

CITY OF KELOWNA

BYLAW NO. BL12110

Amendment No. 12 to Water Regulation Bylaw No. 10480

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Water Regulation Bylaw No. 10480 be amended as follows:

1. THAT **WATER REGULATION BYLAW NO. 10480 PART 1 – INTRODUCTION – Section 1.2 Interpretation** be amended by the following:
 - a) Adding the definition “Access to the Non-Potable System” in its appropriate location that reads:

“Access to the Non-Potable System” means a property is located within 20 metres of a Non-Potable Water System supply main.
 - b) Deleting the definition “Agricultural” that reads:

“Agricultural” means land designated as an agricultural land reserve under the Agricultural Land Commission Act, S.B.C. 2002, c. 36 as amended or replaced from time to time and used for the primary production of farm products permitted by the Land Reserve Commission.

And replacing it with:

“Agricultural” means land classified as Farm, as of December 31 of the preceding year, under the Assessment Act, R.S.B.C. 1996, c. 20 as amended or replaced from time to time.
 - c) Adding the definition “Allotment” in its appropriate location that reads:

“Allotment” means the amount of water assigned to a Property by the City for irrigation purposes. The Allotment, expressed in hectares, determines the maximum flow rate and volume available to the Property per year at the base Agricultural rate.
 - d) Deleting the definition “B.C. Building Code” that reads:

“B.C. Building Code” means the British Columbia Building Code 2006 as amended or replaced from time to time.

And replacing it with:

“B.C. Building Code” means the British Columbia Building Code 2018 as amended or replaced from time to time.
 - e) Deleting the definition “City Water Utility” that reads:

“City Water Utility” means the entire network of pipes, pumps, water treatment facilities, reservoirs, valves, hydrants, service lines, meters, and all other appurtenances or facilities that make up the City’s water supply and distribution system.

And replacing it with:

“City Water Utility” means the entire network of assets and all other appurtenances or facilities that make up the City’s Potable and Non-Potable Water Supply systems.

- f) Deleting the definition “Engineered Drip Irrigation” that reads:

“Engineered Drip Irrigation” means a system using irrigation components which consume less than 20 gallons (91 litres) per hour and operate at less than 25 PSI (172 kPa) to deliver water to the root zone of the plant material being irrigated.

And replacing it with:

“Engineered Drip Irrigation” means a system using irrigation components which consume less than 76 litres per hour and operate at less than 175 kPa (25 PSI) to deliver water to the root zone of the plant material being irrigated.

- g) Deleting the definition “Irrigation Controller” that reads:

“Irrigation Controller” means an electric timing device that sends an electric signal for valves to open or close in order to operate an automatic landscape irrigation system, that replenishes water as needed while minimizing excess water use that meets the requirements of this bylaw.

And replacing it with:

“Irrigation Controller” means an electric timing device that sends an electric signal for automatic valves to open or close in order to operate a landscape irrigation system, that replenishes water as needed while minimizing excess water use that meets the requirements of this bylaw.

- h) Adding the definition “Irrigation System” in its appropriate location that reads:

“Irrigation System” means a designed system whereby water can be delivered to plant material using sprinklers and/or other watering devices in a controlled manner.

- i) Adding the definition “Non-Potable Water System” in its appropriate location that reads:

“Non-Potable Water System” means the entire network of pipes, pumps, water disinfection, dams, ditches, reservoirs, valves, hydrants, service lines, meters, and all other appurtenances or facilities that make up the City’s non-potable water supply and distribution system, which does not meet Canadian Drinking Water Quality Guidelines and is not intended for human consumption.

- j) Deleting the definition “Park and Non-ALR Farm Use” that reads:

“Park and Non-ALR Farm Use” means the use of the City’s Water Utility exclusively for irrigating park, public green spaces and land classified as farm under the Assessment Act, R.S.B.C. 1996, c. 20 as amended or replaced from time to time that is not designated as an agricultural land reserve under the Agricultural Land Commission Act;

And replacing it with:

“Park Use” means the use of the City Water Utility exclusively for public parks.

- k) Adding the definition “Potable Water System” in its appropriate location that reads:

“Potable Water System” means the entire network of pipes, pumps, water treatment facilities, reservoirs, valves, hydrants, service lines, meters, and all other appurtenances or facilities that make up the City’s potable water supply and distribution system and is intended to provide water that meets Canadian Drinking Water Quality Guidelines.

- l) Deleting the definition "Public Announcement" that reads:

"Public Announcement" means one or more advertisements or public service announcements in any one of:

- (i) a television or radio broadcast from a station that broadcasts to the City.
- (ii) a newspaper or other publication intended for general circulation, including one that is distributed without charge to the reader, that contains news and advertising, and is distributed with the City at least once per week.

And replacing it with:

"Public Announcement" means one or more advertisements or public service announcements in any one of:

- (i) a television, radio or digital communication from a station that broadcasts to the City.
- (ii) a newspaper or other publication intended for general circulation, including one that is distributed without charge to the reader, that contains news and advertising, and is distributed within the City at least once per week.

- m) Adding the definition "Qualified Landscape Area" in its appropriate location that reads:

"Qualified Landscape Area" means landscape areas that are new or renovated, have an Irrigation System in place, is 100 square meters or larger, and are not exempted per section 4.4.5 of this bylaw.

- n) Adding the definition "Residential Unit" in its appropriate location that reads:

"Residential Unit" shall mean a housing unit for one (1) family consisting of either a detached residence, one (1) self contained suite in a residence, one (1) side of a duplex, or one (1) self contained unit in a building containing three (3) or more such units.

- o) Deleting the definition "Water" that reads:

"Water" used as a noun, means water supplied directly or indirectly by the City of Kelowna Water Utility, whether or not mixed with rain water, gray water or recycled water.

And replacing it with:

"Water" used as a noun, means water supplied directly or indirectly by the City Water Utility, whether or not mixed with rain water, gray water or recycled water.

- p) Deleting the definition "Water Meter" that reads:

"Water Meter" means an apparatus or device used for measuring the volume of water passing through it, and includes any accessories such as a remote reader device and the connecting cable.

And replacing it with:

"Water Meter" means an apparatus or device used for measuring the volume of water passing through it, and includes any accessories such as a data transmitter or remote reader device and the connecting cable.

- q) Deleting the definition "Water Meter Pit" that reads:

"Water Meter Pit" means an enclosure constructed underground, which is used to install a Water Meter or Approved Backflow Preventer and would not be defined as a confined space under the Occupational Health and Safety (OHS) Regulations.

And replacing it with:

“Water Meter Pit” means an enclosure constructed underground, which is used to install a Water Meter and/or Approved Backflow Preventer and would not be defined as a confined space under Occupational Health and Safety (OHS) Regulations.

2. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 2– WATER SERVICE – Section 2.4.4 Construction of Service Connection** be amended by deleting the following:

2.4.4 Despite section 2.4.3, all of the land shown on a strata plan other than a side-by-side duplex shall have only one Service Connection.

And replacing it with:

2.4.4 Despite section 2.4.3, all of the land shown on a strata plan other than a side-by-side duplex shall have only one Service Connection to the Potable Water System.

3. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 2– WATER SERVICE – Section 2.5.1 Construction of Private Service** be amended by deleting the following:

2.5.1 A Property owner is responsible for the installation of a Private Service, at his or her sole cost.

And replacing it with:

2.5.1 A Property owner is responsible for the installation of a Private Service, at the owner’s cost.

4. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 2– WATER SERVICE – Section 2.7 Turn On of Water Supply** be amended by adding in its appropriate location:

2.7.3 Services on the Non-Potable Water System that require winterization will be turned on prior to May 1 and turned off after September 30 of each year.

2.7.4 Property owners of Agricultural Services that have requested either an earlier turn on or late turn off outside the normal turn on/off schedule as determined by the Manager are responsible for the protection of that service from freezing or any other damage at the customer’s cost.

5. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 2– WATER SERVICE – Section 2.8.1 Maintenance of On-site Works** be amended by deleting the following:

2.8.1 Every Property owner shall keep all pipes, stop-cocks and other fixtures on their Property in good order and repair and protected from frost at their own expense, and when any premises is vacated the valve on the inside wall of the premises shall be turned off by the departing Property owner.

And replacing it with:

2.8.1 Every Property owner shall keep all pipes, valves and other fixtures on their Property in good order and repair and protected from frost at their own expense, and when any premises is vacated the stop-cock on the inside wall of the premises shall be turned off by the departing Property owner.

6. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 2– WATER SERVICE – Section 2.9 General Authority on Water Use for City Water Utility** be amended by deleting the following:

2.9.1 The Manager may at such times and for such length of time as is considered necessary or advisable by him or her, restrict or prohibit irrigation, yard and garden sprinklering, car washing and private pool filling to reduce water usage when the Manager considers water to be in short supply and every person shall abide by such restriction or prohibition.

- 2.9.2 The City may from time to time impose restrictions on water use, or change or revoke such restrictions, and in doing so may make the restrictions applicable at specified times or on specified days and may differentiate between classes of customers or areas of the City.

And replacing it with:

- 2.9.1 The Manager may at such times and for such length of time as is considered necessary or advisable by him or her, restrict or prohibit irrigation, yard and garden sprinklering, car washing and private pool filling to reduce water usage when the Manager considers water to be in short supply and every Customer shall abide by such restriction or prohibition.
- 2.9.2 The City may from time to time impose restrictions on water use, or change or revoke such restrictions, and in doing so may make the restrictions applicable at specified times or on specified days and may differentiate between classes of Customers or areas of the City.

7. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 3 – WATER METERS – Section 3.1 Installation of Water Meters** be amended by deleting the following:

- 3.1.1 A Water Meter shall be installed on each Property that receives the supply of water from the City Water Utility.

And replacing it with:

- 3.1.1 A Water Meter shall be installed on each Service Connection that receives the supply of water from the City Water Utility.

8. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 3 – WATER METERS – Section 3.1 Installation of Water Meters** be amended by deleting the following:

- 3.1.6 Every Water Meter Setting and Water Meter Pit shall be installed in accordance with the City's Plumbing Regulation Bylaw.

And replacing it with:

- 3.1.6 Every Water Meter Setting and Water Meter Pit shall be installed in accordance with the City's Plumbing Regulation Bylaw No. 5968 and Subdivision Servicing and Development Bylaw No. 7900.

9. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 4 – WATER QUALITY PROTECTION and water Conservation** be amended by making title all caps.

10. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION – Section 4.1.5 Cross Connections** be amended by deleting the following:

- 4.1.5 Any Property with an alternate water source, other than supplied by the City, and is connected to the City water supply shall require an Approved Backflow Preventer to be installed at the expense of the Property owner.

And replacing it with:

- 4.1.5 Any Property that is connected to the City Water Utility and has an alternate water source shall, unless otherwise approved by the Manager, require an Approved Backflow Preventer to be installed at the expense of the Property owner.

11. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION – Section 4.3.2 Hydrant Use** be amended by deleting the following:

- g) water tanker truck filling; or
- h) special events.

And replacing it with:

- g) water tanker truck filling;
- h) flow testing ; or
- i) special events.

12. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION – Section 4.4 Landscape Water Conservation Report and Irrigation Controller Requirements** be amended by deleting the following:

- 4.4.4 The Manager may refuse to approve the installation of an outdoor landscape irrigation system if the calculations in the Landscape Water Conservation Report show that the Estimated Landscape Water Use exceeds the Landscape Water Budget, or if the Landscape Water Conservation Checklist is not satisfactory. The Manager may accept a Landscape Water Conservation Report in a form alternate to Schedule C in cases of applications for large scale renovated landscape irrigation systems (such as golf courses and schools), provided that the Report calculates to the satisfaction of the manager a minimum 15% reduction in estimated landscape water use compared to pre-renovation conditions.
- 4.4.5 The requirements in section 4.4.1 to 4.4.4 shall not apply to:
 - a) An outdoor landscape irrigation system on Agricultural properties within the ALR where the water being supplied is necessary in order to conduct farm use pursuant to the ALR Use, Subdivision and Procedure Regulation;
 - b) An outdoor landscape irrigation system on farming properties outside of the ALR where water is being supplied for the primary production of farm products.
 - c) An outdoor landscape irrigation system serving a landscape area not greater than 100 square metres.
- 4.4.6 No Property owner shall cause or permit water resulting from an outdoor landscape irrigation system to flow wastefully on to non-irrigated areas, walks, roadways or structures.
- 4.4.7 No Property owner shall install an outdoor irrigation system without an irrigation master shut off valve located outside the building accessible to the City.
- 4.4.8 Every irrigation master shut off valve that is required under this bylaw when closed shall stop the supply of water from the City Water Utility to the outdoor irrigation system and shall be capable of being closed and locked off by the City.

And replacing it with:

- 4.4.4 The Manager may refuse to approve the installation of an outdoor landscape irrigation system if the calculations in the Landscape Water Conservation Report show that the Estimated Landscape Water Use exceeds the Landscape Water Budget, or if the Landscape Water Conservation Checklist is not satisfactory. The Manager may accept a Landscape Water Conservation Report in a form alternate to Schedule C, provided that the Report calculates to the satisfaction of the Manager a minimum 15% reduction in estimated landscape water use compared to pre-renovation conditions.
- 4.4.5 The requirements in section 4.4.1 to 4.4.4 shall not apply to:

- a) An outdoor landscape irrigation system on Agricultural properties where the water being supplied is necessary in order to conduct farm use.
- b) [deleted]
- c) An outdoor landscape irrigation system serving a landscape area not greater than 100 square metres.
- d) An outdoor landscape Irrigation System on school properties.
- e) An outdoor landscape Irrigation System on a golf course.

4.4.6 No Property owner shall cause or permit water resulting from an Irrigation System to flow wastefully on to non-landscape areas, walks, roadways or structures.

4.4.7 No Property owner shall install an outdoor Irrigation System without an irrigation master shut-off valve located outside the building accessible to the City.

4.4.8 Every irrigation master shut off valve that is required under this bylaw when closed shall stop the supply of water from the City Water Utility to the outdoor Irrigation System and shall be capable of being closed by the City.

13. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 6 – CONDITIONS – Section 6.3 Conditions of Water Supply** be amended by deleting the following:

- 6.3.1 Any supply of water by the City is subject to the following conditions, in addition to other conditions in this bylaw:
- 6.3.2 the City is not responsible for the failure of the water supply as a result of any accident or damage to the City Water Utility;
- 6.3.3 the City is not responsible for any excessive water pressure or lack of water pressure;
- 6.3.4 the City is not responsible for any temporary stoppage of the water supply on account of alterations or repairs to the City Water Utility;
- 6.3.5 whether such arises from the negligence of any person in the employ of the City or another person, or through natural deterioration or obsolescence of the City Water Utility or otherwise.

And replacing it with:

- 6.3.1 Any supply of water by the City is subject to the following conditions, in addition to other conditions in this bylaw:
 - (a) the City is not responsible for the failure of the water supply as a result of any accident or damage to the City Water Utility;
 - (b) the City is not responsible for any excessive water pressure or lack of water pressure; and
 - (c) the City is not responsible for any temporary stoppage of the water supply on account of alterations or repairs to the City Water Utility;

whether such arises from the negligence of any person in the employ of the City or another person, or through natural deterioration or obsolescence of the City Water Utility or otherwise.

- 6.3.2 Water supply for Agricultural services shall be limited to a flow rate of two thousand eight hundred (2800) litres per hour per hectare.
- 6.3.3 The volume of water for each hectare of Allotment for Agricultural properties shall be 6,850 cubic metres per hectare per year unless adjusted by Council in accordance with Section 8.3.2. Water use over the designated Allotment will have Agricultural Over Consumption Rates applied.

14. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 6 – CONDITIONS – Section 6.4.2 Shut Off of Water Supply** be amended by deleting the following:

- a) a request to turn off or discontinue water service;
- b) a shortage of water pursuant to section 2.9.1;
- c) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the City's Water Utility;
- d) non-payment of water Rates and charges under this bylaw;
- e) the period of time for the Temporary Use has expired; and
- f) an emergency that threatens the safety of the City's Water Utility or the public

And replacing it with:

- a) a request to turn off or discontinue water service;
- b) a shortage of water pursuant to section 2.9.1 and section 8.3.2;
- c) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the City's Water Utility;
- d) non-payment of water Rates and charges under this bylaw;
- e) the period of time for the Temporary Use has expired;
- f) an emergency that threatens the safety of the City's Water Utility or the public; and
- g) winterizing an irrigation Service Connection.

15. **AND THAT WATER REGULATION BYLAW NO. 10480 PART 6 – CONDITIONS – Section 6.5 Notices of Water Shut Off** be amended by deleting the following:

- 6.5.1 Where water supply is to be shut off for reason of non-payment of water Rates and charges or other non-compliance with any provision of this Bylaw the Manager will follow the process outlined in the Utility Billing Customer Care Bylaw No. 8754 as amended.
- 6.5.2 Where water supply is to be shut off for reason of non-compliance with any provision of this Bylaw, except the non-payment of water Rates and charges, the City will give the person affected the opportunity to make representations to Council in respect of such non-compliance.
- 6.5.3 Where water supply is to be shut off for reason of a shortage of water supply pursuant to sections 2.9.1 and 2.9.2, the City will give at least 7 days notice, but no notice will be given where safety of life or Property is at risk.

- 6.5.4 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Water System, the Manager will give at least two working days notice for scheduled work, but no notice will be given where safety or life or Property is at risk.

And replacing it with:

- 6.5.1 [deleted]

- 6.5.2 Where water supply is to be shut off for reason of non-compliance with any provision of this Bylaw the City will give the Customer affected the opportunity to make representations to Council in respect of such non-compliance.

- 6.5.3 Where water supply is to be shut off for reason of a shortage of water supply pursuant to sections 2.9.1 and 2.9.2, the City will give at least 7 days notice, but no notice will be given where safety of life or Property is at risk.

- 6.5.4 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Water System, the Manager will give at least two working days notice for scheduled work, but no notice will be given where safety of life, Property or the environment is at risk.

16. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 6 – CONDITIONS** be amended by adding a new **Section 6.6 “Non-Potable Water System”** in its appropriate location that reads:

6.6 Non-Potable Water System

- 6.6.1 The City shall determine the size, extent and accessibility of the Non-Potable Water System.
- 6.6.2 If a Property has Access to the Non-Potable System and the City will allow a Non-Potable Service Connection, then the Agricultural rate shall only apply to the Service Connections connected to the Non-Potable Water System. The Agricultural rate will not apply to any potable water consumed on the property.
- 6.6.3 A Property’s Allotment shall remain with the Property. In the case of subdivision a Property’s Allotment shall be divided between the resulting properties in proportion to the areas of subdivision.

17. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 7 – RATES AND CHARGES – Section 7.1 Water Rates** be amended by adding a new **Sub Section 7.1.2** in its appropriate location that reads:

- 7.1.2 For land shown on a strata plan that receives the supply of water from the **City Water Utility** from the same **Service Connection**, the **City** may send a single invoice covering all **Strata Lots** and common property to the strata corporation. If the rate levied remains unpaid as of December 31 of the billing year, the City may allocate the total volume of water used among the **Strata Lot** owners on the basis of their unit entitlements and type of use, and determine the charges and penalties owing by the owner of each Strata Lot.

18. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 7 – RATES AND CHARGES – Section 7.4 Park and Non-ALR Farm Use** be amended by deleting the entire section that reads:

7.4 Park and Non-ALR Farm Use

- 7.4.1 Upon application to the City, a connection may be permitted to the City Water Utility solely for Park and Non-ALR Farm Use. The Property owner will pay to the City the Rates and charges for such use as set out in Schedule “A” to this bylaw.

19. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 7 – RATES AND CHARGES – Section 7.6 Water Quality Enhancement Reserve Fund Contribution** be amended by deleting the following:

7.6.1 Every Customer, except those Customers in the **Beaver Lake Industrial Area**, the **SEKID Service Area**, or **Park and Non ALR Farm Use**, or **Agricultural Property**, shall pay to the City the applicable charges set out in Schedule “A” to this bylaw to be placed in the **Water Quality Enhancement Reserve Fund**.

For land shown on a strata plan that receives the supply of water from the **City Water Utility** from the same **Service Connection**, the City may send a single invoice covering all **Strata Lots** and common property to the strata corporation. If the rate levied remains unpaid as of December 31 of the billing year, the **City** may allocate the total volume of water used among the **Strata Lot** owners on the basis of their unit entitlements and type of use, and determine the charges and penalties owing by the owner of each **Strata Lot**.

And replacing it with:

7.6.1 Every Customer shall pay to the City the applicable charges set out in Schedule “A” to this bylaw to be placed in the **Water Quality Enhancement Reserve Fund**.

20. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 7 – RATES AND CHARGES – Section 7.7 Utility Billing Account Set-Up Fee** be amended by deleting the entire section that reads:

7.7 Utility Billing Account Set-Up Fee

7.7.1 Upon creation, each new City Utility Billing Account shall include an account set-up fee, as set out in Schedule “B” to this bylaw.

21. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 8 – WATER USE RESTRICTION STAGES – Section 8.1 Declaration of Restriction Stages** be amended by deleting the following:

8.1.3 The Manager or City Council may declare that the City has activated a Restrictions Stage 1 through 4 as contained in Schedule E – City of Kelowna Water Use Restriction Stages.

8.1.4 If the Manager or City Council makes a declaration under subsection 8.1.3, the Restrictions Stage described in the declaration comes into force in the City thirty-six (36) hours after the Manager or City Council makes a Public Announcement of the declaration.

8.1.5 When a Restriction Stage comes into force under this section, any Restriction Stage that had been in force, if any, ceases to be in force.

And replacing it with:

8.1.3 The Manager or Council may declare that the City has activated a Restrictions Stage 1 through 4 as contained in Schedule E – City of Kelowna Water Use Restriction Stages.

8.1.4 If the Manager or Council makes a declaration under subsection 8.1.3, the Restrictions Stage described in the declaration comes into force in the City twenty four (24) hours after the Manager or Council makes a Public Announcement of the declaration.

8.1.5 When a Restriction Stage comes into force under this section, any Restriction Stage that was in force, if any, ceases to be in force.

22. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 8 – WATER USE RESTRICTION STAGES** – be amended by adding a new **Section 8.3 “Adjustment of Allotment”** in its appropriate location that reads:

8.3 Adjustment of Allotment

8.3.1 The City will set the annual Allotment for Agricultural Customers.

8.3.2 If there is anticipated to be a shortage of supply Council:

(a) may declare a reduction in the Allotment for a calendar year; and

(b) may declare that Customers cannot exceed their Allotment and may Shut Off water services in the event that Customers exceed their Allotment.

8.3.3 A Customer may request a reduction in Allotment for a Property and, if granted by the Manager, the annual Allotment Fee will be adjusted accordingly with no other rebates or refunds available for the reduction. A reduction in Allotment will be permanent and shall allow the Allotment to be made available for other Properties.

23. AND THAT **WATER REGULATION BYLAW NO. 10480 PART 9 – PERMITS – Section 9.1 Permits** be amended by deleting the following:

9.1.1 A person may apply to the Manager for a permit authorizing the person to water when Stage 1 Restrictions or Stage 2 Restrictions are in force if the person has installed a new lawn, either by placing sod or turf or by seeding.

And replacing it with:

9.1.1 A Customer may apply to the Manager for a permit authorizing the person to water when Stage 1 Restrictions or Stage 2 Restrictions are in force if the person has installed a new lawn, either by placing sod or turf or by seeding.

24. AND THAT **SCHEDULE "A" Water Rates and Charges**, be deleted in its entirety and replaced with a new **SCHEDULE "A" Water Rates and Charges** as attached to and forming part of this bylaw;

25. AND THAT **SCHEDULE "B" Water Meter Fees and Service Charges**, be deleted in its entirety and replaced with a new **SCHEDULE "B" Water Meter Fees and Service Charges** as attached to and forming part of this bylaw;

26. AND THAT **SCHEDULE "E" City of Kelowna Water Use Restrictions Stages** be amended by replacing all instances of "allocation" with "allotment".

27. This bylaw may be cited for all purposes as "Bylaw No. 12110, being amendment No. 12 to Water Regulation Bylaw No. 10480."

28. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 2nd day of November, 2020.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE "A"

Customers shall pay the following **rates** and charges for each water Service Connection with 2021 rates effective for all billing dates on or after January 1, 2021:

1. All properties, excluding:
 - a. Agricultural properties that do not have Access to the Non-Potable System;
 - b. properties in the Beaver Lake Industrial Area; and
 - c. properties in the SEKID Service Area for the duration of the year 2020;

shall pay the following bi-monthly flat rate charge for each Potable Water System Service Connection based on Water Meter size as follows:

Meter Size	Bi-Monthly Flat Charge	
	2020	2021
15 mm (5/8")	\$27.66	\$29.32
20 mm (3/4")	\$33.10	\$29.32
25 mm (1")	\$43.44	\$46.05
37 mm (1½")	\$65.05	\$68.95
50 mm (2")	\$104.83	\$111.12
75 mm (3")	\$343.40	\$364.00
100 mm (4")	\$468.57	\$496.68
150 mm (6")	\$791.53	\$839.02
200 mm (8")	1042.81	\$1105.38

Plus a consumption charge per cubic metre consumed bi-monthly according to the following table:

Customer type - Metered	2020	Jan 1, 2021
Single Family, Single-Family Strata, Agricultural		
First 60 cubic metres	\$0.473	\$0.501
Next 100 cubic metres	\$0.636	\$0.674
Next 90 cubic metres	\$0.964	\$1.022
Balance of Cubic metres	\$1.930	\$2.046

All other Customer types	2020	Jan 1, 2021
Multi-Family Residential Properties – 3 or more dwelling units on a single property	\$0.473	\$0.501
Mixed Use properties	\$0.536	\$0.568
Commercial, Industrial and Institutional	\$0.546	\$0.579
Park Use	\$0.412	\$0.437

2. **Beaver Lake Industrial Area Properties**

A combined bi-monthly flat rate charge for each Service Connection plus a consumption charge for all properties within the Beaver Lake Industrial Area as follows:

Meter Size	Bi-Monthly Flat Charge	
	2020	2021
15 mm (5/8")	\$22.38	\$24.91
20 mm (3/4")	\$32.63	\$24.91
25 mm (1")	\$43.35	\$44.82
37 mm (1½")	\$91.37	\$86.56
50 mm (2")	\$147.39	\$139.12
75 mm (3")	\$348.50	\$353.17
100 mm (4")	\$565.82	\$549.33
150 mm (6")	\$1192.66	\$1105.05
200 mm (8")	\$1452.04	\$1366.17

Plus a consumption charge of \$0.331 per cubic metre for 2020 and \$0.408 per cubic metre for 2021.

3. Agricultural Properties

Agricultural Properties shall pay the following:

	2021	Units / Comments
Annual Allotment Fee	\$296.30	Per hectare of Allotment per year billed annually.
Agricultural Over Consumption Rates for water use over the designated Allotment:		
Tier A – 0-19.99% over annual Allotment	\$0.30	per cubic metre
Tier B – 20-49.99% over annual Allotment	\$0.60	per cubic metre
Tier C – Over 50% over annual Allotment	\$1.00	per cubic metre

Plus

- a. Agricultural Customers with only one Service Connection that do not have Access to the Non-Potable System will pay an additional bi-monthly fixed fee of \$66.42 to reflect the cost of domestic water supply including a fixed meter fee, the Water Quality Enhancement Fee and an assumed domestic consumption of 40 cubic metres bi-monthly;
- b. Agricultural Customers with multiple Service Connections that do not have Access to the Non-Potable System will pay the fees in Section 1 and Section 4 for each Service Connection serving one or more Residential Units in spite of Section 1a.

4. Water Quality Enhancement Reserve Fund Contribution

All properties, excluding Agricultural properties that do not have Access to the Non-Potable System, and Park Use properties, shall pay the following bi-monthly flat rate charge for each Potable Water System Service Connection based on Water Meter size as follows:

Meter Size	Bi-Monthly Flat Charge	
	2020	2021
15 mm (5/8")	\$17.06	\$17.06
20 mm (3/4")	\$17.06	\$17.06
25 mm (1")	\$35.06	\$35.06
37 mm (1½")	\$77.35	\$77.35
50 mm (2")	\$125.21	\$125.21
75 mm (3")	\$293.28	\$293.28

100 mm (4")	\$400.47	\$400.47
150 mm (6")	\$676.39	\$676.39
200 mm (8")	\$891.12	\$891.12

5. Non-Potable Services

All Customers, excluding Agricultural Customers, shall pay a consumption charge of \$0.30 per cubic metre of water used by each Non-Potable System Service Connection:

6. Fire Protection Use

For **Fire Protection Use**, use a bi-monthly flat **rate** charge of \$62.34.

7. Bulk Water Filling Station Use

The cost of a card for use of the **Bulk Water Filling Stations** is \$20.00, non- refundable.

For **Bulk Water Filling Stations**, a consumption charge of \$1.02 per cubic metre of water used.

8. Temporary Use

For Temporary Use of water during construction. The following rates and charges will apply beginning two months after approval of each New Construction Building Permit and end upon the first of either the installation of the Water Meter or the project is deemed substantially complete as defined by the British Columbia Builder's Lien Act on:

Single Family residential properties a flat charge of \$45.47 bi-monthly.

For non-residential properties and Multi-Family Residential properties a bi-monthly flat charge of \$121.26.

For Projects deemed to be complete as defined above and that do not have a Water Meter, then rates will be twenty (20) times the applicable Temporary Use rate.

9. Manual Read fee

Properties that choose to have their meter read manually, where the option to have the meter read remotely has been provided or requested by the City, shall pay a fee of \$40.00 per bi-monthly billing period. These customers acknowledge that in choosing to have their meters read manually there will be no adjustment for the cost of water lost because of a water leak on their property.

10. All Properties in the SEKID Service Area

All Properties, in the SEKID Service Area must pay the following charges until December 31, 2020:

1. Properties classified as Farm under the Assessment Act an annual charge of \$96.30 per acre of Allotment with a minimum fee of \$96.30 per parcel if smaller than 1 acre; or
2. A bi-monthly charge of \$16.05 per acre of Allotment with a minimum fee of \$16.05 per parcel if smaller than 1 acre; and
3. All customers will also pay one of the following charges depending on Customer Type:
 - a) Commercial, Industrial and Institutional Customers that are metered:

- i. A minimum charge of \$110.30 per service connection;
 - ii. A metered rate of \$0.9537 per cubic metre consumed; and
 - iii. A water upgrade project Fee of \$64.00 per service connection.
- b) Mobile Home Parks (unmetered):
 - i. A charge of \$110.30 per pad; and
 - ii. A water upgrade project fee of \$64.00 per service connection
- c) Single Family, Single Family Strata, and Multi-Family Residential:
 - i. A charge of \$110.30 per dwelling unit (excluding secondary suites);
 - ii. A charge of \$55.15 per secondary suite and farm help accommodation units; and
 - iii. A water upgrade project fee of \$64.00 per service connection per dwelling unit except farm help accommodations up to 807 square feet and secondary suites up to 1,000 square feet.

11. Water Integration Project Fee for 2021

Properties in the SEKID Service Area shall pay a fee of \$80.00 per bi-monthly billing period for each Residential Unit beginning January 1, 2021.

SCHEDULE "B"

Water Meter Fees and Service Charges

1. Water Meter Fees

Customers shall pay a **Water Meter** Fee at the time of application for water service as follows:

METER TYPE			
Meter Size	Standard	Turbine	Compound
15 mm (5/8")	\$ 535.14		
20 mm (3/4")	\$ 535.14		
25 mm (1")	\$ 644.77		
37 mm (1.5")		\$1,866.25	\$2,506.53
50 mm (2")		\$2,160.50	\$2,854.41
75 mm (3")		\$2,600.63	\$3,513.35
100 mm (4")		\$4,652.48	\$5,722.98
150 mm (6")		\$8,185.42	\$9,887.69
200 mm (8")		\$13,198.32	
100 mm (4") Fire line	\$12,257.02		
150 mm (6") Fire line	\$16,207.69		
200 mm (8") Fire line	\$23,770.98		

The **Water Meter** Fee for commercial meters includes the following components as applicable to each meter setting: specified meter, companion flanges, strainer, gaskets, bolts, remote reading device and connecting cable all supplied and owned by the **City**.

The **Water Meter** Fee for commercial meters does not include the following: master control valve on service inlet and meter isolation valve downstream of meter, pressure reducing valve(s) (PRV's), pressure gauges, back flow prevention device and bypass piping and bypass valve all to be supplied and owned by the **Property** owner.

The **Water Meter** Fee for residential meters includes the following: **Water Meter**, meter setting fittings, installation of **Water Meter** within a 325 mm copper pipe run, supply of a remote reading device or transmitter and connecting cable all of which will be supplied and owned by the **City**.

2. Service Fees

Customers will pay and will be invoiced on their **City Water Utility** bills for the following service fees:

Service	Fees
Water disconnect (shut-off) or connect (turn-on) during regular office hours	\$ 35.00
Emergency water disconnect (shut-off) or connect (turn-on) during off-hours	\$160.00
Meter Testing Fee	\$50.00

Both the transfer and water turn-on charge will apply if water is turned on and a new account is established.

The Shut-Off and Turn-On fees will apply to the Non-Potable Irrigation supply for each irrigation service connection provided to the customer for requests outside of the normal start up or shutdown period identified by the manager and communicated to the customers.

Regular office hours shall mean the regular operating hours of the **City's** Water Utility Services Branch.

3. Hydrant Use Permit Fee

The fee for each **Hydrant Use Permit** shall be \$60.00 plus \$25.00 per day for each day of Hydrant Permit. The fee for a **Hydrant Use Permit** shall include the costs of providing, installing and removing **Approved Backflow Preventer**.

4. Water Meter Pit Fee

Where permitted or directed by the Manager the fee for the City to supply and install a residential water meter pit for a service size 1 inch or less shall be \$4,500.00.