

CITY OF SURREY

BY-LAW NO. 2932

As amended by By-law No. 2995, 08/04/69; 3280, 11/30/70; 3411, 05/31/71; 4061, 12/10/73; 4099, 12/10/73; 4174, 02/27/74; 4300, 07/08/74; 4334, 09/03/74; 4414, 01/20/75; 4419, 01/20/75; 4515, 04/28/75; 4684, 05/31/76; 5001, 11/29/76; 7062, 04/19/82; 7129, 05/17/82; 7509, 05/16/83; 7798, 04/02/84; 8208, 05/13/85; 9482, 05/09/88; 9952, 04/24/89; 10035, 05/01/89; 10058, 05/23/89; 10202, 09/05/89; 10312, 12/11/89; 10409, 01/19/90; 10502, 04/30/90; 10567, 06/25/90; 10905, 04/29/91; 10915, 05/16/91; 11218, 03/09/92; 11287, 04/27/92; 11394, 08/10/92; 11629, 01/11/93; 11881, 06/21/93; 12243, 04/18/94; 12268, 04/25/94; 12588, 03/27/95; 12781, 03/04/96; 13051, 04/07/97; 13057, 04/07/97; 13113, 05/05/97; 13395, 05/04/98; 13561, 11/02/98; 13677, 03/01/99; 13830, 09/13/99; 13944, 02/14/00; 13978, 04/03/00; 14180, 12/04/00; 14421, 06/04/01; 14531, 10/22/01; 14564, 12/10/01; 14738, 07/15/02; 14894, 02/17/03; 15180, 12/01/03; 15243, 12/15/03; 15455, 07/26/04; 15542, 11/29/04; 15764, 06/20/05; 15930, 02/13/06; 16200, 01/15/07

A By-law to authorize the supplying of water to inhabitants of the City and to fix the rates, conditions and terms under or upon which the same may be supplied and used.

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THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY 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.

WHEREAS pursuant to Division (1) Part 15 of the "Local Government Act" R.S.B.C. Chapter 517, the City of Surrey has established a self-liquidating utility for water distribution to supply water to the inhabitants of the City and adjacent localities, primarily for the purposes identified within the By-law;

AND WHEREAS the plans and specifications of the said works have been duly approved pursuant to the provisions of the "Health Act";

AND WHEREAS it is necessary to fix the rates, terms and conditions under which water may be supplied and used;

THEREFORE the City Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:-

1. This By-law shall be cited for all purposes as "Surrey Waterworks Regulation By-law, 1969, No. 2932".
2. In the construction and for the purposes of this By-law, unless the context otherwise requires, the following words and terms shall have the meaning hereinafter assigned to them:-
 - (a) "Apartment House" or "Multiple Dwelling" means any building, not being a lodging-house or hotel, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied, as the home or residence of three or more families living independently of each other and doing their own cooking within their apartment or suite.
 - (b) "Auto Court" means a group of furnished rooms or separate buildings providing sleeping and parking accommodation for transient tourist trade and commonly known as tourist cabins, motorcourts or motels, as distinguished from furnished rooms in an existing residential building.
 - (c) "Boarding House" means a building containing not more than five (5) sleeping rooms, where lodging and meals for three (3) or more persons are provided for compensation pursuant to previous arrangements or agreements, and with no provision for cooking in any such sleeping room so contained.
 - (cc) "Building Inspector" means the General Manager, Planning and Development for the City, or his designate.
 - (d) "Collector" means the Collector of the City of Surrey, from time to time duly appointed by the Council.
 - (e) "Condominium" means any building composed of strata lots as defined in the "Strata Titles Act" being Chapter 46 of the Statutes of British Columbia, 1966, and the amendments thereto.
 - (ee) "Commercial Premises" means all land and premises, on or within which any interchange of commodities, or any dealing or trading in any article of commerce or other thing is carried on as a business, and

shall include all premises in which any service, professional or otherwise is provided, given, or made available and for which any fee, charge, rent or commission is payable, and without limiting the foregoing shall include hotels, lodging houses, boarding houses, office, theatres, bowling alleys, billiard rooms, places of entertainment or amusement, tent camping grounds and dependent mobile homes.

- (eee) "Commercial Unit" means any business which is operated separately from any other business on or within commercial premises.
- (f) "Consumer" means any person, company, or corporation who is the owner, or agent of the owner of any premises to which water is supplied or made available from any of the works and shall include any person who is the occupier of such premises and any person who is a user of water supplied to any premises or by any service from the said works.
- (ff) "Cooking Equipment" means equipment, devices or appliances that can be utilized to prepare a meal within a dwelling unit and includes a sink, counter-top, gas or electric range or stove, counter-top cooking unit, hot plate, wall oven, microwave oven, convection oven, toaster oven, electric frying pan, electric wok, pressure cooker, crock pot, cabinet for the storage of food or any other such culinary facility or any combination of such culinary facilities and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities.
- (g) "Council" means the City Council of the City of Surrey.
- (gg) "City" means the City of Surrey.
- (h) "Duplex House" or "Double House" means any building used or designed to be used by two families.
- (i) "Dwelling Unit" means 1 or more habitable rooms which constitute 1 self-contained unit used or intended to be used for living and sleeping purposes for which is provided:
- a) cooking equipment or the facilities for the installation of cooking equipment; and
 - b) one or more bathrooms with a water closet, wash basin and shower or bath.
- (j) "General Manager, Engineering" means the General Manager or his appointed designate in the Engineering Department of the City of Surrey.
- (jj) "GVWD" means Greater Vancouver Water District.
- (k) "Fire Service" means any installation which may be provided to supply water for fire fighting purposes over and above the supply of water required for the usual purposes of the consumer.
- (l) "Garden Irrigation" means the sprinkling or pouring of water by means of a hose, pipe or any sprinkling device upon, over or under the surface of the ground.
- (m) "Hotel" means a building occupied as the more or less temporary abiding place of individuals who are lodged therein with or without meals and in which there are more than five (5) sleeping rooms, and with no provision for cooking in any such individual sleeping room or apartment.
- (n) "Lodging House" means a building (other than a hotel) containing not more than five (5) sleeping rooms where lodging for three (3) or more persons is provided for remuneration and with no provision for cooking in any such sleeping room so contained.
- (o) "Mobile Home", "Mobile Home Park", "Dependent Mobile Home", "Independent Mobile Home" and "Mobile Home Space" shall have the meaning assigned to them by "Surrey Mobile Homes Regulation and Control By-law, 1968, No. 2788".
- (oo) "Mobile Home Space" means an area of land within a Mobile Home Park which is designed, designated and equipped for the accommodation of one independent mobile home, the use of which shall be limited to accommodate the residential needs of a single family.
- (p) "Metered Service" means a service having attached thereto a meter or other measuring device for determining the quantity of water used or supplied through such service.
- (pp) "Newspaper" means a publication or local periodical that:
- a) contains items of news and advertising, and
 - b) is distributed at least weekly in the City.
- (q) "Owner" shall have the meaning assigned to it by Section 2 of the "Municipal Act" being Chapter 255,

R.S.B.C., 1960.

- (qq) "Parcel of Land" means any lot, block, or other area in which real property is held or into which real property is subdivided.
- (r) "Person" shall, when necessary, mean and include natural persons of either sex, associations, corporations, bodies politic, co-partnerships whether acting by themselves or by a servant, agent, or employee and the heirs, executors, administrators and assigns or other legal representatives of such person to whom the context can apply according to law.
- (s) "Rate" means the price or sum of money to be paid by any consumer for any water supplied or made available from the works.
- (ss) "Real Property" means land together with all items enumerated as improvements as defined in the "Municipal Act" which have been so affixed to the land as to make them in fact and in law a part thereof and includes land only where there are no improvements so affixed thereto.
- (t) "Rent" means the sum of money charged for the use of water meter or other measuring device.
- (u) "Service" means the supply of water from the works to any person, company or corporation and all pipes, taps, valves, connections, meters and other things necessary to or actually used for the purpose of such supply.
- (v) "Service Connection" means the connecting pipe between any water main and the property line of the premises served and shall include the necessary corporation stop-cock and shut-off valve.
- (w) "Service Connection (Temporary)" means the connecting pipe between any water main and the property line of premises which do not front upon the water main from which service is provided and shall include the necessary corporation stop-cock, shut-off valve and meter.
- (ww) "Sprinkle or sprinkling" means the application or distribution of water on lawns or boulevards by sprinkling or spraying but does not include the method known as "drip irrigation", i.e., supplying water to plants through capillary tubing at a rate of a few drops a minute as and when required.
- (x) "Superintendent" means the person appointed from time to time in charge of the works.
- (y) "Swimming Pool" means a permanent structure with a capacity of not less than two thousand (2,000) Imperial gallons and which is used to contain water obtained from the waterworks system for the purpose of providing facilities for human bathing and/or swimming.
- (yy) "Water" means water supplied by the City.
- (z) "Waterworks" or "Works" means the waterworks system of the City of Surrey.
- (zz) "WSRP" means the Water Shortage Response Plan prepared by GVWD, a copy of which is available for viewing at the office of the Commissioner of GVWD at 4330 Kingsway, Burnaby, British Columbia, V5H 4G8, or at the office of the City at 14245 - 56 Avenue, Surrey, British Columbia, V3X 3A2.

3. This By-law shall have reference and apply to the waterworks system owned and operated by the City of Surrey.
4. For the purposes of this By-law the Collector shall have charge of the rating of all buildings and premises supplied with water and the General Manager, Engineering shall have charge and control of all properties and works in connection with the aforesaid waterworks system and of all engineering and mechanical work in connection therewith.
5. No work of any kind connected with the water service, either for the laying of new, or repairing of old services shall be permitted to be done upon or under the streets of the City by any person other than an employee or agent of the City and no person shall make any connection with the waterworks system whatever without permission in writing from the General Manager, Engineering or other officer of the City authorized to grant such permission.
6. No person shall in any manner interfere with the water service in any street or make any addition or alteration in or about or turn on or off any City stop-cock or valve without permission in writing from the General Manager, Engineering or his duly authorized agent.
7. (l) No person, except an employee of the City of Surrey, in the course of his employment, shall without written authority of the General Manager, Engineering, open any hydrant, standpipe or valve or use water therefrom. Such authority when granted by the General Manager, Engineering shall be limited to a period not exceeding three (3) months and shall reserve the right to the City to stop such use at any time for

any reason without liability for damages resulting therefrom in any manner whatsoever.

- (2) Every person who receives authority from the General Manager, Engineering to open any hydrant, standpipe or valve and take water therefrom pursuant to sub-section (1) hereof shall pay the permit fee set out on Schedule "D - 1" to this By-law.
 - (3) Every person who uses water from any hydrant, standpipe or valve, pursuant to the provisions of this Section shall pay to the City on demand for such use the charges set out on Schedule "D-1" to this By-law.
8. Except as provided by Section 7 hereof, no person, except an employee of the City in the exercise of his duties, shall turn on, tamper with or in any manner interfere with any hydrant, standpipe, valve or other fixture or any property of the works.
9. No person shall destroy, or injure in any manner any hydrant, standpipe, valve or other fixture or any property of the works.
10. No person shall obstruct, at any time, or in any manner, the access to any hydrant, standpipe, valve, stop-cock or other fixture connected with the works, by placing thereon or in the vicinity thereof, any lumber, timber, wood, brick, stone, gravel, sand or other material or thing and the General Manager, Engineering or any other employee or servant of the City may by his order, remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending in addition to any other penalty imposed by this By-law.

APPLICATION FOR AND CONDITIONS OF SERVICE

11. (1) All applications for the installation of water service connections shall be made at the office of the General Manager of Engineering Department by the Owner(s) who shall at the time of making such application, execute an agreement with the City. Such application and agreement shall be in the form contained in Schedule "A" to this By-law except in the case of application for water service connection to agricultural lands, the application and agreement shall be in the form contained in Schedule "A-2" to this By-law.
- (2) All applications for the installation of water service connections (temporary) shall be made at the General Manager, Engineering's office by the owner or his agent authorized in writing, who shall at the time he makes such application, execute an agreement with the City, which application and agreement shall be in the form contained in Schedule "A-1" to this By-law.
- (3) Each application for the installation of a water service pursuant to the provisions of Clauses (1) or (2) thereof, shall give a full, true and correct statement on the form (Schedule "A" or Schedule "A-1") prescribed for the purpose, of the size and description of his premises, the use for which the service is required and all other information which may be necessary to form a correct estimate of the volume of water required and the rates to be charged against him for water supplied to the said premises. If the statement so given is not correct, and any additional rate shall be chargeable by reason of the statement being incorrect, such additional rate shall be payable forthwith. Such applicant shall be personally responsible for the payment of all rates and fees until he shall have delivered to the General Manager, Engineering a notice in writing over his signature pursuant to the provisions of Section 15 (1) of this By-law ordering discontinuance of such service.
- (4) For all new construction of strata buildings or premises to which a service connection is made during any year, the user rate chargeable for that year shall be one-half (1/2) of the full annual charge per unit according to Schedule "B" under the heading "If Paid before April 2nd" of the By-law. This charge will be applied at the building permit stage and will be non-refundable. The amount collected will be applied as a credit to the property's metered utility billing.
- (5) In the event that such service may be provided from either of two or more mains the General Manager, Engineering shall determine the main which service shall be given.
- (6) Every service connection (temporary) provided in the City shall be of such size, type, length and capacity as may be prescribed by the General Manager, Engineering, who shall determine the location of the main to which the said service shall be connected, provided, however, that the General Manager, Engineering may refuse a temporary connection if such a connection would have a detrimental effect on the water supply system. All such service connections (temporary) shall be provided subject to the following conditions:-
- (i) Such connection shall serve one owner and one premises only.
 - (ii) Each applicant for such service shall pay the connection fee prescribed by this By-law and the City will provide a connection to the main within the boundaries of the road allowance, lane or easement where such main is laid.

- (iii) Each such applicant shall provide and construct at his own expense the pipe from such connection to the premises for which such connection is provided. Where such pipe is to be laid within any road or lane allowance or City right-of-way or easement, the applicant shall conform to the requirements of the "Highways By-law, 1960, No. 1775". Where such pipe is to be laid through lands not owned by the applicant, a right-of-way or easement to accommodate such pipe shall be obtained by him prior to any connection being provided by the City.
- (iv) Each such applicant shall be responsible for the maintenance and upkeep of such pipe from the point of connection to the premises for which such connection is provided.
- (v) Deleted B/L 13677 03/01/99
- (vi) Every such connection shall be deemed to be temporary and the City may discontinue service in any of the following circumstances:-
- (a) When application is made by any other person or persons for extension of a water main along the street or road allowance upon which the property served by any such temporary service connection fronts.
- (b) When the City decides to proceed with the construction of a water main on the street, lane or road allowance upon which such property has frontage.
- (c) If the applicant fails to properly maintain the pipe from the point of connection to the premises for which such connection is provided.
- (d) If the applicant contravenes any of the provisions of this By-law.
- (vii) Where any service connection (temporary) is discontinued pursuant to (a) or (b) of clause (vi) of this sub-section (6) and the premises served thereby are to be subsequently connected to a water main which has been constructed by the City to serve the said premises, the Owner shall pay the costs to the City incurred in providing an appropriate connection plus the costs of connecting and disconnecting the temporary connection. In these circumstances service to the premises by means of the temporary service connection shall be continued until the connection to the new main has been provided.
- (7) Such owner or agent shall with such application pay the connection fee prescribed in Schedule "E" hereof.
- (i) Deleted B/L 13677 03/01/99
- (ii) Deleted B/L 13677 03/01/99
- (iii) In the case of a parcel of land or premises to which a connection is made to an existing building or premises during any year, water meters shall be installed on all existing and new water services in a manner and of such make and design as may be prescribed by the General Manager, Engineering and the person requiring the water shall first enter into an agreement to take, use and pay for such water according to the terms and conditions outlined in Schedule "C" to this By-law.
- (8) No change or addition shall be made by any person in the number, type of description of fixtures to increase the consumption of water on any existing premises until notice thereof has been given in writing at the General Manager, Engineering's office, and written permission obtained. If such change or addition shall occasion a higher rate or rent to be payable, the same shall be paid forthwith.
- (9) No person being an owner, occupant, tenant, or inmate of any premises supplied with water by the City, shall sell or dispose of any water or permit the same to be carried or taken away, or used, or apply it for the benefit or use of others or to any other than his own use and benefit.
- (10) It shall be lawful for the City to reduce the quantity of water supplied to, or to entirely discontinue the service to any consumer who has violated any of the provisions of this By-law, or when, in the opinion of the Council, the public interest requires such action.
- (11) All underground pipes of any existing premises shall be placed not less than Thirty (30) inches below the surface of the ground and all other pipes exposed to frost shall be properly and sufficiently protected therefrom. It shall be the duty of every consumer to provide that all taps, fittings and other things connected with the service within the existing premises are good and sufficient and installed and connected in accordance with the requirements of the Plumbing By-law and Building By-law and every existing premises shall be equipped with a properly placed stop and waste cock and a separate stop and waste cock shall be placed at the foot of every outdoor standpipe or other fixture. The General Manager, Engineering or any other officer or

employee of the City shall refuse to turn on the water to any existing premises and may discontinue service to any existing premises should the provisions not be complied with to the satisfaction of the General Manager, Engineering. All persons shall maintain their service pipes, stop-cocks and other fixtures on their own existing premises, inside the line of the street, in good order and repair and when a building is vacated, the stop-cock on the inside of the building shall be turned off by the person leaving the building, or by the owner.

- (12) Every consumer shall provide for each service connection to his premises a sand strainer, pressure regulator and a pressure relief valve upon the request of the General Manager, Engineering and when the initial pressure on the main from which service is given, amounts to or exceeds seventy-five (75) pounds. (This clause shall not apply to premises where the total service does not exceed one cold supply tap).
- (13) If any consumer on a flat rate service allows water to run to waste, whether willfully or by permitting pipes, taps, toilets or other fixtures and means of distributing or storing water to remain in disrepair, or by any device or for any remunerative purpose or for any change in the use of the premises, increases the amount of water consumption or expedites the rate of water usage, he shall be guilty of a breach of this By-law, and in addition to the penalty hereinafter provided for, it shall be lawful for the General Manager, Engineering to require that, as a condition of further and future service, a meter be installed on said service connection at the expense of the Owner and the rates be payable by said consumer from the date on which such meter is installed shall be in accordance with Schedule "C" to this By-law.
- (14) Every person to whom water is supplied under this By-law shall at all reasonable times allow, suffer and permit the General Manager, Engineering or any person authorized by him for such purpose (either generally or in any particular instance) to enter into and upon the premises in respect of which water is supplied, for the purpose of inspecting the same and the water pipes, connections, fixtures, taps, meters and any other apparatus used in connection with such water supply. If any such pipes, connections, fixtures, taps or other fixtures are found to be leaking or defective or if any wastage of water is found to exist, notice in writing shall be given by the General Manager, Engineering requiring the person owning or using such premises, to remedy such defects or leaks or to stop such wastage and if such requirements are not fulfilled within seventy-two (72) hours from the service of such notice, the water supply to such premises may be shut off and the person owning or using such premises shall be guilty of a breach of this By-law.
- (15) The Building Inspector shall have the right of entry into any building or premises at any reasonable time for the purposes of determining the number and factual existence of dwelling units in such building or premises.
- (16) The City shall have the right at any time to install a water meter in any existing premises at the expense of the Owner and to substitute in lieu of a flat rate (whether already paid or not) a meter rate according to Schedule "C" to this By-law. When this is done, the Collector shall adjust the water rates roll accordingly and a credit shall be allowed to the consumer on the meter rate account for the balance of the flat rate proportionate to the unexpired portion of the year covered by the flat rate payment. The balance of the meter rate shall be payable from the time such meter is installed whether during any period already paid for by the flat rate or not.
- (17) (a) Except for distribution to the Parcels of Land in the Agricultural Land Reserve, the water supplied by the City is for essential purposes such as normal household requirements including sanitation, human consumption and food preparation, for deliverable fire protection from the distribution system, and, for essential needs of commerce and industries. Subject to the availability of water in excess of the aforesaid purposes, water may also be used for other less essential, aesthetic-enhancing purposes such as lawn and garden irrigation, car washing and other cleaning processes, such use to be in compliance with the Water Shortage Response By-law, 2004, No. 15454.
- (b) For Parcels of Land in the Agricultural Land Reserve, the water supplied by the City is for essential purposes such as normal household requirements including sanitation, human consumption and food preparation. Subject to the availability of water in excess of the aforesaid purposes, water may also be used for other less essential, aesthetic-enhancing purposes such as lawn and garden irrigation, car washing and other cleaning processes, such use to be in compliance with the Water Shortage Response By-law, 2004, No. 15454.
- (18) The City shall not be liable for the failure of the water supply in consequence of any accident or damage to the works, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the City or other person whomsoever, or through natural deterioration or obsolescence of the City's system, or otherwise howsoever; but in the event of such failure or stoppage continuing for more than five (5) consecutive days, an equitable reduction shall be made on all rates for service affected thereby.

- (19) Where steam or hot water boilers or other equipment is fed with water by pressure direct from the City water mains the City shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure.
- (20) (a) No person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance in a manner which, under any circumstances, may allow water, waste water, or any harmful liquid or substance to enter the City's water system.
- (b) If a condition is found to exist which, in the opinion of the General Manager, Engineering is contrary to the provisions of sub-section (a) hereof, the City may either:
- (i) shut off the service or services; or
- (ii) give notice to the consumer to correct the fault within 96 hours or a specified lesser period, and if the consumer fails to comply with such notice, the General Manager, Engineering may order immediate termination of the service or services; or
- Without prejudicing the aforesaid, the City may approve or compel installation of approved cross-connection control devices on the service connection located on City property at the expense of the consumer.
- (c) No person shall turn on the water service pipe at the curb stop until the private plumbing system has been approved by the Building Inspector and has been inspected by the Building Inspector to determine that the possibility of cross-connection does not exist.
- (d) Notwithstanding sub-section (c) hereof, the use of water service for a limited time for construction purposes prior to the occupancy of the premises may be permitted, provided the City is satisfied that adequate provision is made to prevent backflow into the City water system.
- (e) No new water service for any building, irrigation system, sprinkling system will be provided to a person unless the City is satisfied that the possibility of cross-connections does not exist. In all cases, an inspection shall be conducted by the Building Inspector who shall determine whether the installation of an approved cross-connection control device is required.
- (f) Where a cross-connection control device is required by the City pursuant to sub-section (e) hereof, such device must be inspected by the Building Inspector. In order to receive the approval of the Building Inspector, such device must conform to American Water Works Association Standard C506-78 and Canadian Standards Association B64-1976. All cross-connection control devices are the responsibility of the Consumer, who must ensure that such devices are maintained in proper working order. The City may from time to time require testing of such devices by a certified tester of cross-connection control devices at the sole expense of the Consumer and such test results, including repairs performed, shall be submitted by the Consumer to the Building Inspector as directed by the City.

WATER METERS

12. (1) Water meters shall be installed on all existing and new water services where :
- (a) a connection is made to an existing or new building or premises; or
- (b) the service connection is temporary as defined in this By-law; or
- (c) a connection is made to an existing or new irrigation system, and the person requiring the water shall first enter into an agreement to take, use and pay for such water according to the terms and conditions outlined in Schedule "C" to this By-law.
- (2) The Council may, whenever it shall deem it advisable, compel the use of water meters by any person using or consuming water supplied by the City and may refuse to supply water to any premises whatsoever unless the person requiring the water shall first enter into an agreement to take, use and pay for such water according to the terms and conditions outlined in Schedule "C" to this By-law.
- (3) Meters shall be installed on all water services in a manner and of such make and design as may be prescribed by the General Manager, Engineering.
- (4) The cost of supplying and installing a meter shall be borne by the Consumer. Meters 19 mm (3/4 inch) or smaller for single-family and duplex residential construction shall be supplied and installed by the City and the developer or consumer shall pay for the meter fee prescribed by Schedule E of this By-law.
- (5) (a) Except as outlined in 12 (5) (b) below, every consumer having a metered service shall pay for the full amount of water as registered by the meter, according to the rate applicable to the service.

(b) A consumer who volunteers to have a meter installed by the City under a bona fide residential water metering program may receive a one-time credit equal to the difference between the water charges for the first 12 months of consumption subsequent to meter installation and the amount that would have been payable as a flat rate consumer, such credit to be applied only to future water charges, but only if all of the following conditions are met:

- (i) the metered charges must exceed the flat rate;
- (ii) the consumer must request in writing that an adjustment be made;
- (iii) the difference between the metered charges and the amount that would have been payable as a flat rate must be more than \$25;
- (iv) a credit will not be applied if there has been a change of ownership of the property during the 12 month period;
- (v) the credit will only be available to single family dwellings; and
- (vi) the credit must be requested in writing by the consumer within 15 months of volunteering for a meter.

(c) No reduction shall be allowed on account of any waste of water.

(6) If any meter stops, sticks or fails to indicate correctly the quantity of water which is passing or which has passed through it, the City shall be entitled to charge for such water according to the average consumption for the eight (8) months immediately preceding the date upon which such meter was last found to be in order.

(7) Deleted by By-law 13830 09/13/99

(8) The City shall maintain and repair all meters, regardless of size, when rendered unserviceable through fair wear and tear and shall replace if necessary. Where replacement or repair of any meter is rendered necessary by the act, neglect, or carelessness of the owner or occupant of any premises, any expense caused to the City shall be charged against and collected from the owner or occupant of such premises.

(9) When any Consumer notifies the City, in writing, that his account for service for any past time is excessive and has satisfied the General Manager, Engineering that there are no leaks on the service, the City shall arrange to have the meter tested. The City may also arrange to have the meter replaced without first testing it.

(10) Before making a test outlined in Sub-section (9), the Consumer requesting the test shall deposit with the General Manager, Engineering the following amount:

For 50 mm (2") meter	\$100
For 75 mm (3") meter	\$150
For 100 mm (4") meter	\$200
For 150 mm (6") meter	\$250
For meters over 150mm (6")	\$500

(11) (a) If the test outlined in Sub-section (9) shows an error in registering the quantity of water passing through the meter of over five percent (5%) in favour of the City, the deposit in Sub-section (10) shall be refunded to the Consumer, a correct registering meter shall be installed by the City, and the Consumer's account for service shall be adjusted accordingly.

(b) If the test outlined in Sub-section (9) shows an accurate measurement of water or an error in favour of the Consumer, the deposit in Sub-section (10) shall be retained by the City to cover part of the expense for making the test.

FIRE SERVICES

13. All existing or future services installed for the purpose of providing fire protection shall be subject to the following provisions:-

- (1) All fire services shall be so installed that water used or which could be used for other than fire purposes shall be metered.
- (2) Any fire service which can be used for fire purposes only by being directly connected with an automatic sprinkling system, may be connected directly to the waterworks without having a meter installed, provided however, the General Manager, Engineering may require the installation of a detector check valve.

- (3) If, in the opinion of the General Manager, Engineering, the water from any fire service connection could be used for other than fire-fighting or fire control purposes, he may seal the outlets from such fire service connection, in which event such seal shall not be broken except in case of fire. The General Manager, Engineering, or any person authorized by him in that behalf shall have the right to enter in and upon any premises in respect of which a fire service connection has been provided for the purpose of inspecting same and sealing or resealing the same. When the seal on any fire service has been broken in cases of fire or otherwise, the owner or occupant of the premises shall so report to the General Manager, Engineering within twenty-four (24) hours after the breaking of such seal and the General Manager, Engineering shall thereupon have the same resealed.
- (4) If it is found that water is being used for other than fire fighting purposes on any fire service the General Manager, Engineering shall have the power and he is hereby authorized to shut off such service until a meter has been installed on such service at the expense of the owner.
- (5) All meters and detector check valves used on fire services shall be of such make and design as may be approved by the General Manager, Engineering.
- (6) The cost of installing each fire service connection including the cost of the meters, gate valves and detector check valves as provided for in this Section, shall be borne by the owner or occupant of the premises.
- (7) Water used for fighting fires shall not be charged for. If fire lines are connected through regular distribution service and meter, the amount to be paid by the consumer shall be determined by taking the average reading of the meter for the eight (8) months immediately preceding, which average quantity shall be paid for at the rate fixed for such service by this By-law.

RATES AND CONNECTION FEES

14. (1) It shall be lawful for the Council from time to time to fix the rates to be paid by consumers of water for the water supplied from the works and to distinguish between classes or types of consumers, the amount to be paid for fire services and the amount of the stand-by charge to be paid when water is made available for any purpose which charge may vary according to the size of the service made available.
- (2) (a) The rates which shall be payable in respect to existing flat rate service shall be in accordance with Schedule "B" to this By-law.
- (b) The rates which shall be payable in respect to metered services shall be in accordance with Schedule "C" to this By-law.
- (c) The rates which shall be payable in respect to fire service, stand-by services and special rates shall be in accordance with Schedule "D" to this By-law.
- (d) The fees which shall be payable in respect to all service connections shall be in accordance with Schedule "E" to this By-law.
- (3) The several rates and fees enumerated in Schedules "B", "C", "D", and "E", which said schedules are hereto annexed and made part of this By-law, are hereby imposed and levied for water supplied or ready to be supplied by the City and for connections to the mains of the City, and all such rates or fees shall form a charge on the lands of the respective owners or tenants thereof using such water and may be recovered in the same manner and by the same means as overdue taxes.
- (4) All accounts for water service or meter rates shall be due and payable at the office of the Collector at the City Hall in the City of Surrey, or payable to such person or persons who may be authorized by the Council from time to time to receive same.
- (5) No rebate, refund or credit whatsoever of any moneys paid or payable for water service shall be made save as hereinafter provided.
- (6) No prepayment for any service shall prevent the amount of any increase being charged to and collected from any consumer.
- (7) The City shall furnish to any consumer or ratepayer on request one copy of a statement showing the rates and fees for the time being in force for each type of service.

TURNING OFF AND TURNING ON OF SERVICES

15. (1) A consumer wishing to have service to his premises discontinued temporarily (not greater than a six month period) or permanently shall pay the charges set out in Schedule "D-1" to this By-law and in the

case of permanent termination shall give not less than five (5) days notice of the discontinuance of such service. The said notice shall be in writing and shall be delivered together with the fee for turning off the service, at the Collector's office, or sent to the said Collector by prepaid letter, properly addressed. The burden of proof of delivery of such notice shall be upon the consumer. Every consumer shall be liable for the full amount of rates chargeable for the service for five (5) days after such notice has been delivered to or received at the said office and in default of such notice, the rates shall be charged until such notice is given and the water turned off.

- (2) When any water service is disconnected upon request as aforesaid by a consumer, the Collector shall allow such consumer from the date of disconnection a rebate of the annual flat rate service fee proportionate to that portion of the then current year unexpired at such date, and shall cause such rebate to be entered upon the current year's water rates roll, provided that the Collector shall apply such rebate first against arrears of charges owing by such owner under this By-law.
- (3) In case of non-payment of rates for thirty (30) days after the day upon which they shall have become due and payable the City may cut off the service in respect of which rates are due without notice.
- (4) When any rates or fees remain unpaid for thirty (30) days after the day upon which the same may have become due and payable, the City may sue for and recover the same in the Small Debts Court or other Court of competent jurisdiction. The power of suit contained herein shall not affect the charge against the land created by the "Municipal Act", nor preclude recovery of said rates or fees by any other method provided by statute.
- (5) When any service has been disconnected from any premises for non-payment of rates or violation of any of the provisions of this By-law, the City may before reconnection is made to the premises require payment of the charge set out in Schedule "D-1" to this By-law and all arrears of charges owing by such owner under this By-law as well as the annual flat rate service fee prescribed in Schedule "B" hereto, provided that the Collector shall allow a rebate of such fee proportionate to that portion of the then current year expired at the date of such reconnection. The Collector shall cause such flat rate service fee or part thereof together with the additional fee hereinbefore prescribed to be entered in the current year's water rates roll.
- (6) When any service has been disconnected from any premises for reasons not requiring a plumbing permit, at the request of the consumer or of the owner of the premises pursuant to the provisions of subsection (1), the City may, before reconnection is made to the premises, require payment of the charge set out in Schedule "D-1" to this By-law and if the service is charged for on the flat rate prescribed in Schedule "B" hereto, also require payment in advance of the annual flat rate service fee under the heading "If Paid before April 2nd" less a proportionate rebate for that portion of the then current year expired at the date of such application for reconnection. The Collector shall cause such flat rate service fee or part thereof together with the additional fee hereinbefore prescribed, to be entered in the current year's water rates roll.
- (7) No person shall turn on any service which shall have been turned off by the City and should any service be turned on by any person other than an employee of the City the service shall be deemed to have been continued from the date the same was turned off and the owner shall be liable accordingly for payment of the user rates from that date.
- (8) No contractor, builder or other person shall use for building purposes of any kind or description any water from any pipe or main of the waterworks, or from any other consumer, without written permission from the General Manager, Engineering nor until the amount fixed by the rates in force at the time has been paid and all provisions made for the proper protection of the supply pipe have been complied with.

GENERAL PROVISIONS

16. (1) It shall be lawful for the City to supply water to the inhabitants of the City who can be served from the City's water mains and the provisions of this By-law shall extend to and be binding upon all persons so served.
- (2) Nothing in this By-law shall obligate the City to supply water to any person when the cost of laying the supply of service mains to the premises of such person would, in the opinion of the Council, be excessive and create an additional burden upon the revenues of the system, unless such person shall be prepared to pay to the City the cost of laying the supply or service mains to his premises and the trunk mains to which such supply or service mains are to be connected are of sufficient capacity to provide the additional water required for such service.
- (3) For water supply to private water utilities within Surrey or to persons, properties or areas in the outside localities adjacent to the City of Surrey, the owners, persons or recipients of such service shall execute an

In consideration of the provision of the Connection by the City to the Owner and other good and valuable consideration (the receipt and sufficiency of which is acknowledged) the Owner, jointly and severally (where applicable) covenants and agrees with the City as follows:

1. That the Connection, if approved, will be subject to all conditions and limitations in Surrey Waterworks Regulation Bylaw, 1969, No 2932, as amended from time to time, including subsequent to the date of this Agreement, (the "Bylaw");
2. To duly pay all the charges, rates, fees and taxes as prescribed by the Bylaw or bylaws of the City pertaining to the supply of water under the Connection;
3. To release, indemnify and save harmless the City, its elected and appointed officials, employees and agents from and against any and all liability, actions, causes of actions, claims damages, expenses, costs, debts, demands or losses suffered or incurred by the City arising out of the breakdown or malfunction of a water facility, system or the Connection pursuant to Section 288 of the Municipal Act, R.S.B.C. 1996, c. 323 as amended;
4. To obtain from any purchaser, lessee, tenant or other transferee or occupier of the Property and to deliver to the City, an agreement to be bound by the terms of this Agreement. Provided that this agreement is obtained, then the Owner shall not be liable under any of the covenants and agreements contained herein where such liability arises by reason of an act or omission occurring **after** the Owner ceases to have any further interest in the Property;
5. That the City is not required or is under no obligation in law or equity to prosecute or enforce this Agreement in any way whatsoever; and
6. That nothing in the Bylaw shall be interpreted to mean that the City gives any assurance to the Owner with respect to the quality, pressure, quantity or continuance of the supply of water.

initials

*Witness: _____)
 _____)
 Name) **** (Signature of Owner)** _____)
 _____)
 Address) (Please Print Name) _____)
 _____)
 Occupation) _____)
 _____) **** (Signature of Owner)** _____)
 _____)
 _____)
 as to all signatures) (Please Print Name)

* The Witness to the signature(s) of the Owner cannot be a City employee or a person residing at the Property.
 ** Only the registered owner may sign this agreement (no agents).

SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932 - SCHEDULE "A-1"

TO: CITY OF SURREY (the "City") **DATE:**

 The General Manager, Engineering Department.

APPLICATION FOR A TEMPORARY WATER SERVICE CONNECTION

I/WE, the undersigned _____ being the registered owner(s) in the New Westminster Land Title Office (the "Owner") of those lands and premises in the City of Surrey, in the Province of British Columbia known and described as:

Civic Address: _____ Parcel Identifier: _____
 Legal Description: Lot _____ Block _____ Quarter _____ Section _____ Township _____ Range _____ Plan _____
 (the "Property")

apply for a temporary water service connection to the Property (the "Temporary Connection").

The purpose for which the water service is required:

In consideration of the provision of the Temporary Connection by the City to the Owner and other good and valuable consideration (the receipt and sufficiency of which is acknowledged) the Owner, jointly and severally (where applicable) covenants and agrees with the City as follows:

1. That the Temporary Connection, if approved, will be subject to all conditions and limitations in Surrey Waterworks Regulation Bylaw, 1969, No 2932, as amended from time to time, including subsequent to the date of this Agreement, (the "Bylaw");
2. That the City may discontinue the Temporary Connection at its option with three months written notice;
3. To duly pay all the charges, rates, fees and taxes as prescribed by the Bylaw or bylaws of the City pertaining to the supply of water under the Temporary Connection;
4. To maintain the connecting pipe between the Temporary Connection and the Property in good condition at all times;
5. To support any application or petition by other Owner(s) for extension of a water main which will provide service directly to the Property;
6. To release, indemnify and save harmless the City, its elected and appointed officials, employees and agents from and against any and all liability, actions, causes of actions, claims damages, expenses, costs, debts, demands or losses suffered or incurred by the City arising out of the breakdown or malfunction of a water facility, system or the Temporary

initials

Address) (Please Print Name)
)
 Occupation)
) ******(Signature of Owner)
)
 as to all signatures) (Please Print Name)

* The Witness to the signature(s) of the Owner cannot be a City employee or a person residing at the Property.
 ** Only the registered owner may sign this agreement (no agents).

"SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932"

SCHEDULE "B"

Amendments: 3280, 11/30/70; 3411, 05/31/71; 4174, 02/27/74; 4419, 01/20/75; 4684, 05/31/76; 7129, 05/17/82; 7509, 05/16/83; 7798, 04/02/94; 9482, 05/09/88; 10035, 05/01/89; 10905, 04/29/91; 11218, 03/09/92; 11629, 01/11/93; 12243, 04/18/94; 12588, 03/27/95; 12781, 03/04/96; 13057, 04/07/97; 13113, 05/05/97; 13395, 05/04/98; 13677, 03/01/99; BL 13944, 02/14/00; 14180, 12/04/00; 14564, 12/10/01; 14894, 02/17/03; 15180, 12/01/03; 15542, 11/29/04; 15930, 02/13/06; 16200, 01/15/07

FLAT RATE CHARGES - EFFECTIVE JANUARY 1, 2007

1. The following minimum flat rate charges for water services shall apply to all of the waterworks system and its existing connections within the City of Surrey owned and operated as a self-liquidating utility by the City of Surrey. Categories of charges are based on actual use of the property.
 - a. To every existing single dwelling unit, including those within an existing condominium; to every existing church; to every existing duplex house; to every existing commercial unit with a single dwelling unit attached thereto and having plumbing fixtures installed in the dwelling unit only:

Annual User Charge - if paid before April 2nd:	\$415.00
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 - b. To each additional dwelling unit located within the structure of a single family dwelling unit:

Annual User Charge - if paid before April 2nd:	\$247.00
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 - c. To all existing apartment houses, and townhouses for each dwelling unit contained therein:

Annual User Charge - if paid before April 2nd:	\$214.00
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 - d. To all existing commercial buildings containing two (2) or more commercial units, and where the average monthly consumption or use of water does not exceed that of the same number of average single dwelling units, for each commercial unit contained therein:

Annual User Charge - if paid before April 2nd:	\$415.00
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2. The rates levied on a property do not in any way legalize the use of land and premises, which might be in breach of other City by-laws. In levying the rates, no determination of compliance with other City by-laws has been made and should the use of land and premises breach any of its by-laws now or in the future, the City reserves the right to enforce those by-laws in accordance with their conditions.
3. Annual user charges are subject to a 5% penalty if paid after the first annual due date of April 2nd and a further 5% penalty if paid after the second annual due date July 2nd. All utility charges including penalties if left unpaid on December 31 of the year will be considered taxes payable the following year.

"SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932"

SCHEDULE "C"

Amendments: 3280, 11/30/70; 4174, 02/27/74; 4334, 09/03/74; 4684, 05/31/76; 7129, 05/17/82; 7509, 05/16/83; 7798, 04/02/84; 8208, 05/13/85; 9482, 05/09/88; 9952, 04/24/89; 10035, 05/01/89; 10202, 09/05/89; 10409, 2/19/90; 10905, 04/29/91; 11218, 03/09/92; 11629, 01/11/93; 11881, 06/21/93; 12243, 04/18/94; 12588, 03/27/95; 12781, 03/04/96; 13113, 05/05/97; 13395, 05/04/98; 13677, 03/01/99; 13944, 02/14/00; 14180, 12/04/00; 14564, 12/10/01; 14894, 02/17/03; 15180, 12/01/03; 15542, 11/29/04; 15930, 02/13/06; 16200, 01/15/07

USER RATES FOR METER CONSUMPTION - EFFECTIVE JANUARY 1, 2007

1. All water meters shall be read and billed three times per calendar year on a periodic four-month basis.
2. All metered accounts shall be due and payable on the second (2) day of the month following the month in which the account is rendered and are subject to a penalty of ten percent (10%) if the amount for that period is paid after the due date.
3. The following domestic, commercial and industrial Meter Rates shall apply to water consumption within the City of Surrey from metered service connections to the waterworks system owned and operated by the City of Surrey:

a. The base charge per meter will be as follows:

16 to 19 mm	\$ 20.00 per four-month period;
25 mm	\$ 25.00 per four-month period;
38 mm	\$ 31.00 per four-month period;
50 mm	\$ 41.00 per four-month period;
75 mm	\$ 82.00 per four-month period;
100 mm	\$ 96.00 per four-month period;
150 mm	\$181.00 per four-month period;
200 mm	\$213.00 per four-month period;

b. The water consumption rate for all meter types will be \$ 0.53 per cubic meter.

PROVIDED FURTHER, that any metered connection serving premises, which, if it were not for the metered installation, would be rated in accordance with the provisions of Schedule "B" to this By-law, shall be subject to a minimum monthly charge equal to onetwelfth (1/12) of the total annual charge payable under Schedule "B" for each such premises, and the minimum periodic billing charge shall be four (4) times the minimum monthly charge computed as hereinbefore provided.

4. Adjustment Due to Faulty Meter

Where a meter is found defective when read, and has not indicated correctly the volume of water which has passed through it, the provisions of Section 12(6) of this By-law shall apply, and the charges billed for that period or month shall be computed accordingly.

5. Undetected Leaks

Notwithstanding the provisions of Section 12(5) of this By-law, where an underground leak is discovered in a consumer's waterworks system, and where the consumer could not reasonably have been expected to be aware of such leak, the City shall be entitled to charge for such water a rate which does not exceed the average of the rates billed for the preceding twelve (12) months plus a rate of 30 cents per cubic meter for all water which, as recorded by the meter, has passed through the meter since the last previous reading thereof, and which is in excess of the average consumption or use over the preceding twelve (12) months and provided that repairs of the consumer's waterworks system have been carried out to the General Manager, Engineering's satisfaction within 96 hours of discovery of the leak.

"SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932"

SCHEDULE "D"

SPECIAL RATES

Amendments: 3280, 11/30/70; 4174, 02/27/74; 4419, 01/20/75; 4684, 05/31/76; 7129, 05/17/82; 7509, 01/16/83; 7798, 04/02/84; 9482, 05/09/88; 13677, 03/01/99; 13944, 02/14/00; 14180, 12/04/00

Apartment houses and multiple dwellings	Minimum flat rate charges or metered
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(Existing) (except condominiums)	services
Apartment houses and multiple dwellings (new)	By metered service only
Auto courts and mobile home Parks, Recreation and Culture Department	By metered service only (subject to minimum charge)
Boarding houses	By metered service only
Cemetery	By metered service only
Churches (Existing)	Minimum flat rate charge or metered services
Churches (New)	By metered service only
Combination - small commercial premises (Existing)	Minimum flat rate charges or metered service
Combination - small commercial premises (New)	By metered service only
Commercial and industrial	By metered service only
Condominiums (Existing)	Minimum flat rate charge to each owner or each strata lot; or metered services
Hotel and lodging houses	By metered service only
Service connections (temporary)	By metered service only
Other special uses	By metered service only

"SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932"

SCHEDULE "D-1"

Amendments: 15930, 02/13/06

SPECIAL FEES AND CHARGES

A. FOR USE OF CITY'S HYDRANT FOR WATER SUPPLY

Fee for or the initial application for a permit to use a

City hydrant. \$75.00

For further extension of the initial permit period. \$25.00

Water usage from hydrant @ \$10 per day

B. FOR TURNING OFF AND TURNING ON OF SERVICES

Permanent turn off 100% of the costs incurred by the City

Temporary turn off and turn on

- during regular working hours \$55.00

- outside regular working hours \$90.00

C. TESTING OF WATER METERS

Fee for the testing of water meters at the customers' request \$110.00
38mm and below

"SURREY WATERWORKS REGULATION BY-LAW, 1969, NO. 2932"

SCHEDULE "E"

CONNECTION FEES

Amendments: 4300, 07/08/74; 4515, 05/29/75; 4684, 05/31/76; 5001, 11/29/76; 7062, 04/19/82; 10058, 05/23/89; 10312, 12/11/89; 10915, 05/06/91; 13113, 05/05/97; 15243, 12/15/03; 15764, 06/20/05; 15930, 02/13/06

CONNECTION FEES

The following fees shall be charged for all water service connections and shall be payable in advance and prior to connection:

A. 19 mm (3/4") diameter connection for a single \$ Actual Cost

family home on an existing lot, unless where a connection physically exists, the connection fee shall be \$1,825 per connection.

All other connections at actual cost

B. Where all the work and materials involved in making a connection are provided by a Developer and the connection is to serve a parcel of real property created by and within the boundaries of a subdivision to which the service has been extended by the Developer as a condition of the approval thereof, there shall be no water service connection fee; and the provisions of Section 11 of this By-law shall apply to every such connection.

C. Meters 19mm diameter or smaller for single family and \$150.00

duplex residential construction where connection, meter box, and meter setter have been provided by developer or consumer.

D. Water Meter Installation Standards & Specification \$30.00