

**THE VILLAGE OF PEMBERTON**

**BY-LAW NO. 640, 2009**

A By-law to amend the Village of Pemberton Water Regulation, Connection and Rates By-law No. 232, 1989 Amendment Bylaw 492, 2002.

**WHEREAS** it is deemed necessary to amend the terms and rates charged for waterworks services and connections;

**NOW THEREFORE**, the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

1. Schedule "D" of the Village of Pemberton Water Regulation, Connection and Rates By-law No. 232, 1989, Amendment By-law No. 492, 2002 is hereby deleted and replaced with a new Schedule "D", which is attached to and forms part of this by-law.
2. This by-law may be cited for all purposes as "The Village of Pemberton Water Regulation, Connection and Rates By-law No. 232, 1989, Amendment By-law No. 640, 2009".

**READ A FIRST TIME** this 1<sup>st</sup> day of September, 2009

**READ A SECOND TIME** this 1<sup>st</sup> day of September, 2009

**READ A THIRD TIME** this 1<sup>st</sup> day of September, 2009

**RECONSIDERED, FINALLY PASSED AND ADOPTED** this 6<sup>th</sup> day of October, 2009

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Mayor

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Administrator

## **SCHEDULE "D"**

### **By-law No. 640, 2009**

#### **RATES AND FEES FOR WATER SERVICE PROVIDED TO RESIDENTIAL PROPERTIES OUTSIDE MUNICIPAL BOUNDARIES WHICH ARE ADJACENT TO MUNICIPAL INFRASTRUCTURE**

1. That service is available for domestic/residential use only; the size of service to each property is restricted to one 1-inch (25mm) connection per residential dwelling. 'Residential dwelling' means a self-contained unit with a separate entrance and intended for year round occupancy and specifically includes a single dwelling unit, one half of a duplex, each apartment, each townhouse whether rented or owned, mobile home, or any other self-contained single family residential dwelling.
2. The property owner will provide irrevocable consent/support for boundary extension to include the subject property. This consent will be provided through a covenant registered against the property, and will allow for service to cease if consent is withheld.
3. The following works will be undertaken by the owner of the property requesting the connection with all of the associated costs of same being the responsibility of owner of the property:
  - a. All parts, labour and materials including but not limited to a meter, curb stop and degal box. In some cases there will be additional costs for sidewalk and/or pavement repairs. The meter is to be radio-read, in-ground and installed at the property line.
  - b. All costs for upsizing the water main. The requirement for upsizing is to be determined at the sole discretion of the Village.
4. Connection fees are payable on application and include the cost of inspection, a refundable 'as-built' deposit, and a lump sum payment roughly equivalent to the present value of the cost of currently amortized water system infrastructure as well as a prorated share of the estimated cost of infrastructure proposed to be constructed/installed in the next five years (2009 to 2013).

Connection Fees are as set out below and are to be paid at the time of application:

- Connection fee - \$5,395
- Inspection fee - \$ 500
- Refundable 'as-built' deposit - \$ 500

5. An 'as-built' drawing, satisfactory to the Works Manager, must be filed with the Village and a final inspection must be conducted and approved by the Works Manager before the connection can be backfilled and the water turned on. Any connection that is backfilled without a Village inspection will have to be reopened at the cost of the owner for inspection.
6. Non-conforming connections, including unfinished remedial work, may be rectified by the Village at the cost of applicant.
7. The property owner will protect and save harmless the Village of Pemberton from all claims and damages caused by leaking water, the bursting of pipes or any other damages in relation to this agreement.
8. The Village reserves the right to inspect the property and/or residence for any unauthorized use of water and will provide 24 hours notice to the property owner in advance of any inspection.

**Disconnection Fee**

Requests for discontinuation of service must be made a minimum of 48 hours in advance - fee: \$100

**Reconnection Fee**

Applicant must complete Schedule "B" of this by-law to re-apply for connection - fee: \$100

**User Rates**

All waterworks user rates shall be billed per quarter and shall be as follows for the purpose of this schedule:

The quantity of water consumed shall be the most recent amount recorded by the meter through which water is delivered to the property less the immediately previous amount recorded. In the event that a meter cannot be read or is not installed, an estimation of the consumption shall be made.

Rates are due and payable by the last day of the month following each quarterly billing. In the case of non-payment of rates the Village shall send one notice, in writing, informing the consumer of the rates due and payable. The Village may, seven (7) days after the sending of such further notice, cut off the service on respect of which such rates are due without further notice. Reconnection following such a discontinuation will be subject to the rates listed in this schedule.