

DISTRICT OF LAKE COUNTRY

BYLAW 984, 2016

CONSOLIDATED VERSION

(Includes amendment as of December 5, 2023)

This is a consolidated copy to be used for convenience only. Users are asked to refer to the Water Regulation and Rates Bylaw as amended from time to time to verify accuracy and completeness.

| Amending Bylaw | Summary of Amendments | Adoption |
|-----------------------|---|-------------------|
| 1021 | Delete and replace Schedule A | July 4, 2017 |
| 1073 | Delete and replace Schedule B | February 19, 2019 |
| 1103 | Amend Section 2 Delete and replace section 3.4 Delete section 5.3 and renumber subsequent Amend Section 5 Delete and replace section 9.6 (b) Add section 14.6 Delete and replace Schedule A Delete Schedule E | November 5, 2019 |
| 1174 | Delete Schedule B Replace with Schedule A Replace Section 16.2 Delete Section 16.3 | February 22, 2022 |
| 1196 | Add Section 16.11 Add Schedule E | May 2, 2023 |
| 1217 | Delete, replace and add definition in section 2 Add section 3.12 Delete and replace section 15.2 (c) Delete and replace section 15.3 (d) Delete and replace section 15.4 (d) Delete and replace section 16.2 Delete and replace Schedule A Delete and replace Schedule B | December 5, 2023 |

DISTRICT OF LAKE COUNTRY
BYLAW 984

A BYLAW TO ESTABLISH WATER REGULATIONS, USER FEES AND RATES

The Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. INTERPRETATION

- 1.1. 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 and any Bylaw referred to herein is a reference to an enactment of the Council of the District of Lake Country, as amended, revised, consolidated or replaced from time to time.
- 1.2. Unless otherwise defined herein, all words or expressions used in this bylaw shall have the same meaning as defined in the Local Government Act, Community Charter, Interpretation Act or any successor legislation when used in this bylaw.
- 1.3. The headings contained in this bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this bylaw.
- 1.4. Schedules A through E are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw.

2. DEFINITIONS

“Actual Cost(s)” or **“Cost(s)”** in relation to work conducted by the **District** or its agents pursuant to this bylaw means the value of:

- (a) all direct **Costs** of work, including without limitation, wages, contracted service, materials, and supplies; plus
- (b) an additional 15% of the value of such direct **Costs**, to cover administration and indirect **Costs**.

“Agri-tourism Accommodation” has the same meaning as defined in the **District’s** Zoning Bylaw.

“Agricultural Irrigation” means the **Customer** classification for a **Water Service** provided to a **Premises** with **Farm Status** and which is for the purpose of irrigating.

“Allocation” means the specific volume of water the **District** allocates to a parcel, structure, or water connection primarily for, but not limited to, outdoor irrigation use.

Replaced
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1103

“Allotment” means water rights for the use or consumption of water obtained through the payment of Allotment Fees, Re-Grade Fees, Capital Expenditure Charges or Water Development Cost Charges.

“Approved Backflow Prevention Assembly” means an assembly for preventing **Backflow** that has been approved by the **District** and that meets all requirements of the current BC Building Code and the

Accepted Procedures and Practices in the Cross Connection Control Manual published by Pacific Northwest Section, American Water Works Association as amended or replaced from time to time.

“Backflow” means the undesirable reversal of flow of water, other liquids, mixtures, gases or substances from the intended direction of flow in **Drinking Water** piping caused by back siphonage or backpressure conditions.

“Backflow Prevention Assembly Tester” means an individual who is certified by the BC Water and Waste Association (or successor organization) and approved by the **District** to approve backflow prevention assemblies and ensure their good working condition.

“Bare Land Strata” means a strata plan where boundaries of the stratified properties are defined by survey markers and are not defined by floors, walls and or ceilings of a building.

“Billing Cycle” means the recurring dates in which the **Waterworks System** bills are to be invoiced as per this bylaw.

“Commercial” means the **Customer** classification for a **Water Service** provided to a **Premises** that is not one of the following **Customer** classifications: **Residential, Multi-family Residential, Agricultural Irrigation, or Seasonal Irrigation.**

“Connected” means the physical state of having a connection between any **Water Service** from the **District** to any **Private Service.**

“Coral Beach Water System” means the distinct water distribution system servicing those **Premises** located in the “Benefiting Area” as established by the Coral Beach Water System Specified Area Establishment Bylaw.

“Customer” means, as the circumstances require as determined by the District, any person who is:

- (a) the owner or agent for the owner of any Premises to which water is supplied from the Works;
- (b) any person who is the occupier of any such Premises; or
- (c) any person who is actually a user of water supplied to any Premises or by any service from the Works.

“Cross-Connection” means any actual or potential connection between a **Drinking Water** supply and any pipe, vessel, tank, plumbing fixture, equipment or device through which it is possible for used, polluted or contaminated water, or any other substance to enter into the **Waterworks System.**

“Cross-Connection Control Officer” means the individual designated by the **Director** who is responsible for the **District’s Cross-Connection** Control Program.

“Director” means the **District’s** Director of Infrastructure Services or Director responsible for **Waterworks Systems** and infrastructure, or their designate.

“Distinct Premises” means each occurrence of a separate or self-contained area or areas of one building, including without limitation, a **Commercial** unit, **Dwelling Unit**, industrial unit, or institutional unit.

“District” means the organization of the District of Lake Country or the area within the municipal boundaries as the context may require.

“District Staff” means a **District** employee under the supervision of the **Director**, or an authorized agent as designated by the **Director**.

“Dwelling Unit” means one or more habitable rooms occupied or intended to be occupied as **Residential** accommodation and usually containing or providing cooking, eating, sleeping, and sanitary facilities and includes secondary suites as separate dwellings.

“Drinking Water” means potable water, as defined by the Drinking Water Protection Act.

“Farm Status” means land which BC Assessment has classified as a farm taxation class pursuant to the Assessment Act and The Classification of Land as a Farm Regulation.

“Flow Control Valve” means a valve that limits the volume of water that a **Premises** can access from a **Water Service**.

Added by Bylaw 1217, 2023

“Isolation Valve” means a valve located on any District water connection used to isolate water supply to or from a **Premise** and is commonly referred to as a shut off valve.

“Lake Country Water System” means the distinct water distribution system servicing those **Premises** located in the “Benefiting Area” as established by the Lake Country Water Service Area Bylaw.

“Lake Pine Water System” means the distinct water distribution system servicing those **Premises** located in the “Lake Pine Local Service Area” as established by the Lake Pine Local Service Area Establishment Bylaw.

“Meter” means an apparatus approved by the **District** for measuring and recording the quantity of water passing to a **Premises** for use.

“Meter Pit” means a chamber installed in the ground over a **Water Service** for the purpose of installing a **Meter** within.

“Mixed Use” means land on which there are **Commercial** activities or uses in combination with residential and/or agricultural activities or uses.

“Multi-family Residential” means the **Customer** classification for a **Water Service** provided to a **Premises** that has multiple **Dwelling Units**, not including secondary suites or accessory suites. Examples of a **Multi-family Residential** include, but are not limited to, condominium apartments, multiplex housing, row housing, apartment rental housing, housing societies and mobile home parks.

“Non-connected” means a **Premises** with an **Allotment** that is not **Connected** to the **Waterworks System**.

“Premises” means an area of land, including a lot or a parcel of land with or without buildings.

“Private Hydrant and Standpipe” means a fire hydrant and/or standpipe that is not owned or maintained by the **District**.

Deleted and replaced by Bylaw 1217, 2023

“Private Service” means privately owned water piping, valves and fittings that are not owned or maintained by the **District**. For clarity, this means any works after an **Isolation Valve** and does not include the Water Meter.

“Qualified Plumber” means a person who holds a current Certificate of Qualification issued by the Province of British Columbia as a journeymen plumber.

“Rate” means the price to be paid for the given quantity of water supplied as measured by a **Meter** or as a fixed charge pursuant to this bylaw.

“Registered accessory suite” means an accessory suite, as defined in the **District’s** Zoning Bylaw, that has received a certificate of registration from the **District**.

“Registered secondary suite” means a secondary suite, as defined in the **District’s** Zoning Bylaw, that has received a certificate of registration from the **District**.

“Remote Meter Reading Pad” means a **District** supplied touch pad that is compatible with the **District’s** reading system and enables **District Staff** to obtain a manual **Meter** reading.

“Residential” means the **Customer** classification for a **Water Service** provided to a **Premises** for the purpose of domestic water use.

“Seasonal Accommodation For Farm Help” has the same meaning as the **District’s** Zoning Bylaw.

“Seasonal Irrigation” means the **Customer** classification for a **Water Service** provided to a **Premises** that does not have **Farm Status** and which is for the purpose of irrigating.

“Stock Watering” means the use of water for watering farm animals, including poultry.

“Unmetered” means a **Water Service** that is **Connected** without a functional **Meter** that captures all use and consumption for that **Water Service**.

“User Fee” means the price to be paid for the **Water Service** provided or quantity of water supplied.

“Water Service” means a connection from the **Waterworks System** supplied to any **Premises**.

“Water Use Classification” means the **Customer** classification for any parcel, buildings, or **Water Services** as determined by the **Director**.

“Waterworks System” means the entire water system of the **District**, including without limitation, the distribution system and the intake, reservoirs, and any water treatment facilities.

“Works” means the facilities, installations and appurtenances that make up the **Waterworks System**.

3. GENERAL REGULATIONS

3.1. No person shall:

- (a) attempt to turn-on or turn-off, operate, destroy, tamper, or alter any **District** owned infrastructure that is part of the **Waterworks System**, including without limitation, **Meters**;
 - (b) waste, lend, sell, give or otherwise dispose of water supplied by the **District** or permit the water to be taken or carried away for the use or benefit of others, without first obtaining written permission from the **Director**, unless the water is being used for suppressing an active fire; or
 - (c) obstruct or interfere with the **Director** or any **District Staff** in the performance of his or her duties or the exercise of his or her powers under this bylaw.
- 3.2. The **District** does not guarantee water pressure, continuous supply or direction of flow. The **District** reserves the right at any time, without notice, to change the operating pressure, water source, to turn on or turn off water, or to change the direction of flow within the **District's** water main.
- 3.3. Neither the **District** nor **District Staff** shall be liable for any damage or other loss caused by changes in water pressure, water source, shutting off water, changes in direction of flow, or by water containing sediments, deposits, or other foreign matter.
- 3.4. Nothing in this bylaw shall obligate the **District** to supply water to any person or **Premises** when the licensing, supply or infrastructure is unavailable; and without limiting the foregoing, supply or infrastructure will be considered unavailable when:
- a. the proposed supply of water would exceed limits under applicable water licences and permits;
 - b. the **District's** water supply is limited by watershed or water source limitations;
 - c. the **District's** water distribution or treatment capacity is inadequate; or
 - d. the fire flow would be insufficient or inadequate to comply with health, safety and fire requirements in effect under applicable enactments.”
- 3.5. The **District** owns all **Works** from the **District's** water mains to curb stops at or near parcel lot lines.
- 3.6. A **Customer's Private Service** must be contained within the privately owned parcel's lot boundary, unless authorized by the **Director** or this bylaw.
- 3.7. The **District** shall not be obligated in any way to extend **Water Service** beyond the boundaries of the **District** or beyond the boundaries of any local service area established for water distribution.
- 3.8. In the event a **Customer** wishes to increase their **Allocation** pursuant to this bylaw, the **Customer** shall pay all **Costs** required to accommodate the increased supply, which may include Development Cost Charges and / or Capital Cost Charges for agriculture.
- 3.9. Where the **District** excavates a **Water Service** at the request of a **Customer** due to a lack of water flow and the issue is determined to be associated with the **Customer's Private Service**, all **Costs** associated to perform such work may, at the sole discretion of the **Director**, be invoiced to the **Customer**.
- 3.10. Where a **Customer** desires water supply, renewal of a water supply, an increase in **Allocation** or **Allotment**, inside or outside of the **District's** boundaries, the **Director** may, in any case, require the **Customer** and **District** to enter into an agreement setting out the terms and conditions of

Replaced by
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supply. In the case of a conflict between this bylaw and an agreement, the provisions of this bylaw shall take precedence.

- 3.11. The **Director** and **District Staff** may enter on any **Premises** at any time, upon giving reasonable notice, for the purpose of inspecting and ascertaining whether the regulations and requirements of this bylaw are being observed, including without limitation, an on-site review of the water source, facilities, **Meters**, equipment, and plumbing.

Added by Bylaw 1217, 2023

- 3.12. The **District** is not responsible for the ongoing maintenance or repair of any **Private Service**.

4. SHUT OFF OF WATER SUPPLY

- 4.1. The **Director** may shut off the supply of water to any **Premises** for any or all of the following reasons:

- (a) A request for turn-off or discontinuance of the Water Service;
- (b) Maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
- (c) An emergency that threatens the safety of the Waterworks System or the public;
- (d) Non-compliance with any provision of this bylaw or agreement respecting use of the Water Service, including unpaid User Fees and Rates; or
- (e) Shortage of water supply, including the water supply scenarios described in section [11.1](#).

- 4.2. Where water supply is to be shut off for non-compliance with any provision of this bylaw, the **District** will give fourteen (14) days' notice to the **Customer**, provided that no notice or shorter notice will be given where safety of life or property is at risk.

- 4.3. Where water supply is to be shut off for reason of non-compliance with any provision of this Bylaw, excluding for reason of non-payment of any Rate or User Fee payable in accordance with this bylaw, the **District** will give the **Customer** affected the opportunity to make representations to the **District's** Council in respect of such shut off.

- 4.4. Where water supply is to be shut off for reason of shortage of water supply, the **District** will give at least seven (7) days' notice, but no notice or shorter notice will be given where safety of life or property is at risk. This section does not apply to water supply for irrigation purposes referred to in section 11.1.

- 4.5. Where water supply is to be temporarily shut off for maintenance, renovation, replacement, disinfection or other operation of the **Waterworks System** for greater than 12 hours, the **District** will use its best efforts to give at least one (1) business days' notice for scheduled work, but no notice or shorter notice will be given where safety of life or property is at risk.

- 4.6. Notice under section 4.2, 4.4, 4.5 may be given by one or more of the following:

- (a) posting notice on the **Premises**;
- (b) providing notice on a **Customer's** water bill;
- (c) mailing notice to the address supplied by the **Customer** or the address of the **Premises**;
- (d) telephoning the **Customer**, which may include speaking directly to the **Customer** or leaving a message at the telephone number supplied by the Owner.

- 4.7. The **District** is not responsible for any notice failing to reach any **Customer** prior to the shut off of water.

5. WATER SERVICE CONNECTION

- 5.1. Prior to installation of a **Water Service** **District Staff** will estimate the **Cost** to complete the **Works** and provide an estimate to the **Customer**. Prior to the commencing the **Works**, the **Customer** shall deposit the estimated cost plus 25% with the **District** (the “**Deposit**”). If the **Deposit** is less than the **Cost** of the **Works**, the **Customer** shall pay the outstanding amount to the **District**. If the **Deposit** exceeds the **Cost** the **District** shall refund the excess amount to the **Customer**.
- 5.2. Prior to connecting to a **Water Service** a **Customer** must make application to connect and pay all related connection **User Fees** set out in [Schedule A](#).

Section 5.3 deleted by Bylaw 1103 and renumbered

- 5.3. The **Director** may require a **Customer** to provide a plan and specifications of **Works** that conform to the **District’s** Subdivision and Development Servicing Bylaw.
- 5.4. Each parcel that is less than 0.8 hectares (2 acres) shall be limited to one (1) **Water Service**. Each parcel that is 0.8 hectares (2 acres) or greater shall be limited to two (2) **Water Services**, one of which will be an **Agricultural Irrigation Water Service** or **Seasonal Irrigation Water Service**, unless otherwise approved by the **Director**.
- 5.5. Notwithstanding section 5.4, if the **Waterworks System** does not have the capacity to provide an **Agricultural Irrigation Water Service** or a **Seasonal Irrigation Water Service** as determined by the **Director**, each parcel within a particular distribution system shall be limited to one (1) **Residential Water Service**, unless otherwise approved by the **Director**.
- 5.6. The **Director** shall, in every case, approve the size of the pipe to be used in supplying any **Water Service** connection and determine the location where the **Water Service** is to be installed.

Section 5.7 to 5.10 added by Bylaw 1103

- 5.7. All Premises that have been approved to connect to a District water system, and have not previously paid for water Allotment, shall pay the minimum Allotment Fee as per Schedule A, prior to connecting.
- 5.8. The minimum Allotment fee shall provide a Premises with an Allotment equal to the lot size to a maximum of 0.40 hectares (1 acre).
- 5.9. Increases in Allotment for the purpose of irrigation must be approved by the Director.
- 5.10. When increasing Allotment for the purpose of irrigation, the Premise must increase to a minimum of 0.80 hectares (2 acres). All Premises increasing Allotment for the purpose of irrigation shall pay the Allotment Fee, as per Schedule A.

6. WATER MAIN EXTENSIONS

6.1. Where the **Works** do not exist adjacent to a proposed subdivision or development, or where the **Works** do not exist along a portion of the **Premises**, the applicant shall, at their sole expense, be required to extend the water main along the full frontage of the parcel being subdivided, and in the location designated by the **Director**.

6.2. The requirements set out in 6.1 may be waived by the **Director** if:

- (a) The development is on land zoned agricultural; or
- (b) There is no potential for a future water main extension past that parcel lot boundary,

on the further condition that the **Director** shall determine the location of the end of the water main and the water main shall front no less than three (3) meters of the parcel lot boundary.

6.3. All water main extensions are subject to the **District's** Subdivision and Development Servicing Bylaw.

6.4. A Customer shall pay all **Costs** associated with installing the Customer's water main, which may include pipe and all other appurtenances.

7. WATER TURN-ON OR TURN-OFF

7.1. Turn-on and turn-off **User Fees** as per [Schedule A](#) shall be charged per discrete event or occurrence where **District Staff** leave and return from the **Premises** to provide the **Water Service**.

7.2. Other than emergency situations, **Customer** requests for water turn-on or turn-off must be made at least 24 hours in advance.

7.3. In the case of a **Water Service** that is turned off due to non-compliance with the provisions of this bylaw, the **Water Service** shall not be again turned on until the turn-off and turn-on **User Fees** have been paid or the non-compliance has otherwise been rectified to the satisfaction of the **Director**.

8. WATER SERVICE DISCONNECTION

8.1. When any **Water Service** is to be abandoned and/or disconnected the **Customer** shall notify the **Director** and the **Water Service** must be severed either at the **District** curb-stop, at the **District's** water main or as determined by the **Director**.

8.2. All **Costs** associated with Water Service disconnections are the Customer's responsibility.

9. WATER METERING REGULATIONS

9.1. All **Connected Water Services** are to be metered with a **Meter** and all water must flow through the **Meter**, unless a waiver of this requirement is granted pursuant to this bylaw.

9.2. All **Customers** shall permit **District Staff** to enter their **Premises** at all times upon receiving reasonable notice in order to read, inspect, maintain or replace a **Meter**.

- 9.3. Where section 9.1 or 9.2 are not complied with, the **Customer** will be deemed **Unmetered** by the **District** and charged the applicable **Rates** set out in [Schedule B](#).
- 9.4. No person is permitted to:
- (a) in any way to tamper with a Meter;
 - (b) damage or destroy a Meter, whether deliberately or negligently;
 - (c) move a Meter, unless approved by the **Director**.
- 9.5. A **Customer** shall be responsible for the **Costs** associated with the repair or replacement or installation of a **Meter** that is used in servicing the **Customer's Premises**.
- 9.6. Unless otherwise approved by the **Director**, each **Water Service** shall be limited to one **Meter**, provided that each:
- (a) **Water Use Classification** on **Mixed Use** properties must be equipped with its own **Meter** and the applicable **Rates** set out [Schedule B](#) apply to each **Meter**; and
 - (b) A **Dwelling Unit** of a freehold duplex or triplex, or a **Bare Land Strata** shall be metered separately and are not considered **Multifamily Residential**.
- 9.7. All Meters:
- (a) shall be installed pursuant to the BC Building Code by a **Qualified Plumber** or **District Staff** in conformance with the standard drawings set out in [Schedule D](#);
 - (b) are to be supplied and purchased through the **District** at the **User Fees** set out in [Schedule A](#); and
 - (c) remain the property of the **District**.
- 9.8. A **Customer** is permitted to have a **Meter** inside their **Dwelling Unit** that does not transmit a radio frequency provided that the **Customer** installs a functional **Remote Meter Reading Pad** that is accessible on the exterior of the **Dwelling Unit**. Such **Customers** shall be charged a manual **Meter** reading **User Fee** for each reading as set out in [Schedule A](#).

Replaced by
Bylaw 1103

10. METER PIT

- 10.1. The **Director** may require a **Meter** to be installed in a **Meter Pit** if a **Customer** has been using **Unmetered** water, if a **Customer** plans to have more than one **Dwelling Unit** or connection point prior to a **Dwelling Unit**, or any other related circumstance.
- 10.2. Where a **Customer** requests to have a **Meter** installed in a **Meter Pit**, the installation of the **Meter Pit** must be approved by the **Director**.
- 10.3. The **Customer** shall pay all **Costs** associated with a **Meter Pit** installation.
- 10.4. The location of a **Meter Pit** must be approved by the **Director**. **Meter Pits** may be installed within a road right-of-way (on the untraveled portion of the road), on the **Customer's** land adjacent to the curb stop or as otherwise determined by the **Director**.
- 10.5. All Meter Pits:

- (a) shall be installed pursuant to the BC Building Code by a **Qualified Plumber** or **District Staff** in conformance with the standard drawings set out in [Schedule D](#); and
- (b) remain the property of the **District**.

10.6. Where a **Meter Pit** has not been installed in accordance with this bylaw, the **District** shall only be responsible for the **Meter**.

11. WATER CONSERVATION AND ALLOCATION REGULATIONS

11.1. In case of a water shortage or other emergency, the **Director** is authorized to suspend, regulate or stop the supply of water to any or all **Customers**, including setting **Allocations** and certain hours, days and time periods during which **Customers** shall not be permitted to use water supplied by the **District** to sprinkle, irrigate or use water in any other manner as specified by the **Director**.

11.2. No constant run fixtures, swamp coolers, or water to waste refrigeration units are permitted to be **Connected** to the **Waterworks System**.

11.3. Every person that utilizes a **Water Service** for irrigating shall do whatever is necessary to prevent waste of water and ensure that the water is contained on their land.

11.4. No **Residential Water Service** may use more than 38 liters per minute (10 US gal/minute), except when suppressing an active fire.

11.5. No **Commercial Water Service** may use more than 38 liters per minute (10 US gal/minute) per 300 square metres of floor area, except when suppressing an active fire.

11.6. No **Agricultural Irrigation Water Service** or **Seasonal Irrigation Water Service** may use more than 56.7 liters per minute per hectare of land with an **Allotment** (6.0 US gallons per minute per acre).

12. AGRICULTURAL AND SEASONAL IRRIGATION WATER SERVICE REGULATIONS

12.1. The **Director** shall determine the schedule for activating and de-activating **Agricultural Irrigation Water Services** and **Seasonal Irrigation Water Services**.

12.2. Water turn-on and turn-off **User Fees** are not applicable to normal spring activation and fall deactivation of **Agricultural Irrigation Water Services** and **Seasonal Irrigation Water Services**.

12.3. No Customer shall use an **Agricultural Irrigation Water Service** or **Seasonal Irrigation Water Service** before the spring activation or after the fall de-activation, unless the **Customer** has received approval for early turn-ons or late turn-offs from the **Director**.

12.4. **Customers** may request from the **District** early **Agricultural Irrigation Water Service** turn-on for filling sprayers and irrigating new plantings. If an **Agricultural Irrigation Water Service** is turned on early for filling sprayers or irrigating new plantings and is then used for other purposes, at the **Director's** discretion, the **Water Service** may be turned off wherein the **Customer** will be required to pay turn-on **User Fees** set out in [Schedule A](#) prior to re-activating the **Water Service**.

12.5. At the discretion of the **Director** an **Agricultural Irrigation Water Service** or **Seasonal Irrigation Water Service** must be equipped with a **Flow Control Valve**.

12.6. Water supplied through an **Agricultural Irrigation Water Service** shall:

- (a) only be applied to active agricultural crops and/or livestock; and
- (b) not be used for the purposes of servicing or maintaining property aesthetics, which includes but is not limited to, ornamental trees, shrubs, flowers, and turf areas.

12.7. Water supplied through an **Agricultural Irrigation Water Service** or **Seasonal Irrigation Water Service** shall:

- (a) only be used on land with an **Allotment**;
- (b) not be used to irrigate another parcel of land;
- (c) not be transferred off the **Premises** except when suppressing an active fire.

13. HYDRANT AND FIRE SUPPRESSION SYSTEMS

13.1. No person other than **District Staff** shall open any **District** hydrant, standpipe or valves.

13.2. All fire suppression systems, including without limitation, hydrants, standpipes, valves and fire sprinkler systems:

- (a) shall only be used for extinguishing an active fire; and
- (b) may be subject to additional requirements or conditions of use, as determined by the **Director**.

13.3. The **Director**, at his or her sole discretion, may exempt fire suppression systems, including without limitation, hydrants and fire sprinkler systems, from the requirement to install a **meter** pursuant to this bylaw.

13.4. Notwithstanding Section 13.2 of this bylaw, a **Customer** may submit an application to the **Director** for use of a **Private Hydrant or Standpipe** or a District hydrant or standpipe for purposes other than extinguishing an active fire. Applications must be approved by the **Director** and are subject to **User Fees** set out in [Schedule A](#).

14. CROSS CONNECTION CONTROL

14.1. No person shall connect, cause to be **Connected** or allow to remain **Connected** any piping, fixture, fitting, container, appliance or **Cross-Connection** that may cause or allow **Drinking Water** quality to become contaminated, degraded or polluted in any way and under any condition, including but not limited to **Backflow** as a result of the disruption of the water supply from the **Waterworks System**, unless an **Approved Backflow Prevention Assembly** has been installed and tested in accordance with this section.

14.2. Where the **Director** or the **Cross-Connection Control Officer** determines there is an active or potential **Cross-Connection** prohibited by this bylaw, written notice may be provided to the **Customer** requiring correction of the issue within the time specified by installing an **Approved Backflow Prevention Assembly**. All **Costs** associated with the correction shall be the responsibility of the **Customer**.

- 14.3. Each **Customer** shall, upon the installation of an **Approved Backflow Prevention Assembly** have the unit tested by a certified **Backflow Prevention Assembly Tester** as required by the **Director** or the **Cross-Connection Control Officer**. The results of all inspections and testing shall be submitted to the **District**.
- 14.4. A new **Water Service** connection shall not be turned on until the **Customer's Premises** has been inspected by the Building Inspector, **Director**, or the **Cross-Connection Control Officer** for connections and **Cross-Connections** prohibited by this section.
- 14.5. All fire suppression systems shall have an approved testable double check valve assembly (DCVA) installed. A testable double check detector assembly (DCDA) is required where the service line is greater than 50mm in diameter.
- 14.6. A consumer to whom notice has been given under this section shall correct the connection or cross-connections by installing or testing an approved backflow prevention assembly in accordance with CSA Standard B64.10-11/B64.10.1-11 and amendments thereto.

Added by
Bylaw 1103

15. WATER RATE REGULATIONS

- 15.1. **Customers** shall pay to the **District** the applicable rates associated with a **Water Use Classification** as set out in [Schedule A](#) and [Schedule B](#), plus applicable taxes.
- 15.2. **Residential**
- (a) Where there is more than one **Distinct Premises** on a parcel, the metered base **Rate** will be multiplied by the number of **Distinct Premises**, except where a **Distinct Premises** is a **Registered Secondary Suite** or **Registered Accessory Suite**.
 - (b) A vacant **Premises** where the **Customer** uses the **Residential Water Service** for irrigating will be invoiced as **Seasonal Irrigation** as set out in [Schedule B](#).
Deleted and replaced by Bylaw 1217, 2023
 - (c) **Non-connected Residential Customers** shall be charged a **Non-connected User Fee** as per [Schedule B](#).
 - (d) **Customers** that use stock water from a **Residential Water Service** are eligible for a credit as per [Schedule C](#).
- 15.3. **Commercial**
- (a) **Commercial** metered base **Rates** shall be determined by the size of **Meter** servicing the **Premises** as per [Schedule B](#).
 - (b) **Commercial Unmetered Rates** shall be determined by the size of **Water Service Connected** to the **Premises** as per [Schedule B](#).
 - (c) The base rates for **Commercial Customers** with more than one **Meter** shall be determined by adding each individual **Meter** size together and, if required, rounded to the closest **Meter** size.
Deleted and replaced by Bylaw 1217, 2023
 - (d) **Non-connected Commercial Water Services** shall be charged a **Non-connected User Fee** set out in [Schedule B](#).
 - (e) **Agri-tourism Accommodation Water Services** shall be charged the **Commercial Rate** as set out in [Schedule B](#).

15.4. Seasonal Irrigation and Agricultural Irrigation

- (a) **Agricultural Irrigation** and **Seasonal Irrigation User Fees** shall be charged as per [Schedule B](#).
- (b) Seasonal Accommodation For Farm Help Connected to an Agricultural Irrigation Water Service shall not be subject to additional User Fees or Rates.
- (c) **Agricultural Irrigation Rates** shall be calculated per hectare of land that has an **Allotment**. A minimum charge at 0.40 hectares (1.0 acres) shall apply.
Deleted and replaced by Bylaw 1217, 2023
- (d) Where a **Premises** has an **Allotment** intended for farming but does not have an **Agricultural Irrigation Water Service** or **Seasonable Irrigation Water Service**, a **Non-connected User Fee** shall be charged as set out in [Schedule B](#).
- (e) If a **Premises** loses **Farm Status** in any given calendar year, **Seasonal Irrigation Rates** will commence January 1st of the following year.
- (f) Agricultural rates as per [Schedule A](#) will apply as of January 1st of the calendar year in which a **Premises** obtains **Farm Status**.

16. BILLING

- 16.1. Invoices or notices requiring payment of **User Fees** and **Rates** pursuant to this bylaw are deemed to have been delivered to the **Customer** on the date on which it was mailed. Failure to receive such invoice or notice does not negate the responsibility of the **Customer** from paying the **User Fees** and rates established by this bylaw.

Deleted and replaced by Bylaw 1217, 2023

- 16.2. Invoices for **User Fees** shall be charged quarterly and are payable by each **Customer** with the following billing cycles and due dates, or as otherwise approved by the **Director**:

| Billing Cycle | Due Date |
|--------------------------|-------------|
| January 1 to March 31 | May 15 |
| April 1 to June 30 | August 15 |
| July 1 to September 30 | November 15 |
| October 1 to December 31 | February 15 |

- 16.3. Interest on **User Fees** and **Rates** remaining unpaid after the applicable due date shall be charged at 1.5% per month compounded annually.
- 16.4. Where it is determined that incorrect billing has taken place, charges and/or refunds shall be processed accordingly. Such charges and/or refunds shall not exceed a period of two (2) years prior to the date of notification of incorrect billing.
- 16.5. All **Customers** are considered **Connected** to the **Waterworks System** on the date a building permit is issued for the **Premises** ("**Date of Connection**").
- 16.6. Billing of **Rates** shall commence on the full **Billing Cycle** immediately following the **Date of Connection**. Where the connection is for newly constructed **Commercial** or **Multi-family Residential** structures billing shall commence on the second full **Billing Cycle** from the **Date of Connection**.

- 16.7. Subject to the discretion of the **Director**, where parcels or dwellings share a common **Meter**, the title holder or the strata corporation, in the case of a strata plan, will be invoiced.
- 16.8. Any amount payable in accordance with this bylaw remaining unpaid after the thirty-first (31st) of December in any given year shall be deemed taxes in arrears in respect of the parcels of land served by the **Water Service** and such amounts shall be recoverable as taxes under the Local Government Act.
- 16.9. The Director shall classify Customers, owners of parcels or owners of real property in accordance with the categories pertaining to particular water systems within the District, as set out in the schedules to this bylaw, if applicable.
- 16.10. No monies received by the **District** in payment of **User Fees** or **Rates** chargeable under this bylaw or under any amendment thereto, shall be applied to the payment of the **User Fees** or **Rates** for the then current month, until all other **User Fees** or **Rates**, which shall have become due in previous months, plus applicable interest, have been fully paid.

Added by
Bylaw 1196

- 16.11. Billing of **Fees and Charges** to the City of Kelowna shall be invoiced in accordance with Schedule E.

17. PENALTIES

- 17.1. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 17.2. Any person who violates a provision of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) plus the cost of prosecution.
- 17.3. Each day that the violation continues to exist shall constitute a separate offence.

18. REPEALS

- 18.1. Water Regulation and Rates Bylaw 633, 2007 and any amendments thereto are hereby repealed in their entirety.

19. SEVERABILITY

- 19.1. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

20. EFFECTIVE DATE

- 20.1. This bylaw shall come into full force and effect on January 1, 2017.

21. CITATION

21.1. This bylaw may be cited as "Water Regulation and Rates Bylaw 984, 2016".

READ A FIRST TIME this 6th day of December, 2016.

READ A SECOND TIME this 6th day of December, 2016.

READ A THIRD TIME this 6th day of December, 2016.

ADOPTED this 20th day of December, 2016

Original signed by James Baker

Mayor

Original signed by Reyna Seabrook

Corporate Officer

Schedule A deleted and replaced by Bylaw 1217, 2023

**Schedule A
User Fees**

| <u>Fee Item</u> | <u>User Fee</u> |
|---|------------------------|
| <u>Water Service Installation</u> | |
| Any Water Service Installation | Actual Cost |
| | |
| <u>Connection Fee</u> | |
| General Connection Fee | \$1000 per connection |
| | |
| <u>Allotment Fee</u> | |
| Per Hectare (minimum 0.4 hectare) | \$18,832.50 |
| | |
| <u>Hydrant and Standpipe Fee</u> | |
| Setup & Take down (combined) | \$90 each occurrence |
| Daily Use | \$45 per day |
| Consumption | \$2.45 per cubic metre |
| | |
| <u>Turn on/off</u> | |
| Turn on/off Service Call | \$150 each |
| Turn on/off Service Call after business hours | \$250 each |
| | |
| <u>Meter Prices</u> | |
| All Meters | Actual Cost |
| | |
| <u>Other</u> | |
| Manual Meter reading fee | \$180 per year |
| | |
| | |

Schedule B deleted and replaced by Bylaw 1217, 2023

**Schedule B
Water Rates**

The following Rates apply to Customers Connected to the following systems:

- Lake Country Water System
- Coral Beach Water System
- Lake Pine Water System

RESIDENTIAL

| Category | | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|-------------------------|--------------------------|----------|---------|---------|---------|---------|---------|
| Annual Base Rate | Residential | \$468 | \$511 | \$558 | \$610 | \$670 | \$737 |
| | Multi-family Residential | \$374.40 | \$408 | \$446 | \$488 | \$536 | \$590 |
| | Unmetered | \$3,200 | \$3,520 | \$3,870 | \$4,260 | \$4,685 | \$5,155 |

| | | | | | | | |
|---|--------------------------|--------|--------|--------|--------|--------|--------|
| Consumption Per cubic metre | Residential | \$0.86 | \$0.98 | \$1.13 | \$1.29 | \$1.42 | \$1.56 |
| | Multi-family Residential | | | | | | |

AGRICULTURAL IRRIGATION

| | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|--------------------------------|----------|----------|----------|----------|----------|----------|
| Annual Cost per Hectare | \$308.88 | \$323.71 | \$353.36 | \$385.48 | \$425.02 | \$469.60 |
| Annual Cost per Acre | \$125 | \$131 | \$143 | \$156 | \$172 | \$190 |

SEASONAL IRRIGATION

| | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|------------------------------------|--------|--------|--------|--------|--------|--------|
| Base Rate | \$150 | \$164 | \$179 | \$195 | \$215 | \$236 |
| Consumption per Cubic Metre | \$0.86 | \$0.98 | \$1.13 | \$1.29 | \$1.42 | \$1.56 |

COMMERCIAL

| Meter Size* | Category | Base Rate | | | | | |
|----------------------|-----------|-----------|----------|----------|----------|----------|----------|
| | | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| 25mm and less | Metered | \$468 | \$511 | \$558 | \$610 | \$670 | \$737 |
| | Unmetered | \$3,200 | \$3,520 | \$3,872 | \$4,259 | \$4,685 | \$5,154 |
| 38mm | Metered | \$1,020 | \$1,122 | \$1,234 | \$1,358 | \$1,493 | \$1,643 |
| | Unmetered | \$7,040 | \$7,744 | \$8,518 | \$9,370 | \$10,307 | \$11,338 |
| 50mm | Metered | \$1,260 | \$1,386 | \$1,525 | \$1,677 | \$1,845 | \$2,029 |
| | Unmetered | \$8,640 | \$9,504 | \$10,454 | \$11,500 | \$12,650 | \$13,915 |
| 75mm | Metered | \$1,560 | \$1,716 | \$1,888 | \$2,076 | \$2,284 | \$2,512 |
| | Unmetered | \$10,560 | \$11,616 | \$12,778 | \$14,055 | \$15,461 | \$17,007 |
| 100mm | Metered | \$1,920 | \$2,112 | \$2,323 | \$2,556 | \$2,811 | \$3,092 |
| | Unmetered | \$13,120 | \$14,432 | \$15,875 | \$17,463 | \$19,209 | \$21,130 |
| 150mm | Metered | \$2,400 | \$2,640 | \$2,904 | \$3,194 | \$3,514 | \$3,865 |
| | Unmetered | \$16,320 | \$17,952 | \$19,747 | \$21,722 | \$23,894 | \$26,284 |
| 200mm | Metered | \$3,000 | \$3,300 | \$3,630 | \$3,993 | \$4,392 | \$4,832 |
| | Unmetered | \$20,480 | \$22,528 | \$24,781 | \$27,259 | \$29,985 | \$32,983 |
| 250mm | Metered | \$3,900 | \$4,290 | \$4,719 | \$5,191 | \$5,710 | \$6,281 |
| | Unmetered | \$26,560 | \$29,216 | \$32,138 | \$35,351 | \$38,886 | \$42,775 |

| | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|------------------------------------|--------|--------|--------|--------|--------|--------|
| Consumption per Cubic Metre | \$0.86 | \$0.98 | \$1.13 | \$1.29 | \$1.42 | \$1.56 |

*Unmetered Base Rate is determined by service line size.

ANNUAL NON-CONNECTED

| | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|---|-------|-------|-------|-------|-------|-------|
| User Fee – Lake Country Water System | \$100 | \$240 | \$275 | \$300 | \$330 | \$365 |
| User Fee – Coral Beach Water System | \$248 | \$248 | \$275 | \$300 | \$330 | \$365 |
| User Fee – Lake Pine Water System | \$260 | \$260 | \$275 | \$300 | \$330 | \$365 |

Schedule C
Stock Watering Credit Calculation

A credit to an account for **Stock Watering** shall apply under the following circumstances:

- The **Premises** has **Farm Status**.
- The stock water is being supplied from the **Residential** service line.
- The dollar value, as calculated below, exceeds \$15 dollars per month.

The formula used to calculate **Stock Watering Costs** will be as follows:

- Number of Animals x Daily Water Consumption for Type of Animal (from Table 1) x number of day in that month x water consumption fee per cubic metre.
- Each different type of animal will be calculated independently and their cost added together.

If the **Stock Watering** cost is calculated to be greater than \$15 dollars per month the total amount calculated will be applied to the account. The credit amount cannot reduce the water consumption fee to less than \$10 dollars per month.

Table 1

| TABLE 1 ESTIMATED AVERAGE DAILY WATER CONSUMPTION FOR LIVESTOCK (US GALLONS PER DAY) | | | | | | |
|---|--------------------|---------------|--|--------------------------------|--------------------|---------------|
| TYPE OF ANIMAL | DESCRIPTION | US GPD | | TYPE OF ANIMAL | DESCRIPTION | US GPD |
| BEEF | | | | SWINE (with wash water) | | |
| cow with calf * | 1,300 lb | 12 | | farrow - finish | -- | 24 / sow |
| dry cow/mature cow * | 1,300 lb | 10 | | farrow - late wean | 50 lb | 8 / sow |
| calf * | 250 lb | 3 | | farrow - early wean | 15 lb | 6.5 / sow |
| feeder – growing ** | 400-800 lb | 6 - 9 | | feeder | 50 - 250 lb | 2 / pig |
| feeder – finishing ** | 600-1,200 lb | 9 - 12 | | weaner | 15 - 50 lb | 0.6 / pig |
| bull | -- | 12 | | POULTRY | | |
| DAIRY | | | | broiler | per 100 | 4.2 |
| milking * (with wash water) | holstein | 38 | | roaster/pullet | per 100 | 4.8 |
| dry cow/replacement | holstein | 12 | | layer | per 100 | 6.5 |
| calf | to 550 lb | 3.5 | | breeder | per 100 | 8.5 |
| SHEEP AND GOATS | | | | turkey - grower | per 100 | 15.5 |
| ewe/doe | -- | 2.5 | | turkey - heavy | per 100 | 19 |
| milking ewe/doe | -- | 3.5 | | OSTRICH | | |
| feeder lamb/kid | -- | 2 | | -- | | |
| BISON, HORSE, MULE | | | | DEER, LLAMA, ALPACA | | |
| -- | | | | -- | | |
| | | | | ELK, DONKEY | | |
| | | | | -- | | |

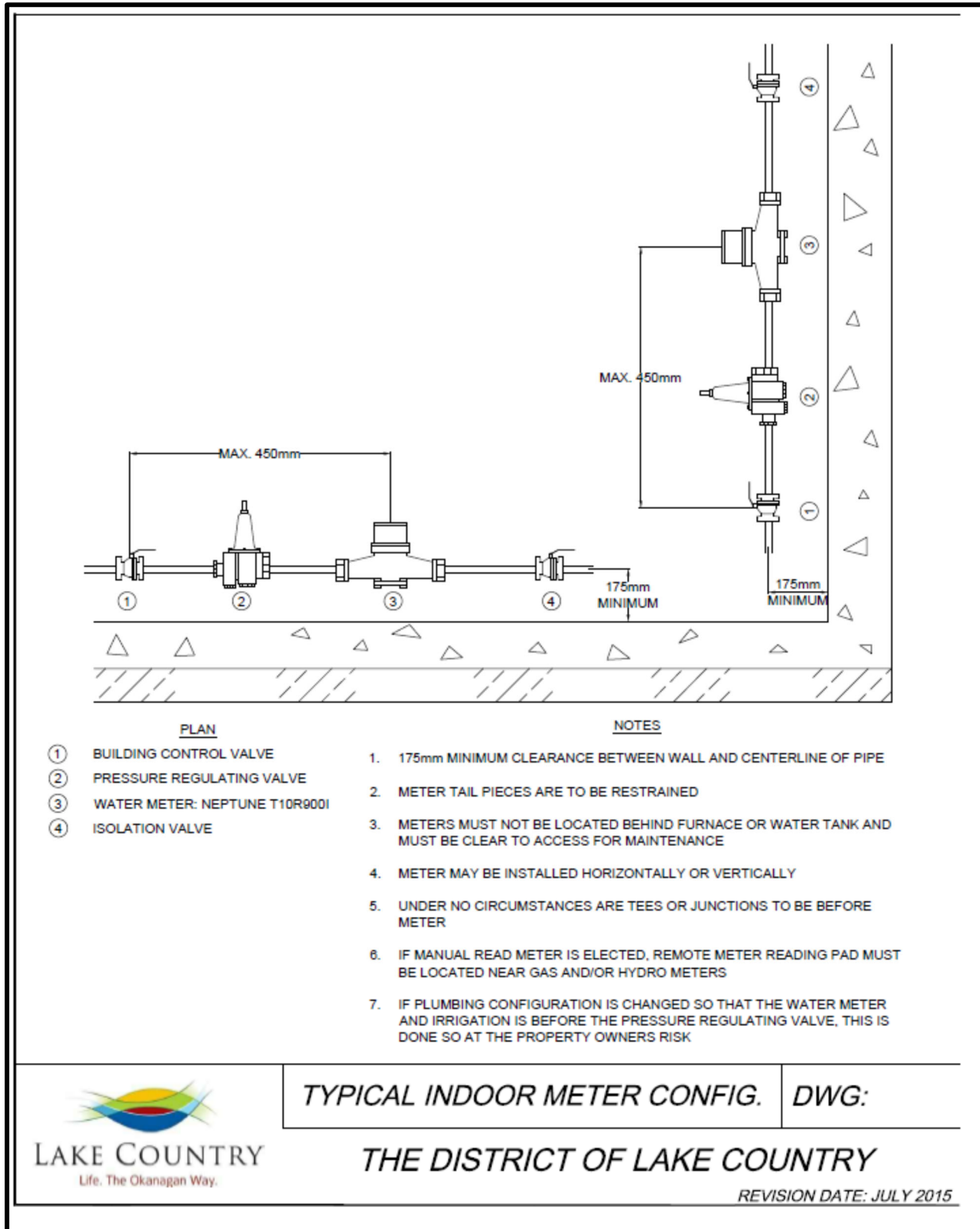
* For peak water use on days above 25^o C multiply gpd by 1.5

** For peak water use on days above 25^o C multiply gpd by 2

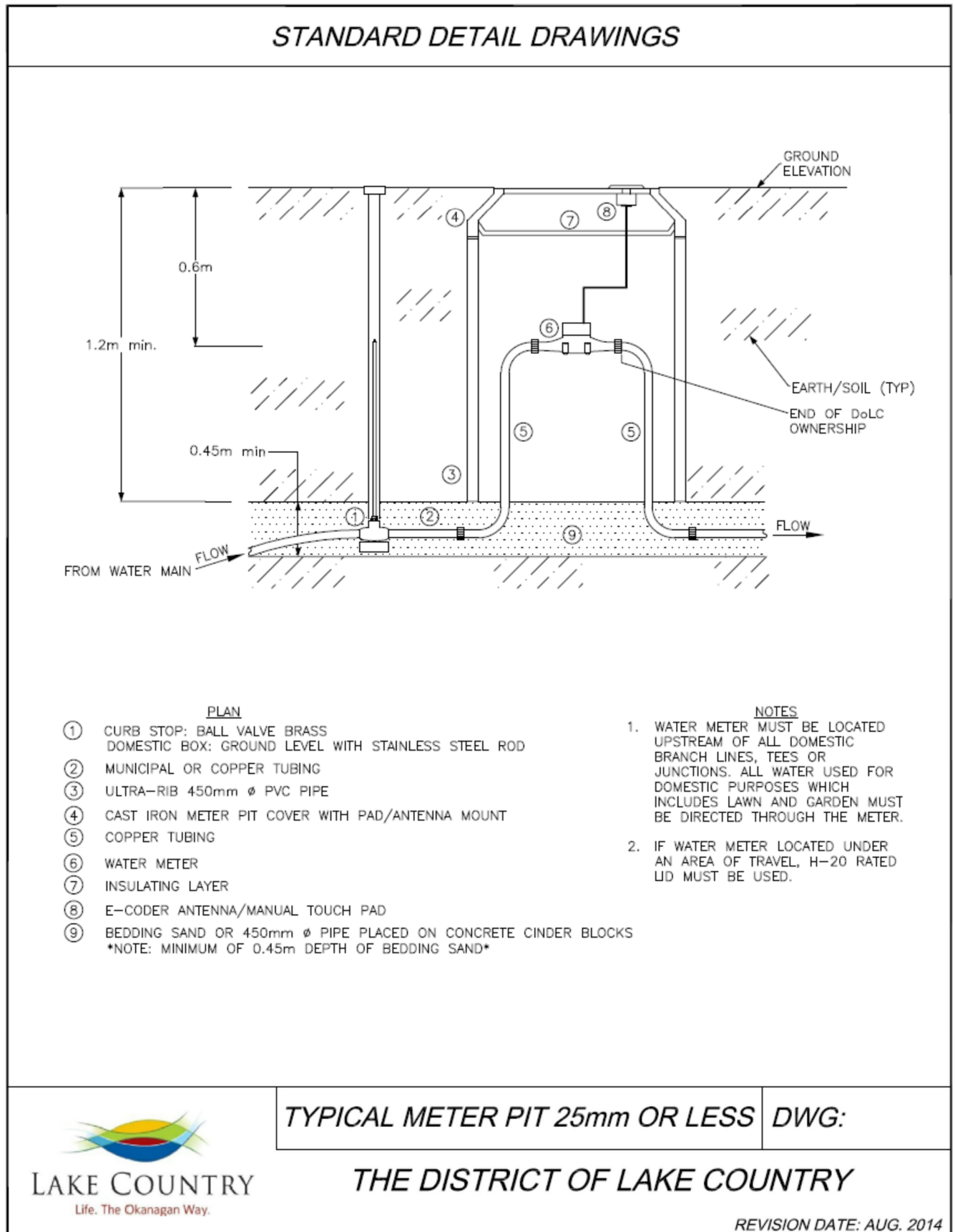
Sources: Farm Water Supply Requirements, Alberta Agriculture, Food and Rural Development;
The Stockman's Guide to Range Livestock Watering From Surface Water Sources, PAMI;
Estimated Daily Water Intake of Beef Cattle, Cornell University, New York State

Schedule D
Standard Drawings

Typical Residential Water Meter Installation



Typical Meter Pit Installation (25mm and less)



Schedule E deleted by Bylaw 1103

Added by Bylaw 1196

**Schedule E
City of Kelowna Fees and Charges**

1. Bulk Charge

| Year | Per cubic metre |
|-------------|------------------------|
| 2023 | \$0.68 |
| 2024 | \$0.77 |
| 2025 | \$0.88 |

2. Capital Limit Adjustment Charge

1 litre per second (Maximum Day Demand) = \$143,298