



THE CORPORATION OF THE CITY OF DAWSON CREEK

WATER RATES AND REGULATIONS BYLAW NO. 4087, 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 4104, 2011 incorporated
Amendment Bylaw 4305, 2016 incorporated
Amendment Bylaw 4410, 2019 incorporated
Amendment Bylaw 4432, 2019 incorporated
Amendment Bylaw 4434, 2020 incorporated
Amendment Bylaw 4477, 2021 incorporated
Amendment Bylaw 4462, 2020 incorporated

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4087

A bylaw of The Corporation of the City of Dawson Creek (hereinafter called "the City") to establish Water Rates and Regulations.

WHEREAS, the Council of the City deems it necessary from time to time to establish rates and regulations for the use of municipal water;

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

SECTION 1 - TITLE

- 1.1 This Bylaw may be cited for all purposes as **"WATER RATES AND REGULATIONS BYLAW NO. 4087, 2010"**.

SECTION 2 - DEFINITIONS

- 2.1 In this Bylaw the following words and terms have the following meanings assigned to them.

"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.

"Water Meter" means an apparatus or device used for measuring the volume of water passing through it, and includes any accessories such as a remote reader device and the connecting cable.

SECTION 3 – REGULATIONS

- 3.1 All metered users shall pay a variable as well as a fixed infrastructure charge as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 3.2 All initial residential 5/8" meters and ancillary equipment will be provided by the City. Installation will be the responsibility of the applicant. All other meters and ancillary equipment, including installation, shall be charged to the applicant. All equipment and infrastructure shall remain the property of the City.
- 3.3 Meter installations shall be in a location approved by the City, readily accessible for inspection, repair, or removal, and a remote totalizer for each meter shall be installed on the outside of the building. The totalizer shall be located at the front of the building in an area readily accessible by the meter reader and not obstructed by fences or other obstructions. Any dogs harboured on the property must be secured in such a fashion that they cannot interfere with the meter reader's access to the remote totalizer.
- 3.4 All installations must be performed by a certified plumber and must adhere to the requirements of the City of Dawson Creek Cross Connection and Control Program and Process Bylaw, the Subdivision and Development Servicing Bylaw, the City of Dawson Creek Water and Sewer Connecting Lines Service Bylaw, or any other applicable bylaws except where permission has been granted in writing by the City Engineering Department.

- 3.5 No person shall connect a building service to a water main, connect a building service to a previously installed service at property line, install a service box at property line, or otherwise excavate to accommodate such works without having first obtained a Service Connection Permit from the City. The fee for such permit shall be charged in accordance to the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time. The issuance of Service Connection Permits is at the sole discretion of the City. The City Engineering Department shall not issue such permit unless the applicant has demonstrated competence to perform such work. The City may inspect any works undertaken under such Permit and may accept or reject the work.
- 3.6 Consumers shall be charged the actual cost of all connections made to the waterworks systems.
- 3.7 No one other than an **authorized City employee or representative** shall turn on or off any hydrant, valve, stop-cock, water meter or other fixture of the waterworks system without the written authorization of the City Engineering Department.
- 3.8 No person shall tamper with any part of the waterworks system or obstruct access to any hydrant, valve, stop-cock, water meter or other fixture of the system. Any person contravening this section shall be assessed the full costs of any repair, replacement or removal required by reason of their actions.
- 3.9 No contractor, builder or other person shall use, for building purposes or otherwise, any water from the waterworks system without obtaining a Temporary Use Permit.
- 3.10 The fee for turning on or shutting off water services to a property shall be charged in accordance with the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time and in no case shall instructions to perform such work be accepted unless requested by the registered owner of the property or his authorized agent. The work will be performed during the regular work week as soon as scheduling allows.
- 3.11 The City shall maintain and repair all meters, totalizers and ancillary works. Where replacements or repairs are made necessary by the acts, neglect or carelessness of the owner or occupant of any premises, any expense caused to the City shall be chargeable to and paid by the owner or occupant of such premises. The City shall be responsible for ordinary wear of the City owned meters, totalizers and ancillary works.
- 3.12 Meters will be tested by the City Water Department upon request. If the meter is found to be registering correctly, the applicant shall pay the actual cost of testing.
- 3.13 The City shall not be liable or responsible for damages caused by the freezing of water pipes on the consumer's side of the service valve or for damages caused by the freezing of such pipes on the City's side of the valve if the freezing is caused by prior freezing on the consumer's side of the stop and drain. The costs of any necessary thawing service shall be the responsibility of the consumer and the work shall be performed by a qualified individual approved by the City.
- 3.14 Subject to the foregoing, the City shall be responsible for frozen pipes on the street side of a service valve and will provide thawing service for such pipes without charge to the consumer but the City shall not be liable for any delay in rendering the service provided for in this section.
- 3.15 The rates, fees and charges levied or imposed under the provisions of this bylaw are a special charge upon the lands or real property in respect of which the water is supplied or used. All rates, fees and charges under the provisions of this Bylaw or the City of Dawson Creek Fees and Charges Bylaw as

amended or replaced from time to time, in addition to any other remedies, may be levied, collected and recovered from the owner in the same manner and subject to the same incidents as taxes upon land and improvements.

- 3.16 The City may, when it is deemed necessary, shut off any water main without notice to the consumers.
- 3.17 There will be no fixed infrastructure charge for **meters** used **solely** for fire suppression.
- 3.18 In accordance with the City of Dawson Creek Raw Water Line Hook Up Policy, no person shall connect to the portion of the waterworks system located outside the City limits without the express written permission of the Council of the City. The Council may set forth what conditions it deems necessary for such a connection and the consumer must agree to abide by those terms as may be provided in writing by the Council.
- 3.19 All rates, fees and charges levied or imposed under the provisions of this bylaw or the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time are due and payable within 30 days from the billing date noted as the "Due Date" on the utility bill issued by the City. A 10% penalty shall be added to account balances remaining unpaid after the "Due Date".
- 3.20 In the case of non-payment of rates or rents within thirty (30) days after they become due and payable, the City may, on giving fourteen (14) days' notice in writing mailed to the last known address of the owner or occupant, shut off, without further notice, the service in respect of which such rates or rents are due.

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 Council hereby delegates authority to the Chief Financial Officer to receive, review and approve on a case by case basis any applications made for a rebate of water fees directly associated with an in-home water intensive medical treatment.

5.2 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.

5.3 This bylaw shall take effect on January 1, 2011.

5.4 Effective January 1, 2011, the following bylaws are hereby repealed:

- a. Water Rates and Regulations Bylaw No. 201, 1956;
- b. Sewer/Water Connection Bylaw No. 277, 1958;
- c. Water Frontage Tax Bylaw 339, 1958;
- d. Dawson Creek Waterworks Frontage Tax Validating Bylaw 377, 1959;
- e. Water Rates and Regulations Amendment Bylaw 826, 1963;
- f. Water and Sewer Connection Charge Bylaw 1324, 1971;
- g. Ticket Information Utilization Amendment Bylaw 2963, 1993;
- h. Water Rates and Regulations Bylaw 3326, 1998;
- i. Ticket Information Utilization Amendment Bylaw 3334, 1998;
- j. Outside Users Water Rates and Regulations Bylaw 3327, 1998;
- k. Waterworks Frontage Tax Amendment Bylaw 3637, 2003;
- l. Water Rates and Regulations Amendment Bylaw 3811, 2005; and
- m. Outside Users Water Rates and Regulations Amendment Bylaw 4057, 2010.

5.5 That Water Rates & Regulation Bylaw No. 32, 1944 and Water Rates & Regulation Amendment Bylaw No. 826, 1963 be repealed.

READ a first time this 8th day of November, 2010.

READ a second time this 8th day of November, 2010.

READ a third time this 8th day of November, 2010.

RESCIND third reading this 22nd day of November, 2010.

RE-READ third reading as amended this 22nd day of November, 2010.

ADOPTED this 6th day of December, 2010.

<p>CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4087 cited as "WATER RATES AND REGULATIONS BYLAW NO. 4087, 2010".</p> <p>ORIGINAL SIGNED BY Brenda Ginter Director of Corporate Administration</p>

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 – Director of Corporate Administration