

DISTRICT OF SALMON ARM

BYLAW NO. 1274

A bylaw for the regulation of the waterworks and water supply and rates

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WHEREAS it is expedient that provision should be made for regulating the rates, conditions and terms upon which water may be supplied by the Corporation to its inhabitants;

NOW THEREFORE the Council of the District of Salmon Arm, in open meeting assembled, enacts as follows:

1. This bylaw may be known and cited for all purposes as the “Salmon Arm Water Rates and Waterworks Regulation Bylaw, 1978”.

2. In this bylaw, unless the context otherwise requires:

“Corporation” means the District of Salmon Arm.

“Council” means the Municipal Council of the District of Salmon Arm.

“Boundary” means the street line of a property as shown by registered plan or legal description.

“Waterworks” means the waterworks system, now or hereafter constituted, of the District of Salmon Arm.

“Service” means the supply of water from the waterworks to any person, firm or corporation and all pipes, taps, valves, connections and other things necessary to or actually used for the purposes of such supply.

“Meter service” means a service having attached thereto a meter for determining the quantity of water supplied by the service.

“Household” means a group of persons who dwell as a family under one roof.

“Consumer” means any person, firm or corporation supplied with water from the waterworks.

“Rate” means the price or sum of money to be paid by any owner or any consumer

either for the quantity of water supplied to him as measured by a meter or for a service to his premises for a stated period.

“Farm” means any property on which 5 or more horses or cattle, or 25 or more sheep, or 500 or more fowl are kept, but shall not include Abattoirs and Slaughterhouses.

“Superintendent” means the Superintendent of Works or such other officer for the time being in charge of the waterworks.

“Irrigation” means the sprinkling or pouring of water by means of pipe, hose, water pot, irrigation ditch or flume upon or under the surface of the ground from the water supply mains of the District of Salmon Arm.

3. The provision of this bylaw shall govern the supplying of water from the waterworks to the inhabitants of the Corporation.
4. All applications for the laying of service pipes or the turning on or off of water to or from any premises shall be made in writing signed by the owner of the premises, or his duly authorized agent.
5. Every consumer who uses an unnecessary quantity of water or allows water to run to waste either by permitting leaky pipes to remain unrepaired, or by any other means, or who shall vend, give or dispose of any water to others than the persons of his household or who shall allow any other person to vend, give or dispose of water from the works in such manner or to practice any deception upon the Council or its agent with a view to obtaining a supply of water greater than he should be reasonably expected to have according to the terms of his application, or who should by any device, use a greater amount of water than can normally and reasonably be expected, shall be guilty of a breach of this bylaw.
6. No consumer shall use, or permit the use of, any service, for the purpose of cooling premises or products.
7. It shall be unlawful for any consumer to use any service as motive power for the purpose of operating machinery of domestic apparatus.
8. No person shall obtain water from a watermain by means other than a metered connection for the purpose of serving any commercial or industrial establishment, or farm, provided however that nothing in this section shall apply to the fighting of fires.

9. The Council may refuse to supply water to any consumer or to any premises otherwise than by a meter service and every meter shall be placed in position by the employees of the Corporation, who shall have free access to the premises for such purposes and for the inspection of meters and other things connected with the service; provided that no employee of the Corporation shall demand access to the premises at unreasonable hours or shall damage any property or be guilty of any improper or offensive conduct while upon the premises.
10. All applications for the turning on or the turning off of water must be in writing, signed by the owner or his agent, and must be delivered at the office of the Superintendent in time to give five [5] days after such application and the owner shall be liable for the full amount of the water rates chargeable for the service up to the expiration of five [5] days after such application for the turning off of water has been delivered at the office of the Superintendent.
11. Repealed by Bylaw No. 2057.
12. The domestic water supply shall not be used for irrigating of parcels of land in excess of 1/2 acre.
13. All persons shall keep their service pipes, stop cocks and other fixtures on their own premises in good order and repair and protected from frost and injury at their own expense, and when a house is vacated, the stop and waste cock on the inside of the property shall be turned off and a tap opened for a vent.
14. No device designed to introduce another substance into the water in the connection between the building and the Municipal main shall be installed unless a permit is obtained from the Superintendent, who shall insure that the device is designed and installed in such a manner that a dangerous dosage of such substance cannot be introduced in the Municipality's water mains. If after installation of such device, the Municipal water main system is changed so that the device might become dangerous, such device shall be removed by order of the Superintendent.
15. Every person to whom water is supplied under this bylaw shall at all reasonable times, allow, suffer and permit the Superintendent or any person authorized by him for such purpose [either generally or in any particular instance] to enter into and upon the premises in respect of which such water is supplied for the purpose of inspecting the same, and the water pipes, connections, fixtures, taps, meters and any other apparatus used in connection with such water supply.
16. The Superintendent or any other person appointed by the Council may make

personal inspection of all pipes and taps used for distributing water in any building or premises to check for leaks or defects in such taps or pipes. It shall be unlawful for any person to make any alterations, additions, extensions or new branches to the existing water service on any premise without first making application to the Corporation and obtaining a permit therefore. It shall be unlawful for any person to cover up any alteration, additions, extensions or new branches to the existing water service on any premises until same has been inspected by the Superintendent or duly authorized employee of the Corporation.

17. No person, except the duly authorized agent of the Corporation shall in any way interfere with any hydrants, valve, stop cock, pipe or other waterworks appliances outside of his own premises, nor shall he interfere in any way with any meter or pipe leading to such meter, whether inside or outside of his premises, nor shall he make any addition or alteration to the water service in the street or road, nor make any connection with the water mains, or turn off or turn on any Corporation stop cock.
18. Every consumer having meter service shall pay for the full amount of water as registered by the meter according to the rates applicable to the service and no deduction shall be allowed on account of any waste of water.
19. The Corporation shall not be under any liability to furnish a continuous or any supply of water to any premises. The Corporation shall not be liable for the failure of the water supply in consequence of any action or damage to the works or because of any temporary stoppage thereof on account of alterations or repairs or on any account whatever, whether such failure arises from the negligence of any person in the employ of the Corporation or otherwise howsoever; but in the event of such failure or stoppage continuing for a period of more than ten [10] consecutive days, an equitable reduction will be made on all rates for services affected thereby. It shall be lawful for the Corporation, without notice, to decrease the supply or use of any water to any building or premises where it is deemed to be advisable.
20. The Superintendent of Works is hereby authorized from time to time to fix certain hours during which it shall be unlawful to sprinkle, irrigate or to otherwise use in any manner whatsoever, the water supplied by the District upon any lawns, gardens, yards, fields, orchards or any other specified places whatever. Any order of the Superintendent of Works so fixing hours shall be placed before the Council at its next regular meeting, when the Council may confirm, alter or cancel it. No water shall be used during such prohibited hours for such purposes unless and until a permit in writing has first been obtained from the Superintendent of Works, applications for which shall be made in writing. Such permit shall be in such form as the Superintendent of Works may determine and

shall be conspicuously exhibited upon the premises in respect whereof it is issued. In case of a water shortage or other emergency, the Superintendent of Works shall have the power to restrict the use of water; notice of the restriction on the use of water shall be given by radio announcement or by such other immediate means as the Superintendent of Works may decide upon. Provided always that notice confirming the said restriction shall be given in the issue of the local newspaper following the date of restriction. Whenever it is found that any person is using water supplied by the District upon lawns, gardens, yards, fields, orchards, or any other specified places whatever during times fixed as prohibited by the Superintendent of Works, the supply of water may be turned off without notice and shall not be again turned on until the fee hereinbefore prescribed has been paid.

21. The Superintendent of Works is hereby authorized to suspend or stop the supply of water to any or all customers or to limit the hours for using the same when repairs or alterations are required or when he deems it necessary in the public interest.
22. The several rates enumerated in Schedules "A" and "B" annexed hereto, which said schedules are hereby incorporated herewith and made part of this bylaw, are hereby imposed and shall be charged, levied and collected by the Corporation for water supplied from the waterworks to any premises within the limits of the Corporation and shall be paid to the Collector of the Corporation by the owner of the premises on which the water is supplied or used.
23.
  - (a) The rates set out in Schedule "A" shall be billed to flat rate users annually in advance, and shall be due and payable on the 30<sup>th</sup> day of April. A penalty of 10 per centum shall be charged on any rates remaining unpaid on the 2<sup>nd</sup> day of July.
  - (b) The minimum rates and metered consumption rates set out in Schedule "B" shall be billed to metered users bi-monthly and shall be due and payable on the 15<sup>th</sup> day of the month following the month billed, after which date a penalty of ten per centum (10%) shall be charged.
  - (c) The Collector shall allow a discount of 10 percent on annual payments, whether payment is made in full or part, on or before the 15<sup>th</sup> day of February for the current calendar year, on flat rates provided in the Fee for Service Bylaw as amended from time to time.
24. In case of new applications for service other than meter service, or application for resumption of service, the applicant shall be allowed a reduction or rebate for the then current year appropriate to the part of such year which has expired at the date of application and such rate shall not have a penalty imposed thereon for non-

payment for six weeks after the new application or resumption of service has been made.

25. (a) The Corporation shall have the right at any time to substitute a meter service in lieu of an ordinary service to any premises; and when this is done meter rates will be payable from the time such meter is installed.

(b) Any person liable for rates for usage of District water shall be liable for the continuing and accruing rates therefore until he has given written notice to the Clerk of his desire to discontinue using such water and a charge shall be made up to the date of receipt of such notice.

(c) Notwithstanding any provisions herein contained, all accrued and unpaid rates outstanding on the 31<sup>st</sup> day of December shall constitute a charge or lien upon the land or real property upon or in respect of which the same is imposed.

26. The applicable sections of the Fee for Service Bylaw shall come into full force and effect on the date of adoption of this bylaw.

27. (a) Every person, firm or corporation who violates any of the provisions of this bylaw, or who causes, suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw, or who carries out or who suffers, causes, or permits to be carried out any work in a manner prohibited by or contrary to any of the provision of this bylaw or who fails to comply with any order, direction or notice given under this bylaw shall be deemed to be guilty of an offence against this bylaw and shall be liable to the penalties hereby imposed.

(b) Every person, firm or corporation violating any provisions of this bylaw shall be liable on summary conviction to a fine of not more than Five Hundred Dollars [\$500.00].

Further provided that if the fine levied is not paid as ordered, the Provincial Judge before whom the prosecution was had, may cause the fine to be levied by distress and sale of the goods and chattels of the offender and if a said distress and sale fails to satisfy the said fine, the Judge may commit the offender, not being a firm or corporation, to imprisonment for any period not exceeding thirty [30] days.

(c) A separate offence shall be deemed to be committed on each day during or

on which a violation occurs or continued.

28. "Salmon Arm water Rates and Waterworks Regulation Bylaw" No. 1075 and amendments thereto are hereby repealed.

READ A FIRST TIME THIS 23rd DAY OF October 1978

READ A SECOND TIME THIS 23rd DAY OF October 1978

READ A THIRD TIME THIS 23rd DAY OF October 1978

ADOPTED BY COUNCIL THIS 11th DAY OF December 1978

"Margaret Lund"

MAYOR

"F.W. Spence"

CLERK

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