

UNION BAY IMPROVEMENT DISTRICT	Bylaw No. 224, 2011 Water Tolls And Other Charges	Effective Date: September 21, 2011
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**BYLAW ESTABLISHING TOLLS AND OTHER CHARGES
FOR THE DISTRIBUTION AND USE OF WATER**

WHEREAS the Union Bay Improvement District has authority under section 746 of the *Local Government Act* to establish tolls and other charges, including charges for capital expenditures payable to the District and the times of their payment, to establish discounts or percentage additions to encourage the prompt payment of the tolls and other charges, to regulate the distribution and use of water and to establish penalties for failure to comply with the regulations;

NOW THEREFORE the Trustees of the Union Bay Improvement District in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as "Bylaw No. 224 Water Tolls and Other Charges, 2011".

Application

2. This Bylaw applies to all Properties, which receive water from the Union Bay Improvement District (the "**District**").

Interpretation

3. In this Bylaw:
 - (a) "**Billing Date**" means the date a bill is prepared by the District, identified as "Date" on the bill provided by the District to a Property owner.
 - (b) "**Commercial Property**" means a Property on which an income is derived from the use of the property.
 - (c) "**District**" means the Union Bay Improvement District.
 - (d) "**Property**" includes parcels and lots, and portions thereof where more than one water connection exists, is required or has been requested and provided.

Requirement for Water Meters

4. All Property receiving water from the District must have a water meter installed by the District at the Property owners' expense, such installation to occur at the convenience of the District.
5. Meter area must be kept clear of debris, plants, bushes and be accessible for meter reading and repairs. The Improvement District is not being liable for possessions impeding the accessibility of the meter area. Written notification will be given to the landowner for action. Failure to comply with notification will result in a clearing charge as detailed under part 19.

Metered Rates

6. The following tolls are hereby fixed and made payable by all owners of residential Property in the District which has a water meter at the commencement of a billing period:

- A Minimum Charge per meter includes 15m³ usage, bi-monthly \$ 40.00
- B Usage fee 1 16 m³ to 50 m³ bi-monthly \$.55/m³
- C Usage fee 2 51m³ to 75 m³ bi-monthly \$.75/ m³
- D Usage fee 3 76 m³ to 100 m³ \$1.00/m³
- E Usage fee 4 101 m³ and over \$1.50/ m³

7. The following tolls are hereby fixed and made payable by all owners of Commercial Property in the District which has a water meter at the commencement of a billing period:

- A Minimum Charge per meter, bi-monthly \$ 40.00
- B Usage fee, bi-monthly \$.65/m³

8. Meters will be read on the last working days of the month or the first days of the following month depending on work schedules.

Non-Metered Rates

9. The following tolls are hereby fixed and made payable by all owners of Property in the District which do not have a water meter:

- A For each single family residential Property, a bi-monthly toll of: \$ 50.00
- B For the Union Bay beautification boulevard, a monthly toll of: \$ NIL
- C For each Commercial Property, a bi-monthly toll of: \$ 80.00
- D For the Union Bay Improvement District \$ NIL

Time of Payment

10. Billing will occur bi-monthly. All tolls and charges shall be due and payable within 15 days of the Billing Date.

Water Shut Off for Non-Payment

11. The Trustees may, by resolution, order that the water be shut off to any Property where any toll or other charge remains owing 90 days after the Billing Date.

12. Where water has been shut off pursuant to section 11, an additional charge of \$30.00 shall apply at the time the water is shut off. A further charge of \$30.00 shall apply at the time the water is turned back on.

Water Shut Off for Extended Absences

13. Upon application by an owner of Property, the District may discontinue the provision of water and the billing of tolls for water use, upon payment of a shut off and disconnection charge of \$60.00.
14. Where water has been shut off pursuant to section 13, a reconnection charge of \$60.00 shall apply at the time the water is turned back on.

Water Shut Off for Other Reasons

15. Upon application by the owner of Property, the District may temporarily, for periods not exceeding one (1) month, discontinue the provision of water to a Property upon payment of a \$30.00 shut off charge.
16. Where water has been shut off pursuant to section 15, an additional charge of \$30.00 shall apply at the time the water is turned back on.

Reduced Rates

17. The Trustees may, by resolution, reduce any of the preceding tolls in respect of any unoccupied Property by an amount commensurate with the period of time the Property is unoccupied provided that the Property owner has notified the District and paid the applicable shut off and disconnection charges under this Bylaw.

Additional Charges

18. A \$25.00 charge shall apply for each "NSF" cheque.
19. A minimum \$50.00 removal charge shall apply to clear meter areas if landowner does not comply with the requirements to keep area accessible. In the event that extensive work is required, the cost of removal – including cost of equipment will be charged to the landowner and the labour rate will be \$30/per hr./person.
20. A 10% late fee will be assigned to all overdue water tolls.

Penalty

21. A person who contravenes this Bylaw commits an offence and is punishable in accordance with the *Offence Act*.

Repeal

22. Union Bay Improvement District Water Tolls and Other Charges By-Law # 224 (2010) is hereby repealed.

APPROVED:

INTRODUCED and given first reading by the Trustees on the 21st day of September, 2011.

RECONSIDERED and finally passed by the Trustees on the 21st day of September 2011.

SIGNATURE(s):

Carol Molstad, Chair of the Trustees

Ruth Sauder , Administrator for the Trustees

I hereby certify under the seal of the District that this is a true copy of Bylaw No. 224 Water Tolls Bylaw 2011 of the Union Bay Improvement District passed by the Trustees on the 21st day of September 2011.

Ruth Sauder, Administrator for the Trustees

REVISION/REVIEW HISTORY:

UBID Water Tolls and Other Charges Bylaw 211,2008 repealed Nov 18, 2009

UBID Water Tolls and Other Charges Bylaw 224,2010 repealed Sept 21, 2011

CROSS REFERENCE:

Bylaw #25 Water Line Service
Bylaw #153 Bulk Water Permit and Sales
Bylaw #183 Connection Charge
Policy 06-11-05 Adjustment for Water Leak