



**REGIONAL DISTRICT OF MOUNT WADDINGTON  
WOSS WATER REGULATIONS AND RATES  
BYLAW NO. 847, 2013**

CONSOLIDATED COPY FOR  
CONVENIENCE ONLY  
AUGUST 20, 2015

This copy of Bylaw No. 847 is consolidated for convenience only and includes the following amendments:

<b>BYLAW NO.</b>	<b>AMENDMENT NO.</b>	<b>DATE ADOPTED</b>	<b>TEXT AND/OR MAP CHANGE</b>
<b>865</b>	<b>1</b>	<b>March 18, 2014</b>	<b>Sched B</b>



## REGIONAL DISTRICT OF MOUNT WADDINGTON

### BYLAW NO. 847

*A Bylaw to replace Bylaws No. 599, 2000, No. 638, 2001 and No. 775, 2009 Regional District of Mount Waddington Woss Water System Regulations and Rates*

**Whereas** by Bylaw No. 562, the Regional District of Mount Waddington established a local service for the purpose of operating and maintaining a water supply and distribution service for the community of Woss;

**And Whereas** by Bylaws No. 599, No. 638 and No. 775, the Regional District of Mount Waddington has established regulations and rates for the operation of this service;

**And Whereas** the Regional District of Mount Waddington deems it desirable to amend the established rates and regulations for the operation of this service;

**Now therefore** the Board of the Regional District of Mount Waddington in open meeting assembled, hereby enacts as follows:

#### 1. DEFINITIONS

1.1 In this bylaw, unless the context otherwise requires, the following definitions shall apply:

*“Applicant”* means an owner, or agent making application for a water connection to provide a supply of water from the system;

*“Board”* means the board of directors of the Regional District of Mount Waddington;

*“Building”* means any building or structure used wholly or in part for human habitation or in which human beings are employed in respect of any trade, business or calling.

*“Commercial”* means those properties zoned commercial, Industrial, and Institutional in the current Woss Community Land Use Bylaw;

*“Consumer”* means a person to whom water is supplied under this bylaw;

*“Disconnection”* means the turning off, or complete removal, of a water connection;

*“Duplex”* means any building used or designed to be used by two households;

*“Local service area”* means the Woss Local Service Area as established by Bylaw No. 562.

*“Multi-family residence”* means any building that is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied, as the home or residence of three or more families living independently of each other and doing their own cooking within their apartment or suite;

*“Parcel of land”* means any lot, block, or other area in which land is held or into which it is subdivided but does not include a highway;

*“Premises”* means all land, buildings, and structures;

*“Regional District”* means the Regional District of Mount Waddington and those persons duly authorized to represent the Regional District in respect to this bylaw;

“*Residential*” means those properties zoned General Residential, Small Lot Residential, Hamlet Residential or Multi Family Residential in the current Woss Community Land Use Bylaw;

“*Single-family residence*” means a detached building having independent exterior walls and designed or used exclusively for residential purposes by not more than one person or family;

“*Service area*” means the service areas as identified in schedule ‘A’ of this bylaw;

“*System*” means the water distribution system of the service area operated by the Regional District;

“*Water main*” means the water distribution pipeline in a highway or Regional District statutory right of way or easement and forming part of the system; and

“*Water service connection*” means a pipe and all necessary valves, connections, and other appurtenances necessary to and actually used to connect a water main to a shut off valve at or near a property line.

“*Vacant Parcel*” means a parcel of land which contains no buildings or structures which are intended for habitation or public use and are not connected to the Woss Water Works distribution system.

## 2. APPLICATIONS TO CONNECT

- 2.1 Applications for a water service connection in the service area must 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.
- 2.2 No one can connect to the water system without having the application approved by the Regional District.
- 2.3 Minimum standards must comply with the most recent British Columbia Building Code pertaining to:
  - a. The connection with or the attachment to the waterworks of the Regional District of any water mains, pipes, or service; and
  - b. The repair or alteration of any such water connection with the waterworks of the Regional District.
- 2.4 The Regional District may refuse a service connection where the plumbing within any premises to be served by the water service connection does not meet the British Columbia Building Code.
- 2.5 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 structure without making a new application.
- 2.6 A water service connection can only service one parcel of land.
- 2.7 Where possible a water service connection will be located where requested by the applicant. However if the applicant’s requested location will result in additional costs, or is not practicable due to unsuitable ground conditions or the existence of installed service improvements or underground utilities, the manager of water utilities and services may designate the location of the water service connection.
- 2.8 No application will be accepted if the property and improvements situated thereon are not compliant with all applicable laws, bylaws, orders, direction, ordinances, and regulations of any competent governmental authority in any way affecting the Lands and improvements situate thereon or its use and occupation.

### 3. DISCONNECTION

- 3.1 If a person wishes to be disconnected from the system an application to disconnect must be made in writing and delivered to the Regional District by the owner/agent of the premises.
- 3.2 The Regional District may, with thirty (30) days' notice delivered to the owner/agent of the premises, disconnect the water service to any premises for any of the following reasons:
  - a. 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;
  - b. Failure to repair or replace defective pipes, fittings, valves, or tanks which are leaking or are otherwise not in good state of repair and which are or may become a cause of waste of water;
  - c. Use of a pump, booster or other device in a manner outlined in Section 6.3;
  - d. Failure to allow access to the premise to inspect the water pipes, fixtures and fittings used in connection with the system;
  - e. Be in non-compliance with any regulation of this bylaw.
- 3.3 The Regional District may immediately disconnect the water service to any premises for any of the following reasons:
  - a. Failure to comply with emergency response measures.
- 3.4 The Regional District shall not be liable for damages by reason of discontinuing water service for the reasons outlined in subsections 3.2 or 3.3.

### 4. FEES AND CHARGES

- 4.1 The fees and charges specified in Schedule 'B' of this bylaw are hereby imposed and levied for water services supplied by the Regional District.
- 4.2 All fees and charges shall be billed annually. Pursuant to section 363.2 of the *Local Government Act*, fees and charges that remain unpaid after December 31 in any year shall be deemed to be taxes in arrears and shall be forwarded to the surveyor of taxes to be added as taxes payable on the property.
- 4.3 Water service disconnected pursuant to 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. Reconnection fees as per Schedule B.

### 5. SYSTEM EXTENSIONS

- 5.1 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.
- 5.2 Where the Regional District considers that the minimum water pressure at the property line would be at least 275 kilopascals (40 pounds per square inch) and an extension to the system can be made to serve the land for which an application has been made under subsection 5.1 without affecting the supply of potable water to any other land in the service area, then the Regional District may approve the extension.

- 5.3 An owner of land who wishes to proceed with an approved system extension:
- a. Must pay to the Regional District all amounts reasonably estimated to represent the reasonable cost of design and construction of the extension to the system, and modifications to the system to allow the extension; or
  - b. Must cause a qualified contractor to construct the extension and modifications referred to in subsection 5.3(a) to the system, entirely at the cost of the owner.
- 5.4 Where the extension to the system is constructed by the owner under subsection 5.3.b, then the extension must be:
- a. Designed by a professional engineer, registered in the province of British Columbia;
  - b. Constructed in accordance with the plans and specifications of the Regional District; public health authority, or its consulting engineer, or plans and specifications approved by the Regional District or its consulting engineer;
  - c. Constructed in accordance with all requirements, standards, and policies of the Regional District;
  - d. Inspected by the Regional District or its consulting engineer prior to backfilling;
  - e. Approved and accepted by the Regional District or its consulting engineer; and
  - f. Transferred to the Regional District together with all necessary rights of way.
- 5.5 Construction of an extension to the system does not relieve an owner from payment of a service connection fee for each parcel of land to be served by the extensions to the system.
- 5.6 The extension of the system shall extend from the most convenient existing water main of the system having sufficient surplus capacity, to the center of the last lot serviced.
- 5.7 If the Regional District at its cost constructs the extension, the owner must pay the costs of construction within thirty (30) days of issuance of an invoice.
- 5.8 The Board hereby imposes as a charge on an owner of land requesting the extension the cost referred to in subsection 5.3(a).
- 5.9 This section shall not be interpreted as imposing an obligation on the Regional District to approve any extension.

## **6. ILLEGAL CONNECTION / USE**

- 6.1 No person shall connect or allow to remain connected to the system any premises without first obtaining the required permits in accordance with section 2 of this bylaw.
- 6.2 No person shall use or allow to be used water supplied by the system except in accordance with the provisions of this bylaw.
- 6.3 No person shall use a water pump, booster, or other device, for the purpose of, or having the effect of, increasing water pressure in service lines to a higher pressure unless current pressure does not meet minimum standards, or as required for fire protection.

6.4 No person shall:

- a. Undertake work that is connected with the system on or under any street or land within the service area without first consulting with the Regional District and getting written permission;
- b. In any way, interfere or tamper with any water meter, sealed bypass valve, pipe, fixture, fitting or appliance of or connection with the waterworks whether on their own premises or elsewhere within the service area.

## 7. EMERGENCIES

In instances of emergencies such as fires or the disruption of the supply of water, emergency response measures shall be imposed on users of the system to manage usage.

## 8. PENALTY

- 8.1 Every person who contravenes any of the provisions of this bylaw or permits any act or things to be done in contravention of a provision of this bylaw commits an offense and is liable on summary conviction to a penalty of \$200 per day for the duration of the contravention not exceeding the sum of ten thousand dollars (\$10,000).
- 8.2 Anyone found to have damaged or impaired the operation of the water system due to misconduct or negligence will be responsible for any cost incurred that is required to remedy the problem.

## 9. INDEMNITY

Nothing in this bylaw shall be interpreted as imposing any duty on the Regional District to provide a continuous supply of water to any person or premises and it is a condition of supply of water that the Regional District is not liable for any injury, damage, or loss, including economic loss, to any person or property:

- a. Arising or occurring from the use of water from the system;
- b. Resulting from a failure of water supply to any consumer; or
- c. Resulting from any impurity, lack of pressure, increased supply pressure, or other condition affecting water supplied by the system.

## 10. SEVERABILITY

If any provision of this bylaw is found invalid by any Court of competent jurisdiction, the provision may be severed from the bylaw without affecting the validity of the remaining portion of the bylaw.

## 11. REPEAL

The following bylaws and all amendments there are hereby repealed:

- a. Bylaw No. 599 being "Regional District of Mount Waddington Woss Water Regulations and Rates Bylaw No. 599, 2000";
- b. Bylaw No. 638 being "Regional District of Mount Waddington Woss Water Rates and Regulations Amendment Bylaw No.638, 2001";
- c. Bylaw No. 775 being "Regional District of Mount Waddington Woss Water Rates and Regulations Bylaw No. 775, 2009".

**12. CITATION**

This Bylaw No. 847 may be cited as "Woss Water System Regulations and Rates Bylaw No. 847, 2013".

***READ A FIRST TIME THIS 19<sup>th</sup> DAY OF March, 2013***

***READ A SECOND TIME THIS 19<sup>th</sup> DAY OF March, 2013***

***READ A THIRD TIME THIS 19<sup>th</sup> DAY OF March, 2013***

***ADOPTED THIS 19<sup>th</sup> DAY OF March, 2013***

\_\_\_\_\_  
**ADMINISTRATOR**

\_\_\_\_\_  
**CHAIR**

*I hereby certify the foregoing to be a true and correct copy of Bylaw No. 847 being "Woss Water System Regulations and Rates Bylaw No. 847, 2013" as adopted by the board of the Regional District of Mount Waddington on the 19<sup>th</sup> day of March 2013.*

\_\_\_\_\_  
Administrator

**REGIONAL DISTRICT OF MOUNT WADDINGTON**

**BYLAW NO. 847 - SCHEDULE A**

**Application to Connect to the Woss Water System**

Applicant(s): \_\_\_\_\_  Check if applicant is the property owner.

Agents acting on behalf of owners must provide documentation of their delegated authority.

Mailing Address: \_\_\_\_\_

Property to be Connected: (Legal Description) \_\_\_\_\_

(Street Address) \_\_\_\_\_

Type of building(s):  Residential  Commercial \_\_\_\_\_  
(DESCRIBE)

Number of units to be serviced: \_\_\_\_\_  Plan or  Drawing attached (**REQUIRED**)

Name of Contractor: \_\_\_\_\_

*I/We, as owner(s), or as the owner's authorized agent, of the above described property make application, to connect the above described property to the Regional District of Mount Waddington's Woss Water System. I/We submit the sum of \$\_\_\_\_\_ with the understanding that this connection fee sum will be refunded should the application be rejected. I/We undertake to be bound by the rules, regulations and bylaws of the Regional District of Mount Waddington's Woss Water System and the BC Building Code and to continuously pay water taxes and fees commencing when the building permit is taken out.*

*I/We understand that all construction costs associated with the connection, including excavation and materials are the responsibility of the property owner.*

Dated this \_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Witness to Applicant*

<b>For Staff Use: Folio #</b> _____
<input type="checkbox"/> <i>House Number Assignment:</i> _____
<b>Zoning compliance:</b> <input type="checkbox"/> <i>No known issues at this time</i>
<input type="checkbox"/> <i>See attached report</i>
<b>Engineering Requirements:</b>
<input type="checkbox"/> <i>No concerns with proposed connection</i>
<input type="checkbox"/> <i>Permitted, subject to meeting additional conditions, attached</i>
<input type="checkbox"/> <b>Not permitted due to inadequate system capacity</b>
<input type="checkbox"/> <b>Not permitted due to required excessive length of pipe</b>

Application Approved:
By: _____
On Date: _____, 20__

Water Connection Approved:
By: _____
On Date: _____, 20__

## REGIONAL DISTRICT OF MOUNT WADDINGTON

### SCHEDULE "B" Amended by Bylaw No. 865, 2014)

#### B.1 DOMESTIC SERVICE TOLL

##### B.1.1. DEFINITION

"Unit" means a self-contained dwelling unit consisting of a set of living quarters in which a person or group of persons reside or could reside.

##### B.1.2. TOLL

The following toll shall apply to each unit in single-family dwellings, house trailers, duplexes, semi-detached residences, apartments, suites, or trailer parks, regardless of whether there is or is not a separate water service connection to each unit:

For each unit, for each year or portion thereof \$180.00

#### B.2 COMMERCIAL SERVICE TOLLS

The following tolls shall apply to each of the following users:

<u>Description of Use</u>	<u>Tolls for each year</u>
Schools: for each school classroom	\$180.00
Stores: for each store	\$180.00
Restaurants:	\$180.00
Pubs	\$180.00
Garages and Repair Shops: for each garage & repair shop	\$180.00
Offices: for each office premise	\$180.00
Halls: for each hall	\$81.00
Recreation Facilities: for each facility	\$81.00
Hotels: for each room	\$81.00
All other commercial uses:	\$180.00

#### B.3 DISCOUNT

If payment is made within 90 days of the invoice date, 10% of the total will be deducted from the amount payable.

#### B.4 CONNECTION CHARGES

The owner shall deposit, on application for a connection, with the Collector the following:

Hamlet of Woss installed water service/line location	\$800.00
Serviced lot/line location	\$250.00
Inspection and administration fee	\$125.00

In the event the actual cost to provide such connection and/or line location exceeds the above stated sums, then the difference shall be paid forthwith. Further, no rebates, refunds or credit whatsoever, of any monies paid or payable shall be provided.

B.5 RECONNECTION CHARGES

Reconnection of any water service disconnected pursuant to the bylaw - \$250.00

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**REGIONAL DISTRICT OF MOUNT WADDINGTON**

**BYLAW NO. 847 – SCHEDULE C**

**APPLICATION FOR EXTENSION OF SYSTEM**

I, \_\_\_\_\_ of \_\_\_\_\_, being the owner (or duly authorized agent of the owner) of the premises described as follows (legal description and street address of all parcels of land to be served by extension)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(the “Lands”), hereby apply to the Regional District of Mount Waddington for an extension of the Woss water system to serve the Lands. If this application is granted and an extension of the water system is approved, I acknowledge and agree that in accordance with Woss Water System Regulation and Rates Bylaw No. 847, 2013, I will be responsible for all costs associated with the construction of this extension and of all modifications to existing works of the Regional District to accommodate the extension. I have reviewed all regulations, terms, and conditions of the Regional District relating to such extensions and I acknowledge that the terms and conditions governing extensions and use may be amended by bylaw or policy of the Regional District from time to time.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name of Owner

\_\_\_\_\_  
Print Name of Owner

\_\_\_\_\_  
Address:

\_\_\_\_\_  
Address:

**SERVICE LOCATION AND DATA SHEET for Extended Service Application**

Owner: \_\_\_\_\_ Folio No: \_\_\_\_\_

Plan No.: \_\_\_\_\_ Block/Section No: \_\_\_\_\_ Lot No: \_\_\_\_\_

Street Address: \_\_\_\_\_ Phone No: \_\_\_\_\_

Local Services Manager	
Water Service Pipe Size:	
Underground Lawn Sprinklers:	
Use Other Than Domestic	
Maximum Distance Property Line To Structure	
Distance From Service Connection to Nearest Side Property Line	
Indicate Location of Septic Fields	
Plumbing Permit No	
48 Hours Notice of Completion for Inspection and Approval of Installation	
Water Turn-On by RDMW only on Approval of Installation	
Signature	
Date	
Planning Department	
Property compliant with current Land Use Bylaw	
Signature	
Date	
Finance Department	
Connection Fee Paid	
Signature	
Date	

