

**CLEARBROOK WATERWORKS DISTRICT
DEVELOPMENT BYLAW NO. 138**

A Bylaw to establish development standards and regulations within the *Clearbrook Waterworks District*.

The Board of Trustees of the Clearbrook Waterworks District ENACTS AS FOLLOWS:

INTERPRETATION

In this Bylaw, unless the context otherwise requires, the following words and terms shall have the meanings as follows:

"ADMINISTRATOR" means the manager of the *Clearbrook Waterworks District*, or his or her duly appointed representative.

"DISTRICT" means the *Clearbrook Waterworks District*.

"DEVELOPER" means any person who invests in and re-zones, subdivides, develops or re-develops any parcel of land within the District for residential, commercial or industrial use.

"EXCESS OR EXTENDED SERVICES" means a portion of the water system that will serve property other than the property being subdivided or developed. Excess services are works that exceed the servicing needs of the subject property, but are required by the District to accommodate anticipated growth.

"PARCEL OF LAND" means any lot, block or other area in which land is held or into which it is divided.

"PERSON" means any individual, land owner, developer, contractor, or engineer that may perform or conduct business within or associated with the District.

"SERVICE" means the supply of water from the District to any residential or commercial premises, including all pipes, taps, valves, connections or other things necessary for the purpose of such supply.

"TOWNHOME RESIDENCE" means a single-family residence that is usually connected to a similar residence by a common sidewall and ownership does include individual ownership of the land.

"TRUSTEES" means the Trustees of the *Clearbrook Waterworks District*, or their duly authorized representatives.

"WORKS" or "WATERWORKS" means the waterworks systems of the *Clearbrook Waterworks District*.

APPLICABILITY

This Bylaw shall apply to all waterworks systems owned and operated by the *Clearbrook Waterworks District*.

DISTRICT WORKS

- a) No person, except the Trustees or their designate will open, shut, adjust, draw water from or tamper with any of the District's works.
- b) No person will obstruct at any time or in any manner the access to any appurtenance or fixture connected with the District's works.

3. APPLICATION FOR WATER SERVICES

Land owners or Developers who wish to develop, re-develop or subdivide their parcel for connection or re-connection to the District and its works must apply in writing at the District offices subject to *Clearbrook Waterworks District* Capital Expenditure Charge Bylaw No. 125 and *Clearbrook Waterworks District* Servicing and Connection Bylaw No. 132.

4. DEVELOPMENT STANDARDS

- a) All works shall be designed and installed as per proper engineering practices so as to be accepted by both the consulting engineer and the District.
- b) Civil Engineers, mechanical engineers and site architects should request District guidelines and preview with District management the site logistics of where water services shall connect to watermains.
- c) Design engineers shall request a list of approved materials and appurtenances allowable for installation within the District.
- d) Developers shall submit to the District a set of City of Abbotsford – approved, stamped and signed engineered development plans for permanent record. 'As-built' drawings shall also be submitted at closure of the project.
- e) Watermain sizing for residential, commercial and industrial development shall be according to City of Abbotsford Development Bylaw, 2011 unless otherwise stated.
- f) Where a residential lot marked for subdivision is serviced by a water main with a diameter of 150 mm or less and according to the City of Abbotsford Development Bylaw, the developer shall be required to pay for a future water main upgrade (lot frontage only) in addition to the associated Capital Expenditure Charges. The price per meter is to be based on current pricing and the District is to charge cost only. Where an upgrade is not feasible at the current time, the District will accept cash in lieu of the physical upgrade, with the works to be completed at a later date.
- g) Developers and their consulting engineers should be aware that the District operates a low pressure zone and all development within the District shall take appropriate measures to provide adequate pressure to multi-story buildings.

- h) Under the supervision of the consulting engineer, the watermain and fittings must be disinfected, flushed and pressure-tested according to AWWA standards at the time of installation. The engineer shall be responsible for collecting the water samples for the purpose of confirming disinfection and forwarding them to an approved facility. All test results, whether pass or fail shall be submitted to the District under the seal of the supervising consulting engineer.

5. WATER SYSTEM ASSESSMENT

- a) A Water System Assessment must be undertaken to determine if sufficient domestic flow, fire flow and reservoir storage are available to satisfy District requirements, City of Abbotsford Development Bylaw 2011 requirements, and the Fire Underwriters Survey fire flow duration requirements.
- b) The Assessment, via hydraulic model, will be conducted by the District's consulting engineer with the total costs to be borne by the developer.
- c) Where a Water System Assessment determines that water system changes are required such as reservoir expansion, watermain upgrades, and/or installation of fire hydrants, air relief valves, sampling stations, or any other appurtenances, the cost of the upgrade shall be borne by the developer with ownership of such works to be turned over to the District at time of completion.

6. EXTENDED OR EXCESS SERVICES

- a) Depending on property zoning, population density requirements, type of building, or outcome of the Water System Assessment, the District may request extended or excess services. The total costs of these services shall be borne by the developer with ownership of such works to be turned over to the District at time of completion.
- b) In most cases, excess or extended services may be subject to the administration of a Latecomer's Agreement. The costs associated with registering and administering a Latecomer's Agreement shall be borne by the developer.

7. METERING AND CROSS CONNECTION CONTROL

- a) All service connections to the District shall be metered.
- b) Where property is serviced by more than one meter, each meter shall be considered a separate account.
- c) All townhome residences shall be individually metered.
- d) All new construction shall install adequate backflow prevention on both domestic and fire supply lines subject to *Clearbrook Waterworks District* Cross Connection Regulation Bylaw No. 120.

TRUSTEES' RIGHT OF ACCESS

- a) The Trustees or their designate shall have right of access to all parts of a person's property or premises at all reasonable hours for the purpose 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; and
- b) No person will obstruct or prevent the Trustees or their designate from carrying out any of the provisions of this bylaw.
- c) Where necessary, the developer shall provide a legally registered Statutory Right of Way in favour of the District, allowing service to a watermain, meter chamber, fire hydrant, or any other such appurtenance, or to carry out any other necessary works that may be required from time to time.
- d) Where a meter is installed in a mechanical room, access keys shall be provided to the District for regular inspection and meter reading purposes.
- e) Where new works are being installed either by the developer or his contractor, the Trustees or their designate shall not be prohibited from inspection of said works.

9. LIABILITY OF THE DISTRICT

The District does not guarantee a specific pressure or a continuous supply of water quality to meet the specific requirements of individual users.

10. GENERAL PROHIBITION AND PENALTIES

- a) Land that is connected to the District's water system, or proposed for connection, shall not be developed or subdivided contrary to the provisions of this bylaw.
- b) A person who:
 - i. does or suffers any act or permits any act to be done in contravention of this bylaw; or
 - ii. neglects to do or refrains from doing any act or thing required by this bylaw commits an offense.
- c) The Trustees or their designate may, on twenty-four (24) hours written notice, turn off the supply of water to any person who is in default of the requirements of this bylaw. The person in default will not be entitled to receive any further water from the District until such person has remedied the default. It will 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 or their designate again turn on the water.
- d) A person who commits an offense under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.

11. **SEVERABILITY CLAUSE**

If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision rendering it to be invalid shall not affect the validity of the remainder.

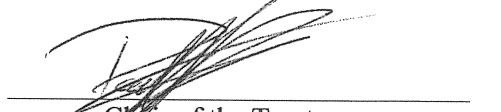
12. This bylaw repeals Bylaw No. 131.

This Bylaw may be cited as the **DEVELOPMENT BYLAW, BYLAW NO. 138.**

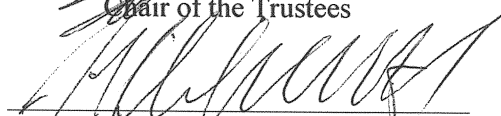
Introduced and given first reading by the Trustees on the 25th day of October 2018.

Reconsidered and finally passed by the Trustees on the 25th day of October 2018.

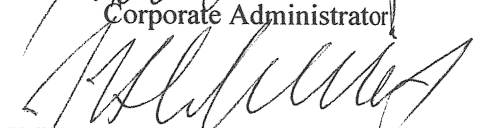
Seal



Chair of the Trustees



Corporate Administrator



Corporate Administrator

I hereby certify that this is a true copy of Bylaw No. 131.