

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2000-203

A BYLAW TO REQUIRE WATER METERS FOR IRRIGATION WATER USERS

WHEREAS the Council of the Corporation of the District of Summerland operates a municipal service providing domestic and irrigation water to properties within the District of Summerland;

AND WHEREAS the Council of the Corporation of the District of Summerland may, by bylaw regulate and impose requirements on the use of water from this municipal service;

AND WHEREAS the Council of the Corporation of the District of Summerland has determined that the District should have the ability to measure the amount of water used from this municipal service for irrigation water;

NOW THEREFORE the Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as 'Irrigation Water Meter Bylaw No. 2000-203.'
2. In this Bylaw, the following definitions shall apply:

'**District**' means the Corporation of the **District** of Summerland.

'**Owner**' means the **Owner** as defined in the Land Title Act or an agent acting on his behalf, including any person occupying the property with the permission of the **Owner**.

'**Superintendent**' means the person appointed by resolution of Municipal Council as the **District Superintendent of Works & Utilities** or his duly authorized representative.

'**water service**' means the supply of water by the **District**.

'**Water Utility**' means the waterworks system owned by the **District**.

3. Installation of Meters

- 3.1 Water meters shall be installed on all properties receiving **water service** from the **District** where the water is used on cultivated lands or hay meadows and the area of the property exceeds two acres, and for all silviculture operations and all commercial greenhouse operations.
- 3.2 The **District** shall be responsible for the installation and costs of installing a water meter complete with an automatic reader, which may be located on private property, in accordance with the requirements of this bylaw for all existing irrigation connections. The **Owner** shall be responsible for all costs associated with the installation of a new irrigation

- 3.3 The **District** shall supply all meters, automatic readers and wiring.
- 3.4 The **Superintendent** may determine and specify the size of meter, piping, and flow-detecting device, based on good engineering practice.
- 3.5 All water meters including strainers, remote reading heads and meter cabinets are the property of the **District**.
- 3.6 Every **Owner** shall maintain and protect their private service pipes, and fittings that are downstream of the meter cabinet in proper order and keep them free from freezing, leakage or wastage.
- 3.7 Every **Owner** shall take whatever measures that are required to protect the municipal standpipe, meter and related equipment and will be responsible for the costs of repairing the municipal standpipe, meter and related equipment if it is damaged as a result of negligence or improper procedures.
- 3.8 No **Owner** shall cause damage to the meter or related equipment during the operation of their irrigation system, including the winterization of such system. Draining the private system through the water meter is not permitted. No **Owner** shall allow compressed air to enter the water meter as a result of the winterization of the private system. If the water meter is damaged as a result of the winterization of the private system, the owner shall be responsible for the costs of repairs to the meter.

4. **Water Meter Standards**

- 4.1 The **Superintendent** shall determine the make and model of water meters and appurtenances required pursuant to this bylaw.
- 4.2 The location of all meters must have the approval of the **Superintendent** or his designate who shall consult with the property **owner** on the appropriate meter location for the individual property prior to installation.
- 4.3 All meters shall be installed outdoors in a meter cabinet which may be located on private property.
- 4.4 The **District** will install a non-destructible tag requesting that if the seal is broken to notify the **District**.
- 4.5 No branch lines, tees or other connections are permitted between the **water service** connection point at or near the property line and the meter location.
- 4.6 All plumbing shall meet the requirements of the current Provincial Plumbing code.
- 4.7 All piping shall be arranged so that the meter shall sit in a horizontal plane and be at a ninety-degree angle to the water main servicing the area where possible.
- 4.8 No pressure reducing valve shall be installed between the by-pass tees of the meter assembly. Any necessary reducing valve shall be located downstream from the meter and by-pass assembly.
- 4.9 Strainers shall be used on all meters greater than or equal to 38 mm and larger.

4.10 Pipe layouts, meter arrangement and wiring shall be as shown on Schedule 'A' attached to this Bylaw.

5. Enforcement

- 5.1 Reasonable access must be provided during normal working hours for installing, inspecting, repairing or changing the meter. If an **Owner** fails to provide reasonable access to a property in order for the **District** to ascertain whether the provisions of this bylaw have been carried out, including the ability to install the water meter required by this bylaw, the **Superintendent** may have the **water service** shut off upon giving 24 hours written notice to the **Owner**.
- 5.2 The **Superintendent**, Building Inspector and Bylaw Enforcement Officers of the **District** shall have the right of entry and may enter onto any land at all reasonable hours in order to inspect the same and to ascertain whether the provisions of this bylaw have been carried out.
- 5.3 No person shall tamper or interfere with a water meter connected to the **District's water utility**.
- 5.4 Every person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of any of the provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction of this bylaw, and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.
- 5.5 Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.
- 5.6 In case the water meter fails, whether from natural causes or accident in any way, the **District** shall not be liable for damage by reason of such failure, whether the same arises from the negligence of any person in the employ of the **District**, or from any other cause whatsoever, nor shall the **District** be held liable for any event or damage to person or property arising or resulting from the use of water from the water utility.

6. Severability

- 6.1 If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

Read a first, second and third time this 14th day of March, 2005.

Adopted by the Municipal Council of the District of Summerland this 29th day of March, 2005.

'David Gregory'

Mayor

'Gillian D. Matthews'

Corporate Officer

