

District of West Vancouver



Waterworks Regulation Bylaw No. 5260, 2023

Effective Date: October 30, 2023

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original 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 bylaw on this subject.

Amendment Bylaw
Bylaw No. 5283, 2023

Effective Date
January 1, 2024

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the parent bylaw (Waterworks Regulation Bylaw No. 5260, 2023). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Waterworks Regulation Bylaw No. 5260, 2023

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District of West Vancouver

Waterworks Regulation Bylaw No. 5260, 2023

A bylaw to regulate the Water System and the fixing of rates, connection fees, and meter rents with respect to the use of water.

Previous amendments: *Amendment Bylaw 5283*.

WHEREAS pursuant to its powers under the *Community Charter*, SBC 2003, C26, the District provides for the establishment and use of a water distribution system to supply water;

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Waterworks Regulation Bylaw No. 5260, 2023.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause, or phrase.

Part 3 Previous Bylaw Repeal

- 3.1 Waterworks Regulation Bylaw No. 4490, 2006 (adopted on December 18, 2006) and the following amendment bylaws are hereby repealed:

Amendment Bylaw	Effective Date
Bylaw No. 5189, 2022	January 1, 2023
Bylaw No. 5151, 2021	January 1, 2022

Bylaw No. 5093, 2020	January 1, 2021
Bylaw No. 5037, 2019	January 1, 2020
Bylaw No. 4997, 2018	January 1, 2019
Bylaw No. 4955, 2017	January 1, 2018
Bylaw No. 4925, 2016	December 12, 2016
Bylaw No. 4861, 2015	December 7, 2015
Bylaw No. 4819, 2014	December 15, 2014
Bylaw No. 4795, 2014	June 2, 2014
Bylaw No. 4774, 2013	December 2, 2013
Bylaw No. 4741, 2012	December 3, 2012
Bylaw No. 4706, 2011	December 14, 2011
Bylaw No. 4667, 2010	December 6, 2010
Bylaw No. 4622, 2009	December 18, 2009
Bylaw No. 4587, 2008	December 15, 2008
Bylaw No. 4584, 2008	October 27, 2008
Bylaw No. 4539, 2007	January 14, 2008
Bylaw No. 4521, 2007	October 22, 2007

Part 4 Definitions

- 4.1 In the construction and for the purposes of this bylaw the following words shall have the meanings assigned to them;

“Actual Costs” means the *Actual Costs* to provide a service or connection and shall be payable as set out in section 13.3.

“Authorized Contractor” means a person retained by the District as an independent contractor for the purpose of installing, supporting, protecting, inspecting, operating, maintaining, repairing, replacing, or reading meters.

“Construction Value” has the same meaning assigned to it under the District’s Building Bylaw No. 4400, 2004.

“Council” means the Council of the District.

“Director of Finance” means the Director of Financial Services, or their designated representative.

“Disconnection” means the detaching and capping of the water service at the water main.

“Discontinuance” means a water turn off or disconnection.

“District” means the Corporation of the District of West Vancouver.

“Engineer” means the Director of Engineering and Transportation Services, or their designated representative.

“Hydrant Use Application Form” means the application form for hydrant use in such form as may be prescribed by the Engineer from time to time.

“Meter” means an apparatus for measuring and recording the quantity of water passing through it and shall include all pipes, valves, and other appurtenances and accessory materials required for the installation and operation of the water meter.

“Meter Chamber” means a chamber installed in the ground over a waterline or water service for the purpose of installing and maintaining a meter therein.

“Occupier” means householders, tenants, or owners of a dwelling.

“Owner” has the same meaning assigned to it under the *Community Charter* and includes the authorized agent of the owner.

“Sprinkling” means the application or distribution of water by sprinkling or spraying but does not include underground irrigation or the method known as drip irrigation.

“Termination” means a permanent *Disconnection*.

“Water Service” means the connection between the water main in the street or municipal right of way and the curb stop within the street or municipal right of way, and includes the Corporation stop, pipes, meter chamber, meter, and curb stop.

“Water System” means the District waterworks system.

“Water Turn On” means the turning on of water by the District to a property, by opening the curb stop within the water service, after the Owner has made application and paid the appropriate fees.

“Water Turn Off” means the turning off of water by the District to a property, by turning the valve of the water system off at the curb stop.

“Waterline” means the pipes, valves and other appurtenances and accessory materials conveying water between the curb stop and the exterior wall of any permitted building, which has the same meaning assigned to it under the District’s Building Bylaw No. 4400, 2004.

Part 5 Works & Services

5.1 Water Service

5.1.1 Only one *Water Service* connection shall be provided to any property or parcel unless, in the opinion of the *Engineer*, more than one *Water Service* connection is required.

5.1.2 *Water Service* connections shall be of the size approved by the *Engineer*.

5.1.3 In all cases the minimum size of a *Water Service* connection shall be 19mm.

5.2 Connection with Water Mains

No person shall make any connection whatsoever to any water main in the District without first obtaining the *Engineer's* consent in writing.

5.3 Engineering and Mechanical Work

The various works and properties required for the *Water System* shall be under the charge and control of the *Engineer*. The *Engineer* shall have charge and control of all engineering and mechanical work in connection with the *Water System* and full charge of the employees engaged in such work, including the laying of pipes, services and appurtenances; the installation, reading, and repairs of meters; and the inspection of such works for supply and distribution purposes.

5.4 Work to be done by Municipal Employees

No work of any kind connected with the *Water System*, either for laying of new services or the repair of old services, shall be done upon or under any streets or rights of way in the *District* by anyone other than employees of the *District* unless authorized by the *Engineer*.

5.5 Right of Entry

Every person must, at all reasonable times, allow and permit the *Engineer*, or anyone authorized by them for such purpose, to enter into and upon a property for the purpose of installing, maintaining, protecting, operating, inspecting, reading, repairing, or replacing a *Water Service*, *Waterline*, meter, or any other apparatus used in connection with the *Water System*.

Part 6 Meters

- 6.1 A separate meter shall be connected to each *Water Service*.
- 6.2 All meters shall be installed by the *District* or its *Authorized Contractor*.
- 6.3 All meters shall be installed in a *Meter Chamber* on the *Water Service* or as otherwise directed by the *Engineer*.
- 6.4 The *District* may install a meter in a *Meter Chamber* on a *Waterline* with the consent of the *Owner*.
- 6.5 All meters shall, once installed, be under the supervision, inspection, and control of the *District* and no person shall tamper with or attempt to repair, replace, or remove any meter without the express written consent of the *Engineer*.
- 6.6 Notwithstanding the degree of annexation of meters in or on any private property, meters and *Meter Chambers* installed by the *District* or its *Authorized Contractor* shall not constitute a fixture or improvement to such private property and such meters and *Meter Chambers* are and shall remain the property of the *District*, who may maintain, repair, replace, inspect, and read the same from time to time in their sole discretion. If such property is damaged or destroyed, the *Owner* or *Occupier* on whose premises the meter has been placed shall pay to the *District* the cost of appropriate replacement of the property so destroyed, or its equivalent, as determined by the *Engineer*.
- 6.7 Where the *Owner* or an *Occupier* of a metered property requests a service call to inspect and test a meter, the service call will be subject to a Service Call Fee in accordance with the fees set out in Schedule C.
- 6.8 Blocked or Out of Order Meter
- When a meter is blocked or is out of order and fails to register the full quarterly amount of water supplied or indicates that no water has been used, the *Director of Finance* shall charge and collect the same water fees as if water had been used. Such water fees shall be an average rate based upon the usage history and trends over the previous two years for the same quarterly period, in respect to water supplied to the property against which such meter has been placed and if no such data is available, then the account for such lesser or other period at the discretion of the *Director of Finance* can be used to compute the water fee.

6.9 Inaccessible Curb Stops or Meters

- 6.9.1 No *Owner* or *Occupier* shall install, plant, or place anything over a curb stop or meter on their property.
- 6.9.2 If on *District* property, anything installed, planted, or placed over a curb stop or meter must be removed upon 14 days' notice by the *Engineer*, or other time period appropriate in the circumstances, determined by the *Engineer*.
- 6.9.3 If an *Owner* or *Occupier* receives the above notice in relation to their curb stop or meter and refuses or neglects to carry out the removal in the time period specified, the *District* may complete the work and charge those costs to the *Owner*.

Part 7 Applications for Service

7.1 Application for *Water Turn On*, *Water Turn Off*, and Locating the *Water Service*

- 7.1.1 All applications for *Water Turn On*, *Water Turn Off*, or locating the *Water Service* curb stop at any property shall be made in writing to the *Engineer* at least 5 (five) business days before the service is required and, in such form, as may be prescribed by the *Engineer* from time to time.
- 7.1.2 In the event that the *Water Service* curb stop is required to be located for a *Water Turn On* or *Water Turn Off*, the fee for both services will apply.
- 7.1.3 In the event that the *Water Service* curb stop cannot be located for a *Water Turn On*, the *District* may relocate the *Water Service* and *Meter Chamber* to a more accessible location and charge the *Owner* for a new *Water Service* connection.
- 7.1.4 No person shall make application for a *Discontinuance* from any property in use or occupied by any other person until such use or occupation has ceased and the property has been vacated.
- 7.1.5 Where one connection to the main is servicing multiple properties, the *District* shall not be required to affect a *Disconnection* of any individual service until such time that all other services have been directly connected to the main, at the

expense of such person requesting the *Disconnection* and according to the provisions of this bylaw.

7.2 Application for Installation of *Water Service* and Reconnection of Existing Service

All applications for the installation of a *Water Service* or the reconnection of an existing *Water Service* shall be made in writing to the *Engineer*.

Part 8 Regulations on Water Use

8.1 Watering Other Premises

No person shall, with a sprinkler or otherwise, water any premises other than those in respect of which they have paid the rates as set out in the Schedules A and B except as provided in the section on 'Using Water for *Sprinkling* Streets'.

8.2 Restrictions on Outdoor Use

Use of *District*-supplied water is subject to the Revised Drinking Water Conservation Plan Bylaw No. 4975, 2018 Schedules A, B, and C.

8.3 Using Water for *Sprinkling* Streets

No person (other than employees of the *District* in the course of their duties) shall use water for the purpose of *Sprinkling* any street or lane or public thoroughfare, provided that nothing in this section shall prevent any person from *Sprinkling* or watering that portion of any boulevard immediately adjoining their property and provided such *Sprinkling* shall be done only during the permitted days and times set out in the Revised Drinking Water Conservation Plan Bylaw No. 4975, 2018.

8.4 Selling Water

No person shall sell or dispose of any water supplied by the *District* or permit the same to be carried or taken away or used or applied for the benefit or use of a person other than a member of their household, except for works undertaken by and for the *District*.

Part 9 Fire Hydrants

9.1 Interference with Hydrants, and Other Appurtenances

No person shall in any way interfere or tamper with any hydrant, valve, curb stop, pipe, meter, or other waterworks device.

9.2 Using Fire Hydrants

9.2.1 No person shall open or use fire hydrants for any purpose whatsoever, except in accordance with this section.

9.2.2 Any person wishing to use water from a fire hydrant shall:

- (a) apply to the *Engineer* using the *Hydrant Use Application Form*;
- (b) pay the fee set out in the *Hydrant Use Application Form* to obtain the permit; and
- (c) pay the deposit set out in the *Hydrant Use Application Form* for each hydrant used.

Part 10 Pipes & Appurtenances

10.1 Keeping *Water Service*, *Waterline*, etc. in Good Order

10.1.1 All *Owners* shall be responsible for keeping their *Waterline* in good order and repair and shall protect the *Waterline* from frost.

10.1.2 Maintenance and repairs of the *Water Service* shall be done by the *District* at the expense of the *District*.

10.1.3 All work required on a *Waterline* shall be at the *Owner* 's expense.

10.1.4 When a house is vacated, the main shut off valve on the inside wall of the building shall be turned off by the *Owner*.

10.1.5 Where a building permit is issued for works with a *Construction Value* in excess of \$250,000, and where the existing *Water Service* was installed more than 29 years ago, then a new *Water Service* shall be installed by the *District* at the *Owner* 's expense in accordance with the fees set out in Schedule C.

10.2 Installing Apparatus not in Accordance with Bylaws

No person shall install, place, or maintain in any property any water connection, pipe, fixture, or any other apparatus which is not in

accordance with the requirements of this bylaw or any other pertinent bylaws.

10.3 Leaky Pipes and Faulty Appurtenances

- 10.3.1 An *Owner* or *Occupier* shall not cause, permit, or allow any components of their *Waterline* to leak water. It is the responsibility of the *Owner* to monitor water use and deal promptly with any indication of leakage.
- 10.3.2 The *Engineer* may notify the *Owner* if they have reason to believe there may be a leak on private property. Within 48 hours of receiving such notice, the *Owner* must investigate and make or cause to be made all necessary repairs or alterations to the satisfaction of the *Engineer*.
- 10.3.3 Where an *Owner* fails to make the necessary repairs within the 48 hours allowed, or where the condition of the *Waterline* may cause a waste of water or damage to property, the *Engineer* may immediately complete a temporary *Discontinuance* without further notice.
- 10.3.4 If the *Engineer* has determined it necessary to complete a *Discontinuance* in an emergency situation, they will notify the *Owner* as soon as practicable.
- 10.3.5 The *District* will not complete a *Water Turn On* or reconnect the *Water Service* to the property until all necessary repairs or alterations have been completed to the satisfaction of the *Engineer*, and all applicable charges have been paid to the *District*.
- 10.3.6 No person will have any claim, and no action lies, and no proceeding may be brought against the *District*, its elected officials, officers, or employees for damages, either direct or indirect, arising from the temporary *Discontinuance*, or for any loss or damage to property, which may result from such temporary *Discontinuance*.

Part 11 Water Supply

11.1 No Duty to Supply Quantity or Quality of Water

Nothing contained in this bylaw shall be construed so as to impose any obligation on the *District* to give any continuous supply of water to any person nor to supply water of any given quality or pressure. The *District*

accepts no liability for reductions, interruptions, or other temporary or permanent interference with the provision of water supply.

11.2 **Non-Compliance**

Where the *District* intends to affect a *Discontinuance* to a premises because of unpaid taxes or fees or non-compliance with the rules and requirements of this bylaw relating to the provision of water supply:

- (a) the *District* will provide, in writing, 30 days' notice of such *Discontinuance* to the *Owner* and to all *Occupiers* of the premises;
- (b) after the 30-day notice period has lapsed, if the taxes or fees remain unpaid or the non-compliance has continued, the *District* may complete a *Discontinuance*;
- (c) all persons who are affected by a *Discontinuance* because of non-compliance with the rules and requirements of this bylaw will be given an opportunity to make representations to *Council* by giving notice to the *District's* corporate officer, who will put it on the agenda of the next available *Council* meeting;
- (d) the fees for *Discontinuance* and *Water Turn On* shall be as set out in Schedule C; and
- (e) no person will have any claim, and no action lies, and no proceeding may be brought against the *District*, its elected officials, officers, or employees for damages, either direct or indirect, arising from the *Discontinuance* of the water supply, or for any loss or damage to property, which may result from such *Discontinuance*.

Part 12 Termination or Change of Water Use

12.1 *Termination*

Any person who is desirous of *Termination* shall apply in writing to the *Engineer*. Upon the *Engineer's* approval to terminate the use of water, a fee shall be payable for *Termination* as contained in Schedule C.

12.2 *Water Service Discontinuance* for Demolition

Any person applying for the demolition of a building shall request a *Discontinuance* and pay the fees set out in Schedule C. In this case, the Water Meter Base Rates and the Water Meter Volume Rates set out in Schedule A and Schedule B remain payable.

Part 13 Charges & Fees

13.1 Water Rates and Charges

- 13.1.1 The rates payable for Water Meter Base Rates and Water Meter Volume Rates set out in Schedule A and Schedule B shall commence upon the date of *Meter* installation.

13.2 Fee for *Water Service* Installation

- 13.2.1 At the time of application for locating a *Water Service*, a *Water Turn On*, or a *Water Turn Off*, fees shall be payable as set out in Schedule C.
- 13.2.2 Payment of any monies due to the *District* shall be made before a *Water Turn On* is affected.
- 13.2.3 Where a *Meter* is installed by the *District* or an authorized agent on a new, replacement, or modified *Water Service*, the *Owner* shall pay a fee as set out in Schedule C.

13.3 *Actual Costs*

- 13.3.1 Any person making an application for a service or installation for which the fees are *Actual Costs* shall, at the time of such application, deposit at the *Engineer* 's office the security amount prior to commencement of the works.
- 13.3.2 The security amount shall be 150% of the estimated cost of providing such service.
- 13.3.3 The estimated cost shall be the estimated installation cost plus 20% for administration and overhead.
- 13.3.4 Upon receipt of the security amount, the *Engineer* shall, if in their opinion such service or installation is necessary, and if the application is complete and satisfies all conditions of this bylaw, as soon as is convenient thereafter provide such service or installation.
- 13.3.5 If the *Actual Costs* to complete the work plus 20% for administration and overhead is less than the security amount, the *Engineer* shall refund to the applicant the difference between such amount and the security amount.
- 13.3.6 If the *Actual Costs* to complete the work plus 20% for administration and overhead is greater than the security amount, the applicant shall pay to the *District*, within 30

days, the difference between such amount and the security amount.

13.4 Laying of a New *Water Service*

13.4.1 *Actual Costs* shall be paid for the laying of a new water service.

13.4.2 For clarity, if a property is serviced by an undersized water main, the applicant will also be responsible for the necessary costs to upgrade the main.

13.5 Water Utility Fee

13.5.1 Where the water supply to a property is metered, a quarterly charge, to be called a “Metered Water Volume Fee” is hereby imposed on the *Owner* of such property for the use of the *Water System* according to the quantity of water delivered by the waters system as set forth in Schedule B and is due and payable quarterly on the last days of May, August, November, and February, in arrears.

13.5.2 The rates payable for Water Meter Base Rates and Water Meter Volume Rates set out in Schedule A and Schedule B shall remain in effect until a *Termination* Application has been made to the *Engineer* in accordance with section 12.1 and been approved.

13.5.3 Where a new *Meter* has been installed during any quarter (with the quarters beginning on the first days of January, April, July, and October) the Metered Water Volume Fee for that partial quarter is due at the end of that quarter. The Metered Water Volume Fee shall be based on the total consumption of water since the installation of the new *Water Service*.

13.5.4 Where the *Owner* or an *Occupier* requests a special reading of *Meters* between scheduled reading dates, a Special Meter Reading Fee will be charged in accordance with Schedule C.

- 13.5.5 The rates payable for Water Meter Base Rates and Water Meter Volume Rates set out in Schedule A and Schedule B shall be subject to a discount of ten (10) percent, provided the rates for the current billing are paid in full on or before the close of business on the due date set out on the billing form. If all or a portion of the fee due and payable is received after the due date set out on the billing form, then it shall be the amount shown in Schedule A and Schedule B.

13.6 Remedies for Unpaid Utility Fees

If any person refuses or neglects to pay fees payable under this bylaw, the *Engineer* may affect a *Discontinuance* of the supply of water in accordance with section 11.2.

13.7 Rebates or Refunds

- 13.7.1 No rebate, refund, or credit whatever of any monies paid or payable for water shall be made except in accordance with this section. A rebate for the Metered Water Volume Fee to compensate for a water leak will be made at the discretion of the *Engineer* when a firm that has repaired the water leak has provided an attestation to the *District* confirming the following conditions:

- a) there was a water leak on the buried portion of the *Waterline* between the *Meter* and the point where the service pipe enters the building;
- b) that they have properly repaired the leak; and
- c) that a leak of that nature would have caused the volume of excess water usage.

- 13.7.2 If the above conditions are met, and an application for adjustment has been received, in writing, within 30 days of the mailing of the most recent utility statement, the *Director of Finance* will recalculate the Metered Water Volume Fee for the most recent quarterly period by estimating the normal volume based on usage history and trends for the same quarterly billing period over the previous two years. The recalculated Metered Water Volume Fee will be the sum of the following:

- a) normal volume multiplied by the Metered Water Volume Fee set out in Schedule B;

- b) excess volume multiplied by 25% of the Metered Water Volume Fee set out in Schedule B; and
- c) the water leaks administration fee set out in Schedule C.

13.7.3 Provided that the total recalculated fee as determined above is less than the original quarterly billing, the *Director of Finance* may rebate the difference.

13.8 Unpaid Amounts

When any fees, rates, or charges due by any person under this bylaw remain unpaid on the 31st of December, the same will be deemed to be taxes in arrears in respect of the property to which the service was provided.

Part 14 Offence and Penalty

- 14.1 Every person who violates a provision of this bylaw, or who consents, allows, or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500.
- 14.2 Each day that a violation continues or exists under this bylaw is a separate offence.

READ A FIRST TIME on October 23, 2023

READ A SECOND TIME on October 23, 2023

READ A THIRD TIME on October 23, 2023

ADOPTED by the Council on October 30, 2023.

Mayor

Deputy Corporate Officer

Schedule A – Water Meter Base Rates

Amendment
Bylaw 5283

1. 2024 Water Base Charge (Quarterly) for Universal Metered Customers

Meter Size	Single Family Residential	Multi-Family Residential	Commercial
16 mm	\$98.53	\$221.05	\$294.72
19 mm	\$98.53	\$221.05	\$294.72
25 mm	\$98.53	\$221.05	\$294.72
38 mm	\$154.91	\$394.58	\$542.52
50 mm	\$245.93	\$511.48	\$864.29
75 mm	\$655.41	\$1,380.64	\$1,823.12
100 mm	\$918.56	\$2,145.31	\$2,892.12
150 mm	\$1,592.99	\$4,013.19	\$5,514.09
200 mm		\$5,685.60	\$8,647.76
250 mm		\$8,792.94	\$12,160.37

Schedule B – Water Meter Volume Rates

Amendment
Bylaw 5283

1. 2024 Metered Water Volume Rates Based on Quarterly Consumption

	First 30 Cubic Metres (0 - 30 m³)	From 31 - 60 Cubic Metres (31 - 60 m³)	From 61 - 180 Cubic Metres (61 - 180 m³)	All in Excess 181 Cubic Metres (Over 181 m³)
Single Family Residential	\$1.63	\$1.87	\$2.86	\$3.89

	All Usage Per Cubic Meter (m³)
Multi-Family Residential	\$2.20
Commercial	\$2.20

Per section 13.5.5 of “Waterworks Regulation Bylaw No. 5260, 2023,” the fee due and payable that are shown in Schedule “A” and Schedule “B” shall be subject to a discount of ten (10) per cent, provided rates for the current billing are paid in full on or before the close of business on the due date set out on the billing form.

Schedule C- Service Charges

1	Water Turn On or Water Turn Off (<i>free if at time of Water Service installation</i>)	\$150
2	After hours call-out charge	\$450
3	Special Meter Reading Fee	\$150
4	Detailed Meter Reading Fee – Urgent	\$400
5	Detailed Meter Reading Fee – Normal	\$200
6	Service Call Fee	\$75/hour
7	Water Leaks Administration Fee	10% of original water charge up to \$200
8	Termination or Disconnection	Actual Costs
9	Installation of Meter on new, replacement or modified Water Service	Actual Costs
10	Locate Water Service curb stop	\$300 minimum – any locates beyond 4 hours will be charged an additional \$150/hour