

District of Barriere

REPORT TO COUNCIL

Request for Decision

Date: September 15, 2025	File: 530.20/Rpts
To: Council	From: Chief Administrative Officer
Re: Utility Billing Bylaw No. 260	
Recommendation: THAT Council gives first three readings to Utility Billing Bylaw No. 260.	

Purpose

For Council to consider implementing a new Utility Billing Bylaw for the District.

Background

As part of the ongoing review of our utility billing processes, District staff has been working on new and updated bylaws to ensure compliance with legislation are achieved and best practices are codified.

The following list of bylaws are also being worked on at this point and will be presented to Council over the next few months:

1. Water Regulations Bylaw – This Bylaw was previously consolidated from three individual ones and is in need of a large scale cleanup now, especially with the proposed implementation of the Utility Billing Bylaw.
2. Solid Waste Regulation Bylaw – needs to be updated and greatly expanded upon.
3. Wastewater Regulations Bylaw – there is currently no bylaw in place that governs wastewater. A bylaw is needed to appropriately regulate our wastewater utility, especially as the service area is expanded further in the future.
4. Streetlighting Bylaw (and related fees and charges) – The bylaw needs to be repealed for 2026. Any potential reduction in revenue needs to be balanced from another source (i.e. property taxation).

Instead of simply amending, adding, or repealing the bylaws, staff used a holistic approach to review other strategies to reduce potential long-term challenges when working with the public in regard to utility billing, account setup, disconnects, etc. For example, there would be sections in each of these individual bylaws that are related, and which should be identical throughout and apply to all rate payers alike.

As such, it is proposed to create a singly Utility Billing Bylaw that speaks to these general items relating to the actual accounts and processes including disconnections and notice provisions.

Staff have prepared the attached draft Utility Billing Bylaw as a first step to streamline these bylaws. Several sections have been moved from the current Water Systems Bylaw; however, there were also some other opportunities to include updated language, other policies, and variations to current practices that may be more beneficial to the District at the moment.

Proposed Changes

The following items would be considered a larger scale change when interacting with our customers:

1. Unpaid Invoice Notice (S.2 - Definitions and S. 11 - Terminations of Accounts) – the intent of these sections is to provide clear expectations to staff in regard to the process that will be required to notify a person about the impending disconnection. This also includes a mechanism to appear before Council at a regular meeting within a two-meeting window, if so desired by the individual.
2. Application for Utility Billing Account (S. 3) – at present, no application for an account is required when purchasing property in the District. Although this is legally permissible for the District to create utility billing accounts based on the property sales information provided to us by the Land Titles Offices (LTO), it may not necessarily be advantageous to the District. The intent of this section is to provide an opportunity for a first interaction with the District to share information about garbage collection and sprinkling regulations, for example. This would also be an excellent opportunity for staff to collect vital contact information to ensure we can connect with our residents, when necessary, for example to advise about late property taxes. Further, this will also enable us not to allow any new accounts to be opened if there are any outstanding charges from another location still outstanding.
3. Security Deposits (S. 7) – presently, no security deposits are required, largely because the account opening is done without any real interaction with the new resident. As such, S. 7 would enable the District to collect security deposits on new accounts where there is no previous history, or on accounts where there is a history of unpaid fees.
4. Invoicing (S. 8) – this section now allows for monthly billing on some customers that exceed \$3,500 in any quarterly single billing cycle. The most likely organization impacted by this change would be School District No. 73 as they are approaching this amount. Enabling this will allow for more frequent billings of smaller amounts instead of large bill amounts.
5. Billing Errors (S. 10) – this section proactively establishes guidelines to work with customers on correcting those errors. Under-billing will be limited to 1 year of adjustments, while over-billing would be limited to 2 years or from the time the current owner came on title. It also provides some flexibility on how the over or underbilled amounts get determined in the event that an error occurred.
6. Credit Balances (S. 12) – part of this section was previously Council Policy No. 33 (see attached). It has been integrated into the bylaw, and the amount has been adjusted to \$10.00 from \$5.00. In addition. As such, the policy will be able to be rescinded if this Bylaw is adopted. Further, this section now also provides for timelines and other dollar amount thresholds regarding credit balances.

7. Write-offs on Uncollectible Accounts (S. 13) – this section will provide staff with the authority to write off accounts of less than \$100.00 if the account is deemed “uncollectible”. Any amounts above this threshold would require some form of Council approval.
8. Equal Payment Plan (S. 14) – this section sets the guidelines regarding equal payment plans that customers can use for utility bills and taxes. The District currently offers this service; however, no formal bylaw or policy exists setting out the rules and guidelines for such a payment option. This section would correct this.
9. Water Leak Adjustments (S. 15) – this section was previously governed by Policy No. 27. Staff took the opportunity to incorporate the policy into the bylaw. Policy No. 27 can subsequently be rescinded.
10. Waiver of Fees and Charges (S. 16) – this section will provide Council the authority, in extenuating circumstances, to reduce a fee or provide a credit to an account that would otherwise not be possible under this bylaw.

Other Sections

Although some of the language in the sections listed below may be new or updated, in general, there are no context changes compared to how we either currently operate or what the intent of the current bylaws are.

Responsibility for Payment (S. 4)

Defines the property owner as the person responsible for the account and all related fees and charges.

Utility Services and Rate Charges (S. 5)

Establishes that the District will charge the customer for services in accordance with the Fees and Charges Bylaw.

Utility Meter Readings and Consumption Charges (S. 6)

Provides guidance on meter readings and testing process. This section was also linked to Section 10 – Billing Errors – to ensure the same timeframes apply. The current bylaw only provides for reimbursement of up to 3 months, this new timeframe under Section 10 allows for up to 2 years or when the current Owner came on title, whichever is less.

Payments (S. 9)

Sets guidelines in relation to payments. For example, payments will be applied in reverse order (oldest outstanding charges first). This section also provides the authority to roll over unpaid utility bills to property taxes.

Summary

In summary, the proposed bylaw captures current District practices and further codifies industry best practices in relation to Utility Billing. Next steps would see the various other utility related bylaws being brought to Council to equally align those with current standards.

Benefits or Impact

General

The proposed bylaw provides clear guidance to staff in relation to Utility Billing accounts.

Finances

N/A

Strategic Impact

Priority #3: Create Opportunities for Community Growth

Goal 3. Complete critical Utility Bylaw and Utility Master Plan revisions

Actions to get us there:

- a. Develop a new Wastewater Regulations Bylaw.
- b. Update the Water Regulations Bylaw to include provisions that address mobile home parks and other emerging items.

The Results We Want to See:

- a. Present a Wastewater Bylaw for Council consideration in 2025.
- b. Present a Water Bylaw update for Council consideration in 2025.

Risk Assessment

Compliance: Community Charter, specifically S. 194 and S. 12

Risk Impact: Low

Internal Control Process:

Thorough in-house review and collection of best practice from other municipalities in relation to the overall utility related bylaws being proposed for updates.

Next Steps / Communication

- If given first three readings, the bylaw would be presented for final reading on October 6, 2025.
 - Most of the utility-related bylaws should be adopted by early 2026 to align with the budget cycle.
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Attachments

- Draft Bylaw No. 260 – Utility Billing Bylaw
- Current Bylaw No. 189 – Water Systems
- Current Policy No. 27 – Water Leak Adjustment
- Current Policy No. 33 – Overpayment Refund Policy

Recommendation

THAT Council gives first three readings to Utility Billing Bylaw No. 260.

Alternative Options

1. Council could amend the bylaw.
2. Council could choose not to implement a bylaw at this time. This is not recommended as a bylaw is essential to codify current best practices.

Prepared by:

D. Drexler, Chief Administrative Officer

**DISTRICT OF BARRIERE
BYLAW NO. 260**

**A BYLAW TO REGULATE AND IMPOSE REQUIREMENTS IN RELATION TO UTILITY
BILLING**

The Council for the District of Barriere, in open meeting lawfully assembled, **ENACTS** as follows:

1. Title

1.1 This bylaw may be cited as the "Utility Billing Bylaw No. 260".

2. Definitions:

2.1 In this bylaw, unless the context requires otherwise:

"Customer" means any person, company, or corporation in whose name a Utility Billing Account has been opened.

"District" means the District of Barriere.

"Fees and Charges Bylaw" means the current Fees and Charges Bylaw enacted by the District and its amendments or replacements.

"Leak" means an unintentional water loss caused by broken pipes at a residence or building.

"Meter" means an apparatus or device used for measuring the volume of water passing through it and includes any accessories such as remote reader device and connection cable.

"Occupier" has the same meaning as in the *Community Charter*, as amended or replaced from time to time.

"Owner" has the same meaning as in the *Community Charter*, as amended or replaced from time to time.

"Premises" means land, a building, or a structure or a part of land, a building, or a structure or a combination of these used or occupied by a Customer.

"Staff" means Chief Administrative Officer or designate.

"Unpaid Invoice Notice" means a notice served to a Customer:

- a) stating that charges as imposed and levied for services provided pursuant to this Bylaw, as set by the Fees & Charges Bylaw including further amendments, in respect of a Premises owned or occupied by the Customer, are due and payable and remain unpaid;

- b) requiring the Customer to pay the unpaid charges within a specified time period, which shall in any case be no less than seven days after the date on which the Unpaid Invoice Notice was issued to the Customer; and
- c) notifying the Customer that if the Customer fails to pay the unpaid charges in the specified time period, the District may disconnect the applicable District's Utility Service from the Premise in respect of which the charges remain unpaid.

"Utility Billing Account" means an account for invoice or billing purposes in relation to the use or consumption of a Utility Service.

"Utility Service" means a public utility service or system operated by or on behalf of the District, including the provision of water, wastewater, and/or waste collection services.

"Water Service Pipe" means the pipe on private property which supplies potable water from the District's watermain to the inside of the building on the property.

3. Application for Utility Billing Account:

- 3.1. The Owner or an Owner's duly authorized agent or Occupier of any premises making use, or intending to make use, of any Utility Service being operated by or for the District shall make application, in a form prescribed by Staff, to the District for a Utility Billing Account.
- 3.2. Any application submitted by an Occupier shall require additional authorization by the property Owner satisfactory to the District.
- 3.3. No application shall be accepted from, and no Utility Billing Account shall be opened or re-opened in the name of any person until the outstanding balance on any existing or previous Utility Billing Account owing by that person is paid.

4. Responsibility for Payment:

- 4.1. Property Owners shall be responsible for payment of all charges and fees, as set out by this or any other applicable bylaw, charged to the Utility Billing Account for properties they own.
- 4.2. The Owner of any premises making use of any Utility Service being operated by the District, in relation to which for whatever reason no Utility Billing Account exists, shall be responsible for payment of all charges and fees equal to those that would have been applicable if a Utility Billing Account had been open and in existence.

5. Utility Services and Rate Charges:

- 5.1. Where under the authority of this, or any other bylaw, the District performs any work on property or Premises, or provides any Utility Service to property or Premises, the Owner of the property or Premises shall promptly reimburse the District for its costs in performing that work or providing that Utility Service.

- 5.2. The District shall determine the appropriate rate class and/or billing category in accordance with applicable regulatory or other bylaws, in relation to each Utility Service being provided to each Utility Billing Account.
- 5.3. The user rates and charges to be imposed and levied for Utility Services are those specified in the Fees and Charges Bylaw or any other applicable bylaw.
- 5.4. Charges for Utility Services including but not limited to new service installations, service upgrades, connections, disconnections, reconnections, temporary services, temporary turn-off/turn-on, seasonal capacity, Meter hardware, Meter readings, Meter testing, and other miscellaneous services will be levied in accordance with, and as specified in, the Fees and Charges Bylaw.

6. Utility Meter Readings and Consumption Charges:

- 6.1. The level or amount of use or consumption of a Utility Service at any Premise for which a Meter has been installed shall be determined by the District through reading the Meter, and no person shall prevent any authorized District representative from accessing or reading any such Meter on any property or Premises.
- 6.2. A Meter may be read on any date during a billing period; however, as nearly as practical, the District shall endeavor to read Meters on the same date in each billing period.
- 6.3. If a Meter at a particular location is not able to be read with reasonable accuracy, the District may estimate the level or amount of use or consumption of the Utility Service over the applicable period.
- 6.4. If the District or an Owner question the accuracy of the record of a Meter at the location to which the Utility Billing Account relates to, the party questioning the accuracy of the Meter shall procure a qualified professional to remove the Meter at their cost, and utilize a District approved Meter testing professional to verify the accuracy of the Meter.
- 6.5. If the test performed under Section 6.4 that is initiated by the Owner, discloses that the Meter is less than 98% accurate in recording the water passing through the Meter, the District shall confirm the findings and if confirmed, reimburse to the Owner the billed costs associated with the Meter's removal and testing. Repair or replacement costs are the responsibility of the Owner.
- 6.6. If the test performed discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the District shall adjust the Owner's water charges by the amount of the inaccuracy in accordance with Section 10.1.
- 6.7. Any determination by the District as to the functioning of the Meter, the accuracy of the reading, or any reasonable adjustment to be made to the Utility Billing Account, shall be final.

7. Security Deposit and Pre-Payments:

- 7.1. The District may request a security deposit for new Utility Services or reconnection of existing Utility Services when:
 - a. the Customer does not have an established or satisfactory credit history with the District; or
 - b. the Utility Billing Account is for services provided with respect to land and/or buildings not owned by the Customer.
- 7.2. The security deposit, where such deposit is required, shall be calculated as three (3) times the average monthly billing over a one-year period for the Premises.
- 7.3. The District may estimate the security deposit based on historical consumption information for similar Premises or a manual calculation of usage.
- 7.4. Interest on security deposits held for more than thirty (30) days shall be calculated quarterly and credited to the Customer's Utility Billing Account. The interest paid shall be at the rate prescribed for property tax overpayments under Section 239 of the *Community Charter*.

8. Invoicing:

- 8.1. The invoices for Utility Billing Accounts shall be rendered quarterly for all applicable charges and fees set out in this Bylaw, the Fees and Charges Bylaw, or any other applicable bylaw.
- 8.2. The due date for invoices for Utility Billing Accounts shall be no more than 45 calendar days from the date the invoice was prepared.
- 8.3. The District may implement monthly billing for high volume Utility Service Customers whose quarterly charges exceed \$3,500 in any single billing cycle.
- 8.4. The District is not responsible for non-delivery of any invoice or billing notice.

9. Payments:

- 9.1. Payment shall be due and payable by the due date at the District offices, or any other location shown on the invoice.
- 9.2. All payments or credits received or given in relation to amounts owing on a Utility Billing Account shall be applied in reverse date order from the oldest outstanding charge to the newest charge.
- 9.3. An overdue account penalty as set out in the Fees and Charges Bylaw will be assessed on all outstanding balances not paid by the due date printed on the invoice. The penalty shall be added to current charges on the present invoice, and the previous amounts unpaid shall remain outstanding and shall be shown as an arrears balance on the present invoice.

- 9.4. Any amounts due and payable in accordance with this bylaw, and which remain unpaid after December 31st of any year, whether incurred by an Owner or another Customer at the property address to which the Utility Service has been provided, shall be deemed to be taxes in arrears and added to the property taxes on that property, and shall be subject to the same interest and penalties, and be recoverable in the same manner, as property taxes as provided for in the *Community Charter*.

10. Billing Errors:

- 10.1. Where an error is found to have been made in the amount invoiced or billed to a Utility Billing Account, the amount either under-billed or over-billed shall be debited from or credited to the Utility Billing Account and shown on the next Utility Billing Account invoice, subject to any arrangements made pursuant to section 10.3 of this bylaw and the following restrictions:
- a. the adjustment period is limited to the time that the current Owner is on title;
 - b. the adjustment period(s) for under-billing are limited to a maximum of 1 year;
 - c. the adjustment period(s) for over-billing are limited to a maximum of 2 years or when the current Owner came on title for the property, whichever is less.
- 10.2. Where the exact amount of under-billing or over-billing cannot be determined, the District may make a reasonable and fair estimate of the amount, using its own records or those of the Customer, and in keeping with amounts billed to other Customers in similar premises, being used in a similar manner, over the same time period.
- 10.3. Where an amount has been under-billed, and where the error can reasonably be said to have been the fault of the District's, the District may offer the Customer reasonable terms of repayment, which may be over a period of several months, and may be interest and penalty free.
- 10.4. Where an under-billing is found to have been made in the amount invoiced or billed to a Utility Billing Account, and that error is a result of unauthorized use of a Utility Service, or can reasonably be said to be a result of fraud, theft, tampering with a Meter or other equipment, or any other similar act, the amount of the under-billing, plus any direct administrative costs incurred by the District in investigating the circumstances, plus interest and penalties at the rate normally charged on unpaid accounts receivable by the District shall be charged to the Utility Billing Account. Where such amount is due and payable, and remains unpaid after December 31st of any year, it shall be deemed to be taxes in arrears and shall be recoverable as outlined in section 9.4 of this bylaw.

11. Termination of Service / Closure of Accounts:

- 11.1. Staff may terminate Utility Services where an amount has been invoiced and is due and payable and remains unpaid for more than 45 days after the date on which the invoice became due and payable.

- 11.2. In a case where the District plans to terminate a Utility Service because of unpaid amounts that have been invoiced and are due and payable, an Unpaid Invoice Notice shall be provided to the Customer which shall include at least one of the following:
- a. "Cut Off Notice" billing message included on an invoice for the relevant Utility Billing Account;
 - b. a warning letter mailed or emailed to the contact address supplied by the Customer or delivered to the service location of the Utility Billing Account;
 - c. a telephone call to the relevant Customer, which may include speaking directly with the Customer or leaving a message on an answering service or machine at the Customer's contact telephone number; or
 - d. a notice or tag left on the door at the service location of the Utility Billing Account at least two working days prior to scheduled termination.
- 11.3. Within 15 days of receipt of an Unpaid Invoice Notice, a Customer may request an opportunity to make representations to Council by submitting the request to the District in accordance with the Unpaid Invoice Notice.
- 11.4. Where a Customer has received an Unpaid Invoice Notice and has failed to pay the unpaid charges within 30 days of receipt of the Unpaid Invoice Notice, the District may disconnect one or more District Utility Services from the Premises in respect of which the charges remain unpaid.
- a. If a Customer has submitted a request to the District pursuant to section 11.3, the District must not disconnect the Utility Services from the Premises in respect of which the charges remain unpaid until the Customer has had the opportunity to make representations to Council.
 - b. If the Customer fails to make representation to Council for more than two (2) consecutive regularly scheduled meetings of Council after the request pursuant to section 11.3 was confirmed by Staff, then the District may proceed with the disconnection pursuant to Section 11.2.d.
- 11.5. A Customer wishing to close their Utility Billing Account shall give the District a minimum of five full business days' notice of the date on which the Utility Billing Account is to be closed. Where such notice is not provided, the Customer shall be responsible for payment of any amounts attributed to use or consumption of the Utility Service for the period between the date that notice was received by the District, and the earlier of the date service was terminated or twenty-four hours following such notice.

12. Credit Balances:

- 12.1. Upon termination of a Utility Billing Account, any credit balance above \$10.00 remaining after final billing will be refunded to the Customer. The District will not prepare a refund for any remaining credit balance of less than \$10.00.

- 12.2. Staff may transfer an unclaimed or terminated Utility Billing Account credit balance to the District's utility revenues under the following circumstances:
- a. the credit has remained on the Customer's account for a period of greater than one year, the Customer has been notified in writing of the credit amount, and the Customer does not have any overdue balances to which the credit can be applied; or
 - b. the credit balance is more than \$10.00 and less than \$25.00, and the Customer has not requested a refund within six months of account termination; or
 - c. the credit balance is less than \$10.00.

13. Write-offs of Uncollectible Accounts:

- 13.1. An individual Utility Billing Account balance of less than \$100.00 may be written off in the normal course of business by Staff, using due care and judgement, where the balance is determined to be uncollectible and transfer of the outstanding amount to the subsequent property owner is deemed to be inappropriate under the circumstances.

14. Equal Payment Plan:

- 14.1. Upon application, the District will permit qualifying Customers to make equal monthly payments on their Utility Billing Account without incurring penalties or interest. Payments under the Plan will be made only by direct withdrawal from the Customer's bank account.
- 14.2. The payment amount will be based upon the estimated annual cost for the Utility Service using the property's historical consumption records or other reasonable methodology. Payment amounts will be reconciled annually at the end of the calendar year.
- 14.3. The District may conduct an interim reconciliation and recalculation of payment amounts and request an adjustment of the monthly payment amount where the variance is 15% or greater.
- 14.4. A Customer will qualify for the plan provided the account is not in arrears and the Customer expects to be on the plan for at least one year.
- 14.5. The equal payment plan may be terminated by the District if the Customer has not maintained satisfactory credit, or if the Customer fails to increase the equal payment amount when requested to do so. The District deems credit to be unsatisfactory if for any reason two payments fail to be honoured.
- 14.6. The equal payment plan may be terminated by the Customer at any time upon providing the required amount of notice. Customers who request termination of the plan will be eligible for re-enrollment after a minimum six-month waiting period.

- 14.7. Upon reconciliation of the equal payment plan balance, the net amount owing to the District will become due and payable by December 31. Failure to remit the outstanding amount when due may result in termination of the plan.
- 14.8. An overpayment by the Customer exceeding \$200.00 may be carried over to the following year or refunded to the Customer upon request. Overpayments of less than \$200.00 will be carried forward and included in the calculation of the equal payments for the next period.

15. Water Leak Adjustments:

- 15.1. Staff may, upon written request from a Customer supported by repair bills or other appropriate documentation, adjust the Utility Billing Account.
 - a. Adjustments will only be granted for Leaks in the Water Service Pipe.
 - b. Leak adjustments on utility bills will NOT be made for the following:
 - i. malfunctioning internal plumbing fixtures (running toilets, dripping taps etc.)
 - ii. in-ground or above ground pools, ponds, and fountains
 - iii. buried lines connected to the main water lines
 - iv. premises left abandoned or vacated without reasonable care for the plumbing system
- 15.2. If in the normal course of business, the District becomes aware of abnormal water consumption or any evidence of a Leak on any Premise, the District will make every effort to notify the Customer, but accepts no responsibility for failure to do so. Notification may be by phone or phone message, door hanger, mail, or electronic mail. If the Leak is deemed to be substantial and the Customer cannot be contacted, and in order to avoid possible further damage, the District may, without further notice, shut the water off at the main. The water to the premises shall not be turned on again until such repairs or alterations have been reasonably made at the Customers expense and to the satisfaction of the District. The cost of this water shut off and turn on will be the responsibility of the Customer and will be included on the next regular utility invoice. No person whose water is turned off pursuant to this section shall have any claim against the District by reason of such discontinuance or supply.
- 15.3. Leak adjustments shall not be considered for water lost subsequent to 48 hours from a Customer becoming aware of a Leak or being notified of a possible Leak by the District. Customers must take immediate action after detection or notification of a Leak to prevent further water loss. No allowance will be made for notification claimed to be lost or not received.
- 15.4. A written Leak adjustment request must be submitted to the District within 30 days of the Leak notification and/or repair date. Proof of the Leak repair (e.g. Invoices, receipts or pictures before and after) must be submitted with the request. The District reserves the right to inspect the repair or verify usage with further meter readings prior to considering the Leak adjustment.

- 15.5. The Customer shall be responsible for the estimated normal amount of water consumed at the current water rates, plus 25% of the additional water consumed as a result of the Leak at the current water rates. If the Leak is identified to be within any irrigation or sprinkler systems, the Customer will be responsible for the estimated normal amount of water consumed at the current water rates, plus 50% of the additional water consumed as a result of the Leak at the current water rates. The estimated normal amount of water consumed will be determined by the District and is defined as the average water consumption based on the same or similar water billing period from the previous 3 years. If three years of consumption data is not available, normal consumption will be based on the best estimate information available on the property or consumption from a comparable property.
- 15.6. Adjustments will only be granted when the Utility Billing Account is in good standing and no previous past due amounts are outstanding.
- 15.7. One Leak adjustment per property owner within an eighteen (18) month period will be permitted. The 18-month period begins the first month of the billing period following the billing period that the Leak adjustment was prepared for.

16. Waiver of Fees and Charges:

- 16.1. In limited, extenuating circumstances, Council may, by resolution, reduce or credit any fees or charges imposed on Utility Billing Accounts under this bylaw, subject to provisions of the *Community Charter*.

17. General

- 17.1. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- 17.2. If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

Read a first, second, and third time this _____ day of _____, 20____.

Finally adopted this _____ day of _____, 20____.

Mayor – Rob Kerslake

Corporate Officer – Tasha Buchanan

**DISTRICT OF BARRIERE
BYLAW NO. 189**

A BYLAW TO REGULATE, PROHIBIT, AND IMPOSE REQUIREMENTS IN RELATION TO CONNECTION TO
AND USE OF THE WATERWORKS SYSTEM WITHIN THE DISTRICT OF BARRIERE WATER SYSTEM
LOCAL SERVICE AREA

WHEREAS Section 24 (2) of the *Local Government Act* states that if a municipality is incorporated, a provision of a bylaw adopted by the regional district that applies to the area continues in force as if it were a bylaw of the municipality until it is amended or repealed by the Council;

AND WHEREAS the Council of the District of Barriere deems it appropriate and necessary to repeal the *District of Barriere Cross Connection Control Bylaw No. 38* as amended, the *District of Barriere Water Restrictions Bylaw No. 39* as amended, the *District of Barriere Waterworks System Bylaw No. 110*, as amended that apply to the municipality and consolidate all three previous bylaws into one;

NOW THEREFORE be it resolved that the Council of the District of Barriere, in open meeting assembled, enacts as follows:

- 1.1 This bylaw may be cited for all purposes as the “*District of Barriere Water System Bylaw No. 189.*”
- 1.2 *District of Barriere Cross Connection Control Bylaw No. 38* as amended, is hereby repealed.
- 1.3 *District of Barriere Water Restrictions Bylaw No. 39* as amended, is hereby repealed.
- 1.4 *District of Barriere Waterworks Bylaw No. 110* as amended, is hereby repealed.

2.0 DEFINITIONS:

- 2.1 “Accessible” shall mean having access thereto but which first may require the removal of access panel, door or similar obstruction;

“After Hours Call Out” shall mean requests for service from the District of Barriere requiring a response after the regular hours of operation and on Statutory Holidays.

“Agricultural Irrigation” shall mean a system of irrigation involving the controlled delivery of water for the purpose of cultivating crops and/or livestock

“Applicant” shall mean any owner or their agent making an application for service, service connection, or the Turn-on or Turn-off of water;

“Approved Backflow Prevention Assembly” shall mean a backflow preventer that is designed to be tested and repaired in-line and meets the design and installation criteria requirement of the Canadian Standards Association (CSA) standards B.64.10-07/Series 01 (or the most current) and the USC FCCCHR approval criteria;

“Auxiliary Water Source” shall mean any water supply on or available to the premises other than the District of Barriere’s approved public water supply;

“Backflow” shall mean flow of water or other liquids, gases or solids from any source back into the customer’s plumbing system or the Waterworks system;

“Backflow Assembly Test Report” shall mean a form provided by or approved for use by the District of Barriere to be used when testing backflow assemblies to record all pertinent information and test data;

“Backflow Assembly Tester” shall mean a person holding a valid certificate from the American Water Works Association – British Columbia Section, for testing backflow prevention assemblies.

“Backflow Preventer” shall mean a mechanical apparatus installed in a water system that prevents backflow into the Waterworks system;

“Base Fee” shall mean the minimum fee for water supply regardless of water use;

“Billing Period” shall mean the period of time over which water is consumed and for which a charge is levied upon each Owner supplied with water by the system;

“Bylaw Enforcement Officer” means an RCMP Officer and/or any of the following District of Barriere staff:

- Chief Administrative Officer
- Bylaw Enforcement Officer
- Utilities Manager
- Utilities Staff (Operators)
- Cross Connection Control Inspector
- Building Inspector

“Commercial User” shall mean any user other than domestic user;

“Connection or Connect” shall mean tying into, tapping or otherwise connecting to the waterworks system of the District by means of pipes, valves, fittings or other apparatus;

“Connection Fee” shall mean the fees charged for the initial water connection when the connection is at property line;

“Consumption Charge” shall mean the volume of water used multiplied by the Consumption Rate;

“Consumption Rate” shall mean the price of water per cubic meter that is charged to users with a water connection and water meter in accordance with this Bylaw;

“Contaminant” shall mean any physical, chemical, biological or radiological substance or matter in water which may render the water non-potable, according to regulations of the Province of British Columbia Drinking Water Protection Act & Regulations, or other applicable legislation of the day;

“Council” shall mean the Council of the District of Barriere;

“Curb Stop” shall mean the valve on a service pipe located on the street or lane at or near an Owner’s parcel boundary;

“Customer” shall mean the registered owner or agent for the owner of any property served by the District of Barriere Waterworks System, and also any person who is the occupier of any such premises, and also any person who obtains water from a Fire Hydrant or by any service from the waterworks system;

“Contaminant” means any physical, chemical, biological or radiological substance or matter in water which may render the water non-potable, according to regulations of the Province of British Columbia Drinking Water Protection Act & Regulations;

“Cross Connection” means any actual or potential physical connection whereby the District of Barriere waterworks system is connected, directly or indirectly, with any non-potable or unapproved private water system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains, or may contain contaminated water, liquid, gases, sewage, or other waste, or unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow;

“Cross Connection Control Program” means the District of Barriere Cross Connection Control Program and Guidelines which provide further reference and direction, standard operating procedures, bulletins and other program updates relevant to this bylaw;

“CSA” is the abbreviation for the Canadian Standards Association;

“Discontinue” means to terminate the arrangement between the District of Barriere and the Customer for the supply of water and to Shut Off the service pipe, disconnect it, or remove it;

“Disconnection” shall mean the turning off or complete removal of a water connection;

“District” shall mean the District of Barriere;

“Domestic Use” means the use of water for normal operation of a residential home;

“Domestic User” shall mean any Owner of land connected to the Waterworks system using water for residential household requirements, sanitation, fire prevention, or lawn and garden irrigation purposes;

“Drip Irrigation” means a system of irrigation involving the controlled delivery of minimal water directly to individual plants through a network of tubes or pipes;

“Due Date” shall mean the date the water utility invoice is due which shall be no more than 30 days from the date the invoice was prepared;

“Duly Authorized Agent” includes a person, firm or corporation authorized to act either on behalf of an Owner or the District as specified;

“Dwelling Unit” shall mean a building or portion of a building where one or more rooms with self-contained cooking, eating, living, sleeping and sanitary facilities are used or intended to be used as a single residential unit for one or more persons.

“Fees & Charges Bylaw” shall mean the most recent District of Barriere Fees & Charges Bylaw and its amendments;

“Fill” means to fill more than 15% of the total capacity of a swimming pool, wading pool, hot tub, garden pond or decorative fountain or water feature;

“Fire Hydrant Use Permit” means a permit used by the District of Barriere for any person requesting water from a Fire Hydrant for purposes other than emergency fire protection;

“Inspect” shall mean an on-site review of the water use, facilities, meters, piping equipment, operating conditions and maintenance records for the purpose of evaluating for conformity with the terms and conditions of this bylaw;

“Inspector” means a person designated by the District of Barriere to inspect and confirm compliance with the regulations of this bylaw;

“Meter Pit” shall mean a chamber installed below or above ground over a residential or irrigation water service for the purpose of installing a Water Meter;

“Non-Domestic User” means any Owner of land connected to the Waterworks system that is not using water as a Domestic User;

“Obstructed Water Meter” shall mean that the water meter could not be read due to some action or inaction of the property owner or occupier;

“Occupier” has the same meaning as in the Local Government Act;

“Owner” has the same meaning as in the Local Government Act;

"Parcel" shall mean:

- i) a single area of land with defined boundaries and registered under the provisions of the Land Titles Act; or
- ii) a single area of land with defined boundaries held by way of lease granted by the Federal or Provincial Crown or their agencies.

"Person" includes a corporation, partnership or party, and the personal or legal representatives of a person to whom the context can apply, according to law;

"Potable Water" means water that is fit for human consumption as defined in the Drinking Water Protection Act and Regulations;

"Premises" shall mean any residence, building or structure connected to the water system;

"Private Water system" shall mean any privately owned pipe and fittings intended for the delivery or distribution of water within a premise or to a property and includes any domestic use, irrigation system, green house and hydroponics system, and any other use of water supplied by the Waterworks System;

"Property" shall mean any and all parcels of land contained within the boundaries of the District of Barriere Water System local service area;

"Quarterly" shall mean a three month period within a calendar year, specifically January to March, April to June, July to September and October to December;

"Rate" shall mean the price or sum of money to be paid by any consumer for the quantity of water supplied to them, as measured by a meter, any Monthly or Quarterly charge, or any Flat Rate charge as provided by the Fees & Charges bylaw;

"Readily Accessible" shall mean direct access without the necessity of removing or moving away a panel, door or other similar obstruction;

"Reclaimed Water System" means treated effluent water system that disposes of water from the Waste Water Treatment Plant;

"Reduced Pressure Backflow Assembly" a backflow preventer consisting of a mechanically independent acting, hydraulically dependent relief valve located in a chamber between two independently operating, force-loaded check valves, the intermediate chamber pressure always being lower than the supply pressure when there is a positive pressure on the supply side. The unit includes properly located resilient-sealed test cocks and tightly closing resilient-seated shut-off valves at each end of the assembly. This device is designed for use under continuous pressure;

"Service" shall mean the supply of water from the District of Barriere Water System to any property and shall include all pipes, taps, valves, connections and other things necessary to supply or actually used for the purpose of such supply;

"Service Connection" shall mean the connecting line from the Waterworks System to the parcel boundary and includes all related pipes, shut off valves and other appurtenances;

"Shut Off" means to turn off the water supply by closing a District of Barriere owned valve or by any other means approved by the District of Barriere;

"Soaker Hose" shall mean is a porous flexible tube that looks like a garden hose;

"System" shall mean the District of Barriere Water System which includes all pipes, valves, meters, transmission and distribution lines, pumping equipment, reservoir and the like from the source of water up to and including the individual Service Connection;

"Technician" means the person or persons authorized by the District to carry out the physical operations and maintenance of the water system under the direction and supervision of the District;

“Temporary Water Use Permit” shall mean a permit issued by the District of Barriere for any persons requesting water from a fire hydrant or standpipe for temporary water use purposes other than emergency fire protection;

“Top-up” shall mean less than 15% of the total capacity of a swimming pool, wading pool, hot tub, garden pond or decorative fountain or water feature;

“Trustee” means the Trustee of the District of Barriere or any person authorized by the Trustee to act on their behalf;

“Turn-Off” shall mean to discontinue the water service to any owner or any lot by closing a Curb Stop or by such other means as the District finds appropriate;

“Turn-On” shall mean to commence the service to any owner or any lot by opening a Curb Stop or by such other means as the District finds appropriate;

“Unmetered” shall mean a water service without a water meter;

“Used Water” means any potable water which is no longer in the waterworks distribution system including potable water that has moved downstream or past the service connection (curb stop) and/or the property line to the private water system;

“Water Connection” shall mean a connection to a main supply line and extending to the property line of the owner for the purpose of conveying water to the said owner;

“Water Meter” shall mean an apparatus or device used for measuring the volume of water passing through it;

“Water Service” means works and services provided by the District and include;

- a) supply for consumption or other use;
- b) water connection installation, repair or replacement;
- c) water main extension

“Watering System” means a watering system which may include in-ground, automated or drip systems, hoses or sprinklers, that supply domestic use water outdoors and which consumes less than 12 imperial gallons per minute and operates at less than 65psi.

“Waterworks System” shall mean any water system operated by the District, including, without limitation, the distribution systems and the intake, reservoirs, and any water treatment facilities, but does not include water servicing on individual properties;

3.0 GENERAL:

- 3.1 The District of Barriere hereby establishes the service of supplying water to the District through the Waterworks system and operating, constructing, maintaining and regulating the Waterworks System.
- 3.2 The District is authorized to establish, maintain and operate a waterworks system and such system shall be managed by the most qualified senior District employee or his/her designate.
- 3.3 All water pipes, connections, appurtenances or facilities required for water supply to the owner's property line which are constructed, whether at the owner's expense or the District's expense, in present or future public highways or within the District right-of-way property shall be the property of the District of Barriere.
- 3.4 All building plumbing systems shall conform to the appropriate District regulations and the British Columbia Plumbing Code. Notwithstanding this provision, plumbing systems that pre-exist this bylaw and which do not conform to the appropriate regulations shall be required to conform should the

plumbing system be renovated or replaced or should the system fail to withstand the normal water pressure of the water system.

- 3.5 In cases of leaky or imperfect pipes on any premises, or other wastage of water, the District shall notify the occupant or owner that the necessary repairs or alterations must be completed within 10 working days. If the necessary repairs or alterations are not completed within the 10 working days, and the conditions of the pipes or fixtures could cause a serious waste of water or damage to property, the District may, without further notice, turn off the water supply to the premises. The water to the premises shall not be turned on again until such repairs or alterations have been made at the occupant or owner's expense and to the satisfaction of the District, and the "Turn-off" and "Turn-on" fees have been paid. No person whose water is turned off pursuant to this section shall have any claim against the District by reason of such discontinuance or supply.
- 3.6 All persons using water shall protect their service pipes, shut-off valves, meters and other fixtures from frost and other damage at their own risk and expense. When any premises are vacated in the winter, the buildings' shut-off valve shall be turned off.
- 3.7 A minimum of 2.0 meters of cover will be required over all service pipes including that portion of the service pipe between the Owner's property line and the premises.
- 3.8 Each property owner with a water connection must at their own expense provide and install a shut-off valve, a pressure reducing valve, a radio frequency water meter and appropriate valves all to specifications set by the District.
- 3.9 In the case of property owners refusing installation of a water meter within or under their dwelling, a note from a physician certifying a health issue relating to the sensitivity of radio frequency (rf) is required. The cost of installation of a water meter in a meter pit will be the responsibility of the property owners. Property owners not complying with this section will be subject to a water rate fee as indicated in the District of Barriere Fees & Charges Bylaw No. 73, as amended.
- 3.10 The District may impose minimum standards that must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same as specified by the District Cross Connection Control Program.
- 3.11 The District Technician may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether the regulations and requirements of this Bylaw are being observed.
- 3.12 No person shall obstruct or interfere with the District Technician in the performance of their duties or the exercise of their powers under this bylaw.

4.0 RATES:

- 4.1 All Rates and charges, as set forth in the Fees & Charges Bylaw including further amendments, are hereby imposed and levied by the District on all water services located within the District Water System Service Area and all such rates shall be payable at the District offices or any other location as specified on the Water Utility Invoice.
- 4.2 All rates and charges shall be billed to the property owner and are the responsibility of the registered owner of that property. Failure to receive billings will not exempt the property owner from liability to pay by the due date or as a valid reason for late payment.
- 4.3 All Rates and charges set forth shall be due and payable and received by the District of Barriere on or before the Due Date. A 5% late payment fee will be automatically levied on all fees not paid by the said due date.
- 4.4 All Rates and charges levied or imposed under the provisions of the Fees & Charges bylaw are a special charge upon the lands or real property in respect of which the water is supplied or used. Any overdue balances as of December 31st in any year shall be applied to annual property taxes in arrears

effective January 1 of the immediately following year in accordance with the requirements of Section 258(1) of the *Community Charter*.

- 4.5 The Rates imposed upon any real property by the Fees & Charges bylaw shall continue to accrue against such real property as long as water is normally being supplied or used or is available for use upon such real property from the system or until such time as an application to Turn Off the water is received from the property Owner.

5.0 CONDITIONS:

- 5.1 The District retains the right to adjust the water supply pressure or to interrupt the water supply due to emergency conditions or for the purpose of repairing, upgrading or carrying out general maintenance. Where it is practical and time permits, notice shall be given to all customers affected where alterations of pressure or interruption of service are to take place.
- 5.2 The District will not be held responsible for any damage incurred as a result of a change or interruption in water supply or pressure.
- 5.3 Customers depending on a continuous or uninterrupted supply of water or having processes or equipment that require particularly clear or pure water shall provide emergency storage or other means for continuous and adequate supply of water suitable to their requirements at their own expense.
- 5.4 Any person authorized by the District to enforce this bylaw shall have free access to all parts of every building in which water is delivered and consumed after reasonable notice has been given and request made to inspect all pipes, taps and fixtures used for distributing water. If defects are found, or if any wastage of water is found to exist, notice will be given to have the defect remedied.
- 5.5 Any person authorized by the District to enforce this bylaw may inspect the type of backflow preventer, the installation and state of maintenance and repair of same.
- 5.6 The District reserves the right to refuse to make any water distribution system extensions and/or install water service pipe to any property line under adverse conditions.
- 5.7 Any water connection, pipe, apparatus, fitting or fixture that is not in accordance with the requirements of this bylaw or which would cause noises, pressure surges, disturbances which may result in annoyance to other customers, damage to the water system or which may in any way contribute to a potential contamination of the District's water system shall not be connected to, or allowed to remain connected to, the Waterworks System.

6.0 APPLICATION FOR SERVICE CONNECTION AND WATER CONNECTION:

- 6.1 The District reserves the right to refuse any application for water connection because of water supply and distribution reasons or because of unpaid fees or costs due.
- 6.2 The District may in the interest of efficient operation of the water system and equitable distribution of water and whenever in its discretion the public interest so requires, suspend or limit the consumption of water from the water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.
- 6.3 An Owner or an Owner's duly authorized agent must make an application to the District to install a Service Connection from the Waterworks System to the owner's parcel boundary and a Water Connection from the Curb Stop to their private property and shall submit the associated application and sign-off of understanding that no municipal infrastructure can be exposed or worked on without authorization from the District of Barriere Utilities Department in a form approved by the District. Prior to work commencing, the Owner shall pay to the District all the applicable fees for this connection as set out in the Fees and Charges Bylaw as amended. The Owner shall pay the applicable cost for an approved RF meter and required valves that must be installed in or at the building that the water service is to be connected to. No application shall be considered approved until it has been signed by District.

- 6.4 Each single family dwelling unit and each dwelling unit of a semi-detached duplex or townhome shall have an individual water service connection at least 19 millimeters (3/4 inch) in diameter or as specified in the British Columbia Plumbing Code.
- 6.5 The District may require that the diameter of water service connections be determined by a qualified engineer but the determination is subject to approval by the District, and in no case shall be less than 19 millimeters (3/4 inch) in diameter.
- 6.6 The application to the District for water service is subject to the following:
- a) The application shall provide the legal description and civic address of the property to be served, the intended use of the building, the requested size, including if applicable to size necessary for a fire sprinkler system, the purpose for which the water is to be used and all other information that may be required.
 - b) If the statement given is not accurate, any additional charge required to be made by reason that the statement is inaccurate shall be payable forthwith.
 - c) Upon receipt of such application, and provided a District water main is laid the full length of the customer's property lines, the District will tap into the main and lay and install the service pipe to the curb stop at the property line.
- 6.7 Where the application for water service has been made in accordance with this bylaw and it is found that no water main extends 3 meters passed the full length of the applicant's property, the applicant may have the option to:
- a) Pay for the construction of extra water main or water service which is required, providing an extension is approved by the District; or,
 - b) Accept a full return of monies they paid at the time of service application.
- 6.8 Where a specific size of water service has been requested and where the District cannot or will not readily supply such service, the applicant may have the option to:
- a) Accept the size of water service as determined by the District;
 - b) Pay the appropriate cost of upgrading the District's water mains to meet the specific request; or,
 - c) Accept a full return of monies they paid at the time of service application.
- 6.9 All building water services shall be constructed and maintained by the property owner at their expense, to the requirements of this bylaw and those of the British Columbia Plumbing Code. Permit applications for such construction must be made to the District Building Department on the appropriate forms provided. Such application shall be supplemented by any plans, specifications or other information considered pertinent by the Building Department. No occupancy can occur until all permits have been approved and the necessary requirements adhered to.
- 6.10 No connection shall be installed or maintained whereby water from an auxiliary water system may enter the District of Barriere Water System or private water system unless such auxiliary water system and the method of connection and use of such system conforms to the requirements under this Bylaw.
- 6.11 The District shall be responsible for the maintenance of the water service from connection at property line to the District's water main. The property owner shall be responsible for the maintenance of the water service on their property, from the connection at property line to their building.
- 7.0 DISCONNECTION / WATER TURN OFF AND TURN ON:**
- 7.1 Application for Disconnection or Turn off/Turn on shall be made to the District office by the owner, either in person, by phone, fax or email.
- 7.2 Once an application is made for water Turn off, the owner shall be responsible for the water service, from connection at property line to their building, including drainage of same.
- 7.3 No person, except the duly authorized agent of the District shall Turn off/Turn on any part of the District Water System, including curb stops.

- 7.4 If a service line is found to be turned on and no record of the Turn on exists in the District files, it will be deemed appropriate to have the owner excavate the installation and all connections for inspection by the District and charge any rates, rents and charges retroactive to the time when the District determines that the connection was made.

8.0 WATER RESTRICTIONS:

8.1 PROHIBITION

- a) No person shall use water provided from the District water system for any purpose other than domestic use as outlined in this bylaw.
- b) No person shall damage or allow the deterioration of any devise or mechanism through which water is piped or used for a domestic or commercial purpose, which will result in a waste of water.
- c) No person, being an Owner or Occupier of property in the Water Service Area, shall use water or cause water to be used contrary to the provisions of this bylaw in effect at the time of use.
- d) No person, being an Owner or Occupier of property in the Water Service Area, shall use a soaker hose for the purpose of irrigation.

8.2 BYLAW ENFORCEMENT OFFICER

- a) The Bylaw Enforcement Officer is authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw be carried out.
- b) The Bylaw Enforcement Officer has the authority to enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of this bylaw are being met or the regulations in this bylaw are being observed.
- c) No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his/her duties prescribed in this by-law.

8.3 DETERMINING RESTRICTIONS

- a) Notwithstanding any other provision of this bylaw it shall be lawful for the Council, when in their opinion, there is, or there is likely to be, a shortage of water, by resolution, to restrict or ration the use of water for all or any purposes by determining the applicable Water Conservation Stage further outlined in Section 8 of this bylaw. Such restriction or rationing shall continue until such time as the Council shall in their discretion, decide that sufficient water is available.
- b) In situations requiring immediate action, Council delegates the responsibility for determining, imposing and lifting the restrictions described in 5 a), to the Chief Administrative Officer.

8.4 NOTICE

- a) The District shall give notice or cause notice to be given of the applicable stage and when it takes effect. Such notice shall be published by means appropriate to the Chief Administrative Officer.

8.5 WATER CONSERVATION STAGES

For the purposes of this bylaw, the Water Conservation Stages are as follows:

STAGE 1 – Year Round – Every Other Day Watering

- a) During Stage 1, no person shall use a watering system to water a lawn, garden, or landscaped area on a property with:
 - i) an even numbered address, except on even days of the calendar between the hours of 7:00am to 9:00am and 7:00pm to 9:00pm.
 - ii) an odd numbered address, except on odd days of the calendar, but excluding the 31st, between the hours of 7:00am to 9:00am and 7:00pm to 9:00pm.
- b) During Stage 1 a person may:
 - i) water gardens, trees, shrubs, flowers and vegetables if watering is done by a drip-irrigation system as defined under this bylaw;
 - ii) water gardens, trees, shrubs, flowers and vegetables if watering is done by hand-held container or a hose equipped with a shut-off nozzle but only during the prescribed Stage 1 watering hours and days;
 - iii) water newly planted lawns, gardens, trees, shrubs, flowers and vegetables if watering is done by hand-held container or a hose equipped with a shut-off nozzle during installation and for the following 24 hours if prior approval of the District of Barriere is received;
 - iv) water new sod or newly seeded lawn during the first 7 days after installation on any day but only during the prescribed Stage 1 watering hours if prior approval of the District of Barriere is received;
 - v) wash a vehicle with water using a hand held container or hose equipped with a shut-off nozzle;
 - v) wash sidewalks, driveways, parking lots or exterior building surfaces including windows using a hand held container or hose equipped with a shut-off nozzle if prior approval of the District of Barriere is received; and,
 - vi) fill a swimming pool, wading pool, hot tub, garden pond or decorative fountain.
- c) During Stage 1, no domestic use property Owner or Occupier may use an underground, automatic watering system, may water except on Mondays, Wednesdays and Fridays between the hours of 4:00am – 6:00am
- d) During Stage 1 the following uses may irrigate as follows:
 - i) Public Schools properties – Tuesdays and Thursdays between the hours of 12:00am to 5am for a maximum of 30min per watering zone.
 - ii) District owned parks and playgrounds – Mondays, Wednesdays and Fridays between the hours of 12:00am to 5am for a maximum of 30min per watering zone.

STAGE 2 – Implemented in Times of Stress on the Water System – Hand Watering Only

- a) During Stage 2, no person shall
 - i) water a lawn;
 - ii) use a sprinkler or irrigation system to water a garden, trees, flowers, or shrubs;

- iii) wash driveways, sidewalks, parking lots or exterior building surfaces.
- b) During Stage 2 a person may:
 - i) water trees, shrubs, flowers and vegetables if watering is done by hand-held container or a hose equipped with a shut-off nozzle, but only during the prescribed Stage 1 watering hours and days;
 - ii) water trees, shrubs, flowers and vegetables if watering is done by a drip irrigation system as defined in this bylaw;
 - iii) water newly planted trees, shrubs, flowers and vegetables if watering is done by hand-held container or a hose equipped with a shut-off nozzle during installation and for the following 24 hours if prior approval from the District of Barriere is received;
 - iv) wash a vehicle with water using a hand-held container or hose equipped with a shut-off nozzle and at commercial car washes;
 - v) top-up or add to a swimming pool, wading pool, hot tub, garden pond or decorative fountain.

STAGE 3 – For Extreme Situations – In Home Water Use Only

- a) During Stage 3, no person shall:
 - i) water a lawn.
 - ii) water gardens, trees or shrubs, including newly seeded or sodded lawns, newly seeded or planted gardens, trees or shrubs;
 - ii) fill or top-up a swimming pool, hot tub or garden pond;
 - iii) wash a vehicle, except at a commercial car wash;
 - iv) wash sidewalks, driveways, parking lots or exterior building surfaces.
- b) During Stage 3 a person may:
 - i) operate a swimming pool, wading pool, hot tub, garden pond or decorative fountain provided it only uses re-circulated water.

9.0 WATER METER TESTING:

- 9.1 If the District or an Owner questions the accuracy of the record of a Water Meter, the party questioning the accuracy of the meter shall procure a qualified professional to remove and test the Water Meter at their cost.
- 9.2 If the test performed under Section 9.1 that is initiated by the Owner, discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the District shall confirm the findings and if confirmed, reimburse to the Owner the billed costs associated with the meter's removal, testing and repair or replacement.
- 9.3 If the test performed discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the District shall adjust the Owner's water bill by the amount of the inaccuracy for a period not exceeding three (3) months. The adjustments shall only apply to the current Owner or Owners of the property, not to any previous Owners.

10.0 TESTING & MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES:

- 10.1 In compliance with the BC Building Code, the property Owner will provide the District, within thirty (30) days of initial installation, repair or relocation of an approved backflow prevention assembly, a backflow assembly report from a certified backflow assembly tester confirming the following:
- a) The installation date of the approved backflow prevention assembly;
 - b) The specific location of the assembly and what cross connection or hazard it is intended to isolate;
 - c) The manufacturer, model, size and serial number of the backflow preventer installed; and
 - d) That it is an approved backflow prevention assembly, installed correctly and in proper operating condition.
- 10.2 Approved backflow prevention assemblies are required to be inspected and tested by a certified backflow assembly tester at least once in every twelve (12) month period or more often if requested by the District.
- 10.3 Where a customer fails to have an approved backflow prevention assembly tested, the District may notify the customer that the backflow assembly must be tested within seventy-two (72) hours. If the customer fails to comply with such notice, the District or duly authorized agent may discontinue the service or services and the customer may be subject to penalties in the Bylaw Notice Enforcement Bylaw No. 95 and its amendments.
- 10.4 Where there is a visible or other indication that a backflow preventer is malfunctioning, it is the responsibility of the customer to immediately notify the District and further, to stop using the private water system until the backflow preventer is replaced or repaired and retested. This includes but is not limited to damage by freezing, hot water, fire or due to neglect.

11.0 PROHIBITIONS:

- 11.1 No person shall take, consume or use water from the Waterworks System, without first obtaining permission to do so and making arrangements for payment of same. This section applies to all fire hydrants, stand pipes and any other appurtenances connected to the District Waterworks System.
- 11.2 No person shall turn on a water valve to provide service to the occupants of any newly renovated or constructed or reconstructed premise(s) until the private water system in such premise(s) has been inspected for cross connections and approved by the District.
- 11.3 No person, except the duly authorized agents of the District shall tap, uncover, or make any connection to, use, alter or disturb any water mains, fire hydrants, stand pipes or curb stops.
- 11.4 No customer shall install water dependent cooling systems in commercial, industrial, institutional or residential applications without first receiving approval from the District.
- 11.5 No pump, booster or other device shall be employed by any consumer or owner without permission in writing from the District for the purpose of or having the effect of increasing water pressure in service lines to a higher pressure than the normal water pressure in the said service lines, and the District may, without notice, discontinue service to any owner employing such pump, booster or other device.
- 11.6 No device designed to introduce another substance into the water in the connection between the building and the water supply main shall be installed without permission of the District who, in consultation with the Health Inspector, shall ensure that the device is designed and installed that such substances cannot be introduced into the District's works.
- 11.7 No owner, occupier, tenant or person shall:
- a. dispose of any water, or permit same to be carried away, or use water or allow it to be used on a lot other than that lot for which the service connection has been provided without obtaining permission from the District.

- b. sell any water without the permission of Council by resolution which may contain conditions including, but not limited to, a requirement for a valid District of Barriere Business Licence.

11.8 No Owner to whose premises water is supplied shall make, or permit to be made, any additional connection to their service of either temporary or permanent nature, for the purpose of supplying water to another building on their property without permission from the District.

11.9 Notwithstanding the lack of or limited form of sprinkling regulations, no person shall:

- a) Use water for sprinkling in excess of reasonable requirements;
- b) Use more than two (2) outlets at one time for sprinkling purposes, neither of which said outlets shall exceed 13 mm in diameter;
- c) Use an open pipe or hose for sprinkling purposes;

12.0 CROSS CONNECTION CONTROL:

12.1 WATER SUPPLY AND PRESSURE

- a) The District of Barriere does not guarantee pressure or continuous supply of water, or accept responsibility at any time for the maintenance of pressure in its water mains or for increases or decreases in pressure. The District of Barriere reserves the right at any and all times, without notice, to change operating water pressure and to shut off the water supply for the purposes of making repair, extensions, alterations or improvements, or for any other reason, or to increase or reduce pressure.
- b) The District of Barriere, its officers, employees or agents shall not incur any liability of any kind what so ever by reason of the cessation in whole or in part of water pressure or water supply, or changes in operating pressures, or by reason of the water containing sediments, deposits, or other foreign matter.
- c) Where steam or hot water boilers or other equipment is fed with water by pressure directly from the waterworks system, the District of Barriere shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or any injury or damage resulting from the improper installation of a backflow preventer.

12.2. INSPECTION

12.2.1. The District of Barriere and/or a Building Inspector shall be entitled, at its determination to:

- a) Access the private water system located on private property at all reasonable hours in order to carry out inspections and surveys of the premises to determine the existence of connections or cross connections prohibited by this bylaw and as stated in the District of Barriere cross-Connection Control Program.
- b) Impose minimum standards that must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same as specified by the District of Barriere Cross Connection Control Program.
- c) Inspect the type of backflow preventer, the installation and state of maintenance and repair of the same;

12.2.2 No person shall turn on a waterworks valve to provide water service to the occupants of any newly renovated or constructed or reconstructed Premise(s) until the private water system in such premise(s) has been inspected for Cross Connections and approved by the Inspector and/or the District of Barriere.

12.3 CONDITION OF SERVICE

- a) Water Service supplied by the District of Barriere waterworks system to a customer shall only be provided where, in the opinion of the District of Barriere, the waterworks system has been

effectively protected from any actual or potential cross connections existing at or within the customer's private water system.

12.4 CONTAMINATION

- a) Subject to provisions of this Bylaw, no person shall create a cross connection by connecting, causing to be connected or allowing to remain connected to the District of Barriere waterworks system any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas or other substance to enter the waterworks system.

12.5 CROSS CONNECTIONS AND BACKFLOW PREVENTION

- a) No owner or other person shall permit the introduction of any contaminant or foreign matter whatsoever into any private water system that is connected to the waterworks system.
- b) Where the District of Barriere or Authorized Agent determines that there exists a connection or cross connection prohibited by this Bylaw and/or the District of Barriere Cross Connection Control Program, written notice may be given to the customer to correct the connection or cross connection at the expense of the customer within the time specified in the notice.
- c) A customer to whom notice has been given under this section shall correct the connection or cross connection by installing an Approved Backflow Prevention Assembly conforming to the CSA Standards B64.10-01/B64.10.1-01 or most current edition, for the selection, installation, maintenance and field testing of backflow preventers and as described in the District of Barriere Cross Connection Control Program (Policy).
- d) The owner or customer shall install a type of backflow preventer commensurate to the degree of hazard and that is approved by the District of Barriere on the private water system at the location of the service connection from the waterworks system or other location(s) approved by the District of Barriere.
- e) Notwithstanding anything contained herein if, in the opinion of the District of Barriere, the configuration of any water connection that creates a high risk of contamination to the waterworks system, the customer, shall install on the private water system at the location of the Assembly, in addition to any backflow preventers installed in the customer's private water system at the source of the potential contamination.
- f) The failure to be sent a notice(s), or the failure to receive a notice(s), shall not excuse the mandatory duty of the premise owner or other responsible party to comply with this Bylaw and/or the District of Barriere Cross Connection Control Program and all other applicable bylaws.
- g) Where any condition is found to exist which, in the opinion of the District of Barriere, constitutes a cross connection with the waterworks system, the District of Barriere or Trustee shall either:
 - i. Shut off the water supply services(s) to the premises and notify the owner or customer that an approved backflow prevention assembly(s) shall be properly installed and tested at the expense of the owners or customer proper to the water service(s) being turned on;
 - ii. Give notice to the owner or customer to correct the cross connection(s) at the expense of the owner or customer within a specified period. If the notice is not complied with, the District of Barriere may then discontinue water service or services;
 - iii. Install an approved backflow prevention assembly at the service connection with all costs being charged to the owner or customer.

- h) Any person whose water has been turned off pursuant to this Bylaw shall not have the water from the District of Barriere waterworks system turned on until all requirements of the District of Barriere have been met and the owner or customer has paid to the District of Barriere all costs associated with the shut off/turn on of water service, the cleanup of contamination and the customer's default under this section has been remedied.

12.6 TESTING AND MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES

- a) The owner or customer will provide to the District of Barriere within thirty (30) days of initial installation, repair or relocation of an approved backflow prevention assembly a backflow assembly test report from a Certified Backflow Assembly Tester confirming the following:
 - i. The installation date of the Approved Backflow Prevention Assembly;
 - ii. The specific location of the assembly and what cross connection or hazard it is intended to isolate;
 - iii. The manufacturer, model, size and serial number of the backflow preventer installed; and
 - iv. That it is an approved backflow prevention assembly, installed correctly and in proper operating condition.
- b) Approved backflow prevention assemblies are required to be inspected and tested by a certified Backflow Assembly Tester at least once in every twelve (12) month period or more often if required by the District of Barriere.
- c) Where an owner or customer fails to have an Approved Backflow Prevention Assembly tested, the District of Barriere may notify the owner or customer that the backflow assembly must be tested with ninety-six (96) hours, or within a specified period. If the customer fails to comply with such notice the District of Barriere or Trustee shall discontinue the water service or services and may be subject to penalties listed under this Bylaw.
- d) Where there is a visible or other indication that a backflow preventer is malfunctioning, it is the responsibility of the owner or customer to immediately notify the District, and is further to stop using the private water system until the backflow preventer is replaced or repaired or re-tested. This includes but it is not limited to damage by: freezing, hot water, fire or otherwise due to neglect.

12.7 COMMERCIAL AND AGRICULTURAL IRRIGATION USE AND TURN ON

- a) Where a cross connection exists between the District of Barriere waterworks system and a private water system, in addition to the general provision stated in this bylaw, the owner or customer shall also comply with the following:
 - i. No person except the duly authorized agents of the District of Barriere shall turn on an agricultural irrigation system.
- c) Prior to commencement of operation of the private water system in each irrigation season, the owner or any person operating a commercial or agricultural irrigation shall have the Approved Backflow Prevention Assembly inspected and tested, at the customer's expense, by a certified Backflow Assembly Tester. A copy of the test report shall be provided to the District within thirty (30) days of completion of the test.
- e) An Approved Reduced Pressure Backflow Assembly (RPBA) shall be used whenever fertilizers, chemicals or any other substance detrimental to health are introduced to a Private Water System.

12.8 TEMPORARY SERVICE CONNECTION AND FIRE HYDRANT USE

- a) No person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a Fire Hydrant, stand pipe or any other temporary service connection:
- b) In a manner which, under any circumstances, may allow water, wastewater or any liquid or substance of any kind to enter the District of Barriere Cross Connection Program; and
- c) Without using an Approved Backflow Prevention Assembly which has been approved and installed in accordance with the District of Barriere Cross Connection Program; and
- d) Without first obtaining a Fire Hydrant Use Permit.
- e) Any person who violates this section will be refused access to water service through the use of a Fire Hydrant or temporary service connection and may be subject to penalties listed under this Bylaw.

12.9 AUXILIARY WATER SUPPLIES

- a) No connection shall be installed or maintained whereby water from an auxiliary water system may enter the waterworks system or customer's private water system unless such auxiliary water system and the method of connection and use of such system have been approved by the District.

13.0 OFFENCES AND PENALTIES:

- 13.1 Any person who contravenes any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
 - a) A fine in accordance with the most recent Bylaw Notice Enforcement Bylaw No. 95 and its amendments if information with regard the infraction is laid by means of a Notice; or
 - b) Upon summary conviction, a minimum fine of not less than One Thousand Dollars (\$1,000.00) and a maximum fine of Ten thousand Dollars (\$10,000.00) and the cost of prosecution. Every day during which there is an infraction of this Bylaw shall constitute a separate offence.

14.0 COST RECOVERY:

- 14.1 Any person who contravenes any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything to be done by any provision of this Bylaw, is subject to being required to pay all or part of the costs of remediation, repair and/or replacement of any part of the Waterworks System resulting from such contravention.

15.0 SEVERABILITY:

- 15.1 If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court or competent jurisdiction, this decision shall not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME this 16th day of November, 2020
READ A SECOND TIME this 20th day of December, 2020
READ A THIRD TIME this 20th day of December, 2020
ADOPTED this 11th day of January, 2021

Original signed by, _____
Mayor Ward Stamer

Original signed by, _____
Tasha Buchanan, Corporate Officer



DISTRICT OF BARRIERE

COUNCIL POLICY MANUAL

Approval Date: Sept 2, 2014

NO: 27
DEPARTMENT: WATER WORKS AND ADMINISTRATION
SUBJECT: WATER LEAK ADJUSTMENT

1.0 Purpose

- The purpose of this policy is to provide an opportunity for account holders to request adjustments to water use charges when a leak occurs in the water service pipe.
- To describe conditions when a leak adjustment request will be considered, establish repair expectations and ensure the consistent application of leak adjustments to accounts.

2.0 Definitions

- **Leak** means an unintentional water loss caused by broken pipes at a residence or building.
- **Water Service Pipe** means the pipe on private property which supplies potable water from the District's watermain to the inside of the building on the property.
- **District** means District of Barriere

3.0 Policy

- The District of Barriere staff may, upon written request from a property owner supported by repair bills or other appropriate documentation, adjust the property owner's water bill.
- Adjustments will only be granted for leaks in the water service pipe.
- Leak adjustments on utility bills will **NOT** be made for the following:
 - malfunctioning internal plumbing fixtures (running toilets, dripping taps etc.)
 - in-ground or above ground pools, ponds, and fountains
 - buried lines connected to the main water lines
 - premises left abandoned or vacated without reasonable care for the plumbing system
- If in the normal course of business the District becomes aware of abnormal water consumption or any evidence of a leak/s on any property, the District will make every effort to notify the property owner, but accepts no responsibility for failure to do so. Notification may be by phone or phone message, door hanger or mail. If the leak is deemed to be substantial and the property owner cannot be contacted, and in order to avoid possible further damage, the District will shut the water off at the main. The cost of this water shut off will be the responsibility of the property owner.
- The property owner shall be responsible for the estimated normal amount of water consumed at the current water rates, plus 25% of the additional water consumed as a result of the leak at the current water rates. If the water break is identified to be within any irrigation or sprinkler

systems, the property owner will be responsible for the estimated normal amount of water consumed at the current water rates, plus 50% of the additional water consumed as a result of the leak at the current water rates. The estimated normal amount of water consumed will be determined by the District and is defined as the average water consumption based on the same or similar water billing period from the previous 3 years. If three years of consumption data is not available, normal consumption will be based on the best estimate information available on the property or consumption from a comparable property.

- Leak adjustments shall not be considered for water lost subsequent to 48 hours from a property owner becoming aware of a leak or being notified of a possible leak by the District. Property owners must take immediate action after detection or notification of a water leak to prevent further water loss. No allowance will be made for utility bills or notification claimed to be lost or not received.
- One leak adjustment per property owner within an eighteen (18) month period will be permitted. The 18 month period begins the first month of the billing period following the billing period that the water leak adjustment was prepared for.
- A written leak adjustment request must be submitted to the District within 30 days of the leak notification and/or repair date. Proof of the leak repair (e.g. Invoices, receipts or pictures before and after) must be submitted with the request. The District reserves the right to inspect the repair, or verify usage with further meter readings prior to considering the leak adjustment.
- Adjustments will only be granted when the utility account is in good standing and no previous past due amounts are outstanding.



DISTRICT OF BARRIERE

COUNCIL POLICY MANUAL

Page 1 of 1
Approval Date: Feb. 22/16

NO: 33

DEPARTMENT: FINANCE

SUBJECT: UTILITY OVERPAYMENT REFUNDS

1.0 Policy Statement:

At the time of a property sale, there is often a request for a final utility billing. The District of Barriere prepares this final billing and submits it to the party requesting it. Occasionally the payment submitted is greater than the final billing.

2.0 Refund Statement:

If an overpayment for a final utility billing occurs, the District of Barriere **will not** prepare a refund cheque for any overpayments that are less than \$5.00.

Draft District of Barriere Overpayment Refund Policy #33

Approved by: Council

Date of Approval: February 22, 2016