

The following is a consolidated copy of the UBID Water Tolls and Other Charges Bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
278	Bylaw No. 278 Water Tolls and Other Charges, 2020	October 17, 2019	To establish tolls and charges
281	Bylaw No. 281 Amending Bylaw #278 "Water and Tolls and Other Charges 2020"	December 19, 2019 (effective January 1, 2020)	To revise sections 6, 8 and 9
284	Bylaw No. 284 Amending Bylaw #281 "Water Tolls and Other Charges 2020"	August 20, 2020	To revise section 6
282	Bylaw #282 Amending Bylaw #281 Water Tolls and Other Charges 2021	December 10, 2020 (effective January 1, 2021)	To revise sections 6, 8 and 9 and to add section 22
661	Union Bay Water Tolls and Other Charges Bylaw 278, 2020, Amendment No. 4	June 29, 2021	To enable quarterly billing for users of the Union Bay Water Service
715	Union Bay Water Tolls and Other Charges Bylaw 278, 2020, Amendment No. 5	June 14, 2022	To enable leak rebates for users of the Union Bay water service

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

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. 278 Water Tolls and Other Charges, 2020".

Application

2. Bylaw applies to all Properties, which receive water from the Union Bay Improvement District.

Interpretation

3. In this Bylaw:
 - a. **"Commercial Property"** means a Property on which an income is derived from the use of the property.
 - b. **"District"** means the Union Bay Improvement District.
 - c. **"Property"** includes parcels and lots, and portions thereof where one or more water connections exist, is required or has been requested and provided.

Requirements 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 13.

Metered Rates

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

Residential Rates		
Base Rate	Up to 10m ³	\$54 flat fee per month
Excess Rate 1	Over 10m ³ and up to 25m ³	\$1.40/m ³
Excess Rate 2	Over 25m ³ and up to 37.5m ³	\$1.90/m ³
Excess Rate 3	Over 37.5m ³ and up to 50m ³	\$2.50/m ³
Excess Rate Over 3	Over 50m ³	\$3.75/m ³
Commercial Rates		
Base Rate - no water		\$54 flat fee per month
Water Usage Rate		\$1.60/m ³

Non-Metered Rates

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

Rate	Toll Description	Bi-Monthly Toll
A	For the Union Bay Beautification Boulevard	NIL
B	For the Union Bay Improvement District	NIL

Water Shut Off for Extended Absences

8. Upon application by a Property owner, 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 \$75.00.
9. Where water has been shut off pursuant to section 8, a reconnection charge of \$75.00 shall apply at the time the water is turned back on.

Water Shut Off for Other Reasons

10. 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 \$50.00 shut off charge.
11. Where water has been shut off pursuant to section 10, an additional charge of \$50.00 shall apply at the time the water is turned back on.

Reduced Rates

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12. 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

13. A minimum \$75.00 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 \$50 per hour/person.

Penalty

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

Rebates

15. Where an owner or owner's agent provides evidence that:
- Fees charged to that person prescribed in Metered Rates have been unduly high because of a water leak; and
 - The leak has been repaired,
- a rebate calculated in accordance with subsection (16) may be made to the owner.
16. A rebate under subsection (15) shall be calculated on half of the dollar amount of:
- The last billing period calculated immediately before repair of the leak; and
 - The first billing period calculated immediately after repair of the leak.
17. The power to review the evidence provided under subsection (15) and to calculate the rebate under (16) may be exercised by the manager of water services or their designate.
18. The maximum leak related charge as described in subsection (16) shall be limited to \$1,000 per owner per application.
19. The maximum rebate payable under subsection (15) is limited to once every two years per owner.
20. The rebate payable under subsection (15) may be made to an owner for a leak that occurred on or after July 1, 2021.

Repeal

21. The Union Bay Improvement District Water Tolls and Other Charges Bylaw No. 259, 2016 is hereby repealed.

Effective Date

16. This bylaw will take effect January 1, 2021.

HISTORY:

UBID Water Tolls and Other Charges Bylaw #244, 2013 - repealed November 20th, 2013

UBID Water Tolls and Other Charges Bylaw #248, 2014 - repealed November 19th, 2014

UBID Water Tolls and Other Charges Bylaw #254, 2015 - repealed November 18th, 2015

UBID Water Tolls and Other Charges Bylaw #259, 2016 - repealed November 18th, 2016

CROSS REFERENCE:	Bylaw #25 - Water Line Services Bylaw Bylaw #183 - Connection Charge Bylaw Bylaw #194 - Water Conservation and Drought Management Bylaw Bylaw #226 - Water Use and Distribution Regulation Bylaw Bylaw #227 - Subdivision Water Regulation Bylaw Policy 06-11-05 Adjustment for Water Leak
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