

# **POWELL RIVER REGIONAL DISTRICT**

## **BYLAW NO. 117**

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### **Being a bylaw to fix the rates and regulations of the Myrtle Pond Specified Area Water System**

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This document is a consolidated version of the “*Powell River Regional District Myrtle Pond Specified Area Water System Rates and Regulation Bylaw No. 117, 1984*” and amendments thereto as set out in Bylaws No. 149, 1986, No. 221, 1992, 117.3, 1994, No. 117.4, 1995, No. 117.5, 2001, No. 117.6, 2005, No. 117.7, 2007, No. 117.8, 2008, No. 117.9, 2009, No. 117.10, 2010, No. 117.11, 2010, No. 117.12, 2012, No. 117.13, 2013, No. 117.14, 2014, No. 117.15, 2014, No. 117.16, 2015, No. 117.17, 2017, No. 117.18, 2018, No. 117.19, 2020, No. 117.20, 2021, No. 117.21, 2021, No. 117.22, 2021, No. 117.23, 2022 consolidated under the authority of Section 139 of the *Community Charter* S.B.C. 2003, c.26 and Powell River Regional District Bylaw No. 309, 1998.

**WHEREAS** the Board of the Powell River Regional District has adopted Bylaw No. 111 cited as the “Myrtle Pond Specified Area Establishment and Loan Authorization Bylaw, 1984”;

**AND WHEREAS** it is deemed necessary and expedient that provision be made for the management of the water system and to specify the terms and conditions upon which this service may be provided and for a tariff of charges for such services;

**NOW, THEREFORE**, the Board of Directors of the Powell River Regional District, in open meeting assembled, enacts as follows:

#### **1. Interpretation:**

- 1.1 “Regional District” means the Powell River Regional District, the Regional Board, a committee appointed by the Board or persons duly authorized to represent the Regional Board in respect of this bylaw;
- 1.2 “Water Connection” means a connection to a main water supply line and extending to the property line of the customer, and may or may not include a water meter and shut-off valve which shall be the property of the Regional District;
- 1.3 All words, either in this bylaw or in the schedule thereto, referring to any person, consumer or applicant, shall be taken to be of such number and gender as the context and facts may require and shall also include a corporation or partnership;
- 1.4 “Schedule “A”” being the form of application for connection to the water system to be made by applicants and “Schedule “B”” setting out the user rates and charges, are incorporated and form part of this bylaw;

- 1.5 "Owner" shall mean any person who is the owner or the agent for the owner of any premises which are connected to the water system.

## **2. Responsibilities:**

- 2.1 The Powell River Regional District shall administer and determine all water rates for all premises which are connected to the water system, according to the provisions of this bylaw.
- 2.2 The Powell River Regional District shall be responsible for the charge and control of all properties and works in connection with the water system.
- 2.3 The Powell River Regional District shall have charge and control of the inspections of all properties and works in connection with the water system.
- 2.4 No person shall obstruct or prevent a duly authorized Powell River Regional District Secretary-Treasurer or agent of the Powell River Regional District from carrying out any or all of the provisions of this bylaw, nor shall any person refuse to grant the Secretary-Treasurer or any person duly authorized by him, permission to inspect any waterworks at any reasonable time.

## **3. Prohibitions:**

- 3.1 No person other than an employee of the Powell River Regional District shall tap into or make any connections whatsoever to any of the public or private water pipes forming part of the water system. The Regional District reserves the right to refuse such connections where winter frost conditions are evident.
- 3.2 No person or persons except an employee of the Powell River Regional District shall interfere in any way with any water system appurtenances.
- 3.3 No pump, booster or other device shall be employed by any consumer without permission in writing from the Regional District for the purpose of, or having the effect of, increasing water pressure in service lines to a higher pressure than the normal water pressure in the said service lines, and the Regional District may without notice, discontinue service to any customer employing such pump, booster or other device.

## **4. Conditions of Service:**

- 4.1 The Powell River Regional District shall have the right to limit the number of connections to the Myrtle Pond Water System.
- 4.2 Each owner of premises shall be responsible for the construction, repair and maintenance of all pipes and fixtures between the property line and his premises.
- 4.3 Each installation under Section 4 (2) shall be covered by a minimum of 2 feet (.70 metres) of earth fill.

- 4.4 The Secretary-Treasurer of the Powell River Regional District is authorized to inspect all buildings and premises which are connected to the water system. The Secretary-Treasurer shall also keep records of all applications for services and a full description of all works constructed.
- 4.5 The Powell River Regional District may at its sole discretion require an applicant for water service to install a meter for measuring water use. The cost of the meter and installation will be recovered from the applicant.

## **5. Applications:**

- 5.1 All applications for water connection shall be made in writing by the owner of the property to which the application refers, or by the owner's duly authorized agent, to the Powell River Regional District, and shall be made in the form of Schedule "A" of this bylaw and shall be accompanied by the proper fees as specified in Schedule "B".
- 5.2 All applications for water connection shall state, the use of the building for which water is to be connected, together with the legal description and the street address of the property or building to which the installation is to be made.
- 5.3 No application shall be considered approved until it has been signed by the Secretary-Treasurer or his delegate.
- 5.4 Applications for disconnection of any water service shall be made in writing and delivered to the Regional District.

## **6. Water Consumption:**

The Regional District may, whenever it its discretion and the public interest so requires, suspend or limit the consumption of water from the Myrtle Pond Specified Area or may regulate the hours of use or further prescribe the manner in which such water may be used.

## **7. Disconnections:**

The Regional District may, without notice, disconnect the water service to any premises for any of the following reasons, and the Regional District shall not be liable for damages by reason of discontinuing water service for such reasons:

- 7.1 Unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling.
- 7.2 Failure to repair or replace defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water.

## **8. Billing Charges:**

- 8.1 There is hereby imposed and levied a user charge against the owner or occupier of land or real property whose property is connected to the Myrtle Pond Water System and the clerk shall classify each consumer in accordance with the categories set out in Schedule "B" attached to and forming part of this bylaw.
- 8.2 Water user fees shall be invoiced annually by the Regional District and shall be due and payable semi-annually.
- 8.3 A 6% penalty will be charged if payment is not made within sixty (60) days of the semi-annual due date specified on the invoice.
- 8.4 All payments will be applied firstly against arrears and then to current balances.
- 8.5 In the case of connections being made during the year, the charge imposed shall begin with the month during which the water connection was made provided such connection was made before the fifteenth day of the month; otherwise the charge shall begin with the first of the month following the date the connection was made.
- 8.6 Accounts with User Fees outstanding at 31<sup>st</sup> December in each year will be subject to recovery as authorized by Section 636 of the Municipal Act.
- 8.7 When any rates or charges for water services are overdue for a period of three months, such water services shall be turned off from the premises in respect of which such rates or charges are overdue without notice and such service shall not be turned on again to the said premises until there shall have been paid to the Regional District:
  - (a) the rates and charges overdue;
  - (b) any additional cost incurred by the Regional District in order to prevent the improper use of water after the same shall have been turned off.

## **9. Liability:**

Nothing contained in the bylaw shall be construed to impose any liability on the Regional District to give a continuous supply of water to any persons or premises and the Regional District hereby reserves the right at any time to shut off the water from any premises without giving notice to any person from whose premises the water may be shut off.

## **10. Multiple Dwellings:**

- 10.1 In the case of apartment houses, mobile homes, duplex houses or houses containing one or more suites, each dwelling unit within such structure shall be considered as a separate unit and shall be charged the appropriate rate as shown in Schedule B".

**11. Public Health:**

- 11.1 The Province of British Columbia appointed Health Inspector shall be the authority in all matters pertaining to public health resulting from the operation of the water system.

**12. Water Main Extension and Service Connection Charges:**

- 12.1 All water main extensions or water service connections must be approved in writing by the Regional District prior to construction and all costs incurred will be a direct charge against the developer of a subdivision or the owner of the property being connected.
- 12.2 The Regional District will inspect and approve all such extensions or service connections before backfilling is started.
- 12.3 The Powell River Regional District shall have the right to disallow any water main extension if, such extension may jeopardize the supply to those persons already connected to the water system.

- 13.** Every person who offends against any of the provisions of this bylaw or suffers or permits any act or thing to be done in contravention of or violation of any of the provisions of this bylaw, or neglects to do or refrains from doing anything required to be done under this bylaw or who does any act or thing which violates any of the provisions of this bylaw, shall be deemed to have committed an offence under this bylaw and shall be liable on summary conviction to a fine and penalty of not less than \$25.00 nor more than \$500.00.

- 14.** The rates and conditions contained herein shall be effective from the date of adoption.

- 15.** This bylaw may be cited as the "Myrtle Pond Specified Area Water System Rates and Regulation Bylaw No. 117, 1984".

READ A FIRST TIME this 22<sup>nd</sup> day of November, 1984.

READ A SECOND TIME this 22<sup>nd</sup> day of November, 1984.

READ A THIRD TIME this 4<sup>th</sup> day of December, 1984.

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS the 3rd day of May, 1985

RECONSIDERED, ADOPTED AND FINALLY PASSED this 23rd day of May, 1985.

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Chairman

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Secretary - Treasurer

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 117, cited as the "Myrtle Pond Specified Area Water System Rates and Regulation Bylaw No. 117, 1984" as read a third time by the Board of Directors of the Powell River Regional District the 4th day of December, 1984.

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Secretary-Treasurer



# qathet REGIONAL DISTRICT

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## Myrtle Pond Water System APPLICATION FOR WATER SERVICE AND AGREEMENT

I, \_\_\_\_\_  
(name)

being the owner (or duly authorized agent) of the lands and premises described as:

\_\_\_\_\_  
(civic address or legal land description)

\_\_\_\_\_  
(mailing address )

\_\_\_\_\_ (phone number) \_\_\_\_\_ (email address)

hereby apply to the qathet Regional District for a supply of water from the Myrtle Pond Water System through a connection to the said premises. In the event of this request being granted, I covenant and agree to be bound by all regulations, charges, terms and conditions set out and imposed by the qathet Regional District which shall in no case be liable for shortage or failure of water supply.

Do you consent to email communication Yes \_\_\_\_\_ No \_\_\_\_\_

### Purpose of water connection:

☐ Principal dwelling ☐ Secondary dwelling ☐ Accessory building i.e. workshop or studio

☐ Other (please describe) \_\_\_\_\_

It is declared that this agreement shall be binding upon my heirs and administrators, and that all charges payable in respect of the above premises shall constitute a charge against said premises, pursuant to the provisions in that behalf contained in the *Local Government Act*.

**I will not initiate a connection to the water system until this application has been approved in writing by the qathet Regional District.**

Connection fee paid by: ☐ Cash ☐ Cheque ☐ Debit ☐ Credit

Signature of Owner / Agent \_\_\_\_\_ Date \_\_\_\_\_

**Office use only**

Connection Fee Received by \_\_\_\_\_

Date \_\_\_\_\_

Conformance to Zoning Bylaw \_\_\_\_\_  
(management signature)

Date \_\_\_\_\_

Connection Authorized by \_\_\_\_\_  
(management signature)

Date \_\_\_\_\_

Connected by \_\_\_\_\_  
(name of plumbing contractor)

Date \_\_\_\_\_

Inspected by \_\_\_\_\_  
(water system operator)

Date \_\_\_\_\_

Location on Walk List \_\_\_\_\_  
(water system operator)

Date \_\_\_\_\_



## Bylaw No. 117.23

### Schedule 'B'

#### qRD Myrtle Pond Water User Fees, Rates and Charges

The following rates shall be effective January 1, 2023.

#### 1. Definitions

- **Commercial Recreation** – includes a use providing overnight accommodation and recreational opportunities and includes the following uses:
  - campgrounds and cabins providing temporary overnight accommodation;
  - an office, restaurant, laundry facility and playground accessory to a use in a);
  - a swimming pool.
- **Dwelling Unit** – means a self-contained unit used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.
- **Multiple Residential** – includes parcels used for residential purposes and that contain more than one dwelling unit.
- **Residential** – includes parcels used for residential purposes and that contain only one dwelling unit.
- **Summer** – means the months of April through September, inclusive.
- **Winter** – means the months of October through March, inclusive.

#### 2. Minimum and Metered User Rates

- a. Users that consume up to the maximum cubic meters allowed per month under Rate 1 will pay the minimum monthly fee specified in section 2(c).
- b. Users that exceed the maximum monthly cubic meter consumption specified under Rate 1 will be charged at the metered rates specified in paragraph 2(c).
- c. Minimum monthly fees, water allowances and metered rates are specified in the table below:

	Minimum Fee	Rate 1	Rate 2	Rate 3	Rate 4
<b>Rate per m<sup>3</sup></b>		\$ 2.51	\$ 3.01	\$ 3.61	\$ 4.33
<b>Residential</b>					
Use per month - Summer	\$ 75.18	<= 30 m <sup>3</sup>	<= 45 m <sup>3</sup>	<= 60 m <sup>3</sup>	> 60 m <sup>3</sup>
Use per month - Winter	\$ 50.12	<= 20 m <sup>3</sup>	<= 30 m <sup>3</sup>	<= 45 m <sup>3</sup>	> 45 m <sup>3</sup>
<b>Multiple Residential</b>					
<b>1<sup>st</sup> Dwelling Unit</b>					
Use per month - Summer	\$ 75.18	<= 30 m <sup>3</sup>	<= 45 m <sup>3</sup>	<= 60 m <sup>3</sup>	> 60 m <sup>3</sup>
Use per month - Winter	\$ 50.12	<= 20 m <sup>3</sup>	<= 30 m <sup>3</sup>	<= 45 m <sup>3</sup>	> 45 m <sup>3</sup>
<b>Each Additional Dwelling Unit</b>					
Use per month - Summer - Per Unit	\$ 62.65	<= 25 m <sup>3</sup>	<= 40 m <sup>3</sup>	<= 55 m <sup>3</sup>	> 55 m <sup>3</sup>
Use per month - Winter - Per Unit	\$ 37.59	<= 15 m <sup>3</sup>	<= 25 m <sup>3</sup>	<= 40 m <sup>3</sup>	> 40 m <sup>3</sup>
<b>Commercial Recreation</b>					
Use per month - Summer	\$ 426.04	<= 170 m <sup>3</sup>	<= 270 m <sup>3</sup>	<= 645 m <sup>3</sup>	> 645 m <sup>3</sup>
Use per month - Winter	\$ 375.92	<= 150 m <sup>3</sup>	<= 250 m <sup>3</sup>	<= 625 m <sup>3</sup>	> 625 m <sup>3</sup>

Note: One cubic meter (m<sup>3</sup>) equals approximately 220 imperial gallons.

### 3. **Metered Charges for Mixed Use Properties**

Notwithstanding the minimum charge for any water users on metered rates, properties which have both commercial recreation users and other classes of users shall be charged at the Commercial Recreation rate.

### 4. **Invoicing**

Metered users will be billed quarterly based on monthly consumption or minimum user rates whichever rate is applicable. Charges for any lesser period shall be pro-rated.

### 5. **Meter Testing Fee**

\$100 per test.

### 6. **Connection Fees**

The fee to install a new connection will include the actual cost of labour, equipment, meter and materials to install the connection plus \$400 administration / inspection fee.

### 7. **Turn On/Shut Off Fee**

\$50.00 per occurrence

### 8. **Penalty On Overdue Accounts**

10% of the current amount billed

