipe.
  
- b) No person shall connect, cause to be connected, or allow to remain connected, any piping fixture, fitting, container, appliance or cross connection that could cause or allow drinking water quality, the service, or a private service to become contaminated, degraded or polluted in any way.
  
- c) Where the Village believes that a backflow or cross-connection exists in contravention of this Bylaw, the Village may:
  - i) provide written notice to the Owner to correct the condition at the Owner's expense;
  - ii) give notice to remove the piping, fixture, fitting, container, or appliance that is the source of the condition, within a period specified; or
  - iii) require that an approved backflow prevention assembly be installed and maintained as part of that private connection, at the Owner's expense.

**4. Private Connection Turn-Off**

- a) The Director may turn off a private connection for unnecessary or wasteful use of water upon 48 hours written notice.
- b) The Director may within 5 calendar days of delivering written notice to the Owner turn off the private connection for any of the following reasons and, in doing so, the Village shall not be liable for damages by reason of discontinuing the supply of water:
  - i. failure to repair or replace defective pipes, fittings, valves, tanks or appliances as required
  - ii. failure to carry out any work required by this Bylaw or having the applicable permit; and
  - iii. charges imposed pursuant to the applicable fees and charges bylaw are in arrears

**5. Notice Given**

Notice in writing required to be given by the Village shall be considered as sufficiently given if sent by registered mail or hand delivered to the Owner at the address shown on the last revised Assessment Roll of the Village.

**6. Appeal to Council**

An Owner who has received a turn off or disconnection notice under this bylaw may, by written notice delivered to the Village within 14 days of receipt of the notice of disconnection, request that Council re-consider the implementation of the notice.

**7. Private Connection Restoration**

- a) Where a Private Connection has been turned off or disconnected in accordance with this Bylaw, such service must not be turned on or reconnected until the Owner has:
  - i) paid to the Village outstanding fees or charges owing relating to the provision of the connection or the supply of water pursuant to the Bylaws of the Village; and
  - ii) paid to the Village any additional costs incurred by the Village in order to prevent improper use of water after the connection was turned off or disconnected; and
  - iii) installed, repaired, rectified any outstanding issues leading to the turn off or disconnection to the satisfaction of the Director.
- b) The costs incurred in section 6(a) above shall be in addition to and not in substitution for any fine or other penalty to which the Owner of the premises in question may be subject pursuant to the provisions in this Bylaw or any other statute or regulation.



**8. Interruption of Service**

- a) The Village does not undertake a duty of care to furnish a continuous supply of water, or a minimum amount of water pressure, to any premises.
- b) The Village may temporarily reduce or discontinue the supply of water to any premises where necessary for the proper and effective operation, maintenance or repair of the municipal system.
- c) The Village shall not be liable for the failure of the water supply as a result of any action or damage to the municipal system or any temporary stoppage of any service on account of alteration or repairs of the municipal system or for any other reason whatever, whether such failure arises from the negligence of any person or agent in the employ of the Village or otherwise.
- d) In the event of failure of the municipal system or stoppage continuing for a period of more than four hours, the Village may, at the Director's discretion, notify the Owner(s) of the stoppage or alteration of supply.

**9. Right of Entry to Private Property**

- a) Access to private property, at all reasonable times, must be permitted to any person authorized to administer this Bylaw, to enter into and inspect the private connection. Where possible, 24 hours' notice shall be given in accordance with the *Community Charter* (s. 16).
- b) Any person interfering with or obstructing the entry of the authorized person after that person has identified himself, must be deemed to be guilty of an infraction of this Bylaw and is liable to the penalties in this Bylaw.
- c) Any person authorized to administer this Bylaw may remove any material or thing that obstructs or impedes access to the municipal system and the expense of such removal must be charged to and paid by the person responsible for the obstruction or the Owner of the property serviced.

READ a first time this 2<sup>nd</sup> day of November, 2021

READ a second time this 2<sup>nd</sup> day of November, 2021

READ a third time this 2<sup>nd</sup> day of November, 2021

Reconsidered, Finally Passed and Adopted this 16<sup>th</sup> day of November, 2021



MAYOR



CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 644, 2021 duly passed by the Council of the Village of Tahsis on this 16<sup>th</sup> day of November, 2021.



CORPORATE OFFICER