

TOWN OF GOLDEN

BYLAW NUMBER 1386, 2017

WATER SYSTEM RATES AND REGULATIONS

Being a bylaw to provide for connection to and regulations for the Town of Golden Water System, and to establish rates and charges for the use of water from the Water System

The Council of the Town of Golden, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited for all purposes as the “*Water System Rates and Regulations Bylaw No. 1386, 2017.*”

2. INTERPRETATION

(1) In this Bylaw

“Annual”	means the twelve calendar months in each year.
“Council”	means the Council for the Town.
“Family”	means
	(a) persons related by blood, marriage, adoption or foster care, or
	(b) a group of not more than three unrelated non-transient persons living together as a single non-profit group in a dwelling unit and using common cooking facilities and excludes boarders, lodgers and servants, but includes a person living alone.
“Historical Data”	means the available data from the three (3) quarters prior to the quarter being reviewed.
“Irrigation”	means the application of water to land solely for the purpose of watering plants, including but not limited to lawns, gardens, vegetables, decorative planting, trees, shrubs or agricultural crops.
“Manager of Operations”	means the individual appointed by Council to the position of Manager of Operations for the Town, and includes the individual appointed as their deputy or a person designated by Council to act in their place.
“Metered”	means connected to the Water System of the Town and equipped with a device to measure the consumption of water from the system.
“Non-Residential User”	means any user other than a Residential User.

“Owner”	has the same meaning as in the <i>Community Charter</i> , and in relation to the common property under the <i>Strata Property Act</i> , means the strata corporation.
“Parcel”	has the same meaning as in the <i>Community Charter</i> .
“Premises”	means any Parcel of land, building, erection or thing connected to the Water System.
“Quarterly”	means every three months during a calendar year.
“Residential Unit”	means a housing unit sheltering not more than one Family and not more than one set of cooking facilities, consisting of either a detached housing unit, one self-contained suite in a residential building, one half of a duplex or one self-contained suite in a building containing three or more such suites.
“Residential User”	means a person using a connection to the Water System from a building used exclusively for residential purposes, including a Residential Unit located within a triplex or four plex building, and otherwise containing not more than two (2) Residential Units .
“Town”	means the Town of Golden, or the area contained within the boundaries of the Town.
“Turn off”	means to turn off the water supply to Premises by closing a Town owned valve or by any other means.
“Turn on”	means to allow the flow of water by opening a Town owned valve or by any other means.
“Unmetered”	means any water supply that is not Metered.
“Water Service Connection”	means a piping connection that conveys water from the Water System to the inside of a building.
“Water System”	means any Water System or part of it, owned or operated by the Town.
“Water User”	means a person who uses water from the Water System.

Town’s Portion of Water Service Connection

- (2) The Town’s portion of the Water Service Connection ends at an owner’s property line. Any piping connection, or portion thereof, located within the boundaries of the property is the sole responsibility of the owner, subject to any water meters, which are owned by the Town but may be located inside building structure. Water meter maintenance and repair is set out at section 5 of this Bylaw.

3. CONNECTIONS TO THE WATER SYSTEM

- (1) The Town is not obligated to
- (a) supply water to Premises which do not abut the Water System, or
 - (b) make connections to Premises during such periods of the year when the ground is

frozen or typically frozen.

- (c) Every Owner whose Parcel abuts the Water System must connect their Parcel to the Town's Water System and pay to the Town the applicable connection fee set out in Schedule A.

4. APPLICATIONS

- (1) Prior to proceeding with any of the following, a person must apply in writing to the Town in a form approved by the Manager of Operations:
 - a) use water from the Water System;
 - b) terminate the use of water from the Water System;
 - c) install a new connection to the Water System; or
 - d) Turn On or Turn Off the water supply to the Premises.
- (2) In the event of an emergency, such as but not limited to structural flooding, a person may Turn Off the water supply to the Premises but shall report the Turn Off to the Manager of Operations in writing within the next business day.

5. CONSTRUCTION STANDARDS

- (1) Every Owner must ensure that:
 - a) all Water Service Connections are laid and maintained in accordance with the Town of Golden *Subdivision and Development Servicing Bylaw Number 1223, 2008*, as amended or replaced from time to time;
 - b) all plumbing works connecting the Water System with or contained in any Premises must be done in good and workmanlike manner with approved material in accordance with the *British Columbia Building Code* and the *Canadian Plumbing Code* as amended or replaced from time to time; and
 - c) plumbing works connecting the Premises to the Water System remain uncovered until the plumbing works have been inspected and accepted by the Manager of Operations.
- (2) The Manager of Operations may Turn Off, or refuse to Turn On, the supply of water to a premise until satisfied that the requirements and standards of the *Building Code*, the *Canadian Plumbing Code*, and this Bylaw have been met.
- (3) In the case of Premises which may be or are separate Residential Units and do not have separate Water Service Connections which can be controlled outside the property line:
 - a) provision must be made within the Premises for control of water supply to each such Residential Unit;

- b) the Owner or occupier of each Premises must allow entry and access for inspection of the water supply control equipment by the Manager of Operations at reasonable times and in a reasonable manner, and after taking reasonable steps to notify the owner or occupier before entry, and in the case of a Residential Unit only if one of the following applies:
 - (i) the occupier consents;
 - (ii) the municipality has given the occupier at least 24 hours' written notice of the entry and the reasons for it;
 - (iii) the entry is made under the authority of a warrant under this or another Act;
 - (iv) the person exercising the authority has reasonable grounds for believing that failure to enter may result in a significant risk to the health or safety of the occupier or other persons;
 - (v) the entry is by the Manager of Operations for inspecting and determining whether all regulations, prohibitions and requirements are being met in relation to any matter under this Bylaw; and
 - c) the Manager of Operations may, subject to 24 hours' notice except in an emergency, Turn Off and seal the control valves to such parts of the said Premises as the Manager deems necessary or advisable to effect compliance with those enactments or otherwise to ensure that the Water Service Connections and water supply control equipment are installed, operated and maintained in a safe and proper manner. An Owner or occupier may apply to Council for reconsideration of the decision of the Manager of Operations.
- (4) Should an Owner fail to abide by any requirements under this Bylaw, including but not limited required to repairs and maintenance, the Town shall be entitled to fulfill the Owner's requirements and to recover the costs from the Owner.

6. WATER METERS AND BACKFLOW PREVENTERS

(1) An Owner of any of the following properties:

- a) Non-residential Premises;
- b) residential Premises containing three (3) or more Residential Units; or
- c) strata property;

must, at the Owner's sole expense, install a water meter on the Water Service Connection that:

- i. meets the standards of the Canadian Standards Association or the American Water Works Association, as set out in Schedule B;

- ii. is of a type and size and at a location approved by the Manager of Operations;
 - iii. is capable of being remotely read; and
 - iv. includes a backflow prevention device in accordance with the Town's *Cross Connection Control Bylaw, No. 1282*, as amended or replaced from time to time.
- (2) Every Owner of Premises must ensure that a water meter required on the Premises is protected always against damage including impact, vandalism, corrosion and freezing.
- (3) Every Owner of Premises must promptly notify the Manager of Operations of any damage that may occur to the meter, and must take immediate steps to repair or replace the meter, and notify the Manager of Operations of the repair or replacement.
- (4) The Owner must replace and pay the cost of replacement of a water meter when
- a) the replacement is at the initiative of the Owner;
 - b) the replacement is necessary or required due to change of use, capacity, renovations, new construction or other circumstances under the control of the Owner; or
 - c) the meter has been damaged or fails to work properly due to negligence, vandalism, corrosion, freezing, wear, aging or any other reason;
- provided that
- d) if the replacement of a water meter is initiated by the Town, the Town will bear the cost of the meter and its installation, and the Owner is thereafter responsible as set out in this Bylaw.

A water meter installed under this Bylaw is owned by the Town.

7. SERVICE STANDARDS

- (1) In the event of a frozen Water Service Connection or similar type of problem, the Owner shall first call a plumber, at the Owner's expense, and if it is determined that the problem is on the Town portion of the Water Service Connection, the Owner must call the Manager of Operations, who will arrange for the problem to be attended to.
- (2) If repairs or replacements are required to the Water System that are due to a failure by the Owner or occupant to comply with this Bylaw, the *Building Code*, the *Plumbing Code*, or to another cause arising from the action, inaction or fault of the Owner, the current Owner is liable for all costs incurred by the Town to repair or replace any part of the Water System.

8. WATER CONSERVATION

- (1) During a power outage, Water Users must not use water for non-essential uses which include:
 - a) fountains;
 - b) jets;
 - c) garden and lawn sprinklers;
 - d) water play areas;
 - e) car washing;
 - f) clothes washing; or
 - g) recreational purposes.
- (2) In the event of a power outage every Water User must take steps to ensure that both manual and automated watering systems are turned off during the power outage.
- (3) For the purpose of conserving water, the watering of lawns and gardens is restricted throughout the year as follows:
 - a) a Water Users or service provider of Premises having an odd-numbered address must not water lawns and gardens except on the odd numbered days of the month during the hours of 4am to 10am and 7pm to 10pm;
 - b) a Water User or service provider of Premises having an even-numbered address must not water lawns and gardens except on the even numbered days of the month during the hours of 4am to 10am and 7pm to 10pm;
 - c) every person operating an Irrigation system must comply with sections 8.(3) a) and 8.(3) b);
 - d) an Owner of lawns and gardens via an automated Irrigation system is permitted only to water only during the hours of midnight to 6am in accordance with the even and odd address and day conventions stipulated in sections 8.(3) a) and 8.(3) b); and
 - e) hand watering of plants using a hose with a working spring-loaded shut-off nozzle or a hand-held container is allowed at any time.

- (4) The Manager of Operations may, by notice to the Manager of Corporate Services, temporarily
 - (i) alter any aspect of the watering restriction,
 - (ii) suspend or stop the supply of water to any or all consumers for use in fountains, jets, garden sprinklers, or like appliances, or alter the days or hours for using the same; or
 - (iii) define the number and delivery capacity to such appliances

whenever, weather or climate conditions, or extended electrical disruption, warrant the alteration, suspension or cessation, or it is otherwise necessary in order to conserve water for more essential uses.

- (5) On receiving notice of a temporary change under section 8.(4), the Manager of Corporate Services must publish a notice thereof at the Town Hall and a notice in a newspaper circulated in the Town, and may, in addition, publish a notice on the Town's website, deliver circulars to Water Users, or take such other steps to provide notice as the Manager of Corporate Services considers reasonable.
- (6) If a Water User has placed new sod on the Premises, has a newly seeded lawn, or otherwise needs to use water outside the restriction to foster similar new growth or landscaping, the Water User may apply to the Manager of Operations for a Watering Variance Permit to water outside of the restrictions, whereupon the Manager of Operations will consider the request and may issue a permit for the applicant to water outside of the watering restrictions for a period of no longer than 21 days.
- (7) The Manager of Operations may refuse, suspend or cancel a permit in accordance with this Bylaw. The holder of a permit may request Council to reconsider a cancellation or suspension of the permit by the Manager of Operations.
- (8) A permit described in section 8.(6), its date of issue and ending date must be prominently displayed on the frontage of the affected Premises and the permit must be removed from display when it is no longer valid.

9. REGULATIONS

- (1) Subject to section 5.(3)(b), the Manager of Operations may enter at all reasonable times, any property or Premises to which Town water is supplied, and access locations and equipment on the property or Premises related to the Water System including, without limitation, the curb stop, the water meter, the backflow preventer and water supply control equipment, for inspecting and determining whether all regulations, prohibitions and requirements are being met in relation to any matter under this Bylaw .
- (2) A person must not obstruct or prevent entry on a property or Premises for the purposes identified in section 9.(1).

- (3) A person must not make connection to, Turn On, Turn Off, or otherwise interfere with, in any manner, any portion of the Water System including but not limited to, any water mains, connections, curb-stops, isolation valves, wells, pumps, hydrants or reservoirs, without having first obtained the express written permission of the Manager of Operations.
- (4) A person must not wilfully, through inaction, neglect or by cause:
- a) hinder or interrupt the Town, its contractors, servants, agents or workers in the exercise of any of the powers or duties authorized by this or any other bylaws of the Town, or in the carrying out of duties specified under Provincial or Federal legislation;
 - b) discharge or run off any water from the Water System so that the water runs to waste or to no provident use;
 - c) obstruct the free access to any fire hydrant by parking or placing on or within 5m of such hydrant any vehicle, material, rubbish or obstruction including snow;
 - d) in any way introduce any contaminants to the Water System, foul the water in the Water System, or commit any damage to the Water System;
 - e) alter or damage any water meter or water meter seal or open or tamper with the meter bypass line so as to lessen or alter the amount of water registered;
 - f) sell, give away, permit to be taken away, or dispose of any water supplied by the Water System to any Parcel of property or Premises which does not have an authorized connection to the Water System, unless:
 - i. the sale or distribution of that water is by a landlord to a tenant;
 - ii. the sale or distribution of that water is by a strata corporation to a member;
 - iii. the person has first received authorization in writing to do so by the Manager of Operations; and
 - iv. any charge for that water to the tenant or member for Water Use does not exceed the amount charged by the Town;
 - g) trespass on reservoirs, pump stations or other Water System properties;
 - h) without limiting paragraph f), sell or resell water by wholesale from the Water System in bulk, in containers of any size, or by pipeline except under section 13; or
 - i) contaminate the water table within the well capture zone or contaminate the ground within the well capture zone which may lead to contamination of the water table.
- (5) In the event of any waste of water being found to exist in the Water System, the

Manager of Operations will give the Owner of the Premises notice to have the relevant defect remedied.

- (6) If a waste of water is discovered and determined to be of an urgent and serious nature, the Manager may immediately shut off the supply of water to the Premises and service will not again be turned on until such defect has been remedied as required and the appropriate turn-off and turn-on fees have been paid by the Owner.
- (7) No person will have any claim against the Town because of Turning Off the water supply, if this is authorized under this Bylaw.

10. WATER USER FEES

- (1) Every Owner of Premises to which water is supplied from the Water System must pay, in accordance with Schedule A, for:
 - a) the applicable connection fee;
 - b) the applicable monthly fee; and
 - c) any Turn on or Turn off fees.
- (2) The Town may enforce the collection of any Water User fees that are due and payable by December 31st of the calendar year in which they were due, if not paid on or before that date, in the same manner as taxes in arrears in accordance with the provisions of the *Community Charter*.
- (3) Fees for connection, Turn On or Turn Off of water, or other occasional services for which an application is required or a request is made, are due and payable at the time of application or request.
- (4) Unless otherwise specified, amounts stated on any invoice for services or actions taken under this Bylaw by or on behalf of the Town are due and payable within thirty (30) days from the invoice date for Metered and Bulk Water Users and on or before the last business day in March for Unmetered users. A service charge of 1% per month (12% per annum) will be charged on all overdue accounts.
- (5) In the case of a connection being made during any year, the fees imposed will begin with the month during which the water supply is turned on. If the connection is made before the fifteenth (15th) day of the month, the full monthly fee will be charged, otherwise the fee will be one-half (½) of the monthly fee.
- (6) In the case of a water service being discontinued during any year, the final invoice will be calculated for the month in which the termination request was made. If the request to discontinue the water services is made before the fifteenth (15th) day of the month, one half (½) of the monthly fee will be charged, otherwise the full monthly fee will apply. For Metered users the consumption charge will be calculated based on the final reading when the water supply is turned off.
- (7) If Premises are occupied by a person other than the Owner, the Owner may request that

the Water User fee invoice for the Premises be addressed to the Owner's agent, provided that the Owner must pay a fee not paid by the agent by the date when due under this Bylaw.

- (8) Any invoice will be considered tendered if mailed to the Owner at the address set out in the real property tax roll, or otherwise to the last address provided to the Town by the Owner.

11. UNMETERED USERS

- (1) Unmetered Water Users will be invoiced on an annual flat rate basis.
- (2) Unmetered Water User Fees will be calculated and invoiced in accordance with Schedule A of this Bylaw as either a Residential User or a Non-Residential User.
- (3) Unmetered User Fees are due on or before the last business day of March.
- (4) A service charge of 1% per month (12% annum) will be charged on all overdue accounts.

12. METERED USERS

- (1) Metered Water Users will be invoiced on a Quarterly basis and the fees contained therein will become due and payable to the Town thirty (30) days from the date of the invoice.
- (2) A service charge of 1% per month (12% per annum) will be charged on all accounts past 30 days.

13. BULK WATER USERS

- (1) Bulk water sold from the Thirteenth Street well will be sold on a per load basis as non-potable water only, and at the rates provided in Schedule A of this Bylaw.
- (2) Bulk Water User fees are due and payable within 30 days from the date of invoice.
- (3) A service charge of 1% per month (12% per annum) will be charged on all accounts past 30 days.

14. VIOLATION OF BYLAW

- (1) Every person who violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of 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 each day that a violation continues constitutes a separate offence.
- (2) Upon conviction of an offence under this bylaw, a person is liable:

- a) to pay a fine of not less than \$1,000 and up to \$10,000 if proceedings are brought under the *Offence Act*; or
- b) to pay the fine imposed for that offence in the "*Town of Golden Municipal Ticket Information Utilization Bylaw No. 1035*" or "*Town of Golden Bylaw Notice Enforcement and Dispute Adjudication System Bylaw No. 1380, 2017*" as amended or replaced from time to time.

15. SEVERABILITY

If any portion of this bylaw is found invalid by a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

SCHEDULE

Schedules A and B are attached to and forms a part of this bylaw.

16. REPEAL

The "*Water System Rates and Regulations Bylaw Number 1341, 2014*", as amended, is repealed.

READ A FIRST TIME THIS 19TH DAY OF DECEMBER , 2017.
READ A SECOND TIME THIS 19TH DAY OF DECEMBER , 2017.
READ A THIRD TIME THIS 19TH DAY OF DECEMBER , 2017.
ADOPTED THIS 9TH DAY OF JANUARY , 2018.



MAYOR

CORPORATE OFFICER

TOWN OF GOLDEN
BYLAW NUMBER 1386, 2017
WATER SYSTEM RATES AND REGULATIONS
SCHEDULE A – WATER FEES

	<u>2018</u> <u>Monthly</u>	<u>2018</u> <u>Annual</u>	<u>2019</u> <u>Monthly</u>	<u>2019</u> <u>Annual</u>
(1) <u>UNMETERED USERS</u>				
<p>Unmetered customers are billed annually in accordance with this bylaw. All Residential Units will pay the Basic Unmetered Rate. In addition to the Basic Unmetered Rate, secondary residential units and non-residential users will pay the Non-Residential Unmetered user rate.</p>				
a) Basic Unmetered Rates				
Basic Unmetered User – per Residential Unit	\$22.86	\$274.29	\$23.43	\$281.15
b) Non-Residential Unmetered User Rates				
Secondary residential units	\$11.43	\$137.16	\$11.71	\$140.52
Beauty Salon (hairdresser, manicure, pedicure)	\$11.43	\$137.16	\$11.71	\$140.52
Bed & Breakfast - per rental room	\$11.43	\$137.16	\$11.71	\$140.52
Chiropractor/Physiotherapy/Massage	\$11.43	\$137.16	\$11.71	\$140.52
Daycare/Playschool (residential)	\$11.43	\$137.16	\$11.71	\$140.52

METERED USERS

2018

2019

- (2) Metered customers are billed Quarterly in accordance with this bylaw. Metered billing will not apply to participants of the Water Smart Volunteers Residential Metering Program. Bills are comprised of the basic meter rate (based on the connection size) PLUS the Quarterly consumption charge calculated by applying an escalating rate per volumetric unit consumed, then adding these amounts for the quarter.

Basic Meter Rate Per Month

Connection Size:

5/8 th inch	\$6.81	\$6.98
¾ inch	\$6.81	\$6.98
1 inch	\$12.11	\$12.41
1.5 inches	\$27.24	\$27.92
2 inches	\$48.43	\$49.64

Quarterly Consumption Charge

- a) The Quarterly consumption charge is calculated by applying an escalating rate per volumetric unit consumed, then adding these amounts for the quarter.

For Imperial Meters - per 1000 gallons

b) 0 – 5,000 gallons	\$2.43	\$2.49
5,001 - 20,000 gallons	\$2.79	\$2.86
Over 20,000 gallons	\$3.15	\$3.23

For Metric Meters - per m³

0 – 1,100m ³	\$0.53	\$0.55
1,101 – 4,399m ³	\$0.61	\$0.63
Over 4,399m ³	\$0.69	\$0.71

<u>METERED USERS</u>	<u>2018</u>	<u>2019</u>
(3) <u>BULK WATER SALE FEES</u>		
<i>For non-potable water sold from the 13th Street well.</i>		
Per fill including the first 1000 imperial gallons	\$22.19	\$23.30
Per 1000 imperial gallons over 1000 gallons	\$11.12	\$11.68
 (4) <u>CONNECTION FEES</u>	 <u>2018</u>	 <u>2019</u>
<p>¾" water service from the main to the property line, <u>PLUS</u> the actual cost of materials, labour, external equipment, internal equipment (current BC Blue Book Equipment Rate Guide), plus an administration fee of 10% for Asphalt Road Replacement, Asphalt or Concrete Driveway Replacement, Traffic Control, Sewer Pumping, Trench Dewatering, Boulevard Restoration and Landscape Restoration.</p>	\$3,272.42	\$3,436.04
<p>For all other Water Service Connections the actual costs are determined by the current collective agreement labour rates, current hired labour and equipment rates, current internal equipment charge rates, current vendor materials costs, plus an administration fee of 10%.</p>		
(5) <u>TURN-ON AND TURN-OFF FEES</u>		
During normal working hours:		
Turn-off fee, per event	\$0.00	\$0.00
(6) Turn-on fee, per event where billing has been continuous	\$0.00	\$0.00
a) Turn-on fee, per event where billing has been interrupted or for new billing	\$78.54	\$82.47
b) Outside of normal working hours:		
Turn-Off fee, per event	\$163.62	\$171.80
Turn-On fee, per event	\$163.62	\$171.80

TOWN OF GOLDEN

BYLAW NUMBER 1386, 2017
WATER SYSTEM RATES AND REGULATIONS
SCHEDULE B – WATER METERS

1. Application of this Schedule

This schedule applies to the selection, installation and inspection of water meters required under this Bylaw.

2. Definitions Applicable to this Schedule

ANSI: American National Standards Institute.

ASTM: American Society for Testing and Materials.

AWWA: American Water Works Association

Activation: Opening of the service valve to permit the flow of water.

FM: Factory Mutual Engineering and Research Organization, a research and testing agency accepted by the Insurance Industry.

UL: Underwriters' Laboratories, a research and testing agency accepted by the Insurance Industry.

3. Services to be Metered

The Bylaw identifies services that require meters. All services to such properties including fire, domestic services and irrigation services, if any, shall have meters.

4. Location of Meters

Meters shall be placed at the interface between the Town and private water system. In most circumstances the interface occurs at the property line of the site within the municipal right-of-way. If a Town water main is within private property in a right-of-way, place the meter within the right-of-way at the boundary line.