

BYLAW NO. 682	
Bylaw name:	Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10
Participants:	Electoral Area C (Puntledge/Black Creek) and SRD Electoral Area D (Oyster Bay-Buttle Lake)
Purpose:	To include language around use of existing wells for non-domestic purposes following connection to the system and additional language for clarity around connection approvals
Amends bylaw:	Black Creek / Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008
Repeals bylaw:	N/A
Staff contact:	Senior Manager of Water/Wastewater Services
STATUS	
Committee approval:	<p>BCOB Oct 18/21: THAT no new or upsized connections be approved for any non-in-stream and non-entitled properties within the Black Creek-Oyster Bay Water Local Service Area, as defined in the October 15, 2021 staff report;</p> <p>AND FURTHER THAT Bylaw No. 5 being “Black Creek/Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” be amended to include additional language to provide additional authority and flexibility to decline new water connections as per the redline sections highlighted in blue and attached as Appendix A to the staff report dated October 15, 2021;</p> <p>AND FINALLY THAT staff work with Strathcona Regional District staff to ensure that the connection suspension and bylaw conditions are implemented in a similar manner for all properties located within the Strathcona Regional District Electoral Area D portion of the Black Creek-Oyster Bay Water Local Service Area.</p>
1st & 2nd readings:	October 26, 2021
3rd reading:	October 26, 2021
Ministry approval:	N/A
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 682

To amend the Black Creek – Oyster Bay Water Service Regulations, Fees and Charges Bylaw

WHEREAS the Comox Valley Regional District adopted Bylaw No. 5 being the “Black Creek / Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” on March 25, 2008;

AND WHEREAS the board desires to update the bylaw to include language around use of existing wells for non-domestic purposes following connection to the system and additional language for clarity around connection approvals;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

1. Bylaw No. 5 being “Black Creek / Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” is hereby amended by:

(a) Adding the following to definitions to Section 1 - Definitions:

“*DOMESTIC PURPOSE*” means the use of water for human consumption, food preparation, sanitation or other household purposes.”

“*NON-DOMESTIC PURPOSE*” means the use of water for a purpose that is not defined as a domestic purpose.”

“*PRIVATE SYSTEM*” means the onsite pipes and other apparatus on a parcel, connected to the system at the property line and used to convey water from the system to the plumbing fixtures in the buildings and structures on that parcel.”

“*WELL*” means a well that is used for supplying water for domestic purposes prior to the connection of the parcel to the system on which the well is located.”

“*WELL CLOSURE REPORT*” means a report that complies with Schedule 3 of the Groundwater Regulation or a successor enactment of similar intent.”

(b) Replacing Section 2 – Applications to connect, which reads as follows:

2. Applications for a water service connection in the service area shall include:

(a) Completion of the application form as supplied by the Regional District; and

(b) The proper fee as specified in schedule ‘A’ of this bylaw.

with the following:

2. (1) Applications for a water service connection in the service area shall include:
 - (a) Completion of the application form as supplied by the regional district;
and
 - (b) The proper fee as specified in Schedule A of this bylaw.
 - (2) The Manager of Water Services may refuse to supply water to a property if, in the opinion of the Manager of Water Services:
 - (a) The regional district does not have the capacity to supply water for that property or the level of proposed use;
 - (b) Doing so would adversely affect existing consumers; or
 - (c) The water system would not effectively be protected from any potential or actual cross-connections existing at, or within, a water service on the property to be connected.
 - (3) If such application for connection is not approved, the Manager of Water Services will so notify the applicant and the regional district will refund the charges or fees paid by the Applicant.
- (c) Inserting ahead of Section 3(1) under Section 3 – Connection, the following:
3. (1) Each property located within the service area is required to be connected to the water system, unless an application for connection is denied by the Manager of Water Services as per section 2(3).

and renumbering the remaining sections.

- (d) Adding to Section 3 – Connection, the following Section 3(6):
- (6) If the applicant wishes to be connected to the system and to use a well for non-domestic purposes, the owner must complete an Application for Permission to Use a Well for Non-Domestic Purposes as supplied by the regional district.
 - (a) Promptly after connection, the applicant must ensure that the well is disconnected from the private system on the parcel on which the well is located, in a manner that prevents water or other substances from the well entering the system, at the owner's expense.
 - (b) An owner who is permitted under this section to use a well for non-domestic purposes after connection to the system must:
 - i. Operate and maintain the well in good order;

- ii. Ensure the well is closed immediately when required by the regional district to do so if it is not operated or maintained in good order;
- iii. Not reconnect the well to the owner's private water distribution system as long as the owner's parcel is connected; and
- iv. Not use the well for domestic purposes.

(e) Replacing Section 5(3) which reads as follows:

- (3) The regional district shall not be liable for damages by reason of discontinuing water service for the reasons outlined in subsection (b).

with the following:

- (3) The regional district shall not be liable for damages by reason of discontinuing water service for the reasons outlined in subsection (2).

(f) Replacing Section 6(3) which reads as follows:

- (3) The regional district may install meters, on a supply line if requested to do so in writing by the owner of the premises, and the total installation cost shall be borne by the applicant and thereupon the applicant shall pay, in lieu of the flat rate set forth in section 1 of Schedule A hereof, the rate for meters according to the fees and charges contained in section 2 of Schedule A of this bylaw.

with the following:

- (3) The regional district may install meters, on a supply line if requested to do so in writing by the owner of the premises, and the total installation cost shall be borne by the applicant and thereupon the applicant shall pay, in lieu of the flat rate set forth in section 1 of Schedule A hereof, the rate for meters according to the fees and charges contained in Schedule A of this bylaw.

(f) Adding Section 12(2) as follows:

- (2) The Manager of Water Services may refuse any watermain extensions outside the service area if, in the opinion of the Manager of Water Services:

