

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 1931

A Bylaw to Establish and Regulate Water Rates within the District of Peachland

This is a consolidated bylaw prepared by the Corporation of the District of Peachland for convenience only. The Corporation does not warrant that the information contained in this consolidation is current. It is the responsibility of the person using this consolidation to ensure that it accurately reflects current bylaw provisions.

Amended by: Bylaw No. 1981, Adopted on April 12, 2011
Amended by: Bylaw No. 2037, Adopted on September 18, 2012
Amended by: Bylaw No. 2073, Adopted on April 8, 2014
Amended by: Bylaw No. 2102, Adopted on April 14, 2015
Amended by: Bylaw No. 2175, Adopted on April 4, 2017
Amended by: Bylaw No. 2280, Adopted on April 7, 2020
Amended by: Bylaw No. 2293, Adopted on April 21, 2020
Amended by: Bylaw No. 2301, Adopted on September 29, 2020
Amended by: Bylaw No. 2308, Adopted on January 12, 2021
Amended by: Bylaw No. 2327, Adopted on June 22, 2021
Amended by: Bylaw No. 2377, Adopted on March 28, 2023

WHEREAS the Council of the District of Peachland is authorized pursuant to the *Community Charter* to establish fees and fix the rates and terms under which water may be supplied and used;

AND WHEREAS the Council of the District of Peachland may provide by bylaw pursuant to the *Community Charter* the classification of users and prescribe different rates, terms and conditions for different users;

AND WHEREAS it is deemed necessary to establish a new water rate structure within the District of Peachland;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in Open Meeting assembled, ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited for all purposes as "Water Rates Bylaw Number 1931, 2010."

2. INTERPRETATION

In this Bylaw, unless the context otherwise requires:

"After Hours Call Out" shall mean requests for service from the District of Peachland requiring a response after the regular hours of operations and/or any time during Saturday, Sunday and Statutory Holidays.

“Agricultural Allocation Fee” shall mean the fees charged for using water for non-residential purposes in the Agricultural Land Reserve or bona fide agricultural land.

“Base Fee” shall mean the minimum fee for water supply regardless of quarterly water use.

“Non-Domestic Allocation Fee” shall mean the fees charged for using water on non-residential or agricultural land.

“Collector” shall mean the individual appointed by the Municipal Council.

“Connection” or “Connect” shall mean tying into, tapping or otherwise connecting to the waterworks system of the Municipality by means of pipes, valves, fittings or other apparatus;

“Connection Charge” shall mean the fee charged for the water connection inspection, administration, installation of a service box, and turning on a new water service.

“Consumption Charge” shall mean the volume of water used multiplied by the Consumption Rate

“Consumption Rate” shall mean the price of water per cubic meter that is charged to properties with a water connection and water meter in accordance with this Bylaw.

“Council” shall mean the duly elected municipal Council of the Corporation of the District of Peachland.

“Grey Area Properties” shall mean properties with irrigation meters having land greater than one half acres, but not in the Agricultural Land Reserve or having Class 9 farming status. New irrigation meters are to be installed at the registered property owner’s expense.

“Municipality” shall mean the Corporation of the District of Peachland.

“Obstructed Meter read” shall mean that the water meter could not be read due to some action or inaction of the property owner or occupier.

“Owner” shall mean the duly registered own of real property.

“Quarter” shall mean a three month period within a calendar year, specifically January to March, April to June, July to September, and October to December.

“Residential Allocation Fee” shall mean the fees charged for using water for residential purposes.

“Temporary Fire Hydrant User Fee” shall mean the fees and charges to use a water utility fire hydrant that is charged on a per hydrant basis per week, or part thereof.

“Turn-Off” shall mean to discontinue the water service at the service box or by such other means as deemed appropriate.

“Turn-On” shall mean to commence the water service at the service box or by such other means as deemed appropriate.

“Unmetered” shall mean a water service without a water meter,

“Water Meter” shall mean a device owned by the District installed on the owner’s property used to measure the quantity of water used by a customer.

“Waterworks System” shall mean the entire waterworks system of the District of Peachland including, with limitation, the distribution system, intake and any other water treatment plants.

3. RATES

3.1 Rates and charges referred to in Schedule “A” attached hereto is hereby made an integral part of this Bylaw.

3.2 Every water user shall pay to the Municipality the applicable rates set out in Schedule A.

3.3 All properties having water service are liable to pay the rates levied under this Bylaw and the same shall be calculated from the date of turn-on and shall continue to pay such rates until the date of turn-off. The rates payable in respect to the month of turn-on and turn-off shall be pro-rated as the circumstances of any case requires.

4. BILLINGS AND COLLECTIONS

4.1 Rates and charges established by the Municipality shall be calculated on a quarterly basis based on metered flows. Billings for all properties shall have bills prepared on a quarterly basis. The District will estimate a meter reading if a reading cannot be obtained due to meter malfunction or other circumstances

4.2 Any properties which do not have an installed water meter in accordance with this Bylaw shall be billed based on an unmetered water rate.

4.3 All rates and charges shall be billed to the property owner and are the responsibility of the registered owner of that property.

4.4 Failure to receive billings will not exempt the property owner from liability to pay by the due date, or as a valid reason for late payment.

4.5 Rates and charges are due and payable 30 days following the date of invoice as per the invoice provided by the Municipality. Any unpaid charges shall be deemed to be payment overdue, and assessed a late penalty of 5% on the current quarterly billing, with payment recovery methods by the Collector in accordance with the provisions of the *Community Charter*.

4.6 Exception to 4.5 - Unpaid charges shall not be assessed a 5% late penalty for the first quarterly utility billing ending March 31, 2020 and the second quarterly utility billing ending June 30, 2020.

4.7 Exception to 4.5 - Unpaid charges shall not be assessed a 5% late penalty for the third quarterly utility billing ending September 30, 2020.

4.8 Exception to 4.5 - Unpaid charges shall not be assessed a 5% late penalty for the fourth quarterly utility billing ending December 31, 2020.

6. APPLICABILITY

This Bylaw applies to all owners and properties which are connected to the waterworks system of the Municipality.

7. SEVERABILITY

If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court or competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the Bylaw.

8. REPEAL

The Corporation of the District of Peachland Water Rates Bylaw No. 1713, 2004 and all amendments attached thereto are hereby repealed.

READ A FIRST TIME, this 9th Day of March, 2010

READ A SECOND TIME, this 9th Day of March, 2010

READ A THIRD TIME, this 9th Day of March, 2010

FINALLY RECONSIDERED AND ADOPTED, this 23rd Day of March, 2010

Mayor

Corporate Officer

Dated at Peachland, B. C.

This ___ Day of _____, 2010.

RATES AND CHARGES (Effective June 23, 2021)

Metered Water Rates

Single Detached Residential Allocation Fee	Base Fee	\$101.00	per quarter
	Consumption Fee (0 – 400 m ³ of water use)	\$0.59	per m ³ per quarter
	Consumption Fee (> 400 m ³ of water use)	\$0.74	per m ³ per quarter
Secondary Suites and Garden Suites	Base Fee	\$22.20	Per quarter
Multiple Unit Residential and Non-Domestic Allocation Fee	Base Fee based Meter Size:		
	• Up to 38mm (1.5")	\$120.00	per quarter
	• 50mm (2")	\$134.00	per quarter
	• 75mm (3")	\$296.00	per quarter
	• 100m (4")	\$517.00	per quarter
	• 150mm (6")	\$665.00	per quarter
• 200mm (8") or greater	\$887.00	per quarter	
	Consumption Fee (for each m ³ of water use)	\$0.59	per m ³ per quarter
Agricultural Allocation Fee	Base Fee	\$0.00	per quarter
	Consumption Fee (for each m ³)	\$0.12	per m ³ per quarter
Grey Area Properties	Base Fee for Cultivation Area Irrigation	\$0.00	per quarter
	Consumption Fee (0-1250m ³ per acre) of Cultivation Area Irrigation	\$0.59	per m ³ per quarter
	Consumption Fee (> 1250m ³ per acre) of Cultivation Area Irrigation	\$0.74	per m ³ per quarter

Unmetered Water Rates

Residential Allocation Fee	Initial Fee	\$120.00	per quarter
	Fee after First Written Warning for non-installation of water meter	\$160.00	per quarter
	Fee after Second Written Warning for non-installation of water meter	\$200.00	per quarter
	Fee as of April 1, 2010	\$250.00	per quarter
Multiple Unit Residential and Non-Domestic Allocation Fee	Initial Fee	\$300.00	per quarter
	Fee after First Written Warning for non-installation of water meter	\$600.00	per quarter
	Fee after Second Written Warning for non-installation of water meter	\$900.00	per quarter
	Fee as of April 1, 2010	\$1,200.00	per quarter
Agricultural Allocation Fee	Initial Fee	\$300.00	per quarter
	Fee after First Written Warning for non-installation of water meter	\$600.00	per quarter

	Fee after Second Written Warning for non-installation of water meter	\$ 900.00	per quarter
	Fee as of April 1, 2010	\$1,200.00	per quarter

Fees for New Meter Installations on New Construction

Actual cost of water meter plus the cost of meter inspection
--

Water Connection Charges

Serviced Property (i.e. existing connection between water main and property line)

Less than 25mm (1") service	\$375.00
25mm (1") service	\$450.00
38mm (1.5") service	\$550.00
50mm (2") service	\$750.00
Greater than 50mm (2") service	At Cost Plus 15% administration

Un-serviced Property (i.e. no connection between water main and property line)

Actual Cost of installation, plus charges above for Serviced Property

Temporary Fire Hydrant User Fees

Connection Fee	\$ 100.00	per hydrant per week, or portion thereof
----------------	-----------	--

Fire Hydrant Fees

Application for a new fire hydrant	\$ 50.00	per hydrant
Installation of a new fire hydrant	Actual cost plus 15% administration costs	per hydrant
Use of a hydrant without approval	\$ 1,000.00	per occasion
<i>Fire Hydrant Flow Test:</i>		
(i) First Test	\$330.00	per test
(ii) Additional tests in immediate area at the same time	\$100.00	per test

Additional Fees

Meter Re-read at Customer's Request	At Cost	per occasion
Meter Testing at Customer's Request	At Cost	per occasion
Obstructed Meter Read	\$ 200.00	per occasion
Water Meter Tampering Fee	\$ 200.00	per occasion
Fee for Damage Due to Tampering	Water Meter Tampering Fee plus Cost for New Meter Installation	per occasion
Installation of Backflow Device (pit)	At Cost	per occasion
Testing of Back Flow Assembly	\$50.00	per occasion
Turn-Off / Turn-On Fee	\$75.00	per occasion
After Hours Call Out	\$265.00	per occasion

Golf Course Water Rates

A discount of ten percent will be applied to the Multiple Unit Residential and Non-Domestic base rate and consumption rate for golf course irrigation on the condition that irrigation would take place during off-peak hours (i.e. night time watering only).