

**SKAHA ESTATES IMPROVEMENT DISTRICT
BYLAW NO. 128**

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

The Trustees of the Skaha Estates Improvement District ENACT AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires:
 - (a) "Trustees" shall mean the Trustees of the District or their duly authorized representatives.
 - (b) "Water" shall mean water conveyed through the works operated or maintained by the District.
 - (c) "Works" shall mean anything capable of or useful for diverting, storing, measuring or conveying, conserving, retarding, confining or using water.
 - (d) "Swimming Pool" shall mean an artificially created body of water having a depth of 18" or more used for recreational or physiotherapy purposes.

SERVICE CONNECTIONS

2. The type and size of service connection and the arrangement of valves and other appurtenances required to regulate the water shall be specified in writing by the Trustees.
3. 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 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 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.
4. Before any person shall install or construct any works, he shall apply to the District in writing and if required by the Trustees, he shall furnish a plan and specifications which must show:
 - (a) The purpose of the size of pipes and the number of outlets related or connected thereto.

- (b) A description of the material which the applicant proposes to use. Such material shall be per District specifications.
 - (c) The street address and complete legal description of the premises in which the installation or connection is to be made.
 - (d) Once approval is given by the Board of Trustees the applicant may proceed.
5. Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the Trustees shall be notified that such works are ready for inspection. The works shall not be covered until they have been inspected, tested under pressure and accepted by the Trustees.

CHANGE OF OCCUPANCY

6. 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 shall apply in writing to the District for water service and receive permission before they commence to use water.

TURN OFF AND TURN ON

7. Consumers who wish to have their water service discontinued shall pay the prescribed turn-off charge, and give the Trustees seven (7) days notice. Before the service is again renewed, the tenant or occupant shall pay to the District the prescribed turn-on charge for the renewal of the service.
8. The Trustees may order the water be turned off to any premises where water tolls have been owing to the District for ninety days (90) or longer.

TRUSTEES RIGHT OF ACCESS

9. (a) The Trustees 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.
- (b) No person shall obstruct or prevent the Trustees from carrying out any of the provisions of this bylaw.

DISTRICT'S WORKS

10. No person except the Trustees shall open, shut, adjust, draw water from or tamper with any of the District's works.
11. 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 with the placement of shrubbery, trees, landscaping materials or the construction of any structure with the exception of asphalt or lawns and should any person so obstruct access to any said fixture the District will not be responsible for costs incurred for the removal or replacement of any such obstruction. The Trustees may remove such obstruction at the expense of the offending person.
12. 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.

WORKS ON PRIVATE PROPERTY

13. 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, on his or any other property without permission of the Trustees.

Property owners with an existing water service commencing any major external structural renovation or rebuild must install an approved water meter at their expense.

14. 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 Trustees. 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 Trustees.

15. No change or addition to the number of fixtures on a premises, 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 therefore obtained. Any extra charge or higher toll payable due to the change or addition shall be paid before the change or addition is commenced.
16. 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.
17. 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.
18. The property owner shall be responsible for the safekeeping, maintenance, repair and replacements of all service pipes and plumbing systems from the outlet of the District's 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. The curb box must be visible.
19. 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.

WATER USE REGULATIONS

20. 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, dose valve 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 Trustees under this section shall be paid by the owner or owners concerned.

(a) 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.

21. The Trustees may, at any time, substitute a metered service for an unmetered service to any premises. Each dwelling shall have a meter separate from any other dwelling, in a position approved by the Trustees. All meters shall be the property of the District.

22. 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.

23. (a) No person shall use water for watering stock, filling of swimming pools or reservoirs, or the washing of large commercial vehicles 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.

(b) An approved swimming pool shall be equipped with a recirculation and filtration system as set out in the Health Act.

(c) 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.

24. (a) 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 regular or electronic mail.
- (b) Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person shall, without permission of the Trustees:
- Use water for sprinkling in excess of reasonable requirements; or
 - Use more than two outlets at one time for sprinkling purposes, Neither of which said outlets shall exceed ½" in internal diameter; or
 - Use an open pipe or hose for sprinkling purposes; or
 - Irrigate more than ¼ acre of land (including that occupied by dwellings)
25. No person except a duly appointed officer or employee of the District shall open, shut, adjust, or tamper with any pipe, valve measuring box, or other thing maintained or operated by the District.
26. Every person to whose land or premises water is supplied shall keep the pipe, valves, taps and other fixtures on his land or premises in good repair and shall do everything necessary to prevent the waste of water and he shall not waste water. Further it shall be lawful for the Trustees of the District to turn off the supply of water provided by the District to any person owning, leasing or otherwise farming land within the District having a leaking pipe, valve or tap, such water will denied until such time as such leaking pipe, valve or tap is repair to the satisfaction of the Trustees.

LIABILITY OF THE DISTRICT

27. 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, twenty four (24) hours notice will be given either in writing or by way of the media.

In the case of an emergency water line repair notice of an interruption in the water service can not be guaranteed.

PENALTIES

28. 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 improvement 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 improvement district's works until such time as the Trustees again turn on the water.
29. No occupier of land shall cause, suffer or allow irrigation water to flow onto or to be released on or to be used on the land which he occupies or any part of such land, unless the water is being lawfully supplied to such land in accordance with the provisions of this bylaw.
30. A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act* as well as the applicable turn off/on fee.
31. This bylaw repeals Bylaw No.111
32. This Bylaw may be cited as the "Water Distribution Regulation Bylaw 2019".

INTRODUCED and given first reading by the Trustees on the 28th day of October, 2019.

RECONSIDERED and finally passed by the Trustees on the 28th day of October, 2019.

Chair of the Trustees

I hereby certify that this is a true copy of Bylaw No. 128.

Office Administrator