



Corporate Report

NO: R031

COUNCIL DATE: MARCH 12, 2007

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **February 26, 2006**
FROM: **General Manager, Engineering** FILE: **3900-20(2932)**
SUBJECT: **Surrey Waterworks Regulation and Charges By-law, 2007**

RECOMMENDATIONS

The Engineering Department recommends that Council:

1. Authorize the Clerk to introduce Waterworks Regulation and Charges By-law, 2007 as shown in Appendix I.
2. Authorize the Clerk to introduce a by-law to amend the Municipal Ticket Information Utilization By-law, 1994, No. 12508 as shown in Appendix II.
3. Authorize the Clerk to introduce a by-law to amend the Surrey Fee-Setting By-law, 2001, No. 14577 as shown in Appendix III.

INTENT

The intent of this report is to seek Council's approval to adopt a replacement Waterworks By-law, and to include waterworks fines and fees in appropriate existing Surrey by-laws.

DISCUSSION

The existing Water By-law was first adopted in 1969. Many amendments have been made over the years resulting in a variety of language, formatting and writing styles. To address these inconsistencies, and to improve the overall organization of the document, a completely new by-law has been prepared.

Sections of the by-law have been re-written to provide clarity and to update the information to reflect current legislation, City policies, practices and procedures. Additionally, the Watermain Extension By-law has also been updated and incorporated into the one by-law. Some sections of the existing by-laws have been removed and

policies and procedures written in their place. A summary of the major changes made to the by-laws are highlighted on attached Table 1, Appendix IV for quick reference.

By-law Enforcement staff will provide regulatory services by ticketing by-law infractions. This will be formalized by amending Surrey Municipal Ticket Information Utilization By-law in accordance with Appendix I to include a listing of authorized personnel and five specific waterworks violations.

Standard fees generally affected by “across the board” increases in administrative costs are proposed to be included in the Surrey Fee-Setting By-law. The by-law amendment is attached as Appendix II for Council’s consideration. These fees have been increased in the range of 10 – 20% to reflect current costs versus their previous amounts, as shown in Appendix V set prior to 2002.

To improve public awareness about regulations concerning water use and water system expansions, an announcement about the new by-law will be placed in local newspapers. A consolidated version of the by-law will also be placed on the City’s website for access by the general public.

Legal Services has reviewed the proposed by-law and finds it acceptable from a legal perspective.

CONCLUSION

This is the first comprehensive re-write of the By-law since 1969. The new By-law will be more concise, efficient, and simpler to use.

Paul Ham, P. Eng.
General Manager, Engineering

JLU/KKL:rdd/kd2/brb
Attachment

<http://surrey.ihostez.com/content/uploaded/e91bda09cab24f07acf01dca5db47fd2-02090858jlu.doc>
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APPENDIX I

Surrey Waterworks Regulation and Charges By-law, 2007

APPENDIX II

*Proposed Amendments to Surrey Municipal Ticket Utilization By-Law,
1994, No. 12508*

Appendix II

Proposed Amendments to Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as amended (the "By-law")

That the By-law be further amended as follows:

1. Amend Schedule "1" by adding a new Section 28 as follows:

28. Surrey Waterworks Regulation and Charges By-law, 2007, No. _____".	- Manager, Administration & By-law - Senior By-law Enforcement Officer - By-law Enforcement Officer - License Inspector - Member of Royal Canadian Mounted Police
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2. By adding a new Schedule 29 as attached.

SCHEDULE 29 TO BY-LAW NO. 12508

<u>SURREY WATERWORKS REGULATION AND CHARGES BY-LAW, 2007, NO.</u>	<u>SECTION</u>	<u>FINE</u>
1. Illegal use of system	22	\$300.00
2. Fail to discontinue service	35	\$300.00
3. Unlawfully activate connection	38	\$300.00
4. Obstruct meter / fixture	40	\$300.00
5. Contamination of system	50	\$300.00

APPENDIX III

*Proposed Amendments to Schedule “D”
Surrey Fee-Setting By-law, 2001, No. 14577*

APPENDIX III

Proposed Amendments to Schedule “D” Surrey Fee-Setting By-law, 2001, No. 14577

1. Add the following to Administration

Water Meter Installation	\$30.00 per
Standards & Specifications (Printed Version)	copy

2. Add new heading Water and new numbers 8. and 9. as follows:

8. Water

Connection to an existing water main connection, provided that the connection was not part of a local service area or other cost recovered project.	\$1,825.00 per connection
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- | | |
|--|-------------------------|
| 9. Temporary water service turn off/on | |
| • during regular City working hours | \$55.00 each occurrence |
| • outside regular City working hours | \$90.00 each occurrence |

3. Move 13. from Schedule “A” to Schedule “D”, as follows:

Water

10. Special Water	\$30.00 per hour
Meter Reading	\$60.00 minimum

Appendix IV

TABLE 1

*Waterworks
Regulation and Charges By-law, 2007*

Appendix IV
Table 1
Waterworks
Regulation and Charges By-law, 2007

Proposed Change	Issue	Resolution
<p>The following new sections have been added to the By-law:</p> <p>General:</p> <ol style="list-style-type: none"> 1. Sections 16 & 17 clarifying that the City is not liable for water system pressure, changes in pressure, supply and water quality. <p>Meters and Service Connections:</p> <ol style="list-style-type: none"> 1. Section 20 stating the requirement to provide fronting water mains on major road network (MRN) roads. Schedule "G" has been added showing the MRN in Surrey. 2. Section 75 regarding the requirement for a dedicated main for new fire services. 3. Section 27(g) and (h) concerning legal documentation and costs for temporary service connections. 4. Section 62 providing clarification on ownership and maintenance of water meters. 	<p>The City may be in a liable situation unless clarification is provided stating the things the City may not be able to fully control.</p> <p>Minimize the number of long road cuts across major roadways.</p> <p>The water system can be contaminated when fire lines are cross-connected with domestic lines without proper backflow prevention.</p> <p>There is a need to advise future property owners about the conditions of the service connections.</p> <p>Confusion existed regarding the division between the Owner's and City's responsibilities.</p>	<p>The responsibilities of the City as water purveyor have been clarified for water system pressure, supply and water quality.</p> <p>Properties located along a road designated as part of the major road network, are required to install/extend mains along their road frontage (i.e. same side of the road) in order to service the property. Schedule "G" has been added showing the MRN in Surrey.</p> <p>The Owner of the property shall provide separate mains.</p> <p>The applicant shall register a restrictive covenant on title to the land, and pay all associated costs.</p> <p>Formalize by By-law, the responsibilities of each party.</p>

Proposed Change	Issue	Resolution
<p>Cost Recovery:</p> <ol style="list-style-type: none"> Section 29 stating the conditions from an earlier Corporate Report regarding the replacement of service connections older than 30 years. Section 41 stating conditions regarding obstruction of the water shut off and meter. 	<p>To ensure the City is not burdened with the cost to replace/repair old or substandard service connections.</p> <p>To ensure the City is not burdened with the cost of locating service connections and meters when they are buried by owners and can't be located and serviced.</p>	<p>The By-law sets out the Owner's responsibilities for replacing old and inferior pipe material during redevelopment.</p> <p>Ensure that the Owner is responsible for the removal of the obstruction.</p>
<p>Penalty:</p> <ol style="list-style-type: none"> Section 35 and a penalty of \$300. (added to the MTI By-law), for failing to apply for a water service turn-off, prior to demolition work. Section 110 regarding separate fines for each day an offence continues. Section 46 stating that any consumer deliberately wasting water shall be guilty of a By-law violation. 	<p>The water service is not shut off properly after demolition of the building.</p> <p>A need to discourage people from allowing non-conformance to continue.</p> <p>All wastage of water is discouraged, including metered accounts.</p>	<p>Impose a penalty to ensure the service connection is shut off properly.</p> <p>Provide the City with a means to issue fines until the situation is corrected. This is consistent with other City by-laws.</p> <p>Provide a mechanism to discourage wastage of water.</p>
<p>The following modifications were made to the By-law:</p>		
<p>Meters:</p> <ol style="list-style-type: none"> Schedule D-1 now includes the fee for testing meters for different sizes. 	<p>The cost of testing of different sized meters varies significantly. To ensure a more equitable fee, it is proposed to vary by size.</p>	<p>Establish fees for full cost recovery by the City to cover actual cost.</p>

Proposed Change	Issue	Resolution
<p>Penalty:</p> <ol style="list-style-type: none">1. Section 109 states that every person who violates any provisions of the By-law, is liable on summary conviction to a fine on not less than \$100 but not exceeding \$10,000. The current by-law states a maximum of \$2,000. <p>Cost Recovery:</p> <ol style="list-style-type: none">1. Schedule “E”, Connection Charges, has been updated in accordance with Council adopted charges. <p>General:</p> <ol style="list-style-type: none">1. Sections from the two existing By-laws regarding latecomers and local improvement projects have been removed, and policies prepared to replace them.	<p>It is the City’s practice to set the range of fines for the Judge.</p> <p>The costs to provide service connections are variable depending upon site conditions. Overall, in the past insufficient funds have been recovered to pay for the service.</p> <p>It is more appropriate to have written policies regarding these subject items.</p>	<p>In accordance with City practice the By-law states the range of fines.</p> <p>The Owner is now responsible for 100% of actual costs for all new connections.</p> <p>Staff have prepared the required policies for approval.</p>

APPENDIX V

*Comparison of Proposed Version
Former Fee Amounts.*

APPENDIX V

Proposed Amendments to Schedule “D” Surrey Fee-Setting By-law, 2001, No. 14577

	New fee	<i>Former Fee</i>
1. Water Meter Installation Standards & Specifications (Printed Version)	\$30.00 per copy	<i>\$20.00 per copy</i>
2. Connection to an existing water main connection, provided that the connection was not part of a local service area or other cost recovered project.	\$1,825.00 per connection	<i>\$1500.00 per connection</i>
Temporary water service turn off/on		
• during regular City working hours	\$55.00 each occurrence	<i>\$50.00 each occurrence</i>
• outside regular City working hours	\$90.00 each occurrence	<i>\$90.00 each occurrence</i>
3. Special Water Meter Reading	\$30.00 per hour - * \$60.00 minimum - *	<i>\$30.00 per hour</i> <i>\$60.00 minimum</i>

* - Fee not changed since already included in fee-setting By-law