

KEMP LAKE WATERWORKS DISTRICT

BYLAW NO. 154

A bylaw regulating the distribution and use of water and prescribing penalties for non-compliance with the regulations.

The Trustees of Kemp Lake Waterworks District ENACTS AS FOLLOW:

1. DEFINITIONS

In this bylaw:

- (1) "District" means the Kemp Lake Waterworks District.
- (2) "District's system" means the water distribution system including all works owned and operated by the District.
- (3) "Service Connection" shall mean the pipeline installation from the District's main to the property line of the property to be served, when such property line coincides with the established road allowance.
- (4) "service pipe" shall mean the pipeline installation from the property side of the meter check valve at the property line to the premises of the owner.
- (5) "Standards" means the Design Standards, Engineering Specifications and Standard Drawings of the District.
- (6) "swimming pool" shall mean an artificially created body of water having a depth of 18" or more used for recreational or physiotherapy purposes.
- (7) "trustees" means the trustees of the District or their duly authorized representatives.
- (8) "water" shall mean water conveyed through the works operated or maintained by the District.
- (9) "works" means any structures, including pipes, and all attachments, fittings, fire hydrants, service connections, meters and facilities for the storage, supply, conveyance, treatment and distribution of water.

2. SERVICE CONNECTIONS

- (1) The type and size of service connection and the arrangement of valves and other appurtenances required to regulate the water shall be in accordance with the Standards of the District.
- (2) Where an applicant for a water service requires a quantity, pressure or type of service in excess of that which can be supplied from the works, the District may

require the said applicant to pay for all or part of any works considered necessary to augment system capacity in order to meet the water requirements. Alternatively, the said applicant may be required to make a capital contribution towards the future provision of such works. Applicants considered under this section may be required to enter into a formal agreement with the District regarding the special terms and conditions under which water is supplied.

- (3) The Trustees or their designate shall undertake the construction of any works required.

3. CHANGE OF OWNER

No agreement between the owner of premises and the District with respect to water service to those premises may be transferred to another owner. New owners of premises shall apply in writing to the District for water service and receive permission before they commence to use water. The owner is responsible for all tolls regardless of whether the property is rented or not.

4. TURN ON AND TURN OFF

- (1) Consumers who wish to have their water service discontinued shall give the District fourteen (14) days notice. The service shall be cut off at the end of the month succeeding the notice of termination. Before the service is again renewed, the owner, tenant or occupant shall pay to the District the prescribed turn-on charge for the renewal of the service.
- (2) The District may order the water be turned off to any premises where tolls have been owing for ninety (90) days or longer

5. DISTRICT'S WORKS

- (1) No person except the Trustees or their designate shall open, shut, adjust, draw water from or tamper with any of the District's works.
- (2) No person shall obstruct at any time or in any manner the access to any meter, hydrant, valve, stop-cock or other fixture connected with the District's works, and should any person so obstruct access to any said fixture by allowing accumulation of surface water around it or by placing thereon or near thereto any structure or material, the Trustees may remove such obstruction at the expense of the offending person.
- (3) When a landowner requests that any of the District's works situated within an easement in favour of the District be moved or relocated, the entire cost of moving or relocating the said works shall be borne by the landowner unless other arrangements are agreed upon in writing by both parties.

6. WORKS ON PRIVATE PROPERTY

- (1) No person to whose premises water is supplied shall make, or permit to be made, any additional connection to his service of either temporary or permanent nature,

for the purpose of supplying water to another building, or house trailer on his, or any other property without permission of the District.

- (2) No person shall interconnect any portion of works on private property, which are supplied by the District with an external source of water, such as a well, except with written permission of the District. Wherever works on private property which are supplied by the District are connected to a body of contaminated water, such as a swimming pool, in such a way that, if a reverse flow were to be induced, a health hazard could result, the owner of the private property shall install and maintain a back-flow preventer on every such potentially dangerous cross-connection to the approval of the District.
- (3) No change or addition to the number or type of fixtures on a premise, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the Trustees and written permission therefor obtained. Any extra charge or higher toll payable due to the change or addition shall be paid before the change or addition is commenced.
- (4) No person shall use or permit the use of any pump or other device for the purpose of, or having the effect of, increasing the pressure in any pipe without the written permission of the Trustees, whether such pipe forms part of the District's works or of the works on the said person's premises. The District may, without notice, discontinue service to any person employing such pump or other device.
- (5) No device designed to introduce another substance into the water in the connection between the building and the water supply main shall be installed without written permission of the Trustees who, in consultation with the health inspector, shall ensure that the device is so designed and installed that such substance cannot be introduced into the District's works.
- (6) The property owner shall be responsible for the safekeeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the District's meter/check valve, curb stop or standard waterworks valve at his property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky or imperfect pipes or fixtures.
- (7) No reduction in rates shall be allowed on account of any waste of water unless the Trustees are satisfied that such waste arose from an accident to the pipes or fittings on the consumer's premises arising from some cause beyond his control and that the consumer used all reasonable diligence to stop such waste.

7. WATER USE REGULATIONS

- (1) Where, in the opinion of the Trustees, the quantity of water being used or the rate which it is being used from time to time, through any service is in excess of that contracted for or otherwise considered adequate, the District may take such measures as are considered necessary to limit the supply to said service. These

measures may include the installation of a meter, partially closing the controlling curb stop or standard waterworks valve, regulating the rate and time at which water may be used, and establishing special charges for water used in excess of a stipulated quantity or rate. The cost of any measures deemed necessary by the District under this section shall be paid by the owner or owners concerned.

- (i) The Trustees may limit the amount of water used by any service in the interests of efficient operation of the District's works and equitable distribution of water.
- (2) The Trustees may, at any time, substitute a metered service for an unmetered service to any premises. All meters shall be the property of the District.
- (3) No owner or occupant of any property supplied with water by the District shall sell, dispose of, or give away water, or permit the same to be taken away or applied for the benefit of other persons or properties, except by permission of the Trustees.
- (4) No person shall use water for watering livestock, filling of swimming pools or reservoirs, or for any purpose other than that required for normal domestic use, except by written permission of the Trustees, which shall state the purpose, time of use and quantity of water to be used and additional charges, if any, and any special works required to be altered or installed.
- (5) No person shall use any service as motive power for the purpose of operating machinery without permission of the Trustees, who may terminate or withdraw such permission at any time.
- (6) The Trustees may, at any time, introduce regulations restricting the use of water for sprinkling or any other purpose. Upon receiving due notice of such restriction, no person shall use water for the purposes forbidden by, or in excess of the limits imposed by, such restrictions. Due notice of restrictions shall be given either by publication in a newspaper circulating within the District or by mail.
- (7) Notwithstanding the lack of, or limited form of, sprinkling regulations as herein before provided, no person shall, without permission of the Trustees:
 - i) Use water for sprinkling in excess of reasonable requirements; or
 - ii) Use more than two outlets at one time for sprinkling purposes, neither of which said outlets shall exceed 1/2" in internal diameter; or
 - iii) Use an open pipe or hose for sprinkling purposes; or
 - iv) Irrigate more than 1/4 acre of land (including that occupied by dwellings).

8. LIABILITY OF DISTRICT

The District does not guarantee a specific pressure or a continuous supply of water quality to meet the special requirements of individual users. The District reserves the right to interrupt water service at any time for the purpose of making repairs or alterations to the works. If service is planned to be interrupted for more than four consecutive hours, due notice shall be given to those water users affected.

9. PENALTIES

- (1) The Trustees may, on twenty-four hours written notice, turn off the supply of water to any person in default of the requirements of this bylaw. The person in default shall not be entitled to receive any further water from the District until such person has remedied the default. It shall be unlawful for any person whose water has been turned off, pursuant to this section, to turn such water on again, or take any water from the District's works until such time as the Trustees again turn on the water.
- (2) A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.

10. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court, such section, subsection, sentence, clause or phrase may be severed from the remaining portion of this bylaw with the remaining portions of the bylaw remaining valid and of full force and effect.

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1. INSPECTION AND RIGHT OF ACCESS

- (1) The trustees, or their designate shall have right of access to all parts of a person's property or premises at all reasonable times for the purposes of inspecting or testing any works, fittings or appliances related to the use of water, or for the purpose of installing, removing, repairing, reading or inspecting meters, provided that:
 - (a) consent to inspect the property or premises is obtained from the owner or occupier, or;
 - (b) where such consent has been refused, written notice of the intent to inspect is given to the owner or occupier no less than 24 hours prior to the time of inspection.
- (2) No person shall obstruct or prevent a person referred to in paragraph (1) from carrying out any of the provisions of this bylaw.

12. REPEAL

Water Distribution Regulation Bylaw No. 60 is hereby repealed.

13. CITATION

This bylaw may be cited as the "Water Distribution Regulation Bylaw No. 154."

INTRODUCED and given a first reading by the Trustees on the 20th day of October 2004.

RECONSIDERED and finally passed by the Trustees on the 20th day of October 2004.