



**VILLAGE OF BELCARRA
Consolidated Waterworks
Bylaw No. 456, 2012**



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- Amendment Bylaw No. 495, 2015 effective date January 11, 2016
- Amendment Bylaw No. 516, 2018 effective date March 26, 2018
- Regulatory Bylaw Enforcement and Penalties Amendment Bylaw No. 519, 2018 effective date May 22, 2018
- Amendment Bylaw No. 540, 2019 effective date September 9, 2019
- Amendment Bylaw No. 600, 2022 effective date May 9, 2022

WHEREAS the Village established a water distribution system as a local area service for a portion of the municipality, pursuant to:

- “Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Establishment and Loan Authorization Bylaw, No. 413, 2008” and
- “Village of Belcarra Water Supply and Distribution Local Area Service No. 1 Establishment and Loan Authorization Bylaw No. 413, 2008 Amendment Bylaw No. 442, 2011”

(together referred to as the “Establishment Bylaw”);

AND WHEREAS the Village is authorized to regulate, by bylaw, the use of that water distribution system and impose fees in relation to the system;

NOW THEREFORE the Council of the Village of Belcarra, in open meeting assembled, enacts as follows:

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PART 1 - PREAMBLE

Citation

1. This Bylaw may be cited for all purposes as “Village of Belcarra Waterworks Bylaw No. 456, 2012”.

Definitions

2. The following terms shall have the following meanings for the purposes of this Bylaw:

“Backflow Preventer Device” means a mechanical device installed within On-Site Works to prevent the occurrence of backflow;

“British Columbia Building Code” means the regulation of the Local Government Act based on the model National Building Code of Canada 2005 and the model National Plumbing Code of Canada which sets out technical provisions for the design and construction of new buildings;

“Council” means the Village of Belcarra Council;

“Curb Stop” means a shut-off valve of any size or design installed at the end of a Service Connection;

“Dwelling Unit” means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and containing a sink and cooking facilities;

“Fire Department” means the Sasamat Volunteer Fire Department or other authorized fire suppression service;

“Local Service Area” means the area established by the Establishment Bylaw to which the Municipality supplies the Water Service;

“Municipality” means the Village of Belcarra;

“On-Site Works” means all private pipes, valves, appurtenances, water supply outlets, fixtures, appliances, devices and any other plumbing from the Curb Stop onward that is supplied with water from a Service Connection, both located on a Parcel and, if applicable, located partly on a municipal roadway;

“Open Water Source” means water sources intended for potable purposes not contained within a drilled deep well-casing or deep bedrock shaft and protected from surface water;

“Owner” means an owner as defined in the Community Charter;

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

“Park Purposes” means use of water for sprinkling, bathroom, concession, picnicking, visitor consumption, and other uses consistent with use of land as a Public Park.

(Bylaw Amendment No. 540, 2019)

“Public Park” means land owned or occupied by a municipality or regional district and used as a public park.

(Bylaw Amendment No. 540, 2019)

“Private Hydrant” means a privately-owned device equipped with special threaded connections installed by and maintained by an Owner within a Parcel and connected to a Water Main to supply water for fire protection purposes;

“Private System” means privately-owned pipes, fittings, valves, appurtenances, water supply outlets, fixtures, appliances, devices and any other plumbing that is supplied with water from the land of any Owner whether or not within a building but for certainty does not include the Waterworks;

“Public Hydrant” means a device equipped with special threaded connections installed by the Municipality within a highway or on private property pursuant to a right of way or easement, and connected to a Water Main to supply water for fire protection purposes;

“Service Connection” means a pipe that conveys water for a Parcel from a Water Main and that terminates at a Curb Stop;

“Superintendent” means the Superintendent of Public Works or his designate or other person authorized to act in his place;

“Water Main” means a pipe within a highway or located on private property pursuant to a right of way or easement and used for distributing water to Parcels, including all valves, fittings and other appurtenances, but does not include a Service Connection;

“Water Meter” means a device used to measure and indicate the volume and/or characteristics of water passing through the device and includes remote reading accessories;

“Water Service” means the supply of water by the Municipality to the Local Service Area by means of the Waterworks; and

“Waterworks” means the system of the Municipality for the purpose of supplying water to the Local Service Area, including all Water Mains, Service Connections, Curb Stops, Water Meters, Public Hydrants, and associated valves, pumping stations, reservoirs, chambers and other fixtures and appurtenances connected to them, but does not include any On-Site Works.

PART 2 – ADMINISTRATION

Administration of Bylaw

3. The Superintendent is authorized to control, supervise and administer the Waterworks and the Water Service.

Application

4. The prohibitions in this Bylaw do not apply to Municipal employees or contractors acting under the direction or with the permission of the Superintendent; or to members of the Fire Department acting in the course of their powers and duties; or to other persons who have the express permission of the Superintendent.

PART 3 – GENERAL PROHIBITIONS

Prohibitions

5. No person shall:
 - (a) in any way operate, remove, or make any alteration to any part of the Waterworks,
 - (b) uncover or place fill over any part of the Waterworks;
 - (c) use a Public Hydrant unless expressly permitted pursuant to this Bylaw;
 - (d) obstruct access to, including the area of 1 metre radius surrounding, any Private Hydrant or any Public Hydrant, Curb Stop, Water Meter or other component of the Waterworks by placing, covering or burying or allowing brick, gravel, lumber, sand, stone, vegetation growth, vehicles, timber, wood, or other material or thing;
 - (e) break, destroy, damage, deface, mar or tamper in any manner with the Waterworks or any part of it;
 - (f) allow water, waste water, or any harmful liquid or substance to enter any part of the Waterworks; or
 - (g) connect, cause to be connected or allowed to remain connected any piping, fixture, fitting, container or appliance or cross-connection that could cause or allow water quality in the Waterworks to become contaminated, degraded or polluted in any way.

PART 4 – NO MUNICIPAL OBLIGATIONS OR RESPONSIBILITIES

No Guarantees

6. The Municipality does not warrant or guarantee a continuous supply of water, constancy of pressure or maintenance of water quality and shall not be liable to any person for failure to do so.

No Liability

7. The Municipality shall not be liable for any failure of the water supply in consequence of any accident or damage to the Waterworks, or for excess pressure or lack of pressure, or any temporary stoppage on account of alterations or repairs, whether the failure arises from the negligence of any person in the employ of the Municipality or any other person or through natural deterioration or obsolescence of the Waterworks, or by reason of any other act or omission.

Change in Operating Conditions

8. The Municipality at all times has the right, without notice or compensation, to change operating conditions of the Waterworks for the purpose of making repairs, extensions, alterations or improvements.

Water Quality and Pressure

9. The Municipality shall incur no liability of any kind whatsoever by reason of the cessation, in whole or in part, of water pressure or of the water supply, or by reason of the water containing sediments, deposits or other foreign matter.
10. The Municipality shall not be liable for any loss, injury or damage to persons or property which may result from either excessive pressure or lack of pressure.

Consumer Responsibility

11. Persons depending on continuous and uninterrupted supply of water or having processes or equipment that require particularly clear or pure water shall provide on their Parcel at their cost such emergency storage, oversize piping, pumps, tanks, filters, pressure regulators, check valves, additional service pipes or other means for a continuous and adequate supply of water suitable to their requirements.

Injury/Damage

12. Where steam or hot water boilers or other equipment are fed with water by pressure direct from the Waterworks, the Municipality shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or lack or interruption of supply.

Disconnection of Service

13. No person shall have any claim, and no action lies and no proceeding may be brought against the Municipality, its elected officials, officers or employees for damages, either direct or indirect, arising from the temporary disconnection of the water service, or for any loss or damage to Parcel which may result from such temporary disconnection.

Failure of Water Supply

14. Without limiting any other provisions of this bylaw, the Municipality shall not be liable to any person for the failure of the water supply including, but not limited to, a failure to provide adequate or any service, excessive pressure or lack of pressure, temporary reductions or stoppages in the water supply, whether caused by alterations, repairs, accident or damage to any works or by any other reason whatsoever, and whether such failure arises from the negligence of any person in the employ of the Municipality, or other person whomsoever, or through natural deterioration or obsolescence of any works, or otherwise.

PART 5 – REQUIRED CONNECTIONS TO WATER SYSTEM

Permitted Connections

15. All Parcels within the Local Service Area may connect to the Water Service.

Extent of Connection

16. An Owner, except those subject to section 17, may choose to connect to the Water System such that either:
 - (a) the Water Service will be the entire supply of domestic water for the Parcel; or

- (b) the Water Service will be used only for the supply of water for an interior fire sprinkler system on the Parcel; or
- (c) the Water Service will be used to supply a Public Park with water for Park Purposes.

(Bylaw Amendment No. 540, 2019)

Required Connections

17. Owners of the following Parcels within the Local Area Service must connect to the Waterworks and be provided with water from the Water Service:
- (a) Parcels which obtain water from a private shared well on another Parcel and which have no registered easement for that water supply;
 - (b) Parcels which obtain water from a private shared well on another Parcel which have a registered easement for that water supply, and the owner of the Parcel on which the private shared well is located chooses to connect to the Water Service;
 - (c) Parcels which obtain water from a well on Municipal land;
 - (d) Parcels which obtain water from a group, community or private well or water source located on Crown lands;
 - (e) Parcels which obtain water from a private water source located off-premise on GVRD park lands;
 - (f) Parcels which obtain water from a private water source which is subject to the provisions of the *Water Act*, whether or not licensed under the *Water Act*;
 - (g) vacant Parcels on which new development is permitted to be constructed pursuant to a building permit issued under the Building and Plumbing Bylaw;
 - (h) Parcels which are re-developed as that term is defined in the Building and Plumbing Bylaw;
 - (i) Parcels whose water supply fail to meet pre-treatment potable testing parameters as defined in the Building and Plumbing Bylaw.
 - (j) Parcels in respect of which a transfer of ownership is registered in the Land Title Office after the date of adoption of Waterworks Amendment Bylaw No. 495, 2015. (January 11, 2016)

Required Connections

18. Owners of properties required to connect to the Water System under section 17 must connect to the Water System such that the Water System is the entire supply of domestic water for the Parcel and the Owner may not at any point in the future use any other water source as the domestic water supply for the Parcel.

Timeframe for Required Connections

- 19. Owners of properties required to connect to the Water System under section 17 must connect to the Water System within nine (9) months of written notification from the Municipality.

PART 6 – APPLICATIONS AND PERMISSIONS TO CONNECT

Application Forms

- 20. In order to apply for a Service Connection, the Owner shall complete an application in a form prescribed by the Superintendent from time to time.

Authorized Agents

- 21. An Owner may, in writing, authorize an agent to apply for a Service Connection on the Owner’s behalf by the Owner’s authorized agent, and in that case all directions, orders and other communications made by the Superintendent to the authorized agent are deemed to have been made to the Owner.

Refusal to Permit Connection

- 22. If, at any time, the Superintendent considers the Water Service has insufficient capacity to supply the volume of water required for the intended use or likely use of the Parcel, the Superintendent may refuse to permit the Service Connection.

Issuance of Permit

- 23. If an Owner meets all of the requirements of this Bylaw for the installation of a Service Connection to the Parcel, the Superintendent may issue a permit for the Service Connection.

PART 7 – CONNECTION AND USE FEES

Connection Charge

- 24. Every person to whom a permit is issued permitting connection of On-Site Works to the Water Service shall pay the connection fee set out in the Fees and Charges Bylaw.

Basic Fee – Fire Protection (not connected to water system)

- 25. Since every Parcel within the Local Service Area receives fire protection benefit from the Water Service due to the presence of Public Hydrants, the Owner of every Parcel within the Service Area shall pay annually to the Municipality, as a payment toward operating costs of the Water Service, the flat-rate Basic Fee – Fire Protection (**not connected to water system**) set out in the Fees and Charges Bylaw.
- 26. The Basic Fee – Fire Protection (**not connected to water system**) shall be due and payable each year on the same date that municipal property taxes are due.
- 27. The Basic Fee – Fire Protection (**not connected to water system**) may be collected in the same manner and with the same remedies as property taxes, and if it is unpaid on December 31, is deemed to be taxes in arrear.”

(Bylaw Amendment No. 600, 2022)

Use Fee – Fire Sprinkler Systems

(deleted per Bylaw Amendment No. 600, 2022)

Use Fee – Domestic Water Supply (connected to water system)

28. The Owner of every Parcel connected to the Water Service as either one source or the only source of domestic water supply for the Parcel shall pay annually to the Municipality the flat-rate Use Fee – Domestic Water (**connected to water system**) set out in the Fees and Charges Bylaw.
29. The Use Fee – Domestic Water (**connected to water system**) shall be due and payable each year on the same date that municipal property taxes are due.
30. Notwithstanding section 32, where a Parcel is connected to the Water Service for domestic water supply for less than a full calendar year, the Use Fee – Domestic Water (**connected to water system**) shall be prorated as of as of one month after the first day of the month in which the connection permit is issued and is payable when the connection permit is issued.
31. The Use Fee – Domestic Water (**connected to water system**) may be collected in the same manner and with the same remedies as property taxes and any part of it is unpaid on December 31, is deemed to be taxes in arrear.

(Bylaw Amendment No. 600, 2022)

Use Fee – Park Use Water Supply

32. The Owner of every Parcel that is a Public Park connected to the Water Service as either one source or the only source of water supply for Park Purposes shall pay annually to the Village a water utility fee for Domestic Water as per the Water Servicing Agreement and to be evaluated on an annual basis.

(Bylaw Amendment No. 540, 2019)

33. The fee specified in Section 36 shall be due and payable each year on the same date that municipal property taxes are due.

(Bylaw Amendment No. 540, 2019)

34. Notwithstanding Section 36, where a Public Park is connected to the Water Service for less than one calendar year, the fee shall be prorated as of one month after the first day of the month in which the connection permit is issued and is payable when the connection permit is issued.

(Bylaw Amendment No. 540, 2019)

Penalty and Interest – Unpaid Basic Fee and Use Fees

35. If all or part of the Basic Fee or Use Fee remains unpaid after the due date, a penalty equal to ten percent (10%) of the portion that remains unpaid shall be added to the unpaid amount and will immediately be due and payable.
36. If any part of the penalty is unpaid on December 31, it is deemed to be taxes in arrear and shall be subject to the same interest, and shall be collected in the same manner and with the same remedies as taxes in arrear.

PART 8 – TECHNICAL REQUIREMENTS FOR CONNECTION

Location of Service Connection

37. The location of a Service Connection shall be at the discretion of the Superintendent upon consideration of the local topography. If an Owner requests that a Service Connection be installed at a location other than that proposed by the Superintendent, and if the Superintendent approves such alternate location, the Owner shall pay all additional costs associated with installation at that alternate location.

Existing Service Connection

38. The Superintendent may use a previously disconnected Service Connection if the Superintendent considers it appropriate.

Two Possible Water Mains

39. Where the Water Service to a Parcel is accessible from two or more Water Mains, the Superintendent may determine from which Water Main the connection will be made.

Crossing of Ditches

40. Where drainage ditches front the Parcel, the Service Connection must be installed in an existing driveway or if the Superintendent determines that this not possible, the Owner shall provide a separate crossing of the ditch for the Service Connection, similar to a driveway crossing and complete with an appropriately sized culvert.
41. If a separate crossing is required, the Owner shall be responsible to obtain and pay for the appropriate municipal road use permit and comply with the mandatory inspection process under the Municipality's bylaws.

Size of Connection

42. The maximum size of a Service Connection shall be 38 mm unless the Superintendent requires or approves a larger-sized connection which the Superintendent may do if, in his opinion:
- (a) the Water Service is capable of adequately supplying the Parcel with water for the purpose set out in the application; and
 - (b) the proposed water use will not detrimentally affect the other users of the Water System;

and in all such cases, the Owner must pay the entire actual cost of the Service Connection and the cost of installing a Water Meter, which shall be mandatory in such cases.

Number of Connections

43. Each Parcel shall be limited to one Service Connection except when a separate Service Connection is required for domestic water supply and for interior fire sprinkler purposes, or in the case of a duplex house which shall have separate Service Connections for each Dwelling Unit.

Construction of Service Connection

- 44. No person shall construct or install the Service Connection unless the Superintendent gives the person express written authorization to do that work, in which case the person shall strictly comply with all conditions placed by the Superintendent.

Work on Streets

- 45. No person may undertake work of any kind connected with the Water Service either for the laying of a new or the repair of an old Service Connection, nor any permanent or temporary system for the carrying of water, shall be permitted upon or under the streets by any person other than an employee of the Municipality, without written consent of the Superintendent being first obtained.

On-Site Works Constructed

- 46. No Owner is entitled to a Service Connection until the On-Site Works have been constructed in compliance with this Bylaw.

Municipal Inspection

- 47. An Owner shall ensure that On-Site Works receive municipal inspection prior to connection to the Service Connection.

Placement of On-Site Works

- 48. Every person installing On-Site Works shall:
 - (a) place pipes not less than 60 cm below the surface of the ground or place pipes above the surface of the ground if the pipe is heat-traced and/or frost-protected and British Columbia Building Code approved; and
 - (b) provide proper and sufficient protection for any pipe which may be exposed to frost or sunlight.

Shut-Off Valves

- 49. Every person installing On-Site Works shall:
 - (a) supply and install a shut-off valve within the On-Site Works to the satisfaction of the Superintendent;
 - (b) supply and install a separate shut-off valve at the base of every outdoor standpipe located on the Parcel; and
 - (c) supply and install a shut-off valve upon entering any building.

Standard of On-Site Works

- 50. Every person shall ensure that all On-Site Works, including taps, fittings and other appurtenances, are installed and connected in accordance with the applicable provisions of the Building Bylaw, the British Columbia Building Code, the Master Municipal Construction Documents, and good engineering practice.

Fittings

51. Any fittings required to join the On-Site Works to the Service Connection shall be the Owner's responsibility.

Pressure Devices

52. Every Owner shall install, within the On-Site Works, a pressure relief device and a pressure reducing valve for the purpose of preventing damage due to pressure fluctuations in the Water Service.

Location of Pressure Devices and Valves

53. The Owner shall mount the pressure relief device and the pressure reducing valve, between the Water Meter and water fixtures, either within a building or within another chamber on the Parcel, in such a way as to ensure that the device and valve are accessible for servicing and replacement by the Owner.

Pressure Booster Systems

54. Where any Parcel experiences low water pressure, the Owner may, at the owner's expense, install and maintain a pressure booster system in accordance with this Bylaw.

Approved Plans

55. Plans and specifications for the pressure booster system must be approved by the Superintendent before installation by the Owner.

Inspection of System

56. Within two (2) days of completion of a pressure booster system, the Owner shall notify the Superintendent in writing that the system is ready for inspection.

Approval of System

57. No person shall operate a pressure booster system until such time as the Superintendent has given approval in writing for such operation.

Pressure Testing On-Site Systems

58. Where a Water Meter 25 mm or smaller has been installed or approved for installation, the On-Site Works must successfully be tested to 1 ½ times the pressure measured at the Service Connection.
59. Where a Water Meter larger than 25 mm has been installed or approved for installation, the On-Site Works must successfully be tested to the pressure specified by the Superintendent.

Conduct of Pressure Testing

60. The Owner must have a plumbing professional perform the pressure testing required by sections 58 and 59 and provide the Municipality with written confirmation of the test

results, or alternatively, if the Owner signs the Municipality's release of liability agreement form and pays the applicable fee set out in the Fees and Charges Bylaw, the Owner may request the Municipality to perform the pressure-testing of the pipe from the Curb Stop to the first shut-off valve within a dwelling unit or building.

Air Conditioners

61. No person shall install, or allow to be connected to, or obtain water from the Water Service, any air conditioner or cooling equipment that uses water as a once-through cooling agent and that then discharges the water to waste. Owners may only use municipally-supplied water for air conditioners or cooling equipment that recirculates water and maintains it in a closed system.

PART 9 – CONNECTION FOR FIRE SPRINKLER SYSTEM ONLY

No Use of Water for Other Purpose

62. Water connections provided solely to supply a fire sprinkler system must not be used for any other purpose.

Connection Charge

63. Before connecting to the Water Service solely to supply a fire sprinkler system, the Owner shall pay the connection fee set out in the Fees and Charges Bylaw.

Approval

64. All works installed on a Parcel for the sole purpose of a fire sprinkler system must be approved by the Superintendent.

Testable Backflow Device

65. Notwithstanding Part 10 of this Bylaw, an Owner may connect to the Water Service for the sole purpose of supplying water to a fire sprinkler system without a Water Meter. The Owner, at the Owner's expense, must install a testable backflow device at a location approved by the Superintendent.

“Tattle Tale” Meter

66. If, in the opinion of the Superintendent, the water from the Water Service might be used or has been used for other than fire sprinkler purposes, the Superintendent may instruct the Owner to install at the Owner's expense, a meter that indicates whether water is being drawn for any purpose other than fire sprinkler purposes (a “Tattle Tale” meter).

PART 10 – WATER METERS

Water Meter Required

67. Unless there is an exemption in this Bylaw, no person may connect to the Water Service unless a Water Meter is installed.

Water Meter Size and Supply

68. Municipal-approved Water Meters 25 mm or smaller, together with remote reading equipment and strainer, will be installed by the Municipality within the Service Connection, at the Curb Stop, upon issuance by the Municipality of a Service Connection permit. The cost of a municipal-supplied Water Meter and installation is included in the connection fee.
69. The Owner shall be responsible to supply and install, at the Owner's expense, Water Meters larger than 25 mm, together with remote reading equipment and strainer, and general Water Meter assembly specifications provided by the Superintendent must be followed.

Location of Water Meter

70. If a Parcel is connected to the Water Service for the purpose of providing domestic water supply, and not solely for the purpose of a fire sprinkler system, then the Water Meter shall be located upstream of any fire service use as determined by the Superintendent, generally as close as possible to the Parcel line.

Single Pipe

71. Where an Owner desires to use a single pipe for both domestic water supply and for a fire sprinkler system water supply **(or for both Park Purposes and for a fire sprinkler system water supply)**, the Owner shall provide and install, at the Owner's cost, a fire meter approved ULC listed Water Meter assembly to measure all flows, to the specifications approved by the Superintendent, and in that case, the Superintendent may, at his sole discretion, determine if the On-Site Works must be reconstructed and choose an acceptable location for the Water Meter or "Tattle Tale" meter.

(Bylaw Amendment No. 540, 2019)

Maintenance of Water Meters

72. If a 25 mm Water Meter or smaller is rendered unserviceable due to the action, neglect, or carelessness of the Owner or occupant of the Parcel, the Owner shall bear the costs of repair or replacement.

Owner Responsibility

73. The Owner shall at the owner's expense maintain, repair and replace all Water Meters greater than 25 mm.

PART 11 - CONTAMINATION, CROSS-CONNECTION AND BACKFLOW PREVENTION

Prohibition

74. No person shall connect, cause to be connected, or allow to remain connected to the Waterworks, any piping, fixture, fitting, container or appliance in any manner which under any circumstances could allow water, waste water or any harmful liquid or substance to enter the Municipality's water supply system or source of water supply.

Owner Responsibility

75. It is the responsibility of the Owner to advise the Municipality if a condition under section **78** exists and to take appropriate action to discontinue this connection or contact the Superintendent to take necessary action.

(Bylaw Amendment No. 540, 2019)

Owner Required to Remedy

76. Where any piping, fixture, fitting, container or appliance is connected to the Waterworks contrary to section **78**, or where the Superintendent determines that a condition exists which could result in water, waste water or any harmful liquid or substance entering the Waterworks or the Municipality's source of water supply, the Superintendent may give notice to the Owner of the Parcel or other responsible person to remedy the condition to the satisfaction of the Superintendent within ninety-six (96) hours of such notice, or such lesser period of time as may be specified.

(Bylaw Amendment No. 540, 2019)

Backflow Device Required

77. Where in the opinion of the Superintendent, there is a risk that water, waste water or any harmful liquid or substance could enter the Municipality's water supply system or source of water supply, the Superintendent may, as a condition of providing a Service Connection to any Parcel, require the installation of Backflow Preventer Device both on the pipe used in serving the Parcel and on the water piping at the source of the potential contamination.

Testing of Backflow Devices

78. Every testable Backflow Preventer Device installed pursuant to this Bylaw shall be tested by a Backflow Preventer Device Tester-Certified person upon installation and annually, or more often if required by the Superintendent and, within thirty (30) days of such test, the Owner of the Parcel or person being provided with the Water Service shall deliver to the Superintendent a report prepared by the Backflow Preventer Device Tester-Certified person, in a form acceptable to the Superintendent, describing the condition of the testable Backflow Preventer Device.

Failure to Test

79. Where an Owner or a person being provided with Water Service fails to deliver the report referred to in section **78** annually or otherwise as required by section **82**, or where a report referred to in section 78 provides that a Backflow Preventer Device is not in proper working condition, upon notice from the Superintendent, the Owner or the person being provided with the Water Service shall either:

(Bylaw Amendment No. 540, 2019)

- (a) deliver the missing or omitted report to the Superintendent no later than seven (7) days after the date of the Superintendent's notice; or
- (b) cause the testable Backflow Preventer Device to be repaired or replaced within ninety-six (96) hours, or such lesser period as may be specified by the Superintendent, and deliver to the Superintendent, within forty-eight (48) hours following the repair or replacement, a written report prepared by a Backflow Preventer Device Tester-Certified person, in a form acceptable to the

Superintendent, certifying that the testable Backflow Preventer Device has been repaired or replaced and is in proper working condition.

Testing Record Tag

80. A Backflow Preventer Device testing record tag must be attached to all Backflow Preventer Devices for documentation of the tester's inspections and tests. No person may remove a testing record tag from a testable Backflow Preventer Device.

PART 12 – OWNER'S MAINTENANCE OBLIGATIONS

Pressure Devices and Valves

81. The Owner shall be responsible for the maintenance, repair or replacement of the pressure relief device and the pressure reducing valve, whether the device or valve is located within a dwelling, building or a chamber located elsewhere on the Parcel.

Maintenance Responsibility

82. Every Owner shall:
- (a) keep their On-Site Works and any Private System in good order and repair;
 - (b) protect their On-Site Works from frost;
 - (c) prevent leakage and waste of water;
 - (d) prevent contamination, backflow and any threat to public health; and
 - (e) prevent noises, pressure surges or other disturbances which may result in annoyance to other persons, damage to other person's private plumbing or Parcel, or damage to the Waterworks.

Leaks

83. Where the Municipality suspects there is a leak on a Parcel, the Superintendent may notify the Owner and, within forty-eight (48) hours of receiving notice, the Owner shall investigate and make or cause to be made all necessary repairs or alterations to the satisfaction of the Superintendent.

Repairs

84. The Municipality shall not reconnect water service to the Parcel until all necessary repairs or alterations have been completed to the satisfaction of the Superintendent, and all applicable disconnection and reconnection charges set out in the Fees and Charges Bylaw have been paid.

PART 13 – WATER USE RESTRICTIONS

Water Restrictions

85. If the Municipality has given notice of a water restriction level by public newspaper, then no person shall use water from the Water Service for an activity listed in the excerpt from the Metro Vancouver Drinking Water Conservation Plan (the "Plan") attached as Schedule "A" to this Bylaw, unless the water is used in accordance with the restrictions

specified for that activity under the Plan for the water restriction level announced by the Municipality.

(Bylaw Amendment No. 516, 2018)

Exception for New Lawns

86. Notwithstanding section 85 and any water restriction imposed by the Municipality, where a lawn is newly seeded or sodded, a person may obtain a Sprinkling Permit from the Municipality to carry out sprinkling of the new lawn, upon payment of the applicable daily fee set out in the Fees and Charges Bylaw.
87. That properties with confirmed evidence of the application of nematodes are exempt from the enforcement of a provision of the Village of Belcarra Waterworks Bylaw No. 456, 2012 specific only to the Greater Vancouver 2011 Water Shortage Response Plan lawn watering restriction. (June 29, 2015)

PART 14 – REMOVAL OF SERVICE CONNECTION, DISCONNECTION AND RECONNECTION

Service Disconnection and Reconnection

88. If for any reason a person applies for:
 - (a) a temporary or permanent disconnection of the On-Site Works from the Water Service, or
 - (b) a reconnection of the On-Site Works to the Water Service,the person shall pay the disconnection or reconnection fee set out in the Fees and Charges Bylaw.

Removal of Service Connection

89. Where an Owner applies to the Municipality for a permit to demolish a building with a Service Connection fifteen (15) years or more in age, the Owner must apply to the Municipality for a permanent disconnection and removal of the Service Connection at the time of demolition and pay the Disconnection Fee and Removal Fee set out in the Fees and Charges Bylaw; and if a new building is to be constructed on the Parcel, the Owner must apply to the Municipality under this Bylaw for a new Service Connection.

PART 15 – FIRE HYDRANTS

Use of Public Hydrants

90. No person, except employees of the Municipality or the Fire Department in the course of their regular duties, shall open any Public Hydrant, standpipe or valve, or use water from it, without first obtaining a Public Fire Hydrant use permit and paying the daily fee for use of the Public Hydrant as set out in the Fees and Charges Bylaw.

Insurance Requirement

91. Before being entitled to issuance of a Public Fire Hydrant use permit, the applicant must provide documentary proof to the Superintendent that the applicant has a policy of general liability insurance in an amount of at least \$3,000,000, which policy names the

Municipality as an additional insured, and which is otherwise on terms satisfactory to the Superintendent.

Notice of Connection

- 92. A person applying for a Public Fire Hydrant use permit will not be entitled to installation of the connection to the Public Hydrant by the Municipality for a minimum of two (2) working days from the time of the application.

Reconnection Fee and Additional Daily Fee

- 93. If the holder of the Public Fire Hydrant use permit requires an extension of the permit, the permit holder must notify the Municipality at least one (1) full working day prior to the expiry date of the permit and if not, the permit holder must pay the additional reconnection fee set out in the Fees and Charges Bylaw, and in either case, the permit holder must pay to the Municipality additional daily fees for the extension time, as set out in the Fees and Charges Bylaw.

Water Usage Payment

- 94. The holder of a Public Fire Hydrant use permit must also pay to the Municipality the metered rate, as set out in the Fees and Charges Bylaw, for each measure of water, as measured by the meter attached to the usage assembly.

Provision of Security

- 95. At the time of issuance of a Fire Hydrant use permit under section 90, the permit holder shall deliver security to the Municipality by way of certified cheque or letter of credit in the amount set out in the Fees and Charges Bylaw and if the permit holder should fail to keep the Public Hydrant, standpipe, hose connection or usage assembly in good repair, or any of these should be stolen, lost or damaged in any way, the permit holder must replace it at his own cost and if he fails to promptly do so, the Municipality may use the security to repair or replace the Public Hydrant as necessary.

Opening of Hydrant

- 96. The Public Hydrant, standpipe or hose connection must be opened by the Municipality's employee and must not be opened by the permit holder.

Public Safety

- 97. The holder of a Public Hydrant use permit shall be fully responsible for the safety of the public and those working on the project, and the permit holder shall employ a prime contractor who is skilled in the work assigned and the permit holder must comply with the WorkSafe / Worker's Compensation Act and Occupational Health Systems Regulations.

Inspection/Water Consumption Fee

- 98. At the completion of the permit holder's use of the Public Hydrant, the permit holder shall pay the inspection fee set out in the Fees and Charges Bylaw and any water consumption fee under section 94, and should the permit holder fail to do so promptly, these fees may be deducted from the security provided by the permit holder under section 95.

Construction Use of Public Hydrant

99. No Owner, contractor, builder or other person shall use water from a Public Hydrant for building purposes, unless it is the metered service to the Parcel where the construction is taking place and the Public Hydrant is fitted with an approved Backflow Preventer Device.

Termination of Hydrant Permit

100. Where a Public Hydrant use permit has been issued under section 90, the Municipality reserves the right to terminate such permit and the use of the Public Hydrant, standpipe or valve, at any time, for any reason, without liability for damages of any kind which may arise as a result of such termination and without return of any portion of the fee.

Application for Private Hydrant

101. Any person desiring a Private Hydrant shall make written application to the Superintendent for approval.

Approved Plans for Private Hydrant

102. Plans and specifications for the Private Hydrant must be approved by the Superintendent before installation by the Owner.

Construction of Private Hydrant

103. Construction of the Private Hydrant shall be at the Owner expense and shall strictly comply with all conditions placed by the Superintendent.

Inspection of Private Hydrant

104. Upon construction completion of the Private Hydrant, the Owner shall notify the Superintendent in writing that the Private Hydrant is ready for inspection.

Approval of Private Hydrant

105. No person shall operate a Private Hydrant until such time as the Superintendent has given approval in writing for such operation.

Servicing of Private Hydrant

106. Private Hydrants are to be maintained by the Owner, and the Owner shall cause each Private Hydrant to be serviced and the supply line flushed annually by a certified technician.

Delivery of Servicing Proof

107. The Owner must present each year to the Municipality and Fire Department, on or before June 1, proof of the service required under section 106, in the form of a written certification by the technician that the Private Hydrant has been serviced within the current year.

Municipal Servicing

108. If an Owner fails to present the certificate of service required under section 106 by June 1, the Municipality may arrange to have the Private Hydrant serviced and the Owner shall pay the Private Hydrant service charge set out in the Fees and Charges Bylaw.

PART 16 – ENFORCEMENT

Right of Entry

109. The Owner and the occupier of every Parcel shall at all reasonable times allow:

- (a) Superintendent of Public Works;
- (b) members of the Municipality's Public Works Department; and
- (c) agents of the Municipality authorized in writing by the Superintendent

to enter into or upon any Parcel (including within any building or structure) to inspect the Parcel, the On-Site System, any Private System, the Water Meter location, Water Meter connection and bypass facilities and to inspect for actual or potential leakage or contamination of water or to determine compliance with the provisions of this Bylaw.

Discontinuation of Water Supply

110. Subject to section 112, the Superintendent may disconnect the water supply to any Parcel in response to a:

- (a) contravention of any of the provisions of this Bylaw;
- (b) failure to maintain the On-Site Works in good condition without any leaks; or
- (c) non-payment of fees or other charges when due;

if the registered Owner fails to remedy the contravention, failure or non-payment after receiving thirty (30) days written notice from the Superintendent.

111. Subject to section 112, if an Owner or a person being provided with Water Service fails to comply with the requirements of section 79 of this Bylaw in the time required, the Superintendent may disconnect the water supply to the Parcel if compliance with section 79 is not achieved after the registered Owner receives ten (10) days written notice from the Superintendent.

112. If a registered Owner receives a notice under section 110 or 111, that person may make oral or written representations to Council at the next Council meeting provided that the meeting is held at least five (5) days after the notice is given.

113. The Superintendent shall not disconnect the water supply before the Council meeting referred to under section 112 if the next Council meeting is held after the notice period expires.

114. Notwithstanding section 113, if the owner who has been given notice under section 110 or 111 fails to make oral or written representation to Council at the next Council meeting referred to under section 112, the Superintendent may disconnect the water supply to the Parcel upon expiry of the notice period in section 110 or 111.

115. The Superintendent may refuse to turn on or reconnect a disconnected water supply until all necessary repairs have been completed to the satisfaction of the Superintendent and all applicable charges, including any charges for disconnection, reconnection and connection, have been paid.
116. Nothing in sections 110 and 111 prevents the Superintendent from temporarily disconnecting a water supply in reasonable response to an emergency situation.

Direct Action by Superintendent

117. The Superintendent may remove or cause to be removed, any objects obstructing the Waterworks, and the Municipality may claim from the person or Owner, the costs for removal.

Offences and Penalties

118. No person shall do any act or thing or permit any act or thing to be done in contravention of any permit issued pursuant to this Bylaw.
119. No person shall do any act or thing or permit any act or thing to be done in contravention of this Bylaw.

The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

(Bylaw Amendment No. 519, 2018)

120. 124.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.
121. (Bylaw Amendment No. 519, 2018)
125. The penalties imposed under section 121 shall be in addition to and not in substitution for any other penalty or remedy that the court may impose under this Bylaw, another bylaw, or an enactment.

Severability

126. The provisions of this Bylaw are severable. If for any reason any portion of this Bylaw is held invalid by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining provisions of this Bylaw.

READ A FIRST TIME this 17 day of September, 2012.

READ A SECOND TIME this 17 day of September, 2012.

READ A THIRD TIME this 17 day of September, 2012.

ADOPTED by the Council this this 19 day of September, 2012.

Ralph E. Drew

Mayor Ralph E. Drew

Lynda Floyd

Lynda Floyd
Chief Administrative Officer

This is a certified a true copy of
Village of Belcarra Waterworks
Bylaw No. 456, 2012

Chief Administrative Officer

SCHEDULE "A"

Excerpt From Metro Vancouver Drinking Water Conservation Response Plan

dated November 1, 2017

(Amended as per Bylaw 516, 2018)