

CORPORATION OF THE CITY OF NANAIMO, B.C.

A By-Law for regulating the supply of Water by the City Water Works, and fixing the Rates to be paid therefor.

Whereas by the Municipal Clauses Act, 1896, power is conferred on every Municipality to pass by-laws for operating and maintaining works for supplying the inhabitants of the Municipality with water, and regulating the conditions and terms under which the same may be supplied and used.

And whereas it is deemed expedient to enact a by-law for (inter alia) prohibiting the selling, disposing, giving away, neglect or waste of water supplied by the water works, and for regulating the time, manner, extent and nature of the supply of the said works, the tenements or parties to which and to whom the same shall be furnished, the price or prices to be exacted therefor, and each and every other matter or thing relating to or connected therewith, which may be necessary or proper to direct, regulate or determine for issuing to the inhabitants of the Municipality a continual and abundant supply of water.

Therefore the Municipal Council of the Corporation of the City of Nanaimo enacts as follows:-

1. It shall not be lawful for any person being the occupant, tenant or inmate of any house, or otherwise supplied with water from the water works of the City of Nanaimo, unless supplied by meter, to vend, sell or dispose of such water, to give it away to any person or persons whomsoever, unless in case of actual necessity, or permit to be taken or carried away by any person or persons whomsoever, or to use it or supply to the use or benefit of others, or to any other than his, her, or their own use and benefit, or to increase the supply of water agreed for with the manager, or to wrongfully neglect or improperly waste such water.
2. The owner or occupier of each building using the water of the said water works shall, at his own expense, lay down and provide, and at all times maintain and keep in good condition, all the pipes and

apparatus upon his premises or for his use, of the description and subject to the rules following, namely:- such pipes shall be galvanized and laid to a depth of not less than 16 inches below the surface of the ground, and no consumer shall run or allow to run, water to waste, except to prevent pipes from bursting by frost.

3. That all plumber's work connecting the Water-works system with or contained in any lands, premises, house, store, office, building, or part of a building, shall be done in a good and workmanlike manner with first class materials, sufficiently strong to resist the pressure of the Water-works system and the water contained therein, and all cocks and other appliances used for the purpose of drawing off the water shall be made upon the compression or other approved principle, and shall be subject to the approval of the said City Water-works Manager, or duly authorized agents or officers, and should any such work or materials be not approved by the said Water-works Manager, officers or agents, or become out of repair, it shall be lawful for the said Manager, or authorized officer, to turn off or refuse to turn on the water, and no person whatsoever shall be allowed to make any connection with the said Water-works system for any purpose whatsoever unless he or they shall have first received permission in writing from the Manager, to make such connection, on each and every separate occasion.

4. No water pipe shall be laid through, or into any slough, drain, ash-pit, manure-hole or other place from which, in the event of decay or injury to such pipe, the water of the said water works might become foul or escape without observation or without injury to the consumer. Where any such slough, drain, ash-pit, manure-hole, or other place shall be in the unavoidable course of the water pipe, such pipe shall be passed through an exterior or cast iron pipe or box of sufficient length and strength to afford due protection to the water pipe and to bring any leakage or waste within the means of easy detection.

5. No pipe or apparatus shall be connected with the said water works until it has been inspected by the proper officer of the said water works and certified by him to be in accordance with the water works regulations.

6. In every case in which a building or block of buildings, occupied under two or more separate tenancies, each of such tenancies shall, for the purpose of the by-law, be considered as a separate building, and shall not be supplied with water of the said water works except by means of a separate pipe laid from the outer edge of the sidewalk, with a proper stop cock; but an office or room, or flat of offices or rooms, not being on the main floor of the building, shall be considered as a separate tenancy.

7. Water shall be introduced into lands, premises, houses, offices, buildings, or parts of buildings, only upon the signature of the owner or owners, or their duly authorized agents, who shall sign the proper applications provided for that purpose; for which the following charges will be made, payable in advance:-

For Connections Within the City.

For one-half inch connection	\$5.00
For three-quarter inch connection	10.00
For one inch connection	20.00
For one and one-half inch connection	30.00
For two inch connection	40.00
For three inch connection	50.00
For four inch connection	60.00

All connections made outside the City limits to be 50 per cent, additional to above rates.

8. Every cistern supplied from the said water works must be absolutely water-tight, and provided with a ball cock and proper means of access and inspection and must not have an overflow or waste pipe unless the same is constructed to the satisfaction of the water works manager.

9. Every water closet supplied from the said water works must be provided with full and complete apparatus, with proper valves so arranged to let down not more than one foot or division full of water at each pull and to prevent the water from running to waste by inattention or neglect, and a proper basin, scatterer, weighted level, fan, trap, and other appliances needful to prevent such water closet from becoming a nuisance and inducing an undue consumption of water, and the valves must be worked by brass or copper wire. Every selfacting or pull down water closet must be of a description approved by the

Water works manager. The double valve service boxes must be provided with a ball tap of the approved kind half an inch in diameter. No water pipe shall communicate with a closet otherwise than with the cistern or service box and other approved appliances, and so as to prevent the return of foul air or impure matter into the pipes of the said water works, and no water pipe shall communicate directly with any urinal or sloop hopper, in such manner as to allow any foul air or impure matter to enter the pipes of the water works.

10. The turncocks in or under the sidewalks or public streets are the property of the said City, and any person or persons found tampering with them in any way will be prosecuted.

11. All consumers must keep their service pipes and stop cocks, and other fixtures on their premises, in good repair and order at their own expense.

12. When more than one house or premises is supplied through one service between the main and the street line, the service must be so arranged that the supply of water to each separate house or premises can be controlled by a separate stop cock placed within or near the street line.

13. Premises owned by different person must have a separate service from the main for each customer. Consumers shall prevent all unnecessary waste of water, and shall make no concealment of the purpose for which the water is used.

14. In the months of June, July, August and September, washing windows with hose, and sprinkling the street with hose, by private consumers, between the hours of 9 o'clock in the morning and five o'clock in the evening, is hereby strictly forbidden, and no person or persons shall be allowed to sprinkle or use in any manner whatsoever, the water supplied by the City upon lawns, gardens, yards or grounds of any description, except between the hours of five and nine o'clock, in the morning, and the hours of five and eleven o'clock in the evening.

15. The manager, and all officers authorized by him shall have free access, at all proper hours of the day, and upon reasonable notice being given or request made, to all land and all parts of every building

in which water is delivered and consumed.

16. If water (except water supplied by meter) is used for watering lawns or gardens at other than the permitted hours, there shall be charged against the person so using such water the sum of fifty cents additional for each infraction, but this provision shall in no way prejudice any proceedings for enforcing the penalties attached to any infraction of this By-Law.

17. There shall be payable by every consumer or consumers of the water of the said water works for the purpose or purposes hereinafter mentioned, the rents or rates respectively mentioned in the following schedule:-

Schedule of Monthly rates.

X In respect of water supplied within the City limits, for family purposes:-

For each dwelling of one person or one person and child	.50
" " " of not more than three persons	1.
" " " of four or more persons,	1.25
" " " at which boarders are taken, for each boarder, in addition to the family rate	.25
" " " for one or more closets	.25
" " horse or cow,	.25

The foregoing rates to include one bath, and sprinkling for an ordinary city lot, grounds larger than 66 X 165 feet to be specially rated by the Manager of the water works subject to the approval of the Water Committee.

For every water closet (other than in dwelling houses or when supplied by meter)	.25
" " Urinal	.25
" " Blacksmith shop where public blacksmithing is carried on,	1.50
" " Teamster or other person using vehicles for business purposes (except Livery Stables) for one horse	.50
	.25
" " Butcher Shop \$2.00, or by meter.	
" " Bakery	1.50
" " Fish Market \$2.50 (if family lives at market, add family rate.	
" " Drug store, pr. 25 feet frontage-	1.
" " Office,	.50

For every store of 25 feet or portion of 25 feet frontage (all buildings used for any business purposes to be rated as stores) for each 25 feet frontage	.50
" " Printing office \$1.75, if steam engine is used, then to be supplied by meter.	
" " Restaurant \$2.50, or by meter.	
" " Store and dwelling combined, the dwelling rate to be charged, and an additional sum of 25 cents per 25 feet frontage.	
" " Barber shop, for one chair, .50 cents, for each add- itional chair 25 cents, for each bath 50 cents.	
" " Soda-water fountain connected with water system	.50
" " Candy factory	1.50

From the proprietor of every Green-house who propogates or grows plants or flowers for sale or profit, to be supplied by meter.

Every Hotel, Saloon, Photographic Gallery, Boarding house, Livery stable, Laundry, Colliery Company, Foundry, Saw mill, Brewery, Railway Company, Wharf, Shipping and other large consumers of water to be supplied by meter.

All dwellings and buildings outside the limits of the city, to be charged 25 per cent additional to the above charges. X

FOR BUILDING PURPOSES.

For each thousand bricks (laid)	.10
" Plaster One coat, per 100 square yards	.25
" " Two coats " " " "	.35
" earthwork settling per cubic yard,	.05
" Concrete work, " " "	.06
" Stonework, " " " (laid)	.06

METER RATES.

Within the City limits, in respect of water supplied to other than residences or dwellings.

Up to 5.000 cubic feet	15 cents per 100 cubic feet,
Over 5.000 to 10.000 cubic feet,	14 cents per 100 cubic feet
" 10.000 " 20.000	" " 13 " " " " "
" 20.000 " 30.000	" " 12 " " " " "
" 30.000 " 40.000	" " 10 " " " " "
" 40.000 " 50.000	" " 8 " " " " "
" 50.000 " 100.000	" " 7 " " " " "
" 100.000 " 150.000	" " 6 " " " " "
" 150.000 " 200.000	" " 5 " " " " "
" 200.000	" " 3 " " " " "

All meters to be read monthly.No monthly meter bill to be less than \$1.50 exclusive of meter rent.

The charges for water supplied by meter, outside the City, to be twenty five per cent over the above rates.

METER RENTS.

Rent of each	5/8	inch	meter	per	month			.25
" " "	3/4	"	"	"	"	"	"	.25
" " "	1	"	"	"	"	"	"	.50
" " "	1 1/2	"	"	"	"	"	"	.75
" " "	2	"	"	"	"	"	"	1.00
" " "	3	"	"	"	"	"	"	1.50
" " "	4	"	"	"	"	"	"	2.00

18. Every person who may require water for building purposes, shall make application in writing to the water works manager, accompanied by an estimate of the number of bricks, yards of stone, yards of plastering and yards of cement or concrete for which the water is required, and shall pay the water rates in advance upon such estimated quantities, and if more materials are used, or intended to be used, than those stated in the original estimate, the applicant or applicants shall pay the extra additional charges forthwith.

19. When statements are made of the quantity of water used, or to be used, the water works manager may require the same to be verified by a statutory declaration.

20. Any person, persons, or body corporate being dissatisfied with the accounts for dues owing by them to the City, for water used by them shall, within the period of ten days after such account is mailed to them, give notice to the Clerk of the Water Works Committee or City Treasurer, stating what items of such account are objected to by them, and in default of such notice being sent, as aforesaid, no complaint as to the incorrectness of the account will be entertained by the said Committee.

21. The right is hereby reserved to suspend or stop the supply of water, by resolution of the Water-works Committee for the City, to all customers for use in fountains, or by jets, garden hose or sprinklers, or to further limit the hours for using the same, whenever in the discretion of the said Committee the public interests may require it.

22. The water works manager may apply water meters to all service pipes and remove the same whenever in his opinion it is necessary.

23. The Municipal Council may by resolution grant reduced rates to Charitable institutions and industrial enterprises.

24. The Mayor shall have power to instruct, in writing, the water works manager to reduce or remit the rates in cases of poverty, sickness or similar causes.

25. Besides the other remedies provided by the Statute or Statutes in the behalf for the collection of water rates within the Municipality of Nanaimo, it shall be lawful for the Water works manager of the said Corporation of the City of Nanaimo, in case of non-payment of the said water rents or rates for thirty days after the same have become due and payable, or in case any consumer of water of the said water works shall refuse, neglect, or fail to comply with any of the regulations of this by-law, to shut off, or cause to be shut off, the supply of water from any house, store, office, building or part of building, in respect of which the said rate or rent shall be due, and unpaid for the period aforesaid. And the said water works manager shall not again permit water to be let on, either for the present or any other subsequent applicant, except on payment of the whole amount due, together with the sum of one dollar in addition for the expense of turning the water off and on.

26. Any person turning on water to any premises after it has been shut off by order of the water committee or Manager, for non-payment of rates, or by reason of the premises being vacant, shall be subject to a penalty of not less than Five dollars, nor more than Ten dollars, together with the costs of conviction.

27. Any person or persons vacating any premises that have been supplied with water from the city main, or who may wish to discontinue the use thereof for a period of not less than one month, must give one week notice of the same in writing to the manager, or water works collector, otherwise such person or persons will be liable for the rate or rent thereof.

28. For the purpose of this By-Law, the term "family" shall mean and include, one man, his wife and their children, and all other persons

living with them, must be paid for as boarders.

29. All matters and questions not provided for by this by-law, shall be determined by the water committee who shall have full power to arrange and decide the same, subject to the approval of the Municipal Council.

30. Any person guilty of any infraction of this By-Law (unless otherwise provided for) shall, upon summary conviction before the Police Magistrate or any Justice of the Peace having jurisdiction over offenses against the By-Laws of this City, for the first offense forfeit and pay a penalty of not less than five dollars, nor more than Twenty dollars, and for a second offense a fine of not less than ten dollars nor more than fifty dollars, in the discretion of the convicting Magistrate, together with costs of conviction, and which penalty may, with the costs of conviction, be levied by distress and sale of the goods and chattels of the person so violating this By-Law, and in case such goods and chattels shall prove insufficient to satisfy such penalty and costs, then by imprisonment for any term not exceeding one calendar month.

31. The water rates imposed or levied under authority of this By-Law shall be and continue until paid, a lien or charge upon the real property assessed and shall become delinquent on the 31st day of December in the year in which the same are levied, and may be enforced with interest from due date at eight per cent per annum in the same mode and with like incidents and remedies as municipal taxes on real property are enforced under the provisions of the Municipal Clauses Act, Chapter 32 of the Statutes of 1906, (sections 153, 154 and 155). The said water rate and every tax charge or price imposed, fixed and payable under the provisions of this By-Law shall in addition to every remedy be deemed a debt due to the Corporation by the registered owner of such real property assessed at the time of such assessment and shall bear interest from due date at eight per cent per annum, and shall be recoverable by action brought by the Corporation

with costs of suit in any Court of record in the Province, or in the Small Debts Court of Nanaimo at Nanaimo.

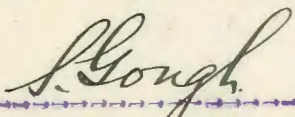
32. The Water Works Regulation By-Law, 1903 and the Water-Werks Regulation Amendment By-Law 1905, are hereby repealed.

33. This By-Law may be cited as the Water Works Regulation By-Law, 1909
Passed first reading 7th June, 1909.

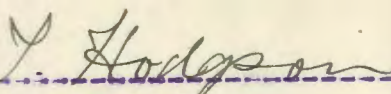
Passed second reading 14th June, 1909.

Passed third reading 20th September, 1909.

Reconsidered and finally adopted by the Municipal Council on the 8th November, 1909.



City Clerk.



Mayer.