

DIAMOND IMPROVEMENT DISTRICT

BYLAW NO. 193

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

The Trustees of the Diamond Improvement District ENACT AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires:
 - (a) "Trustees" means the Trustees of the Improvement District or their duly authorized representatives.
 - (b) "Water" means water conveyed through the works operated or maintained by the Improvement District.
 - (c) "Works" means anything capable of or useful for diverting, storing, measuring, or conveying, conserving, retarding, confining or using water.
 - (d) "Swimming pool" means 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 will be specified in the design guidelines for the Improvement District.
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, the Improvement District 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 Improvement District regarding the special terms and conditions under which water is supplied.
4. Before any person installs or constructs any works, he will apply to the Improvement District in writing and obtain a written permit therefore, and if required by the Improvement District, he will furnish a plan and specifications which must 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 or any works, and before such works or any part thereof has been covered or concealed, the Improvement District must be notified that such works are ready for inspection. The works must not be covered until they have been inspected, tested under pressure, and accepted in writing by the Improvement District.

Change of Occupancy

6. No agreement between the occupant of premises and the Improvement District with respect to water service to those premises may be transferred to another occupant. New occupants of premises must apply in writing to the Improvement District for water service and receive permission before the commence to use water.

Turn off and Turn on

7. Consumers who wish to have their water service discontinued must pay the prescribed turn off charge, and give the Improvement District fourteen (14) days notice. The service will 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 must pay to the Improvement District the prescribed turn-on charge for the renewal of the service.
8. The Improvement District may order the water be turned off to any premises where tolls have been owing for ninety (90) days or longer.

Trustees Right of Access

9. (a) The Trustees or their designate 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 an 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 will obstruct or prevent the Trustees or their designate from carrying out any of the provisions of this bylaw.

Improvement District's Works

10. No person except the Trustees or their designate will open, shut, adjust, draw water from or tamper with any of the Improvement District's works.
11. No person will obstruct at any time or in any manner the access to any hydrant, valve, stop cock or other fixture connected with the Improvement District's works, and should any person so obstruct access to any said fixture by allowing accumulation of surface

water around it 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 Improvement District's works situated within an easement in favour of the Improvement District be moved or relocated, the entire cost of moving or relocating the said works will 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 will 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 Improvement District.
14. No person will interconnect any portion of works on private property which are supplied by the Improvement District with an external source of water, such as well, except with written permission of the Improvement District. Wherever works on private property which are supplied by the Improvement 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 will install and maintain a back flow preventer on every such potentially dangerous cross connection to the approval of the Improvement District.
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, will be made until notice thereof has been given in writing to the Trustees and written permission therefore obtained. Any extra charge or higher toll payable due to the change or addition must be paid before the change or addition is commenced.
16. No person will 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 Improvement District's works or of the works on the said person's premises. The Improvement 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 will be installed without written permission of the Trustees who, in consultation with the health inspector, will ensure that the device is so designed and installed that such substance cannot be introduced into the Improvement District's works.
18. The property owner will be responsible for the safekeeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the

Improvement District's curb stop or standard waterworks valve at his property line and will protect them from frost or other damage and will promptly repair frozen, leaky or imperfect pipes or fixtures.

19. No reduction in rates will be allowed on account of any waste of water unless the Trustees are satisfied that such waste arose 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 Improvement 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 Improvement District under this section must be paid by the owner or owners concerned. The Trustees may limit the amount of water used by any service in the interests of efficient operation of the Improvement District's works and equitable distribution of water.
21. The Trustees may, at anytime, substitute metered service for an unmetered service to any premises. Each dwelling must have a meter separate from any other dwelling, in a position approved by the Trustees. All meters will be the property of the Improvement District.
22. No owner or occupant of any premises supplied with water by the Improvement District will 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 will use water for watering stock, filling of swimming pools or reservoirs, or for any purpose other than that required for normal domestic use, except by written permission of the Trustees, which must 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 must 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*.

(d) No person will 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 will use water for the purposes forbidden by, or in excess of the limits imposed by, such restrictions. Due notice of restrictions will be given either by publication in a newspaper circulating within the Improvement District or by mail.
- (b) Notwithstanding the lack of, or limited form of, sprinkling regulations as hereinafter provided, no person will, 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 will exceed ½" in internal diameter; or
 - (iii) Use an open pipe or hose for sprinkling purposes; or
 - (iv) Irrigate more than ¼ acre of land (including that occupied by dwellings).

Liability of Improvement District

25. The Improvement District does not guarantee a specific pressure or a continuous supply of water quality to meet the special requirements of individual users. The Improvement 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 four consecutive hours, due notice will 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 bylaw. The person in default will not be entitled to receive any further water from the Improvement District until such person has remedied the default. It will 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 Improvement District's works until such time as the Trustees again turn on the water.
27. No occupier of land will 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 bylaw.
28. A person who commits an offence under this bylaw is liable on summary of conviction to a penalty in accordance with the *Offence Act*.
29. This bylaw repeals bylaw no. 120.
30. This bylaw may be cited as the "Water Distribution Regulation Bylaw".

INTRODUCED and given first reading by the Trustees on the ____ day of September, 2017.

RECONSIDERED and finally passed by the Trustees on the ____ day of _____, 2017.

Chair of the Trustees

I hereby certify that this is a true copy of Bylaw no. 193.

Administrator