

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 521.

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:-

"Municipal Engineer" shall, for the purposes of this By-law, mean and include the duly appointed Engineer for the time being of the Corporation of the District of Burnaby.

"Waterworks" shall, for the purposes of this By-law, mean and include the general waterworks system of the Corporation of the District of Burnaby or any part thereof.

"Consumer" shall, for the purposes of this By-law, mean and include any person or body corporate who uses water supplied from the waterworks of the Corporation of the District of Burnaby.

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, and accounts thereon, shall be as set forth in Schedule "A" hereto annexed.

2. All meter rates and rents (except such rent as may be paid in advance) shall be due and payable at the Municipal Collector's Office at the Municipal Hall or to any person authorized by the Council to receive the same, on the last day of the month following the month for which the water may be used or, if the Council by resolution so determine, within fourteen (14) days from the receipt of the notice of the amount of such water rates payable.

All first rates shall be due and payable at the Municipal Collector's Office at the Municipal Hall or to any person authorized by the Council to receive the same, on the 31st. day of January and July, in each and every year and the rates for each half year shall be deemed to be in arrears if not paid before the 2nd. day of the month following that in which the same become due and payable.

Consumers paying flat rates or meter rates on or before the dates herein specified shall be entitled to the discount mentioned in said Schedule "A".

3. Any person with the consent of the Council, bearing the cost or a portion of the cost of extending a permanent main and having paid the same to the Corporation shall be credited with the amount of such payment on his water account as payment in advance, but no discount shall be allowed on any such amount so credited; should labor performed by such person with the consent of the Council and under supervision of the Municipal Engineer constitute part of such cost, the value of same shall be estimated by the said Municipal Engineer whose estimate shall be final and shall be credited in the same manner as a cash payment. Any applicant for a water connection may with the consent of the Council and under the supervision of the said Municipal Engineer, perform such work or supply such material as may be designated by the said Municipal Engineer. The value of such work done or material supplied shall be estimated by the said Municipal Engineer, whose estimate shall be final, and the amount thereof shall be credited on the applicant's water account as payment in advance, but no discount shall be allowed on any such amount so credited. No person shall be entitled to credit under any of the provisions of this Section until he shall receive a certificate therefor from the said Municipal Engineer. Any person desiring to take advantage of any of the provisions of this Section shall make an application in writing to the Council giving full particulars of his proposal, and agreeing for himself, his heirs, executors, administrators and assigns not to take any proceedings against the Corporation in respect to any such payment or work, and to abide by and conform to all the provisions of this section and of this By-law. The applicant shall by reason of such payment or performance of such work as aforesaid acquire no interest in such main or connection, but the same shall be the property of and subject to the control of the Corporation as if no such payment or work had been made or done by the applicant. Notwithstanding anything herein contained the Corporation may at any time pay to the applicant the amount of the credit shown by the Municipal Books to

be due to him less water rates and other charges up to the date of such payment and such credit shall thereupon be cancelled, No interest shall be allowed on any such credit.

4. In any case where an extension of a water main shall hereafter be constructed at the request of a consumer at a cost exceeding Fifty (\$50.00) Dollars and such consumer before such construction has been completed shall contribute to the cost of construction either by the furnishing of labour or payment of money to an amount equivalent to that by which the cost of construction exceeds Fifty (\$50.00) Dollars, then in the event of connections being subsequently made for other consumers with such extension between the commencement thereof and the original consumer's connection within two (2) years from the date of the completion of the construction of the extension, the consumer so contributing to the original cost of construction, shall if the net revenue therefrom be sufficient for the purpose, be entitled during the period hereinafter mentioned, to receive out of the water rates paid to the Corporation by consumers using any such water connections, a sum not exceeding the actual amount contributed by him to the cost of the original construction of the extension but such an allowance or reimbursement is restricted to and shall be granted or made only during the period of two (2) years following the date of completion of the construction of the extension and at the expiration of that period all rights thereto shall absolutely cease and determine.

5. No consumer who is supplied otherwise than by a water 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. Such permit shall authorize 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 Municipal Engineer 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 to any person except upon the payment of the full amount chargeable thereon for the season in advance and no permit for garden irrigation shall be issued to any person by whom any rates or rentals under this By-law are owing or unpaid.

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) such application 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 the occupant of such premises upon the written statement of such occupant that it is impossible to obtain the signature of the owner or his agent at the time, but in all such cases it shall be lawful for the Council upon giving One (1) week's notice to such person to turn off the water in case an application signed by the owner or his agent in accordance with the provisions of this section be not delivered to the Municipal Clerk within a reasonable time. All rates due under this By-law by any tenant or occupant shall be paid in advance and any default in making such payment in advance shall be an infraction of this By-law.

9. From 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 the full cost of connection together with six (6) months water rates in advance.

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 water.

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 service, such cost to be determined by the Municipal Engineer, 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 piling 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 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 may discontinue any service in case these provisions are not complied with to the satisfaction of the Municipal Engineer. 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 water 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 water 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 Municipal Engineer that the use of water for such purpose has been discontinued, and that any fittings used for the supply of water for such purpose have been 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. (a) When any service has been discontinued from any premises at the request of the consumer, or of the owner of the premises, the Council may require payment of a fee not exceeding Fifty (50) cents before ordering the service to be resumed.

(b) When any service has been discontinued from any premises for non-payment of rent or rate or infringement of terms or of this By-law the Council may require payment of a fee not exceeding One (\$1.00) Dollar before ordering the service to be resumed.

22. In case of the non-payment of rates or rents for fourteen (14) 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 rates or rents remain unpaid for fourteen (14) 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 waterworks 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 Municipal Engineer 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,

Hundred (\$100.00) Dollars 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. The following By-laws are hereby repealed, "Burnaby Waterworks Regulation By-law 1912", "Burnaby Waterworks Regulation By-law 1912, Amending By-law 1913", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law 1914", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law 1922", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law 1923", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law 1924", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law No. 2 1924", "Burnaby Waterworks Regulation By-law 1912, Amendment By-law 1925" and "Burnaby Waterworks Regulation By-law 1926".

35. This By-law may be cited as "BURNABY WATERWORKS REGULATION BY-LAW NO. 2 1926".

36. This By-law shall come into force upon receiving the approval of the Lieutenant-Governor in Council.

DONE AND PASSED in open Council this 26th day of April, 1926.

RECONSIDERED AND FINALLY PASSED this 10th day of May, 1926.



Alfred McPherson
REEVE

Arthur G. Moore
CLERK

RECEIVED the approval of the Lieutenant-Governor in Council this 18th day of May, 1926.

I, Arthur G Moore, Clerk to the Municipal Council of the Corporation of the District of Burnaby, hereby certify that the foregoing is a true copy of a By-law passed by the Municipal Council, on the 10th day of May 1926.

Arthur G. Moore
CLERK

SCHEDULE "A" OF THE "BURNABY WATERWORKS
REGULATION BY-LAW 1926".

FLAT RATES.

Seven (\$7.00) Dollars for each period of six (6) months subject to a discount of One (\$1.00) Dollar for each period of six (6) months if paid on or before the 31st. day of the month in which the same may be payable.

Garden Irrigation Rates per season \$^{0.00} .

METER RATES.

Cubic Foot Per Month	Class 1. Ordinary		Class 2. Dairies, Greenhouses, etc.		Class 3. Manufacturers.	
	Gross per 100 cubic ft.	Nett	Gross per 100 cubic feet	Nett	Gross per 100 cubic feet.	Nett
Up to 5000	16 cts	11.25 cts	14 cts	9.80 cts	15 cts.	10.50 cts
5000 - 10000	15 "	10.50 "	12 "	8.40 "	14 "	9.80 "
10000 - 20000	14 "	9.8 "	10 "	7.00 "	13 "	9.10 "
20000 - 30000	13 "	9.1 "	9 "	6.30 "	11 "	7.8 "
30000 - 40000	12 "	8.4 "	-	-	10 "	7.0 "
40000 - 50000	-	-	-	-	9 "	6.3 "
over 50000	-	-	-	-	8 "	5.6 "

Note - Minimum charge \$1.00 per month plus meter rent.

A Discount of Thirty (30%) per cent will be allowed on the above meter rates if paid on or before the 25th. day of the month in which the same may be due and payable.

Extract from "BURNABY WATERWORKS REGULATION BY-LAW NO. 2, 1926" dealing with Service Connections.

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) such application 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 the occupant of such premises upon the written statement of such occupant that it is impossible to obtain the signature of the owner or his agent at the time, but in all such cases it shall be lawful for the Council upon giving One (1) weeks' notice to such person to turn off the water in case an application signed by the owner or his agent in accordance with the provisions of this section be not delivered to the Municipal Clerk within a reasonable time. All rates due under this By-law by any tenant or occupant shall be paid in advance and any default in making such payment in advance shall be an infraction of this By-law.

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 the full cost of connection together with six (6) months water rates in advance.

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 Municipal Engineer, 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 grounds, 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 may discontinue any service in case these provisions are not complied with to the satisfaction of the Municipal Engineer. 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, and to refuse to grant or to discontinue any such service until the regulations are complied with.

SCHEDULE "A" TO "BURNABY WATERWORKS
REGULATION BY-LAW 2. 1926.

Nine (\$9.00) Dollars for each period of six (6) months subject to a discount of one \$1.00 dollar if paid on or before the 31st day of the month in which the same may be payable.

Eighteen (\$18.00) Dollars for each period of one (1) year subject to a discount of Two (\$2.00) Dollars if paid on or before the 1st day of May.

Duplex houses

All duplex houses will be serviced by two flat services instead of a meter.

METER RATES

Cubic Foot per month	Gross	Discount per 100. cu.ft.	Nett
Up to 5000	17 cents	3.40 cents	13.60 cents
5000 - 10000	16 cents	3.20 cents	12.80 cents
10000 - 20000	15 cents	3.00 cents	12.00 cents
20000 - 30000	13 cents	2.60 cents	10.40 cents
30000 - 40000	12 cents	2.40 cents	9.60 cents
40000 - 50000	11 cents	2.20 cents	8.80 cents
Over 50000	9 cents	1.80 cents	7.20 cents.

Note: Minimum charge of \$1.50 per month plus meter rent.

A discount of twenty (20%) will be allowed on the above meter rates if paid on or before the 25th day of the month in which the same may be due and payable.

SCHEDULE "A" TO "BURNABY WATERWORKS
REGULATION BY-LAW 2. 1926.

Nine (\$9.00) Dollars for each period of six (6) months subject to a discount of one \$1.00 dollar if paid on or before the 31st day of the month in which the same may be payable.

Eighteen (\$18.00) Dollars for each period of one (1) year subject to a discount of Two (\$2.00) Dollars if paid on or before the 1st day of May.

Duplex houses

All duplex houses will be serviced by two flat services instead of a meter.

WINTER RATES

Cubic Foot per month	Gross	Discount per 100. cu.ft.	Nett
Up to 5000	17 cents	3.40 cents	13.60 cents
5000 - 10000	16 cents	3.20 cents	12.80 cents
10000 - 20000	15 cents	3.00 cents	12.00 cents
20000 - 30000	13 cents	2.60 cents	10.40 cents
30000 - 40000	12 cents	2.40 cents	9.60 cents
40000 - 50000	11 cents	2.20 cents	8.80 cents
Over 50000	9 cents	1.80 cents	7.20 cents.

Note: Minimum charge of \$1.50 per month plus meter rent.

A discount of twenty (20%) will be allowed on the above meter rates if paid on or before the 25th day of the month in which the same may be due and payable.

SCHEDULE "A" TO "BURNABY WATERWORKS
REGULATION BY-LAW 2. 1926.

Nine (\$9.00) Dollars for each period of six (6) months subject to a discount of one \$1.00 dollar if paid on or before the 31st day of the month in which the same may be payable.

Eighteen (\$18.00) Dollars for each period of one (1) year subject to a discount of Two (\$2.00) Dollars if paid on or before the 1st day of May.

Duplex houses

All duplex houses will be serviced by two flat services instead of a meter.

METER RATES

Cubic Foot per month	Gross	Discount per 100. cu.ft.	Nett
Up to 5000	17 cents	3.40 cents	13.60 cents
5000 - 10000	16 cents	3.20 cents	12.80 cents
10000 - 20000	15 cents	3.00 cents	12.00 cents
20000 - 30000	13 cents	2.60 cents	10.40 cents
30000 - 40000	12 cents	2.40 cents	9.60 cents
40000 - 50000	11 cents	2.20 cents	8.80 cents
Over 50000	9 cents	1.80 cents	7.20 cents.

Note: Minimum charge of \$1.50 per month plus meter rent.

A discount of twenty (20%) will be allowed on the above meter rates if paid on or before the 25th day of the month in which the same may be due and payable.

Bylaw. 1948.

SCHEDULE "A" TO "BURNABY WATERWORKS
REGULATION BY-LAW NO. 2. 1926

FLAT RATES

Nine (\$9.00) Dollars for each period of six (6) months subject to a discount of one (\$1.00) Dollar if paid on or before the 31st day of the month in which the same may be payable.

Eighteen (\$18.00) Dollars for each period of one (1) year subject to a discount of Two (\$2.00) dollars if paid on or before the 1st day of May.

Duplex houses

All duplex houses will be serviced by two flat services instead of a meter.

METER RATES

Cubic foot per month	Gross	Discount per 100 cu. ft.	Nett
To to 5000	17 cents	3.40 cents	13.60 cents
5000 - 10000	16 cents	3.20 cents	12.80 cents.
10000 - 20000	15 cents	3.00 cents	12.00 cents.
20000 - 30000	13 cents	2.60 cents	10.40 cents.
30000 - 40000	12 cents	2.40 cents	9.60 cents.
40000 - 50000	11 cents	2.20 cents	8.80 cents.
Over 50000	9 cents	1.80 cents	7.20 cents.

Note: Minimum charge of \$1.50 per month plus meter rent.
A Discount of twenty (20%) per cent. will be allowed on the above meter rates if paid on or before the 25th day of the month in which the same may be due and payable

NEW SERVICES	Up to 3/4"	Connection fee	\$15.00	COPPER SERVICE	Up to 3/4"	Connection fee	\$20.00
	1"	"	21.00		Renewal up to 3/4"		5.00
	1 1/2"	"	36.00				
	2"	"	40.00				
	Over 2"	Total cost of installation.					

RE: BURNABY WATERWORKS REGULATION
BY-LAW NO. 2, 1926.

We have been advised by the Corporation of the District of Burnaby that it is proposed to amend By-law No. 2, 1926 to increase the Water Rates, and that the consent of the City is necessary before the Public Utilities Commission will give their approval.

RECOMMENDED the consent of the City be given to the proposed amendment, increasing the schedule of rates under the said By-law.
