



## **THE CORPORATION OF THE CITY OF DAWSON CREEK**

### **WATER RESALE BYLAW NO. 4058, 2010**

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws listed below. Amendments have been incorporated with the parent bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the subject bylaw.

Amendment Bylaw 4306, 2016 incorporated  
Amendment Bylaw 4409, 2019 incorporated  
Amendment Bylaw 4431, 2019 incorporated  
Amendment Bylaw 4445, 2020 incorporated  
Amendment Bylaw 4478, 2021 incorporated

**THE CORPORATION OF THE CITY OF DAWSON CREEK**

**BYLAW NO. 4058**

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called the City) to establish water regulations and water rates for the resale of water from the City's water distribution system.

**WHEREAS**, the Council of the City of Dawson Creek deem it necessary from time to time to establish conditions for the resale of water.

**AND WHEREAS**, the Council of the City of Dawson Creek deem it necessary to impose rates and charges for the resale of water.

**NOW THEREFORE**, the Council of the City of Dawson Creek enacts as follows:

**SECTION 1 - TITLE**

1.1 This Bylaw shall be cited for all purposes as the "**DAWSON CREEK WATER RESALE BYLAW NO. 4058, 2010**".

**SECTION 2 - DEFINITIONS**

2.1 In this bylaw the following terms have the following meanings:

**"Bylaw Enforcement Officer"** means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

**"Person"** means any individual, firm, company, association, society, corporation, group or municipality;

**"Water Vendor"** means a person that purchases water from the City of Dawson Creek with the intention of reselling the water to another person;

**"Domestic Bulk Water"** means potable water purchased from the City of Dawson Creek by a Water Vendor with the intent to resell the water for normal household purposes, such as drinking, food preparation, bathing, washing clothes and dishes, flushing toilets, and watering lawns and gardens;

**"Non-Domestic Bulk Water"** means potable water purchased from the City of Dawson Creek by a Water Vendor with the intent to resell the water for purposes other than normal household purposes;

**"Unprocessed Bulk Water"** means raw water purchased from the City of Dawson Creek by a Water Vendor with the intent to resell.

**SECTION 3 - REGULATIONS**

- 3.1 No person may resell water obtained from the City except as may be expressly permitted by way of an authorized Water Vendor Contract between the City and the Vendor.
- 3.2 Each authorized Water Vendor shall pay the Water User Rates set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 3.3 The purchase of Non-Domestic Bulk Water and Unprocessed Bulk Water shall be subject to a Non- Domestic Use Surcharge as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 3.4 The City may order the termination of the water supply to any water service connection on seven (7) days written notice for violation of any of the provisions of this bylaw.

**SECTION 4 - ENFORCEMENT**

- 4.1 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended from time to time, or by the Municipal Ticket Information System Bylaw No. 4278, 2016 as amended from time to time.
- 4.2 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.
- 4.3 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.
- 4.4 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
- 4.5 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.
- 4.6 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

**SECTION 5 - ADMINISTRATIVE**

- 5.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.

**READ** a first time this 8<sup>th</sup> day of February, 2010.

**READ** a second time this 8<sup>th</sup> day of February, 2010.

**READ** a third time this 8<sup>th</sup> day of February, 2010.

**ADOPTED** this 12<sup>th</sup> day of April, 2010.

<p><b>CERTIFIED A TRUE AND CORRECT COPY</b> of Bylaw No. 4058 cited as "DAWSON CREEK WATER RESALE BYLAW NO. 4058, 2010".</p> <p><b>ORIGINAL SIGNED BY</b></p> <p>Brenda Ginter - Corporate Administrator</p>
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The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

**ORIGINAL SIGNED BY**  
\_\_\_\_\_  
Mike Bernier – Mayor

**ORIGINAL SIGNED BY**  
\_\_\_\_\_  
Brenda Ginter – Corporate Administrator