

THE CORPORATION OF THE TOWNSHIP OF SPALLUMCHEEN

BYLAW NO. 2086, 2022
A Bylaw to Regulate Water Use and Conservation

WHEREAS the Township of Spallumcheen Council has authority under the *Community Charter* and *Local Government Act* to regulate in relation to a service; and

AND WHEREAS Council deems it necessary and expedient to set regulations for the year round use and conservation of water;

NOW THEREFORE the Council of the Township of Spallumcheen, in open meeting assembled, enacts as follows:

1. CITATION

1.1 This bylaw may be cited as the “**Township of Spallumcheen Water Regulation and Conservation Bylaw 2086, 2022.**”

2. DEFINITIONS

2.1 In this bylaw, unless the context otherwise requires:

“**Agreement**” means an existing City of Armstrong and Township of Spallumcheen water agreement, as amended or replaced from time to time;

“**Agricultural User**” means any Owner of land which is classified as Class 9 under the *BC Assessment Act* and is connected to the Waterworks System;

“**Applicant**” means any Owner or duly authorized agent making an application for Service, Water Connection/Disconnection or the Turn-on or Turn-off of water;

“**Backflow Preventer**” means a mechanical apparatus installed in a water system that prevents the backflow of contaminants into the potable Waterworks System;

“**Bylaw Enforcement Officer**” means a person in a class prescribed under Section 273 (c) of the *Community Charter* who is designated by a local government as a bylaw enforcement officer and every Peace Officer;

“**Collector**” means the Person appointed from time to time by Council as the Collector;

“**Collector’s Roll**” means a list of each property served by the Waterworks System that is liable to water charge and which designates the Owner as a Water User, Domestic User, a Non-Domestic User, an Agricultural User or a combination thereof;

“**Commercial**” means all industrial, utility and business properties as defined as Class 2, 4, 5 and 6 under the *B.C. Assessment Act* and any institutional and apartment buildings with three or more dwelling units and any residential buildings with two or more dwelling units within the same assessment folio, upon written application by the Owner;

“Council” means the Municipal Council of the Corporation of the Township of Spallumcheen;

“Curb Stop” means the valve on a Service pipe located on the street or lane at or near an Owner’s Parcel Boundary;

“Customer” means any person, company or corporation who has opened a service account with the Township for the purpose of being supplied water from the Township Waterworks System;

“Domestic User” means any Owner of land connected to the Waterworks System using water for residential household requirements, sanitation, fire prevention, lawn and garden irrigation purposes, and livestock;

“Domestic Animal” means an animal that is:

- (a) tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for the use of people, and
- (b) designated by order of the Lieutenant Governor in Council to be a domestic animal;

“Due Date” means the date on which payment for water use is due;

“Dwelling Unit” means a building or a part of a building in which a person or persons live. This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building.

“Fees” means the schedule of fees prescribed in the Township of Spallumcheen Fees and Charges Bylaw.

“Fees and Charges Bylaw” means the current Township of Spallumcheen Fees and Charges Bylaw, as amended from time to time.

“Livestock” means any domestic animal;

“Manager of Operations” means the individual appointed by Council to manage and oversee the day-to-day operation of the Waterworks System or his/her designate and, along with other Township Staff, to administer this bylaw;

“Meter Pit” means a chamber installed below or above the ground over a residential or irrigation water Service for the purpose of installing a Water Meter;

“Municipal Ticket Information” means the current Township of Spallumcheen Municipal Ticket Bylaw, as amended from time to time;

“Non-Domestic User” means any Owner of land connected to the Waterworks System that is not using water as a Domestic User or Agricultural User;

- “Occupier”** has the same meaning as in the *Community Charter*, as amended from time to time;
- “Owner”** has the same meaning as in the *Community Charter*, as amended from time to time;
- “Parcel Boundary”** means the line that defines the perimeter of a parcel of land as registered at the BC Land Title Office;
- “Person”** includes a corporation, partnership or party and the Personal or legal representatives of a Person to whom the context can apply, according to law;
- “Quarterly”** means once every quarter of a year;
- “Service”** means and includes the supply of water to any Owner of any lot and all the pipes, valves, fittings, meters, connections and other things necessary for the purpose of such supply;
- “Service Connection”** means the connecting line from the Waterworks System to the Parcel Boundary and includes all related pipes, shut off valves and other appurtenances;
- “Single-family Detached Dwelling”** means a Dwelling Unit generally designed for and occupied by one family;
- “Sprinkling”** means to allow water from the Township’s water supply to enter onto lawns, gardens and other outdoor areas;
- “Township”** means the Corporation of the Township of Spallumcheen, a municipality, as described in its Letters Patent;
- “Township specifications”** means the specifications, drawings and other standards for works and services established under the Township’s Subdivision, Development and Standards Bylaw, as amended from time to time;
- “Turn-off”** means to discontinue the Service to any Owner or any lot by closing a Curb Stop or by such other means as the Township finds appropriate;
- “Turn-on”** means to commence the Service to any Owner or any lot by opening a Curb Stop or by such other means as the Township finds appropriate;
- “Water Connection”** means the pipes and appurtenances on private property used or intended to be used to conduct water from the Curb Stop to the private property;
- “Water Meter”** means an apparatus or device used for measuring the volume of water passing through it and includes any accessories such as a remote reader device and the connecting cable;
- “Water User”** means any Person who is the Owner or agent for the Owner of any premises to which the Service is provided and also any Person who is the Occupier of any such premises and also any Person who is actually a user of water supplied to any premises;

“Waterworks System” means the Township of Spallumcheen water distribution system, which includes the water system being utilized by agreement with the City of Armstrong; and

“Water Service Area” refers to all authorized users of the Township of Spallumcheen water utility system located within the City of Armstrong and within the Township of Spallumcheen namely those properties serviced directly by the Township and through the following Water Works Districts: Hankey, Highland Park, Lansdowne, Larkin, Pleasant Valley, Round Prairie, Silver Star and Stardel. See attached map as Schedule “A”.

3. GENERAL PROVISIONS

3.1 This bylaw is applicable to all Township Local Area Service waterworks, including:

- a. Hankey Local Area Service
- b. Highland Park Local Area Service
- c. Lansdowne Local Area Service
- d. Larkin Local Area Service
- e. Pleasant Valley Local Area Service
- f. Round Prairie Local Area Service
- g. Silver Star Local Area Service
- h. Stardel Local Area Service

3.2 To the extent that the Township has not already established the Service of water supply, the Township hereby establishes the Service of supplying water to the Township through the Waterworks System and Water Service Area which includes operating, constructing, maintaining and regulating the Waterworks System and Water Service Area.

3.3 The Township does not guarantee water pressure, continuous supply or direction of water flow. The Township reserves the right at any time, without notice, to change the operating pressure, to shut off water or to change the direction of flow. The Township, its officers, employees, nor agents shall be liable for any damage or other loss caused by changes in water pressure, shutting off water or change in direction of flow or by reason of the water containing sediments, deposits, or other foreign matter.

3.4 Nothing contained in this bylaw shall be construed to impose any liability on the Township to provide water to any Person or property or to provide a continuous supply of water or water of any particular quantity or quality.

3.5 Any supply of water by the Township is subject to the following conditions, in addition to the other conditions set out in this bylaw:

- (a) the Township is not responsible for the failure of the water supply as a result of any accident or damage to the Waterworks System;
- (b) the Township is not responsible for any excessive water pressure or lack of water pressure; and

(c) the Township is not responsible for any temporary stoppage of water supply on account of alterations or repairs to the Waterworks System,

whether such arises from the negligence of any Person in the employ of the Township or another Person, or through natural deterioration or obsolescence of the Waterworks System or otherwise.

4. APPLICATION

4.1 An Owner or an Owner's duly authorized agent must make an application to the Township to install a Water Service from the Waterworks System to the Owner's Parcel Boundary, and the Water Connection from property line to his or her private property. Such application must be submitted on the required form(s), as provided by the Township and amended from time to time. Such Applicant shall, on making the application, pay to the Township the applicable fee(s) as set out in the Township's Fees and Charges Bylaw.

4.2 The restrictions and regulations outlined in this bylaw are applicable to all parcels in the Water Service Area.

5. RESTRICTIONS AND REQUIREMENTS

5.1 A person must not use water supplied by the Township:

(a) for other than a Domestic Purpose; or

(b) in such a manner as to cause the water to be wasted.

5.2 The owner or occupier of a parcel or premises supplied with water by the Township:

(a) must not cause, suffer or allow the damage to or deterioration of any device or mechanism through which water is piped or used for any purpose, which is likely to or does cause water to be wasted; and

(b) must promptly remedy any damage to or deterioration described in paragraph (a) of which the owner or occupier is or becomes aware.

6. WATER CONSERVATION STAGES

6.1 For the purpose of conserving water, the following Water Conservation Stages apply to the use of water for Domestic Use within the Water Service Area:

6.2 **STAGE 1: Every Other Day Watering (Year Round)**

(a) During Stage 1, a person shall use a watering system to water a lawn, garden, or landscaped area on a property as follows:

(i) Even numbered addresses may water on even days of the calendar between the hours of 6:00 a.m. to 10:00 a.m. and 7:00 p.m. to Midnight; or

- (ii) Odd numbered addresses may water on odd days of the calendar between the hours of 6:00 a.m. to 10:00 a.m. and 7:00 p.m. to Midnight p.m.
- (b) During Stage 1, a person shall use an in-ground automated watering system to water a lawn, garden, or landscaped area on a property as follows:
 - (i) Even numbered addresses may water on even days of the calendar between the hours of Midnight to 5:00 a.m.; or
 - (ii) Odd numbered addresses may water on odd days of the calendar between the hours of Midnight to 5:00 a.m.
- (c) During Stage 1 a person may:
 - (i) water a lawn, flower or vegetable garden, trees, shrubs or landscaped area, which combined do not exceed one acre in size on any day at any time if watering is done by hand-held container or a hose equipped with a shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
 - (iii) water new sod or newly seeded lawn during the first 7 days after installation on any day but only during the prescribed Stage 1 watering hours;
 - (iv) wash a vehicle with water using a hand held container or hose equipped with a shut-off nozzle;
 - (v) Wash sidewalks, driveways, parking lots or exterior building surfaces including windows using a hand held container or hose equipped with a shut-off nozzle; and
 - (vi) Fill a swimming pool, wading pool, hot tub, garden pond or decorative fountain.
- (d) During Stage 1, public school properties and Township owned parks and playgrounds are exempt from the one-acre size restriction applicable to the watering of lawns, flower or vegetable gardens, trees, shrubs or landscaped areas as set out in the definition of Domestic Use.

6.3 STAGE 2: Hand Watering Only (During Times of Stress on the Water System)

- (a) During Stage 2, no person shall:
 - (i) use a sprinkler or irrigation system to water a lawn, garden, trees, or shrubs; or
 - (ii) wash driveways, sidewalks, parking lots or exterior building surfaces.
- (b) During Stage 2 a person may:
 - (i) water a lawn, flower or vegetable garden, trees, shrubs or landscaped area, which combined do not exceed one acre in size if watering is done by hand-held

container or a hose equipped with a shut-off nozzle but only during the prescribed Stage 1 watering hours and days;

- (ii) water newly planted trees, shrubs, flowers and vegetables, new sod or newly seeded lawn if watering is done by hand-held container or a hose equipped with a shut-off nozzle during installation and for the following 24 hours;
- (iii) wash a vehicle with water using a hand held container or hose equipped with a shut-off nozzle but only during the prescribed Stage 1 watering hours and days; and
- (iv) fill or top up or add to a swimming pool, wading pool, hot tub, garden pond or decorative fountain but only during the prescribed Stage 1 watering hours and days.

6.4 STAGE 3: In Home Water Use Only (For Extreme Situations)

(a) During Stage 3, no person shall:

- (i) water lawns, gardens, trees or shrubs, including newly seeded or sodded lawns, newly seeded or planted gardens, trees or shrubs;
- (ii) top up swimming pool, hot tub or garden pond;
- (iii) wash a vehicle, except at a commercial car wash; and
- (iv) wash sidewalks, driveways, parking lots or exterior building surfaces.

7. CONSTRUCTION OF THE SERVICE CONNECTION

- 7.1 Upon a completed application being received for the installation of a Service Connection, and payment of applicable fee(s) in full, a contractor pre-approved by the Township may install a Service Connection from the Waterworks System to the Parcel Boundary and a Curb Stop at the Parcel Boundary.
- 7.2 An Owner is responsible for the installation of a Water Service and a Curb Stop at the Parcel Boundary, at his or her sole cost.
- 7.3 Each property shall have only one Service Connection except where a separate connection is required by the Manager of Operations.
- 7.4 The size of the pipe to be used in providing a Water Service to any premises and also the position in the highway or statutory right of way in which the Water Service is to be installed shall be determined by the Manager of Operations.
- 7.5 No work of any kind in relation to a Water Service, either for the laying of a new Water Service or repair of an existing Water Service, shall be done by any Person other than a contractor approved by the Manager of Operations.

8. CONSTRUCTION OF THE WATER CONNECTION

- 8.1 Upon a completed application being received for the installation of a Water Connection and payment of the applicable fee(s) in full, the Owner may install a Water Connection from the property line to the Owner's private property and the Manager of Operations shall classify the Owner as either a Domestic User, a Non-domestic User, an Agricultural User, or any combination thereof.
- 8.2 An Owner is responsible for the installation of a Water Connection, at his or her sole cost.
- 8.3 Installation of a Water Connection must comply with the following requirements:
- (a) the type and size of pipe used for the Water Connection must meet the standards for piping as determined by the Manager of Operations or his/her designate;
 - (b) A maximum size of 19mm service connection will be provided for domestic use;
 - (c) all Water Connection lines shall be installed as required in the Township's Subdivision, Development and Standards Bylaw, as amended from time to time;
 - (d) where required by the Manager of Operations, an approved Backflow Preventer must be installed at the building as close as possible to the entrance point of the Water Connection into the building; and
 - (e) after the Water Connection lines have been installed, the Owner must not backfill the excavation until the installation of the Water Connection has been inspected and approved by the Township.
- 8.4 No work of any kind in relation to a Water Connection, either for the laying of a new Water Connection or repair of an existing Water Connection, shall be done by any Person other than a contractor approved by the Manager of Operations.
- 8.5 The Owner is solely responsible for supplying, installing and maintaining the Curb Stop and the connection or joint at the property line between the Water Service and the Water Connection.
- 8.6 The Owner is responsible for any damage caused by the Owner to the Curb Stop and must immediately notify the Manager of Operations of any such damage.
- 8.7 The Township will complete all necessary repairs and bill the cost of those repairs to the property owner on the owners utility bill.
- 8.8 Where required by the Manager of Operations, an Owner shall install a pressure-reducing device on his or her property, to the satisfaction of the Manager of Operations.
- 8.9 An Owner is responsible for maintaining the Water Connection and Backflow Preventer, as required, in good repair and in a clean and sanitary condition at all times, and must remedy any defect in the Water Connection or backflow preventer as soon as the Owner becomes or is made aware of the defect.
- 8.10 The Owner must immediately advise the Manager of Operations of any defect in the

Water Connection as soon as the Owner becomes or is made aware of the defect even if the remedy of the defect is not yet completed.

9. WATER TURN-OFF / TURN-ON

- 9.1 All applications for the Turn-off or Turn-on of the water Service must be made in writing to the Manager of Operations not less than forty-eight (48) hours before the Turn-off or Turn-on is required.
- 9.2 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the Township and amended from time to time, the applicant shall pay the applicable fee as set out in the Township's Fees and Charges Bylaw.
- 9.3 Any Person who applies to the Township for the Turn-on of the Water Connection shall provide to the Manager of Operations confirmation that the Water Connection was satisfactorily tested, inspected and approved by the Township.
- 9.4 No Person shall make an application for the Turn-off of the Water Connection from any premises in use, or occupied by any other Person, until such use or occupation has ceased, the premises have been vacated or the occupying Person has been given notification of thirty (30) days.
- 9.5 Any unauthorized Person found to have turned the water on or off is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 13.11.

10. WATER DISCONNECTION/RECONNECTION

- 10.1 When any building within the Township is removed, demolished or abandoned, application for disconnection of a water Service shall be made in writing, by the property Owner, on the required form(s) as provided by the Township and amended from time to time and delivered to the Township Office.
- 10.2 Until such application as outlined in Section 10.1, has been submitted, water rates may be charged as prescribed in the Township's current Fees and Charges Bylaw to the property Owner.
- 10.3 All applications for the disconnection or reconnection of the water Connection must be made in writing to the Manager of Operations not less than one (1) week before the disconnection/reconnection is required.
- 10.4 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the Township and amended from time to time, the applicant shall pay the applicable fee as set out in the Township's Fees and Charges Bylaw.
- 10.5 Any Person who applies to the Township for reconnection of the Water Service shall provide to the Manager of Operations confirmation that the Water Service was satisfactorily tested, inspected and approved by the Township.
- 10.6 Any unauthorized Person found to have disconnected from or reconnected to the water Connection is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 13.11.

10.7 Should the property owner elect to have the water service to a building turned on or off, as described in Section 9 of this bylaw, water customer charge and fixed and capital fees will continue to be charged.

11. WATER METERS

11.1 Every Owner of property that receives the supply of water from the Waterworks System shall, at the sole cost of the Owner, pay for the cost of a Water Meter from the Township and shall install the Water Meter on his or her property in compliance with the provisions of this bylaw.

11.2 All Water Meters shall remain the property of the Township of Spallumcheen.

11.3 All Water Meters shall be installed in a meter pit at the parcel boundary for approved Water Connection to a property.

11.4 The Manager of Operations may determine and specify the type and size of Water Meters for each type of property and use, considering the Manager of Operation's estimate of water consumption and other factors considered relevant by the Manager of Operations.

11.5 Every Water Meter shall be installed by a qualified contractor at the direction of the Township as approved by the Manager of Operations.

11.6 Where water services multiple-unit housing or Commercial, industrial or institutional property, the Water Meter must be located within a meter room or some other location approved by the Manager of Operations.

11.7 The Owner shall not tamper with the Water Meter in any manner.

11.8 If any breakage, stoppage or other irregularity in a Water Meter is observed by an Owner, the Owner shall notify the Manager of Operations immediately.

11.9 No Person shall remove or in any way disturb a Water Meter except under the direction of the Manager of Operations.

11.10 The Service shall not be activated to a property until a Water Meter has been installed on the property and any Meter Pit has been inspected by the Township and found to be in compliance with this bylaw.

11.11 If the Township or an Owner questions the accuracy of the record of a Water Meter, the Township shall designate a qualified professional to remove and test the Water Meter.

11.12 If the test performed under Section 11.10 discloses that the Water Meter is not less than 98% accurate in recording the water passing through the Water Meter, the party questioning the accuracy of the Water Meter shall pay the meter testing fee specified in the Township's Fees and Charges Bylaw. If the test performed discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the cost of the test shall be borne by the Township.

- 11.13 If the test performed under Section 11.10 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the Township shall repair or replace the Water Meter, at its own cost.
- 11.14 If the test performed under Section 11.10 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the Manager of Operations shall adjust the Owner's water bill by the amount of the inaccuracy for a period not exceeding one (1) year.
 - a. The adjustments shall only apply to the Owner who overpaid or underpaid and not to any subsequent Owner of the property.

12. FAILURE TO INSTALL A WATER METER

- 12.1 If an Owner fails to install a Water Meter as required by this bylaw, the Township may, upon giving notice to the Owner, install a Meter Pit and Water Meter at the Curb Stop at the sole cost of the Owner. The costs are to be invoiced to the owner as outlined in the current Township of Spallumcheen Fees and Charges Bylaw and may include a water tampering service charge, if applicable.

13. OFFENCES AND PROHIBITIONS

- 13.1 No Person shall:
 - (a) connect or maintain any connection to, or use water from the Waterworks System without first obtaining permission from the Manager of Operations in accordance with this bylaw;
 - (b) connect, cause to be connected or allow to remain connected any building on any property already connected to the Waterworks System to any other source of water;
 - (c) connect, cause to be connected or allow to remain connected to the Waterworks System any pipe, fixture, fitting, container, appliance or apparatus, in any manner which, under any circumstances, could cause or allow any part of the Waterworks System to become contaminated;
 - (d) sell, dispose of or otherwise give away water from the Township Waterworks System; unless a written request has been approved by the Manager of Operations; or
 - (e) have a booster pump installed or allow a booster pump to remain installed unless permitted by the Manager of Operations in accordance with Section 13.3 and a pump saver or equivalent shut off device is also installed on the connection to the Waterworks system in the event of low pressure occurring within the system
 - (e) connect any apparatus, fitting, or fixture to the Waterworks System which may in any way harm the Waterworks System.
- 13.2 No Person shall cause, permit or allow any device or apparatus of any kind to be or remain connected to the Waterworks System or allow it to be operated in such a manner as to cause sudden large demands for water or otherwise affect the stability of water pressure in the Waterworks System and, for the purposes of this section, such prohibited

devices and apparatuses include, without limitation:

- (a) Unapproved booster pumps;
- (b) quick opening valves or quick closing valves;
- (c) flush meters;
- (d) rod hopper water closets;
- (e) water-operated pumps or siphons;
- (f) standpipes; or
- (g) large outlets.

- 13.3 Notwithstanding Section 13.2, an Owner may apply to the Manager of Operations in writing for permission to connect a prohibited device or apparatus to the Waterworks System.
- a. Upon receiving written permission from the Manager of Operations, the Owner may connect a prohibited device or apparatus, as outlined in section 13.2 of this bylaw, to the Waterworks System, subject to any terms and conditions imposed by the Manager of Operations.
- 13.4 No Person shall destroy, injure, obstruct access to, or tamper with any hydrant, valve, Curb Stop, pipe, pump or other fixture of the Waterworks System or the Water Connection and no Person shall, in any manner, make any additions, alterations or other changes to the Waterworks System or the Water Connection.
- 13.5 No Person shall use water from the Waterworks System unless that usage is recorded by a properly functioning Water Meter that is installed and maintained in accordance with this bylaw.
- 13.6 No Person shall install any piping or other works designed to allow water from the Waterworks System to be used without that usage being recorded by a Water Meter.
- 13.7 Where the Manager of Operations considers that a Person has violated Section 13.5 or 13.6, the Township may install a Meter Pit with a Water Meter at or near the Parcel Boundary of the property either on the property or on the adjacent highway.
- 13.8 Where the Township has installed a Meter Pit with a Water Meter under Section 13.7, the Owner of the property in respect of which the Meter Pit with a Water Meter was installed shall pay to the Township a fee equal to the cost incurred by the Township to install the Meter Pit and Water Meter, including the cost of the pit and meter.
- 13.9 Where a Person has violated Section 13.4, 13.5 or 13.6, the Owner of the property in respect of which the violation has occurred shall pay to the Township an unrecorded water usage penalty as set out in the Township's Municipal Ticket Information Bylaw and additional charges as described in the Township's Fees and Charges Bylaw, whether or not the Township has installed a Meter Pit with a Water Meter at or near the Parcel Boundary under Section 13.7.

- 13.10 Charges imposed under Section 13.8 or 13.9 are due and payable within 30 days of the date on which an invoice setting out the amount of the fee is mailed to the address of the Owner as shown on the assessment roll for the property referred to in those Sections and if unpaid on December 31 of the year in which the charges became due and payable, may be collected in the same manner and with the same remedies as property taxes.
- 13.11 Any Person who contravenes any of the provisions of this bylaw is liable, upon summary conviction, to a minimum fine of not less than One Thousand Dollars (\$1,000.00) and a maximum fine of Ten Thousand Dollars (\$10,000.00) and the cost of prosecution. Every day during which there is an infraction of this bylaw shall constitute a separate offence.
- 13.12 Any Person who contravenes any of the provisions of the Stage 1 through Stage 4 Watering Restrictions may be subject to a fine as described in Schedule 12 of the Township's Municipal Ticketing and Information Bylaw.

14. SHUT OFF OF WATER SUPPLY

- 14.1 The Manager of Operations may shut off the supply of water to any property for any or all of the following reasons:
 - (a) a request for Turn-off or discontinuance of the Service;
 - (b) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
 - (c) an emergency that threatens the safety of the Waterworks System or the public;
 - and the Township may shut off the supply of water to any property for any or all of the following reasons;
 - (d) non-compliance with any provision of this bylaw; or
 - (e) shortage of water supply pursuant to Section 10.1 or 10.2 of this bylaw.

15. NOTICES OF WATER SHUT OFF

- 15.1 Where water supply is to be shut off for non-compliance with any provision of this bylaw, the Township will give thirty (30) days notice to the Owner.
- 15.2 Where water supply is to be shut off for reason of non-compliance with any provision of this bylaw, the Township will give the Person affected the opportunity to make representations to Council in respect of such non-compliance.
- 15.3 Where water supply is to be shut off for reason of shortage of water supply pursuant to Section 10.1 or 10.2 of this bylaw, the Township will give at least seven (7) days notice, but no notice will be given where safety of life or property is at risk.

- 15.4 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Waterworks System, the Township will give at least two (2) working days' notice for scheduled work, but no notice will be given where safety of life or property is at risk.
- 15.5 Notice under Sections 15.1, 15.3 and 15.4 may be given by one or more of the following:
- (a) posting notice on the property;
 - (b) providing notice on an Owner's water bill;
 - (c) mailing notice to the address supplied by the Owner or the address of the property;
or
 - (d) telephoning the Owner, which may include speaking directly to the Owner or leaving a message at the telephone number supplied by the Owner.
- 15.6 The Township is not responsible for any notice failing to reach an Owner or other Water User prior to the shut off of water.
16. WATER USE CHARGES
- 16.1 Property Owners shall be responsible for payment of all rates for water used and consumed on properties owned by them.
- 16.2 The user rates and charges specified in the current Township of Spallumcheen Fees and Charges Bylaw and the current Water Tolls and Parcel Taxes Bylaw are imposed and levied for Water Services supplied by the Township.
- 16.3 All such rates shall be due and payable on or before the date shown as the DUE DATE on the quarterly billing rendered by the Township.
- a. These rates may also be paid in advance on the Township's Tax/Utility Preauthorized Pre-Payment Plan.
- 16.4 User rates and charges not paid by the DUE DATE shall be subject to an overdue account penalty, as set out in the current Township of Spallumcheen Fees and Charges Bylaw, on the working day after the DUE DATE and monthly thereafter.
- 16.5 For any new water Service connected to the Township system during a quarterly billing period, full basic charges for the billing period will apply and the user rates relating to consumption shall be based on recorded consumption.
- 16.6 If no meter reading is available, the user rate will be prorated over the number of days from connection to the end of the billing period.
- 16.7 For any Water Service disconnected or reconnected from the Township system, Section 10 of this bylaw shall apply.

- 16.8 For any Water Service where the property Owner elected to have Water Service to a building turned on or off, as described in Section 9 of this bylaw, water basic charges and user rates will continue to be charged.
- 16.9 The charges prescribed in the Township of Spallumcheen Fees and Charges Bylaw to cover the cost of disconnecting or reconnecting the service or turning the water supply “off” or “on” shall apply.
- 16.10 User rates shall be invoiced on a Quarterly basis.
- 16.11 Upon application, the Township will permit qualifying customers, to make equal monthly payments.
- a. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the customer during the year.
 - b. Application will be accepted at any time of the year.
 - c. All accounts will be reconciled in December.
- 16.12 A customer will qualify for the plan provided the account is not in arrears and the customer expects to be on the plan for at least one (1) year.
- 16.13 The equal payment plan may be terminated by the customer, or the Township, if the customer has not maintained their credit to the satisfaction of the Township.
- a. The Township deems credit to be unsatisfactory if, for any reason, two payments fail to be honoured.
 - b. On the reconciliation date, or termination, the amounts payable by the customer to the Township for water Service actually consumed during the equal payment period will be compared to the sum of equal payments made during the period.
 - c. Any resulting amount owing by the customer will be paid to the Township.
 - d. An excess of payments over charges will be paid or credited by the Township to the customer, however, if such excess amounts are less than \$10.00 (ten dollars), they will be carried forward by the Township and included in the calculation of the equal payments for the next period.
- 16.14 All rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector’s Roll as taxes in arrears.

17. INSPECTION

- 17.1 The Manager of Operations and any Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether the regulations and requirements of this bylaw are being observed.
- 17.2 No Person shall obstruct or interfere with the Manager of Operations or any Bylaw Enforcement Officer in the performance of his or her duties or the exercise of his or her powers under this bylaw.

18. DETERMINING RESTRICTIONS

18.1 Notwithstanding any other provision of this bylaw it shall be lawful for Council, by resolution, to restrict or ration the use of water for all or any purposes.

19. NOTICE

19.1 The Township shall give notice or cause notice to be given of the applicable water conservation stage and when it takes effect. Such notice shall be published in a local newspaper.

20. SEVERABILITY

20.1 If any provision contained in the bylaw is found by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality or enforceability of the remaining provisions contained herein shall not be, in any way, affected or impaired thereby to the extent that the purpose of the bylaw may be fulfilled in the absence of the impugned provision or provisions of the bylaw.

21. OFFENCES

21.1 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall constitute a separate offence.

21.2 Any person who violates any of the provisions of this bylaw shall upon summary conviction be liable to a penalty not exceeding Ten Thousand Dollars (\$10,000) and the costs of prosecution or a term of imprisonment not exceeding sixty days or to both.

22. REPEAL BYLAWS

22.1 Upon adoption of this bylaw, the “Township of Spallumcheen Water Conservation & Regulation Bylaw No. 2013, 2020” and amendments thereto are hereby repealed.

Read a FIRST time this 20th day of September, 2022.

Read a SECOND time this 20th day of September, 2022.

Read a THIRD time this 20th day of September, 2022.

ADOPTED this 7th day of November, 2022.

Certified Correct:

'ORIGINAL SIGNED'

Cindy Webb
Corporate Officer

'ORIGINAL SIGNED'

Christine Fraser
Mayor

SCHEDULE "A" WATER AREA SERVICE MAP

