

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2678

A bylaw to regulate water meters in the Greater Vernon Water Service Area

WHEREAS, the Board has by Bylaw No. 1262, 1994 established the local service of Regional Water Supply;

AND WHEREAS, the Board is desirous to regulate the metering of water by Greater Vernon Water (GVW);

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

A. CITATION

1. This Bylaw may be cited as "**Greater Vernon Water Metering Bylaw No. 2678, 2015**".

B. INTERPRETATION

1. Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
2. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.
3. Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Board of the Regional District of North Okanagan, as amended, revised, consolidated or replaced from time to time.
4. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

C. DEFINITIONS

1. In this bylaw:

Authorized Agent includes a Person, Firm or Corporation authorized by Greater Vernon Water to act on its behalf.

Bona Fide Agricultural Water User means a Customer whose land is used for agricultural purposes as defined by the BC Assessment Authority, and supplementary criteria as approved by the Regional Board from time to time.

Bypass means any connection to a water service that creates a condition in which water is not being recorded by a Water Meter.

Customer means any person who is the owner or occupier, or agent for the owner or occupier, of any premises or equipment to which water is supplied by GVW, and who is liable to pay charges for water consumption, including water drawn from fire hydrants or truck fill stations.

Domestic Water User means the use of water for household requirements, sanitation, watering of domestic animals and backyard poultry, garden or landscaping, pools and any other residential ancillary use.

Greater Vernon Water or **GVW** means the Greater Vernon Water Service created by the *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994*, as amended, and for the purpose of this Bylaw, also includes those portions of Electoral Area “D”, *Regional District of North Okanagan – Electoral Area “D” Regional Water Supply and Distribution Local Service Establishment Bylaw No. 1264, 1994*, and the Township of Spallumcheen, *North Okanagan Water Authority – Township of Spallumcheen Bulk Water Supply Agreement Bylaw No. 1268, 1994*, that are currently receiving water from GVW.

Non Domestic Water User means any connection to the GVW system by a Customer that is not defined as either a domestic water user or Bona Fide Agricultural Water User in this bylaw.

Remote Reader means a Meter Transceiver Unit used for the transmittal of water meter data to another location by way of a radio frequency or other method.

Self Serve means a Customer that turns on and turns off his connection to his irrigation service because the shut off valve and irrigation water meter is located on the customers property.

Standpipe means a water service pipe extending above ground that is connected to GVW water and which the Customer uses for irrigation purposes.

Water Meter means an apparatus for measuring and recording the quantity of water used by a customer and shall include the meter, meter reading device, Remote Reader, and wiring to Remote Reader or the Pin/Touch Pad.

Water Service Connection means that piece of water pipe between the GVW water main and the Customer’s property line.

D. REQUIREMENT FOR METERS

1. All Domestic Water Users, Non Domestic Water Users and Bona Fide Agricultural Water Users connected to GVW are required to have a Water Meter installed for the purpose of measuring the quantity of water used by or supplied to any lands and premises, or part thereof. GVW may impose unmetered rates or fines, or discontinue water supply to unmetered services.
2. GVW will install a Remote Reader for all existing Customers connected to GVW that have a Water Meter.
3. All customers that are connected to GVW but do not have a Water Meter, or any new customer wishing to connect to GVW is required to install, at the cost of the Customer, a Water Meter complete with a Remote Reader for the purpose of measuring the quantity of water used by or supplied to any lands and premises, or part thereof.

4. Customers that refuse to install or have a Remote Reader installed on their property, will be billed a quarterly rate for a manual reading of the Water Meter as per the GVW Rates Imposition Bylaw, as amended.
5. All Bona Fide Agricultural Water Users that install new Water Meters, must install the Water Meters in a Water Meter pit on private property within one (1) metre of the property line, or at a location approved by GVW, at the cost of the Customer.
6. The Customer is responsible for the maintenance and replacement of Water Meter pits and to protect Water Meters from frost and other weather conditions.
7. All Water Meters that are permanently installed are to have a tamper proof security wire installed and sealed prior to water being turned on.
8. The Customer shall immediately notify GVW if the Water Meter stops working or if any leaks, breaks or other irregularities with the Water Meter are observed.
9. Where the B.C. Building Code requires a Water Meter Bypass a separate Water Meter is required on the Bypass.

E. INSTALLATION, INSPECTION AND REPAIR

1. GVW is responsible to determine and specify the size, type and arrangement of Water Meters. All water meters will be installed in accordance with GVW and manufacturer's specifications. Domestic and Non Domestic meters installed in buildings must be installed as per the GVW Subdivision and Development Servicing Bylaw, as amended.
2. Upon installation, Water Meters must be inspected and approved by an Authorized Agent of GVW prior to activation. No Water Meter shall be installed in a confined space as determined by WorkSafeBC Regulations without written authorization from GVW.
3. Following inspection and approval, all Water Meters will become the property of GVW.
4. GVW will maintain, repair and replace all Water Meters when rendered unserviceable through reasonable wear and tear.
5. GVW or an Authorized Agent may inspect or replace a Water Meter at their discretion provided notice is provided in accordance with Section F. It is the Customer's responsibility to ensure the Water Meter is fully accessible to allow for the Water Meter inspection or replacement.
6. If access to the Water Meter is obstructed, Self Serve customers will be required to install their Water Meter in a water meter pit installed on their private property within one (1) metre of the property line, or at an alternate location approved by GVW. Water Meters installed in a water meter pit must be installed as per the GVW Subdivision and Development Servicing Bylaw, as amended.
7. New Water Meter installations located on Standpipes are not permitted.
8. Isolation valves are required on all meter installations.

F. DAMAGE OR UNLAWFUL ACTION

1. Where maintenance, repair, renewal or replacement of any Water Meter or water connection is rendered necessary by the act, neglect or carelessness of the Customer

- or his/her invitees, any expense incurred by GVW shall be charged to and collected from the Customer.
2. No person is permitted to tamper with any Water Meter or water service between the GVW water main and the Water Meter so that it interferes with the accurate recording of the quantity of water supplied to any lands and/or premises.
 3. Any Customer found to be tampering with the Water Meter or piping of water supplied to the Water Meter or where a Water Meter Bypass is detected and proven will be required to install, at the customer's expense, a meter pit within one (1) metre of the property line, or a location approved by GVW, purchase a new Water Meter that detects tampering and/or be subject to a fee in accordance with the GVW Rates Imposition Bylaw, as amended, or the Regional District of North Okanagan Ticket Information Bylaw, as amended. The customer may be also required to install a backflow prevention assembly if a backflow risk is determined to exist on the property at the request of GVW.
 4. GVW may install a Water Meter in a meter pit within one (1) metre of the property line, or a location approved by GVW, at GVW's expense on any property that a Water Meter Bypass is suspected. The Customer may be also required to install a backflow prevention assembly at their cost if a backflow risk is determined to exist on the property at the request of GVW. If the water consumption records for the property meter and for the new Water Meter installed in the Water Meter pit demonstrate more than a 5% difference, or if the historic water consumption clearly demonstrates a Bypass was in effect and the historic water consumption is more than a 30% difference in consumption, the Customer will be charged for the installation of the Water Meter pit.
 5. All water use from any fire hydrant must be metered with the exception of water used for fire protection. Any unauthorized equipment found attached to a fire hydrant with or without a Water Meter, or obstructing access to the fire hydrant, will be confiscated and held by GVW or Authorized Agent. Upon claiming the confiscated equipment, the claimant may be subject to a fee in accordance with the GVW Rates Imposition Bylaw, as amended, or the Regional District of North Okanagan Ticket Information Bylaw, as amended.
 6. Where any wilful or intentional action of any Customer causes the Water Meter to be obstructed so it can not be read, the Customer will be required to install a Remote Reader at their own cost or be required to pay a fee for an unsuccessful meter read in accordance with the GVW Rates Imposition Bylaw, as amended.
 7. Customers will be required to replace lost or stolen water meters at their own cost.

G. ACCESS

1. GVW and Authorized Agents are hereby authorized to access at all reasonable hours the lands and premises of Customers for the purposes of installation, repair, examination, inspection and maintenance of Water Meters and/or ancillary equipment. When practical, and notwithstanding an imminent threat to the security of the water supply, the GVW or Authorized Agent will provide 48 hours notice prior to accessing the Customer's lands and/or premises.
2. If for any reason access to the lands and premises is restricted, the Customer must have installed at their own expense a Water Meter pit within one (1) metre of the property line. The Customer is required to provide GVW with the on-site meter if requested by GVW to install in the water meter pit. Where the on-site Water Meter is not provided by the Customer as requested, the Customer will be charged for a new

Water Meter.

3. The Customer is responsible to place the Water Meter in a dry location that prevents freezing or other damage and must provide adequate, convenient and unobstructed access to the Water Meter and Remote Reader for inspection, repair and maintenance.
4. The Customer is responsible to allow the placement of the Water Meter reading device or Remote Reader in a location which ensures safety and ease of access for reading of the Water Meter. If the location of the Water Meter or Remote Reader is considered to be unsafe, the Customer must either relocate to an approved location or install a Water Meter pit at property line, at their own expense.

H. CHARGES

1. The rates and fees for all water consumption shall be in accordance with GVW Rates Imposition Bylaw, as amended, and the quantity of water used shall be deemed to be the quantity shown or indicated by the Water Meter upon it being read from time to time.
2. A water leak adjustment application will not be considered from any property where the Customer refuses to have a Remote Reader installed.

I. WATER METER RE-READS OR METER TESTS

1. Water Meter testing may be done at any time by GVW or Authorized Agent, and the provisions of this subsection for the adjustment of inaccuracies shall apply.
2. Any Customer who disputes the quantity of water used as recorded by a Water Meter may, upon application to GVW and payment of the Meter Re-Read Fee or Meter Testing Fee, have such Water Meter re-read and/or tested by GVW or Authorized Agent. Where it is shown:
 - i. that the Water Meter is functioning properly and the difference between the amount recorded and the amount actually used is five (5) percent or less, there will be no refund or additional charges.
 - ii. that the Water Meter is not functioning properly and recorded a quantity of water consumed in excess of that actually used, no charge shall be made for the meter re-read or meter test and a refund shall be made to compensate for such inaccuracy, the refund calculation shall be limited to a period of six (6) months immediately preceding the date of the application, and the amount of the refund shall be determined by the percentage of inaccuracy as determined by the test. The fee for meter re-read and/or meter test will be refunded.
 - iii. that the water meter was not functioning properly and recorded a quantity less than that actually used, a charge shall be made to compensate for such inaccuracy, but such charge shall be limited to a period of six (6) months immediately preceding the date of the application. The amount of the charge shall be determined by the percentage of inaccuracy as shown by the test. The fee for meter re-read and/or meter test will be refunded.

J. REPEAL

Bylaw No. 2155 being the "Greater Vernon Services Water Utility Metering Bylaw No. 2155, 2006", and all amendments thereto, are hereby repealed.

Read a First, Second and THIRD Time

this 20th day of May, 2015

ADOPTED

this 20th day of May, 2015



Chair
Rick Fairbairn



Deputy Corporate Officer
Paddy Juniper