

<b>BYLAW NO. 544</b>	
<b>Bylaw name:</b>	Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8
<b>Participants:</b>	Electoral Area 'C' (Puntledge – Black Creek) and Strathcona Regional District's Electoral Area 'D' (Oyster Bay – Buttle Lake)
<b>Purpose:</b>	A bylaw to update the costs for the installation of water meters and provide a limit of liability in relation to leak related charges
<b>Amends bylaw:</b>	5
<b>Repeals bylaw:</b>	N/A
<b>Staff contact:</b>	M. Rutten, General Manager of Engineering Services

<b>STATUS</b>	
<b>Committee approval:</b>	Black Creek – Oyster Bay services committee, June 18, 2018: “THAT Bylaw No. 5 being the “Black Creek/Oyster Bay Water Service Regulation, Fees and Charges Bylaw No. 5, 2008” be amended as per the revised bylaw attached as Appendix A to the staff report dated June 13, 2018.”
<b>1st &amp; 2<sup>nd</sup> readings:</b>	
<b>3rd reading:</b>	

<b>Final adoption:</b>	
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**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 544**

**A bylaw 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 bylaw to reflect the costs for the installation of water meters and provide a limit of liability in relation to leak related charges;

**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) replacing section 2, which reads:

“Applications for a water service connection in the service area shall be:

- (a) Made to the regional district in the form of schedule ‘A’ of this bylaw; and
- (b) Accompanied by the proper fee as specified in schedule ‘B’ of this bylaw.”

with the following:

“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.”

(b) Replacing in section 3 (Connection) subsection 3, which reads:

“Approval of a water service connection is valid only in respect of the premises described in the application (schedule ‘A’ of this bylaw), and the owner or occupier must not make any further or future connection of any other building or parcel without making a new application.”

with the following:

"Approval of a water service connection is valid only in respect of the premises described in the application and the owner or occupier must not make any further or future connection of any other building or parcel without making a new application."

- (c) Replacing section 4 (Applications to disconnect), which reads:

"Applications for a water service disconnection from the water main shall be accompanied by the proper fee as specified in schedule 'B' of this bylaw."

with the following:

"Applications for a water service disconnection from the water main shall be accompanied by the proper fee as specified in schedule 'A' of this bylaw."

- (d) Replacing in section 5 (Disconnection) subsection 2 (b), which reads:

"Non-payment of fees and charges outlined as in schedule 'B' of this bylaw, after the fees and charges are overdue for a period of thirty (30) days or more;"

with the following:

"Non-payment of fees and charges outlined as in schedule 'A' of this bylaw, after the fees and charges are overdue for a period of thirty (30) days or more;"

- (e) Replacing in section 6 (Installation and size of meters) subsection 3, which reads:

"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 'B' hereof, the rate for meters according to the fees and charges contained in section 2 of schedule 'B' of this bylaw."

with the following:

"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."

- (f) Replacing in section 7 (Access to meters) subsection 3, which reads:

"If access is not provided, fees and charges may be determined as per schedule 'B' of this bylaw. Further, a letter will accompany the billing indicating a date by which access must be provided."

With the following:

"If access is not provided, fees and charges may be determined as per schedule 'A' of this bylaw. Further, a letter will accompany the billing indicating a date by which access must be provided."

(g) replacing section 8 (Maintenance of meters), which reads:

"The owner/agent or occupier of the premises to whom water is supplied shall keep the service pipes, curb stop, fixtures, and fittings on their premises in good order and repair, and protect them from frost at their own risk and expense."

with the following:

"(1) The owner/agent or occupier of the premises to whom water is supplied shall;

- (a) Keep the service pipes, stop cocks, fixtures and fittings on their premises in good order and repair, and protect them from frost at their own risk and expense; and
- (b) Turn off the stop cock when the premise is vacated.

(2) No person to whose premises water is supplied shall make, or permit to be made, any additional connection to his/her service of either temporary or permanent nature, for the purpose of supplying water to another building, or house trailer on his/her or any other property without written permission of the CVRD.

(3) No person shall interconnect any portion of works on private property which are supplied by the CVRD with an external source of water, such as a well, except with written permission of the CVRD. Wherever works on private property which are supplied by the CVRD are connected to a body of contaminated water, such as a swimming pool, in such a way that, if a reverse flow were to be induced, a health hazard could result, the owner of the private property shall install and maintain a back-flow preventer on every such potentially dangerous cross-connection to the approval of the CVRD.

(4) No change or addition to the number or type of fixtures on a premises, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the CVRD and written permission therefore obtained. Any extra charge or higher toll payable due to the change or addition must be paid before the change or addition is commenced.

(5) No device designed to introduce another substance into the water in the connection between the building and the water supply main will be installed without written permission of the CVRD who shall ensure that the device is so designed and installed that such substance cannot be introduced into the system."

(h) Replacing in section 9 (Fees and charges) subsection 1, which reads:

"The fees and charges specified in schedule 'B' of this bylaw are hereby imposed and levied for water services supplied by the regional district."

with the following:

"The fees and charges specified in schedule 'A' of this bylaw are hereby imposed and levied for water services supplied by the regional district."

- (i) Inserting a new subsection 3 in section 9 (Fees and charges) as follows:

"Water service disconnected under this bylaw shall not be reconnected unless the following has been paid to the regional district:

- (a) The fees and charges that are overdue; and
- (b) The turn on fee as described in Schedule 'A'"

- (j) replacing section 10 (Fee rebates), which reads:

"10. (1) Where an owner or owner's agent provides evidence that:

- (a) Fees charged to that person under schedule 'B' have been unduly high because of a water leak; and
- (b) The leak has been repaired

a rebate calculated in accordance with subsection (2) may be made to the owner.

(2) A rebate under subsection (1) shall be calculated on half of the dollar amount of:

- (a) The last billing period calculated immediately before repair of the leak; and
- (b) The first billing period calculated immediately after repair of the leak.

(3) The power to review the evidence provided under subsection (1) and to calculate the rebate under (2) may be exercised by the manager of water services or his designate.

(4) The rebate payable under subsection (1) may be made to an owner for a leak that occurred on or after July 1, 2000.

with the following:

"10. (1) Where an owner or owner's agent provides evidence that:

- (a) Fees charged to that person under schedule 'A' have been unduly high because

of a water leak; and

(b) The leak has been repaired

a rebate calculated in accordance with subsection (2) may be made to the owner.

(2) A rebate under subsection (1) shall be calculated on half of the dollar amount of:

(a) The last billing period calculated immediately before repair of the leak; and

(b) The first billing period calculated immediately after repair of the leak.

(3) The power to review the evidence provided under subsection (1) and to calculate the rebate under (2) may be exercised by the manager of water services or his designate.

(4) The maximum leak related charge as described in subsection (2) shall be limited to \$1,000 per owner per application.

(5) The rebate payable under subsection (1) may be made to an owner for a leak that occurred on or after July 1, 2000.

(6) The rebate payable under subsection (1) is limited to once every two year per owner."

(k) Replacing in section 12 (System extensions) subsection 1, which reads:

"Any owner of land located within the service area, other than an extension to serve lots created by a subdivision of land, who wishes an extension to the system to serve the land, must make a written application to the regional district in the form set out as schedule 'C' to this bylaw."

with the following:

"Any owner of land located within the service area, other than an extension to serve lots created by a subdivision of land, who wishes an extension to the system to serve the land, must make a written application to the regional district in the form as supplied by the regional district."

(l) Deleting schedules 'A' and 'B' and replacing them with Schedule 'A' attached to and forming part of this bylaw.

(m) Deleting schedule 'C' in its entirety.

(n) Re-numbering and re-formatting the bylaw sections as required to accommodate this amendment bylaw.

**Citation**

This Bylaw No. 544 may be cited as "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8"

<b>Read a first and second time this</b>	<b>day of</b>	<b>2018.</b>
<b>Read a third time this</b>	<b>day of</b>	<b>2018.</b>
<b>Adopted this</b>	<b>day of</b>	<b>2018.</b>

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Chair

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Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 544 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8" as adopted by the board of the Comox Valley Regional District on the    day of    2018.

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Corporate Legislative Officer

### Schedule 'A'

#### Fees and charges

1. (a) All metered accounts are subject to a monthly minimum charge. The charge for the quantity of water used each month shall be calculated at the following rate (effective April 1, 2017)

Charge	Water volume	Rate
Residential minimum	Up to 15 m <sup>3</sup>	\$22.88 flat fee per month
Residential tier 1	Over 15 m <sup>3</sup> and up to 45 m <sup>3</sup>	\$1.37 per m <sup>3</sup>
Residential tier 2	Over 45 m <sup>3</sup>	\$2.06 per m <sup>3</sup>
Commercial minimum	Up to 15 m <sup>3</sup>	\$35.64 flat fee per month
Commercial tier 1	Over 15 m <sup>3</sup>	\$1.78 per m <sup>3</sup>

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- (b) Where a meter is found not to register, or access is not available as per section 6 of this bylaw, then charges shall be computed on the basis of the amount of water used during the time the meter was working or from any other information or source which can be obtained, and such amount so composed shall be paid by the owner/agent.

#### Extra charges - failure to provide access

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2. Each call after the first of each month if access has not been provided is charged at \$25.00 per call. The actual cost to gain access to the meter that is incurred by the regional district will be charged to the owner / occupier of the premises.

#### Connection and disconnection charges

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3. (1) The following charges apply to service connections:
  - (a) 19 mm connection - \$2000.00;
  - (b) 25 mm connection – \$2500.00;
  - (c) Greater than 25mm- At cost (minimum \$1000.00)



- (2) The following charges apply to service disconnections:
- (a) 19 mm, 25 mm and greater disconnection - \$1000.00.

**Turn on / turn off charges**

4. The following charges apply to turning on OR turning off water supply at the service connection and do not preclude payment of the minimum charge in Schedule A
- (a) Turn on - \$25.00;
  - (b) Turn off - \$25.00.