

## BY-LAW NO. 6

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

The trustees of Brew Bay Improvement  
FOLLOWS:

District ENACT AS

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" 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, or shall commence any construction work related or connected thereto, he shall apply to the district in writing and obtain a written permit

therefor, and if required by the trustees, he shall furnish a plan and specifications which shall 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.
  - (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 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 in writing 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 fourteen (14) days notice. The service shall be cut off at the end of the month succeeding the termination of the 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 tolls have been owing to the district for two months 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 by-law.

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, 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.
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, or house trailer on his, or any other property without permission of the trustees.
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 or type 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 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.
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 insure 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 replacement 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.
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, partially closing the controlling curb stop 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 for any other 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 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.
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 mail.
- (b) Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinbefore provided, no person shall, without permission of the trustees:
  - (i) Use water for sprinkling in excess of reasonable requirements; or
  - (ii) Use more than two outlets at one time for sprinkling purposes, neither of which said outlets shall exceed 1/2" in internal diameter; or
  - (iii) Use an open pipe or hose for sprinkling purposes; or
  - (iv) Irrigate more than 1/4 acre of land (including that occupied by dwellings).

#### Liability of District

25. 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 4 consecutive hours, due notice shall be given to those water users affected.

### Penalties


26. The trustees may, on 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. 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 district's works until such time as the trustees again turn on the water.
27. 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 by-law.
28. Every person who disobeys or fails to comply with any provision of this by-law shall be guilty of an offence and liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00) or to imprisonment not exceeding 60 days, or both.
29. This by-law may be cited as the "Water Distribution Regulation By-law".


INTRODUCED and given first reading by the trustees

on the 22nd day of October, 1987.


RECONSIDERED and finally passed by the trustees

on the 22nd day of October, 1987.

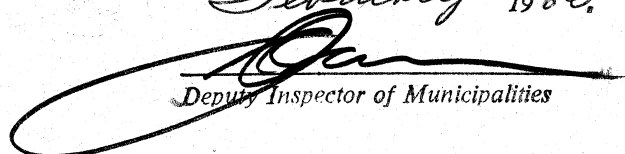
  
Chairman of the Trustees

  
Secretary of the Trustees

I hereby certify under the seal of Brew Bay Improvement District that this is a true copy of By-law No. 6 of the Brew Bay Improvement District, passed by the trustees on the 22nd day of October, 1987.

  
Secretary of the Trustees

A true copy of By-Law No. 6  
registered in the office of the Inspector  
of Municipalities this 22 day of  
February 1988.

  
Deputy Inspector of Municipalities