

**CLEARBROOK WATERWORKS DISTRICT  
SERVICING AND CONNECTION  
BYLAW NO. 134**

A Bylaw to authorize connection and servicing regulations for future and continuing development of land within the 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.

"COMMERCIAL" means a premises or space within a premise/residence which is used, or to be used for a commercial pursuit

"DISTRICT" means the *Clearbrook Waterworks District*.

"OCCUPANCY" means ownership or tenancy of a property

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

"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.

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

"WATER" means water conveyed through the works operated or maintained by *Clearbrook Waterworks District*

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

**1. APPLICABILITY**

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

**2. APPLICATION FOR WATER SERVICE AND CONNECTION FEES**

- a) All applications for the installation or renewal of water service shall be made to the Administrator at the office of the District by the owner or his or her duly authorized agent, who shall, at the time of making such application, execute an agreement with the District, and the applicant shall pay the connection fees prescribed in the current Water Rates Bylaw.

- b) No water shall be supplied upon any application until all fees and charges for water connection, meter installation or other monies required by the District to be paid have been paid in full.
- c) The application shall include a site plan, an architectural plan and the mechanical drawings or engineer's plan approved and stamped by the City of Abbotsford Building Inspection Department.
- d) Where an applicant for water service requires a quantity, pressure or type of service in excess of that which can be supplied from the works of the District, the Trustees 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 and fire protection requirements. Alternatively, the said applicant may be required to make a capital contribution towards the future provision of such works.
- e) Where an applicant for water service is subdividing a parcel of land within the District he shall install at his own expense and at no cost to the District or their representatives, and under the inspection and or supervision of the District representatives, all water mains, fire hydrants, meters, dual check valves and other fittings and appurtenances deemed necessary by the District and according to the BC Plumbing Code and City of Abbotsford Plumbing Code to provide an adequate supply of water for domestic and commercial use and fire protection for the future growth and expansion of the said subdivision, and shall pay for all engineering costs; the said water mains, hydrants, meters, fittings and appurtenances shall become the property of the District.

### **3. DISCONTINUATION OF WATER SERVICE**

- a) Any owner who wishes to have water service to his premises discontinued shall notify the Administrator in writing at least five (5) working days before the water is to be turned off. The notice shall be accompanied by payment of the disconnection charge, according to the current Water Rates Bylaw.
- b) No water service shall exist unused for more than one (1) year without being disconnected at the water main at the owner's expense. Where a water service remains discontinued for more than one year, a full disconnect at the water main shall ensue. This work shall be completed by the District at the property owner's expense. Written notice shall be served three months prior to the commencement of work. An estimate of the total cost shall be included with the notice.
- c) Where an owner wishes to have his water service permanently discontinued without a City of Abbotsford Demolition Permit in order to avoid the accrual of quarterly tolls, a full disconnection from the water main must occur immediately. A deposit of the estimated cost must be paid prior to the District completing the work.
- d) System renewal distribution fees will accrue until the full disconnect has been completed.
- e) No person, other than a Trustee or their designate, shall turn off a water service to any premises.

### **4. RECONNECTION FEE**

- a) When a service has been disconnected from any premises at the request of the owner of the premises, the District shall, before re-connection is made to the premises, require payment of a re-connection fee, as per the current Water Rates Bylaw.
- b) No person, other than the Trustees or their designate, shall turn on a water service to any premises.

**5. CHANGE OF OCCUPANCY**

- a) No agreement between the occupant of premises and the District with respect to water service to those premises may be transferred to another occupant. New occupants of premises must apply in writing to the District for water service and receive permission before they commence to use water.
- b) The District may order the water be turned off to any premises where tolls have been owing for sixty (60) days or longer.

**6. 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 shall obstruct or prevent the Trustees or their designate from carrying out any of the provisions of this bylaw.

**7. CLEARBROOK WATERWORKS DISTRICT'S WORKS**

- a) No person except the Trustees or their designate shall open, shut, adjust, draw water from or tamper with any of the District's works.
- b) No person except the Trustees or their designate, or members of the Fire Department, in the course of their activities shall, without the written authority of the District, open any hydrant or valve, or use water there from. The District reserves the right to stop such use at any time for any reason, without liability for damage resulting there from in any manner whatsoever.
- c) Anyone who wishes to use water from a hydrant shall coordinate their requirements with the District. The District shall supply and install a backflow prevention device and water meter on the appropriate hydrant. The hydrant usage rates are prescribed in Clearbrook Waterworks District's active Water Rates Bylaw.
- d) No person shall obstruct at any time or in any manner the access to any 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 or their designate may remove such obstruction at the expense of the offending person.
- e) 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.

- f) The District may arrange an easement with a property owner to install a portion of their works across private property.

## **8. WORKS ON PRIVATE PROPERTY**

- a) 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.
- b) No person will 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 the potential for a cross connection exists, an approved, testable backflow prevention assembly shall be installed as per the District's Cross Connection Regulation Bylaw No. 120.
- c) 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 or their designate, 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.
- d) 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 or their designate who, in consultation with the health inspector, will ensure that the device is so designed and installed that such substance cannot be introduced into the District's works.
- e) 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 shutoff valve at his property line and will protect them from frost or other damage, and will promptly repair frozen, leaky or imperfect pipes or fixtures.

## **9. WATER USE REGULATIONS**

- a) Where, in the opinion of the Trustees or their designate, the quantity of water being used or the rate at 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 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. The Trustees or their designate 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.

- b) Each dwelling must have a meter separate from any other dwelling, in a position approved by the Trustees or their designate. All meters shall be the property of the District.
- c) No owner or occupant of any premises 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 premises, except by permission of the Trustees or their designate.
- d) The Trustees or their designate 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 on the website or by mail.

## 10. LIABILITY OF THE DISTRICT

- a) 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 to be interrupted for more than four consecutive hours, due notice shall be given to those water users affected.
- b) The District shall not be liable for the failure of the water supply in consequence of any accident or damage to the works, or to excessive or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from negligence of any person in the employ of the District or other person whomsoever, or through natural deterioration or obsolescence of the District's system, or otherwise.

## 11. PENALTIES

- a) The Trustees or their designate may, on twenty-four (24) hours written notice, turn off the supply of water to any person 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 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 or their designate again turn on the water.
- b) A person who commits an offence under this bylaw is liable on summary conviction to a fine in accordance with the *Offence Act*.

**12. 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.

This Bylaw repeals Bylaw No. 132


This Bylaw may be cited as the **SERVICING AND CONNECTION BYLAW, BYLAW NO. 134.**

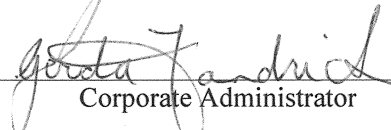
Introduced and given first reading by the Trustees on the 18<sup>th</sup> day of February 2016.

Reconsidered and finally passed by the Trustees on the 18<sup>th</sup> day of February 2016.

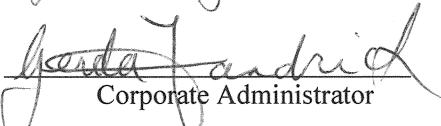
Seal



  
\_\_\_\_\_  
Chair of the Trustees

  
\_\_\_\_\_  
Corporate Administrator

I hereby certify that this is a true copy of Bylaw No. 134.

  
\_\_\_\_\_  
Corporate Administrator