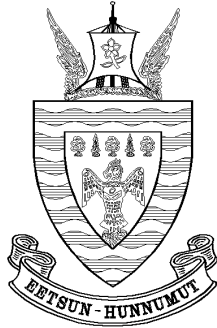


DISTRICT OF NORTH SAANICH



WATER RATES AND REGULATIONS BY-LAW NO. 118

CONSOLIDATED FOR CONVENIENCE ONLY

DECEMBER 1998

The amending by-laws which have been consolidated into "District of North Saanich Water Utilities By-law 118 (1971)" are as follows:

268, 287, 425, 511, 666, 737, 788, 1032, 1221, 1492, 1541, 1562

as of August 4, 2023

**DISTRICT OF NORTH SAANICH WATER RATES AND REGULATIONS
BY-LAW CONSOLIDATION**

This consolidation of the District of North Saanich Water Utilities By-law and amendments has been prepared exclusively for the use of the District of North Saanich for convenience only.

The District of North Saanich does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original By-laws.

DISTRICT OF NORTH SAANICH

BY-LAW NO. 118

A By-law to fix the rates, terms and conditions under which water may be supplied and used.

WHEREAS the Council of the District of North Saanich now owns, operates and maintains a waterworks system for supplying water to and for the inhabitants of the Municipality of the District of North Saanich.

AND WHEREAS it is deemed desirable and expedient to fix the rates, terms and conditions under which water may be supplied to and used by such inhabitants,

THEREFORE the Municipal Council of the District of North Saanich enacts as follows:

1. INTERPRETATION

In this By-law and in the schedules hereto, unless the context otherwise requires:

- BL 268** (a) Administrator - means the Municipal Engineer or such other
BL 737 official as may be appointed by Council from time to time.
- (b) Application - means the application made by the Consumer to the District for the supply of water.
- (c) Commercial and Industrial - means those persons who carry on business, manufacture, industry or are engaged in commerce of any kind or nature whatsoever and in connection therewith are consumers of water supplied by the District.
- (d) Combined Service - means the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection.
- (e) Consumer - means any person who uses water supplied by the District.
- (f) Council - means the Council of the District of North Saanich.
- (g) District - means the Municipality of the District of North Saanich.
- (h) Domestic Consumer - means consumers other than commercial and industrial consumers.
- (i) Irrigation Consumer - means those persons engaged in or promoting the growth of or sustaining any form of plant life, including plant life in greenhouses and are consumers of water supplied by the District.
- (j) Fire Line - means a pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes.
- (k) Meters - means meters and all equipment and instruments supplied and used by the District or authorized by the District to be used to calculate the amount of water consumed on the premises upon which such meters are situated.
- (l) Person - includes a partnership, a firm, a body corporate or politic, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- (m) Private Service or Private Service Pipe - means that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to a meter.
- (n) Service or Service Pipe - means a pipe used or intended to be used for supplying water which extends from the water main to a meter.

BY - LAW NO. 118

1. Interpretation (continued)

- (o) Service Valve - means the valve on a District service pipe.
- (p) Shut-off - means an interruption in or discontinuance of the supply of water.
- BL 737** (q) Sprinkling - means the distribution of water to the surface or sub-surface of lawns, gardens or other areas situated outside buildings by pipes, hoses, sprinklers or any other method, and includes the distribution of water for irrigation by irrigation consumers.
- (r) Street or Streets - includes all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives and ways of public nature, sidewalks, boulevards, parks, public squares and other public places unless the contrary is expressed or unless such construction would be inconsistent with the context of this by-law.
- (s) Treasurer - means the Treasurer of the District or his authorized representative.
- (t) Water Main - means those pipes owned or leased by the District for the conveyance of water throughout the Municipality to which pipes may be connected.
- (u) Water Utility - means the system of waterworks owned and operated by the District and all accessories and appurtenances thereto.

2. ADMINISTRATION

- BL 268** (a) The Water Utilities shall be under the general supervision of the Department of Works and Services and controlled by Council and Administrators of the Municipality.
- (b) The Administrators shall exercise the powers and perform the duties with respect to the Water Utility conferred and placed upon them by this and any other By-law of the District applicable thereto and any order or direction of Council with respect thereto.
- (c) The Administrator has authority to shut off water for any consumer or consumers for any reason which, in the opinion of the Administrator, necessitates such shutting off, provided that the Administrator shall, if in his opinion it is reasonably practicable to do so, give notice of such shutting off.
- (d) The District does not guarantee the pressure nor the continuous supply of water and the District reserves the right at any and all times, without notice, to change the operating water pressures and to shut off water, and neither the District, its officers, employees or agents shall be liable for any changes in water pressures nor for the shutting off of water nor by reason of the water containing sediments, deposits or other foreign matter.
- (e) Consumers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply, pressure or quality of water required for their use at their own expense.
- (f) The District may as a condition of the supply of water inspect the premises of a consumer who applies to the Municipality for such supply in order to determine if it is advisable to supply water to such consumer.

BY-LAW NO. 118

2. Administration (continued)

- (g) The District may, with the permission of the consumer, inspect the premises of the consumer in order to do any tests on water piping or fixtures belonging to such consumer so as to determine if this by-law is being complied with and in the event that such consumer fails or refuses to give such permission, the supply of water to that consumer may be shut off.

BL 268
BL 788

- (h) The District may at such times and for such lengths of time as it considers necessary and advisable, restrict the use of water in accordance with the Water Use Restriction By-Law.

BL 788

3. GENERAL

(1) Restricted use of District Facilities

No consumer shall operate, use, interfere with, obstruct or impede access to the water utility or any portion thereof in any manner not expressly permitted by this By-law in default of which, the Administrator may cause the water being supplied to such consumer to be shut off until such consumer complies with all of the provisions of this By-law.

(2) Wastage

- (a) No consumer shall cause, permit or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from underground piping, a faulty plumbing system or other wise howsoever.
- (b) The Administrator may cause the water supply to any consumer who violates Subsection (a) of this Section to be shut off until such time as such consumer establishes to the satisfaction of the Administrator that he has taken such steps as may be necessary to ensure that any water supplied to him by the District will not run waste or useless.
- (c) The Administrator shall, if he considers it practicable so to do, give notice to such consumer prior to causing the water supply to such consumer to be shut off.
- (d) Notwithstanding the foregoing, the Administrator may under such conditions as he may consider reasonable allow a consumer to discharge water so that it runs to waste or useless if such consumer's water service would otherwise be susceptible to freezing.

(3) Use of Water

- (a) No consumer shall:-
 - (i) lend, sell or dispose of water,
 - (ii) give away or permit water to be taken,
 - (iii) use or apply any water to the use or benefit of others or to any other than his own use and benefit,
 - (iv) increase the usage of water beyond that agreed upon with the District, or
 - (v) wrongfully or improperly waste water.

BL 268

- (b) Any consumer who contravenes Subsection (a) of this Section shall forfeit any right to be supplied with water and in addition thereto shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00.

BY-LAW NO. 118

3. General (continued)

(4) Investigation into Water Supply Service Failure

Any consumer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening and excavating of a street, shall, prior to such opening up and excavating, deposit with the Treasurer the costs thereto as estimated by the Administrator. In the event that such failure or interruption was caused by the District service, such deposit shall be refunded, but in the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the consumer and the said deposit shall be applied thereto, any excess to be refunded to the consumer and any deficiency shall be collectible in the same manner as water rates.

(5) Noise and Pressure Surges

No consumer shall cause, permit or allow any apparatus, fitting or fixtures to be or remain connected to his water supply or to be operated which causes noise, pressure surges or other disturbances which may, in the opinion of the Administrator, result in annoyance or damage to other consumers or to the water utility. The Administrator may cause the water supply to any consumer contravening the provisions of this section to be shut off provided that the Administrator shall, if he considers it practicable so to do, give notice to such consumer prior to such water supply being shut off. The water supply to any such consumer shall not be restored until such time as that consumer has paid to the District all costs incurred by the District in shutting off such water supply.

(6) Contamination

No consumer shall cause, permit or allow to be or remain connected to his water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the water utility or any other harmful or deleterious liquid or substance to enter the water utility. The Administrator may cause the water supply to any consumer contravening the provisions of this section to be shut off provided that the Administrator shall, if he considers it practicable so to do, give notice to such consumer prior to such water supply being shut off. The water supply to such consumer shall not be restored until such consumer has paid to the District all costs associated with the shutting off of the water supply.

(7) By-law

The provisions of this by-law shall form part of any contract between consumers and the District for the supply of water hereunder which supply shall be subject to all of the provisions of this by-law.

4. METERS

(1) General

All water supplied by the District through a private service shall be measured by a meter unless otherwise provided under this By-law or unless a special agreement is entered into between the District and a consumer.

Except as herein provided, all meters shall be supplied, owned and maintained by the District unless otherwise provided by this By-law or unless a special agreement is entered into between the District and a consumer.

BY-LAW NO. 118

4. Meters (continued)

(2) Installation Responsibility

Meters supplied by the District being 1 inch in size or smaller shall be installed by the District.

Meters supplied by the District being larger than 1 inch in size shall be installed by and at the expense of the consumer.

(3) Subsidiary Meter

A consumer may, for his own benefit, install a meter between the meter supplied by the District and the point of use of the water supply provided that the District shall not maintain such meter, nor shall such meter be read by the District.

(4) Installation

A consumer shall make provision for the installation of a water meter to the satisfaction of the Administrator and when required shall install a properly valved by-pass.

Any consumer:-

- (a) whose water supply is not metered, or
- (a) whose meter is not positioned to the satisfaction of the Administrator

shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the consumer and in default of payment, the water supply of such consumer shall be shut off until such costs are paid.

(5) Special Meter Reading

A consumer who requests of the District a special meter reading shall pay the fee designated therefore in the rate schedules attached to and forming part of this by-law.

(6) Testing or Calibration on Disputed Meter Reading

In the event a meter reading is disputed by either the District or the consumer, a written notice shall be given to the other. Following written notice, a meter situated on the premises of such consumer shall be tested or calibrated by a proper official delegated by the District. In the event that the said meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense of such test or calibration shall be borne by the party giving such notice in the amount designated in the said rate schedule. In the event that the said meter is found not to be accurate within the aforesaid limits, the same shall forthwith be repaired or replaced by another meter and the expenses of so doing shall be borne by the District.

In the event that a meter is found not to be accurate within the limits set out in Section 4, subsection (6) hereof, the accounts based upon the reading of that meter for the maximum of 12 monthly bills rendered immediately preceding the date of such test or calibration shall be corrected in proportion to the error of the meter in excess of the aforesaid limits and the consumer shall pay or there shall be refunded to the consumer, as the case may be, the amount so determined which payment or refund shall be accepted by both the District and the consumer as settlement in full to the date thereof all claims on account of the inaccuracy of such meter.

BY-LAW NO. 118

4. Meters (continued)

(7) Non-registering Meter

If upon reading of a meter it is determined that the meter has failed to properly record the flow of water, the Treasurer shall estimate the flow and render an account based upon such method as he considers to be fair and equitable.

(8) Reading

BL 287

The meters of commercial and industrial consumers shall be read once every month and the meters of domestic consumers shall be read once every four months.

5. SERVICES AND SERVICING

(1) Application for New Service Connection

Any person who desires a new water service connection from the District shall apply in writing to the Administrator on the form supplied by the Municipality for that purpose, and shall pay the amount specified in the rate schedule forming part hereof.

(2) Plumbers and Plumbing Contractors

All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the plumbing and drainage regulations of the Department of Health of the Province of British Columbia and any By-laws of the District applicable thereto.

(3) Number of Services

Unless the Administrator otherwise approves, there shall not be more than one private service to any building or site.

(4) Depth of Service

Unless otherwise approved by the Administrator, a private service shall be buried to a depth of at least 3 feet.

(5) Fire Protection Service

A combined service or fire line shall not be installed without the prior approval of the Administrator. A fire line shall be used only for fire protection purposes, and the Administrator shall determine whether or not a meter shall be affixed to such fire line and if the Administrator requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Administrator at the sole cost and expense of the consumer.

(6) Temporary Water Service

Any person requiring a temporary water supply in the course of construction shall make application therefore to the Administrator and shall pay therefore the sums required by the said rate schedule.

BY-LAW NO. 118

5. Services and Servicing (continued)

(7) Service Kill

No permit for the demolition or removal of a building shall be issued by the District nor shall any person cause, permit or allow to be demolished or removed a building connected to a water main until there has been paid to the District the cost of disconnecting the District service at the water main in the amount set out in the said rate schedule. Notwithstanding the foregoing, the Administrator may in circumstances which he considers appropriate, permit the service to remain connected to the water main.

BL 737 (8) Size

The following sizes of service connection shall be permitted for domestic or irrigation consumers:

- (a) For domestic consumers, three-quarter inch service;
- (b) For irrigation consumers whose parcels are between one acre and ten acres in size, one inch service;
- (c) No service connection shall have a diameter of less than three-quarter inch.

(9) Boilers and the Like

In any case where a boiler or equipment of a nature similar to that of a boiler is supplied directly from a service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

(10) Termination

The supply of water to any consumer may be shut off for any or all of the following reasons:

- (a) Repairs
- (b) Want of supply
- (c) Non-payment of accounts rendered
- (d) Defective piping, or
- (e) for any other reason which the Administrator or Council considers sufficient.

(11) Requested Water Turn off and/or On

If a consumer requires the supply of water to be shut off for his own purposes, he shall pay therefore the amount specified in the said rate schedule.

6. BILLING AND COLLECTIONS

(1) General

All rates and charges payable hereunder shall be paid to the Treasurer.

(2) Charges

There shall be paid for all water supplied or services rendered hereunder the amounts set out in the Rate Schedule attached to and forming part of this By-law which amounts are subject to change without notice.

BY-LAW NO. 118

6. Billing and Collections (continued)

(3) Application - Contract - Termination

No provision, agreement, term, condition or representation not contained in an application for water supply hereunder or in this By-law shall form any part of the contract between the District and a consumer for the supply of water, which contract is not transferable and shall remain in full force and effect until the consumer has notified the District of his desire to terminate the said contract or until the said contract shall have been terminated by the District. Following notification by a consumer of his desire to terminate a contract hereunder, the District shall shut off the water supply as soon as reasonably practicable and the consumer shall be liable for and shall pay all of the rates and charges payable hereunder until the time of such shut off including the cost of such shut off, all as designated in the said rate schedule.

(4) Consumption

Subject to the other provisions of this By-law, the rates payable by a consumer as set out in the said rate schedule for all water supplied shall be determined by reference to the reading of the meter supplied to such consumer.

(5) Payment Period

BL 1041

All consumers shall pay the accounts rendered to them on or before the penalty date shown on the statement.

BL 1492

(6) Unpaid Accounts

The water supply to any consumer who fails to pay his account on or before the due date may be discontinued after being provided reasonable notice. A penalty addition of 10% of the outstanding balance will be added to overdue accounts 61 days after the due date on the statement, with the following exception:

(a) overdue accounts with a statement due date of February 24th, 2020.”

(7) Enforced Payment

The District may enforce payment of all accounts rendered hereunder by all or any of the following methods, namely:-

- (a) By action in any Court of competent jurisdiction, or
- (b) By shutting off the water supply, or
- (c) Any rate remaining unpaid on the thirty-first of December shall be deemed to be taxes in arrear in respect of the property in respect of which the consumer dwells and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrear, or
- (d) By distress and sale of the goods and chattels of the consumer owing such account wherever the same may be found in the District.

(8) Interim Account

In any case in which the District has rendered an account based upon an estimate of water supplied, the District shall, upon reading the meter in respect of which the estimate was made, render an account for water supplied to that time since the time the said meter was last read by the District after crediting all amounts received from the consumer in respect of such estimated accounts.

(9) Single Billing

A separate account shall be rendered in respect of each meter.

BY-LAW NO. 118

6. Billing and Collections (continued)

(10) Partial Period

Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.

BL 268

(11) Appeals

Notwithstanding any other provisions of this By-law or the rate schedule forming part hereof, any consumer who feels himself aggrieved in respect of rates charged to him under Section A of the said rate schedule on the ground that such rates are unfair, unreasonable or discriminatory may, by notice of appeal in writing delivered to the Municipal Clerk specifying the grounds of such appeal, appeal such rates. Such appeal shall, in the first instance be heard and determined by the Mayor, Clerk and Engineering Services Director, provided that if such consumer is not satisfied with such determination, he may, by notice in writing to be delivered to the Municipal Clerk within 30 days of the date of such determination, further appeal the matter to Council and the decision of Council shall, subject to the Municipal Act, be final.

7. OFFENCES

Any person who violates any provision of this By-law shall be deemed to have committed an offence and shall, upon summary conviction, be liable to a penalty as follows:

BL 268

- (a) With respect to a violation pursuant to Clause 3 (3) of this By-law a penalty of \$500.00.
- (b) With respect to a violation of any of the provisions of this By-law except the regulations made pursuant to Clause 3 (3) hereof, a penalty of not less than \$10.00 nor more than \$50.00.

8. CITATION

This By-law may be cited as the "District of North Saanich Water Rates and Regulations By-law No. 118 (1971)".

Read a first time the 4th day of October 1971

Read a second time the 4th day of October 1971

Read a third time the 8th day of November 1971

Approved by the Lieutenant-Governor in Council on the 23rd day of November, 1971.

RECONSIDERED AND ADOPTED on the 26th day of November 1971

"Jas. B. Cumming"

Mayor

"E.F. Fairs"

Clerk

"seal"

DISTRICT OF NORTH SAANICH

WATER RATES

SCHEDULE "A"
TO BYLAW NO. 118

A. CONDITION OF SUPPLY CHARGES

1. A basic fee of \$500.00 shall be charged as a condition for the supply of water by the District. This assessment shall be in addition to the fees designated for new service connections.

B. CONSUMER WATER RATES

1. This bylaw shall come into effect on January 1, 2023 and shall apply to all water billings calculated thereafter.
2. A basic rate of \$1.8085 per cubic metre shall be charged for water used by all consumers.

C. MISCELLANEOUS RATES

1. NEW SERVICE CONNECTION

- (i) For each new connection to an existing water main, the following fee shall be charged:

For each 3/4 - inch connection \$ 800.00

For each 1- inch connection \$2,000.00

For each connection larger than 1 inch actual cost

- (ii) Where water services are pre-installed to property line by a subdivision developer, local improvement participation, or a latecomer agreement, the cost of a meter installation shall be:

For each 5/8 - inch x 3/4 - inch meter \$ 300.00

For each full 3/4 - inch meter \$ 350.00

Larger than 3/4 - inch meter actual cost

2. SPECIAL METER READING \$ 25.00

3. SHUT-OFF AND TURN ON

- (i) Regular hours \$ 40.00

- (ii) After hours \$ 100.00

4. RECONNECTION TO EXISTING SERVICE

Meter only \$ 150.00

- | | | |
|----|------------------------------|-------------|
| 5. | <u>RELOCATION OF SERVICE</u> | actual cost |
| 6. | <u>METER TEST</u> | \$ 50.00 |

D. SPECIAL RATES

1. Parcels classed and assessed by the British Columbia Assessment Authority as 'Farm' shall be authorized to use municipal water for irrigation purposes.
2. Parcels qualifying under the special 'farm' rate described in Section 1 above shall be charged for water consumption as follows:

Farm with residence:

- (a) For the first 152 cubic metres in each four month billing period, \$1.8085 per cubic metre;
- (b) For every cubic metre thereafter - \$0.2060 per cubic metre.

Farms with no residence:

- (c) For every cubic metre in each four month billing period, \$0.2060 per cubic metre.

DISTRICT OF NORTH SAANICH

attached to and forming part of
By-law No. 118

APPLICATION FOR THE SUPPLY OF WATER

I/We, _____, owner/agent of owner, hereby make
application for the supply of water to: (legal description of property)

and agree to abide by the terms and conditions as established by By-law No. 118 and
amendments thereto, regulating the supply and use of the water utility of the Municipality.

Date: _____ 19 _____
Signature of owner or agent

DISTRICT OF NORTH SAANICH

attached to and forming part of
By-law No. 118

APPLICATION FOR WATER CONNECTION TO THE DISTRICT OF NORTH SAANICH

I/We _____ Owner/Agent of owner, hereby
make application for water connection to:

Legal description of Property:-

Size of Service Connection: -

Consumer Classification:-

I herewith tender the sum of \$ _____ to cover the cost of such connection, and further
agree to pay the amount assessed against the aforesaid property from time to time in respect
to the said water pursuant to the provisions of the By-laws of the District of North Saanich.

Date: _____ 19 ____.

Signature of owner or agent