

BY LAW NO..124....

A By-Law for the regulation of the Waterworks of
Burnaby Municipality.

The Municipal Council of the Corporation of the District
of Burnaby enacts as follows:-

1. It shall be lawful for the Council to impose levy
and collect a rate to be known as the "Water rate" upon
and from consumers or users of water from the Municipal
Waterworks. The said rate shall be fixed by resolution
of the Council from time to time as the Council shall
deem expedient, and may include rent to be paid for water
meters.

2. The Council shall furnish to any consumer or rate-
payer on application, one copy of a printed statement
showing the rates and rents for the time being in force,
and such statement shall set forth the rates upon which
water will be supplied.

(a). For a fixed sum to be paid either month by
month when due or quarterly, half-yearly or yearly in
advance.

1. To residences,
2. To business premises,
3. For miscellaneous services,
4. For temporary services,
5. For garden irrigation,

(b). By meter.

The monthly, quarterly, half-yearly or yearly
rent chargeable for meters.

3. All monthly rates and meter rates and rents (except such rent as may be paid in advance) as the same shall be from time to time fixed by the Council under the Provisions of this By-Law shall be due and payable at the Municipal Clerk's Office in the Municipal Hall, or to any person authorized by the Council to receive the same on the 1st. day of the month following the month for which they are due and payable, but any consumer who shall pay such monthly or meter rent within ten (10) days after the same shall have become due, shall be entitled to a rebate of 20 per centum upon the amount thereof.

4. Consumers paying the rate in advance shall be entitled to the following discounts from the rates set forth in the statement of rates in force at the time of such payment:-

For a payment of three months' rate in advance 20%,

For a payment of six months' rate in advance 25%,

For a payment of one years' rate in advance 30%.

5. The rate for garden irrigation shall be based upon an estimate of the amount of water which shall be disposed of by a single garden hose during the regular hours for the season regard being had to the extent of ground to be irrigated. No consumer who is supplied otherwise than by a meter service shall use any water for garden irrigation until he has obtained a permit therefor. Permits for garden irrigation shall be for the season, and may be issued at any time after the 15th. day of May in each year. Each permit shall authorise the holder to use water for garden irrigation at such times and at such times only as the Council shall from time to time fix. It shall be lawful for the Council or for the

Superintendent when expressly authorized by the Council to do so, to fix the days and hours upon or during which garden irrigation shall be allowed, and to alter the same from time to time or prohibit such garden irrigation without other or further notice than the publication of the order in a newspaper circulating in the Municipality. And it shall be the duty of every consumer to conform to such notice, and every consumer failing or refusing to do so shall be guilty of a breach of this By-Law.

6. No permit for garden irrigation shall be issued except upon the payment of the full amount chargeable thereon for the season in advance.

7. Water shall not be supplied to any consumer otherwise than by a meter service, unless and until such consumer shall have stated in writing the purpose for which such water is to be used, and any consumer using water for any purpose other than the purpose named in such statement, shall be guilty of a breach of this By-Law.

8. Application for the laying of service pipes or the turning on or off of the water to or from any premises shall be made in writing at the Municipal Clerk's office, and when such application is for the laying of a service pipe, or the turning on of water except in cases where the water has been turned off at the request of the consumer, or in consequence of the infringement of the provisions of this By-Law must be signed by the owner of such premises, or by his duly authorized agent signing as such. And such owner shall be personally responsible for the payment of all rates and rents until

he shall have delivered to the Municipal Clerk a duly signed notice ordering the discontinuance of such service. Provided, however, that the committee of the Council for the time being having control of the works may accept an application signed by a person other than the owner or his agent upon the written statement of such person that it is impossible to obtain the required signature at the time, but in all such cases it shall be lawful for the Council upon giving one (1) week's notice to turn off the water in case an amended application signed in accordance with the provisions of this section be not supplied within a reasonable time. And provided further that water may be supplied to any tenant or occupant who shall and so long and so long only as he shall pay for the same in advance.

9. Upon the receipt of such application from the owner or occupant of any premises, the Council may provide and lay down an ordinary house service pipe from the main to the street line or boundary, but the expense of distribution of water through buildings or parts of buildings shall be borne or paid for by the proprietors, tenants or occupants thereof, and for each such connection from the main, the Council shall be entitled to demand and receive from the applicant a sum not exceeding \$6.00.

10. Only the ordinary house service pipes for the supply of any single house or premises shall be allowed by the Council for the sum mentioned in the last preceding section, but any person desiring more than such service for the supply of his premises shall, subject to the approval of the Council, be supplied

with the same and shall be charged with the extra cost, and such second connection shall be by meter.

11. Any person making application for the laying of service pipes other than ordinary house service from the main to the street boundary shall at the time of making such application deposit with the Municipal Clerk a sum equal to the cost of providing such services, such cost to be determined by the Superintendent, and upon receipt of such sum, the Council may provide and lay such pipes.

12. The Council shall in every case determine the size of the pipe to be used in supplying any premises, and also the position in the street in which it is to be laid.

13. The Council shall not be liable for the cost of any work done in connection with any service on the premises of a consumer except the placing of meters; but the Council may at the request of any consumer, do any such work for a price to be agreed upon and in such case, all material used in such work whether furnished by the consumer or by the Council, shall be held to be the property of the Council until the price agreed to be paid for the doing of the work has been paid.

14. No work of any kind connected with the water service either for the laying of new or the repairing of old services shall be permitted to be done upon or under the streets by any person other than an employee of the Council.

15. All underground pipes shall be not less than 18 inches below the surface of the ground, and all other pipes where so fitted as to be exposed to frost

shall be properly protected, and it shall be the duty of every consumer to see that all pipes, taps, fittings and other things connected with the service within his premises are protected from frost, and are good and sufficient, and put in in accordance with the provisions of the By-Laws or regulations of the Council, and the Council may refuse to turn on the water to any premises and shall discontinue any service in case these provisions are not complied with to the satisfaction of the Superintendent, or such other person appointed by the Council. No water closets except such as are of the pattern or action approved by the Council shall be permitted in connection with any service other than the meter service. It shall also be lawful for the Council to prescribe the make or pattern of tap to be used in connection with any service other than the meter service, and to refuse to grant or to discontinue any such service until the regulations are complied with.

16. If any consumer shall use an unusual or unnecessary quantity of water, or allow water to run to waste whether wilfully or by permitting leaky pipes to remain unrepaired, or shall vend, give or dispose of such water to others than the members of his household as stated in his application (Occasional guests or visitors excepted), or shall allow any other person to vend, give, or dispose of water from the works in such manner, or increase by any device or expedient the amount of water agreed to be supplied by the Council, or practise any deception upon the Council or its agent with a view to obtain a supply of water greater than he

should reasonably be expected to have according to the terms of his application, he shall be guilty of a breach of this By-Law.

17. Any consumer supplied otherwise than by meter service, who shall desire to discontinue the use of water for any of the purposes stated in his application for said service as hereinbefore provided, shall give notice of his intention at the Municipal Clerk's Office, and shall further show to the satisfaction of the Superintendent that the use of water for such purpose has been discontinued, and that any fittings used for the supply of water for such purpose be disconnected and thereupon his original application and the rate charged thereunder shall be amended accordingly.

18. The Council may refuse to supply water to any consumer or to any premises otherwise than by a meter service, and every meter shall be placed in position by the officers of the Council who shall have free access to the premises of every consumer for such purpose, and also for the inspection of meters and other things connected with any service. Provided that no officer of the Council shall demand access to the premises of any consumer at improper or unreasonable hours, or shall damage any property of any consumer or be guilty of any improper or offensive conduct while upon the premises of any consumer.

19. Every consumer having meter service shall pay for the full amount of water as registered by the meter, according to the rate applicable to the service, and no deduction shall be allowed on account of any waste of water unless it be shown that such waste arose from an accident to

the pipe, or the fittings on the premises of the consumer arising from some cause beyond the control of such consumer and unless it be further shown that the consumer used all reasonable diligence to stop such waste.

20. Consumers must give five (5) days notice of the discontinuance of any service, and such notice must be in writing, and must be delivered at the Municipal Clerk's Office, or sent to the Municipal Clerk properly addressed, and the burden of proof of delivery and posting of such notice shall be upon the consumer. Every consumer shall be liable for the full amount of rates and rents chargeable for the service for five (5) days after such notice has been so delivered or received at the said office.

21. When any service has been disconnected from any premises for non-payment of rent or rate or infringement of terms or of this By-Law or at the request of the consumer, or of the owner of the premises, the Council may require payment of a fee not exceeding 50 ¢ before ordering the service to be resumed.

22. In case of the non-payment of rates or rents for thirty days after the date upon which they shall have become due and payable, the Council may cut off the service in respect of which such rates or rents are due without notice.

23. When any rates or rents remain unpaid for thirty days after the day upon which the same may have become due and payable, the Council may sue for and recover the same in the Small Debts Courts or other Court of competent jurisdiction.

24. 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 water works without a written permit from the Municipal Clerk, nor until the rate fixed by the regulations in force at the time has been paid, and all rules made for properly protecting the supply of pipe have been complied with.

25. No person shall destroy or injure or in any manner tamper with any hydrant, valve, stop cock, pipes or other fixtures or property of the works.

26. No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop cock, or other fixture connected with the works, and should any person obstruct access to any such fixture by placing thereon or near thereto any brick, stone, timber or other material, the superintendent or other authorized agent of the Council may remove such obstruction at the expense of the offending party.

27. The Superintendent or other person appointed by the Council may make personal inspection of all pipes and taps used for distributing water in any building or premises, and if any be found leaky or defective, or if any waste of water be found to exist, notice may be given to have the defects remedied, and if they are not so remedied within twenty-four hours from the service of such notice, the water supply may be turned off. Notice must be given on a prescribed form to the Superintendent of all new connections, alterations, or additions.

28. No person except the duly authorized agent of the Council shall tap or make any connection with the water mains, or turn off or on any Corporation stop cock.

29. No person shall in any manner interfere or meddle with the water service in any street or road, or make any addition or alteration in or about, or turn on or off any Corporation stop cock or gate without permission of the Council or the Superintendent or some other person appointed by the Council for such purpose.

30. The Council shall not be liable for the failure of the water supply in consequence of any action or damage to the works or any temporary stoppage thereof on account of alteration or repairs or on any account whatever whether such failure arise from the negligence of any person in the employ of the Corporation or other whosoever or otherwise howsoever, but in the event if any such failure or stoppage continuing for more than five consecutive days, an equitable reduction will be made on all rates for service affected thereby.

31. It shall be lawful for the Council to throttle or entirely discontinue any service when the consumer has been guilty of violating any of the provisions of this By-Law, or when in the opinion of the Council, any public interest requires such action.

32. It shall be unlawful for any person to do any blasting or excavation or to erect any pole or poles for electrical transmission or other purposes in proximity to any water main in the Municipality of Burnaby without the consent of the Council being first had and obtained, and no electric wire or wires shall be "earthed" in proximity to any water main.

33. Any person guilty of an infraction of any of the provisions of this By-Law shall upon conviction before the Police Magistrate or any Justice of the Peace having jurisdiction within the Municipality of Burnaby be liable

to a penalty not exceeding One Hundred Dollars (\$100.00) and costs, and in default of payment forthwith, such penalty and costs may be levied by distress and sale of the goods and chattels of the offender, and in case of there being no distress found out of which the said penalty and costs can be levied the said Police Magistrate or Justice of the Peace may commit the offender to the Common Gaol or nearest Lock-up House for a term of not more than three months.

34. This By-Law may be cited as the "BURNABY WATERWORKS REGULATION BY-LAW 1912".

A.H. DONE AND PASSED in Open Council this *Sixth* day
of *May* ~~April~~ 1912.

RECONSIDERED and finally passed this *Twentieth* day
of *May*, 1912.

J. P. [Signature]
REEVE.

Arthur G. Moore
CLERK.



