

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2437

A bylaw to impose rates for the  
Greater Vernon Regional Water Supply Local Service Area

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**WHEREAS** Section 796(1) [*General authority for services*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, states that the Board of a Regional District may operate any service that the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Regional District has adopted Bylaw No. 1262, being the Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994, and amendments made thereto, which authorizes the Regional District to impose fees and charges for the annual cost of providing water supply and distribution services;

**AND WHEREAS** Section 803(1) [*Options for cost recovery*] of the *Local Government Act*, states that Section 363 [*Imposition of fees and charges*] of the *Local Government Act* applies to Regional Districts in relation to their services;

**AND WHEREAS** Section 363 [*Imposition of fees and charges*] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

**AND WHEREAS** the Regional Board is desirous to amend the current rates and/or billing process;

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

### CITATION

1. This Bylaw may be cited as “**Greater Vernon Water Utility Rates Imposition Bylaw No. 2437, 2010**”.

### DEFINITIONS

2. In this bylaw:

“**After Hours Call Out**” means requests for service from the Greater Vernon Water Utility requiring a response after the regular hours of operations of the Operating Contractor and/or any time during Saturday, Sunday and Statutory Holidays.

“**Agricultural Land**” means bona fide agricultural land.

“**Agricultural Water Purchase Fees**” means the one time fees to increase the flow rate for bona fide agricultural land.

“**Allocation**” means water allocated to property.

“**Allocation Fee, Bare Land**” means the fee charged to land with allocation and without a domestic unit.

**“Allocation Fee with Domestic Unit”** means the fee charged for land with allocation and with a Domestic Unit. This fee cannot be negative.

**“Annual Interest Rate for Latecomer Charges”** means the interest rate used in the latecomer bylaw.

**“Bare Land”** means land not containing a Domestic Unit.

**“Base Fee”** means the minimum fee for access to potable water supply. This includes developable, non-agricultural properties that have the ability to connect to the GWWU System regardless of whether they are actively connected. Lots that are actively using an alternate water supply such as another water utility, well, lake or stream intake, for potable water use or will never require a water service are exempt from this fee.

**“Billing Date”** means the date the Utility Bills are sent to the customers.

**“Bona fide agricultural land”** means land used for agricultural purposes as defined by the BC Assessment Authority, and supplementary criteria approved by the Regional Board from time to time.

**“Building Permit Fee”** means the one time fee to review building permits if the works require an increase in demand on the Greater Vernon Water Utility.

**“Capital Cost”** means the cost to supply and install proposed water works including on and off site pipes, valves, services, hydrants, fittings, reservoirs, pump stations and appurtenances etc. at the market cost as determined in the sole discretion of the Regional District.

**“City”** means the Corporation of the City of Vernon.

**“Commercial Non-Potable Rate”** means the rate assessed to commercial users outside of buildings for non-potable purposes as approved by the Regional Board. This rate is not available to new users.

**“Connected Private Hydrants”** means fire hydrants not owned by the Greater Vernon Water Utility but are connected to the water utility.

**“Connection Fee”** means the one time fee for new customers to connect to the water utility if any Water Development Cost Charge Fee has not been paid for the same lot.

**“Consumption Charge”** means the volume of water used times the Consumption Rate.

**“Consumption Rate”** means the price of water per cubic metre that is charged to properties with a water connection and water meter in accordance with Schedule “A” of this bylaw.

**“Delcliffe Water Utility”** means the independent water utility on Delcliffe and Cameron Roads.

**“District”** means the Corporation of the District of Coldstream.

**“Domestic Appeal for Agricultural Water Fee”** means the annual fee charged, per lot, to change the status of the lot to bona fide agricultural land.

**“Domestic Appeal for Agricultural Water Late Fee”** means a fee applied to applications received after February 15th of each year.

**“Domestic Fees”** means the fees and charges billed to domestic customers.

**“Domestic Unit”** means a single residential dwelling, mobile home, occupiable space for a mobile domestic vehicle or trailer, rental suite, in-law suite, strata unit or plumbed residential or agricultural out-building or other plumbed buildings, including but not limited to commercial and industrial buildings, excluding bona fide agricultural use or bona fide agricultural stock watering. The number of domestic units may, at the discretion of the Regional District, be calculated as thirty (30) fixture units or portion thereof as defined by the BC Plumbing Code as amended from time to time.

**“Equivalent Unit”** means the equivalent to a domestic unit based on the type of use and number of fixture units in the commercial, institutional or industrial property.

**“Fire Main”** means a service that is intended for the purpose of providing a supply of water for fire fighting purposes.

**“Fixture Units”** means a fixture unit as defined in the British Columbia Plumbing Code, current edition, as amended from time to time.

**“Greater Vernon Water Utility”** means the water utility created by the *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994*, and amendments made thereto.

**“GVWU”** means the Greater Vernon Water Utility.

**“Hemodialysis Consumption Rate”** means the price of water per cubic meter that is charged for water used on home hemodialysis on a dedicated water meter in accordance with Schedule “A” of this bylaw.

**“Independent Water Utility”** means a water utility other than the Greater Vernon Water Utility.

**“Latecomer Administration Fee”** means the fee the Greater Vernon Water Utility charges to prepare and execute a latecomer bylaw.

**“Local Service Area Administration Fee”** means the fee the Greater Vernon Water Utility charges to prepare and execute a local service area.

**“Minimum Allocation Fee”** means the minimum fee per parcel for land with allocation.

**“Minimum Fee”** means the minimum charge added to the base fee in lieu of a smaller Consumption Charge.

**“Minimum Non Agricultural Allocation Fee”** means the minimum fee charged for allocation water on property that is not bona fide agricultural land.

**“Non Domestic”** means all services that are not used for domestic or agricultural purposes.

**“Non Potable”** means not meant for human consumption or cleaning.

**“Obstructed Meter Read”** means the water meter could not be read due to some action or

inaction of a property owner or occupier.

**“Operating Contractor”** means the contractor(s) the Greater Vernon Water Utility employs to operate the water utility.

**“Plan Review and Inspection Fee”** means that one time fee to have the construction plans reviewed, and the construction inspected from time to time by the Greater Vernon Water Utility.

**“Quarter”** means a period of time that is a billing period approximately three months long.

**“Regional Board”** means the Board of Directors of the Regional District of North Okanagan.

**“Regional District”** means the Regional District of North Okanagan.

**“Regular Irrigation Season”** means the approximate 153 irrigation days from approximately April 15th to approximately September 15th, as determined by the Greater Vernon Water Utility.

**“Shut-Off / Turn-On, Meter In / Meter Out Fee”** means the fee to interrupt or resume water service by means of a shut-off or turn-on of a water service pipe or to remove or install an existing meter at the request of a customer.

**“Special Irrigation”** means irrigation outside of the Regular Irrigation Season.

**“South Vernon Irrigation District”** means the independent water utility on Okanagan Avenue and Okanagan Landing Road.

**“Stock Watering”** means the use of a water service on bona fide agricultural land solely for the purpose of providing water for livestock during the months of October through March inclusive.

**“Subdivision Application Fee”** means the one time fee to apply for subdivision review.

**“Summer Surcharge Rate”** means the additional price of water per cubic metre that is charged to properties with a water connection and water meter during the 3<sup>rd</sup> quarter of approximately 91 days in accordance with Schedule “A” of this bylaw.

**“Temporary Fire Hydrant User Fee”** means the fees and charges to use a hydrant connected to the water system and that is charged on a per hydrant, per week or part thereof, plus consumption.

**“Truck Fill Station Fees”** means the fees charged to use devices provided by the Greater Vernon Water Utility to fill containers.

**“Unmetered”** means a water service without a water meter.

**“Utilities Collection Roll”** means a list of each property served by the water system that is liable to a water charge; and which designates the lands as Residential, Commercial, Agricultural, and/or indicates the water entitlement (allocation).

**“Water Meter”** means a device owned by the Greater Vernon Water Utility to measure the quantity of water used by a customer.

**“Water Service Application Fee”** means the one time fee to apply for a water service to an existing lot.

**“Water Service Construction Fee”** means the one time fee to construct the pipeline service from the water main to the property line. This pipeline service may have been constructed prior to the subdivision, building permit, or other activities on the property.

**“Water System Tampering Fee”** means the fee the water utility charges for the operation of a water utility valve, door, gate, or other appurtenance that was not authorized by the Greater Vernon Water Utility, in accordance with Schedule “A” of this bylaw.

**RATES**

- 3. (1) Every person being the owner of lands and premises and whose property is on the Greater Vernon Water Utility Collection Roll shall pay to the Greater Vernon Water Utility the rates established for the service in accordance with Schedule "A" as attached hereto, and in the manner herein provided.
- (2) All accounts shall be rendered to the owner of the lands and premises to which water service is provided.
- (3) A Utilities Collection Roll will be prepared prior to June of each year and be updated from time to time, which will serve as the basis for which the rates described in Schedule "A" will apply and be levied for allocation and water use.
- (4) Water service rates may be pro-rated for new connections or new construction.

**PAYMENT DUE DATES**

- 4. (1) Payment of the Utilities Invoices outlined in this subsection are due and payable upon issuance of the invoice. A fee of 12% simple interest per annum will be charged for payments received 30 days after the billing date.
- (2) Amounts remaining unpaid as at December 31st are deemed to be taxes in arrears and shall be transferred to property taxes.
- (3) Where the dates specified in Section 4 (1) above fall on a weekend or statutory holiday, the next business date shall apply.

**REPEAL**

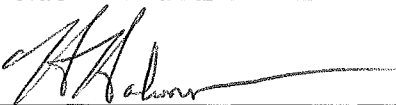
- 5. Bylaw No. 2387, being the **“Greater Vernon Water Utility Rates Imposition Bylaw No. 2387, 2009”**, and all amending bylaws thereto, are hereby repealed.


**Read a First, Second, and THIRD Time**

this 7<sup>th</sup> day of April, 2010

**Reconsidered and ADOPTED**

this 7<sup>th</sup> day of April, 2010

  
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 Chair

  
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 Corporate Officer

**SCHEDULE "A"** attached to and forming part of Bylaw No. 2437, 2010

### SCHEDULE "A" – RATES

Effective January 1, 2010, all customers of the Greater Vernon Water Utility shall be levied the following rates for water consumption and use:

#### 1. Allocation Fees

a.	Allocation Fee, Bare Land	\$53.96	per hectare of allocation per quarter or part
b.	Allocation Fee with Domestic Unit	\$ 53.96	per hectare of allocation over 0.4 hectares per quarter or part
c.	Minimum Allocation Fee	\$ 21.58	per quarter or part
d.	Special Irrigation	\$ 53.96	per hectare per month or part

#### 2. Agricultural Water and Non Agricultural Peak Flow Purchase Fees

a.	Application Fee	\$ 200.00	
b.	For each 0.1 of a hectare allocation or part thereof	\$ 600.00	subject to availability
c.	For each 0.1 litres per second peak flow demand for non agricultural purposes	\$ 770.00	subject to availability

#### 3. Stock Water Fees for Bona Fide Agricultural Use

a.	Stock watering during winter months	\$ 21.58	per month or part thereof
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#### 4. Domestic Fees

a.	Base Fee for each domestic unit	\$ 50.17	per quarter or part
b.	Consumption Rate, added to Base Fee	\$ 0.92	per cubic metre above 20 cubic meters per quarter
c.	Summer Surcharge Rate, added to Base Fee	\$ 0.18	per cubic meter above 20 cubic meters during the 3 <sup>rd</sup> quarter
d.	Unmetered fee (where metering is NOT possible as determined by the Regional District) added to Base Fee	\$ 131.23	per quarter or part
e.	Unmetered fee where metering IS possible, added to Base Fee:		
	i. initial and first quarter after written warning	\$ 167.86	per quarter or part
	ii. second and subsequent quarters after written warning	\$ 354.25	per quarter or part
f.	Hemodialysis consumption rate	\$ 0.09	Per cubic meter

#### 5. Non Domestic Fees

a.	i. Minimum Fee measuring element 16 mm and smaller	\$ 55.25	per quarter or part
	ii. Minimum Fee measuring elements 17mm to 21 mm	\$ 65.96	per quarter or part
	iii. Minimum Fee measuring elements 22 to 26 mm	\$ 80.50	per quarter or part
	iv. Minimum Fee measuring elements 27 to 39 mm	\$ 149.08	per quarter or part

v.	Minimum Fee measuring elements 40 to 55 mm	\$ 166.23	per quarter or part
vi.	Minimum Fee measuring elements 55 to 80 mm	\$ 459.98	per quarter or part
vii.	Minimum Fee measuring elements 80 to 110 mm	\$ 646.44	per quarter or part
viii.	Minimum Fee measuring elements 110 to 160 mm	\$ 831.11	per quarter or part
ix.	Minimum Fee measuring elements over 160 mm	\$ 1,140.59	per quarter or part
x.	Minimum fee where metering is NOT possible as determined by the Regional District base fee.	\$ 163.50	per quarter or part
b.	Base Fee:	\$ 31.77	
c.	Consumption Rate (Added to Base Fee)	\$ 0.92	per cubic metre
d.	Summer Surcharge Rate, added to Base Fee	\$ 0.18	per cubic meter above 20 cubic meters during the 3 <sup>rd</sup> quarter
e.	Non Domestic Non-Potable Consumption Rate (added to Base Fee, not available to new customers)	\$ 0.27	per cubic metre
f.	Unmetered fee where metering IS possible, added to Base Fee		
i.	initial and first quarter after written warning	\$ 167.86	per quarter or part
ii.	second and subsequent quarters after written warning	\$ 354.25	per quarter or part

**6. Metering**

a.	Water Meter Cost		At GWU Cost Including Installation
b.	Meter Re-read at Customer's Request	\$ 21.80	per occasion
c.	Meter Testing at Customer's Request	\$ 54.50	per occasion

**7. Annual Unmetered Fire Main Rates:**

a.	50 mm diameter and smaller	\$ 91.56	per annum
b.	75 mm diameter	\$ 129.71	per annum
c.	100 mm diameter	\$ 166.77	per annum
d.	150 mm diameter	\$ 333.54	per annum
e.	200 mm diameter	\$ 667.08	per annum
f.	250 mm diameter	\$ 1,334.16	per annum
g.	300 mm diameter	\$ 2,668.23	per annum

**8. Fire Hydrants**

a.	150 mm hydrants	\$ 180.94	per annum
b.	50 mm hydrants	\$ 90.47	per annum

**9. Temporary Fire Hydrant User Fee**

a.	Connection Fee	\$ 146.06	per hydrant per week or part
b.	Consumption Rate	\$ 1.28	per cubic metre

**10. Fire Hydrant Fees**

a.	Application for new fire hydrant	\$ 55.00	per hydrant
b.	Installation of new fire hydrant		At actual cost plus applicable overhead
c.	Fire Hydrant Flow Test		
	i. First Test	\$ 360.00	
	ii. Each Additional test in immediate area at the same time	\$ 110.00	

**11. Truck Fill Station**

a.	Base Fee	\$ 98.00	per quarter
b.	Consumption Fee	\$ 1.28	per cubic metre

12. **Water Service Application Fee for Existing Lots** \$ 100.00

**13. Water Service and Other Construction Fees**

a.	Domestic Unit (25 mm diameter with maximum length of 20 metres)	\$2,800.00	plus water meter
b.	Other water services		At actual cost, plus applicable overhead
c.	Service Disconnection		At actual cost, plus applicable overhead
d.	Other Construction Services		At actual cost, plus applicable overhead
e.	Connection fee for existing water utilities not managed by the Regional District, or existing buildings or lots not serviced by the Greater Vernon Water Utility or additional service to an existing customer where there is no new subdivision and/or building permit being issued.		
	i. Single family dwelling	\$2,180.00	per unit
	ii. Multi-family units	\$1,857.00	per unit
	iii. Institutional	\$ 8.88	per square metre of gross floor area
	iv. Commercial	\$ 7.27	per square metre of gross floor area
	v. Industrial	\$ 3.63	per square metre of gross floor area

14. **Shut-Off / Turn-On / Meter In / Meter Out Fee** \$ 25.00 per use

15. **After Hours Call Out** \$ 100.00 per occasion

**16. Domestic Appeal for Agricultural Water Fees**

a.	Domestic Appeal for Agricultural Water	\$25.00	Per Property
b.	Domestic Appeal for Agricultural Water Late fee	\$50.00	Per Property

17. **Subdivision or Development Permit Application Fee** \$ 300.00 plus \$10.00 per Domestic Unit or equivalent

18. **Building Permit Review** \$ 150.00 plus \$10.00 per Domestic Unit or equivalent

**19. Plan Review and Inspection Fee**

	Per application, based on the Capital Cost of the water portion of the project		
a.	Minimum Fee	\$1,000	
b.	On first \$100,000	5%	
c.	\$100,001 to \$200,000	4%	
d.	\$200,001 to \$500,000	3%	
e.	\$500,001 to \$1,000,000	2%	
f.	Above \$1,000,000	1%	

**20. Development Fees**

a.	Site inspection Fees where plan review and inspection fees not charged	\$ 50.00	per occasion
b.	Hydraulic Model Inquiry	\$ Actual Cost, \$200 minimum	per result

**21. South Vernon Irrigation District Fees**

a.	Grade A	\$ 136.76	per hectare
b.	Grade B	\$ 145.89	per hectare
c.	Grade C	\$ 75.97	per hectare
d.	Grade D	\$ 42.53	per hectare
e.	Mobile Home	\$ 20.81	per pad

22. **Delcliffe Water Utility Fee** \$ 85.00 per Domestic Unit per quarter

23. **Latecomer Administration Fee** \$ 2,000

24. **Annual Interest Rate for Latecomer Charges** 4.0%

25. **Local Service Area Administration Fee** \$ 2,000

**26. Unauthorized Use Fees**

a.	Tampering with Water Utility Equipment	Up to \$50,000	As approved by Regional Board
b.	Use of hydrant or private connected hydrant or stand pipe or fixture or ancillary device without written approval	\$1,000	Per device per day or part
c.	Water Meter Tampering Fee	\$500.00	Per occasion
d.	Obstructed Meter Fee	\$218.00	Per occasion