

**Record of Amendments to  
Water Regulation and Fee Bylaw No. 967**

<b>Amending Bylaw No.</b>	<b>Summary of Amendment</b>	<b>Date of Adoption</b>
984	Section 12 User Fees amend by deleting 12.3 and 12.4;  Schedule "A" in its entirety	September 19, 2011
999	Read: "Village of Harrison Hot Springs Water Regulation and Fee Amendment Bylaw No. 967, 2011"; and  Add to Section 4.2: "If the owner does not connect, a user fee will be applied against that property, on the same basis of similar class properties connected to the Village's water system."; and  Schedule "A" in its entirety	April 16, 2012
1034	Read: "Village of Harrison Hot Springs Water Regulation and Fee Bylaw No. 967, 2011";  Section 4.2 Read: "After a water service is available to any class of property, the owner must make application to connect within one year after completion of that water main extension project."; and  Schedule "A" in its entirety	April 15, 2013
1050	Schedule "A" in its entirety	April 7, 2014
1089	Schedule "A" in its entirety	September 19, 2016
1092	Schedule "A" in its entirety	October 17, 2016

**VILLAGE OF HARRISON HOT SPRINGS**  
**WATER REGULATION AND FEE BYLAW NO. 967**  
**(CONSOLIDATED)**



**October 17, 2016**

**THIS CONSOLIDATION IS FOR CONVENIENCE AND REFERENCE PURPOSES ONLY.** If there is any discrepancy between this consolidation and the original Bylaw and any amending Bylaws, the original Water Regulation and Fee Bylaw No. 967 and any amending Bylaws are correct. For confirmation of the exact terms of the Bylaw, you must consult the original Bylaw and the amending Bylaws.



**VILLAGE OF HARRISON HOT SPRINGS  
BYLAW NO. 967**

**A bylaw to regulate connections to the Village water system, to impose water connection charges and to establish user fees**

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**WHEREAS**, the Village of Harrison Hot Springs owns and operates a municipal water system and has deemed it advisable to establish a bylaw to make provisions for the regulation of connection to the municipal water system and to impose connection charges and user fees;

**NOW THEREFORE** in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as the *Village of Harrison Hot Springs "Water Regulation and Fee Bylaw No. 967, 2011"*. (AB #999)

**2. DEFINITIONS**

2.1 In this Bylaw:

**"Applicant"** means a person or their duly authorized agent who applies for a service connection;

**"Backflow"** means the flow of water or other liquids, gases or solids from any source in the opposite direction to normal or intended flow;

**"Collector"** means the Collector of Taxes of the Village of Harrison Hot Springs and unless otherwise specified this shall be the Director of Finance;

**"Council"** means the Council of the Village of Harrison Hot Springs;

**"Curb Stop"** means the control valve located on a service connection at the property line of premises served by a service connection;

**“Engineer”** means a professional engineer registered in BC appointed by Council to act as the Village’s Engineer or his designate or a number of staff appointed by Council;

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

**“Premises”** means any building or buildings capable of being used or occupied by any person;

**“Residential”** means any service connection to the Village water system from premises that are used exclusively for one or two family dwelling units;

**“Service Connection”** means a pipe connecting a water main to a parcel;

**“Operations Manager”** means the Operations Manager or his alternate, or another person appointed by the Chief Administrative Officer to act as Operations Manager;

**“Swimming Pool”** means any constructed or prefabricated pool used or intended to be used for swimming, bathing, or wading, having a surface area exceeding 13.9 m.sq (150 sq.ft.) or a depth exceeding 0.48m (18 inches);

**“Use”** means the purpose for which any lot, building or structure is designed, arranged or intended, or for which it is occupied or maintained;

**“User Rate”** means any fee or sum paid for any water system supplied or made available from the water system;

**“Village”** means the Village of Harrison Hot Springs;

**“Water Main”** means a pipe, including valves and other appurtenances in the water system other than a service connection; and,

**“Water System”** means all water works and all appurtenances thereto, including water mains, service connections, pumping stations, treatments plants, valves and fire hydrants laid within any highways, municipal rights-of-ways or easements and owned and operated by the Village.

### **3. GENERAL PROVISIONS**

- 3.1 All water pipes and appurtenances on a parcel shall be constructed by and at the expense of the owner.
- 3.2 It shall be the duty of every owner to notify the Operations Manager of any leak, breakage or manifest irregularity with the water connection or water line on the parcel.

- 3.3 In the event of a leak, breakage or other manifest irregularity on a parcel, the Village by its workers may shut off the water system to the parcel until such time as the leak, breakage or manifest irregularity has been repaired, to the satisfaction of the Operations Manager. The expense of the repair shall be borne by the owner and no person shall have any claim against the Village by reason of the shutting off of the municipal water service.
- 3.4 Every property owner shall keep their water pipes and fittings in good order and repair. Where a premise is vacated the stopcock on the inside of the building shall be turned off by the owner or his agent.
- 3.5 Where steam or hot water boilers or other appurtenances are fed pressure directly from the Village water mains, the Village shall not be responsible or liable for any injury or damage which may occur from any excess or lack of pressure.
- 3.6 Nothing contained in the bylaw shall be constructed to impose any liability upon the Village to provide a continuous supply of water to any person or parcel. The Village reserves the right to shut off water to any parcel without giving notice, for reasons contained in this bylaw. The Village also reserves the right to prohibit or regulate the use of lawn sprinklers at any time
- 3.7 The Village shall not be liable for any loss or damage whatsoever arising from the failure of water supplies in consequence of any accident to the water system, or the temporary stoppage of water on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the Village or Act of God.
- 3.8 Where water supply to a parcel may be accessible by two or more water mains the Engineer shall determine the main from which service shall be given.
- 3.9 Where an owner requires an installation of a service line across or through another parcel the owner must in addition to the requirements set out by the Village, obtain at the owner's cost an easement or other required authorization, permission or approval for the installation and must deliver to the Village at the time of application written documentation of their registration at Land Titles.
- 3.10 No connection shall serve more than one parcel and for the purpose of this bylaw a condominium or townhouse complex, recreation, or RV Park or strata development consisting of more than two parcels shall be considered one parcel.

- 3.11 No person shall obstruct or prevent Village staff from carrying on all or any provisions of this bylaw with respect to private property, nor shall any person refuse to grant the Village Staff permission to enter onto private property to inspect pursuant to this bylaw.
- 3.12 The Village does not guarantee pressure, continuous supply of water or accept responsibility at any time for the maintenance, the pressure in its water mains or for increases or decreases in pressure. The Village reserves the right at any and all times without notice to change operating water pressure and to shut off a supply for the purpose of making repairs, extension, alterations or improvements to the system.
- 3.13 Temporary use of the water service connection for construction purposes may be permitted subject to the issuance of temporary water service permit and the payment of applicable fee as contained in Schedule "A". Prior to use of the water for construction the owner must ensure adequate protection be made to prevent backflow into the Village's water works by installing a dual check backflow preventer. The water service connection shall only be turned on after the Village has inspected the service and confirmed that the required back flow prevention device has been correctly installed.
- 3.14 Nothing in this bylaw shall obligate the Village to supply water to any parcel where in the opinion of the Engineer, the cost of laying water mains or water service connections to the property would be prohibited or create an excessive burden upon the resources of the system.
- 3.15 Where the Village determines not to provide a supply of water to a parcel due to cost alone and sufficient capacity exists to provide service to the property the owner may subject to the approval of the Chief Administrative Officer pay the Village for the cost of extension of the water service and connection to the parcel.

#### **4. SERVICE CONNECTION AND DISCONNECTION**

- 4.1 Every water service connection, pipe and facility in, on or under a highway or statutory right-of-way which carries or is designed to carry water from the Village's watermain to a parcel is the property of the Village.
- 4.2 *After a water service is available to any class of property, the owner must make application to connect within one year after completion of that water main extension project. If the owner does not connect, a user fee will be applied against that property, on the same basis of similar class properties connected to the Village's water system. The Village may at its discretion, enter onto the property to provide the service connection. (AB #999 & 1034)*

- 4.3 Where the owner, or his agent, of a parcel of real property desires to have his premises connected with the water supply system of the Village the owner shall make an application at the Village Office on the prescribed form, and no connection shall be made to the parcel until the application has been approved by the Village. The Village shall determine the position of every service connection and in doing so, may defer so far as may be practicable to the requirements of the applicant.
- 4.4 The charges applicable for a service connection are as set out in Schedule "A", attached hereto and forming part of this Bylaw and shall be paid to the Village prior to a connection being made.
- 4.5 The charges for a disconnection or water turn on/off are as set out in Schedule "A" attached hereto and forming part of this bylaw and shall be paid to the Village prior to the work being undertaken.
- 4.6 For the purpose of this bylaw, the Engineer shall have charge and control of all properties and works in connection with the water system and of all engineering and mechanical work in relation thereto.
- 4.7 A connection shall not be made if, in the opinion of the Engineer, the water system is incapable of handling the supply demands of the parcel or where the works on the parcel do not conform with the requirements of this bylaw.
- 4.8 No person except a duly authorized agent or employee of the Village shall tap or make connection with any water main of the Water System, and no person shall tamper with, destroy, or obstruct the access to any part of the Water System, turn off valve, service pipe or curb stop.
- 4.9 All property owners or occupiers shall keep their service pipes and other plumbing fixtures on their parcel in good repair and order, at their own expense.

## **5. PROVISIONS OF CONNECTION**

Every water service connection which is to be connected to the Village's water system must be approved by the Operations Manager and must be installed by the owner at the owner's cost subject to the following provisions:

- 5.1 The pipe must be of sufficient size to provide adequate service as determined by the operations manager, but in no case, subject less than 19 mm in diameter.
- 5.2 The installation of the service must include a curbstop and drain approved by the Operations Manager.

- 5.3 At the request of the Operations Manager the owner must provide a pressure reducing valve for each connection to the parcel.
- 5.4 No water service connection, service line or fitting shall be covered until the installation has been inspected and accepted by the Village. If a service connection has been covered prior to inspection the owner shall when requested by the Village uncover the work so that it may be inspected.
- 5.5 A service line must comply with all requirements of a contamination cross connection and backflow prevention section of this bylaw.
- 5.6 If a service connection has been covered prior to inspection the owner shall when requested by the Village uncover the work so that it may be inspected.

## **6. INSPECTION**

- 6.1 The owner, or his agent, shall notify the Operations Manager when any water connection or other work carried out under the provisions of this bylaw is ready for inspection and no water connection or such other work shall be covered until it has been inspected and approved by the Operations Manager.
- 6.2 The water connection shall include an inspection fee as contained in Schedule "A".
- 6.3 The owner, or his agent, shall test any existing plumbing on the parcel for watertightness and submit a report to the Village from a qualified person as approved by the Village. The test shall be made by boosting the pressure in the water line on the parcel to 1035 kPa (150 psi). The owner's system may be proven acceptable if there are no leaks, breakages, or manifest irregularities during the testing of the system.
- 6.4 Where the Operations Manager finds that the materials or workmanship of a water line installation on private property are defective or otherwise not in accordance with the provisions of this bylaw, or the provisions of the British Columbia Plumbing Code he shall so notify the owner who shall forthwith replace the defective material or correct the faulty workmanship, and notify the Operations Manager when the installation is again ready for inspection.

## **7. SPECIFICATIONS FOR INSTALLATION**

- 7.1 Each parcel shall be separately and independently connected to the municipal water system, unless otherwise provided for in this Bylaw.
- 7.2 In constructing a water service on any parcel, the provisions of the BC Plumbing Code shall apply, provided that:
  - (a) Only copper or plastic pipe and fittings, as approved by the



British Columbia Plumbing Code, shall be used in the construction of the water connection,

- (b) The minimum size of a water line on a parcel shall be 19 mm,
- (c) Every building, structure, or facility to which the municipal water service is to be connected shall have an internal shut off valve with good accessibility, and.
- (d) The minimum depth for burial of a water service line shall be 1.2m.

## **8. WATER METERS**

- 8.1 The Village may, on any parcel, install a water meter to measure the consumption of water upon that parcel. The location of that water meter will be determined by the Operations Manager and all water meters shall remain the property of the Village.
- 8.2 Where in the opinion of the Operations Manager, replacement or repair of any meter is required due to the negligence, carelessness or willful damage of the owner/occupier of the parcel the cost of repair or replacement shall be charged to the owner or occupier.
- 8.3 Where the Village determines that a water meter has for any reason failed to correctly indicate the quantity of water passing through it, the Village will charge for the water according to the average consumption for the six months proceeding the current billing period and may repair or replace the meter at its discretion.
- 8.4 An owner may request, in writing to test the water meter and must pay a deposit as set out in Schedule "A" of this bylaw. The Operations Manager shall have the water meter removed and tested and provide another temporary water meter in its place.
- 8.5 Where the water meter is tested pursuant to Section 8.4 and where the test indicates:
  - (a) the error in measurement passing through the meter is in excess of 5% in favour of the Village, the deposit shall be refunded to the owner, a correct registering meter shall be installed and the owner's account shall be adjusted accordingly or;
  - (b) an accurate measurement or error in favour of the owner, the total amount of the deposit shall be retained by the Village to cover the cost of testing.

- 8.6 The location of water meters shall be included on all new construction plans and a water meter shall be installed for all service connections. The size of the water meter shall be determined by the Operations Manager.
- 8.7 The cost of meters installed in the Water System is included in the connection fee.
- 8.8 Every meter shall be installed pursuant to Village specifications and Village employees shall have access, during reasonable hours, to the premises of every property owner for the inspection of and reading of meters and all appurtenances connected with any service.
- 8.9 No person shall tamper with any meter or pipes connected thereto, or break meter or valve seals, so as to interfere with the recording of the quantity of water supplied to any parcel.

## **9. CONTAMINATION, CROSS-CONNECTION & BACK FLOW PREVENTION**

- 9.1 If the Engineer determines that there exists a connection or cross-connection prohibited by this bylaw which is a risk to the Village's water system or public health, the Engineer may:
- (a) give written notice to the owner to correct the water service connection or cross-connection at the expense of the owner within the time specified in the notice.
  - (b) disconnect the water service connection in accordance with the provisions of the *Community Charter*.
  - (c) direct the owner to correct the fault in the time specified by the Engineer or directing the owner to install an approved backflow prevention device on any service line or internal plumbing within the time period specified by the Engineer and the cost of this installation shall be borne by the owner.
- 9.2 Where the Engineer determines that a connection or cross connection prohibited by this bylaw places any person at immediate risk or if the owner fails to correct the connection or cross-connection as required by this bylaw the Engineer may order the immediate disconnection of the supply of water without prior notice until such time as the connection or cross-connection is corrected to the satisfaction of the Engineer. The owner must pay any fee pursuant to Schedule "A". No person shall connect, cause to be connected or allow to remain connected to any piping fixture, fitting, container or appliance in a manner which under any circumstances may allow water, waste water or any harmful liquid gas or substance to enter the Village's water system.
- 9.3 Where an approved backflow prevention device is required to be installed it must be approved by the Engineer.

9.4 The owner of any parcel of which an approved backflow prevention device exists or is installed pursuant to the requirements of the bylaw must:

- (a) Maintain the approved backflow prevention device in proper working order at all times.
- (b) Have the backflow prevention device tested upon installation and submit a report to the Engineer for approval thereafter annually or more often if required by the Engineer.

9.5 If any test of a backflow prevention device shows that such back flow prevention device is not in good working order the Engineer shall give notice to the owner to make necessary repairs or to replace the device within ninety-six hours and the water service shall not be activated for use until the private plumbing system has been approved by the Engineer.

9.6 No temporary water piping shall be installed or operated on Village highways to carry potable water or waste water without approval of the Operations Manager.

## **10. LIMITS OF WATER SERVICE**

10.1 As part of the Village water conservation program water use will be restricted during the period of June to September of each year or other months as approved by Council resolution.

## **11. RESTRICTIONS IN USE**

11.1 In times of water shortage, the Council may by resolution impose such restrictions upon the use of water as may be necessary to insure adequate service throughout the Village.

11.2 Any person found in contravention of any restriction imposed by Sections 10.1 or 11.1 shall be deemed to be in violation of the provisions of this bylaw and shall be subject to the penalties herein contained.

11.3 Where the Engineer deems that it is in the public interest that he direct that:

- a) the supply of water be reduced or discontinued until in the opinion of the Engineer it is advisable to restore water service.
- b) the supply of water to any parcel may be refused if in the opinion of the Engineer, the facility is not properly constructed or protected.

## 12. USER FEES

- 12.1 Upon connection to the Water System, an owner shall become liable to pay water user fees in the amount as set out in Schedule "A" in respect of each parcel to which the water system is connected.
- 12.2 Where a connection or reconnection to the Water System is made during any year, the user fee imposed shall be calculated on a per month basis for that year. When the connection is completed and inspected before the 15<sup>th</sup> of the month the full month will be charged. When the connection is completed and inspected on or after the 15<sup>th</sup> of the month the fee shall be 50% of the calculated monthly charge as set out in Schedule "A".
- ~~12.3 The owner shall pay a penalty of 10% of any user rate charge that remains unpaid after the due date. (AB #984)~~
- ~~12.4 Any water user fee remaining unpaid at December 31<sup>st</sup> shall be deemed to be taxes in arrears shall be entered on the real property tax roll by the Collector. (AB #984)~~

## 13. PROHIBITIONS

No person shall:

- (a) Destroy, damage, interfere or tamper with, or allow or cause to be interfered or tampered with, any valve, stopcock, pipe or water system appurtenances, nor in any way interfere with any staff member of the Village.
- (b) make any connection, disconnection or reconnection to the water system without first receiving written consent from the Village.
- (c) permit the sale or use of water except for the purpose for which the municipal water was provided to the parcel.
- (d) where a water meter has been installed access to or take water in any manner as to avoid or alter the measurement or the reading of the water meter.
- (e) connect to the Village's water system in a manner or in any way access or take water from a water main or any fixture or property of the Village water works.
- (f) open any hydrants, stem pipe or valve or use any water from it.

## 14. REQUEST TO DISCONTINUE SERVICE

Where an owner requests that a supply of water be discontinued to the parcel to owner must:

- (a) Give a minimum of ten days working notice in writing to the Operations Manager.

- (b) Be liable for payment of all water consumed until such notice has been received and such notice has been received and the service has been discontinued.
- (c) Pay the disconnection fees as outlined in Schedule "A".

**15. PENALTY**

15.1 Every person who:

- (a) violates any of the provisions of this bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- (c) neglects or omits to do anything required under this bylaw;
- (d) carries out, causes or permits to be carried out any work in a manner prohibited by or contrary to any of the provisions of this bylaw;
- (e) fails to comply with an order, direction or notice given under this bylaw; or
- (f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Village employee to a parcel.

shall be subject to a fine under the Bylaw Notice Enforcement Bylaw.

15.2 Each day's continuation of an offence constitutes a new and distinct offence.

**16. ADMINISTRATION AND ENFORCEMENT**

- 16.1 This bylaw shall be administrated by the Operations Manager or by any other person authorized by Council.
- 16.2 The Staff or other authorized person is hereby authorized at all reasonable times to enter on any parcel that is subject to regulations under this Bylaw to ascertain whether the regulation or directions under this bylaw are being observed.
- 16.3 The Council may upon recommendation of the Engineer, throttle or entirely discontinue the supply of water when a property owner or occupier has been found to be violating any of the provisions of this Bylaw, or when the public interest requires such action after the person has been given notice.

**17. SEVERABILITY**

- 17.1 If any section, subsection, sentence, clause or phrase in this Bylaw is for any reason held to be invalid by a decision of any Court or competent jurisdiction, the invalid portion shall be served and the decision that it is invalid shall not affect the validity of the remaining portions of the Bylaw.

**18. REPEAL**

- (a) "The Corporation of the Village of Harrison Hot Springs Bylaw No.549 and amendments and any reference to a fee in Bylaw 940 are hereby repealed.

**19. READINGS AND ADOPTION**

"Water Regulation Bylaw No. 967, 2011" adopted on the 30<sup>th</sup> day of March, 2011

Amendment Bylaw No. 984 adopted on the 19<sup>th</sup> day of September, 2011

Amendment Bylaw No. 999 adopted on the 16<sup>th</sup> day of April, 2012

Amendment Bylaw No. 1034 adopted on the 15<sup>th</sup> day of April, 2013

Amendment Bylaw No. 1050 adopted on the 7<sup>th</sup> day of April, 2014

Amendment Bylaw No. 1089 adopted on the 19<sup>th</sup> day of September, 2016

Amendment Bylaw No. 1092 adopted on the 17<sup>th</sup> day of October, 2016

"Ken Becotte"  
Mayor

"Debra Key"  
Corporate Officer

**SCHEDULE "A"**  
**Annual Fees and Charges**  
**(AB#1092 – Effective January 1, 2017)**

Pursuant to Section 194 of the Community Charter the following annual fees and charges (January 1 – December 31) are imposed in accordance with the terms and conditions approved by Council:

**Water Service Utility Fee**

All properties identified by folio numbers that are or can be connected to the water system will pay the following fee based on the actual length of the property that abuts the water distribution main.

<b>Rate</b>	<b>Minimum</b>	<b>Maximum</b>
\$ 11.14/metre	18 metres	30 metres

**Water Service User Fee**

<b>Residential</b>	<b>Quarterly</b>	<b>Annual</b>
Single Family	\$ 70.00	\$ 280.00
Duplex (per unit)	\$ 70.00	\$ 280.00
Secondary Suite	\$ 35.00	\$ 140.00
Swimming Pool	\$ 70.00	\$ 280.00

**Bulk Water Meters**

Where a bulk water meter is utilized in lieu of individual meters for a commercial, multiple dwelling or a multiple unit property, a minimum annual charge will be levied on each unit.

	<b>Minimum Quarterly Rate</b>	<b>Metered Rate (1m<sup>3</sup>)</b>	<b>Minimum Annual Rate</b>
	0- 75 m <sup>3</sup> per unit	> 75 m <sup>3</sup> per unit	Per Unit
Commercial	\$ 70.00	\$ 1.00	\$ 280.00
Multi-unit Residential	\$ 70.00	\$ 1.00	\$ 280.00
Multi-unit Commercial	\$ 70.00	\$ 1.00	\$ 280.00
Multi-unit Mixed Use	\$ 70.00	\$ 1.00	\$ 280.00
	0 - 18.75 m <sup>3</sup> per unit	> 18.75 m <sup>3</sup> per unit	Per Unit
Campground/Holiday Park/RV Resort	\$ 17.50	\$ 1.00	\$ 70.00

**Water Service Connection, Disconnection, Test Fees**

<b>Connection</b>	
<i>Single Family</i>	\$ 1,500.00* plus tax
<i>Duplex (each unit)</i>	\$ 1,500.00* plus tax
<i>Multi-Family &amp; Commercial</i>	\$ 1,500.00* plus tax
<b>Disconnection</b>	
<i>Disconnection</i>	\$ 150.00 plus tax
<i>Inspection</i>	\$ 50.00 plus tax
<i>Water Turn on/off</i>	\$ 150.00 plus tax
<b>Meter Test</b>	
<i>Residential</i>	\$ 150.00 plus tax
<i>Commercial</i>	\$ 250.00 plus tax

\* Costs will be based on a minimum fee of \$1500.00 plus tax at time of application. Any actual cost of the water connection over and above the \$1500.00 fee will be invoiced accordingly.

*The user rates will be billed quarterly.*

*A 10% penalty will be applied to any unpaid balance on the fees and charges outstanding by the due date.*

*Any fees and charges remaining unpaid by the end of the calendar year shall be deemed to be taxes in arrears.*