



The Corporation of the City of Grand Forks

Regular Meeting

AGENDA

Meeting #: R-2020-03
Date: Monday, February 10, 2020, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- a. Adopt agenda
February 10, 2020, Regular Meeting agenda

Recommendation

THAT Council adopts the February 10, 2020, Regular Meeting agenda as presented.

3. MINUTES

- a. Adopt minutes - Special to go In-Camera
January 27, 2020, Special to go In-Camera Meeting minutes

4 - 5

Recommendation

THAT Council adopts the January 27, 2020, Special to go In-Camera Meeting minutes as presented.

- b. Adopt minutes - Regular
January 27, 2020, Regular Meeting minutes

6 - 12

Recommendation

THAT Council adopts the January 27, 2020, Regular Meeting minutes as presented.

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Reports of Council
Councillors

13 - 14

Recommendation

THAT all reports of Council at the February 10, 2020, Regular Meeting be received.

7. REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

- a. Verbal Report - RDKB Representative 15 - 15
Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here: <https://rdkb.civicweb.net/filepro/documents/314>

Recommendation

THAT Mayor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a. Temporary Use Permit Application – Micro / Craft Brewery 16 - 30
Development, Engineering & Planning

Recommendation

THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 - 19th Street.

- b. Active Transportation & Wayfinding Grant 31 - 32
Development, Engineering & Planning

Recommendation

THAT Council directs staff to apply for the BC Active Transportation Infrastructure Grant for an active transportation network plan and wayfinding strategy for up to \$80,000, with the 50% City of Grand Forks contribution funded from planning and engineering budgets subject to grant approval.

9. REQUESTS ARISING FROM CORRESPONDENCE

10. INFORMATION ITEMS

11. BYLAWS

- a. Bylaw 2069 - Inter-Community Business Licencing 33 - 45
Development, Engineering & Planning

Recommendation

THAT Council gives third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

- b. Bylaws 2065 (Water Regulations) and 2066 (Wastewater Regulations) - First Three Readings 46 - 141
Corporate Services / Operations

Recommendation

THAT Council gives first three readings of the "Water Regulations Bylaw No. 2065".

Recommendation

THAT Council gives first three readings of the "Water Regulations Repeal Bylaw No. 1973-R".

Recommendation

THAT Council gives first three readings to the "Wastewater Regulations Bylaw No. 2066".

Recommendation

THAT Council gives first three readings to the "Sewer Regulations Repeal Bylaw No. 1974-R".

- c. Bylaw 2067 (Electrical Regulations) – First Three Readings
Corporate Services / Operations

142 - 205

Recommendation

THAT Council gives first three readings to the "Electrical Regulations Bylaw No. 2067".

Recommendation

THAT Council gives first three readings to the "Electrical Utility Regulatory Bylaw No. 2015-R".

12. LATE ITEMS
13. ITEMS RELEASED FROM IN-CAMERA
14. QUESTIONS FROM THE PUBLIC AND THE MEDIA
15. ADJOURNMENT



The Corporation of the City of Grand Forks
Special to go In-Camera Meeting of Council
MINUTES

Meeting #: SP-2020-04
Date: Monday, January 27, 2020, 4:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Brian Taylor
Councillor Zak Eburne-Stoodley
Councillor Neil Krog
Councillor Chris Moslin
Councillor Christine Thompson
Councillor Rod Zielinski

Absent: Councillor Cathy Korolek

Staff: Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Dolores Sheets - Manager of Development & Engineering Services
Graham Watt - Manager of Strategic Initiatives
Ron Mattiussi - Interim Chief Administrative Officer

GALLERY

1. CALL TO ORDER

Mayor Taylor called the January 27, 2020, Special To Go In-Camera Meeting to order at 4:31 pm.

2. IN-CAMERA RESOLUTION

a. Adopt Resolution as per Section 90

MOVED / SECONDED

THAT Council convene an In-Camera Meeting as outlined under Section 90 of the Community Charter to discuss matters in a closed meeting which are subject to Section 90 (1)

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

BE IT FURTHER RESOLVED THAT persons, other than members, officers, or other persons to whom Council may deem necessary to conduct City business, will be excluded from the In-Camera Meeting.

Carried

3. LATE ITEMS

4. ADJOURNMENT

The January 27, 2020, Special to go In-Camera Meeting was adjourned at 4:31 pm.

Mayor Brian Taylor

Dep. Corporate Officer – Kevin McKinnon



The Corporation of the City of Grand Forks
Regular Meeting of Council
MINUTES

Meeting #: R-2020-02
Date: Monday, January 27, 2020, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Brian Taylor
Councillor Zak Eburne-Stoodley
Councillor Chris Moslin
Councillor Christine Thompson
Councillor Rod Zielinski

Absent: Councillor Cathy Korolek
Councillor Neil Krog

Staff: Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Daphne Popoff - Corporate Administrative Assistant
Dolores Sheets - Manager of Development & Engineering Services
Graham Watt - Manager Strategic Initiatives
Ron Mattiussi - Interim Chief Administrative Officer
Justin Dinsdale - Manager of Capital Projects

GALLERY

1. CALL TO ORDER

Mayor Taylor called the January 27, 2020, Regular Meeting to order at 7:01 pm.

a. RCMP Appreciation Day

Mayor to acknowledge

2. ADOPTION OF AGENDA

a. Adopt agenda

January 27, 2020, Regular Meeting agenda

Resolution #: R017/20/01/27 MOVED/SECONDED

THAT Council adopts the January 27, 2020, Regular Meeting agenda as presented.

Carried

3. MINUTES

a. Adopt minutes - Special to go In-Camera

January 12, 13, and 20, 2020, Special to go In-Camera Meeting minutes

Resolution #: R018/20/01/27 MOVED/SECONDED

THAT Council adopts the January 12, 2020, Special to go In-Camera Meeting minutes as presented.

Carried

Resolution #: R019/20/01/27 MOVED/SECONDED

THAT Council adopts the January 13, 2020, Special to go In-Camera Meeting minutes as presented.

Carried

Resolution #: R020/20/01/27 MOVED/SECONDED

THAT Council adopts the January 20, 2020, Special to go In-Camera Meeting minutes as presented.

Carried

b. Adopt minutes - Regular

January 13, 2020, Regular Meeting minutes

January 13, 2020, Regular minutes amended for timeline reorganization.

Business Arising from the minutes that speaks to items 11. c. Bylaws 2065 and 1973-R-Water Regulations, 11. d. Bylaws 2066 and 1974-R-Wastewater Regulations, and 11. e. Bylaws 2067 and 2015-R-Electrical Regulations, Council have deferred to staff for more comment and will return at a future date.

Resolution #: R021/20/01/27 MOVED/SECONDED

THAT Council adopts the January 13, 2020, Regular Meeting minutes as amended.

Carried

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

a. Reports of Council

Councillors

- Councillor Moslin spoke in regard to his report attached
- Councillor Zielinski inquired into definitions on social housing issues/zoning and public input
- Councillor Thompson spoke in regard to meetings and workshops that Council participated in, CAO candidates were interviewed
- Councillor Eburne-Stoodley spoke in regard to Council meetings and workshops that took place, process of CAO candidates

Resolution #: R022/20/01/27 MOVED/SECONDED

THAT all reports of Council at the January 27, 2020, Regular Meeting be received.

Carried

7. REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

- a. Verbal Report - RDKB Representative

Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here:

<https://rdkb.civicweb.net/filepro/documents/314>

Mayor Taylor reported that budgets are underway and spoke in regard to the Open House on the Community Centre. He also reported that the next RDKB Meeting will be on Thursday at 1:00 pm in Grand Forks.

Resolution #: R023/20/01/27 MOVED/SECONDED

THAT Mayor Taylor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

Carried

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a. Early Budget Approval – Official Community Plan and Real Estate Strategy

Corporate Services / Development, Engineering, and Planning

Discussion:

- Real Estate Strategy time frame urgency and concerns
- employment lands definition
- budgeting process

Resolution #: R024/20/01/27 MOVED/SECONDED

THAT Council gives Early Budget Approval to the “Official Community Plan Update” and the “Development and Implementation of a City-owned Real Estate Strategy” projects with a combined value of up to \$250,000; AND THAT the amount be included in the 2020 Financial Plan Bylaw with funding to be determined through the budgeting process.

Carried

- b. AKBLG Resolution

Corporate Services

Resolution #: R025/20/01/27 MOVED/SECONDED

THAT the City of Grand Forks recommends that the Association of Kootenay Boundary Local Government supports Union of BC Municipalities petitioning the provincial government to enact legislation to ensure that response to extreme weather conditions is enacted in regional emergency programs, and that provincial resources be made available during such conditions to ensure satisfactory response.

Carried

- c. RDKB Grant Application for Poverty Reduction Plan for the Boundary Area
Development, Engineering & Planning

Resolution #: R026/20/01/27 MOVED/SECONDED

THAT the City of Grand Forks supports the Regional District of Kootenay Boundary making an application to the Union of BC Municipalities in order to conduct a Poverty Reduction Plan for the Boundary area; AND FURTHER THAT Council approves the Regional District of Kootenay Boundary to receive and manage the grant funding on behalf of the City of Grand Forks.

Carried

- d. Development Variance Permit No. DVP2001 Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive.

Development, Engineering & Planning

Discussion:

- public input
- legislative requirements

Resolution #: R027/20/01/27 MOVED/SECONDED

THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Development Variance Permit

application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone in order to allow Non-Medical Cannabis Retail Store as a use on the property.

Carried

9. REQUESTS ARISING FROM CORRESPONDENCE

10. INFORMATION ITEMS

11. BYLAWS

- a. Officer Positions Establishment Bylaw No.2062

Corporate Services

Discussion:

- Oath of Office

Resolution #: R028/20/01/27 MOVED/SECONDED

THAT Council give final reading to the Officer Positions Establishment Bylaw No. 2062; AND THAT Council give final reading to the Officer Positions Repeal Bylaw No. 1623-R.

Carried

- b. Snow Clearing Policy 1103

Outside Works / Corporate Services

Discussion:

- thank you to City staff for their efforts
- sand application
- suggestion for amendments: 'Trigger points... sporadically' change to same as previous sentence and 'outside works' change to Public Works

Resolution #: R029/20/01/27 MOVED/SECONDED

THAT Council adopts the new Regular Snow Clearing Policy 1103 as amended; AND THAT Council repeals Snow Clearing of Sidewalks Policy 1104.

Carried

12. LATE ITEMS

13. ITEMS RELEASED FROM IN-CAMERA

14. QUESTIONS FROM THE PUBLIC AND THE MEDIA

- Les Johnson on behalf of a business owner inquired regarding setback distance from a building. He also spoke in regard to flood insurance.

- Nigel James inquired into a future audio/visual system that would replace Les Johnson's current efforts, staff workload and organization, community plan and definitions

- Jensen from the Gazette inquired into why the Development Variance Permit and Cannabis Licence were together last time as opposed to this time

15. ADJOURNMENT

The January 27, 2020, Regular Meeting was adjourned at 8:32 pm.

Mayor Brian Taylor

Corporate Administrative Assistant –
Daphne Popoff

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: February 10, 2020
Subject: Reports, Questions and Inquiries from the Members of Council
Recommendation: **THAT all reports by members of Council be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the members of Council to report to the Community on issues, bring community issues for discussion and initiate action through motions of Council, ask questions on matters pertaining to the City Operations and inquire on any issues and reports.

Benefits or Impacts

General

The main advantage of using this approach is to bring the matter before Council on behalf of constituents. Immediate action might result in inordinate amount of resource inadvertently directed without specific approval in the financial plan.

Strategic Impact



Community Engagement

- Members of Council may ask questions, seek clarification and report on issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT all reports by members of Council be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

The Point-in-Time (PiT) Count

This week a subcommittee of the GFSSAG met to begin to plan the details for this enumeration of the homeless in our area. This group of volunteers has representation from C4, the school district, COINS, and the Blessings Boutique. The group is going to base this enumeration on the Homelessness Partnering Strategy (HPS) that has been developed federally and used in over thirty cities across the country since 2016. The procedure, questions and results have been standardized and improved for three years. We do not need to reinvent the wheel. This PiT count will not only give us a better understanding of homelessness in our region, the data from this count will be submitted to the HPS to help monitor and track homelessness across the country. The count will take place in late March over a 24-hour period and will include those who are in shelters, transition housing and 'sleeping rough'. It will not enumerate the 'Hidden Homeless' who have temporary but insecure arrangements. Volunteers doing the counting will be trained and coordinated. Data gathered will be protected by strict privacy standards. The municipality may be able to support this count by providing administrative and logistical support. This may mean photocopying, providing maps, providing contacts such as the bylaw officer and emergency responders. There will also be some minor costs to the count for honoraria, buttons, paper, clipboards and gift certificates. I will bring forward a budget for the count and a specific request for Council at the next regular meeting. For those wanting more information on the count please google 'Homeless Partnering Strategy - Everyone Counts'. If you wish to assist with the count, please contact me at cmoslin@grandforks.ca

Discover Grand Forks

This important committee of business, recreation and community leaders is going to meet tomorrow evening at the Station Pub. At that meeting they will make a decision on how to proceed with the new trails mapping for 'Bike Town BC'. They will also further the plans to develop their website and promote our community by following the Roger Brooks plan. If you want to see what is going on just visit discovergrandforks.ca

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: February 10, 2020
Subject: Report – from the Council's Representative to the Regional District of Kootenay Boundary
Recommendation: **THAT Mayor Taylor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the City's representative to the Regional District of Kootenay to report to Council and the Community on issues, and actions of the Regional District of Kootenay Boundary.

Benefits or Impacts

General

The main advantage is that all of Council and the Public is provided with information on the Regional District of Kootenay Boundary.

Strategic Impact



Community Engagement

- Information sharing with members of Council and the Public regarding regional issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT Mayor Taylor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 10, 2020
Subject: Temporary Use Permit Application – Micro / Craft Brewery
Recommendation: **THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 - 19th Street.**

Background

The City has received a Temporary Use Permit application from the authorized agent of the owner of 7454 - 19th Street to construct and operate a micro/craft brewery in a portion of the building. The Temporary Use Permit (TUP) will allow the proponent to install the equipment and facilities required to run a micro / craft brewery. The micro/craft brewery will produce beer onsite for consumption onsite and offsite.

The proponent proposes a seating capacity of 10 to 15 patrons pending finalization of design and determination of requirements.

In addition to meeting local bylaws and regulations, the proponent has committed to separately, obtain any licenses, permits and authorizations required and to obtain any other thing required to legally operate a micro/craft brewery at 7454 19th Street.

The TUP would be valid for a period of 3 years if approved. The temporary use permit is renewable, upon application by the permit holder, for an additional period of three (3) years.

Consistent with the OCP this development encourages the reuse of an older underutilized building space while increasing the use of existing infrastructure. The building space being converted for this use has apparently been vacant or underutilized for some time.

Application Details and Policy Review

Property details are summarized in Table 1.

Table 1 Property Permit Details	
Property Area	740 m ² (0.183 acres)
Zoning	I - 1 (Light Industrial)
Total Building Area	653 m ² (approximately)
Micro/Craft Brewery Area	90.8 m ²

Table 1 Property Permit Details	
Contracting Area for Romaine Industries Ltd – Plumbing, Heating & Air Conditioning contractor.	562.2 m ²

Additional application and site information is attached as Appendix 1 and Appendix 2.

Schedule B of the Official Community Plan (OCP) shows future use of this property as Highway & Tourist Commercial. As outlined in the OCP, within areas with this designation, automobile-oriented tourist services, and areas for visitors and residents are encouraged along Central Avenue/Highway #3. This building is easily visible from Central Avenue/Highway #3. Consistent with the OCP this development encourages the reuse of an older underutilized building space while increasing the use of existing infrastructure.

Parking Requirements are outlined in Table 2. As shown in Appendix 2, this existing building was built with close to zero setbacks from the property line. The property fronts two highways, namely 19th Street and Donaldson Drive. Reportedly, although the primary entrance to the business is off 19th Street, existing contracting activity, including loading and unloading, takes place from the Donaldson Drive side of the building.

The existing contracting business is legal nonconforming in that there is an insufficient number of offstreet parking spaces, although the allotted 2 to 3 angled parking spots for the contracting business shown in Appendix 2 are rarely, if ever, used. There are reportedly no plans to change the operating model of the existing contracting business.

As shown in the attached Google Earth image included in Appendix 2, patrons to businesses along this section of 19th Street park on both City and private property without causing traffic disruption. Approximately 5 angled parking spots could be accommodated fronting the building on 19th Street, enough to meet the bylaw requirements for a public house.

As a condition of this TUP the proponent will be required to set up and promote alternative transportation initiatives such as bike racks and carpooling. Additionally, the lack of readily available offstreet parking spaces should encourage patrons to use alternative modes of transportation. This building is only a 2 - 30 minute walk from residentially zoned areas within the City and a 5 minute walk to the recreation complex.

This property is in the Commercial Development Permit Area (CP) and the proposed development fits the conditions for which a development permit is not required.

Table 2 Off Street Parking Space Requirements (s26.10 Zoning bylaw 2039)		
Class of Building/Use	Required Number of Spaces	Number of Spaces Required

Table 2 Off Street Parking Space Requirements (s26.10 Zoning bylaw 2039)		
Contractors Shop and Yard	One Space per every 50 square metres of the shop floor area	=562.2m ² /50m ² = 11 spaces
Public house (Liquor licensed premises)	One space per every 3 seats for the patrons	=15 seats x (1 space /3 seats) = 5 spaces
Total Parking Spaces Required =		16

Timing

Proposed timing of the next steps for this temporary use permit application is shown in Table 3 below.

Table 3 Tentative Timeframe	
ACTIVITY	TIMING
Regular Council Meeting – Council directs staff to proceed with statutory notice requirements	February 10, 2020
Notice published in the February 19, 2020 issue of the newspaper.	February 19, 2020
Regular Council Meeting – Council gives consideration of the Development Variance Permit	February 24, 2020

Benefits or Impacts

General

As a temporary use the property can be redeveloped at anytime for its current use as I- 1 (Light Industrial).

Strategic Impact



Community Engagement

- An ad will be placed in the local newspaper and comments will be encouraged regarding this temporary use permit.



Community Livability

- This temporary use is generally compatible with surrounding properties.



Economic Growth

- The temporary use permit will allow the owner to utilize vacant space in the building.



Fiscal Responsibility

- This is a private sector development and other than time to research and prepare staff reports, and pre-development meeting(s) it is anticipated that there will be minimal staff resources required for this project.

Policy/Legislation

Local Government Act, The Official Community Plan, The Community Charter, The Zoning bylaw.

Attachments

Appendix 1 - Temporary Use Permit Application Package

Appendix 2 - Location Plan and Supporting Information.

Recommendation

THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 - 19th Street.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	20200210 TUP2001 6454 19th St Micro Brew RFD.docx
Attachments:	- 20200127 TUP2001 Appendix 1 7454 19th St Micro Brewery_Redacted.pdf - 20200210 TUP2001 Appendix 2 7454 19th St Micro Brew Rev02.pdf
Final Approval Date:	Jan 31, 2020

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jan 31, 2020 - 11:46 AM

Ron Mattiussi - Jan 31, 2020 - 12:15 PM

THE CORPORATION OF THE CITY OF GRAND FORKS

7217 - 4TH STREET, BOX 220 • GRAND FORKS, BC VOH 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266



AGENT'S AUTHORIZATION FORM

(to authorize an agent or representative for a development/subdivision application)

Property Information

Civic Address of Property: 7454 19TH ST Grand Fork BC

P.I.D.: 019-142-927

Agent's Information

Agent's Name: [REDACTED]

Agent's Company: micro/craft Brewery

Mailing Address:

E-mail Address: [REDACTED]

Telephone: [REDACTED]

Owners Authorization

I/we, the registered owner(s) of the above-mentioned property, hereby authorize the person/company listed above to act on my/our behalf with respect to this application.

Owner's Signature(s)

Owner's Name(s) (please print)

Date

JAN 13/2020

THE CORPORATION OF THE CITY OF GRAND FORKS

7217-4th Street
P.O. Box 220
Grand Forks, B.C.
VOH 1H0

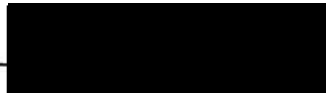
Telephone: 250-442-8266
Fax: 250-442-8000

TEMPORARY USE PERMIT APPLICATION

APPLICATION FEE **\$750.00**

Receipt No. _____

Registered Owner(s):

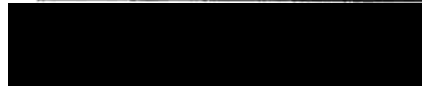


Mailing Address: 7454 - 19th St.

GRAND FORKS B.C.

VOH 1H2

Telephone:



Cell
Work



Legal Description:

Plan: KAP54160 / Lot: 2

District Lot: 380 / Street: 7454 19TH ST

Units: 210 / Roll: 780050 / PID: 019-142-927

Street Address:

7454 19TH ST

.OVER.....

Description of proposed use and reason for application:

nano/micro brewery - manufacture and sale
of craft beer

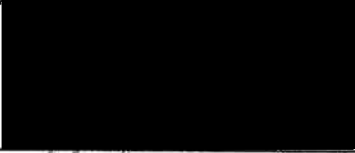
Submit the following information with the application:

1. A legible site plan showing the following:

- (a) The boundaries and dimensions of the subject property.
- (b) The location of any proposed or present buildings.
- (c) The location of off-street parking facilities.
- (d) The location of off-street loading facilities.
- (e) The location of any proposed access roads, screening, landscaping or fencing.
- (f) The location of refuse containers and parking area lighting.

2. Professionally drawn site elevations, façade applications for proposed or present buildings, identifying colours, canopies, window trim and sign specifications.

Other information or more detailed information may be requested by the City of Grand Forks upon review of your application.


Signature of Owner

JAN 13 / 2020
Date

AGENT'S AUTHORIZATION

I hereby authorize the person/company listed below to act on my behalf with respect to this application and that the information provided is full and complete and to the best of knowledge to be a true statement of the facts.

Name of Authorized Agent: _____

Mailing Address: _____

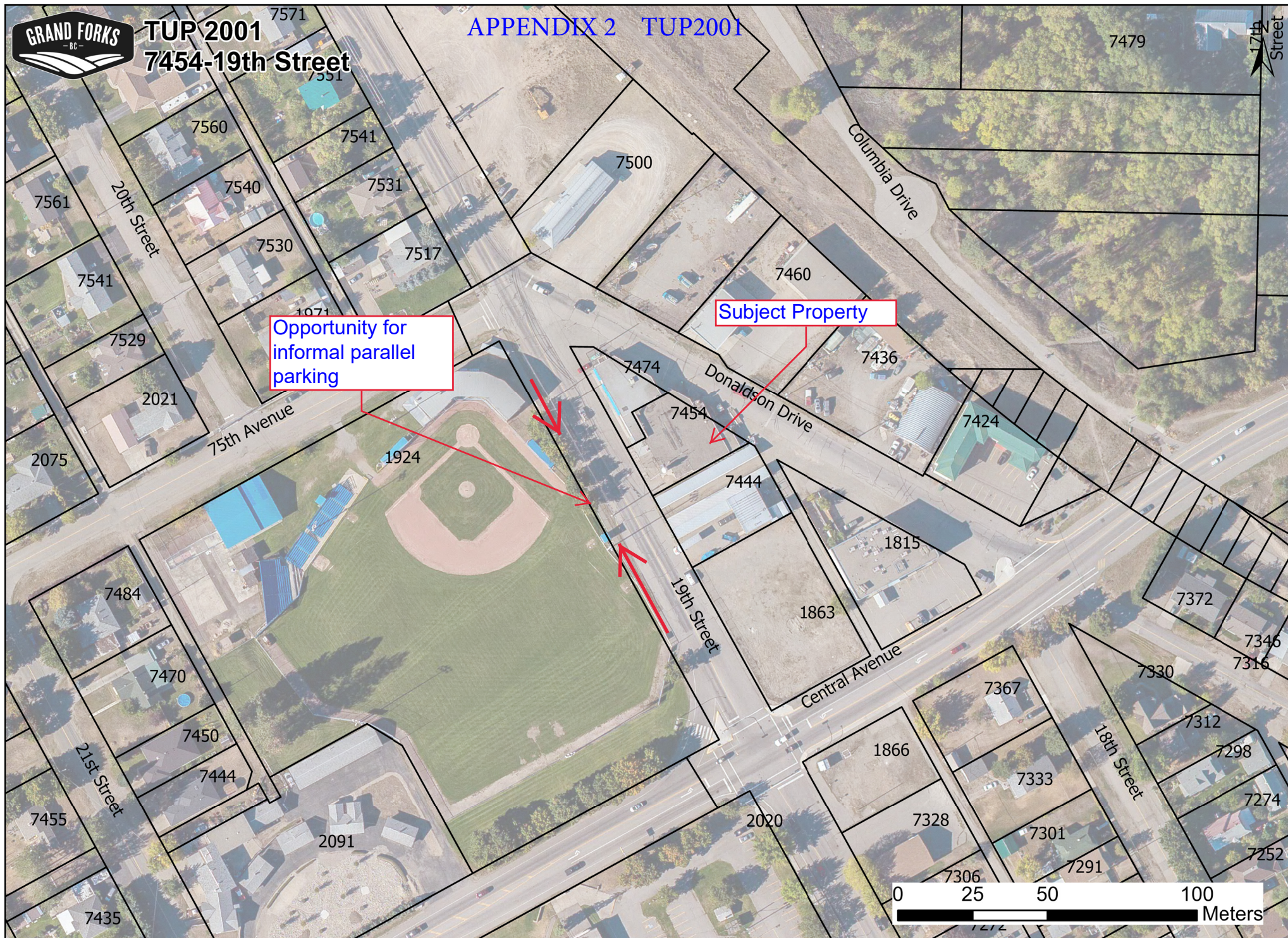
Telephone: _____


Owner(s) Signature of Authorization



TUP 2001 7454-19th Street

APPENDIX 2 TUP2001





7454 19th Street



7474

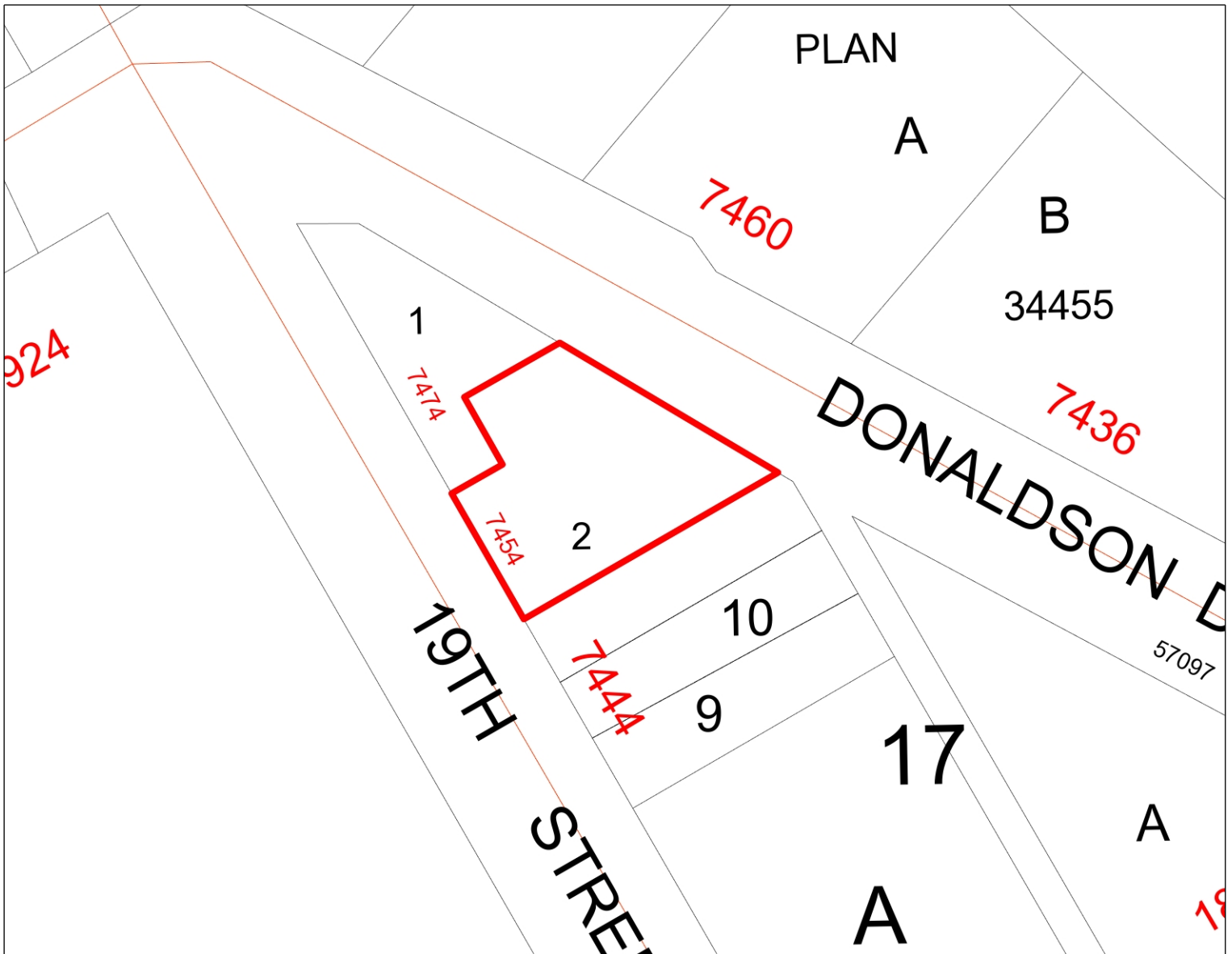
Donaldson Drive

7454

19th Street

7444

0 5 10
Meters

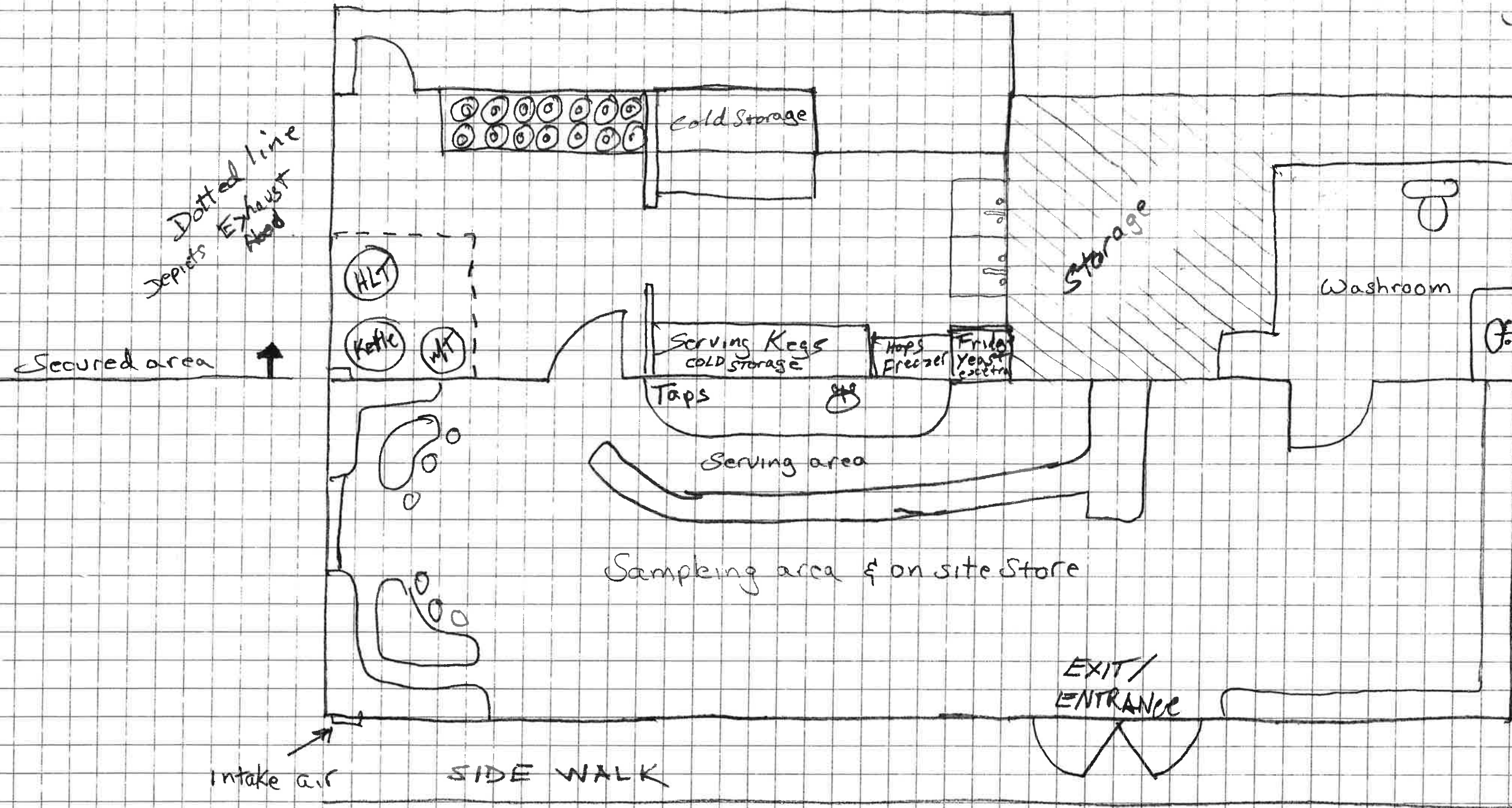


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Legal Information

Plan: KAP54160	Section:	Jurs: 210	Lot Area: 0.183
Block:	Township:	Roll: 780050	Area Unit: acr
Lot: 2	Land District: 54	PID: 019142927	Width (ft):
District Lot: 380	Electoral Area: City of Grand Forks		Depth (ft):
Street: 7454 19TH ST			
Description: Lot 2, Plan KAP54160, District Lot 380, Similkameen Div of Yale Land District			

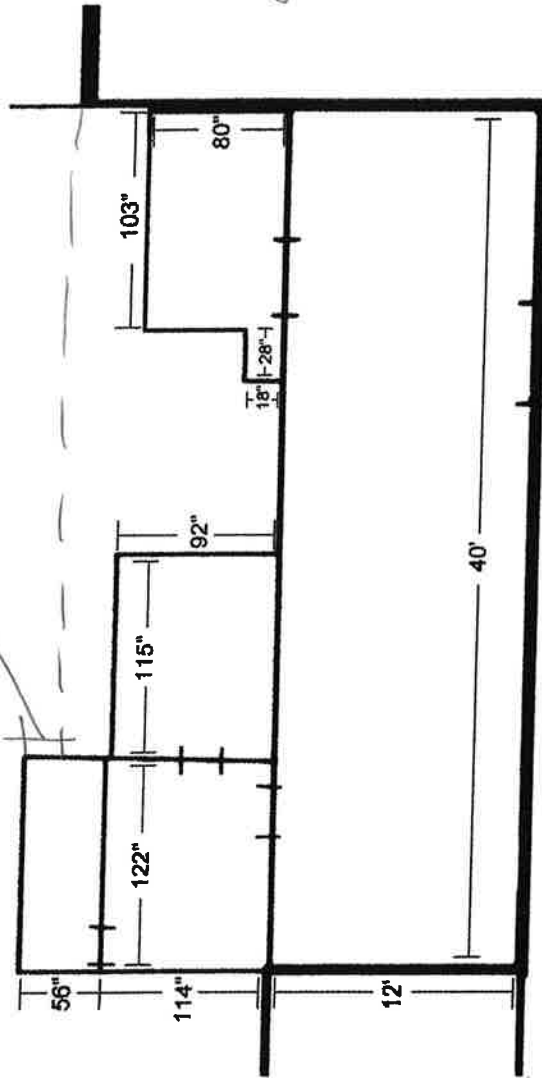
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← PARKING →

← PARKING →

28" APPROX



CRAFT BREWERY
AREA

90.8 m²

Smilez Floor Plan

7454 19th Street



7454 19th Street

7474

Donaldson Drive

TOTAL AREA = 653m²

APPROXIMATE
BLDG OUTLINE

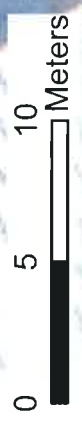
7454

Existing 2-3 off
street angle
parking spaces

Proposed 5 new
angle parking spots

19th Street

7444



7454 19th Street

Legend

- Motel 99



Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 10, 2020
Subject: Active Transportation & Wayfinding Grant
Recommendation: **THAT Council directs staff to apply for the BC Active Transportation Infrastructure Grant for an active transportation network plan and wayfinding strategy for up to \$80,000, with the 50% City of Grand Forks contribution funded from planning and engineering budgets subject to grant approval.**

Background

A new grant opportunity from the provincial government – the B.C. Active Transportation Infrastructure Grants Program – provides cost-sharing opportunities for bike and walking network planning grants and infrastructure grants:

(<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/active-transportation-infrastructure-grants>).

The project cost-shares to a maximum of 50%, or \$50,000, for active transportation network planning (ATNP) grants.

The ATNP establishes the long-term vision and plan for bicycling, walking and other modes of human transportation. If funded, the plan would provide for extensive public engagement and detailed input to the Official Community Plan update. It would also allow development of the wayfinding signage program and provide materials in support of the Grand Forks Marketing Strategy.

The City had previously applied for a Wayfinding Strategic Plan grant from the Rural Dividend Fund before learning that the program had been suspended to provide resources for communities impacted by challenges in the forestry sector. This grant application would build on the Wayfinding Strategic Plan and strongly support five strategic priorities identified in the 2019 Strategic Plan related to community well-being, economic revitalization and long-term flood recovery.

Estimated budget for the Wayfinding Strategic Plan was \$53,780. In preparation for the grant application staff will develop a detailed budget that includes additional components that would have formed part of the work plan for the Active Transportation Theme within the Official Community Plan (estimated value of \$25,000). Therefore; staff is recommending requesting up to \$80,000, with 50% funded from planning and engineering consulting budgets including funds earmarked for the Official Community Plan update.

Benefits or Impacts

Supports Strategic Plan components, including:

- Revise and update the OCP, considering emerging issues
- Review opportunities for connecting the downtown core to the east side
- Consider the installation of bike friendly flood mitigation works
- Increase support for active transportation
- Implement the Grand Forks Marketing Strategy (“Bike Town BC”)

Recommendation

THAT Council directs staff to apply for the BC Active Transportation Infrastructure Grant for an active transportation network plan and wayfinding strategy for up to \$80,000, with the 50% City of Grand Forks contribution funded from planning and engineering budgets subject to grant approval.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 10, 2020
Subject: Bylaw 2069, Inter-Community Business Licencing
Recommendation: **THAT Council gives third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.**

Background

Council gave first and second readings to Bylaw 2069 at the December 16, 2019 regular council meeting.

As described in the December 16, 2019 staff report to council (see Appendix 1), the Kootenay-Wide Inter-Community Business Licence (ICBL) partnership is intended to streamline and simplify the licensing process, making it easier to do business in participating communities.

A public hearing was held on February 10, 2020 to allow public input and to inform Council's decision on the bylaw. The public hearing was advertised in the January 29, 2020 and February 5, 2020 issues of the Grand Forks Gazette. The approved copy of the Grand Forks Gazette ad is attached as Appendix 2.

As of January 9, 2020, the following communities have adopted the ICBL bylaw: Nelson, Rossland, Castlegar, Creston, New Denver, Salmo, Silverton, and Slocan.

Should council give third reading to this bylaw the timeframe for the next steps to adopt the ICBL are listed in Table 1 below.

Table 1 Timeframe	
ACTIVITY	TIMING
Regular Council Meeting – Public Introduction; Council authorized staff to proceed with public notification and set a date for a public hearing	December 16, 2019
Notice published in two consecutive issues of the newspaper	January 29, 2020 and February 5, 2020
Public Hearing	February 10, 2020
Regular Council Meeting – Council consider giving bylaw third reading.	February 10, 2020
Fourth Reading / Bylaw Adoption	February 24, 2020

Benefits or Impacts

General

Expanding to a Kootenay-Wide Inter-Community Business Licence fosters a more open, robust and prosperous community and region.

Strategic Impact



Community Engagement

- A public hearing was held on February 10, 2020 to inform council's decision. The public hearing was advertised in the January 29, 2020 and February 5, 2020 issues of the Grand Forks Gazette.



Economic Growth

- The ICBL will ease the administrative burden for businesses that operate regionally.



Fiscal Responsibility

- At the January 30, 2019 teleconference, communities considered the Province's presentation of a range of optional fees and decided that a \$100 Kootenay-wide ICBL fee was the preferred option. The Provincial analysis indicates that any revenue loss from the Kootenay-wide ICBL partnership is unsubstantial at worst and the program offers substantial benefits for communities.

Policy/Legislation

Community Charter, Local Government Act

Attachments

Appendix 1 December 16, 2019 staff report and **DRAFT** Inter-Community Business Licence Bylaw 2069.

Appendix 2 Approved copy of the ad for the January 29th and February 5th, 2020 issues of the Grand Forks Gazette.

Recommendation

THAT Council gives third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	20200210 InterCommunity Bus Lic 3rd Reading RFD.docx
Attachments:	- 20200210 Appendix 1 InterCommunity Bus Licence 3rd RFD.pdf - 20200210 Appendix 2 InterCommunity Bus Licence Bylaw 2069 Gazette Ad.pdf
Final Approval Date:	Jan 31, 2020

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jan 30, 2020 - 4:04 PM

Ron Mattiussi - Jan 31, 2020 - 12:18 PM

Request for Decision



To: Regular Meeting

From: **Development, Engineering, and Planning**

Date: December 16, 2019

Subject: Introduction of Bylaw 2069 – Inter-Community Business Licensing

Recommendation: **THAT Council give first and second readings to the Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069, 2019 (See Appendix 1) and authorize staff to proceed with public notification and set a date for a public hearing.**

Background

The purpose of this initiative is to consolidate existing Inter-Community Business Licence (ICBL) partnerships and expand participating municipalities throughout the Kootenays.

On a January 30, 2019 teleconference hosted by the Small Business Branch of the Ministry of Jobs, Trade and Technology, representatives from the Cranbrook/Kimberley, Elk Valley, Greater Trail and West Kootenay ICBL partnerships as well as the Boundary, Columbia Valley and Slocan Valley regions agreed to bring forward to Councils the opportunity to expand on the success of the existing ICBL programs by consolidating partnerships and expanding participating communities into one Kootenay-wide ICBL program. January 1, 2020 is the target date for the Kootenay-wide bylaw to take effect.

Created in partnership with local governments, the Union of British Columbia Municipalities and the Province of British Columbia (the Province), ICBL partnerships streamline and simplify the licensing process, making it easier to do business in participating communities. ICBLs allow mobile businesses (e.g. contractors, caterers, and other service providers) to operate across the Participating Government jurisdictions, without having to apply for multiple businesses licences.

ICBL partnerships continue to show success and growth. British Columbia now benefits from 15 intercommunity business licence partnerships with 91 different participating communities. More information can be found at WWW.GOV.BC.CA/SMALLBUSINESS.

Consolidating existing ICBL partnerships into a Kootenay-wide ICBL will build on the success of existing ICBL programs and expand on the number of participating communities, further supporting small businesses, reducing unnecessary administrative burden, increasing compliance, fostering positive intercommunity partnerships and displaying business friendliness.

The Kootenay-wide partnership will better address the substantial degree of businesses that are not complying with business licensing regulation. Provincial analysis indicates that only 276 or 8% of mobile businesses in the Kootenays purchased multiple licences, which suggests substantial lack of compliance, even considering the four different ICBL programs already in place.

Provincial analysis also indicated that the Kootenay-wide agreement would reduce unnecessary administrative burden for businesses holding multiple licences by 56%.

POLICY IMPLICATIONS

Council may, pursuant to Section 8(6) of the *Community Charter* regulate in relation to business. Section 15 (1) states that Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and condition and who may impose them.

This Bylaw is targeted to come into full force and effect on the first day of January 2020 and operate as a pilot program until December 2021.

COMMUNICATION STRATEGY

The expansion to the Kootenay-wide ICBL program provides participating communities opportunity to celebrate success and display initiative to expand business friendliness. The Province will provide exemplary communication pamphlets from other ICBL partnership groups in BC to help Kootenay ICBL communities develop and tailor their own communications for possible inclusion in business licence renewal notices, on municipal websites and as handouts at front counters to raise awareness about the expanded business friendly program.

The Province will work with Kootenay communities to develop a shared news release to help raise awareness and celebrate the launch of the Kootenay-wide partnership.

Benefits or Impacts

General

Expanding to a Kootenay-wide ICBL fosters a more open, robust and prosperous community and region.

Strategic Impact



Community Engagement

- Prior to third and final reading, the community will have the opportunity to review and comment on the bylaw at a public hearing. The public hearing will be advertised twice in the Grand Forks Gazette.



Economic Growth

- The bylaw will reduce the administrative burden on businesses that operate in the region.



Fiscal Responsibility

- At the January 30, 2019 teleconference, communities considered the Province's presentation of a range of optional fees and decided that a \$100 Kootenay-wide ICBL fee was the preferred option. The Provincial analysis indicates that any revenue loss from the Kootenay-wide ICBL partnership is unsubstantial at worst and the program offers substantial benefits for communities.

Policy/Legislation

Section 15 (1) and 8 (6) of the *Community Charter*.

Attachments

Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069, 2019.

Recommendation

[Recommendation]

Options

1. THAT Council give first and second readings.
2. THAT Council refers the matter back to staff for further information.

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2069, 2019

A BYLAW TO ESTABLISH A SCHEME FOR INTER-COMMUNITY BUSINESS LICENCING AND REGULATION OF TRADES, OCCUPATIONS AND BUSINESSES

WHEREAS Council may, pursuant to Section 8(6) of the Community Charter, regulate in relation to business;

AND WHEREAS pursuant to Section 14 of the Community Charter, two or more municipalities may, by bylaw adopted by the Council of each participating government, establish an Inter-Community scheme in relation to one or more matters;

AND WHEREAS pursuant to Section 15(1) of the Community Charter, Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and conditions and who may impose them;

AND WHEREAS Council has given notice of its intention to adopt this bylaw by publishing such notice in two consecutive issues of a newspaper, the last publication appearing not less than three (3) and not more than ten (10) days before the hearing and has provided an opportunity for persons who consider they are affected by this bylaw to make representations to Council at a hearing pursuant to Section 59 of the Community Charter,

NOW THEREFORE the Council of the City of Grand Forks in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the City of Grand Forks "INTER-COMMUNITY BUSINESS LICENCE BYLAW NO. 2069, 2019.

2. Definitions

In this bylaw, unless the context otherwise requires,

"Business"	has the meaning as defined by the "Community Charter Schedule – Definitions and Rules of Interpretation".
"Excluded Business"	means a Business excluded from application for an Inter-Community Business Licence and includes those Businesses referred to in Schedule 'A' attached hereto and forming part of this Bylaw.

“Inter-Community Business”	means a Business that performs a service or activity within more than one Participating Government by moving from client to client rather than having clients come to them. This includes but is not limited to trades, plumbers, electricians, cleaning services, pest control or other similar Businesses. This does not include fruit stands, flea markets, trade shows or other similar Businesses.
“Inter-Community Business Licence”	means a Business Licence which authorizes Inter-Community Business to be carried on within the boundaries of any or all of the Participating Governments in accordance with this Bylaw and will be in addition to a Standard Business Licence.
“Standard Business Licence”	means a licence or permit, other than an Inter-Community Business Licence, issued by a Participating Government that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Government.
“Participating Government”	means those communities that have adopted an Inter-Community Business Licence Bylaw and any municipalities that adopt such a bylaw at a later date.
“Person”	has the meaning ascribed to it by the Interpretation Act.
“Premise”	means a fixed or permanent location where the applicant ordinarily carries on Business.
“Principal Government”	means the Participating Government where a Business is physically located, or has a Premise, or, where the licensee does not maintain a Premise in any of the Participating Governments, the Government that issues the Inter-Community Business Licence.

3. Regulations

- a) Subject to Section (c) and (e), a person who has obtained an Inter-Community Business Licence may carry on business within a Participating Government for the term authorized by the Inter-Community Business Licence without obtaining a Standard Business Licence in the other Participating Governments.
- b) A Participating Government may issue an Inter-Community Business Licence to an applicant for an Inter-Community Business Licence provided the Business type is an Inter-Community Business and is not an Excluded Business, the applicant has a

valid Business Licence issued by that Participating Government, and the applicant meets the requirements of this Bylaw.

- c) A person holding an Inter-Community Business Licence must comply with all other regulations and bylaws of the Participating Government in which they are carrying on Business.
- d) A Business that operates under an Inter-Community Business Licence in more than one Participating Government shall only apply for an Inter-Community Business Licence from the Participating Government in which they maintain a Premise.
- e) Notwithstanding the issuance of an Inter-Community Business Licence, every person who carries on, maintains, owns or operates, within a Participating Government, any profession, business, trade, occupation, calling, undertaking or thing in or from more than one branch, office, place, premise or store shall obtain a separate Standard Business Licence for each branch, office, place, premise or store. And further, notwithstanding Sections (b), (c), and (d), the Participating Governments agree that where an applicant for an Inter-Community Business Licence:
 - i. does not maintain Premises in any of the Participating Governments, then the applicant may apply at any one of them; or
 - ii. maintains a Premise in more than one of the Participating Governments, the applicant must apply at one of the Participating Governments where they maintain a Premise.

4. Fees

- a) The fee for an Inter-Community Business Licence is \$100 and shall be paid in full at the time of application and will be retained by the Participating Government that issues the licence.
- b) The fee for an Inter-Community Business Licence is separate and additional to any Business Licence fee that may be required.
- c) The annual Inter-Community Business Licence fees prescribed in this bylaw may be reduced pro-rate in respect of any person who becomes liable to be licensed AFTER the commencement of the licence period, on the same basis as the municipal business license.

5. Application

- a) Every Inter-Community Business Licence shall be issued on a standard form provided for that purpose, as agreed upon from time to time by the Participating Governments and including, as a minimum, the following information:
 - i. Disclosing the nature and character of the profession, business, trade, occupation, calling, undertaking or thing to be carried on, maintained, owned or operated by the applicant;
 - ii. Declaring the mailing address and contact information for such profession, business, trade, occupation, calling, undertaking or thing;
 - iii. Declaring the number of persons engaged or occupied in such profession, business, trade, occupation, calling, undertaking or thing;
 - iv. Disclosing the number of distinctive lines of goods sold or offered for sale;

- v. Including any other information concerning the profession, business, trade, occupation, calling, undertaking or thing which the Participating Government may require.
 - b) Each Participating Government shall provide to all other Participating Governments standardized information regarding the Inter-Community Business Licences issued, by way of at least weekly updates on a shared database (www.mobilebusinessregistry.ca) available to all Participating Governments.
- 6. Suspension or Cancellation of an Inter-Community Business Licence
 - a) A Council or Designated Officer or Employee of a Participating Government may exercise the authority of the Principal Government in accordance with Sections 15 and 60 of the Community Charter to suspend or cancel an Inter-Community Business Licence. The suspension or cancellation shall be in effect throughout all of the Participating Governments and it shall be unlawful for the holder to carry on the Business authorized by the Inter-Community Business Licence in any Participating Governments for the period of the suspension or cancellation.
 - b) Before suspending or canceling an Inter-Community Business Licence under Section 6(a), the Participating Government must give the licence holder notice of the proposed action and must inform the licence holder of their right to be heard.
 - i. If the licence holder wishes to exercise this right, the Participating Government shall communicate in writing to the licence holder and Principal Government that issued the Inter-Community Business Licence, together with such documentary evidence of the reasons for suspension or cancellation as may be available and the request to be heard. Such Principal Government shall then, as soon thereafter as reasonably possible, provide the Licence Holder an opportunity to address their respective Council who will then consider whether to suspend or cancel the Inter-Community Business Licence.
 - ii. If the licence holder does not exercise their right to be heard, the Participating Government may suspend or cancel the Inter-Community Business Licence in accordance with Section 6(a).
 - c) Any conduct by a licence holder resulting in a hearing made under Section 6(b)(i) shall be considered by the Council of the Principal Government as though it happened within the jurisdiction of the Principal Government.
 - d) A decision by a Principal Government or Participating Government to cancel or suspend an Inter-Community Business Licence under Section 6 (b) shall be honoured by all Participating Governments.
 - e) Nothing in this Bylaw impedes the authority of a Participating Government to suspend or cancel any Business Licence issued by that Government, or to enact regulations in respect of any class of Business Licence in accordance with Section 15 of the Community Charter and amendments thereto.
- 7. Miscellaneous
 - a) A Participating Government may, by notice in writing to each of the other Participating Governments, withdraw from the Inter-Community Business Licence scheme established by this Bylaw.

Notice must:

- i. Set out the date on which the withdrawing Government will no longer recognize the validity within its boundaries of business licences issued pursuant to this Bylaw, which date must be at least six months from the date of the notice; and
 - ii. Include a certified copy of the Bylaw authorizing the withdrawal.
- b) An Inter-Community Business Licence issued prior to the effective date of the withdrawal shall, until it expires, remain valid within the boundaries of the withdrawing Government.
8. Severability
- a) If any section, paragraph or phrase in this Bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in full force and effect.
9. Effective Date: This Bylaw shall come into full force and effect on the **first day of January 2020 and operate as a pilot program until December 2021.**

Read a first and second time by the Municipal Council this 16th day of December, 2019.

Read a third time by the Municipal Council this _____ day of _____, 2020.

Finally adopted on this _____ day of _____, 2020.

Mayor Brian Taylor

Corporate Officer – Daniel Drexler

SCHEDULE 'A' EXCLUDED BUSINESSES

The following Business types are Excluded Businesses for the purposes of application for an Inter-Community Business Licence under the Inter-Community Business Licence Scheme set out in the bylaw:

1. Social escort services.
2. Vehicles for hire (for example, taxis, limousines, or buses).
3. Body-rub services (which includes the manipulating, touching or stimulating by any means, of a Person or part thereof, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities or a therapeutic touch technique).
4. Mobile food vendors, fruit stands, flea markets, trade shows or other similar Businesses.
5. Cannabis related businesses (a business which involves the sale of cannabis).

**NOTICE OF KOOTENAY-WIDE INTER-COMMUNITY
BUSINESS LICENCING**

TAKE NOTICE THAT pursuant to the Community Charter and the Local Government Act the City of Grand Forks is considering Bylaw No. 2069 to establish Inter-Community business licencing.

TAKE FURTHER NOTICE THAT Council for the City of Grand Forks will hear any public input with respect to the above mentioned proposal at a Public Hearing scheduled for February 10, 2020 at 6:00pm upstairs in Council Chamber of City Hall located at 7217-4th Street, Grand Forks, B.C.

A draft copy of Bylaw No. 2069 may be inspected between the hours of 9:00 a.m. and 3:30 p.m., Monday through Friday (excluding holidays) until February 10, 2020 at City Hall, 7217 - 4th Street, Grand Forks, B.C. Development, Engineering & Planning department staff can be reached by phone at 250-442-8266 or by email at planning@grandforks.ca

Request for Decision



To: Regular Meeting
From: **Corporate Services / Public Works**
Date: February 10, 2020
Subject: First Three Readings – Bylaws 2065 (Water Regulation) and 2066 (Wastewater Regulation)
Recommendation: **THAT Council gives first three readings of the “Water Regulations Bylaw No. 2065”.**

THAT Council gives first three readings of the “Water Regulations Repeal Bylaw No. 1973-R”.

THAT Council gives first three readings to the “Wastewater Regulations Bylaw No. 2066”.

THAT Council gives first three readings to the “Sewer Regulations Repeal Bylaw No. 1974-R”.

Background

The Water Regulations Bylaw provides the terms of use of the City’s water system. It includes the standards and conditions for connecting to the water system and the different responsibilities for maintenance. Watering restrictions are also addressed in the bylaw.

The Wastewater Regulations Bylaw provides the terms of use of the City’s sanitary sewer system. It includes the standards and conditions for connecting to the wastewater system and the different responsibilities for maintenance.

Staff have redrafted the bylaws to bring them up to date and to phase out the financial sections of the bylaws into a general utilities billing bylaw. The new bylaws clean up redundant language and incorporate better language found in the bylaws of other municipalities making them easier to interpret.

With these changes the bylaws focus on the regulations surrounding the utilities and will not have to come before Council on an annual basis for a simple change in the fee structure.

Update:

The bylaws were introduced at the COTW on December 16, 2019.

The bylaws were presented for first three readings on January 13, but referred back to staff for further review by the utility departments.

That review has been completed for Water and Wastewater and the bylaws are subsequently returned for Council consideration.

Benefits or Impacts

General

Redrafting the bylaw keeps it current and makes it easier to interpret.

Policy/Legislation

Attachments

Water Regulations Bylaw No. 2065

Water Regulations Repeal Bylaw No. 1973-R

Water Regulations Bylaw No. 1973-A1, and Amendment Bylaws No. 1973-A2 and 1973-A3

Wastewater Regulations Bylaw No. 2066

Sewer Regulations Repeal Bylaw No. 1974-R

Sewer Regulations Bylaw 1974 with all amendments

Recommendation

THAT Council gives first three readings of the “Water Regulations Bylaw No. 2065”.

THAT Council gives first three readings of the “Water Regulations Repeal Bylaw No. 1973-R”.

THAT Council gives first three readings to the “Wastewater Regulations Bylaw No. 2066”.

THAT Council gives first three readings to the “Sewer Regulations Repeal Bylaw No. 1974-R”.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	2020-02-10-Bylaws2065-2066-WaterAndWastewaterRegulations.docx
Attachments:	<ul style="list-style-type: none">- DRAFT-By2065-Water Regulation-Reformatted-2020-01-13.docx- By1973-R - Water Regulation Repeal Bylaw - 2020-01-13.doc- By1973 Water Regulations Bylaw.pdf- By1973-A1 Water Regulations Bylaw.pdf- By1973-A2 Water Bylaw Amendment 2016.pdf- By1973-A3 - to amend Bylaw 1973-A1, Water Regulations.pdf- DRAFT-By2066-Wastewater Regulation-2020-01-13.docx- By1974-R - Wastewater Regulation Repeal Bylaw - 2020-01-13.doc- By1974 Sewer Regulations Bylaw, 2014.pdf- By1974-A1 Sewer Bylaw Amendment, 2016.pdf- By1974-A2 - to amend Bylaw No. 1974, Sewer Regulations.pdf
Final Approval Date:	Feb 4, 2020

This report and all of its attachments were approved and signed as outlined below:

Daniel Drexler - Feb 4, 2020 - 11:06 AM

Ron Mattiussi - Feb 4, 2020 - 11:13 AM

THE CORPORATION OF THE CITY OF GRAND FORKS

WATER REGULATION BYLAW NO. 2065

**A BYLAW TO PROVIDE FOR THE REGULATION AND USE OF THE WATER
SYSTEM OF THE CITY OF GRAND FORKS**

The Municipal Council for the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

Citation

1. This bylaw may be cited as the “**Water Regulation Bylaw No. 2065**”

Definitions

2. In this bylaw, unless the context otherwise requires:
 - 2.1. “**Bylaw Enforcement Officer**” means the persons duly appointed by Council as such, and shall include any *peace officer*;
 - 2.2. “**City**” means the Corporation of the City of Grand Forks;
 - 2.3. “**Council**” means the Municipal Council of the Corporation of City of Grand Forks;
 - 2.4. “**Curb Stop**” means the valve on a Service pipe located at or near an *Owner’s* Parcel Boundary;
 - 2.5. “**Fees and Charges Bylaw**” means the *Fees and Charges Bylaw No. 1958, 2014*, as amended from time-to-time;
 - 2.6. “**Manager of Operations**” means the Manager of Operations for the City of Grand Forks or their designate;
 - 2.7. “**Meter Pit**” means a chamber installed below or above the ground over a residential or irrigation *Water Service* for the purpose of installing a *Water Meter*;
 - 2.8. “**Municipal Ticket Information Bylaw**” means the *City of Grand Forks Municipal Ticket Information Bylaw No. 1957*, as amended or replaced from time-to-time;
 - 2.9. “**Owner**” has the same meaning as specified in the *Community Charter* as may be amended from time-to-time;
 - 2.10. “**Water Service**” means and includes the supply of water to any *Owner* or any lot and all the pipes, valves, fittings, meters, connections and other components necessary for the purpose of such supply;

- 2.11. **“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;
- 2.12. **“Water System”** means the entire water system of the *City*, including without limitation, the distribution system and the intake, reservoirs and any water treatment facilities.

General Provisions

- 3. To the extent that the *City* has not already established the service of water supply, the *City* hereby establishes the Service of supplying water from the *Water System* to properties in the area defined by Schedule A by operating, constructing, maintaining, regulating, prohibiting, and imposing requirements on the *Water System*.
- 4. The *City* does not guarantee the supply, quality or pressure of water, but must make reasonable efforts to supply high quality water in sufficient quantities.
- 5. The *City* is not responsible for the failure to provide the supply, quality, or pressure of water.
- 6. The *City* is not liable for damages caused by failure of the *Water System*.
- 7. The *City* reserves the right at any time, without notice, to change the operating pressure, or to change the direction of flow.
- 8. The *City* is not responsible for frozen water lines or the cost of thawing or repairing frozen water lines on private property.
- 9. A person shall not cause the *Water System* to fail an Interior Health Authority or any other permit requirement.
- 10. A person may be supplied water from the *Water System* provided they meet the conditions of this bylaw.

Regulating Water Services

Management

- 11. The *Manager of Operations* manages the water system.

Applications and Permits

- 12. A person must not connect a *Water Service* to the *City's Water System*, or turn on, shutoff, or disconnect a *Water Service* connected to the *City's Water System* without authorization from the *Manager of Operations*.

Water Regulation Bylaw No. 2065

13. A person must apply for a provision of this bylaw using the *City's* form and process as amended from time to time.
14. The *Manager of Operations* must process an application in a timely manner.
15. The *Manager of Operations* must not process an application until an applicant pays the applicable fees and charges.

Standards

16. The *Manager of Operations* must approve parts and materials used in *Water Services*, and a *Water Service* connected to the *City's Water System* must conform to the Master Municipal Construction Documents as amended from time to time.
17. A person must construct or disconnect a *Water Service* in compliance with the *City's* standards.
18. The *Manager of Operations* must approve a person or a company constructing or disconnecting a *Water Service*.

Water meter

19. A person must install a *Water Meter* on a *Water Service*.
20. The *City* owns a *Water Meter* installed on a *Water Service*.
21. A person must maintain a *Water Meter* on their property in good repair.
22. A person must repair or replace a *Water Meter* at their sole cost if it is damaged beyond regular wear and tear.
23. The *City* may repair or replace a *Water Meter* at its cost if it is damaged by regular wear and tear.
24. If an *Owner* does not have a functional *Water Meter* on their *Water Service*, the *City* may, upon giving thirty days' notice to the *Owner*, install a *Meter Pit* and *Water Meter* at the property line at the sole cost of the *Owner*.

Maintenance

25. A person must maintain the portion of a *Water Service* on their property in good repair.
26. A person must immediately advise the *City* of any defect in their *Water Service*.

Watering restrictions

- 27. The *Manager of Operations* may restrict or prohibit outside water use when water is in short supply because of drought conditions or operational reasons.
- 28. *Council* may restrict or prohibit water use.
- 29. A person will follow all water restrictions and prohibitions.
- 30. The *City* must give notice of watering restrictions at least seven days before the restrictions take effect.

Fees and charges

- 31. The *City* may charge the applicable fees in the *Fees and Charges Bylaw*.
- 32. A person must pay the applicable fees and charges in the *Fees and Charges Bylaw*.
- 33. The *City* may charge a fee to any property adjacent to the *Water System* that can be serviced regardless of the existence of a *Water Service*.
- 34. A person is responsible for all costs associated with extending the *City's Water System* to service their property including, but not limited to, the cost of installing a *Water Service*, and any upgrades to or extensions of other parts of the *Water System*.
- 35. A person is responsible for all costs associated with disconnecting a *Water Service*.

Offences and penalties

- 36. A person who contravenes this bylaw is subject to a fine as specified in the *City's Municipal Ticket Information Bylaw*.
- 37. Each day that a contravention of this bylaw continues constitutes a separate offence.
- 38. The *City* may fulfill a requirement of this bylaw at the expense of a person failing to take the required action and recover the costs incurred as a debt.
- 39. A person must not:
 - 39.1. allow a water leak on their property to continue more than forty-eight hours;
 - 39.2. connect, cause to be connected, or allow to remain connected to any other source of water a building on a property where the building is already connected to the *Water System*;
 - 39.3. connect, cause to be connected, or allow to remain connected to the *Water System* any pipe, fixture, fitting, container, appliance or apparatus, which

Water Regulation Bylaw No. 2065

could cause or allow a part of the *Water System* to become contaminated or otherwise harmed;

- 39.4. sell, dispose of or otherwise give away water from the *City Water System* unless a written request is approved by the *Manager of Operations*;
 - 39.5. cause, permit or allow any device or apparatus of any kind to be or remain connected to the *Water System* or allow it to be operated in such a manner as to cause sudden large demands for water or otherwise affect the stability of water pressure in the *Water System* and, for the purposes of this section, such prohibited devices and apparatuses include:
 - 39.5.1. booster pumps;
 - 39.5.2. quick opening valves or quick closing valves;
 - 39.5.3. flush meters;
 - 39.5.4. rod hopper water closets;
 - 39.5.5. water-operated pumps or siphons;
 - 39.5.6. standpipes;
 - 39.5.7. large outlets;
 - 39.6. destroy, injure, obstruct access to, or tamper with any hydrant, valve, curb stop, pipe, pump, or other fixture of the *Water System*;
 - 39.7. make any additions, alterations, or other changes to the *Water System* or the *Water Service*;
 - 39.8. use water from the *Water System* unless that usage is recorded by a properly functioning *Water Meter* that is installed and maintained in accordance with this bylaw;
 - 39.9. install any piping or other works designed to allow water from the *Water System* to be used without that usage being recorded by a *Water Meter*.
- 40.** A person may apply to the *Manager of Operations* in writing for permission to connect a prohibited device or apparatus to the *Water System*.
- 41.** Upon receiving permission from the *Manager of Operations*, a person may connect a prohibited device or apparatus to the *Water System*, subject to any terms and conditions imposed by the *Manager of Operations*, and in such a way that it does not harm the *Water System*.

Temporary shutoff

- 42.** The *Manager of Operations* may temporarily shut off a *Water Service* for any reasonable cause including:
- 42.1. maintaining, repairing, replacing, disinfecting, or otherwise operating the water system;
 - 42.2. stopping a continuous leak on private or public property;
 - 42.3. an emergency;
 - 42.4. shortage of water supply.
- 43.** A person may request from the *Manager of Operations* a temporary shutoff of their *Water Service* for up to thirty days.
- 44.** A person may not shut off their *Water Service* using the *Curb Stop* without approval from the *Manager of Operations*.
- 45.** The *Manager of Operations* may consider a temporary shutoff of a *Water Service* a disconnection if a part of the *Water Service* is changed or if the *Water Service* is shut off for more than thirty days.
- 46.** The *City* must give notice of not less than two days for any non-emergency or scheduled shut off of the water system.
- 47.** The *Manager of Operations* may shut off the water system with no notice in the case of emergencies.

Disconnection of service

- 48.** The *Manager of Operations* may disconnect a service if:
- 48.1. it jeopardizes the water system's quality or performance because of its construction;
 - 48.2. a property *Owner* requests a disconnection;
 - 48.3. a person contravenes a provision of this bylaw.
- 49.** Where water supply is to be disconnected, the *City* will give thirty (30) days notice to the *Owner* by posting notice on the property, or by mailing notice to the address supplied by the *Owner* or the address of the property.
- 50.** A person may make representations to *Council* when a *Water Service* is to be disconnected for reason of non-compliance with any provision of this bylaw.

Water Regulation Bylaw No. 2065

51. Once a *Water Service* has been disconnected, the *Manager of Operations* must consider a reconnection the same as an application for a new *Water Service* connection.

Inspection

52. The *Manager of Operations* or a *Bylaw Enforcement Officer* may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether a person is observing the regulations and requirements of this bylaw.
53. Except in the case of an emergency, the *City* must take reasonable steps to advise the *Owner* of their intent to enter a property.
54. A person must not obstruct or interfere with the *Manager of Operations* or a *Bylaw Enforcement Officer* in the performance of their duties or the exercise of their powers.

General

55. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
56. If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of the bylaw.

Repeal

57. The "City of Grand Forks Water Regulation Repeal Bylaw, No. 1973-R" shall repeal:

- 57.1. "Water Regulation Bylaw No. 1973",
- 57.2. "Water Regulation Bylaw No. 1973-A1", and
- 57.3. "Water Regulation Bylaw No. 2014".

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

Adopted this ____ day of _____, 2020.

Mayor – Brian Taylor

Corporate Officer – Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2065, cited as the "Water Regulation Bylaw No. 2065", as passed by the Municipal Council on the ___ day of ___, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

WATER REGULATIONS REPEAL BYLAW NO. 1973-R

A BYLAW TO REPEAL BYLAW 1973-A1, AND ALL AMENDMENTS THERETO

The Municipal Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

CITATION

1. This bylaw may be cited as the “**Water Regulations Repeal Bylaw No. 1973-R**”.

REPEAL

2. That Bylaw No. 1973-A1 cited, for all purposes, as the “Water Regulations Bylaw No. 1973-A1, 2015” and any amendments thereto, be hereby repealed.

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

Finally adopted on this ____th day of _____, 2020.

Mayor - Brian Taylor

Corporate Officer - Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1973-R, cited as the “Water Regulations Repeal Bylaw 1973-R”, as adopted by the Municipal Council on the ____th day of _____, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

WATER REGULATIONS BYLAW NO. 1973

A bylaw to provide for the regulation and use of the water system of the City of Grand Forks

WHEREAS the City of Grand Forks has established and operates a water system pursuant to its powers under the Community Charter, for the purpose of providing water to the residents, institutions, commercial and industrial users and all other consumers in the City;

AND WHEREAS the City Council of the City of Grand Forks deems it necessary to set the rates, fees, charges and terms and conditions under which water may be supplied, protected and used;

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. TITLE

- 1.1 This bylaw may be cited for all purposes as the “**Water Regulations Bylaw No. 1973, 2014**”.

2. DEFINITIONS

- 2.1 In this bylaw, unless the context otherwise requires:

“**Agricultural User**” means any Owner of land in the Agricultural Land Reserve or bona fide agricultural land that is connected to the Waterworks System;

“**Applicant**” means any Owner or duly authorized agent making an application for Service, Water Connection/Disconnection or the Turn-on or Turn-off of water;

“**Backflow Preventer**” means a mechanical apparatus installed in a water system that prevents the backflow of contaminants into the potable Waterworks System;

“**Bi-monthly**” means every two-month period;

“**Bone Fide Agricultural Land**” means land used for agricultural purposes, as defined by the BC Assessment Authority;

“Bylaw Enforcement Officer” means a person in a class prescribed under Section 273(c) of the Community Charter who is designated by a local government as a Bylaw Enforcement Officer and every Peace Officer;

“City” means the Corporation of the City of Grand Forks;

“City specifications” means the specifications, drawings and other standards for works and services established under the Subdivision, Development and Servicing Bylaw No. 1424, 1994.

“Collector” means the Person appointed from time to time by Council as the Collector;

“Collector’s Roll” means a list of each property served by the Waterworks System that is liable to water charge and which designates the Owner as a Domestic User, a Non-Domestic User, an Agricultural User or a combination thereof;

“Commercial” means all industrial, utility and business properties as defined as Class 2, 4, 5 and 6 under the B.C. Assessment Act and any institutional and apartment buildings with three or more units and any residential with two or more units within the same assessment folio, upon written application by the Owner;

“Council” means the Municipal Council of the Corporation of City of Grand Forks;

“Curb Stop” means the valve on a Service pipe located on the street or lane at or near an Owner’s Parcel Boundary;

“Customer” means any person, company or corporation who has opened a service account with the City for the purpose of being supplied water from the City Waterworks System;

“Domestic User” means any Owner of land connected to the Waterworks System using water for residential household requirements, sanitation, fire prevention or lawn and garden irrigation purposes;

“Dwelling Unit” means a building or a part of a building in which a person or persons live. This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building.

“Manager of Operations” means the individual appointed by Council to manage and oversee the day-to-day operation of the Waterworks System or his/her designate and, along with other City Staff, to administer this bylaw;

“Meter Pit” means a chamber installed below or above the ground over a residential or irrigation water Service for the purpose of installing a Water Meter;

“Non-Domestic User” means any Owner of land connected to the Waterworks System that is not using water as a Domestic User or Agricultural User;

“Occupier” has the same meaning as in the Community Charter, as amended from time to time;

“Owner” has the same meaning as in the Community Charter, as amended from time to time;

“Parcel Boundary” means the line that defines the perimeter of a parcel of land;

“Person” includes a corporation, partnership or party and the personal or legal representatives of a Person to whom the context can apply, according to law;

“Service” means and includes the supply of water to any Owner or any lot and all the pipes, valves, fittings, meters, connections and other things necessary for the purpose of such supply;

“Service Connection” means the connecting line from the Waterworks System to the Parcel Boundary and includes all related pipes, shut off valves and other appurtenances;

“Single-family Detached Dwelling” means a Dwelling Unit generally designed for and occupied by one family;

“Sprinkling” means to allow water from the City’s water supply to enter onto lawns, gardens and other outdoor areas;

“Turn-off” means to discontinue the Service to any Owner or any lot by closing a Curb Stop or by such other means as the City finds appropriate;

“Turn-on” means to commence the Service to any Owner or any lot by opening a Curb Stop or by such other means as the City finds appropriate;

“Water Connection” means the pipes and appurtenances on private property used or intended to be used to conduct water from the Curb Stop to the private property;

“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;

“Water User” means any Person who is the Owner or agent for the Owner of any premises to which the Service is provided and also any Person who is the Occupier of any such premises and also any Person who is actually a user of water supplied to any premises;

“Waterworks System” means the entire water system of the City, including, without limitation, the distribution system and the intake, reservoirs and any water treatment facilities.

3. GENERAL PROVISIONS

- 3.1 To the extent that the City has not already established the Service of water supply, the City hereby establishes the Service of supplying water to the City through the Waterworks System and operating, constructing, maintaining and regulating the Waterworks System.
- 3.2 The City does not guarantee water pressure, continuous supply or direction of water flow. The City reserves the right at any time, without notice, to change the operating pressure, to shut off water or to change the direction of flow. The City, its officers, employees, nor agents shall be liable for any damage or other loss caused by changes in water pressure, shutting off water or change in direction of flow or by reason of the water containing sediments, deposits, or other foreign matter.
- 3.3 Nothing contained in this bylaw shall be construed to impose any liability on the City to provide water to any Person or property or to provide a continuous supply of water or water of any particular quantity or quality.
- 3.4 Any supply of water by the City is subject to the following conditions, in addition to the other conditions set out 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 Waterworks System;
 - (b) the City is not responsible for any excessive water pressure or lack of water pressure;
 - (c) the City is not responsible for any temporary stoppage of water supply on account of alterations or repairs to the Waterworks System,

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 Waterworks System or otherwise.

4. APPLICATIONS FOR SERVICE CONNECTION AND WATER CONNECTION

- 4.1 An Owner or an Owner's duly authorized agent must make an application to the City to install a Service Connection from the Waterworks System to the Owner's Parcel Boundary and a Water Connection from the Curb Stop to his or her private property and shall submit the application on the required form(s), as provided by the City and amended from time to time. Such Applicant shall, on making the application, pay to the City the applicable fee(s) as set out in Schedule "A".

5. CONSTRUCTION OF THE SERVICE CONNECTION

- 5.1 Upon a completed application being received for the installation of a Service Connection, and payment of applicable fee(s) in full, a contractor pre-approved by the City may install a Service Connection from the Waterworks System to the Parcel Boundary and a Curb Stop at the Parcel Boundary.
- 5.2 An Owner is responsible for the installation of a Service Connection and a Curb Stop at the Parcel Boundary, at his or her sole cost.
- 5.3 Each property shall have only one Service Connection except where a separate connection is required by the Manager of Operations.
- 5.4 The size of the pipe to be used in providing a Service Connection to any premises and also the position in the street in which the Service Connection is to be laid shall be determined by the Manager of Operations.
- 5.5 No work of any kind in relation to a Service Connection, either for the laying of a new Service Connection or repair of an existing Service Connection, shall be done by any Person other than a contractor approved by the Manager of Operations.

6. CONSTRUCTION OF THE WATER CONNECTION

- 6.1 Upon a completed application being received for the installation of a Water Connection and payment of the applicable fee(s) in full, the Owner may install a Water Connection from the Curb Stop to the Owner's private property and the Manager of Operations shall classify the Owner as either a Domestic User, a Non-Domestic User, an Agricultural User, or any combination thereof.
- 6.2 An Owner is responsible for the installation of a Water Connection, at his or her sole cost.

6.3 Installation of a Water Connection must comply with the following requirements:

- (a) the type and size of pipe used for the Water Connection must meet the standards for piping as determined by the Manager of Operations or his/her designate;
- (b) all Water Connection lines shall be installed to provide a minimum depth of 1.5 metres cover;
- (c) where required by the Manager of Operations, a Backflow Preventer must be installed at the building as close as possible to the entrance point of the Water Connection into the building; and
- (d) after the Water Connection lines have been installed, the Owner must not backfill the excavation until the installation of the Water Connection has been inspected and approved by the City.

6.4 No work of any kind in relation to a Water Connection, either for the laying of a new Water Connection or repair of an existing Water Connection, shall be done by any Person other than a contractor approved by the Manager of Operations.

6.5 The Owner is solely responsible for supplying, installing and maintaining the Curb Stop and the connection or joint at the property line between the Service Connection and the Water Connection.

6.6 The Owner is responsible for any damage caused by the Owner to the Curb Stop and must immediately notify the Manager of Operations of any such damage.

6.7 Where required by the Manager of Operations, an Owner shall install a pressure-reducing device on his or her property, to the satisfaction of the Manager of Operations.

6.8 An Owner is responsible for maintaining the Water Connection and Backflow Preventer in good repair and in a clean and sanitary condition at all times, and must remedy any defect in the Water Connection as soon as the Owner becomes or is made aware of the defect. The Owner must immediately advise the Manager of Operations of any defect in the Water Connection.

7. WATER TURN-OFF / TURN-ON

7.1 All applications for the Turn-off or Turn-on of the water Service must be made in writing to the Manager of Operations not less than forty-eight (48) hours before the Turn-off or Turn-on is required.

- 7.2 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in Schedule "A".
- 7.3 Any Person who applies to the City for the Turn-on of the Service shall provide to the Manager of Operations confirmation that the Water Connection was satisfactorily tested, inspected and approved by the City.
- 7.4 No Person shall make an application for the Turn-off of the Service from any premises in use, or occupied by any other Person, until such use or occupation has ceased, the premises have been vacated or the occupying Person consents.
- 7.5 Any unauthorized Person found to have turned the water on or off is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 12.11.

8. WATER DISCONNECTION/RECONNECTION

- 8.1 When any building within the City is removed, demolished or abandoned, application for disconnection of a water Service shall be made in writing, by the property Owner, on the required form(s) as provided by the City and amended from time to time and delivered to the City Office. Until such application has been submitted, water rates may be charged as prescribed in Schedule "A" to the property Owner.
- 8.2 All applications for the disconnection or reconnection of the water Service must be made in writing to the Manager of Operations not less than one (1) week before the disconnection/reconnection is required.
- 8.3 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in Schedule "A".
- 8.4 Any Person who applies to the City for reconnection of the Service shall provide to the Manager of Operations confirmation that the Water Connection was satisfactorily tested, inspected and approved by the City.
- 8.5 Any unauthorized Person found to have disconnected from or reconnected to the water Service is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 12.11.

9. RESTRICTIONS ON USE OF WATER

- 9.1 Council may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit irrigation, yard and garden sprinkling, car washing and private pool filling to reduce water usage when it

considers water to be in short supply and every Person shall abide by such restriction or prohibition.

- 9.2 The City may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit other water uses when it considers water to be in short supply and every Person shall abide by such restriction or prohibition.

10. WATER METERS

- 10.1 Every Owner of property that receives the supply of water from the Waterworks System shall, at the sole cost of the Owner, purchase a Water Meter from the City and shall install the Water Meter on his or her property in compliance with the provisions of this bylaw.
- 10.2 Notwithstanding Section 10.1, the City shall supply and install Water Meters to those properties built prior to January 1, 2015, free of charge.
- 10.3 Only one Water Meter shall be installed for each Water Connection on a property.
- 10.4 The Manager of Operations may determine and specify the type and size of Water Meters for each type of property and use, considering the Manager of Operation's estimate of water consumption and other factors considered relevant by the Manager of Operations.
- 10.5 Every Water Meter shall be installed by a certified plumber or qualified contractor retained by the Owner of the parcel and approved by the Manager of Operations.
- 10.6 Where water services a single building on private property, the Water Meter shall be located in the building as close as possible to the entrance point of the Water Connection into the building, unless otherwise approved by the Manager of Operations.
- 10.7 Notwithstanding Section 10.6, the Owner of each newly constructed Single-family Detached Dwelling in the City shall install a water meter within the Dwelling Unit or a Meter Pit, as per current industry standards as determined by the Manager of Operations, with a Water Meter at the Parcel Boundary. For clarity, a newly constructed single-family detached dwelling is any single-family detached dwelling constructed after adoption of this bylaw. The City will provide a water meter free of charge up until July 31, 2015.
- 10.8 Where water services multiple-unit housing or Commercial, industrial or institutional property, the Water Meter must be located within a meter room or some other location approved by the Manager of Operations.

- 10.9 The Owner shall maintain the Water Meter on his or her property in good repair and shall not tamper with the Water Meter in any manner. The Owner shall provide adequate protection for the Water Meter against freezing, heat and other severe conditions that might damage the Water Meter.
- 10.10 If any breakage, stoppage or other irregularity in a Water Meter is observed by an Owner, the Owner shall notify the Manager of Operations immediately.
- 10.11 If a Water Meter installed on a property is destroyed, lost or damaged in any way, the Owner shall repair or replace the Water Meter at his or her sole cost.
- 10.12 An Owner must, at all reasonable times, provide adequate, convenient, and unobstructed access to the City for inspecting and reading the Water Meter.
- 10.13 No Person shall remove or in any way disturb a Water Meter except under the direction of the Manager of Operations.
- 10.14 The Service shall not be activated to a property until a Water Meter has been installed on the property and any Meter Pit has been inspected by the City and found to be in compliance with this bylaw.
- 10.15 If the City or an Owner questions the accuracy of the record of a Water Meter, the City shall designate a qualified professional to remove and test the Water Meter.
- 10.16 If the test performed under Section 10.15 discloses that the Water Meter is not less than 98% accurate in recording the water passing through the Water Meter, the party questioning the accuracy of the Water Meter shall pay the meter testing fee specified in Schedule "A". If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the cost of the test shall be borne by the City.
- 10.17 If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the City shall repair or replace the Water Meter, at its own cost.
- 10.18 If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the Manager of Operations shall adjust the Owner's water bill by the amount of the inaccuracy for a period not exceeding one (1) year. The adjustments shall only apply to the Owner who overpaid or underpaid and not to any subsequent Owner of the property.

11. FAILURE TO INSTALL A WATER METER

- 11.1 If an Owner fails to install a Water Meter as required by this bylaw, the City may, upon giving notice to the Owner, install a Meter Pit and Water Meter at the Curb Stop at the sole cost of the Owner. Prior to and including July 31, 2015 the Owner will be responsible for the difference in cost between in-home installation and Meter Pit installation. After July 31, 2015, the Owner will be responsible for all costs associated with installation.

12. OFFENCES AND PROHIBITIONS

- 12.1 No Person shall:

- (a) connect or maintain any connection to, or use water from the Waterworks System without first obtaining permission from the Manager of Operations in accordance with this bylaw;
- (b) connect, cause to be connected or allow to remain connected any building on any property already connected to the Waterworks System to any other source of water;
- (c) connect, cause to be connected or allow to remain connected to the Waterworks System any pipe, fixture, fitting, container, appliance or apparatus, in any manner which, under any circumstances, could cause or allow any part of the Waterworks System to become contaminated;
- (d) sell, dispose of or otherwise give away water from the City Waterworks System;
- (e) connect any apparatus, fitting, or fixture to the Waterworks System which may in any way harm the Waterworks System.

- 12.2 No Person shall cause, permit or allow any device or apparatus of any kind to be or remain connected to the Waterworks System or allow it to be operated in such a manner as to cause sudden large demands for water or otherwise affect the stability of water pressure in the Waterworks System and, for the purposes of this section, such prohibited devices and apparatuses include, without limitation:

- (a) booster pumps;
- (b) quick opening valves or quick closing valves;
- (c) flush meters;
- (d) rod hopper water closets;

- (e) water-operated pumps or siphons;
 - (f) standpipes;
 - (g) large outlets.
- 12.3 Notwithstanding Section 12.2, an Owner may apply to the Manager of Operations in writing for permission to connect a prohibited device or apparatus to the Waterworks System. Upon receiving permission from the Manager of Operations, the Owner may connect a prohibited device or apparatus to the Waterworks System, subject to any terms and conditions imposed by the Manager of Operations.
- 12.4 No Person shall destroy, injure, obstruct access to, or tamper with any hydrant, valve, Curb Stop, pipe, pump or other fixture of the Waterworks System or the Water Connection and no Person shall, in any manner, make any additions, alterations or other changes to the Waterworks System or the Water Connection.
- 12.5 No Person shall use water from the Waterworks System unless that usage is recorded by a properly functioning Water Meter that is installed and maintained in accordance with this bylaw.
- 12.6 No Person shall install any piping or other works designed to allow water from the Waterworks System to be used without that usage being recorded by a Water Meter.
- 12.7 Where the Manager of Operations considers that a Person has violated Section 12.5 or 12.6, the City may install a Meter Pit with a Water Meter at or near the Parcel Boundary of the property either on the property or on the adjacent highway.
- 12.8 Where the City has installed a Meter Pit with a Water Meter under Section 12.7, the Owner of the property in respect of which the Meter Pit with a Water Meter was installed, shall pay to the City, a fee equal to the cost incurred by the City to install the Meter Pit and Water Meter, including the cost of the pit and meter.
- 12.9 Where a Person has violated Section 12.4, 12.5 or 12.6, the Owner of the property in respect of which the violation has occurred shall pay to the City an unrecorded water usage penalty as set out in Municipal Ticket Information Bylaw No. 1957, and additional charges as described in Schedule "A", whether or not the City has installed a Meter Pit with a Water Meter at or near the Parcel Boundary under Section 12.7.
- 12.10 Charges imposed under Section 12.8 or 12.9 are due and payable within 30 days of the date on which an invoice setting out the amount of the fee is mailed to the

address of the Owner as shown on the assessment roll for the property referred to in those Sections and if unpaid on December 31 of the year in which the charges became due and payable, may be collected in the same manner and with the same remedies as property taxes.

- 12.11 Any Person who contravenes any of the provisions of this bylaw is liable, upon summary conviction, to a minimum fine of not less than One Thousand Dollars (\$1,000.00) and a maximum fine of Ten Thousand Dollars (\$10,000.00) and the cost of prosecution. Every day during which there is an infraction of this bylaw shall constitute a separate offence.

13. SHUT OFF OF WATER SUPPLY

- 13.1 The Manager of Operations may shut off the supply of water to any property for any or all of the following reasons:

- (a) a request for Turn-off or discontinuance of the Service;
- (b) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
- (c) an emergency that threatens the safety of the Waterworks System or the public;

and the City may shut off the supply of water to any property for any or all of the following reasons;

- (d) non-compliance with any provision of this bylaw;
- (e) shortage of water supply pursuant to Section 9.1 or 9.2 of this bylaw.

14. NOTICES OF WATER SHUT OFF

- 14.1 Where water supply is to be shut off for non-compliance with any provision of this bylaw, the City will give thirty (30) days notice to the Owner.
- 14.2 Where water supply is to be shut off for reason of non-compliance with any provision of this bylaw, the City will give the Person affected the opportunity to make representations to Council in respect of such non-compliance.
- 14.3 Where water supply is to be shut off for reason of shortage of water supply pursuant to Section 9.1 or 9.2 of this bylaw, the City will give at least seven (7) days notice, but no notice will be given where safety of life or property is at risk.

- 14.4 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Waterworks System, the City will give at least two (2) working days notice for scheduled work, but no notice will be given where safety of life or property is at risk.
- 14.5 Notice under Sections 14.1, 14.3 and 14.4 may be given by one or more of the following:
- (a) posting notice on the property;
 - (b) providing notice on an Owner's water bill;
 - (c) mailing notice to the address supplied by the Owner or the address of the property;
 - (d) telephoning the Owner, which may include speaking directly to the Owner or leaving a message at the telephone number supplied by the Owner.
- 14.6 The City is not responsible for any notice failing to reach an Owner or other Water User prior to the shut off of water.

15. WATER USE CHARGES

- 15.1 Property Owners shall be responsible for payment of all rates for water used and consumed on properties owned by them.
- 15.2 The user rates and charges specified in Schedule "A" are imposed and levied for Water Services supplied by the City. All such rates shall be due and payable on or before the date shown as the DUE DATE on the Bi-monthly billing rendered by the City. These rates may also be paid on the City's Tax/Utility Preauthorized Pre-Payment Plan.
- 15.3 User rates and charges not paid by the DUE DATE shall be subject to an overdue account penalty, as set out in the current Fees and Charges Bylaw on the working day after the DUE DATE and monthly thereafter.
- 15.4 For any new water Service connected to the City system during a Bi-monthly billing period, full basic charges for the billing period will apply and the user rates relating to consumption shall be based on recorded consumption. If no meter reading is available, the user rate will be prorated over the number of days from connection to the end of the billing period.
- 15.5 For any Water Service disconnected or reconnected from the City system, Section 8 of this bylaw shall apply. Should the property Owner elect to have water Service to a building turned on or off, as described in Section 7 of this bylaw, water basic charges and user rates will continue to be charged.

- 15.6 The charges prescribed in Schedule “A” to cover the cost of disconnecting or reconnecting the service or turning the water supply “off” or “on” shall apply.
- 15.7 User rates shall be invoiced on a Bi-monthly basis.
- 15.8 Upon application, the City will permit qualifying customers, to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the customer during the year. Application will be accepted at any time of the year. All accounts will be reconciled in December.

A customer will qualify for the plan provided the account is not in arrears and the customer expects to be on the plan for at least one (1) year.

The equal payment plan may be terminated by the customer, or the City, if the customer has not maintained his credit to the satisfaction of the City. The City deems credit to be unsatisfactory if, for any reason, two payments fail to be honoured. On the reconciliation date, or termination, the amounts payable by the customer to the City, for water Service actually consumed during the equal payment period, will be compared to the sum of equal payments made during the period. Any resulting amount owing by the customer will be paid to the City. An excess of payments over charges will be paid or credited by the City to the customer. If such amounts are less than \$10.00 (ten dollars), they will be carried forward and included in the calculation of the equal payments for the next period.

- 15.9 All rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector’s Roll as taxes in arrears.

16. INSPECTION

- 16.1 The Manager of Operations and any Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether the regulations and requirements of this bylaw are being observed.
- 16.2 No Person shall obstruct or interfere with the Manager of Operations or any Bylaw Enforcement Officer in the performance of his or her duties or the exercise of his or her powers under this bylaw.

17. SEVERABILITY

- 17.1 If any portion of this bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

18. REPEAL

- 18.1 The “Corporation of the City of Grand Forks Waterworks Regulation Bylaw No. 1501, 1997” and all amendments thereto are hereby repealed.

19. ENACTMENT

- 19.1 This bylaw is to take effect upon adoption by the Council of the Corporation of the City of Grand Forks.

READ A FIRST TIME this 21st day of July, 2014.

READ A SECOND TIME this 21st day of July, 2014.

READ A THIRD TIME this 21st day of July, 2014

FINALLY ADOPTED this 18th day of August, 2014.

Mayor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1973, as passed by the Municipal Council of the City of Grand Forks on the 18th day of August, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Date Signed

4. Purchase of water from City Bulk Water Facility

Rate per cubic meter or portion thereof \$4.00

5. Water Meter Installation – subject to Sections 10.2, 10.7 & 11.1

(a) Standard in-house installation

At Cost by Contractor, plus 15%

(b) In-house installation with modifications*

At Cost by Contractor, plus 15%

(c) Pit meter

At Cost by Contractor, plus 15%

*Any modifications to water meter installation that result in the requirement for a manual read of the meter will result in a reading charge.

6. Additional Charges

(a) Manual meter reading charge – per occurrence \$ 25.00

(a) Meter re-read at Customer's request – per occurrence \$ 25.00

(b) Meter testing at Customer's request – per occurrence At Cost

(c) Water meter tampering charge – per occurrence \$200.00

(d) Charge for damage due to tampering

At Cost by Contractor for installation of new water meter plus the water meter tampering charge.

Schedule A
Bylaw No. 1973
Page 3 of 3

7. User Rates – Effective July 1, 2014

	Per Unit Bi-monthly Fixed Charge & Capital Charge	Per Account (per meter) Bi-monthly Fixed Charge & Capital Charge	Per Account Bi-monthly Customer Charge	Per Cubic Meter	Bi-Monthly Variable Water Charges for Non-Metered, Per Residence
User Class					
Metered Multi-Family Apartment (one tax folio)	\$28.50		\$7.00	\$0.113	
Commercial Office Properties (water use restricted to staff washroom)		\$26.50	\$7.00	\$0.113	
Commercial (Class06) Properties not listed below		\$59.00	\$7.00	\$0.124	
Large Industrial (Class 04) Properties		\$59.00	\$7.00	\$0.124	
Commercial laundry, car wash Properties		\$59.00	\$7.00	\$0.124	
Hotels, Restaurants, Malls		\$59.00	\$7.00	\$0.124	
Institutions, schools, recreation facilities (arenas, pools) irrigation systems		\$59.00	\$7.00	\$0.124	
Buildings not connected to Water System on lots where service is available		\$21.50	\$7.00		
Residential Properties not metered	\$45.25		\$7.00		\$16.40

THE CORPORATION OF THE CITY OF GRAND FORKS

WATER REGULATIONS BYLAW NO. 1973-A1

A bylaw to provide for the regulation and use of the water system of the City of Grand Forks

WHEREAS the City of Grand Forks has established and operates a water system pursuant to its powers under the Community Charter, for the purpose of providing water to the residents, institutions, commercial and industrial users and all other consumers in the City;

AND WHEREAS the City Council of the City of Grand Forks deems it necessary to set the rates, fees, charges and terms and conditions under which water may be supplied, protected and used;

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. TITLE

- 1.1 This bylaw may be cited, for all purposes, as the “**Water Regulations Bylaw No. 1973-A1, 2015**”.

2. DEFINITIONS

- 2.1 In this Bylaw, unless the context otherwise requires:

“**Agricultural User**” means any Owner of land in the Agricultural Land Reserve or bona fide agricultural land that is connected to the Waterworks System;

“**Applicant**” means any Owner or duly authorized agent making an application for Service, Water Connection/Disconnection or the Turn-on or Turn-off of water;

“**Backflow Preventer**” means a mechanical apparatus installed in a water system that prevents the backflow of contaminants into the potable Waterworks System;

“**Bi-monthly**” means every two-month period;

“**Bone Fide Agricultural Land**” means land used for agricultural purposes, as defined by the BC Assessment Authority;

“**Bylaw Enforcement Officer**” means a person in a class prescribed under Section 273 (c) of the Community Charter who is designated by a local government as a bylaw enforcement officer and every Peace Officer;

“City” means the Corporation of the City of Grand Forks;

“City specifications” means the specifications, drawings and other standards for works and services established under the Subdivision, Development and Servicing Bylaw No. 1424, 1994.

“Collector” means the Person appointed from time to time by Council as the Collector;

“Collector’s Roll” means a list of each property served by the Waterworks System that is liable to water charge and which designates the Owner as a Domestic User, a Non-Domestic User, an Agricultural User or a combination thereof;

“Commercial” means all industrial, utility and business properties as defined as Class 2, 4, 5 and 6 under the B.C. Assessment Act and any institutional and apartment buildings with three or more units and any residential with two or more units within the same assessment folio, upon written application by the Owner;

“Council” means the Municipal Council of the Corporation of City of Grand Forks;

“Curb Stop” means the valve on a Service pipe located on the street or lane at or near an Owner’s Parcel Boundary;

“Customer” means any person, company or corporation who has opened a service account with the City for the purpose of being supplied water from the City Waterworks System;

“Domestic User” means any Owner of land connected to the Waterworks System using water for residential household requirements, sanitation, fire prevention or lawn and garden irrigation purposes;

“Dwelling Unit” means a building or a part of a building in which a person or persons live. This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building.

“Manager of Operations” means the individual appointed by Council to manage and oversee the day-to-day operation of the Waterworks System or his/her designate and, along with other City Staff, to administer this bylaw;

“Meter Pit” means a chamber installed below or above the ground over a residential or irrigation water Service for the purpose of installing a Water Meter;

“Non-Domestic User” means any Owner of land connected to the Waterworks System that is not using water as a Domestic User or Agricultural User;

“Occupier” has the same meaning as in the Community Charter, as amended from time to time;

“Owner” has the same meaning as in the Community Charter, as amended from time to time;

“Parcel Boundary” means the line that defines the perimeter of a parcel of land;

“Person” includes a corporation, partnership or party and the Personal or legal representatives of a Person to whom the context can apply, according to law;

“Service” means and includes the supply of water to any Owner or any lot and all the pipes, valves, fittings, meters, connections and other things necessary for the purpose of such supply;

“Service Connection” means the connecting line from the Waterworks System to the Parcel Boundary and includes all related pipes, shut off valves and other appurtenances;

“Single-family Detached Dwelling” means a Dwelling Unit generally designed for and occupied by one family;

“Sprinkling” means to allow water from the City’s water supply to enter onto lawns, gardens and other outdoor areas;

“Turn-off” means to discontinue the Service to any Owner or any lot by closing a Curb Stop or by such other means as the City finds appropriate;

“Turn-on” means to commence the Service to any Owner or any lot by opening a Curb Stop or by such other means as the City finds appropriate;

“Water Connection” means the pipes and appurtenances on private property used or intended to be used to conduct water from the Curb Stop to the private property;

“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;

“Water User” means any Person who is the Owner or agent for the Owner of any premises to which the Service is provided and also any Person who is the Occupier of any such premises and also any Person who is actually a user of water supplied to any premises;

“Waterworks System” means the entire water system of the City, including without limitation, the distribution system and the intake, reservoirs and any water treatment facilities.

3. GENERAL PROVISIONS

- 3.1 To the extent that the City has not already established the Service of water supply, the City hereby establishes the Service of supplying water to the City through the Waterworks System and operating, constructing, maintaining and regulating the Waterworks System.
- 3.2 The City does not guarantee water pressure, continuous supply or direction of water flow. The City reserves the right at any time, without notice, to change the operating pressure, to shut off water or to change the direction of flow. The City, its officers, employees, nor agents shall be liable for any damage or other loss caused by changes in water pressure, shutting off water or change in direction of flow or by reason of the water containing sediments, deposits, or other foreign matter.
- 3.3 Nothing contained in this bylaw shall be construed to impose any liability on the City to provide water to any Person or property or to provide a continuous supply of water or water of any particular quantity or quality.
- 3.4 Any supply of water by the City is subject to the following conditions, in addition to the other conditions set out 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 Waterworks System;
 - (b) the City is not responsible for any excessive water pressure or lack of water pressure;
 - (c) the City is not responsible for any temporary stoppage of water supply on account of alterations or repairs to the Waterworks System,
- 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 Waterworks System or otherwise.

4. APPLICATIONS FOR SERVICE CONNECTION AND WATER CONNECTION

- 4.1 An Owner or an Owner's duly authorized agent must make an application to the City to install a Water Service from the Waterworks System to the Owner's Parcel Boundary, and the Water Connection from property line to his or her private property must submit the application on the required form(s), as provided by the

City and amended from time to time. Such Applicant shall, on making the application, pay to the City the applicable fee(s) as set out in Schedule "A".

5. CONSTRUCTION OF THE WATER SERVICE

- 5.1 Upon a completed application being received for the installation of a Service Connection, and payment of applicable fee(s) in full, a contractor pre-approved by the City may install a Service Connection from the Waterworks System to the Parcel Boundary and a Curb Stop at the Parcel Boundary.
- 5.2 An Owner is responsible for the installation of a Water Service and a Curb Stop at the Parcel Boundary, at his or her sole cost.
- 5.3 Each property shall have only one Service Connection except where a separate connection is required by the Manager of Operations.
- 5.4 The size of the pipe to be used in providing a Water Service to any premises and also the position in the street in which the Water Service is to be laid shall be determined by the Manager of Operations.
- 5.5 No work of any kind in relation to a Water Service, either for the laying of a new Water Service or repair of an existing Water Service, shall be done by any Person other than a contractor approved by the Manager of Operations.

6. CONSTRUCTION OF THE WATER CONNECTION

- 6.1 Upon a completed application being received for the installation of a Water Connection and payment of the applicable fee(s) in full, the Owner may install a Water Connection from the property line to the Owner's private property and the Manager of Operations shall classify the Owner as either a Domestic User, a Non-domestic User, an Agricultural User, or any combination thereof.
- 6.2 An Owner is responsible for the installation of a Water Connection, at his or her sole cost.
- 6.3 Installation of a Water Connection must comply with the following requirements:
 - (a) the type and size of pipe used for the Water Connection must meet the standards for piping as determined by the Manager of Operations or his/her designate;
 - (b) all Water Connection lines shall be installed to provide a minimum depth of 1.5 metres cover;

- (c) where required by the Manager of Operations, a Backflow Preventer must be installed at the building as close as possible to the entrance point of the Water Connection into the building; and
 - (d) after the Water Connection lines have been installed, the Owner must not backfill the excavation until the installation of the Water Connection has been inspected and approved by the City.
- 6.4 No work of any kind in relation to a Water Connection, either for the laying of a new Water Connection or repair of an existing Water Connection, shall be done by any Person other than a contractor approved by the Manager of Operations.
- 6.5 The Owner is solely responsible for supplying, installing and maintaining the Curb Stop and the connection or joint at the property line between the Water Service and the Water Connection.
- 6.6 The Owner is responsible for any damage caused by the Owner to the Curb Stop and must immediately notify the Manager of Operations of any such damage. The City will repair and bill the repair on utility bill.
- 6.7 Where required by the Manager of Operations, an Owner shall install a pressure-reducing device on his or her property, to the satisfaction of the Manager of Operations.
- 6.8 An Owner is responsible for maintaining the Water Connection and Backflow Preventer in good repair and in a clean and sanitary condition at all times, and must remedy any defect in the Water Connection as soon as the Owner becomes or is made aware of the defect. The Owner must immediately advise the Manager of Operations of any defect in the Water Connection.

7. WATER TURN-OFF / TURN-ON

- 7.1 All applications for the Turn-off or Turn-on of the water Service must be made in writing to the Manager of Operations not less than forty-eight (48) hours before the Turn-off or Turn-on is required.
- 7.2 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in Schedule "A".
- 7.3 Any Person who applies to the City for the Turn-on of the Water Connection shall provide to the Manager of Operations confirmation that the Water Connection was satisfactorily tested, inspected and approved by the City.
- 7.4 No Person shall make an application for the Turn-off of the Water Connection from any premises in use, or occupied by any other Person, until such use or occupation

has ceased, the premises have been vacated or the occupying Person has been given notification of thirty (30) days.

- 7.5 Any unauthorized Person found to have turned the water on or off is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 12.11.

8. WATER DISCONNECTION/RECONNECTION

- 8.1 When any building within the City is removed, demolished or abandoned, application for disconnection of a water Service shall be made in writing, by the property Owner, on the required form(s) as provided by the City and amended from time to time and delivered to the City Office. Until such application has been submitted, water rates may be charged as prescribed in Schedule "A" to the property Owner.
- 8.2 All applications for the disconnection or reconnection of the water Connection must be made in writing to the Manager of Operations not less than one (1) week before the disconnection/reconnection is required.
- 8.3 On application by a property Owner or duly authorized agent, on the required form(s) as provided by the City and amended from time to time, the applicant shall pay the applicable fee as set out in Schedule "A".
- 8.4 Any Person who applies to the City for reconnection of the Water Service shall provide to the Manager of Operations confirmation that the Water Service was satisfactorily tested, inspected and approved by the City.
- 8.5 Any unauthorized Person found to have disconnected from or reconnected to the water Connection is guilty of an offence under this bylaw and will be subject to a penalty in accordance with Section 12.11.
- 8.6 Should the property owner elect to have the water service to a building turned on or off, as described in Section 8 of this bylaw, water customer charge and fixed and capital fees will continue to be charged.

9. RESTRICTIONS ON USE OF WATER

- 9.1 Council may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit irrigation, yard and garden Sprinkling, car washing and private pool filling to reduce water usage when it considers water to be in short supply and every Person shall abide by such restriction or prohibition.
- 9.2 The City may at such times and for such length of time as is considered necessary or advisable by Council, restrict or prohibit other water uses when it considers

water to be in short supply and every Person shall abide by such restriction or prohibition.

10. WATER METERS

- 10.1 Every Owner of property that receives the supply of water from the Waterworks System shall, at the sole cost of the Owner, pay for the cost of a Water Meter from the City and shall install the Water Meter on his or her property in compliance with the provisions of this bylaw. The Water Meter shall remain the property of the City of Grand Forks.
- 10.2 Notwithstanding Section 10.1, the City shall supply and install Water Meters to those properties built prior to July 31, 2016, free of charge.
- 10.3 Only one Water Meter shall be installed for each Water Connection on a property.
- 10.4 The Manager of Operations may determine and specify the type and size of Water Meters for each type of property and use, considering the Manager of Operation's estimate of water consumption and other factors considered relevant by the Manager of Operations.
- 10.5 Every Water Meter shall be installed by a certified plumber or qualified contractor retained by the Owner of the parcel and approved by the Manager of Operations.
- 10.6 Where water services a single building on private property, the Water Meter shall be located in the building as close as possible to the entrance point of the Water Connection into the building, unless otherwise approved by the Manager of Operations.
- 10.7 Notwithstanding Section 10.6, the Owner of each newly constructed Single-family Detached Dwelling in the City shall install a water meter within the Dwelling Unit or a Meter Pit, as per current industry standards as determined by the Manager of Operations, with a Water Meter at the Parcel Boundary. For clarity, a newly constructed single-family detached dwelling is any single-family detached dwelling constructed after adoption of this bylaw. The City will provide a water meter free of charge up until July 31, 2016. Any new construction building permit after January 1, 2016 the water meter will be supplied by the City and billed to the utility account with the home owner being responsible for the installation of the water meter by a qualified contractor.
- 10.8 Where water services multiple-unit housing or Commercial, industrial or institutional property, the Water Meter must be located within a meter room or some other location approved by the Manager of Operations.
- 10.9 The Owner shall maintain the Water Meter on his or her property in good repair and shall not tamper with the Water Meter in any manner. The Owner shall provide

adequate protection for the Water Meter against freezing, heat and other severe conditions that might damage the Water Meter.

- 10.10 If any breakage, stoppage or other irregularity in a Water Meter is observed by an Owner, the Owner shall notify the Manager of Operations immediately.
- 10.11 If a Water Meter installed on a property is destroyed, lost or damaged in any way, the Owner shall repair or replace the Water Meter at his or her sole cost.
- 10.12 An Owner must, at all reasonable times, provide adequate, convenient, and unobstructed access to the City for inspecting and reading the Water Meter.
- 10.13 No Person shall remove or in any way disturb a Water Meter except under the direction of the Manager of Operations.
- 10.14 The Service shall not be activated to a property until a Water Meter has been installed on the property and any Meter Pit has been inspected by the City and found to be in compliance with this bylaw.
- 10.15 If the City or an Owner questions the accuracy of the record of a Water Meter, the City shall designate a qualified professional to remove and test the Water Meter.
- 10.16 If the test performed under Section 10.15 discloses that the Water Meter is not less than 98% accurate in recording the water passing through the Water Meter, the party questioning the accuracy of the Water Meter shall pay the meter testing fee specified in Schedule A. If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the cost of the test shall be borne by the City.
- 10.17 If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the City shall repair or replace the Water Meter, at its own cost.
- 10.18 If the test performed under Section 10.15 discloses that the Water Meter is less than 98% accurate in recording the water passing through the Water Meter, the Manager of Operations shall adjust the Owner's water bill by the amount of the inaccuracy for a period not exceeding one (1) year. The adjustments shall only apply to the Owner who overpaid or underpaid and not to any subsequent Owner of the property.

11. FAILURE TO INSTALL A WATER METER

- 11.1 If an Owner fails to install a Water Meter as required by this bylaw, the City may, upon giving notice to the Owner, install a Meter Pit and Water Meter at the Curb Stop at the sole cost of the Owner. Prior to and including July 31, 2016 the Owner will be responsible for the difference in cost between in-home installation and

Meter Pit installation. After July 31, 2016, the Owner will be responsible for all costs associated with installation unless booked for installation on or prior to December 15, 2015.

12. OFFENCES AND PROHIBITIONS

12.1 No Person shall:

- (a) connect or maintain any connection to, or use water from the Waterworks System without first obtaining permission from the Manager of Operations in accordance with this bylaw;
- (b) connect, cause to be connected or allow to remain connected any building on any property already connected to the Waterworks System to any other source of water;
- (c) connect, cause to be connected or allow to remain connected to the Waterworks System any pipe, fixture, fitting, container, appliance or apparatus, in any manner which, under any circumstances, could cause or allow any part of the Waterworks System to become contaminated;
- (d) sell, dispose of or otherwise give away water from the City Waterworks System; unless a written request has been approved by the Manager of Operations.
- (e) connect any apparatus, fitting, or fixture to the Waterworks System which may in any way harm the Waterworks System.

12.2 No Person shall cause, permit or allow any device or apparatus of any kind to be or remain connected to the Waterworks System or allow it to be operated in such a manner as to cause sudden large demands for water or otherwise affect the stability of water pressure in the Waterworks System and, for the purposes of this section, such prohibited devices and apparatuses include, without limitation:

- (a) booster pumps;
- (b) quick opening valves or quick closing valves;
- (c) flush meters;
- (d) rod hopper water closets;
- (e) water-operated pumps or siphons;
- (f) standpipes;

(g) large outlets.

- 12.3 Notwithstanding Section 12.2, an Owner may apply to the Manager of Operations in writing for permission to connect a prohibited device or apparatus to the Waterworks System. Upon receiving permission from the Manager of Operations, the Owner may connect a prohibited device or apparatus to the Waterworks System, subject to any terms and conditions imposed by the Manager of Operations.
- 12.4 No Person shall destroy, injure, obstruct access to, or tamper with any hydrant, valve, Curb Stop, pipe, pump or other fixture of the Waterworks System or the Water Connection and no Person shall, in any manner, make any additions, alterations or other changes to the Waterworks System or the Water Connection.
- 12.5 No Person shall use water from the Waterworks System unless that usage is recorded by a properly functioning Water Meter that is installed and maintained in accordance with this bylaw.
- 12.6 No Person shall install any piping or other works designed to allow water from the Waterworks System to be used without that usage being recorded by a Water Meter.
- 12.7 Where the Manager of Operations considers that a Person has violated Section 12.5 or 12.6, the City may install a Meter Pit with a Water Meter at or near the Parcel Boundary of the property either on the property or on the adjacent highway.
- 12.8 Where the City has installed a Meter Pit with a Water Meter under Section 12.7, the Owner of the property in respect of which the Meter Pit with a Water Meter was installed shall pay to the City a fee equal to the cost incurred by the City to install the Meter Pit and Water Meter, including the cost of the pit and meter.
- 12.9 Where a Person has violated Section 12.4, 12.5 or 12.6, the Owner of the property in respect of which the violation has occurred shall pay to the City an unrecorded water usage penalty as set out in Municipal Ticket Information Bylaw No. 1957, and additional charges as described in Schedule A, whether or not the City has installed a Meter Pit with a Water Meter at or near the Parcel Boundary under Section 12.7.
- 12.10 Charges imposed under Section 12.8 or 12.9 are due and payable within 30 days of the date on which an invoice setting out the amount of the fee is mailed to the address of the Owner as shown on the assessment roll for the property referred to in those Sections and if unpaid on December 31 of the year in which the charges became due and payable, may be collected in the same manner and with the same remedies as property taxes.

12.11 Any Person who contravenes any of the provisions of this bylaw is liable, upon summary conviction, to a minimum fine of not less than One Thousand Dollars (\$1,000.00) and a maximum fine of Ten Thousand Dollars (\$10,000.00) and the cost of prosecution. Every day during which there is an infraction of this bylaw shall constitute a separate offence.

12.12 Any Person who contravenes any of the provisions of the Stage 1 through Stage 4 Watering Restrictions may be subject to a fine as described in Schedule 12 – A3 of the Municipal Ticketing and Information Bylaw No 1957.

13. SHUT OFF OF WATER SUPPLY

13.1 The Manager of Operations may shut off the supply of water to any property for any or all of the following reasons:

- (a) a request for Turn-off or discontinuance of the Service;
- (b) maintaining, repairing, renovating, replacing, disinfecting or otherwise operating the Waterworks System;
- (c) an emergency that threatens the safety of the Waterworks System or the public;

and the City may shut off the supply of water to any property for any or all of the following reasons;

- (d) non-compliance with any provision of this bylaw;
- (e) shortage of water supply pursuant to Section 9.1 or 9.2 of this bylaw.

14. NOTICES OF WATER SHUT OFF

14.1 Where water supply is to be shut off for non-compliance with any provision of this bylaw, the City will give thirty (30) days notice to the Owner.

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

14.3 Where water supply is to be shut off for reason of shortage of water supply pursuant to Section 9.1 or 9.2 of this bylaw, the City will give at least seven (7) days notice, but no notice will be given where safety of life or property is at risk.

14.4 Where water supply is to be shut off for maintenance, repair, renovation, replacement, disinfection or other operation of the Waterworks System, the City

will give at least two (2) working days notice for scheduled work, but no notice will be given where safety of life or property is at risk.

14.5 Notice under Sections 14.1, 14.3 and 14.4 may be given by one or more of the following:

- (a) posting notice on the property;
- (b) providing notice on an Owner's water bill;
- (c) mailing notice to the address supplied by the Owner or the address of the property;
- (d) telephoning the Owner, which may include speaking directly to the Owner or leaving a message at the telephone number supplied by the Owner.

14.6 The City is not responsible for any notice failing to reach an Owner or other Water User prior to the shut off of water.

15. WATER USE CHARGES

15.1 Property Owners shall be responsible for payment of all rates for water used and consumed on properties owned by them.

15.2 The user rates and charges specified in Schedule "A" are imposed and levied for Water Services supplied by the City. All such rates shall be due and payable on or before the date shown as the DUE DATE on the Bi-monthly billing rendered by the City. These rates may also be paid on the City's Tax/Utility Preauthorized Pre-Payment Plan.

15.3 User rates and charges not paid by the DUE DATE shall be subject to an overdue account penalty, as set out in the current Fees and Charges Bylaw, on the working day after the DUE DATE and monthly thereafter.

15.4 For any new water Service connected to the City system during a Bi-monthly billing period, full basic charges for the billing period will apply and the user rates relating to consumption shall be based on recorded consumption. If no meter reading is available, the user rate will be prorated over the number of days from connection to the end of the billing period.

15.5 For any Water Service disconnected or reconnected from the City system, Section 8 of this bylaw shall apply. Should the property Owner elect to have water Service to a building turned on or off, as described in Section 7 of this bylaw, water basic charges and user rates will continue to be charged.

15.6 The charges prescribed in Schedule A to cover the cost of disconnecting or reconnecting the service or turning the water supply "off" or "on" shall apply.

15.7 User rates shall be invoiced on a Bi-monthly basis.

15.8 Upon application, the City will permit qualifying customers, to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the customer during the year. Application will be accepted at any time of the year. All accounts will be reconciled in December.

A customer will qualify for the plan provided the account is not in arrears and the customer expects to be on the plan for at least one (1) year.

The equal payment plan may be terminated by the customer, or the City, if the customer has not maintained his credit to the satisfaction of the City. The City deems credit to be unsatisfactory if, for any reason, two payments fail to be honoured. On the reconciliation date, or termination, the amounts payable by the customer to the City for water Service actually consumed during the equal payment period will be compared to the sum of equal payments made during the period. Any resulting amount owing by the customer will be paid to the City. An excess of payments over charges will be paid or credited by the City to the customer. If such amounts are less than \$10.00 (ten dollars), they will be carried forward and included in the calculation of the equal payments for the next period.

15.9 All rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.

16. INSPECTION

16.1 The Manager of Operations and any Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of inspecting and ascertaining whether the regulations and requirements of this bylaw are being observed.

16.2 No Person shall obstruct or interfere with the Manager of Operations or any Bylaw Enforcement Officer in the performance of his or her duties or the exercise of his or her powers under this bylaw.

17. SEVERABILITY

17.1 If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

18. REPEAL

18.1 The “Corporation of the City of Grand Forks Waterworks Regulation Bylaw No. 1973, 2014 and Bylaw No. 2014, 2015” are hereby repealed.

19. ENACTMENT

19.1 This bylaw is to take effect upon adoption by the Council of the Corporation of the City of Grand Forks.

READ A FIRST TIME this 17th day of August, 2015.

READ A SECOND TIME this 17th day of August, 2015.

READ A THIRD TIME this 14th day of December, 2015.

FINALLY ADOPTED this 11th day of January, 2016.

Mayor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1973-A1, as passed by the Municipal Council of the City of Grand Forks on the 11th day of January, 2016.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Date Signed

4. Purchase of water from City Bulk Water Facility

Rate per cubic meter or portion thereof \$4.00

5. Water Meter Installation – subject to Sections 10.2, 10.7 & 11.1

(a) Standard in-house installation

At Cost by Contractor, plus 15%

(b) In-house installation with modifications*

At Cost by Contractor, plus 15%

(c) Pit meter

At Cost by Contractor, plus 15%

(d) Water meter for new house construction

At Cost supplied by City, plus 15% added to utility bill

*Any modifications to water meter installation that result in the requirement for a manual read of the meter will result in a reading charge.

6. Additional Charges

(a) Manual meter reading charge – per occurrence \$ 25.00

(b) Meter re-read at Customer's request – per occurrence \$ 25.00

(c) Meter testing at Customer's request – per occurrence At Cost

(d) Water meter tampering charge – per occurrence \$200.00

(e) Charge for damage due to tampering

(f) Curb stop damaged by owner repaired by City At cost plus 15%

At Cost by Contractor for installation of new water meter plus the water meter tampering charge.

Schedule "A"
Bylaw No. 1973-A1
Page 3 of 3

7. User Rates – Effective July 1, 2014

	Per Unit Bi-monthly Fixed Charge & Capital Charge	Per Account (per meter) Bi-monthly Fixed Charge & Capital Charge	Per Account Bi-monthly Customer Charge	Per Cubic Meter	Bi-Monthly Variable Water Charges for Non-Metered, Per Residence
User Class					
Metered Multi-Family Apartment (one tax folio)	\$29.18		\$7.17	\$0.116	
Commercial Office Properties (water use restricted to staff washroom)		\$27.14	\$7.17	\$0.116	
Commercial (Class06) Properties not listed below		\$60.42	\$7.17	\$0.127	
Large Industrial (Class 04) Properties		\$60.42	\$7.17	\$0.127	
Commercial laundry, car wash Properties		\$60.42	\$7.17	\$0.127	
Hotels, Restaurants, Malls		\$60.42	\$7.17	\$0.127	
Institutions, schools, recreation facilities (arenas, pools) irrigation systems		\$60.42	\$7.17	\$0.127	
Buildings not connected to Water System on lots where service is available		\$22.02	\$7.17		
Residential Properties not metered	\$45.25		\$7.17		\$16.79

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1973-A2

A BYLAW TO AMEND THE CITY OF GRAND FORKS WATER REGULATIONS BYLAW NO. 1973-A1

WHEREAS in accordance with the Community Charter, Council may, by bylaw, regulate and control the water service of the City of Grand Forks and amend rates, terms and conditions under which water service will be provided and supplied to all users and for the collection of rates for the service provided;

NOW THEREFORE, the Council for the Corporation of the City of Grand Forks in open meeting assembled **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the “**City of Grand Forks Water Regulations Amendment Bylaw No. 1973-A2, 2016**”.
2. That Bylaw No. 1973-A1, cited as “City of Grand Forks Water Regulations Bylaw No. 1973-A1, 2015”, be amended by deleting “Schedule A” and replacing it with a new “Schedule A”, which is identified as “Appendix 1” and attached to this bylaw.
3. That this bylaw shall come into force and effect for all consumption billed for periods ended on or after July 1, 2016.

INTRODUCED this 9th day of May, 2016.

Read a **FIRST** time this 30th day of May, 2016.

Read a **SECOND** time this 30th day of May, 2016.

Read a **THIRD** time this 30th day of May, 2016.

FINALLY ADOPTED this 13th day of June, 2016.

Mayor Frank Konrad

Acting Corporate Officer – Sarah Winton

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1973-A2, the "City of Grand Forks Water Regulations Amendment Bylaw No. 1973-A2, 2016", as passed by the Municipal Council of the Corporation of the City of Grand Forks on the 13th day of June, 2016.

Corporate Officer of the Municipal Council of the
City of Grand Forks

SCHEDULE “A”
SERVICE CHARGES

1. *Charges for installation of water service:*

- (a) Residential: 19 mm diameter (3/4”) & 24.5 mm diameter (1”)
***NOTE: Water Meter Mandatory**

At Cost by Contractor, including any additional service costs itemized in (d), plus 15%
- (b) Commercial, Industrial & Institutional
***NOTE: Water Meter Mandatory**

At Cost by Contractor, including any additional service costs itemized in (d), plus 15%
- (c) Renewal (upgrading, including meter retrofit)

At Cost by Contractor, including any additional service costs itemized in (d), plus 15%
- d) Additional service costs not included in (a), (b), and (c) above:
 - i) Service or main extension (greater than 25.4 mm diameter and/or where the service line exceeds 15 m in length)
 - ii) Restoration including but not limited to: asphalt road repair, concrete curb, sidewalk (concrete), and boulevard landscaping

2. *Charges for each time the water supply is turned on/off*

During normal working hours (Monday – Friday) \$ 50.00

3. *Charges for after-hours callout – evenings, weekends, statutory holidays*

Private property issue \$250.00

4. ***Purchase of water from City Bulk Water Facility***

Rate per cubic meter or portion thereof \$4.00

5. ***Water Meter Installation – subject to Sections 10.2, 10.7 & 11.1***

(a) Standard in-house installation

At Cost by Contractor, plus 15%

(b) In-house installation with modifications*

At Cost by Contractor, plus 15%

(c) Pit meter

At Cost by Contractor, plus 15%

*Any modifications to water meter installation that result in the requirement for a manual read of the meter will result in a reading charge.

6. ***Additional Charges***

(a) Manual meter reading charge – per occurrence \$ 25.00

(b) Meter re-read at Customer's request – per occurrence \$ 25.00

(c) Meter testing at Customer's request – per occurrence At Cost

(d) Water meter tampering charge – per occurrence \$200.00

(e) Charge for damage due to tampering

At Cost by Contractor for installation of new water meter plus the water meter tampering charge.

Schedule A
Bylaw No. 1973-A2
Page 3 of 3

7. User Rates – Effective July 1, 2016

	Per Unit Bi-monthly Fixed & Capital Charge	Per Account (per meter) Bi-Monthly Fixed & Capital Charge	Per Account Bi-monthly Customer Charge	Per Cubic Meter	Bi-Monthly Variable Water Charges, Per Residence
User Class					
Metered Multi-Family Apartment (one tax folio)	31.29		7.35	0.116	
Commercial Office Properties (water use restricted to staff washroom)		29.10	7.35	0.116	
Commercial (Class 06) Properties not listed below		64.79	7.35	0.127	
Large Industrial (Class 04) Properties		64.79	7.35	0.127	
Commercial laundry, car wash Properties		64.79	7.35	0.127	
Hotels, Restaurants, Malls		64.79	7.35	0.127	
Institutions, schools, recreation facilities (arena, pools) irrigation systems		64.79	7.35	0.127	
Buildings not connected to Water System on lots where service is available		23.61	7.35		
Residential Properties	48.52		7.35		16.79

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1973-A3

A Bylaw to Amend the Water Regulations Bylaw No. 1973-A1

The Council of the Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the **“Water Regulations Amendment Bylaw No. 1973-A3, 2018”**
2. That Bylaw 1973-A1, cited as “Water Regulations Amendment Bylaw No. 1973-A1, 2015, be amended as follows:
 - a) In Section 2. DEFINITIONS, insert the definition “ **‘Fees and Charges Bylaw’** means the most current Corporation of the City of Grand Forks Fees and Charges Bylaw”.
 - b) In Section 4.1, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - c) In Section 7.2, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - d) In Sections 8.1 and 8.3, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - e) Delete Section 8.6 in its entirety.
 - e) In Section 10.16, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - f) In Section 12.9, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - g) In Sections 15.2 and 15.6, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - h) Replace Section 15.5 with “Any water service turned off or disconnected at the request of the Owner pursuant to Sections 7 and 8 shall be subject to the flat rate or fixed charge specified in the Fees and Charges Bylaw.”
 - i) Delete Schedule “A”.

INTRODUCED this 11th day of December, 2017.

Read a **FIRST** time this 15th day of January, 2018.

Read a **SECOND** time this 15th day of January, 2018.

Read a **THIRD** time this 15th day of January, 2018.

FINALLY ADOPTED this 29th day of January, 2018.



Mayor Frank Konrad

Corporate Officer – Diane Heinrich

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 1973-A3, 2018 as adopted by the Municipal Council of the City of Grand Forks on the 29th day of January, 2018.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS
WASTEWATER REGULATION BYLAW NO. 2066

**A BYLAW TO PROVIDE FOR THE REGULATION AND USE OF THE
WASTEWATER SYSTEM OF THE CITY OF GRAND FORKS**

The Municipal Council of the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

Citation

1. This bylaw may be cited as the “**Wastewater Regulations Bylaw No. 2066**”

Definitions

2. In this bylaw, unless the context otherwise requires:
 - 2.1. “**Authorized**” or “**Authorization**” granted by the *Manager of Operations* means approved in writing by the *Manager of Operations* on the terms and conditions specified in that written approval;
 - 2.2. “**Bylaw Enforcement Officer**” means every person(s) designated by *Council* as a Bylaw Enforcement Officer for the *City* or otherwise authorized under the *Offence Act*, and every *Peace Officer*;
 - 2.3. “**City**” means the Corporation of the City of Grand Forks;
 - 2.4. “**Council**” means the Municipal Council of the Corporation of the City of Grand Forks;
 - 2.5. “**Effluent**” means the liquid outflow of any facility designed to treat or convey *Wastewater*;
 - 2.6. “**Fees and Charges Bylaw**” means the *City of Grand Forks Fees and Charges Bylaw No. 1958, 2014*, as amended or replaced from time-to-time;
 - 2.7. “**Manager of Operations**” means the Manager of Operations for the City of Grand Forks, their deputy or assistant, or other individual designated to oversee day-to-day operation of the *Wastewater System*;
 - 2.8. “**Master Municipal Construction Documents**” means the most current construction documents applicable to the *Wastewater System*;
 - 2.9. “**Municipal Ticket Information Bylaw**” means the *City of Grand Forks Municipal Ticket Information Bylaw No. 1957*, as amended or replaced from time-to-time;

Wastewater Regulation Bylaw No. 2066

- 2.10. “**Owner**” has the same meaning as specified in the *Community Charter* as may be amended from time-to-time;
- 2.11. “**Pre-treatment**” means the use of any physical or chemical process to ensure the composition of private *Effluent* conforms to the minimum requirements of this bylaw;
- 2.12. “**Wastewater**” means the water-borne wastes of the community derived from human or industrial sources, but does not include rainwater, groundwater, or drainage of uncontaminated water.
- 2.13. “**Wastewater Service**” means the supply of a *Wastewater Service Connection* from the *City’s Wastewater System* to any *Premises*;
- 2.14. “**Wastewater Service Connection**” means the pipe or fitting which forms the connection between private property and the *Wastewater System*;
- 2.15. “**Wastewater System**” means all sewerage works and all appurtenances thereto, including sewer mains, *Wastewater Service Connections*, pumping stations, treatment plants, lagoons and sewer outfalls laid within any highway, municipal right-of-way or easement and owned and operated by the *City* and installed for the purpose of conveying, treating, and disposing of *Wastewater*.

General Provisions

- 3. To the extent that the *City* has not already established the service of *Wastewater* collection, the *City* hereby establishes the service of collecting *Wastewater* into the *Wastewater System* from properties in the area defined by Schedule A, by operating, constructing, maintaining, regulating, repairing, and imposing requirements on the *Wastewater System*.
- 4. The *City* does not guarantee collection but shall make reasonable effort to collect *Wastewater*.
- 5. The *City* is not responsible for failure of the *Wastewater System*.
- 6. The *City* is not liable for damages caused by failure of the *Wastewater System*.
- 7. A person shall not cause the *Wastewater System* to fail a Ministry of Environment or any other permit requirement.
- 8. A person may discharge *Wastewater* to the *Wastewater System* provided they meet the conditions of this bylaw.

Regulating *Wastewater Services*

Administration

- 9. The *Manager of Operations* is authorized to make orders, deliver notices, approve or refuse to approve applications for service connections and to make other

Wastewater Regulation Bylaw No. 2066

decisions about specific service connections and the *Wastewater System*, and otherwise administer this Bylaw.

Requirement to connect

10. The owner of property adjacent to the *City's Wastewater System* that produces *Wastewater* must connect the property's *Wastewater* discharge to the *City's Wastewater System*.

Applications and permits

11. An *Owner* may not connect a *Wastewater Service Connection* to or disconnect a *Wastewater Service Connection* from the *City's Wastewater System* without prior authorization from the *Manager of Operations*.
12. An *Owner* must apply for provision of *Wastewater Service* using the *City's* current form and process as may be amended from time to time.
13. The *Manager of Operations* shall process a completed application in a timely manner.
14. The *Manager of Operations* shall not process an application until an applicant pays the applicable fees and charges.

Wastewater Service standards

15. The *Manager of Operations* shall approve parts and materials used in *Wastewater Services*, and a *Wastewater Service Connection* connected to the *City's Wastewater System* must conform to the *Master Municipal Construction Documents* as amended from time to time.
16. An *Owner* must construct or disconnect a *Wastewater Service Connection* in compliance with the *City's* standards.
17. The *Manager of Operations* must approve a person or a company constructing or disconnecting a *Wastewater Service*.

Wastewater Standards

Quality

18. The *Manager of Operations* may designate any substance or concentration of substance as harmful to the *Wastewater System* as consistent with industry practices.
19. The *Manager of Operations* may set the *City's Wastewater* quality standards, which shall, at a minimum, comply with applicable federal and provincial laws and regulations regarding *Wastewater*.
20. An *Owner* must only discharge *Wastewater* to the *Wastewater System* that meets the *City's Wastewater* quality standards.

Wastewater Regulation Bylaw No. 2066

21. An *Owner* may apply to the *Manager of Operations* in writing for permission to discharge *Wastewater* that does not meet the *Wastewater* quality standards, however the *Owner* shall be liable for any discharges of *Wastewater* which contravene any provincial or federal law or regulation.
22. Upon receiving permission from the *Manager of Operations*, a person may discharge *Wastewater* to the *Wastewater System* that does not meet the *Wastewater* quality standards, subject to any terms and conditions imposed by the *Manager of Operations*, and in such a way that it does not harm the *Wastewater System*.
23. The *Manager of Operations* may require the pre-treatment of *Wastewater* that does not meet the *Wastewater* quality standards, including, but not limited to, the permanent installation of an engineered device capable of intercepting grease, oil, grit, flammable or reactive liquids/gases, or other such harmful substances.
24. The *Manager of Operations* must approve any pre-treatment system connected to the *Wastewater System*.

Volume

25. Where *Wastewater* is discharged into the *Wastewater System* in volumes that the *Manager of Operations* determines may exceed the available downstream system capacity, the *Manager of Operations* may by written notice require the owner to take measures to equalize the discharge volumes and strengths.

Maintenance

26. An *Owner* is responsible for maintaining in good repair a *Wastewater Service Connection* on their private property.
27. An *Owner* must immediately advise the *City* of any defect in their *Wastewater Service Connection*.

Fees and Charges

28. The *City* shall charge the applicable fees in the *Fees and Charges Bylaw* for *Wastewater Service*.
29. An *Owner* shall pay the applicable fees and charges in the *Fees and Charges Bylaw* for *Wastewater Service*.
30. The *City* may charge a fee to any property adjacent to the *Wastewater System* that can be serviced regardless of the existence of a *Wastewater Service* or the production of *Wastewater* by that property.
31. An *Owner* is responsible for all costs associated with extending the *City's Wastewater System* to service their property including, but not limited to, the cost of installing a *Wastewater Service Connection*, and any upgrades to or extensions of other parts of the *Wastewater System*.

Wastewater Regulation Bylaw No. 2066

- 32. An *Owner* is responsible for all costs associated with meeting the standards of this bylaw.
- 33. An *Owner* is responsible for all costs associated with disconnecting a *Wastewater Service Connection*.

Offences and penalties

- 34. A person who contravenes this bylaw is subject to a fine as specified in the *City's Municipal Ticket Information Bylaw*.
- 35. Each day that a contravention of this bylaw continues constitutes a separate offence.
- 36. The *City* may fulfill a requirement of this bylaw at the expense of a person failing to take the required action and recover the costs incurred as a debt.
- 37. An *Owner* must not:
 - 37.1. enter into or undertake any work upon or interfere with any aspect of the *Wastewater System* unless authorized by the *Manager of Operations*;
 - 37.2. discharge into the *Wastewater System* anything that will:
 - 37.2.1. cause the *Wastewater System* to not meet a regulatory requirement;
 - 37.2.2. harm the *Wastewater System*;
 - 37.2.3. negatively impact the *Wastewater* treatment process;
 - 37.2.4. cause public or employee health or safety hazards;
- 38. A person must not sell, give away or permit use of the *Wastewater System* for benefit, except to those persons authorized by the *Manager of Operations*.
- 39. A person must not use the *Wastewater System* to drain rainwater from their property, remove ground water, or receive septage.
- 40. A person must ensure that every inspection chamber and manhole on or adjacent to their property remains accessible for inspection by *City* staff at all times.

Disconnection of service

- 41. The *Manager of Operations* may disconnect a *Wastewater Service Connection* if:
 - 41.1. it jeopardizes the *Wastewater System's* quality or performance because of its construction;
 - 41.2. an *Owner* requests a disconnection;
 - 41.3. a person contravenes a provision of this bylaw.

Wastewater Regulation Bylaw No. 2066

42. Where a *Wastewater Service Connection* is to be disconnected, the *City* will give thirty (30) days' notice to the property owner by posting notice on the property, or by mailing notice to the address supplied by the property *Owner* or the address of the property.
43. An *Owner* may make representations to *Council* when a *Wastewater Service Connection* is to be disconnected for reason of non-compliance with any provision of this bylaw.
44. Once a *Wastewater Service Connection* has been disconnected, the *Manager of Operations* must consider a reconnection in the same manner as an application for a new *Wastewater Service Connection*.

Inspection

45. The *Manager of Operations* or a *Bylaw Enforcement Officer* may enter a property at a reasonable time for the purpose of inspecting and ascertaining whether a person or *Owner* is observing the regulations and requirements of this bylaw.
46. Except in the case of an emergency, the *City* shall take reasonable steps to advise the property owner of their intent to enter a property.
47. The *Manager of Operations* may, at any time and without notice, take *Wastewater* samples from a *Wastewater Service* or otherwise inspect it to determine whether a person or *Owner* is contravening this bylaw.
48. A person shall not obstruct or interfere with the *Manager of Operations* or a *Bylaw Enforcement Officer* in the performance of their duties or the exercise of their powers.

Reporting of accidental discharges

49. A person responsible for, or aware of, the accidental discharge of prohibited substances into the *Wastewater System* must promptly report that discharge to the *Manager of Operations*.

Compliance with other regulations

50. Notwithstanding the provisions contained within this bylaw, a person is responsible for ascertaining, and ensuring compliance with, all other *City* bylaws, provincial or federal enactments and legislation, as in effect from time to time.

General

51. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
52. If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of the bylaw.

Wastewater Regulation Bylaw No. 2066

Repeal

53. The “City of Grand Forks Wastewater Regulation Repeal Bylaw, No. 1974-R” shall repeal:

- 53.1. “Sewer Regulations Bylaw No. 1974”,
- 53.2. “Sewer Regulations Amendment Bylaw No. 1974-A1”,
- 53.3. “Sewer Regulations Amendment Bylaw No. 1974-A2”, and
- 53.4. “Sewer Regulations Amendment Bylaw No. 2013”

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

Adopted this ____ day of _____, 2020.

Mayor – Brian Taylor

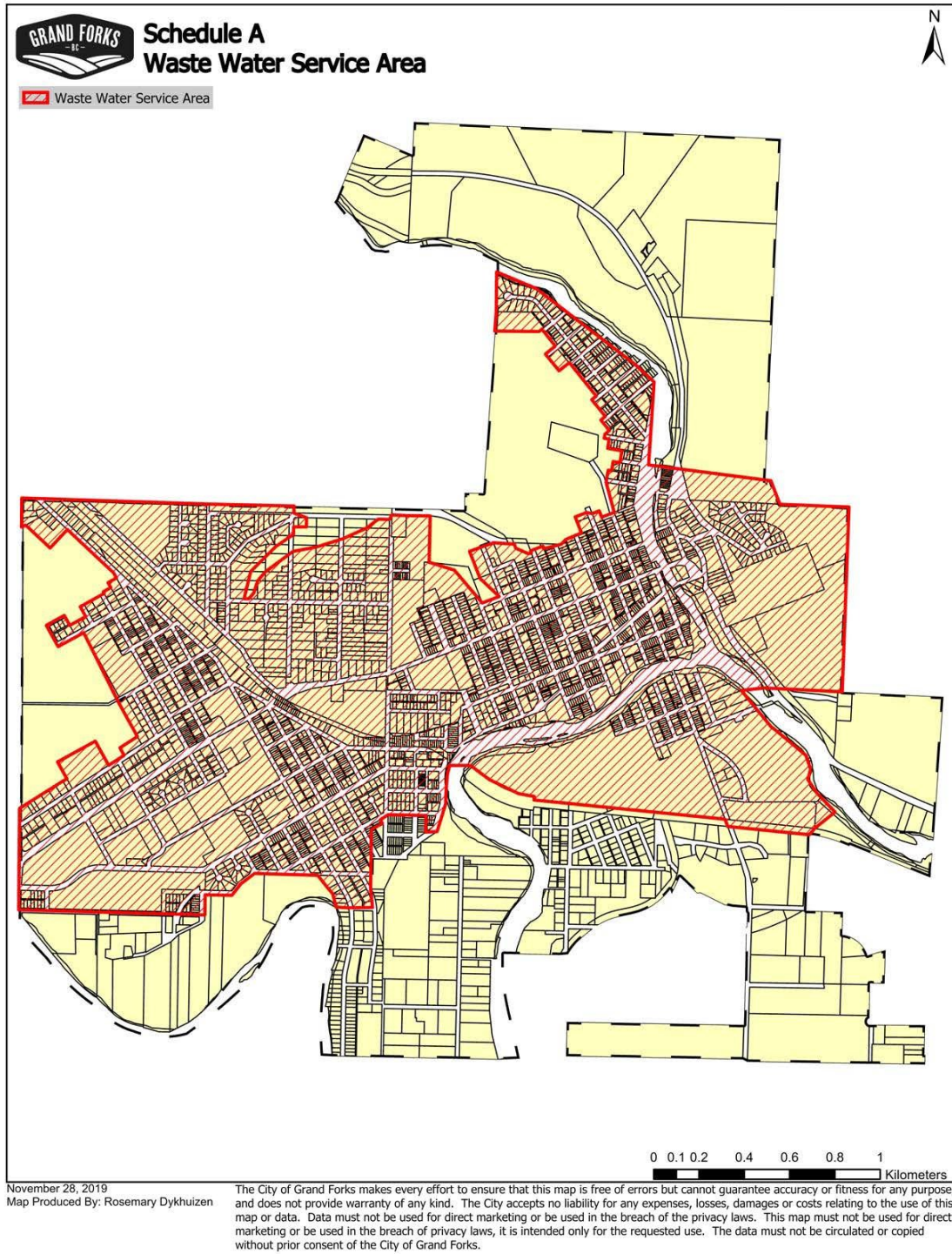
Corporate Officer – Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2066, cited as the “Wastewater Regulation Bylaw No. 2066”, as passed by the Municipal Council on the __ day of _____, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Wastewater Regulation Bylaw No. 2066



THE CORPORATION OF THE CITY OF GRAND FORKS
WASTEWATER REGULATION REPEAL BYLAW NO. 1974-R

**A BYLAW TO REPEAL BYLAWS 1974 AND 2013, AND ALL AMENDMENTS
THERE TO**

The Municipal Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

CITATION

1. This bylaw may be cited as the “**The City of Grand Forks Wastewater Regulation Repeal Bylaw No. 1974-R**”.

REPEAL

2. That Bylaw No. 1974 cited, for all purposes, as the “City of Grand Forks Sewer Regulations Bylaw No. 1974, 2014” and any amendments thereto, be hereby repealed.
3. That Bylaw No. 2013 cited, for all purposes, as the “City of Grand Forks Sewer Regulations Amendment Bylaw No. 2013, 2015” and any amendments thereto, be hereby repealed.

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

Finally adopted on this ____th day of _____, 2020.

Mayor - Brian Taylor

Corporate Officer - Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1974-R, cited as the “City of Grand Forks Wastewater Regulation Repeal Bylaw 1974-R”, as adopted by the Municipal Council on the ____th day of _____, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

SEWER REGULATIONS BYLAW NO. 1974

A bylaw to provide for the regulation and use of the sanitary sewer system of the City of Grand Forks

WHEREAS the City of Grand Forks has established and operates a sewer disposal system pursuant to its powers under the Community Charter, for the purpose of providing sewer disposal service to the residents, institutions, commercial and industrial users, and all other users in the City;

AND WHEREAS it is deemed expedient to make provisions for regulating the rates, conditions and terms under or upon which sewer disposal services may be supplied to and used by the inhabitants of the City of Grand Forks;

AND WHEREAS discharge must be regulated as there are compounds in waste that in various concentrations are detrimental to the operation of the sanitary sewer system.

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. TITLE

- 1.1 This bylaw may be cited, for all purposes, as the **“Sewer Regulations Bylaw No. 1974, 2014.”**

2. DEFINITIONS

- 2.1 In this bylaw, unless the context otherwise requires:

"Authorized" or "Authorization" granted by the Manager of Operations or his/her designate means approved in writing by the Manager of Operations on the terms and conditions specified in that written approval;

“Bi-monthly” means every two month period;

“B.O.D.” means Biochemical Oxygen Demand; the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per litre as determined by the appropriate procedure in Standard Methods;

“Building Code” means the British Columbia Building Code, as amended or replaced from time to time;

“Building Permit” means a building permit issued under the Corporation of the City of Grand Forks Building & Plumbing Bylaw, as amended or replaced from time to time;

“Bylaw Enforcement Officer” means a person in a class prescribed under Section 273(c) of the Community Charter who is designated by a local government as a Bylaw Enforcement Officer, and every Peace Officer;

“City” means the Corporation of the City of Grand Forks;

“City Specifications” means the specifications, drawings and other standards for works and services established under the City of Grand Forks Subdivision, Development and Servicing Bylaw, as amended or replaced from time to time;

“C.O.D.” means the Chemical Oxygen Demand; a measure of the oxygen consuming capacity of inorganic and organic matter present in domestic or industrial wastewater as determined by the appropriate procedure described in Standard Methods;

“Collector” means the individual appointed from time to time by Council;

“Collector’s Roll” means a list of each property served by the Sanitary Sewer System that is liable to sewer service charges, and which designates the Owner as a Domestic User, a Non-domestic User, an Agricultural User or a combination thereof;

“Connection” or “Connect” means tying into, tapping or otherwise connecting to the Sanitary Sewer System of the City by means of pipes, valves, fittings or other apparatus;

“Cooling Water” means untreated water originating from heat exchangers or similar units;

“Council” means the Municipal Council of the Corporation of the City of Grand Forks;

“Domestic” means use for household requirements and sanitation;

“Domestic Wastewater” means the water carried wastes produced from non-commercial or non-industrial activities and which result from normal human living processes;

“Effluent” means the liquid outflow of any facility designed to treat or convey wastewater;

“Engineer” means a person who is registered, or duly licensed as such, under the Engineers and Geoscientists Act of British Columbia;

“Extraneous Flows” means water originating from rainwater, snow melt, ground water, roof drain water, foundation drain water, subsurface drainage, surface water, single pass cooling water, condensate, or storm water;

“Flammable Liquid” means any liquid having a flash point below 38° C and having a vapour pressure not exceeding 280 kPa at 38° C;

“Fuller’s Earth” means any non-plastic clay or claylike earthy material that can be used to decolourize, filter, and purify animal, mineral, and vegetable oils and greases;

"Garbage" means solid wastes from domestic or commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

"Grab Sample" means a single sample of a wastewater stream or discharge that represents the composition of the wastewater at the particular time and location at which the sample was collected.

“Grease” means an organic substance recoverable by procedures set forth in Standard Methods and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high molecular carboxylic acids;

"Hazardous Waste" has the same meaning as under the Hazardous Waste Regulation, 8.C. Reg. 63/88, as amended or replaced from time to time.

“Industrial Wastewater” means all water carried Wastes and Wastewater excluding domestic Wastewater and uncontaminated Wastewater, and includes all Wastewater from any processing, institutional, commercial, or other operation where the Wastewater discharged includes Wastes of non-human origin;

"Lower Explosive Limit" means the concentration limit of potentially explosive reactants present in private Wastewater Effluent.

“Manager of Operations” means the Manager of Operations of the City of Grand Forks or his/her designate;

"Non-domestic" in reference to any form of waste or private wastewater effluent means waste or effluent generated by industrial, commercial, agricultural or institutional users.

"Occupier" has the same meaning as in the Community Charter, as amended from time to time;

"Offal" means waste portions of food, animals, fowl, or fish;

"One-day Composite Sample" means a composite sample comprised of flow proportioned samples collected at one hour intervals over the duration of one operating day;

"Owner" has the same meaning as in the Community Charter, as amended from time to time;

"Parcel" means any lot, block, or other area in which land is held or into which land is subdivided but does not include a highway;

"Person" means any person, firm, partnership or corporation, or any trustee, manager or other person owning or occupying any building or place either individually or jointly with others, and includes an agent, workman, or employee of such person, firm, partnership, or corporation;

"Pesticide" means an organism or material that is represented, sold, used, or intended to be used, to prevent, destroy, repel, or mitigate a pest and includes:

- (a) a plant growth regulator, plant defoliator, or plant desiccant; and
- (b) a control product, other than a device that is a controlled product under the Pest Control Products Act (CAN).

"pH" means the negative logarithm to the base of ten (10) of the weight of hydrogen ions in grams per litre of solution;

"Plumbing Code" means Part 7 of the British Columbia Building Code (Plumbing Services), as amended or replaced from time to time;

"Premises" means any residence, building, or structure located on a parcel;

"Pre-treatment" means the use of any physical or chemical process to ensure the composition of private wastewater effluent conforms to the minimum requirements of this bylaw;

"Private Wastewater Effluent" or "Sewage" means water-borne waste derived from human or industrial sources, including domestic wastewater and industrial wastewater, that is discharged or intended to be discharged from a private wastewater system into the municipal sanitary sewer system but does not include storm water and uncontaminated wastewater;

"Private Wastewater System" means an assembly of pipes, fittings, fixtures, traps, and appurtenances constructed upon the land and premises of, and owned by, the owner of property;

"Property" or "Real Property" means any parcel of land within the boundaries of the City of Grand Forks;

"Public Highway" means any road, street, lane or other such facility designed for the express purpose of accommodating public vehicular traffic;

"Sanitary Service Lateral" means the City-owned pipe that extends from a sewer main to the sanitary service connection that is located at the property line of a parcel;

"Sanitary Service Connection" means the pipe or fitting that is located at the property line of a parcel, or at the edge of a statutory right of way, which forms the connection between a private wastewater system and the municipal sanitary sewer system;

"Sanitary Sewer Catchment Area Boundary/Service area" means a calculated boundary of serviceable land capable of drainage via gravity to a municipal sanitary sewer outlet;

"Sanitary Sewer Service" or "Service" means the City's service of collecting and conveying private wastewater effluent from real property through the municipal sanitary sewer system;

"Sanitary Sewer System" means all sewerage works and all appurtenances thereto, including sewer mains, service connections, pumping stations, treatment plants, lagoons and sewer outfalls laid within any highway, municipal right-of-way or easement and owned and operated by the City and installed for the purpose of conveying, treating, and disposing of domestic municipal wastes and industrial wastes;

"Septic System" means any form of onsite wastewater treatment process whereby private wastewater effluent is treated to an acceptable level of effluent quality prior to discharge to the natural environment;

"Serviced" means land that is within an area serviced by the municipal sanitary sewer system;

"Standard Methods" means the Standard Methods of Water and Wastewater Analysis (most current edition) as published by the American Public Health Association, the American Water Works Association, the Canadian Standards Association, and the Water Pollution Control Federation; as amended or replaced from time to time;

"Statutory Right of Way" means a statutory right of way pursuant to Section 218 of the Land Title Act, as amended or replaced from time to time, that is registered over real property in favour of the City for the purpose of accommodating the works that comprise part of the municipal sanitary sewer system;

"Suspended Solids" or "S.S." means the solid matter according to particle size, expressed in milligrams per litre, in a liquid as determined according to standard methods;

"Two-hour Composite Sample" means a composite sample consisting of equal portions of 8 Grab Samples collected at 15 minute intervals;

"Uncontaminated Wastewater" means water such as spent cooling water, water discharged from a swimming pool, water used in street cleaning, any groundwater or surface/storm drainage flows, including but not limited to storm drains, sumps, roof drains and foundation drains or wastewater classified as such by the Manager of Operations;

"User" means any person or owner contributing, connected to, or otherwise benefitting from the municipal sanitary sewer system;

"User Fee" means a fee imposed for the use of the municipal sanitary sewer system under **SCHEDULE "A"** of this bylaw or under any other bylaw of the City;

"Waste" means any material deposited in or collected by a common sewer pipe, sewer connection pipe or Wastewater Treatment Facility;

"Wastewater" means the water-borne wastes of the community derived from human or industrial sources including domestic wastewater and industrial wastewater, but does not include rainwater, groundwater, or drainage of uncontaminated water;

"Wastewater Treatment Facility" means any arrangement of devices and structures used for treating wastewater.

3. ADMINISTRATION

3.1 The Manager of Operations and the Bylaw Enforcement Officer are authorized to

administer and enforce the provisions of this bylaw.

- 3.2 The Manager of Operations is authorized to administer the operation, maintenance, repair and renewal of the municipal sanitary sewer system.

4. TERMS AND CONDITIONS OF SERVICE

- 4.1 An owner, occupier of real property or other user may discharge private wastewater effluent into the municipal sanitary sewer system on the condition that:
- (a) the owner of that real property must pay all costs, rates, charges, and user fees that are or may be imposed for the use of the municipal sanitary sewer system under this bylaw or any other bylaw of the City; and
 - (b) the owner of that real property is responsible for any breach of this bylaw arising on the parcel to which sanitary sewer service is provided, whether the breach is committed by the owner or by an occupier or third party renting, leasing, or having access to the property.
- 4.2 No person shall make any connection to the common sewer without first receiving approval from the City.
- 4.3 The property owner shall keep the building sewer connection pipes, fixtures and fittings on their own premises or property free-flowing, in good repair, free from leaks and infiltration, and protect them from frost at their own risk and expense.
- 4.4 If a parcel of land has a building, occupied by one or more persons, and the parcel of land abuts a street, lane or right-of-way where there is a common sewer, the owner shall connect the building sewer with the common sewer in the manner provided by this bylaw.
- 4.5 The City shall not be required to supply a sewer connection to any property within the City which is serviced by other than the common sewer and in the City is not responsible for damages arising directly, or indirectly, out of the breakdown or malfunction of the common sewer.
- 4.6 The Property Owner shall be responsible for all costs associated with the works required for the installation of a sewer connection for his/her property.
- 4.7 No works or services shall be performed on the common sewer unless authorized in writing by the Manager of Operations, and shall conform to the requirements of the City of Grand Forks.
- 4.8 No person shall in any way interfere or tamper with any pipe, fixture, fitting, or other component of the common sewer.

- 4.9 The City shall not be liable for damages caused as a result of a disruption or discontinuation of sewer service.
- 4.10 No person being a Property Owner, occupant, or tenant of any premises supplied with sewer services by the City shall sell, give away or permit use of the common sewer for the benefit of others, except to those persons provided written authorization from the Manager of Operations.

5. INSPECTION AND ENFORCEMENT

- 5.1 The Manager of Operations may, at any time and without notice, take private wastewater effluent samples from the sanitary service connection or otherwise inspect the sanitary service connection to determine whether a contravention of this bylaw has occurred.
- 5.2 Subject to the provisions of Section 16 of the Community Charter, the Manager of Operations, and any other City employee acting under the direction of the Manager of Operations, may enter onto any property and may enter into any premises to inspect and determine whether all regulations, prohibitions and requirements of this bylaw are being met.
- 5.3 No person shall interfere with, or otherwise obstruct the entry of the Manager of Operations or other authorized City employee in carrying out an inspection under the provisions of this bylaw.
- 5.4 The Manager of Operations may issue a Compliance Order to any person or owner who is found to be in contravention of this bylaw, which order may:
 - (a) require compliance with the provisions of this bylaw within a period of time set out in the Compliance Order,
 - (b) in the case of a discharge of private wastewater effluent that exceeds the effluent limitation parameters of this bylaw or that otherwise contravenes this bylaw, include an order to temporarily plug or seal the sanitary service connection, or otherwise physically disconnect the private wastewater system on real property from the municipal sanitary sewer service, until the private wastewater effluent from that property is brought into compliance with the requirements of this bylaw.
- 5.5 Without limiting the Manager's authority under Section 6.4, should the Manager of Operations determine that extraneous flows or deleterious substances are entering the municipal sanitary sewer system due to an unauthorized connection to the municipal sanitary sewer system, or due to improper maintenance or repair of a private wastewater system, or due to the discharge of any prohibited waste material or effluent, the Manager of Operations may issue a Compliance Order in accordance with the Section 6.4 of this bylaw.

- 5.6 If a Compliance Order includes an order under Section 5.4(b), no further discharge of private wastewater effluent to the municipal sanitary sewer system shall be permitted until:
- (c) the Manager of Operations is satisfied that the private wastewater effluent discharged from that property will comply with the requirements of this bylaw, and has authorized the commencement of such discharge; and
 - (d) any and all fees or charges imposed in connection with the Compliance Order, including but not limited to fees or charges for inspection and testing, and for reconnection to or reinstating of the sanitary sewer service, have been paid by the owner.

6. INTERRUPTION AND DISCONTINUATION OF SERVICE

- 6.1 Sanitary sewer service may be limited or interrupted by the City to accommodate routine maintenance or the construction of improvements to the municipal sanitary sewer system.
- 6.2 Except in the case of an emergency, the City will endeavor to provide reasonable notice to affected parties of any service interruption or limitation of service.
- 6.3 The City may discontinue sanitary sewer service to any property where the owner or any other person on that property using the sanitary sewer service;
- (a) fails to comply with the rules established under this bylaw for the use of the service; or
 - (b) fails to pay when due any user fees, charges, or taxes imposed under this or any other bylaw of the City in relation to the service.
- 6.4 Before discontinuing service under Section 6.3, the Manager of Operations must:
- (a) provide the owner and all occupiers of that property with at least thirty days' notice in writing of discontinuation of the service;
 - (b) in the case of a termination under Section 6.3(a), inform the owner and all occupiers of the property that they may make representations to Council concerning the discontinuation of the service at a regularly scheduled Council meeting that is scheduled to take place within thirty days following delivery of the notice of discontinuation, provided that the owner or occupier wishing to make such representations notifies the City's Corporate Officer of their intention to do so at least 24 hours before that Council meeting.

7. SERVICE CONNECTIONS

- 7.1 The owner of a private wastewater system that discharges private wastewater effluent to the municipal sanitary sewer system shall ensure that the private wastewater system is constructed in accordance with the provisions of the

Plumbing Code and the provisions of all applicable City bylaws.

- 7.2 The owner is solely responsible to construct any private wastewater system to meet the design parameters and elevation of any existing or future sanitary service lateral at the property line.
- 7.3 The City is not responsible to provide for, or otherwise accommodate in any form, the outlet from a private wastewater system that was constructed prior to the installation of a sanitary service lateral that services that property.
- 7.4 Any and all costs related to the construction, installation, repair and maintenance of any private wastewater system remains the sole responsibility of the owner.

Inspection Chambers and Manholes

- 7.5 All sanitary service connections shall be equipped with an inspection chamber, located at the property line, for the purposes of inspection and sampling of private wastewater effluent from the property serviced.
- 7.6 Where multiple buildings discharge from a single parcel of land, each building shall have a separate private wastewater system extending to a common inspection manhole that is designed and constructed in accordance with City specifications.
- 7.7 All inspection chambers and manholes required for the purpose of connecting a private wastewater system to the municipal sanitary sewage system shall be installed:
 - (a) at the sole expense of the owner of the property receiving the connection; and
 - (b) in accordance with City specifications.
- 7.8 A person must not cover, bury or otherwise obstruct access to an inspection chamber or manhole that forms part of the municipal sanitary sewer system.
- 7.9 An owner must ensure that every inspection chamber and manhole that provides service to that owner's property remains accessible for inspection by City Staff at all times.

Requirement to Connect

- 7.10 The owner of any parcel of land that is located within a sanitary sewer catchment area boundary/service area and that fronts onto a public highway containing an extension of the municipal sanitary sewer system must connect an existing private wastewater system to the municipal sanitary sewer system upon issuance of notice by the Manager of Operations of the requirement to connect. Any and all modifications of the owner's private wastewater system required as a result of

such notice shall be carried out at the owner's sole cost and in accordance with the requirements of Plumbing Code and any other applicable bylaws or regulations in effect from time to time.

- 7.11 An owner who receives notice under Section 7.10 may apply for an exemption, or alternatively, for an extension of the notice period, provided that the application is made in writing, directed to the Manager of Operations, and clearly outlines the reasons for the request. In all cases, an application for an exemption, or extension of the notice period, must be approved by Council.
- 7.12 Where an owner does not complete the required connection within the time stipulated, the Manager of Operations may order the completion of the connection by City forces at the owner's expense.
- 7.13 An owner of a parcel that fronts onto a public highway containing a municipal sanitary sewer must connect any new private wastewater system constructed by the owner to the municipal sanitary sewer system.
- 7.14 Where a new sanitary service lateral is required in order to connect any property to the municipal sanitary sewer system, the owner of the property must pay the applicable fee or charge imposed under any City bylaw for the installation of the sanitary service lateral.

Application to Connect.

- 7.15 No person shall connect any private wastewater system or other pipe to the municipal sanitary sewer system until an authorization for that connection has been issued by the Manager of Operations.
- 7.16 Applications for a connection under Section 7.15 must be made by the owner of the property to which the application relates, or by the owner's duly authorized agent.
- 7.17 All applications for connection shall identify the use of the premises for which the private wastewater system is to be connected, the number of dwelling units (or Equivalent Residential Units for non-residential connections), the legal description and location of the property or premises to which the connection is to be made, and any other information that is required under this bylaw, or that may be necessary to accurately assess the fees and charges applicable to the connection.
- 7.18 Authorization for connection to the municipal sanitary sewer system shall not be granted until the owner:
 - (a) submits an application for a building permit to the City, for any new building, structure or facility for which the connection is required, or for any

- proposed modifications to an existing building or structure or other facility, including but not limited to any additions to or modifications of an existing private wastewater system;
 - (b) pays all applicable fees and charges for the connection and for any works required to establish that connection, under this or any other bylaw of the City;
 - (c) complies with any applicable requirements of the Building Code requirements, the City's Subdivision and Development Servicing Bylaw, and this bylaw.
- 7.19 In all cases, the owner must not connect a private wastewater system to the municipal sanitary sewer system or undertake any construction under an authorization granted under Section 7.15, until the owner has obtained a building permit from the City for the building, structure or other facility for which the connection is required, including but not limited to any additions or modifications to an existing private wastewater system.
- 7.20 All works installed in order to establish a connection to the municipal sanitary sewer system must be inspected by City Staff and approved prior to placement of any backfill material.

Residential Connections

- 7.21 Every private wastewater system servicing a residential use shall be constructed by the owner in accordance with the requirements of the Building Code and Plumbing Code.
- 7.22 Each parcel of serviced residential land shall be limited to one sanitary service connection except that:
- (a) each residential unit on an R2 zoned property shall have a separate sanitary service connection; and
 - (b) where limitations in site servicing, development restrictions, future subdivision, or proposed stratification exist, the owner may make application for additional sanitary service connections. Additional sanitary service connections and their location must be approved by the Manager of Operations.
- 7.23 Where an owner is authorized to connect a residential parcel to the municipal sanitary sewer system, the owner must not construct a residential dwelling unit on that parcel until the sanitary service lateral required to service that parcel has been installed.
- 7.24 The City bears no responsibility for the accuracy of the location or elevation of any sanitary service connection.

- 7.25 The owner shall ensure that the private wastewater system for any residential unit constructed is capable of conveying any and all private wastewater effluent generated to the municipal sanitary sewer system.

Non-Residential Connections

- 7.26 Every private wastewater system servicing a non-residential use including any industrial, commercial, institutional or agricultural use shall be constructed by the owner in accordance with the requirements of the Building Code and Plumbing Code.
- 7.27 Each parcel of serviced non-residential land shall be limited to one sanitary service connection, suitably sized to accommodate any use permitted under the then-applicable zoning regulations.
- 7.28 Where an owner is authorized to connect a parcel used for a non-residential use to the municipal sanitary sewer system, the owner must not construct a building or structure that will generate private wastewater effluent until the sanitary service lateral required to service that parcel has been installed.
- 7.29 The City bears no responsibility for the accuracy of the location or elevation of any sanitary service connection required to service the proposed development.
- 7.30 The owner shall ensure that the private wastewater system for any building or structure constructed is capable of conveying any and all non-residential private wastewater effluent generated to the sanitary service lateral.
- 7.31 As a condition of approval of any proposed industrial, commercial, institutional and agricultural sanitary service connection, the owner must retain a qualified engineer to prepare and submit the following design information for review by the Manager of Operations:
- (a) a plan showing the scope of proposed or existing development or addition, including a sanitary flow schematic drawing,
 - (b) the daily volumes and peak discharge rates,
 - (c) the type of waste to be processed and discharged,
 - (d) the anticipated B.O.D. and the amount of suspended solids or grease,
 - (e) the pH and temperature of the private wastewater effluent,
 - (f) the chemical composition of the private wastewater effluent,
 - (g) the proposed pre-treatment, including dimensions of the proposed facility,
 - (h) flow equalizing or mixing facilities,
 - (i) the location of the inspection/sampling manhole,
 - (j) the proposed monitoring equipment, and
 - (k) any other relevant design information as required by the Manager of Operations.

- 7.32 In addition to the requirements of Section 7.31, the engineer retained by the owner must confirm that effluent quality for non-residential wastewater flows generated will be in conformance with the permitted effluent loading (sewage strength) for the City wastewater treatment plant.

The requirements of Sections 7.31 and 7.32 apply to any proposed expansion or change of use for an existing industrial, commercial, institutional or agricultural property.

8. RATES

- 8.1 The user fees and charges specified in **SCHEDULE "A"** of this bylaw are imposed and levied for sewer services supplied by the City.

9. BILLINGS AND COLLECTIONS

- 9.1 Property owners shall be responsible for payment of all fees and charges for sewer services provided to properties owned by them.
- 9.2 User rates shall be invoiced on a bi-monthly basis and be due and payable on or before the date shown as the DUE DATE on the bi-monthly billing rendered by the City.
- 9.3 User rates not paid by the DUE DATE shall be subject to an overdue account penalty, as set out in the Fees and Charges Bylaw, as amended from time to time, on the working day after the DUE DATE and monthly thereafter.
- 9.4 User rates may also be paid on the City's Tax/Utility Preauthorized Pre-Payment Plan. Upon application, the City will permit qualifying Customers to make equal monthly payments. The payments will be calculated to yield, during the period ending in December, the total estimated amount that would be payable by the Customer during the year. Applications will be accepted at any time of the year. All accounts will be reconciled in December.

A customer will qualify for the plan provided the account is not in arrears and the customer expects to be on the plan for at least one year.

The equal payment plan may be terminated by the customer or the City. If the customer has not maintained his credit to the satisfaction of the City, the plan will be terminated. On termination, the amounts payable by the Customer to the City for sewer service actually consumed during the equal payment period will be compared to the sum of equal payments made during the same period. Any amount owing by the customer will be paid to the City by cash, cheque or online banking. An excess of payments over charges will be refunded by the City to the Customer.

- 9.5 Notwithstanding Section 9.4, all fees and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.
- 9.6 The cost of works required to clear or flush waste or debris originating from a property and interrupting the free flow within the common sewer shall be charged to the owner of the originating property.
- 9.7 Where under the authority of this bylaw, the City performs any work on property or any premises, or provides any service to property or premises, the owner of the property or premises shall promptly reimburse the City for its costs in performing that work or providing that service, and the City's costs may be collected in the same manner and with the same remedy as property taxes, and if not paid by December 31st of the year in which the costs become due and payable, are deemed to be taxes in arrears.

10. TERMINATION OF SERVICE

- 10.1 Where an owner intends to abandon or otherwise discontinue use of a private wastewater system, or where a sanitary service connection is no longer required as a result of the development or redevelopment of the owner's property, the owner must apply to the Manager of Operations for the discontinuation or termination of sanitary sewer service.
- 10.2 An application for discontinuation or termination of sanitary sewer service must be made by the owner of the property to which the application relates, or by the owner's duly authorized agent.
- 10.3 Approval for the termination of service shall not be granted until the owner submits a completed application for discontinuation of service stating the reasons for and, if applicable, the estimated duration of discontinuation of the service, and:
- (a) obtains a building permit for demolition of the building or structure that is the source of private wastewater effluent from that property;
 - (b) pays all applicable fees and charges for the discontinuation or termination of service.
- 10.4 Upon approval of the application for discontinuation or termination of service, the owner shall:
- (a) physically disconnect and seal or cap the sanitary service connection at a point that is at least 2.0m (minimum) inside the boundary of the property that abuts the public highway or right of way;
 - (b) mark the capped sanitary service connection location via a 2x4 service marker, extended 0.3m above grade.

- 10.5 The works required under Section 10.4 of this bylaw must be inspected and approved by the Manager of Operations or his designated representative prior to placement of any backfill material.
- 10.6 Where sanitary sewer service to a property has been discontinued or terminated, the owner must not connect a private wastewater facility on that property to the municipal sanitary sewer system except in accordance with Section 7 - Service Connections of this bylaw.

11. PROHIBITIONS

11.1 No person shall:

- (a) enter into or undertake any work upon or interfere with any aspect of the municipal sanitary sewer system unless authorized by the Manager of Operations;
- (b) make or terminate a connection to the municipal sanitary sewer system unless duly authorized by the Manager of Operations;
- (c) attach or detach any line, pipe, or other appurtenance of the municipal sanitary sewer system unless duly authorized by the Manager of Operations;
- (d) undertake any work upon or interfere with any aspect of the municipal sanitary sewer system unless authorized by the Manager of Operations.

11.2 No person shall directly or indirectly discharge into the municipal sanitary sewer system:

- (a) any water or waste containing substances in concentrations that are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot, during normal operation, meet the requirement of any other agency having jurisdiction over discharges to the receiving waters;
- (b) any material or substance (e.g. enzymes and/or bacteria) that alters the structure of the waste(s) but does not reduce the loading (C.O.D.);
- (c) any water or wastewater contained in, but not limited to, a swimming pool, hot-tub, or artificial pond;
- (d) any deleterious substance;
- (e) any sludge or other waste material contained in a septic system without prior written authorization from the Manager of Operations;
- (f) any extraneous amounts of water or waste effluent material for the purpose of diluting wastes which would otherwise not meet the allowable concentrations outlined in this bylaw;
- (g) any groundwater or surface/storm drainage flows, including but not limited to storm drains, sumps, roof drains, and foundation drains to the municipal sanitary sewer system;

- (h) any non-domestic liquid or vapour having a temperature in excess of sixty-five (65°C) degrees Celsius;
- (i) any substance which may solidify or become viscous at temperatures above zero (0°C) degrees Celsius;
- (j) any material which exerts or causes unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's Earth); or any unusual concentrations of dissolved solids (such as but not limited to sodium chloride, calcium chloride or sodium sulphate);
- (k) any non-domestic water or waste which contains dyes or other colouring material;
- (l) any soluble waste or wastewater having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property which could be hazardous to structures, equipment, or personnel including, but not limited to, battery or plating acids and wastes, copper sulphate, chromium salts or brine;
- (m) any flammable or explosive liquid, solid, or gas which has a closed cup flashpoint of sixty degrees Celsius (60 °C), or exceeds or could cause an exceedance of ten percent (10%) of the lower explosive limit (LEL) at any point within the municipal sanitary sewer system for any single reading or five percent (5%) for any two (2) consecutive readings. This includes but is not limited to gasoline, benzene, naphtha, alcohol, fuel, oil, solvents, and acetone;
- (n) any pesticides, insecticides, herbicides, or fungicides;
- (o) any toxic, radioactive, poisonous, corrosive, noxious, or malodorous gas, liquid, or substance which may either singly or by interaction with other wastes:
 - (i) cause public or worker health and safety hazards,
 - (ii) cause injury to or interference with the wastewater treatment process,
 - (iii) cause corrosive damage to the sanitary sewer system,
 - (iv) result in the release of toxic gases, vapours, or fumes within the municipal sanitary sewer system.
- (p) any solid or viscous substance, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin which may:
 - (i) obstruct the flow in the municipal sanitary sewer system,
 - (ii) interfere with or damage the municipal sanitary sewer system or the wastewater treatment process;
- (q) including but not limited to ashes, cinders, grit sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, asphalt, creosote, plastics, wood, animal paunch contents, offal, blood, bones, meat trimmings and waste, fish or fowl head, shrimp, crab or clam shells, fish scales, entrails, lard, mushrooms, tallow, baking dough, chemical residues, cannery or wine waste, bulk solids, hair and fleshings, spent grain and hops, whole or ground food or beverage containers, garbage, paint residues, cat box litter, slurries of concrete, cement, lime, or mortar;
- (r) any sludge, deposit, or material from a cesspool;
- (s) any hazardous waste.

12. EFFLUENT LIMITATION PARAMETERS (SEWAGE STRENGTH)

No person shall discharge any effluent into the municipal sanitary sewer system that, when analyzed in the specified sample type, exceeds the limits set out in the following table:

Table 1.0 – Effluent Concentrations		*Concentrations in milligrams per litre (mg/L)	
Parameter	One-day Composite Sample	Two-hour Composite Sample	Grab Sample
B.O.D.	500	1000	2000
C.O.D.	750	1500	3000
Suspended Solids	600	1200	2400
Oil & Grease (non-petroleum)	150	300	600
Oil & Grease (petroleum-based)	15	30	60
pH (non-domestic waste)	>6 and <9.5	>5 and <11	>5.5 and <10.5

No person shall discharge any effluent which, at the point of discharge into the municipal sanitary sewer system, contains any substance, in a combined or uncombined form, with a concentration in excess of the levels set out in the following table.

Table 2.0 - Waste Substances		*Concentration in Milligrams per Litre (mg/L)		
Substance	Abbreviation	One day composite sample	Two hour composite sample	Grab sample
Aluminum	Al	50.0	100.0	200.0
Arsenic	As	0.5	1.0	2.0
Boron	B	50.0	100.0	200.0

Cadmium	Cd	0.2	0.4	0.8
Chromium	Cr	2.0	4.0	8.0
Cobalt	Co	5.0	10.0	20.0
Table 2.0 - Waste Substances (cont'd)		*Concentration in Milligrams per Litre (mg/L)		
Copper	Cu	2.0	4.0	8.0
Cyanide	CN	0.5	1.0	2.0
Iron	Fe	10.0	20.0	40.0
Lead	Pb	1.0	2.0	4.0
Manganese	Mn	5.0	10.0	20.0
Mercury	Hg	0.025	0.05	0.1
Molybdenum	Mo	1.0	2.0	4.0
Nickel	Ni	2.0	4.0	8.0
Phenols	-	1.0	2.0	4.0
Phosphorus	p	12.5	25.0	50.0
Silver	Ag	1.0	2.0	4.0
Sulphate	S04	1500.0	3000.0	6000.0
Sulphide	s	1.0	2.0	4.0
Tin	Sn	5.0	10.0	20.0
Zinc	Zn	3.0	6.0	12.0

*All concentrations are expressed as total concentrations (expressed in milligrams per litre) which include both the dissolved and undissolved substances.

13. SAMPLING AND ANALYSIS PROTOCOLS

- 13.1 All tests, measurements, analyses, and examinations of private wastewater effluent, its characteristics or contents, required for the purpose of this bylaw shall be carried out in accordance with Standard Methods.
- 13.2 Where private wastewater effluent is required or authorized to be inspected, tested, measured, examined or analyzed under this bylaw, the owner of the property that is the source of the private wastewater effluent shall pay all

applicable fees and charges that apply to the City's inspection, testing, measurement, examination or analysis.

14. PRE-TREATMENT REQUIREMENTS

14.1 Where a private wastewater system, or a proposed private wastewater system, or any component of the private wastewater effluent discharged into the municipal sanitary sewer system from a private wastewater system:

- (a) does not comply with the regulations under this bylaw;
- (b) may damage or increase maintenance costs on the municipal sanitary sewer system; or
- (c) may detrimentally affect the operation of the City's wastewater treatment plant.

The Manager of Operations may by written notice direct the owner of the private wastewater system to retain the services of a qualified engineer to determine an acceptable method of pre-treatment of the private wastewater effluent to meet the requirements of this bylaw.

14.2 The Engineer shall provide:

- (a) detailed design drawings of the proposed pre-treatment facility;
- (b) detailed chemical analysis of the private wastewater effluent, including the concentrations of each component prior to and immediately following the pre-treatment process; and
- (c) detailed operation and maintenance requirements, sampling protocols and testing and analysis schedule required to ensure compliance with this bylaw.

14.3 The proposed pre-treatment facility and process must be approved by the Manager of Operations, and the Manager's approval may be withheld, and no construction may proceed until such time as the Manager is satisfied that the pre-treatment process is such that the private wastewater effluent will comply with the limits prescribed under this bylaw. Upon the Manager's approval being given the owner must at the owner's sole cost and expense construct the facilities necessary for the approved pre-treatment process within such time as the Manager has ordered.

14.4 The owner who is required to design and construct a pre-treatment facility shall maintain complete written records of all cleaning, repair, calibration, maintenance, sampling, and analysis and shall store those records on the owner's property or place of business the owner's facility for a minimum of three (3) years. The owner shall make those records available for examination by the Manager of Operations at all reasonable times.

- 14.5 It is the owner's sole responsibility to ensure that all components of the private wastewater effluent discharged into the municipal sanitary sewer system are in compliance with the provisions of this bylaw after the pre-treatment facility is completed and the Manager's approval of any pre-treatment process or facility does not imply that the quality of the wastewater discharged after passing through the pre-treatment process or facility will meet the requirements of this bylaw.

15. VOLUME CONTROL

- 15.1 Where private wastewater effluent is discharged into the municipal sanitary sewer system in volumes that the Manager of Operations determines may exceed the available downstream system capacity, the Manager may by written notice to the owner or occupier of the property from which the wastewater effluent is discharged require the Owner:

- (a) to take measures specified by the Manager to equalize the discharge volumes and strengths; or
- (b) to retain the services of a qualified engineer to determine an acceptable method to equalize discharge volumes and strengths.

- 15.2 Where notice is given under Section 15.1(b):

- (a) the engineer shall provide such detailed calculations and design drawings that are necessary to demonstrate the viability of the method recommended for equalizing discharge volumes and strength; and
- (b) the proposed method for equalizing discharge volumes and strengths must be approved by the Manager of Operations, and the Manager's approval may be withheld, and no construction may proceed until such time as the Manager is satisfied that the proposed method will prevent the available downstream capacity from being exceeded.

- 15.3 Upon receiving notice of the Manager's requirement under Section 15.1(a), or the Manager's approval under Section 15.2(b), the owner must at the owner's sole cost and expense construct the facilities necessary to comply with the requirement or undertake the approved work.

- 15.4 Any equipment necessary to comply with a requirement of the Manager under Section 15.1 or 15.3 shall be provided, maintained, and operated by the owner or occupier of the property at their sole expense and in a manner satisfactory to the Manager.

16. INTERCEPTION DEVICES

- 16.1 Where a private wastewater system, or any component thereof, may generate or contain grease, oil, grit, flammable or reactive liquids/gases, or other such

deleterious substances, the owner shall provide an interception device designed by a qualified engineer capable of effectively removing these substances.

16.2 Without limiting the generality of Section 16.1, the Manager may require the owners or operators of the following institutional, industrial, and agricultural operations to have designed and to install a permanent interception device in accordance with Section 16.1:

- (a) service/fuel stations, vehicle repair facilities, and automobile wash bays;
- (b) dry-cleaning establishments;
- (c) milk/cream/cheese production/processing plant;
- (d) laboratories;
- (e) commercial kitchens; and
- (f) concrete/aggregate plants/facilities.

16.3 All interception devices shall be:

- (a) of sufficient capacity to remove and retain the deleterious material;
- (b) designed by a qualified professional engineer;
- (c) located in an area that is readily accessible for inspection and maintenance purposes.

16.4 The owner or other person who is subject to a requirement under Section 16.1 shall submit detailed design drawings, calculations (including operation and maintenance manuals) and specifications prepared by the owner's qualified engineer to the Manager of Operations for approval prior to construction.

16.5 Construction and installation of an interception device shall not commence until such time as the Manager has reviewed and approved the design.

16.6 Approval to construct an interception device by the Manager does not imply that the quality of the private wastewater effluent discharged after passing through the interceptor will meet the requirements of this bylaw. It is the Owner's responsibility to ensure that all the components of the private wastewater effluent will comply with the provisions of the bylaw after passing through the interception device.

16.7 The design, construction, operation, and maintenance of an interception device shall be the responsibility of the owner and shall be at the owner's expense.

16.8 The owner shall maintain written records of all cleaning, repair, calibration, and maintenance of an interception device and shall store those records at the owner's property or place of business for a minimum of three (3) years. The owner shall make these records available for examination by the Manager of Operations at all reasonable times.

17. REPORTING OF ACCIDENTAL DISCHARGES

- 17.1 Any person responsible for, or aware of, the accidental discharge of prohibited substances into the municipal sanitary sewer system shall promptly report that discharge to the Manager of Operations in order that immediate remedial action can be taken to minimize environmental risks.

18. COMPLIANCE WITH OTHER REGULATIONS

- 18.1 Notwithstanding the provisions contained within this bylaw, any person or owner is responsible for ascertaining, and ensuring compliance with, all other City bylaws, provincial or federal enactments and legislation, as in effect from time to time.

19. OFFENCES AND PENALTIES

- 19.1 Any owner or person who contravenes a provision of this bylaw may, on summary conviction, be liable to the maximum penalty under the Offence Act, plus the cost of prosecution, for each offence.
- 19.2 Any penalty imposed under Section 19.1 is a supplement to and not a substitute for any other remedy or action under that may be available under his bylaw or any other applicable laws or enactments.
- 19.3 Each day that a contravention of this bylaw continues shall constitute a separate offence.

20. RECOVERY OF COSTS

- 20.1 Where under the authority of this bylaw, the City performs any work on property or any premises, or provides any service to property or premises, the owner of the property or premises shall promptly reimburse the City for its costs in performing that work or providing that service, and the City's costs may be collected in the same manner and with the same remedy as property taxes, and if not paid by December 31st of the year in which the costs become due and payable, are deemed to be taxes in arrears.

21. SEVERABILITY

- 21.1 If any portion of this bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

22. REPEAL

- 22.1 The "Corporation of the City of Grand Forks Sewer Regulations Bylaw No. 1500, 1997" and all amendments thereto are hereby repealed.

READ A FIRST TIME this 20th day of October, 2014.

READ A SECOND TIME this 20th day of October, 2014.

READ A THIRD TIME this 20th day of October, 2014

ADOPTED this 3rd day of November, 2014.

Mayor Brian Taylor

Corporate Officer – Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1974, as
passed by the Municipal Council of the City of Grand Forks
on the 3rd day of November, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Date Signed

SERVICE CHARGES

1. Charges for installation of sewer service:

- (a) **Residential:** 100 mm (4 inch) diameter

At Cost by Contractor, including any additional service costs itemized in (c), plus 15%

- (b) **Commercial, Industrial, Institutional, Multi-family:** 152 mm (6 inch) diameter

At Cost by Contractor, including any additional service costs itemized in (c), plus 15%

- (c) Additional service costs not included in (a) and (b) above:

i) Service or main extension (100 mm to 152 mm diameter and/or where the service length is greater than 15 m);

ii) Restoration including but not limited to: asphalt road repair, concrete curb, sidewalk (concrete), and boulevard landscaping

2. Charges for after-hours callout – evenings, weekends, statutory holidays

Private property issue	\$250.00	flat rate
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SCHEDULE "A"
Page 2 of 2

3. User Rates – Effective July 1, 2014

	Bi-Monthly Fixed Charge & Capital Charge	Bi-Monthly Fixed Charge & Capital Charge	Bi- Monthly Customer Charge	Sewer Rates Charge per 1/3 cubic meter Of metered water	Bi-Monthly Variable Sewer Charges for non-Metered
User Class	Per unit	Per Account (per meter)	Per Account		Per Residence
Metered multi-Family Apartment (one tax folio)	35.25		10.50	0.400	
Commercial Office Properties (water use restricted to staff washroom)		38.25	10.50	0.400	
Commercial (Class 06) Properties not listed below		60.25	10.50	0.400	
Large Industrial (Class 04) Properties		60.25	10.50	0.400	
Commercial laundry, car wash properties		60.25	10.50	0.400	
Hotels, Restaurants, Malls		60.25	10.50	0.400	
Institutions, schools, recreation facilities (arenas, pools) irrigation systems		60.25	10.50	0.400	
Buildings not connected to sewer system on lots where service is available		35.25	10.50		
Residential Properties not metered	44.00		10.50		15.60

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1974-A1

A BYLAW TO AMEND THE CITY OF GRAND FORKS SEWER REGULATION AND RATES BYLAW NO. 1974

WHEREAS in accordance with the Community Charter, Council may, by bylaw, regulate and control the sewer service of the City of Grand Forks and amend rates, terms and conditions under which sewer service will be provided and supplied to all users and for the collection of rates for the service provided;

NOW THEREFORE the Council for the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the “**City of Grand Forks Sewer Regulations Amendment Bylaw No. 1974-A1, 2016**”.
2. That Bylaw No. 1974, cited as “City of Grand Forks Sewer Regulation Bylaw No. 1974, 2013” be amended by deleting “Schedule A” and replacing it with a new “Schedule A”, which is identified as “Appendix 1” and attached to this bylaw.
3. That this bylaw shall come into force and effect for all consumption billed for periods ended on or after July 1, 2016.

INTRODUCED this 9th day of May, 2016.

Read a **FIRST** time this 30th day of May, 2016.

Read a **SECOND** time this 30th day of May, 2016.

Read a **THIRD** time this 30th day of May, 2016.

FINALLY ADOPTED this 13th day of June, 2016.

Mayor Frank Konrad

Acting Corporate Officer – Sarah Winton

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1974-A1, the "City of Grand Forks Sewer Regulations Amendment Bylaw No. 1974-A1, 2016", as passed by the Municipal Council of the Corporation of the City of Grand Forks on the 13th day of June, 2016.

Corporate Officer of the Municipal Council of the
City of Grand Forks

SERVICE CHARGES

1. **Charges for installation of sewer service:**
- (a) **Residential:** 100 mm (4 inch) diameter

At Cost by Contractor, including any additional service costs itemized in (c), plus 15%
 - (b) **Commercial, Industrial, Institutional, Multi-family:** 152 mm (6 inch) diameter

At Cost by Contractor, including any additional service costs itemized in (c), plus 15%
 - (c) Additional service costs not included in (a) and (b) above:
 - i) Service or main extension (100 mm to 152 mm diameter and/or where the service length is greater than 15 m);
 - ii) Restoration including but not limited to: asphalt road repair, concrete curb, sidewalk (concrete), and boulevard landscaping
2. **Charges for after-hours callout – evenings, weekends, statutory holidays**
- | | |
|------------------------|---------------------|
| Private property issue | \$ 250.00 flat rate |
|------------------------|---------------------|

3. User Rates – Effective July 1, 2016

	Per Unit Bi-monthly Fixed & Capital Charge	Per Account Bi-Monthly Fixed & Capital Charge	Per Account Bi-monthly Customer Charge	Sewer Rates Charge per 1/3 cubic meter of metered water	Bi-Monthly Variable Sewer Charges, Per Residence
User Class					
Metered Multi-Family Apartment (one tax folio)	39.37		11.73	0.45	
Commercial Office Properties (water use restricted to staff washroom)		42.73	11.73	0.45	
Commercial (Class 06) Properties not listed below		67.30	11.73	0.45	
Large Industrial (Class 04) Properties		67.30	11.73	0.45	
Commercial laundry, car wash Properties		67.30	11.73	0.45	
Hotels, Restaurants, Malls		67.30	11.73	0.45	
Institutions, schools, recreation facilities (arena, pools) irrigation systems		67.30	11.73	0.45	
Buildings not connected to Water System on lots where service is available		39.37	11.73		
Residential Properties	49.15		11.73		17.42

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1974-A2

A Bylaw to Amend the Sewer Regulations Bylaw No. 1974

The Council of the Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the “**Sewer Regulations Amendment Bylaw No. 1974-A2, 2018**”
2. That Bylaw 1974, cited as “Sewer Regulations Bylaw No. 1974, 2014, be amended as follows:
 - a) In Section 2. DEFINITIONS, insert the definition “**'Fees and Charges Bylaw'** means the most current Corporation of the City of Grand Forks Fees and Charges Bylaw”. In Section 2. DEFINITIONS “**User Fee**”, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - b) In Section 8.1, replace “Schedule A” with “the Fees and Charges Bylaw”.
 - c) Delete Schedule “A”.

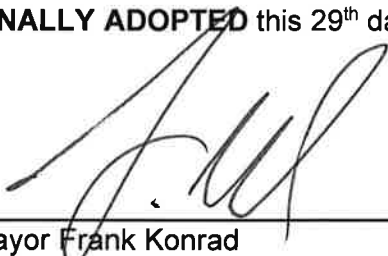
INTRODUCED this 11th day of December, 2017.

Read a **FIRST** time this 15th day of January, 2018.

Read a **SECOND** time this 15th day of January, 2018.

Read a **THIRD** time this 15th day of January, 2018.

FINALLY ADOPTED this 29th day of January, 2018.



Mayor Frank Konrad

Corporate Officer – Diane Heinrich

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 1974-A2, 2018 as adopted by the Municipal Council of the City of Grand Forks on the 29th day of January, 2018.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Request for Decision



To: Regular Meeting
From: **Corporate Services / Operations**
Date: February 10, 2020
Subject: Electrical Regulations Bylaw – First Three Readings
Recommendation: **THAT Council gives first three readings to the “Electrical Regulations Bylaw No. 2067”.**

THAT Council gives first three readings to the “Electrical Utility Regulatory Bylaw No. 2015-R”.

Background

The Electrical Regulations Bylaw provides the terms of use of the City’s electrical system. It includes the standards and conditions for connecting to the electrical system and the different responsibilities for maintenance.

Staff have redrafted the bylaw to bring it up to date and to phase out the financial section of the bylaw into a general utilities billing bylaw. This draft bylaw cleans up redundant language, incorporates better language found in the bylaws of other municipalities, and makes it easier to interpret.

With these changes the Bylaw will focus on the regulations surrounding the utility and will not have to come before Council on an annual basis for a simple change in the fee structure.

This Bylaw will require an extra step of submitting to the Ministry of Municipal Affairs and Housing for approval once the Bylaw reaches 3rd reading by Council.

Update Jan 13, 2020:

The Bylaw was introduced at the COTW on December 16, 2019.

Staff made some minor amendments to the Bylaw.

The Bylaw is now presented for first three readings. Council asked staff to further review the bylaw.

Update Feb 10, 2020:

Staff reviewed the bylaw further and made changes as indicated in yellow in the attached draft bylaw for convenience.

The Bylaw is now presented for first three readings.

Benefits or Impacts

General

Redrafting the bylaw keeps it current and makes it easier to interpret.

Policy/Legislation

This bylaw will be presented with a bylaw (No. 2015-R) to repeal Electrical Utility Regulatory Bylaw No. 2015 and all of its amendments.

Attachments

Draft Electrical Regulations Bylaw No. 2067
Draft Electrical Utility Repeal Bylaw, No 2015-R
Electrical Utility Regulatory Bylaw, No. 2015 and amendments.

Recommendation

THAT Council gives first three readings to the “Electrical Regulations Bylaw No. 2067”.

THAT Council gives first three readings to the “Electrical Utility Regulatory Bylaw No. 2015-R”.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	20200210 - RFD - Electrical Regulations Bylaw - 3 readings.docx
Attachments:	<ul style="list-style-type: none">- 20200210 - Electrical Utility Regulatory Bylaw 2067-Reformatted.docx- By2015-R - Electrical Regulation Repeal Bylaw - 2019.doc- By2015 - Electrical Utility Regulatory Bylaw No. 2015, 2015.pdf- By2015-A1 - to amend Bylaw No. 2015 Electrical Utility Regulatory Bylaw.pdf- By2015-A2 - to amend Bylaw No. 2015 Electrical Utility Regulatory.pdf
Final Approval Date:	Feb 5, 2020

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 5, 2020 - 1:52 PM

THE CORPORATION OF THE CITY OF GRAND FORKS
ELECTRICAL UTILITY REGULATION BYLAW NO. 2067

**A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF THE
ELECTRICAL UTILITY OF THE CORPORATION OF THE CITY OF GRAND FORKS
AND IMPOSE RATES, TERMS, AND CONDITIONS FOR THE SUPPLY OF
ELECTRICITY SERVICE.**

The Municipal Council of the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

Citation

1. This bylaw may be cited as the “**Electrical Utility Regulation Bylaw No. 2067**”.

Definitions

2. In this bylaw, unless the content otherwise requires, the following definitions will apply:
 - 2.1 “**Bi-Monthly**” means every two-month period;
 - 2.2 “**Bylaw Enforcement Officer**” means every person(s) designated by Council as a Bylaw Enforcement Officer for the City or otherwise authorized under the Offence Act, and every Peace Officer;
 - 2.3 “**City**” means the Corporation of the City of Grand Forks;
 - 2.4 “**Customer**” means an *Owner* of real property to which electrical energy is supplied by the City;
 - 2.5 “**Council**” means the elected Council of the Corporation of the City of Grand Forks;
 - 2.6 “**Electrical Service**” means the supply of electricity from the *City* to any *Premises*;
 - 2.7 “**Electrical Utility**” means the *City’s* electrical distribution system and includes all the structures, switchgear, transformers, poles, wires, cables, meters and related apparatus and facilities used in the receiving, distribution and measuring of electrical power and energy and which comprise the electrical distribution system. It also includes all land, easements, rights-of-way, buildings, vehicles, tools, or other things, which, by their necessity and usage, form an essential part of the electrical distribution system;
 - 2.8 “**Fees and Charges Bylaw**” means the *City of Grand Forks Fees and Charges Bylaw No. 1958, 2014*, as amended or replaced from time-to-time;
 - 2.9 “**Manager of Operations**” means the Manager of Operations for the City of Grand Forks, their deputy or assistant, or other individual designated to oversee day-to-day operation of the *Electrical Utility*;

Electrical Utility Regulation Bylaw, No. 2067

- 2.10 **“Meter”** means any device used for measuring either or both the demand and consumption of electricity;
- 2.11 **“Owner”** has the same meaning as in the *Community Charter*, as amended from time to time;
- 2.12 **“Point of Delivery”** means the first point of connection between the *City’s* electrical distribution system and the *Customers’* electrical facilities. This will be at the service mast on overhead services (not including the attachment point for the overhead wire) and at the property line on underground secondary services;
- 2.13 **“Power Factor”** means the percentage determined by dividing the *Customer’s* demand measured in kilowatts (**real power**) by the same demand measured in kilovolt-amperes (**apparent power**);
- 2.14 **“Premises”** means the land occupied by the *Customer* together with any buildings, works, or improvements, which have been erected or constructed thereon;
- 2.15 **“Rate or Rates”** includes every toll, rate, security deposit, penalty and interest on arrears or any other lawfully collectible charges applicable under this bylaw for the provision and delivery of electricity in any form or services which are in any way related to the delivery of electricity;
- 2.16 **“Service”** means the supply of electricity from the *City* to any *Premises*, and where the context requires, the *Electrical Utility* used for the purposes of the supply of electricity;
- 2.17 **“Service Area”** means the area within the boundaries of the *City* currently serviced by the *City’s Electrical Utility*, as outlined in “Schedule A”;
- 2.18 **“Service Connection”** means that portion of the distribution system facilities extending from the *City’s* **distribution** circuits ~~on a public highway~~ to the *Point of Delivery*. They include but are not necessarily limited to the following types:
- 2.18.1 **“Overhead Service”** - That portion of an overhead service connection extending not more than 30 meters onto the *Customer’s* property and not beyond the first intermediate support on such property.
- 2.18.2 **“Dip Service”** - A service connection provided from the *City’s* overhead circuits that is underground where it crosses the *Customer’s* property line.
- 2.18.3 **“Underground Service”** - A service connection provided from the *City’s* underground circuits.
- 2.19 **“Service Entrance”** is the point on the *Customer’s* premises at which the *Point of Delivery* is between the *City’s* system and the *Customer’s* system;
- 2.20 **“Temporary Service”** means a *Service* provided to meet a temporary need (no longer than 270 days connected) not to exceed 30 meters in length from the *City’s* electric distribution system and does not include the supply of a periodical or seasonal service requirement that may occur at the same location.

General Provisions

3. To the extent that the *City* has not already established the *Service*, the *City* hereby establishes the *Service* of supplying electricity from the *Electrical System* to properties in the area defined by Schedule A by operating, constructing, maintaining, regulating, repairing, and imposing requirements on the *Electrical System*.
4. The *City* does not guarantee a constant supply or quality of electricity but will make reasonable efforts to supply electricity in sufficient quantities.
5. The *City* is not responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, failure or defect in the supply of electricity.
6. The *City* retains ownership of all electrical equipment and facilities up to the *Point of Delivery*, including without limitation all electrical metering devices owned by the *City*.
7. A person shall follow all applicable standards, codes, and regulations for electrical work.
8. Net metering is only available for residential usage with solar (PV) installations of not more than ten (10) kVA, however the *Manager of Operations* may approve a commercial photovoltaic service greater than ten (10) kVA, at their discretion, if it creates positive operating and financial impacts to the electric utility and its rate payers.
9. A person may be supplied electricity from the *Electrical Utility* provided they meet the conditions of this bylaw.

Regulating Electrical Services

Administration

10. The *Manager of Operations* is authorized to make orders, deliver notices, approve or refuse to approve applications for service connections and to make other decisions about specific service connections and the *Electrical Utility*, and otherwise administer this Bylaw.

Applications and Permits

11. A person shall not connect or disconnect an *Electrical Service* to the *City's Electrical System* without prior authorization from the *Manager of Operations*.
12. A person shall apply for a provision of *Service* using the *City's* form and process as amended from time to time.
13. The *Manager of Operations* will process a completed application in a timely manner.
14. The *Manager of Operations* will not process an application until an applicant pays the applicable fees and charges.
15. The *Customer* shall be responsible for the installation of the service entrance and the meter location, which shall be located at a point satisfactory to the *City*.

16. A potential *Customer* shall obtain any easements or statutory rights of way, **in favour of the City and with wording satisfactory to the City**, required by the *City* or others to permit the installation of an electrical *Service*.
17. **The customer must provide Technical Safety BC declaration that the premise is safe to connect service to.**

Standards

18. The *City* supplies the following secondary supply voltages:
 - 18.1 From pole mounted transformers:
 - 18.1.1 Single Phase – 120/240 volts, 3 wire, maximum **400** amperes (**100 kVA**);
 - 18.1.2 Three Phase - 120/208 volts, 4 wire, maximum 800 amperes transformation capacity (**300 kVA**);
 - 18.1.3 Three Phase - 347/600 volts, 4 wire, maximum 300 amperes transformation capacity (**300 kVA**);
 - 18.2 From pad mounted transformers:
 - 18.2.1 Single Phase – 120/240 volts, 3 wire, maximum **150 kVA**;
 - 18.2.2 Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity;
 - 18.2.3 Three Phase – 347/600 volts, 4 wire, maximum 500 kVA transformation capacity.
19. The *Manager of Operations*, at their discretion, may approve to supply loads or supply voltages different from those listed in this Section (e.g. **277/480** volts), or alternatively may supply a primary electrical *Service*.
20. **Delta services are not permitted.**
21. A person installing a *Service* shall ensure the proper balancing of phases and circuits, that the *City's* equipment is not endangered, and that no abnormal voltage fluctuations are anticipated.
22. All three-phase, four-wire facilities shall be designed to prevent the load on the phase with the highest load from exceeding that on the phase with the lowest load by more than ten (10) percent.
23. A person shall maintain a minimum ninety-five percent *Power Factor* in their *Premises*.
24. If the *City* measures a *Power Factor* lower than ninety-five percent, a person shall, within 30 days of a written request to do so from the *City*, install, at their expense, *Power Factor* corrective equipment acceptable to the *Manager of Operations*.
25. A person shall not extend a secondary connection to more than one *Premises*.

Electrical Utility Regulation Bylaw, No. 2067

26. For overhead secondary service connections, the *Point of Delivery* is where the *Customer's* circuit connects to the *City's* overhead system at the service mast (not including the attachment point or structure). **The Meter is the property of the City.**
27. For an underground secondary service, the *Point of Delivery* is where the underground circuit enters the property owned or occupied by the *Customer*.
28. A person shall, where required by the *Manager of Operations*, make provisions for the installation of the *City's* facilities, including wiring and fittings and boxes, to the satisfaction of the *City*.
29. The *City* does not supply transformation from one secondary voltage to another secondary voltage.
30. A person shall ensure that:
 - 30.1 electrical energy supplied by the *City* is not used for any purpose other than the purpose identified in the application for *Service*;
 - 30.2 nothing is done on that *Premises*, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the *Electrical System*, without the prior written consent of the *Manager of Operations*;
 - 30.3 single phase motors rated larger than **five (5)** horsepower are not used on 120/**240**-volt circuits without the prior written consent of the *Manager of Operations*;
 - 30.4 motors of 20 horsepower or larger are equipped with **soft** starters or other devices approved in writing by the *Manager of Operations*, unless otherwise authorized in writing by the *Manager of Operations*;
 - 30.5 **120-volt** circuits are connected to balance **the load amongst the phases** as nearly as possible the currents drawn from the circuits at the *Point of Delivery*.

Electricity Generation

31. A person shall not install facilities capable of generating electricity, except as otherwise permitted in this bylaw, unless those facilities are at all times electrically isolated from the *Electrical Utility*.
32. Each residential photo-voltaic service shall have a bi-directional meter which is installed by the *City* at the *Owner's* cost.
 - 32.1 **Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:**
 - 32.1.1 **Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.**
 - 32.1.2 **The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.**

32.1.3 Any surplus over \$50.00 at year end will be paid to the customer.

32.1.4 Any surplus of \$50.00 or less will be applied as an energy credit to the account.

33. A person shall install a grid interconnection in accordance with the *City's* "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, **provided** by the *City* and amended from time to time.

Electrical Meter

34. All *Meters* shall be installed by the *City* in a location approved by the *Manager of Operations*.
35. *Meters* shall be installed in locations that permit safe and unfettered access by employees or agents of the *City*.
36. The *Customer* shall ensure that the meter access remains safe and unfettered to the *City*.

Meter Location Specifications

37. *Meters* shall not be installed in carports, breezeways or on decks or other similar areas;
38. The *Meter* base and mast shall be:
- 38.1 surface mounted;
 - 38.2 located on an outside wall;
 - 38.3 within one meter of the corner of the property nearest to the point of supply;
 - 38.4 installed between 1.5 meters and 2 meters above final ground level to the center of the *Meter*;
 - 38.5 located not more than 30 meters into the lot;
- ~~38.5.1 in the case of metering over 300 volts:~~
- ~~38.5.1.1 the *Meter* shall be installed on the supply side of the *Customer* disconnect;~~
 - ~~38.5.1.2 the *Meter* may be installed in a different location approved by the *Manager of Operations*.~~
39. The *Manager of Operations*, at their sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the *City* at all times;
40. The *Manager of Operations* may require, at an *Owner's* expense, that an *Owner* relocate a meter that does not meet a provision of this bylaw, to a location specified by the *Manager of Operations*.

Electrical Utility Regulation Bylaw, No. 2067

41. For all electrical *Services* in excess of 200 amperes, a person shall supply and install an enclosure for current and potential transformers, and the design of the enclosure shall first be approved by the *Manager of Operations*. **The *Customer* will be responsible for the cost of the metering equipment which will be provided by the City.**

Maintenance

42. A *Customer* shall take reasonable care to protect all meters and related apparatus belonging to the *City* on their premises and shall reimburse the *City* for any loss or damage occurrence to same except to the extent that the *Customer* is able to show that loss or damage was due to defects in such facilities or to omission or gross negligence on the part of the *City's* employees.
43. A *Customer* shall keep all the trees, shrubs and other growths or other obstacles on the *Customers* private property clear of power lines or electrical infrastructure.

Removal of Hazardous Things from Private Property

44. The *City* may, by notice, require a person to make safe at their expense a natural or manufactured item that, in the *City's* sole opinion, endangers or presents a hazard to the *Electrical System*.
45. If a person is required to make safe a natural or manufactured item on their property, they shall do so in a timely manner.
46. A person shall receive authorization from the *Manager of Operations*, by filing a work plan and receiving written approval, prior to undertaking works within 10 metres of the *Electrical System* that may endanger or present a hazard to the *Electrical System* or the general public.
47. The *City* may enter private property without notice and make safe a natural or manufactured thing on private property that in its sole opinion endangers or presents an immediate hazard to the *Electrical System*, and recover the costs from the *Customer*.
48. When exercising its rights under this bylaw, the *City* is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by a person which are a result of:
- 48.1 its entry upon, occupation of or exit from any premises;
 - 48.2 its trespass on any premises or property;
 - 48.3 a nuisance created by it;
 - 48.4 an invasion of privacy committed by it;
 - 48.5 its negligent actions or inactions.

Fees and Charges

49. The *City* shall charge the applicable fees in the *Fees and Charges Bylaw* for electrical *Service*.

Electrical Utility Regulation Bylaw, No. 2067

50. A *Customer* shall pay the applicable fees and charges in the *Fees and Charges Bylaw* for electrical *Service*.
51. The *City* may charge a fee to any property adjacent to a new service extension that can be serviced regardless of the existence of an *Electrical Service*.
52. A *Customer* is responsible for all costs associated with extending the *City's Electrical System* to service their property including, but not limited to, the cost of installing an *Electrical Service*, and any upgrades to or extensions of other parts of the *Electrical System*.
53. A *Customer* is responsible for all costs associated with meeting the standards of this bylaw.
54. A *Customer* is responsible for all costs associated with disconnecting an *Electrical Service*.

Offences and penalties

55. A person who contravenes this bylaw is subject to a fine as specified in the *City's Municipal Ticketing Information Bylaw* as amended from time to time.
56. Each day that a contravention of this bylaw continues constitutes a separate offence.
57. The *City* may fulfill a requirement of this bylaw at the expense of a *Customer* failing to take the required action and recover the costs incurred as a debt.

Temporary shutoff

58. The *Manager of Operations* may temporarily shut off an *Electrical Service* for any reasonable cause including:
 - 58.1 maintaining, repairing, replacing, or otherwise operating the *Electrical System*;
 - 58.2 an emergency;
 - 58.3 shortage of electrical supply.
59. A *Customer* may request from the *Manager of Operations* a temporary shutoff of their *Electrical Service* for up to thirty days. The *Customer* shall pay any fees as specified in the *Fees and Charges Bylaw* for this service.
60. The *Manager of Operations* may consider a temporary shutoff of an *Electrical Service* to be a disconnection if a part of the *Electrical Service* is shut off for more than thirty days.
61. The *City* shall endeavour to provide 48 hours' notice for any non-emergency or scheduled shutoff of the *Electrical System*.
62. The *Manager of Operations* may shut off the *Electrical System* with no notice in emergency situations as determined by the *Manager of Operations*.

Disconnection of service

63. The *Manager of Operations* may disconnect an *Electrical Service* if:

- 63.1 in the opinion of the *Manager of Operations*, the continued supply of electrical energy would or might be harmful to the *Electrical Utility*, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;
- 63.2 a property *Owner* requests a disconnection;
- 63.3 a *Customer* contravenes a provision of this bylaw;
- 63.4 by reason of a shortage of supply or otherwise, the *City* considers that it cannot practically continue to supply electrical energy to that *Premises*.
- 63.5 an account remains unpaid for more than thirty (30) days after the due date

64. Where electrical supply is to be disconnected for reasons other than as specified in section 61.2, the *City* shall give thirty (30) days' notice to the *Customer* by posting notice on the *Premises*, or by mailing notice to the address supplied by the *Customer* or the address of the property.

65. A *Customer* may make representations to *Council* when an *Electrical Service* is to be disconnected for reason of non-compliance with any provision of this bylaw.

66. Once an *Electrical Service* has been disconnected, the *Manager of Operations* shall consider a reconnection the same as an application for a new *Electrical Service* connection.

Inspection

67. The *Manager of Operations*, a *Bylaw Enforcement Officer*, or designated staff or contractors may enter a *Premises* at a reasonable time to fulfill its obligations or for the purpose of inspecting and ascertaining whether a person is observing the regulations and requirements of this bylaw.

68. Except in the case of an emergency, the *City* shall take reasonable steps to advise the *Customer* and/or *Owner* of an inspection.

69. The *City* may, from time to time, conduct tests of a *Customer's Electrical Service*.

General

70. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time

71. If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of the bylaw.

Electrical Utility Regulation Bylaw, No. 2067

Repeal

72. The “City of Grand Forks Electrical Utility Regulatory Repeal Bylaw No. 2015-R” shall repeal:

- 72.1 “City of Grand Forks Electrical Utility Regulatory Bylaw No. 2015”,
- 72.2 “City of Grand Forks Electrical Utility Regulatory Amendment Bylaw No. 2015-A1”,
and
- 72.3 “City of Grand Forks Electrical Utility Regulatory Amendment Bylaw No. 2015-A2”

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

FINALLY ADOPTED this _____ day of _____, 2020.

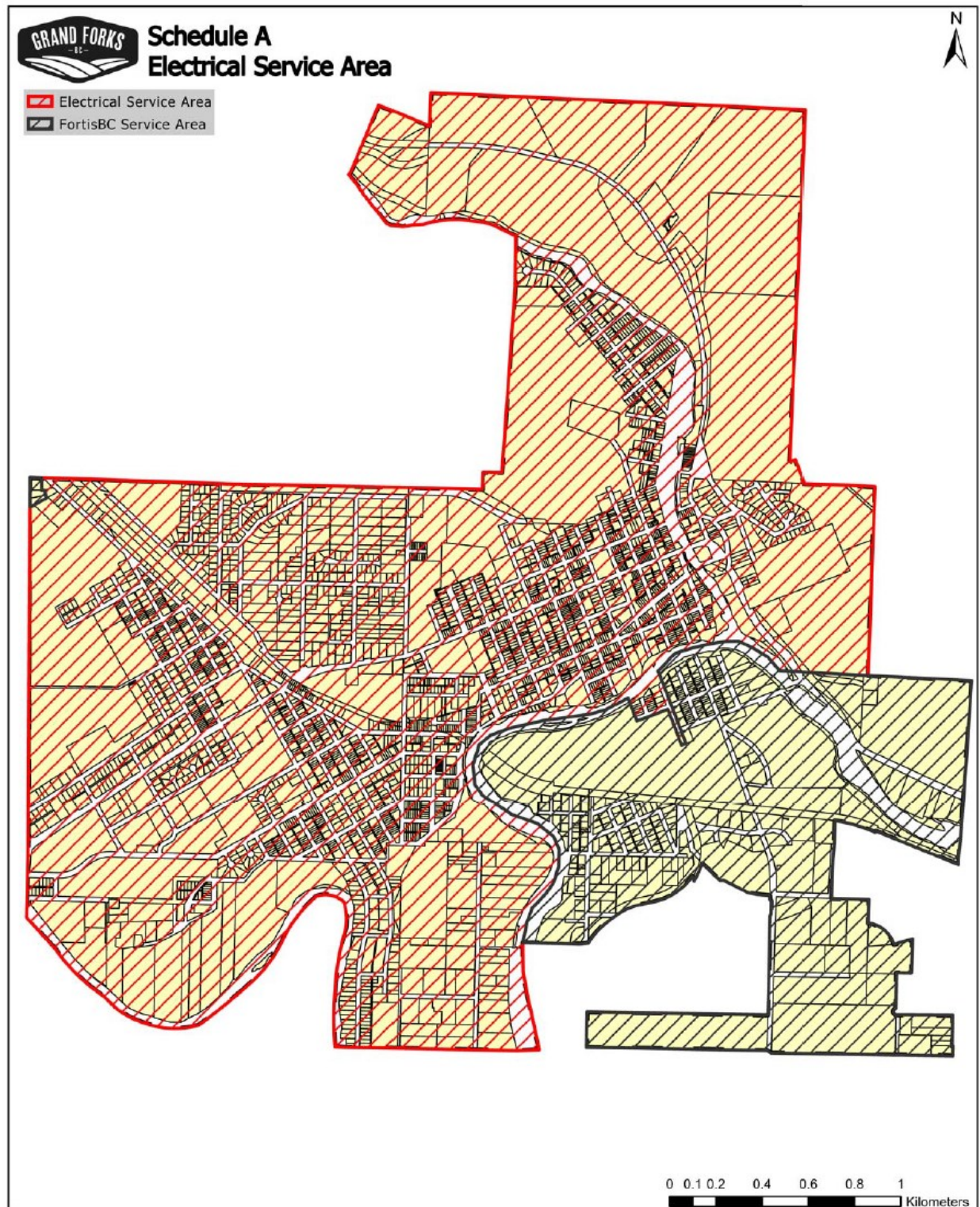
Mayor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2067, cited as the “Electrical Utility Regulation Bylaw No. 2067”, as passed by the Municipal Council on the ___ day of _____, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks



January 9, 2020
Map Produced By: Rosemary Dykhuizen

The City of Grand Forks makes every effort to ensure that this map is free of errors but cannot guarantee accuracy or fitness for any purpose, and does not provide warranty of any kind. The City accepts no liability for any expenses, losses, damages or costs relating to the use of this map or data. Data must not be used for direct marketing or be used in the breach of the privacy laws. This map must not be used for direct marketing or be used in the breach of privacy laws, it is intended only for the requested use. The data must not be circulated or copied without prior consent of the City of Grand Forks.

THE CORPORATION OF THE CITY OF GRAND FORKS

ELECTRICAL UTILITY REGULATORY REPEAL BYLAW NO. 2015-R

A BYLAW TO REPEAL BYLAW 2015, AND ALL AMENDMENTS THERETO

The Municipal Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

CITATION

1. This bylaw may be cited as the “**City of Grand Forks Electrical Utility Regulatory Repeal Bylaw No. 2015-R**”.

REPEAL

2. That Bylaw No. 2015 cited as the “City of Grand Forks Electrical Utility Regulatory Bylaw No. 2015” and any amendments thereto, be hereby repealed.

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

Finally adopted on this ____th day of _____, 2020.

Mayor Brian Taylor

Corporate Officer-Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2015-R, cited as the “City of Grand Forks Electrical Regulatory Repeal Bylaw 2015-R”, as adopted by the Municipal Council on the ____th day of _____, 2019.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

ELECTRICAL UTILITY REGULATORY BYLAW NO. 2015, 2015

A bylaw to provide for the regulation and control of the Electrical Utility of the Corporation of the City of Grand Forks and impose rates, terms and conditions for supply of electricity service.

WHEREAS the Council of the Corporation of the City of Grand Forks considers it desirable and expedient to maintain an Electrical Department for the Grand Forks community and to make regulations for the supply of this service;

NOW THEREFORE, in open meeting assembled, be it resolved that the Council of the Corporation of the City of Grand Forks **ENACTS** as follows:

1. TITLE

- 1.1 This bylaw may be cited for all purposes as the **“City of Grand Forks Electrical Utility Regulatory Bylaw No. 2015, 2015.”**

2. DEFINITIONS

- 2.1 In this Bylaw, unless the content otherwise requires, the following definitions will apply:

“Bi-Monthly” means every two-month period;

“City” means the Corporation of the City of Grand Forks;

“Chief Financial Officer” means the Chief Financial Officer appointed by the City or his/her authorized deputy;

“Customer” means any person, company, or corporation who has opened a service account with the City for the purpose of being supplied with electrical energy by the City;

“Council” means the elected Council of the Corporation of the City of Grand Forks;

“Electrical Department” is as defined in Section 3.3 of this bylaw;

“Electrical Utility” means the City’s electrical distribution system and includes all the structures, switchgear, transformers, poles, wires, cables, meters and related apparatus and facilities used in the receiving, distribution and measuring of electrical power and energy and which comprise the electrical distribution

system. It also includes all land, easements, rights-of-way, buildings, vehicles, tools, or other things, which, by their necessity and usage, form an essential part of the electrical distribution system;

“Manager of Operations” means the person appointed from time to time by the City to supervise the operations of the Electrical Utility or his authorized deputy or assistant;

“Occupier” means the same as in the Community Charter, as amended from time to time;

“Owner” means the same as in the Community Charter, as amended from time to time;

“Point of Delivery” means the first point of connection between the City’s electrical distribution and the Customers’ electrical facilities. This will be at the service mast on overhead services (not including the attachment point for the overhead wire) and at property line on underground secondary services;

“Power Factor” means the percentage determined by dividing the Customer’s demand measured in kilowatts by the same demand measured in kilovolt-amperes;

“Premises” means the land occupied by the Customer together with any buildings, works, or improvements, which have been erected or constructed thereon;

“Rate or Rates” includes every toll, rate, security deposit, and interest on arrears or any other lawfully collectible charges applicable under this Bylaw for the provision and delivery of electricity in any form or services which are in any way related to the delivery of electricity;

“Service” means the supply of electricity from the City to any premises, and where the context requires, the electrical utility necessary to and actually used for the purposes of the supply;

“Service Area” means the area within the boundaries of the City currently serviced by the City’s Electrical Utility, as outlined in “Schedule A”;

“Service Connection” means that portion of the distribution system facilities extending from the City’s circuits on a public highway to the point of delivery. They include but are not necessarily limited to the following types:

- a) **“Overhead Service”** - That portion of an overhead service connection extending not more than 30 meters onto the Customer’s property and not beyond the first intermediate support on such property.

- b) **“Dip Service”** - A service connection provided from the City’s overhead circuits that is underground where it crosses the Customer’s property line.
- c) **“Underground Service”** - A service connection provided from the City’s underground circuits;

“Service Entrance” is the point on the Customer’s premises at which the point of delivery is between the City’s system and the Customer’s system;

“Temporary Service” means a service provided to meet a temporary need (no longer than 270 days connected) not to exceed 30 meters in length from the City’s distribution and does not include the supply of a periodical or seasonal service requirement that may occur at the same location.

3. ADMINISTRATION

- 3.1 The Electrical Utility shall be administered jointly by the Financial Administration Department and the Electrical Department, and the management of such departments shall be directly responsible to the Chief Administrative Officer.
- 3.2 The Financial Administration Department, under the control of the Chief Financial Officer, shall be totally responsible for the business management of the Electrical Utility. The department will be responsible for the control and management of all financial matters pertaining to the operation of the Utility and preparation of budgets, financial statements pertaining to the Electrical Utility operation, and for the preparation of all bills and accounts, and the collection of same, all in accordance with the rates and charges outlined in “Schedule C”, and the billing and collection regulations outlined in “Schedule D”, attached to this bylaw.
- 3.3 The Electrical Department, under the control of the Manager of Operations shall be responsible for the construction, maintenance and operation of all the properties and physical plant owned or controlled by the City, which are necessary for and pertinent to the proper operation of the Electrical Utility.

The Manager of Operations shall also be responsible for:

- a) all matters directly related to the supply of service to Customers of the Electrical Utility and the maintenance of good quality service to such Customers;
- b) determining that all works constructed by or for the Electrical Utility are in accordance with applicable requirements for electric utilities in the Province of British Columbia;

- c) ensuring, to the best of his/her ability, the safety of all employees of the Electrical Department and of the City who may be performing works related to the operation of the Electrical Utility;
- d) the enforcement of the "Electrical Service Regulations", as outlined in "Schedule B" of this bylaw. He/She shall also ensure that all policies, procedures and the works installed, constructed, altered, repaired or maintained for the Electrical Utility are done in such a manner as will cause minimal damage or danger to life or property of the employee or public at large. He/she shall be responsible at all times to the Chief Administrative Officer.

4. TERMS AND CONDITIONS

4.1 The City's Responsibilities:

- a) The City will endeavour to provide a regular and uninterrupted supply of electricity but it does not guarantee a constant supply of electricity or the maintenance of unvaried frequency or voltage and shall not be responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, disconnect, failure or defect in the supply of electricity, whether caused by the negligence of the City, its servants or agents, or otherwise unless the loss, injury, damage or expense is directly resulting from the willful misconduct of the City, its servants or agents, provided, however, that the City, its servants and agents are not responsible for any loss of profit, loss of revenues or other economic loss even if the loss is directly resulting from the willful misconduct of the City, its servants or agents.

4.2 The Customer's Responsibilities:

- a) Every Customer shall comply with the terms and conditions set out in "Schedule B".
- b) Every Customer shall pay for the service in accordance with the rates and charges outlined in "Schedule C" of this bylaw.
- c) The Customer also agrees to pay for the service based on the Electrical Billing and Collection Regulations, outlined in "Schedule D" of this bylaw.
- d) If a Customer does not pay the fees and charges, outlined in all portions of this bylaw, on or before December 31st in the year that the rates or charges were due and payable, then those rates and charges will be added to and form part of the taxes payable on the property as taxes in arrears.

- e) The Customer is responsible for supplying all the information necessary to properly determine the service requirements.
- f) The Customer shall be responsible for the installation of the service entrance and the meter location, which shall be located at a point satisfactory to the City.

5. VIOLATIONS AND PENALTIES

- 5.1 Any person guilty of any violation or infraction of any of the provisions of this Bylaw (whether expressly declared or not), shall be liable, upon conviction, to a fine of not more than Two Thousand (\$2000.00) Dollars and costs of prosecution. The penalties imposed under this sub-Section supplement and are not a substitute for any other remedy to an infraction of this bylaw.

6. APPLICATION

- 6.1 This bylaw applies to all lands within the Service Area.

7. SEVERABILITY

- 7.1 If any Section, sub-Section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

8. REPEAL

- 8.1 The City of Grand Forks “**Electrical Utility Regulatory Bylaw No. 1975**”, “**Electrical Utility Regulatory Amendment Bylaw No. 2009, 2015**” and all amendments thereto are hereby repealed.

9. ENACTMENT

- 9.1 This bylaw is to take effect upon adoption by the Council of the Corporation of the City of Grand Forks.

INTRODUCED this 4th day of May, 2015

Read a **FIRST** time this 25th day of May, 2015.

Read a **SECOND** time this 25th day of May, 2015.

Read a **THIRD** time this 25th day of May, 2015.

FINALLY ADOPTED this 15th day of June, 2015.



Mayor Frank Konrad

Corporate Officer – Diane Heinrich

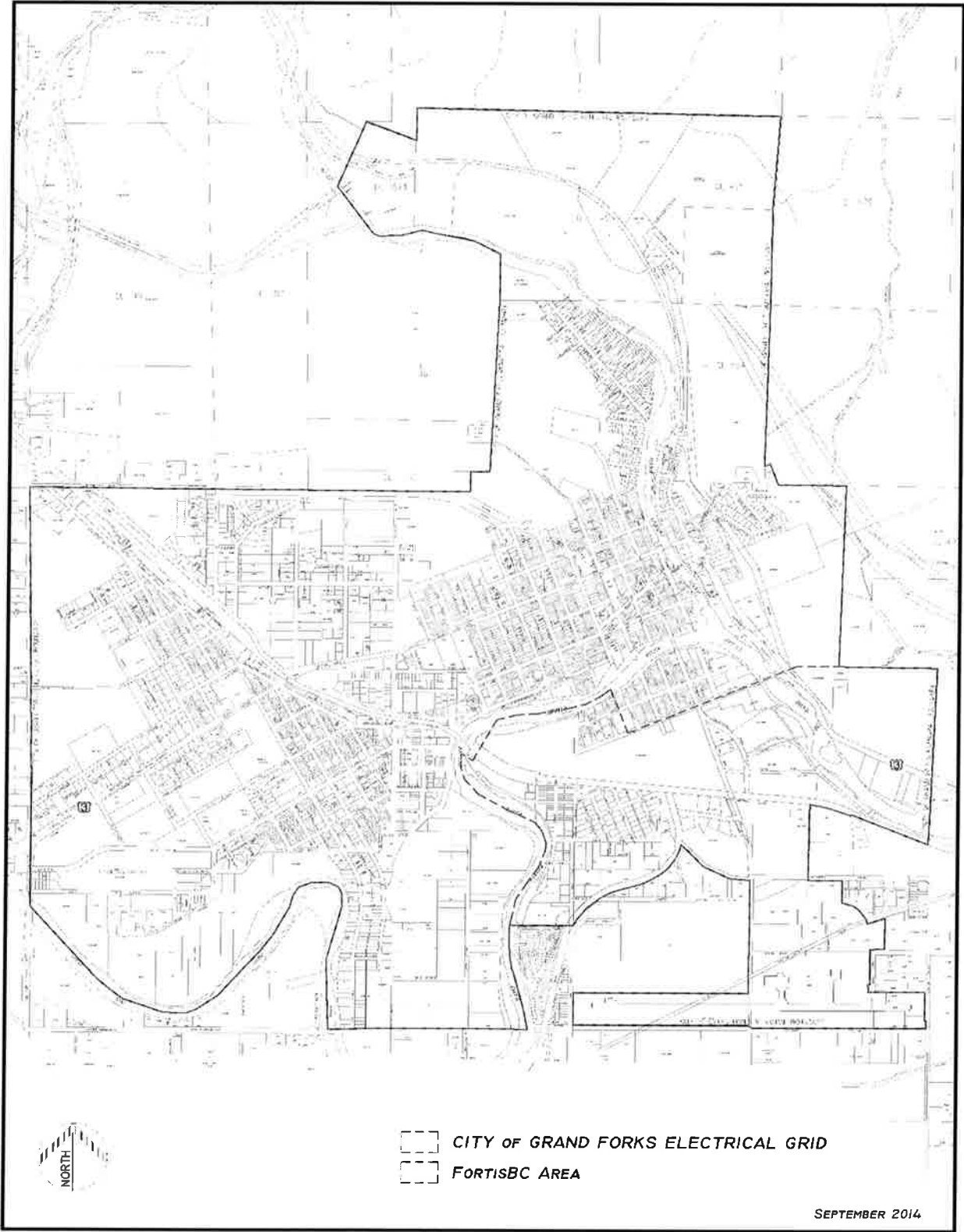
CERTIFIED CORRECT

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2015, 2015, as passed by the Municipal Council of the Corporation of the City of Grand Forks on the 15th day of June, 2015.

Corporate Officer of the Municipal Council of the
City of Grand Forks

SCHEDULE A

CITY OF GRAND FORKS ELECTRICAL SERVICE AREA



SCHEDULE B

CITY OF GRAND FORKS
ELECTRICAL SERVICE REGULATIONS

1. Terms and Conditions of Use and Supply of Electrical Energy:

- 1.1 Every Customer shall, in respect of any real property of that Customer to which electrical energy is supplied by the City:
- (a) pay to the City, in accordance with the rates and charges set out in "Schedule C" and in accordance with "Schedule D", for the electrical energy supplied by the City to that real property;
 - (b) ensure that electrical energy supplied by the City to that real property is not used for any purpose other than the purpose identified in the application for service relating to that real property;
 - (c) not damage, and shall ensure that occupiers of or invitees to that real property do not damage, any electrical equipment or facilities installed by the City on that real property. This is to include any seal or sign attached to that equipment;
 - (d) ensure that nothing is done on that real property, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the Electrical Utility, without the prior consent of the Manager of Operations;
 - (e) ensure that officers, employees and agents of the City have safe and unobstructed access on that real property at all reasonable times for the purpose of ensuring that this Bylaw is being complied with, testing the Owner's electrical energy system, or carrying out any other activity that is necessary for the proper operation of the Electrical Utility;
 - (f) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of this Schedule, pay to the City the charge set out in Section 4.1 of Schedule "C" as a return visit charge;
 - (g) ensure that the power factor applicable to the delivery of electrical energy to that real property is not lower than 95%;

- (h) ensure that single phase motors rated larger than two (2) horsepower are not used on 120 volt circuits without the prior written consent of the Manager of Operations;
 - (i) ensure that motors of 20 horsepower or larger are equipped with reduced voltage starters or other devices approved in writing by the Manager of Operations, unless otherwise authorized in writing by the Manager of Operations;
 - (j) ensure that 120 volt circuits are connected so as to balance as nearly as possible the currents drawn from the circuits at the point of delivery;
 - (k) ensure that space heating units having a rating of 3 kw or larger are individually thermostatically controlled and that no single in-line thermostat is used to control more than 6 kw of rated capacity;
 - (l) ensure that the phase heating units controlled by one switch or thermostat have no more than 25 kw of rated capacity; and
 - (m) ensure that no facilities capable of generating electricity, except as otherwise permitted in this bylaw, are installed, unless those facilities are at all times electrically isolated from the Electrical Utility.
- 1.2 The City shall retain full title to all electrical equipment and facilities up to the point of delivery, including without limitation all electrical metering devices, installed by the City for the purpose of supplying and measuring electrical energy under this Bylaw.
- 1.3 The City may, from time to time, conduct tests of any Customer's power factor, and where that power factor is found by the City to be lower than 95%, the Customer shall, within 30 days of a written request to do so from the City, install, at his or her expense, power factor corrective equipment acceptable to the Manager of Operations.
- 1.4 Every Customer is liable for, and shall pay to the City forthwith after receiving an invoice setting out those costs, any costs incurred by the City in repairing any damage caused to the Electrical Utility or to any equipment or facilities installed by the City on that Customer's real property, where the damage occurs as a result of the failure of the Customer to comply with any provision of this Bylaw.
- 1.5 The City may discontinue the supply of electrical energy for any or all of the following reasons to any property where the owner or any other person on that property using the electrical energy:
- (a) failure to comply with the rules established under this Bylaw for the use of the service;

- (b) in the opinion of the Manager of Operations, the continued supply of electrical energy to that real property would or might be harmful to the Electrical Utility, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;
 - (c) discontinuance is necessary to enable the City to repair or maintain the Electrical Utility;
 - (d) by reason of a shortage of supply or otherwise, the City considers that it cannot practically continue to supply electrical energy to that real property;
 - (e) a previously metered service has been disconnected for more than 1 year.
 - (f) failure to pay when due any user fees, charges, or taxes imposed under this or any other bylaw of the City in relation to the service.
- 1.6 The supply of electrical energy may be limited or interrupted by the City to accommodate routine maintenance or the construction of improvements to the municipal Electrical Utility.
- 1.7 Except in the case of an emergency, the City will endeavor to provide reasonable notice to affected parties of any service interruption or limitation of service.
- 1.8 Before discontinuing service due to non-compliance with any of the provisions of this bylaw, the City will:
 - (a) provide the owner and all occupiers of that property with at least thirty (30) days notice in writing of discontinuation of the service
 - (b) give the person affected the opportunity to make representations to Council in respect of such non-compliance at a regularly scheduled Council meeting that is scheduled to take place within thirty (30) days following delivery of the notice of discontinuation, provided that the owner or occupier wishing to make the representations notifies the City's Corporate Officer of their intention to do so at least 24 hours before that Council meeting.
- 1.9 Notice under Section 1.8(a) may be given by one or more of the following:
 - (a) posting notice on the property;
 - (b) providing notice on an Owner's and Occupier's electrical utility bill;

- (c) mailing notice to the address(es) supplied by the Owner and Occupier or the address of the property;
 - (d) telephoning the Owner and Occupier, which may include speaking directly to the Owner or leaving a message at the telephone numbers supplied.
 - (e) Electronic mail (E-Mail) the Owner and Occupier at the email address(es) supplied.
- 1.10 The City is not responsible for any notice failing to reach an Owner or Occupier prior to the shut off of electrical energy.

2. New Service Connections

- 2.1 No person may request to connect any electrical energy lines or works to the Electrical Utility unless:
- (a) the Owner of the real property to be supplied with electrical energy as a result of that connection has first:
 - i) submitted to the City a complete New Electrical Service Application in a form provided by the City;
 - ii) paid the New Electrical Service Application fee that is identified in "Schedule C" of this Bylaw as the fee applicable to the type of connection identified in the New Electrical Service Application; and
 - iii) provided evidence satisfactory to the Manager of Operations that he or she has obtained every permit and approval, including the approval of a provincial electrical inspector, that he or she is required under any enactment to obtain before requesting the connection,
 - (b) the person requesting the connection is the Owner of the real property to be supplied with electrical energy as a result of that connection or a person authorized in writing by that Owner to request the connection.
- 2.2 All Meters shall be installed by the City, in a location approved by the Manager of Operations. Meter location specifications shall be as follows:
- (a) The meter socket shall be surface mounted, located on an outside wall and be within one Meter of the corner nearest to the point of supply, except in the case of Metering over 300 volts, the Meter shall be installed on the supply side of the Customer disconnect and Meter locations shall be approved by the Utility Department;
 - (b) All meter sockets shall be installed between 1.5 meters and 2 meters above final ground level to the centre of the meter and located not more than 30 meters into the lot;

- (c) Meters shall not be installed in carports, breezeways or on decks or other similar areas;
- (d) Meters shall be installed in locations that permit safe and unfettered access by employees or agents of the City;
- (e) The Manager of Operations, at his/her sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the City at all times;
- (f) The Manager of Operations may require, at the Customer's expense, that the Customer relocate any meter that is located in an area that cannot be conveniently accessed by the City at all times, or is considered by the Manager of Operations to be unsafe;
- (g) For all electrical Services in excess of 200 amperes, the Customer shall supply and install an enclosure for current and potential transformers and the design of the enclosure shall first be approved by the Manager of Operations;
- (h) Primary voltage metering connections shall have metering installations paid for by the Customer;
- (i) The Manager of Operations may refuse connection of any electrical Service built in a location not approved by the Manager of Operations, or not built to accepted standards;
- (j) The City will not supply transformation from one secondary voltage to another secondary voltage;
- (k) The City reserves the right to determine the supply voltage of all electrical Service connections;

2.3 Nominal Secondary Supply Voltages are:

- (a) From pole mounted transformers:
 - i. Single Phase – 120/240 volts, 3 wire, maximum 400 amperes.
 - ii. Three Phase - 120/208 volts, 4 wire, maximum 400 amperes transformation capacity.
 - iii. Three Phase - 347/600 volts, 4 wire, maximum 400 amperes transformation capacity.
- (b) From pad mounted transformers:

- i. Single Phase – 120/240 volts, 3 wire, maximum 800 amperes.
 - ii. Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity.
 - iii. Three Phase – 347/600 volts, 4 wire, maximum 2,500 kVA transformation capacity.
 - (c) Delta services are prohibited.
 - (d) For loads or supply voltages different from those listed in this Section (e.g. 277-480 volts), the Manager of Operations may require that a Customer supply their own transformation facilities and take service at the available primary voltage; or supply their own secondary voltage conversion transformation.
 - (e) All facilities and equipment to be connected to the City's facilities must be in a condition that is approved by the Manager of Operations. Installation must be carried out in a manner to ensure proper balancing of phases and circuits, and to ensure that the City's equipment is not endangered or that no abnormal voltage fluctuations are anticipated. All three-phase, four-wire facilities must be designed to prevent the load on the phase with the highest load exceeding that on the phase with the lowest load by more than ten (10%) percent.
- 2.4 Customer owned electrical facilities must not be extended across, under or over a street, lane, alley or other public or private space not owned by the Customer for the purpose of servicing more than one Premise through one meter.
- 2.5 It is the Customer's sole responsibility to obtain any easements or statutory rights of way required by the City or others, to permit the installation of an electrical Service.

3.0 Electrical Utility Extension

- 3.1 The Manager of Operations is not required to approve any New Electrical Service Application in respect of any real property, where the connection cannot be made without an extension of the City's electrical service line, unless:
- (a) the City has first approved (and it is under no obligation to do so) the extension of that service line;
 - (b) the Owner has first paid to the City the cost estimated by the City to extend that service line, which cost shall include, without limitation, the cost of installing any poles or other works or appurtenances related to that service line extension; and

- (c) the Owner has first granted to the City, or ensured that others have granted to the City, statutory rights-of-way, satisfactory to the City over any property on which the service line is to be located that is not under the possession and control of the City.
- 3.2 Where the cost incurred by the City in extending a Service line to any real property exceeds the amount paid by the Owner of that real property under Section 3.1(b) of this Schedule, the Owner shall forthwith upon receiving a bill from the City pay to the City the amount of that excess, and where the amount paid by the Owner to the City under Section 3.1(b) of this Schedule exceeds the cost incurred by the City in extending the service line, the City shall pay the amount of the excess to the Owner.
- 3.3 Subject to Section 3.5 of this Schedule, where a property Owner pays for the extension of a service line under Section 3.1(b) of this Schedule and the extension has the capacity to serve land other than land owned by that property Owner, each property Owner whose property is subsequently connected to that extension shall pay to the City for each electrical service connection made within that extension, in addition to any other charges applicable under this Bylaw, the following amount, and the original property Owner who paid for the service line extension will be reimbursed the following amount:

		<u>1</u>
<i>Cost of service line extension paid by the original property owner</i>	X	<i>Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)</i>

- 3.4 For the purpose of Section 3.3 of this Schedule, the number of possible service connections referred to in the calculation described in that Section is the number estimated by the Manager of Operations at the time the original property Owner applies for the service line extension.
- 3.5 Section 3.3 of this Schedule ceases to apply to a service line extension on the earlier of:
- (a) the day on which the property Owner who paid the cost of the service line extension has been reimbursed that cost less the amount obtained as a result of the calculation referred to in Section 3.3 of this Schedule, or
 - (b) the day which is five (5) years after the day on which the service line extension is completed.

4. Electrical Energy Accounts

- 4.1 No person shall use electrical energy supplied by the City unless an Owner of real property to which that electrical energy has an Electrical Utility account in his or her name.

5. New Accounts

- 5.1 An Owner of real property to which electrical energy is being, or is capable of being supplied, may apply to the City to have an Electrical Utility account opened in his or her name by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City, the existing service connection charge set out in Section 4.1 of "Schedule C".

6. Turning Off or On Existing Service

- 6.1 An Owner of real property may apply to have an existing electrical service turned off or on or a disconnected meter reconnected by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

7. Meter Reading

- 7.1 An Owner of real property or a person designated by the Owner as the agent, may apply to have an electrical meter read by submitting to the City a written request in the form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

8. Refusal to Connect or Serve

- 8.1 The City may refuse to provide service to any customer who has an unpaid account at any premises within the Service Area or who has otherwise failed to comply with any provision of this Bylaw.

9. Point of Delivery and Metering

- 9.1 For overhead secondary service connections, the point of delivery shall be where the Customer's circuit connects to the City's overhead system at the service mast (not including the attachment point or structure). For an underground secondary service the point of delivery shall be where the underground circuit enters the property owned or occupied by the Customer.

- 9.2 The metering of the Customer's load demand and energy consumption shall be done by facilities owned and provided by the City. The Customer shall, where required, make all necessary provisions for the installation of the City's facilities, including any necessary wiring and fittings and boxes, to the satisfaction of the City and in accordance with all the applicable electrical inspection rules and safety requirements.
- 9.3 The Customer shall take all reasonable care to protect all meters and related apparatus belonging to the City on the Customer's premises and shall reimburse the City for any loss or damage occurrence to same except to the extent that the Customer is able to show that loss or damage was due to defects in such facilities or to omission or negligence on the part of the City's employees.
- 9.4 Where separate points of delivery exist for the supply of electricity to a single Customer or more than one meter is required to properly measure the load demands, consumption and power factors of the Customer's loads as supplied under the applicable rates Schedules, the readings of such meters will be billed separately unless their combination is specifically authorized by the City.

10. Removal of Hazardous Trees from Private Property

- 10.1 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of inspecting any trees, shrubs and other growths or any other obstacles which may in the City's sole discretion constitute a danger or a hazard to the electrical distribution system.
- 10.2 The City may give notice ("the Notice") to a property Owner, which would require the property Owner to remove, cut, top, prune, move, or otherwise deal with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis that, in the City's sole discretion, may endanger or present a hazard, or become dangerous or hazardous to the electrical distribution system.
- 10.3 Unless the Notice expressly excludes the requirement to obtain approval in advance, a person will not undertake any works relating to any tree, shrub, or growth that is subject of the Notice, without the prior approval of the City, by filing a work plan, which is satisfactory to the City.
- 10.4 If the property Owner fails to comply with the requirements in the Notice within 20 days of the date of the Notice, or such other later date that may be specified in the Notice, to the satisfaction of the City, then the City may enter at any reasonable time upon the premises for the purpose of removing, cutting, topping, pruning, moving or otherwise dealing with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis or otherwise as required by the Notice.

- 10.5 Notwithstanding the issuance of the Notice, the City may exercise its rights, powers and obligations under this Section to remove the trees, shrubs and other growths or other obstacles that are the subject of the Notice, and the property Owner will compensate and be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City.
- 10.6 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of cutting down any trees, shrubs and other growths or remove any other obstacles that, in the City's sole discretion present an immediate danger or hazard to the electrical distribution system.
- 10.7 The property Owner will be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City pursuant to this Section.
- 10.8 If the property Owner, fails to comply with any Notice issued under this Section, or obstructs, resists, interferes or otherwise fails to cooperate with the City when the City is exercising its rights, under this bylaw, then the property Owner will be responsible, liable or otherwise held accountable for any and all costs, expenses, damages or injuries which are suffered or incurred by the City, its employees, agents, contractors, either directly or indirectly, or which result in damage to the electrical distribution system.
- 10.9 When exercising its rights under this bylaw, the City is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by any property Owner or person which are a result of:
 - (a) its entry upon, occupation of or exit from any premises;
 - (b) its trespass on any premises or property;
 - (c) a nuisance created by it;
 - (d) an invasion of privacy committed by it; or
 - (e) its negligent actions or inactions .
- 10.10 Nothing in this Section or Bylaw shall be construed as imposing any additional duty, obligation or requirement on the City to remove, cut, top, prune, move, or otherwise maintain any trees, shrubs, growths or other obstacles that would not otherwise be imposed on the City and at all times, with or without notice, it is the customers responsibility to keep all the trees, shrubs and other growths or other obstacles clear of power lines or electrical infrastructure on the Customers private property.

11. Photo-Voltaic Services

- 11.1 Available for residential usage with solar (PV) installations of not more than 10 kVA ($kVA = \frac{kWAC}{\text{Power Factor}}$).

Commercial photo-voltaic services may be allowed at the discretion of the City.

- 11.2 Each residential photo-voltaic service requires a bi-directional meter which will be installed by the Grand Forks Manager of Operations at the owners cost. Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:
- (a) Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.
 - (b) The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.
 - (c) Any surplus over \$50 at year end will be paid to the customer.
 - (d) Any surplus of \$50 or less will be applied as an energy credit to the account.
 - (e) Grid interconnection must be made in accordance with the City's "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, provided by the City and amended from time to time.
- 11.3 Independent Power Producer (IPP) projects or commercial projects not covered in Section 11.1 require special considerations. Approval for the interconnection of power purchase rates will be at the sole discretion of the Grand Forks Electric Utility and structured to prevent negative operating and financial impacts to the electric utility and its rate payers.

SCHEDULE C

CITY OF GRAND FORKS **ELECTRICAL UTILITY RATES AND CONNECTION CHARGES**

1. Residential Service

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

- (a) Basic minimum service charge: \$16.97/month, plus
- (b) Electrical rate based on the actual consumption: \$0.10667 per KWH

2. Commercial/Industrial/Institutional Service

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

- (a) Basic minimum service charge: \$18.37/month, plus
- (b) Electrical rate per consumption for the first 200,000 KWH or less in a two-month billing period: \$0.11415 per KWH
- (c) Electrical rate per consumption for all usage above 200,000 KWH in a two-month billing period: \$0.08471 per KWH

3. Seasonal Loads (minimum period of service is three months)

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

- (a) Basic minimum service charge: \$17.57/month, plus
- (b) Electrical rate based on the actual consumption: \$0.11415 per KWH

4. Service Charges

4.1 Existing Service Connection and Reconnection Charges:

A fee of **\$50.00** (plus applicable taxes) shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;
- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

4.2 New Service Installations or Upgrading of Existing Service:

- (a) Basic Single Phase Overhead Connection
 - i) 200 amp service \$ 700.00
 - ii) 400 amp service \$1,700.00

The City will provide up to 30 meters of appropriate sized wire, do the connection on the customers service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (b) Basic Single Phase Underground Connection (includes dip service)
 - i) 200 amp service \$ 1,230.00
 - ii) 400 amp service \$ 2,230.00

The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (c) All other services greater than 400 amp At Cost
- (d) Three Phase - Overhead/Underground At Cost

New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the sole cost of the developer. All new service installations or upgrading of existing service costs are payable in advance of the installation and are subject to applicable taxes.

4.3 Temporary Construction Service

- (a) Temporary service - 100 amp or less \$250.00.

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

4.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as follows:

- (a) Meter removal charge and "in-house" inspection \$ 50.00.
- (b) Canada Department of Consumer and Corporate Affairs or a certified meter inspection facility, should it become necessary, shall be paid as determined by that Agency along with a \$50.00 administration charge.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

4.5 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

Applicable to Residential Customers

An optional service will be offered to those customers who prefer not to have a radio read meter at their service entrance. A digital non-radio read meter will be installed as an alternate to the standard digital radio read meter.

The customer will be required to pay a onetime 'Setup Charge". For each billing cycle thereafter the customer will be required to pay a 'Manual Read Charge" along with the regular residential service rates applicable under this bylaw.

This service may be discontinued if it is not compatible with the Technology, Practices, Procedures or Capacity of the Electrical Utility. In the event of program cancellation a refund of the setup fee will be made to any customer who subscribed to the service less than two years prior.

Rate: Setup Charge: \$162.95

Manual Read Charge: \$14.98

SCHEDULE D

CITY OF GRAND FORKS **ELECTRICAL BILLING AND COLLECTION REGULATIONS**

1. Billings and Payment of Accounts

- 1.1 Bills will be rendered on a basis of actual consumption, in accordance with the rates set out in "Schedule C".
- 1.2 Bills will be rendered on a bi-monthly basis and will be issued as early as practical in the billing period following that for which the Customer's bill has been determined.
- 1.3 Bills are due and payable upon presentation. Accounts not paid by the "Due Date" imprinted on the statement shall be deemed to be in arrears.
- 1.4 Except as otherwise provided in this Bylaw, or in any amendments thereto, no money received by the City in payment of rates or charges chargeable under this Bylaw or under any amendments thereto, shall be applied to the payment of the rates or charges for the then current month, until all rates and charges which became due in previous months have been fully paid.
- 1.5 Any rates or charges that have come into arrears by the thirty-first (31st) day of December in the year imposed are deemed to be taxes in arrears and bear interest from said date at the rate specified in Section 245 of the Community Charter, as amended from time to time.
- 1.6 Equal Payment Plan

Upon application, the City will permit qualifying Customers to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the Customer calculated by applying the applicable rate, to the Customer's estimated consumption during the period. Customers may make application at any time of the year. All accounts will be reconciled in December.

A Customer will qualify for the plan provided the account is not in arrears and the Customer expects to be on the plan for at least one year.

The equal payment plan may be terminated by the Customer or the City if the Customer has not maintained satisfactory credit. The City deems credit to be unsatisfactory if for any reason two payments fail to be honoured.

On the reconciliation date, the amount payable to the City for electricity will be determined by subtracting the sum of equal payments from the actual

consumption charges during the equal payment period. Any resulting amount owing by the Customer will be paid to the City. Any excess of payments over charges will be carried forward and included in the calculation of the equal payments for the next period. On termination of account and after the final bill has been calculated, any credit balance will be refunded to the Customer.

1.7 Penalty

A penalty, as set out in the City's Fees & Charges Bylaw, will be added to outstanding balances of all accounts after the due date. This provision does not apply to equal payment plan Customers.

1.8 Back-Billing

For the purposes of this Bylaw, back billing shall mean the billing or re-billing for services to a Customer because original billings are discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the Customer or the City.

Where metering or billing errors occur, the consumption shall be based upon the records of the City for the Customer, the Customer's own records to the extent they are available and accurate, or reasonable and fair estimates made by the City. Such estimates shall be on a consistent basis within each rate class or according to a contract with the Customer, if applicable.

If there are reasonable grounds to believe that the Customer has tampered with or otherwise used the service in an unauthorized way, or evidence of fraud, theft or other criminal act exists, then the extent of back-billing shall be for the duration of unauthorized use as determined solely by the Manager of Operations, subject to the applicable limitation period provided by law.

In addition, the Customer shall be liable for the direct administrative costs incurred by the City in the investigation of any incident of tampering, including the direct costs of repair, or replacement of equipment.

In a case of over-billing, the City may refund to the Customer all money incorrectly collected for the duration of the error, subject to the applicable limitation period provided by law.

In cases of under billing, the City may offer the Customer reasonable terms of repayment. If requested by the Customer, the repayment term may be equivalent in length to the back-billing period. The repayment may be interest free and in equal installments corresponding to the Customer's normal billing cycle. However, delinquency in payment of such installments shall be subject to the usual late payment charge.

Subject to the rest of Section 1 of this Schedule, all bills will be sent to the Owner of real property to which electrical energy is supplied by the City.

An Owner of real property to which electrical energy is or may be supplied under this Bylaw may deliver to the City a request in writing, signed by that Owner, requesting that the City send electrical energy Bills relating to that real property to an occupier of that real property and where that occupier consents in writing to receive those electrical energy bills, the City may send the electrical energy bills to that occupier until:

- (a) the City becomes aware that the occupier has ceased to occupy that real property;
- (b) electrical energy service to that real property is discontinued; or
- (c) the Owner of that real property requests in writing that bills relating to that real property be sent to that Owner. Where electrical energy bills are sent to an occupier of real property under Section 1 of this Schedule, the Owner of that real property remains the Customer for the purposes of this Bylaw

2. Term of Service

Unless otherwise specifically provided for in these terms and conditions, the terms of service shall:

- (a) commence on the day that the City's supply is connected to the Customer's service installation and is capable of supplying their electricity needs; and
- (b) continue thereafter until cancelled by written notice given in advance by at least two business days by either party. The amount of the account outstanding upon cancellation shall be deemed due and payable immediately.

3. Application of Rates

All electrical Energy supplied by the Electric Utility to its appropriate Customer classifications shall be billed in accordance with the applicable rates as set out in "Schedule C" of this Bylaw or by other superseding amendment schedules which Council may from time to time decide to make effective.

In addition to payments for electricity, the Customer shall pay to the City the amount of any sales taxes, goods and services taxes, or any other tax or assessment levied by any competent taxing authority on any electricity delivered to the Customer.

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2015-A1

A Bylaw to Amend the Electrical Utility Regulatory Bylaw No. 2015

WHEREAS in accordance with the Community Charter, Council may, by bylaw, regulate and control the electrical service of the City of Grand Forks and amend rates, terms and conditions under which electricity service will be provided and supplied to all users and for the collection of rates for the service provided;

NOW THEREFORE, Council for the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS**, as follows:

1. This bylaw may be cited, for all purposes, as the **“Electrical Utility Regulatory Amendment Bylaw No. 2015-A1, 2016”**.
2. That Schedule “C” of Bylaw No. 2015, be deleted and replaced with a new Schedule “C”, which is identified as “Appendix 1”, and attached to this bylaw.
3. This bylaw shall come into force and effect, with all consumption billed for periods ended on or after March 14, 2016.

INTRODUCED this 15th day of February, 2016.

Read a **FIRST** time this 29th day of February, 2016.

Read a **SECOND** time this 29th day of February, 2016.

Read a **THIRD** time this 29th day of February, 2016.

FINALLY ADOPTED this 14th day of March, 2016.



Mayor Frank Konrad



Corporate Officer Diane Heinrich

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 2015-A1 as adopted by the Municipal Council of the City of Grand Forks on the 14 day of March, 2016

Corporate Officer of the Municipal Council of the
City of Grand Forks

Appendix 1
SCHEDULE C

CITY OF GRAND FORKS
ELECTRICAL UTILITY RATES AND CONNECTION CHARGES

1. Residential Service

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

- (a) Basic minimum service charge: \$18.58/month, plus
- (b) Electrical rate based on the actual consumption: \$0.11679 per KWH

2. Commercial/Industrial/Institutional Service

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

- (a) Basic minimum service charge: \$20.11/month, plus
- (b) Electrical rate per consumption for the first 200,000 KWH or less in a two-month billing period: \$0.12498 per KWH
- (c) Electrical rate per consumption for all usage above 200,000 KWH in a two-month billing period: \$0.09275 per KWH

3. Seasonal Loads (minimum period of service is three months)

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

- (a) Basic minimum service charge: \$19.24/month, plus
- (b) Electrical rate based on the actual consumption: \$0.12498 per KWH

4. Service Charges

4.1 Existing Service Connection and Reconnection Charges:

A fee of **\$50.00** (plus applicable taxes) shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;
- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

4.2 New Service Installations or Upgrading of Existing Service:

- (a) Basic Single Phase Overhead Connection
 - i) 200 amp service \$ 700.00
 - ii) 400 amp service \$1,700.00

The City will provide up to 30 meters of appropriate sized wire, do the connection on the customers service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (b) Basic Single Phase Underground Connection (includes dip service)
 - i) 200 amp service \$ 1,230.00
 - ii) 400 amp service \$ 2,230.00

The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (c) All other services greater than 400 amp At Cost
- (d) Three Phase - Overhead/Underground At Cost

New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the

sole cost of the developer. All new service installations or upgrading of existing service costs are payable in advance of the installation and are subject to applicable taxes.

4.3 Temporary Construction Service

- (a) Temporary service - 100 amp or less \$250.00.

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

4.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as follows:

- (a) Meter removal charge and "in-house" inspection \$ 50.00.
- (b) Canada Department of Consumer and Corporate Affairs or a certified meter inspection facility, should it become necessary, shall be paid as determined by that Agency along with a \$50.00 administration charge.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

4.5 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

Applicable to Residential Customers

An optional service will be offered to those customers who prefer not to have a radio read meter at their service entrance. A digital non-radio read meter will be installed as an alternate to the standard digital radio read meter.

The customer will be required to pay a onetime 'Setup Charge". For each billing cycle thereafter the customer will be required to pay a 'Manual Read Charge" along with the regular residential service rates applicable under this bylaw.

This service may be discontinued if it is not compatible with the Technology, Practices, Procedures or Capacity of the Electrical Utility. In the event of program cancellation a refund of the setup fee will be made to any customer who subscribed to the service less than two years prior.

Rate: Setup Charge: \$162.95

Manual Read Charge: \$14.98

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2015-A2

**A Bylaw to Amend the
Electrical Utility Regulatory Bylaw No. 2015**

The Council of the Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the “**Electrical Utility Regulatory Amendment Bylaw No. 2015-A2, 2017**”.
2. Amend Bylaw No. 2015 as follows:
 - a. In section 2. DEFINITIONS, insert the definition “ ‘**Fees and Charges Bylaw**’ means the most current Corporation of the City of Grand Forks Fees and Charges Bylaw”.
 - b. In section 3.2, replace “Schedule C” with “the Fees and Charges Bylaw”.
 - c. In section 4.2 (b), replace “ ‘Schedule C’ of this bylaw” with “the Fees and Charges Bylaw”.
 - d. In section 4.2 (d), delete “, outlined in all portions of this bylaw”.
 - e. Delete Schedule “B” and replace it with the new Schedule “B” attached as Appendix 1 of this bylaw.
 - f. Delete Schedule “C”.
 - g. Supersede Schedule “C” of Bylaw No. 2015 with Schedule “G” of the **Fees and Charges Bylaw**.
 - h. Delete Schedule “D” and replace it with the new Schedule “D” attached as Appendix 2 of this bylaw.
3. This bylaw shall come into force and effect upon adoption.

INTRODUCED this 13th day of March, 2017.

Read a **FIRST** time this 27th day of March, 2017.

Read a **SECOND** time this 27th day of March, 2017.

Read a **THIRD** time this 27th day of March, 2017.

FINALLY ADOPTED this 10th day of April, 2017.


Mayor Frank Konrad
Corporate Officer Diane Heinrich

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 2015-A2 as adopted by the Municipal Council of the City of Grand Forks on the 10th day of April, 2017.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Appendix 1

SCHEDULE B

CITY OF GRAND FORKS **ELECTRICAL SERVICE REGULATIONS**

1. Terms and Conditions of Use and Supply of Electrical Energy:

- 1.1 Every Customer shall, in respect of any real property of that Customer to which electrical energy is supplied by the City:
- (a) pay to the City, in accordance with the rates and charges set out in the Fees and Charges Bylaw and in accordance with "Schedule D", for the electrical energy supplied by the City to that real property;
 - (b) ensure that electrical energy supplied by the City to that real property is not used for any purpose other than the purpose identified in the application for service relating to that real property;
 - (c) not damage, and shall ensure that occupiers of or invitees to that real property do not damage, any electrical equipment or facilities installed by the City on that real property. This is to include any seal or sign attached to that equipment;
 - (d) ensure that nothing is done on that real property, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the Electrical Utility, without the prior consent of the Manager of Operations;
 - (e) ensure that officers, employees and agents of the City have safe and unobstructed access on that real property at all reasonable times for the purpose of ensuring that this Bylaw is being complied with, testing the Owner's electrical energy system, or carrying out any other activity that is necessary for the proper operation of the Electrical Utility;
 - (f) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of this Schedule, pay to the City the charge set out in Section 4.1 of Schedule "C" as a return visit charge;
 - (g) ensure that the power factor applicable to the delivery of electrical energy to that real property is not lower than 95%;
 - (h) ensure that single phase motors rated larger than two (2) horsepower are not used on 120 volt circuits without the prior written consent of the Manager of Operations;

- (i) ensure that motors of 20 horsepower or larger are equipped with reduced voltage starters or other devices approved in writing by the Manager of Operations, unless otherwise authorized in writing by the Manager of Operations;
 - (j) ensure that 120 volt circuits are connected so as to balance as nearly as possible the currents drawn from the circuits at the point of delivery;
 - (k) ensure that space heating units having a rating of 3 kw or larger are individually thermostatically controlled and that no single in-line thermostat is used to control more than 6 kw of rated capacity;
 - (l) ensure that the phase heating units controlled by one switch or thermostat have no more than 25 kw of rated capacity; and
 - (m) ensure that no facilities capable of generating electricity, except as otherwise permitted in this bylaw, are installed, unless those facilities are at all times electrically isolated from the Electrical Utility.
- 1.2 The City shall retain full title to all electrical equipment and facilities up to the point of delivery, including without limitation all electrical metering devices, installed by the City for the purpose of supplying and measuring electrical energy under this Bylaw.
- 1.3 The City may, from time to time, conduct tests of any Customer's power factor, and where that power factor is found by the City to be lower than 95%, the Customer shall, within 30 days of a written request to do so from the City, install, at his or her expense, power factor corrective equipment acceptable to the Manager of Operations.
- 1.4 Every Customer is liable for, and shall pay to the City forthwith after receiving an invoice setting out those costs, any costs incurred by the City in repairing any damage caused to the Electrical Utility or to any equipment or facilities installed by the City on that Customer's real property, where the damage occurs as a result of the failure of the Customer to comply with any provision of this Bylaw.
- 1.5 The City may discontinue the supply of electrical energy for any or all of the following reasons to any property where the owner or any other person on that property using the electrical energy:
- (a) failure to comply with the rules established under this Bylaw for the use of the service;
 - (b) in the opinion of the Manager of Operations, the continued supply of electrical energy to that real property would or might be harmful to the Electrical Utility, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;

- (c) discontinuance is necessary to enable the City to repair or maintain the Electrical Utility;
 - (d) by reason of a shortage of supply or otherwise, the City considers that it cannot practically continue to supply electrical energy to that real property;
 - (e) a previously metered service has been disconnected for more than 1 year.
 - (f) failure to pay when due any user fees, charges, or taxes imposed under this or any other bylaw of the City in relation to the service.
- 1.6 The supply of electrical energy may be limited or interrupted by the City to accommodate routine maintenance or the construction of improvements to the municipal Electrical Utility.
- 1.7 Except in the case of an emergency, the City will endeavor to provide reasonable notice to affected parties of any service interruption or limitation of service.
- 1.8 Before discontinuing service due to non-compliance with any of the provisions of this bylaw, the City will:
 - (a) provide the owner and all occupiers of that property with at least thirty (30) days notice in writing of discontinuation of the service
 - (b) give the person affected the opportunity to make representations to Council in respect of such non-compliance at a regularly scheduled Council meeting that is scheduled to take place within thirty (30) days following delivery of the notice of discontinuation, provided that the owner or occupier wishing to make the representations notifies the City's Corporate Officer of their intention to do so at least 24 hours before that Council meeting.
- 1.9 Notice under Section 1.8(a) may be given by one or more of the following:
 - (a) posting notice on the property;
 - (b) providing notice on an Owner's and Occupier's electrical utility bill;
 - (c) mailing notice to the address(es) supplied by the Owner and Occupier or the address of the property;
 - (d) telephoning the Owner and Occupier, which may include speaking directly to the Owner or leaving a message at the telephone numbers supplied.
 - (e) Electronic mail (E-Mail) the Owner and Occupier at the email address(es) supplied.

- 1.10 The City is not responsible for any notice failing to reach an Owner or Occupier prior to the shut off of electrical energy.

2. New Service Connections

- 2.1 No person may request to connect any electrical energy lines or works to the Electrical Utility unless:

- (a) the Owner of the real property to be supplied with electrical energy as a result of that connection has first:
 - i) submitted to the City a complete New Electrical Service Application in a form provided by the City;
 - ii) paid the New Electrical Service Application fee that is identified in the Fees and Charges Bylaw as the fee applicable to the type of connection identified in the New Electrical Service Application; and
 - iii) provided evidence satisfactory to the Manager of Operations that he or she has obtained every permit and approval, including the approval of a provincial electrical inspector, that he or she is required under any enactment to obtain before requesting the connection,
- (b) the person requesting the connection is the Owner of the real property to be supplied with electrical energy as a result of that connection or a person authorized in writing by that Owner to request the connection.

- 2.2 All Meters shall be installed by the City, in a location approved by the Manager of Operations. Meter location specifications shall be as follows:

- (a) The meter socket shall be surface mounted, located on an outside wall and be within one Meter of the corner nearest to the point of supply, except in the case of Metering over 300 volts, the Meter shall be installed on the supply side of the Customer disconnect and Meter locations shall be approved by the Utility Department;
- (b) All meter sockets shall be installed between 1.5 meters and 2 meters above final ground level to the centre of the meter and located not more than 30 meters into the lot;
- (c) Meters shall not be installed in carports, breezeways or on decks or other similar areas;
- (d) Meters shall be installed in locations that permit safe and unfettered access by employees or agents of the City;
- (e) The Manager of Operations, at his/her sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the City at all times;

- (f) The Manager of Operations may require, at the Customer's expense, that the Customer relocate any meter that is located in an area that cannot be conveniently accessed by the City at all times, or is considered by the Manager of Operations to be unsafe;
- (g) For all electrical Services in excess of 200 amperes, the Customer shall supply and install an enclosure for current and potential transformers and the design of the enclosure shall first be approved by the Manager of Operations;
- (h) Primary voltage metering connections shall have metering installations paid for by the Customer;
- (i) The Manager of Operations may refuse connection of any electrical Service built in a location not approved by the Manager of Operations, or not built to accepted standards;
- (j) The City will not supply transformation from one secondary voltage to another secondary voltage;
- (k) The City reserves the right to determine the supply voltage of all electrical Service connections;

2.3 Nominal Secondary Supply Voltages are:

- (a) From pole mounted transformers:
 - i. Single Phase – 120/240 volts, 3 wire, maximum 400 amperes.
 - ii. Three Phase - 120/208 volts, 4 wire, maximum 400 amperes transformation capacity.
 - iii. Three Phase - 347/600 volts, 4 wire, maximum 400 amperes transformation capacity.
- (b) From pad mounted transformers:
 - i. Single Phase – 120/240 volts, 3 wire, maximum 800 amperes.
 - ii. Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity.
 - iii. Three Phase – 347/600 volts, 4 wire, maximum 2,500 kVA transformation capacity.
- (c) Delta services are prohibited.
- (d) For loads or supply voltages different from those listed in this Section (e.g. 277-480 volts), the Manager of Operations may require that a Customer supply their own transformation facilities and take service at the available

primary voltage; or supply their own secondary voltage conversion transformation.

- (e) All facilities and equipment to be connected to the City's facilities must be in a condition that is approved by the Manager of Operations. Installation must be carried out in a manner to ensure proper balancing of phases and circuits, and to ensure that the City's equipment is not endangered or that no abnormal voltage fluctuations are anticipated. All three-phase, four-wire facilities must be designed to prevent the load on the phase with the highest load exceeding that on the phase with the lowest load by more than ten (10%) percent.
- 2.4 Customer owned electrical facilities must not be extended across, under or over a street, lane, alley or other public or private space not owned by the Customer for the purpose of servicing more than one Premise through one meter.
 - 2.5 It is the Customer's sole responsibility to obtain any easements or statutory rights of way required by the City or others, to permit the installation of an electrical Service.
 - 2.6 New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the sole cost of the developer. All new service installations or upgrading of existing service costs are payable in advance of the installation and are subject to applicable taxes.
 - 2.7 New Service Installations or Upgrading of Existing Service:
 - (a) Basic Single Phase Overhead Connection
The City will provide up to 30 meters of appropriate sized wire, do the connection on the customer's service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.
 - (b) Basic Single Phase Underground Connection (includes dip service)
The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

3.0 Electrical Utility Extension

- 3.1 The Manager of Operations is not required to approve any New Electrical Service Application in respect of any real property, where the connection cannot be made without an extension of the City's electrical service line, unless:
 - (a) the City has first approved (and it is under no obligation to do so) the extension of that service line;

- (b) the Owner has first paid to the City the cost estimated by the City to extend that service line, which cost shall include, without limitation, the cost of installing any poles or other works or appurtenances related to that service line extension; and
- (c) the Owner has first granted to the City, or ensured that others have granted to the City, statutory rights-of-way, satisfactory to the City over any property on which the service line is to be located that is not under the possession and control of the City.

3.2 Where the cost incurred by the City in extending a Service line to any real property exceeds the amount paid by the Owner of that real property under Section 3.1(b) of this Schedule, the Owner shall forthwith upon receiving a bill from the City pay to the City the amount of that excess, and where the amount paid by the Owner to the City under Section 3.1(b) of this Schedule exceeds the cost incurred by the City in extending the service line, the City shall pay the amount of the excess to the Owner.

3.3 Subject to Section 3.5 of this Schedule, where a property Owner pays for the extension of a service line under Section 3.1(b) of this Schedule and the extension has the capacity to serve land other than land owned by that property Owner, each property Owner whose property is subsequently connected to that extension shall pay to the City for each electrical service connection made within that extension, in addition to any other charges applicable under this Bylaw, the following amount, and the original property Owner who paid for the service line extension will be reimbursed the following amount:

	X	$\frac{1}{\text{Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)}}$
<i>Cost of service line extension paid by the original property owner</i>		<i>Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)</i>

3.4 For the purpose of Section 3.3 of this Schedule, the number of possible service connections referred to in the calculation described in that Section is the number estimated by the Manager of Operations at the time the original property Owner applies for the service line extension.

3.5 Section 3.3 of this Schedule ceases to apply to a service line extension on the earlier of:

- (a) the day on which the property Owner who paid the cost of the service line extension has been reimbursed that cost less the amount obtained as a result of the calculation referred to in Section 3.3 of this Schedule, or

- (b) the day which is fifteen (15) years after the day on which the service line extension is completed.

4. Electrical Energy Accounts

- 4.1 No person shall use electrical energy supplied by the City unless an Owner of real property to which that electrical energy has an Electrical Utility account in his or her name.

5. New Accounts

- 5.1 An Owner of real property to which electrical energy is being, or is capable of being supplied, may apply to the City to have an Electrical Utility account opened in his or her name by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City, the existing service connection charge set out in the Fees and Charges Bylaw.

6. Turning Off or On Existing Service

- 6.1 An Owner of real property may apply to have an existing electrical service turned off or on or a disconnected meter reconnected by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City the existing service connection charge set out in the Fees and Charges Bylaw.

6.2 Existing Service Connection and Reconnection Charges

A fee as in the Fees and Charges Bylaw shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;
- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable

for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

7. Meter Reading

- 7.1 An Owner of real property or a person designated by the Owner as the agent, may apply to have an electrical meter read by submitting to the City a written request in the form provided by the City and by paying to the City the existing service connection charge set out in the Fees and Charges Bylaw.

7.2 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

7.3 Optional non-radio read meter

An optional service will be offered to those customers who prefer not to have a radio read meter at their service entrance. A digital non-radio read meter will be installed as an alternate to the standard digital radio read meter.

The customer will be required to pay a onetime 'Setup Charge". For each billing cycle thereafter the customer will be required to pay a 'Manual Read Charge" along with the regular residential service rates applicable under this bylaw.

This service may be discontinued if it is not compatible with the Technology, Practices, Procedures or Capacity of the Electrical Utility. In the event of program cancellation a refund of the setup fee will be made to any customer who subscribed to the service less than two years prior.

7.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as detailed in the Fees and Charges Bylaw.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

8. Refusal to Connect or Serve

- 8.1 The City may refuse to provide service to any customer who has an unpaid account at any premises within the Service Area or who has otherwise failed to comply with any provision of this Bylaw.

9. Point of Delivery and Metering

- 9.1 For overhead secondary service connections, the point of delivery shall be where the Customer's circuit connects to the City's overhead system at the service mast (not including the attachment point or structure). For an underground secondary service the point of delivery shall be where the underground circuit enters the property owned or occupied by the Customer.
- 9.2 The metering of the Customer's load demand and energy consumption shall be done by facilities owned and provided by the City. The Customer shall, where required, make all necessary provisions for the installation of the City's facilities, including any necessary wiring and fittings and boxes, to the satisfaction of the City and in accordance with all the applicable electrical inspection rules and safety requirements.
- 9.3 The Customer shall take all reasonable care to protect all meters and related apparatus belonging to the City on the Customer's premises and shall reimburse the City for any loss or damage occurrence to same except to the extent that the Customer is able to show that loss or damage was due to defects in such facilities or to omission or negligence on the part of the City's employees.
- 9.4 Where separate points of delivery exist for the supply of electricity to a single Customer or more than one meter is required to properly measure the load demands, consumption and power factors of the Customer's loads as supplied under the applicable rates Schedules, the readings of such meters will be billed separately unless their combination is specifically authorized by the City.

10. Removal of Hazardous Trees from Private Property

- 10.1 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of inspecting any trees, shrubs and other growths or any other obstacles which may in the City's sole discretion constitute a danger or a hazard to the electrical distribution system.
- 10.2 The City may give notice ("the Notice") to a property Owner, which would require the property Owner to remove, cut, top, prune, move, or otherwise deal with any trees, shrubs and other growths or any other obstacles on a one time or periodic

basis that, in the City's sole discretion, may endanger or present a hazard, or become dangerous or hazardous to the electrical distribution system.

- 10.3 Unless the Notice expressly excludes the requirement to obtain approval in advance, a person will not undertake any works relating to any tree, shrub, or growth that is subject of the Notice, without the prior approval of the City, by filing a work plan, which is satisfactory to the City.
- 10.4 If the property Owner fails to comply with the requirements in the Notice within 20 days of the date of the Notice, or such other later date that may be specified in the Notice, to the satisfaction of the City, then the City may enter at any reasonable time upon the premises for the purpose of removing, cutting, topping, pruning, moving or otherwise dealing with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis or otherwise as required by the Notice.
- 10.5 Notwithstanding the issuance of the Notice, the City may exercise its rights, powers and obligations under this Section to remove the trees, shrubs and other growths or other obstacles that are the subject of the Notice, and the property Owner will compensate and be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City.
- 10.6 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of cutting down any trees, shrubs and other growths or remove any other obstacles that, in the City's sole discretion present an immediate danger or hazard to the electrical distribution system.
- 10.7 The property Owner will be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City pursuant to this Section.
- 10.8 If the property Owner, fails to comply with any Notice issued under this Section, or obstructs, resists, interferes or otherwise fails to cooperate with the City when the City is exercising its rights, under this bylaw, then the property Owner will be responsible, liable or otherwise held accountable for any and all costs, expenses, damages or injuries which are suffered or incurred by the City, its employees, agents, contractors, either directly or indirectly, or which result in damage to the electrical distribution system.
- 10.9 When exercising its rights under this bylaw, the City is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by any property Owner or person which are a result of:
 - (a) its entry upon, occupation of or exit from any premises;
 - (b) its trespass on any premises or property;
 - (c) a nuisance created by it;
 - (d) an invasion of privacy committed by it; or
 - (e) its negligent actions or inactions .

- 10.10 Nothing in this Section or Bylaw shall be construed as imposing any additional duty, obligation or requirement on the City to remove, cut, top, prune, move, or otherwise maintain any trees, shrubs, growths or other obstacles that would not otherwise be imposed on the City and at all times, with or without notice, it is the customers responsibility to keep all the trees, shrubs and other growths or other obstacles clear of power lines or electrical infrastructure on the Customers private property.

11. Photo-Voltaic Services

- 11.1 Available for residential usage with solar (PV) installations of not more than 10 kVA ($kVA = \frac{kWAC}{\text{Power Factor}}$).

Commercial photo-voltaic services may be allowed at the discretion of the City.

- 11.2 Each residential photo-voltaic service requires a bi-directional meter which will be installed by the Grand Forks Manager of Operations at the owners cost. Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:
- (a) Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.
 - (b) The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.
 - (c) Any surplus over \$50 at year end will be paid to the customer.
 - (d) Any surplus of \$50 or less will be applied as an energy credit to the account.
 - (e) Grid interconnection must be made in accordance with the City's "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, provided by the City and amended from time to time.
- 11.3 Independent Power Producer (IPP) projects or commercial projects not covered in Section 11.1 require special considerations. Approval for the interconnection of power purchase rates will be at the sole discretion of the Grand Forks Electric Utility and structured to prevent negative operating and financial impacts to the electric utility and its rate payers.

12. Types of Service

12.1 Residential Service

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

12.2 Commercial/Industrial/Institutional Service

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

12.3 Seasonal Loads (minimum period of service is three months)

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

12.4 Temporary Construction Service

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

Appendix 2

SCHEDULE D

CITY OF GRAND FORKS **ELECTRICAL BILLING AND COLLECTION REGULATIONS**

1. Billings and Payment of Accounts

- 1.1 Bills will be rendered on a basis of actual consumption, in accordance with the rates set out in the Fees and Charges Bylaw.
- 1.2 Bills will be rendered on a bi-monthly basis and will be issued as early as practical in the billing period following that for which the Customer's bill has been determined.
- 1.3 Bills are due and payable upon presentation. Accounts not paid by the "Due Date" imprinted on the statement shall be deemed to be in arrears.
- 1.4 Except as otherwise provided in this Bylaw, or in any amendments thereto, no money received by the City in payment of rates or charges chargeable under this Bylaw or under any amendments thereto, shall be applied to the payment of the rates or charges for the then current month, until all rates and charges which became due in previous months have been fully paid.
- 1.5 Any rates or charges that have come into arrears by the thirty-first (31st) day of December in the year imposed are deemed to be taxes in arrears and bear interest from said date at the rate specified in Section 245 of the Community Charter, as amended from time to time.
- 1.6 **Equal Payment Plan**

Upon application, the City will permit qualifying Customers to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the Customer calculated by applying the applicable rate, to the Customer's estimated consumption during the period. Customers may make application at any time of the year. All accounts will be reconciled in December.

A Customer will qualify for the plan provided the account is not in arrears and the Customer expects to be on the plan for at least one year.

The equal payment plan may be terminated by the Customer or the City if the Customer has not maintained satisfactory credit. The City deems credit to be unsatisfactory if for any reason two payments fail to be honoured.

On the reconciliation date, the amount payable to the City for electricity will be determined by subtracting the sum of equal payments from the actual consumption

charges during the equal payment period. Any resulting amount owing by the Customer will be paid to the City. Any excess of payments over charges will be carried forward and included in the calculation of the equal payments for the next period. On termination of account and after the final bill has been calculated, any credit balance will be refunded to the Customer.

1.7 Penalty

A penalty, as set out in the City's Fees & Charges Bylaw, will be added to outstanding balances of all accounts after the due date. This provision does not apply to equal payment plan Customers.

1.8 Back-Billing

For the purposes of this Bylaw, back billing shall mean the billing or re-billing for services to a Customer because original billings are discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the Customer or the City.

Where metering or billing errors occur, the consumption shall be based upon the records of the City for the Customer, the Customer's own records to the extent they are available and accurate, or reasonable and fair estimates made by the City. Such estimates shall be on a consistent basis within each rate class or according to a contract with the Customer, if applicable.

If there are reasonable grounds to believe that the Customer has tampered with or otherwise used the service in an unauthorized way, or evidence of fraud, theft or other criminal act exists, then the extent of back-billing shall be for the duration of unauthorized use as determined solely by the Manager of Operations, subject to the applicable limitation period provided by law.

In addition, the Customer shall be liable for the direct administrative costs incurred by the City in the investigation of any incident of tampering, including the direct costs of repair, or replacement of equipment.

In a case of over-billing, the City may refund to the Customer all money incorrectly collected for the duration of the error, subject to the applicable limitation period provided by law.

In cases of under billing, the City may offer the Customer reasonable terms of repayment. If requested by the Customer, the repayment term may be equivalent in length to the back-billing period. The repayment may be interest free and in equal installments corresponding to the Customer's normal billing cycle. However, delinquency in payment of such installments shall be subject to the usual late payment charge.

Subject to the rest of Section 1 of this Schedule, all bills will be sent to the Owner of real property to which electrical energy is supplied by the City.

An Owner of real property to which electrical energy is or may be supplied under this Bylaw may deliver to the City a request in writing, signed by that Owner, requesting that the City send electrical energy Bills relating to that real property to an occupier of that real property and where that occupier consents in writing to receive those electrical energy bills, the City may send the electrical energy bills to that occupier until:

- (a) the City becomes aware that the occupier has ceased to occupy that real property;
- (b) electrical energy service to that real property is discontinued; or
- (c) the Owner of that real property requests in writing that bills relating to that real property be sent to that Owner. Where electrical energy bills are sent to an occupier of real property under Section 1 of this Schedule, the Owner of that real property remains the Customer for the purposes of this Bylaw

2. Term of Service

Unless otherwise specifically provided for in these terms and conditions, the terms of service shall:

- (a) commence on the day that the City's supply is connected to the Customer's service installation and is capable of supplying their electricity needs; and
- (b) continue thereafter until cancelled by written notice given in advance by at least two business days by either party. The amount of the account outstanding upon cancellation shall be deemed due and payable immediately.

3. Application of Rates

All electrical Energy supplied by the Electric Utility to its appropriate Customer classifications shall be billed in accordance with the applicable rates as set out in the Fees and Charges Bylaw.

In addition to payments for electricity, the Customer shall pay to the City the amount of any sales taxes, goods and services taxes, or any other tax or assessment levied by any competent taxing authority on any electricity delivered to the Customer.