

THE CORPORATION OF THE VILLAGE OF LYTTON
Bylaw No. 649, 2011

WATER REGULATIONS & CONNECTIONS BYLAW

The Council of the Corporation of the Village of Lytton, in open meeting assembled, enacts as follows:

1. Citation and Repeal:

- 1.1 The Water Regulations and Connections and Rates Bylaw No. 594, 2007 is hereby repealed.
- 1.2 This Bylaw may be cited for all purposes as "The Village of Lytton Water Regulations & Connections Bylaw No. 649, 2011"

2. Definitions

In this Bylaw:

- 2.1 "Backflow" means the flow of water or other fluids in the direction opposite to normal flow.
- 2.2 "Backflow Prevention Assembly" means an backflow preventer that is designed to be tested and repaired in-line and to meet the design and installation criteria requirements of the then current Canadian Standards Association as they relate to backflow prevention devices.
- 2.3 "Connection" shall mean the installation of underground pipes to physically connect the property to the Village water
- 2.4 "Corporate Officer" shall mean the person appointed to that officer by the Mayor and Council of the Village of Lytton.
- 2.5 "Council" shall mean the Mayor and Council Members as elected by the electorate of the Village of Lytton.
- 2.6 "Curb Stop" shall mean the valve connecting the Village water system to the connecting piping leading to the structure located on the real property being supplied with the water connection.
- 2.7 "Disconnection" shall mean the total separation of the property from the Village water service through removal of physical piping.
- 2.8 "Dwelling unit" shall have the same meaning as defined in the Village of Lytton Zoning Bylaw No. 484, 2008, from time to time amended.
- 2.9 "General Water Supply Area" means the portion of the Village which gains their water supply from Lytton Creek and underground water wells within the Downtown area or any future water supply that will be provided through the water distribution system.

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- 2.10 "Inspector" shall mean the Lead hand of the Village or such person as designated by Council from time to time.
- 2.11 "Metered Service" means a water service having a meter or other flow volume measuring device attached thereto.
- 2.12 "Non-metered Service" means a water service not having a meter or other flow volume measuring device attached.
- 2.13 "Owner's Water Line" shall mean the water pipe extending from the property line of the property concerned or the public water line where this is located in an easement through said property, to the building situated thereon, and joining the water connection to the plumbing system at that building.
- 2.14 "Public Water Line" shall mean any water line, water system, or portion thereof used or intended to be used for public use under the control of the Village.
- 2.15 "Turn Off" shall mean the shutting of the valve at the curb stop
- 2.16 "Turn On" shall mean the opening of the valve at the curb stop
- 2.17 "Village" shall mean the Corporation of the Village of Lytton
- 2.18 "Water Connection" shall mean the water pipe extending from the public water line to the property line of the property being served or about to be served. Where the public water line is located in an easement through the property, the public water line shall be deemed to be the property line.
- 2.19 "Water Service" shall mean works and services provided by the Village and include, but not be restricted to:
- Supply of water for consumption and other use
 - Water connection installation, repair or replacement
 - Meter installation
 - Water main extension
- 2.20 "Water System" shall mean all water pipes, fittings, valves, reservoirs, pumps, treatment or purification facilities or fire hydrants within a right-of-way, easement or property under the control of the Village.

3. Regulations:

- 3.1 The maintenance and upkeep of the Village water system is a shared responsibility among all owners of a property within the area of the Village serviced by the water system. therefore, all properties to which a water connection has been made, or could be made due to its lying adjacent to a public water line, shall be liable for the respective fees as shown in the Village Fees and Charges Bylaw, and the registered owners of such property has the

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responsibility for the payment of all rates as listed in the Village of Lytton Fees and Charges Bylaw, as from time to time amended, whether or not the service connection has actually been made or is being used.

- 3.2 No person shall make any connection to the water system owned by the Village or to any water line being supplied with water from the Village water system without first receiving approval from the Village.
- 3.3 No person shall install, place or maintain in any premises any water connection, fixture, or fitting not in accordance with the requirements of this Bylaw.
- 3.4 No person being a property owner, occupant, or tenant of any premises supplied with water by the Village shall sell or dispose of any water or give away or permit the same to be taken away or applied for the benefit of others for use other than on that property, except to those persons provided written authorization from the Village.
- 3.5 All persons shall keep the service pipes, stop cocks, fixtures, fittings on their own property in good order and repair, and protect them from frost at their own risk and expense.
- 3.6 The employees of the Village shall have access to all properties at all reasonable times in which water is delivered and consumed for the purpose of servicing of the public water line and water meters and also ascertaining compliance with this bylaw.
- 3.7 The Public Works Leadhand, or any other authorized municipal employee, shall determine the position of the applicable service pipe or pipes and in doing so, will take into consideration what is practicable and meets the requirements of the applicant.
- 3.8 No person except a duly authorized agent or employee of the Village shall tap or make connection with water service, and no person shall tamper with, destroy, or obstruct the access to any part of the Village's water system or to a water meter. No person, unless authorized by the Village in writing, shall draw water from, open, close, or in any way injure or interfere with any fire hydrant or curb stop being the property of the Village, nor shall any person obstruct the free access to any hydrant through any means whatsoever.
- 3.9 No person shall tap into or make connection with any water line on the owner's property which runs from the property line to the building directly or indirectly without passing through

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a Village approved water meter, nor turn on or off any curb stop or other device which is part of the water system, nor alter or interfere with any service pipe or curb stop or tap, nor make any connection to or turn off or disconnect any water meter. No person shall be allowed to have hose bibs on their property which are not metered and current hose bibs shall be removed or metered at the owner's expense.

- 3.10 A pressure-reducing valve shall be installed on all services at the owner's expense.
- 3.11 All underground service pipes shall not be less than 1.8 meters below the surface of the ground and all other pipes where situated so as to be exposed to frost shall be properly protected so as to prevent freezing.
- 3.12 In the case of any building or premises subdivided into separate units, dwellings or commercial premises, each having its own water service, there shall be provided for each water service a shut-off valve at each entrance of the water pipe service. The shut-off valve shall be of a type that may be sealed or locked, and approved by the Public Works Leadhand or other authorized Village employee. No person may unseal or unlock such shut-off valve without the authority of the Village.

4. Water Meter and Backflow Prevention Assembly

- 4.1 A water meter shall be installed and the Village will require a backflow prevention assembly in all new homes and businesses receiving water from the Village water utility as stipulated by this bylaw. The water meter and back flow prevention assembly shall be installed in accordance with the BC Building Code pertaining to Plumbing Services as amended or replaced. The Village may choose to install a meter in a pit. Such meter pit may be installed on a service within a road right-of-way or on private property adjacent to the road. Such meter pit will remain the property of the Village.
- 4.2 The cost of installing any meter shall be borne by the owner of the premises to which the service is connected. All meters and installation shall be of a type and specification approved by the Village. Meters on private property shall be installed by the owner of the premises and shall be subject to inspection by the Village prior to the Water Service being

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turned on. Meters within the Village's right-of-ways shall be installed by the Village. All meters will remain the property of the Village.

- 4.3 Notwithstanding the degree of annexation of meters in or on any premises, the meters shall not constitute a fixture or improvement to such premises and the meters are and shall remain the property of the Village who shall maintain, repair, and replace, inspect and read the same. If such property is damaged or destroyed, the consumer in or on whose premises the meters have been placed shall pay to the Village the value of the property so damaged or destroyed or the cost of repairing same.

5. Application for Connection:

- 5.1 Application for a water connection shall be made through the Village Office and shall include the completion of an application form similar in content to Appendix "A" of this Bylaw and should be made prior to applying for a building permit. The Corporate Officer must approve the application for water connection prior to work commencing.
- 5.2 All work done by the Village Public Works crew shall be charged to the applicant at cost, as per the Village Fees and Charges Bylaw. If required by the Village the owner shall pay the estimated cost in advance. A request for connection must be made and will be completed within seven (7) working days of the requested date.
- 5.3 Applications for a water service submitted by other than the registered property owner must be accompanied by a letter of consent or authorization from the registered or legal property owner.

6. Disconnection and shutting off:

- 6.1 Any property owner or occupier who desires a disconnection from the water service for any reason shall give to the Village seven (7) days notice in writing, and shall at the same time pay a fee as determined by the Inspector, as per the Village Fees and Charges Bylaw.
- 6.2 Where any service has been turned off or disconnected a fee shall be paid to the Village before the service is resumed, as per the Village Fees and Charges Bylaw. Exceptions to this will be projects/emergencies directed by the Village.

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- 6.3 When a building within the Village is removed or demolished, it shall be the duty of the owner or his agent to immediately make application to the Village office for a permit to disconnect from the Village water system at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Village Fees and Charges Bylaw. The applicant shall be responsible for returning the meter to the Village office in proper working order and shall be responsible for any and all costs incurred by the Village if any repairs are required to restore the said meter to proper working order.
- 6.4 If the owner of any property, or his agent, where the water line has been disconnected, wishes to reconnect to the Village water system, he shall make application to the Village office for a permit to reconnect and shall pay the fee as per the Village Fees and Charges Bylaw. Any adjustments to the fee charged will be made following completion of the reconnection.
- 6.5 Where a property owner or agent will not require water service for a short period and requests the curb service to be shut-off, the owner or agent must request a water turn-off from the Village. A similar request must be made for turn-on, and a fee paid as shown in the Village Fees and Charges Bylaw.
- 6.6 An application in the form of Appendix "A" shall be made prior to any water reconnection. The Corporate Officer may refuse to accept an application for water reconnection to any property if the installation of the service is not to the satisfaction of the Inspector.

7. Infractions and Penalties:

- 7.1 Every person who violates any provision of this Bylaw, or suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to have committed an offense hereof and shall be liable to the penalties imposed.
- 7.2 Further, failure to comply within seven (7) days of receipt of written notice from the Village shall be considered a further offence.

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7.3 Every person who violates any provision this Bylaw shall, in addition to any other penalties herein provided, be liable on summary conviction to a fine of no less than Five Hundred Dollars (\$500.00), but not exceeding Two Thousand Five Hundred Dollars (\$2500.00).

8. Disconnection

8.1 Council reserves the right to shut off the supply of water of any service for emergency repairs or supply shortages or for violation of the regulations in this Bylaw. In case of emergency repairs or supply shortages, shut off can be made without notice. In all other cases The Village shall notify the property owner as specified in section 8.2.

8.2 If an owner tampers with, damages or disconnects a meter, bypasses the meter without Village permission, fails to pay any fee for water under the Fees and Charges Bylaw or tampers with or damages the Village's water service or any other contravention or violation of this Bylaw, then in addition to any other remedy or penalty hereunder, the Village may, on thirty days notice in writing, hand delivered or sent registered mail to the address then on file at the Village Office, shut off water service, and the Owner shall not be entitled to service unless he applies for and obtains permission to turn on the water service. He shall also pay all fees and charges owing.

8.3 Every person who receives a shut off notice under Section 8.2 shall have the right to appeal the impending action to Council during the thirty day notice period. The Village shall provide the owner an opportunity to be heard and make representations to Council, who may then confirm or reverse the shut off order.

9. General Provisions

9.1 The Village shall not be liable for the cost of any work done in connection with any service on private property.

9.2 Property owners and occupiers connected to the Village Water system should at all time conserve water. Council may order restrictions on the use of water from the Village water system for irrigation of lawns and gardens and other non-household use as it deems necessary to preserve water. Notices of these restrictions shall be distributed to all utility customers and shall be posted on the public notice boards in the village.

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- 9.3 The Village shall not be liable for any loss or damage whatsoever, arising from the failure of existing waterworks, water supplied in consequence of any accident or damage to waterworks, malfunction of the water system, or the temporary stoppage of water on account of alterations, repairs, or malfunction of the system, whether such failure arises from the negligence of any person in the employ of the Village or an act of God.
- 9.4 The Village may issue a boil water advisory from time to time. The Village shall not be liable in any way whatsoever as a result of this public health requirement.
- 9.5 If a section, subsection or clause of this Bylaw is held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause.

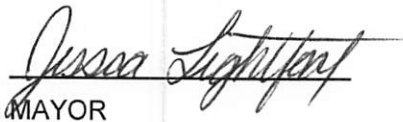
10. Enactment

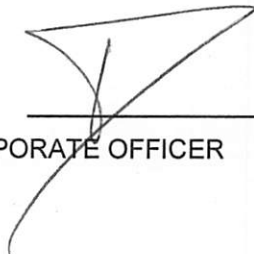
READ A FIRST TIME this 11th day of April, 2011.

READ A SECOND TIME this 11th day of April, 2011.

READ A THIRD TIME this 26th day of April, 2011.

RECONSIDERED AND ADOPTED this 9th day of May, 2011.


MAYOR


CORPORATE OFFICER

APPENDIX "A"

APPLICATION FOR WATER TURN-ON OR CONNECTION AND INSPECTION

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Tax Roll No _____

Application is for the property located at _____ in the Village of Lytton.

I/we hereby apply for a water connection to the address above, pursuant to regulations contained in The Water Regulations and Connections Bylaw and agree to provide the Inspector with additional information as needed, and to pay all required fees.

Installation/turn-on required by (date): _____ Dated: _____

Signature (owner/agent): _____ Phone No. _____

Mailing Address: _____

OFFICE USE:

Approval is hereby given for a water connection to be installed as requested by this application.

Applicant notified on _____ by (Title) _____

(signature) _____, Date: _____

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APPENDIX "B"

APPLICATION FOR WATER TURN OFF OR DISCONNECTION

Tax Roll No. _____

Application is for water turn off/disconnect (circle as applicable):

I herewith apply for a water turn-off/disconnection for the property located at _____
in the Village of Lytton and agree to pay all required fees.

The water turn-off/connection is required for the following reasons:

Signature (owner/agent): _____ Telephone No. _____

Mailing Address: _____
