

BRAITHWAITE ESTATES IMPROVEMENT DISTRICT

BY-LAW NO. 63

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A by-law for regulating the distribution and use of water and prescribing penalties for noncompliance with the regulations.

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The Trustees of Braithwaite Estates Improvement District  
ENACT AS FOLLOWS:

1. In this by-law, 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 inches or more and capable of use for either recreation or physiotherapy.

(e) "Dwelling unit" shall mean any building or portion thereof which the sole purpose is that of housing a single family.

(f) "Commercial use" shall mean any commercial enterprise that retails or wholesale to the public or provide a public service or provide accomodation or require licensing under any statute of the Province of British Columbia.

Service Connections

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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 District, the Trustees shall require the said applicant to pay for all or part of any works considered necessary to augment the 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, or shall commence any construction work related or connected thereto, he shall apply to the District in writing and obtain a written permit therefore, and if required by the Trustees, he shall furnish a plan and specifications which shall show:

(a) The purpose and the size of pipes and the number of outlets related or connected thereto, and where applicable, an engineered set of drawings prior to approval or permit being given.

(b) A description of the materials which the applicant proposes to use.

(c) The street address and complete legal description of the premises in which the installation or connection is to be made.

5. Immediately after the completion of any works, and before such works or any part thereof have 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 and accepted in writing by the Trustees.

#### Change of Occupancy

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6. No agreement between the owner of premises and the District with respect to water service to those premises may be transferred to another person. New owners of the premises shall apply in writing to the District for water service and receive written permission before they commence to use water.

#### Turn Off and Turn On

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7. Consumers who wish to have their water service discontinued shall pay the prescribed turn-off charge, and give the Trustees fourteen (14) days notice. The service shall be cut-off at the end of the Fourteen (14) day notice period. The service shall be renewed when the owner pays to the District the prescribed turn-on charge for the renewal of the service.

8. The Trustees shall order the water to be turned off to any premises where tolls have been owing to the District for two months or longer. The water service shall not be renewed until such time as all outstanding charges together with the turn-off and turn-on charges have been paid in full.

#### Trustees Right of Access

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9. (a) The Trustees shall have the 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 by-law.

#### District's Works

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10. No person except the Trustees or their authorized employees and agents 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 Districts 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 may remove such obstruction at the expense of the offending person or persons.

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 the said works shall be borne by the landowner unless other arrangements are agreed upon in writing by the Trustees.

#### Multi-Family Dwelling Unit

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13. Each dwelling unit within every main building shall have its own service connection, unless otherwise applied for and previously agreed to in writing by the Trustees of the Improvement District.

14. An individual application for service is required, and shall be made by the property owner, for all extensions of service to additional buildings or dwelling units, prior to the extension of the said service, and all applications must receive written approval by the Trustees prior to the extension of the service.

15. No person to whose premise 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 dwelling, or dwelling unit on his, or any other property without first having obtained permission of the Trustees in writing.

16. No person shall interconnect any works or portion of works which are supplied by the District with an external body or source of water, except with written permission of the Trustees. Wherever works which are supplied by the District are connected to a body of water which may be contaminated, such as a swimming pool or well, in such a way that, if a reverse flow were to be induced, a health hazard could result, the owner of the property shall install and maintain a back-flow preventer on every such cross-connection and such installation shall be subject to prior inspection and approval by the Trustees.

17. No change or addition to the number or type of fixtures on a premise, 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 therefor obtained. Any extra charge or higher toll payable due to the change or addition shall be paid before the change or addition is commenced.

18. 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 a pump or device.

19. No device designed to introduce another substance into the water in the connection between the property and the water supply main shall be installed without written permission of the Trustees who, in consultation with the Health Inspector, and District Engineer shall ensure that the device is so designed and installed that such substance cannot be introduced into the District's works.

20. The property owner shall be responsible for the safe-keeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the District's curb stop at his property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky or imperfect pipes or fixtures.

21. 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 Act of God and that the consumer used all reasonable diligence to stop such waste.

22. No works shall be installed within ten (10) feet of any septic or sewage disposal line or field or within ten (10) feet of any septic tank system.

#### Water Use Regulations

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23. The Trustees may regulate the rate and time at which water may be used, and establish special charges for water used in excess of a stipulated quantity or rate.

(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 the water.

24. The Trustees may at any time substitute a metered service for an unmetered service to any premise(s). Each dwelling, or dwelling unit 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.

25. 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 with the written permission of the Trustees.

26. (a) No person shall use water for filling of swimming pools or reservoirs, or for any other purpose other than normal domestic use, except by written permission of the Trustees, who shall state the purpose, time for use and quantity of water to be used and the additional charges, if any, and any special works required to be altered or installed prior to such use.

(b) A swimming pool shall be equipped with a recirculation and filtration system as set out in Part V of the swimming pool, spray pool and wading pool Regulations under 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.

27. (a) The Trustees may at any time introduce regulations restricting the use of water for sprinkling or any other purpose. Upon receiving notice of such restriction, no person shall use water for the purpose forbidden by, or in excess of the limits imposed by, such restrictions. Notice of restrictions shall be given either by publication in a newspaper circulating within the District or by regular mail or by delivery of a notice to each premise in the District.

(b) Notwithstanding the lack of, or limited form of sprinkling regulations as hereinbefore provided, no person shall, without permission of the Trustees:

(1) Use water for sprinkling in excess of reasonable requirement; or

(2) Use more than two outlets at one time for sprinkling purposes, neither of which said outlets shall exceed 1/2" in internal diameter; or

(3) Use of an open pipe or hose for sprinkling purposes; or

(4) Irrigate more than an 1/4 acre of land including that occupied by dwellings.

#### Liability of District

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28. 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 services at any time for the purpose of making repairs or alterations to the works. If service is to be interrupted for more than four (4) consecutive hours, all reasonable efforts shall be made to give notice to those affected.

29. The Trustees may, on not less than twenty four (24) hours written notice, turn off the supply of water to any person in default of the requirements of this by-law. The person in default shall not be entitled to receive any further water from the district until such person has remedied the default.

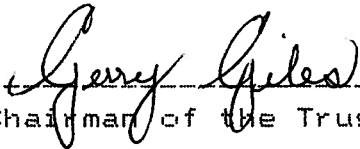
30. Every person who disobeys or fails to comply with any provision of this by-law shall be guilty of an offence under the Offence Act. If an offence is of a continuing nature, a separate offence shall be committed on each day the offence continues.


31. This by-law may be cited as the "Water Distribution Regulation By-Law".

32. That "Water Distribution Regulation By-Law No. 43" be repealed.


INTRODUCED and given first reading by the Trustees on the 7th day of August, 1990.

RECONSIDERED and finally passed by the Trustees on the 7th day of August, 1990.

  
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Chairman of the Trustees

  
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Secretary of the Trustees

I hereby certify under the seal of the Braithwaite Estates Improvement District that this a true copy of By-law No. 63 of the Braithwaite Estates Improvement District, passed by the Trustees on the 7th day of August, 1990

  
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Secretary of the Trustees

A true copy of By-Law No. 63  
registered in the office of the Inspector  
of Municipalities this 24<sup>th</sup> day of  
SEPTEMBER, 1990.

  
Deputy Inspector of Municipalities