



**DISTRICT OF PORT HARDY
BYLAW NO. 02-2012**

***Amended: Bylaw 1030-2014 September 9, 2014
Bylaw 1114-2020 June 2020
Consolidated for Convenience only***

**A BYLAW TO REGULATE THE TERMS AND CONDITIONS UNDER WHICH WATER FROM
THE MUNICIPAL WATER UTILITY MAY BE SUPPLIED AND USED**

WHEREAS it is deemed advisable that the District of Port Hardy establishes regulations for the operation of a water system;

NOW THEREFORE, the Council of the District of Port Hardy, in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the "District of Port Hardy Water Regulations Bylaw 02-2012".

2. DEFINITION

In this bylaw unless the context otherwise requires,

APPROVED BACKFLOW PREVENTION ASSEMBLY means a backflow preventer that is designed to be tested and repaired in-line and to meet the design and installation criteria requirements of the CAN/CSA standards B64.10-07 / B64.10.1-07 or most current edition;

AUTHORIZED AGENT includes a person, firm or corporation representing the District of Port Hardy;

AUXILIARY WATER SUPPLY means any water available on or to a premise originating from a source or system other than that from the District Waterworks System;

BACKFLOW means the flow of water or other liquids, gases or solids from any source in the reverse direction back into the private water system or the District Waterworks System;

BACKFLOW ASSEMBLY TEST REPORT means a form provided by or approved for use by the District of Port Hardy to be used when testing backflow assemblies to record all pertinent information and test data;

BACKFLOW ASSEMBLY TESTER means a person holding a valid certificate from the American Water Works Association, British Columbia Section for testing backflow prevention assemblies and approved by the District;

BACKFLOW PREVENTER means a mechanical apparatus installed in a water system that prevents backflow of contaminants into the potable Waterworks System and to meet the design and installation criteria requirements of the CAN/CSA standards B64.10-01 / Series-01 or most current addition;

CONSUMER means any person, company or corporation or agent for the owner of any premises to which water is supplied or made available from the works and also any person who is the occupier of any such premises and also includes any person who is actually a user of water supplied to any premises or by a service from the said works.

CONTAMINANT means any physical, chemical, biological or radiological substance or matter in water which may render the water non-potable according to the Province of British Columbia *Drinking Water Protection Act* and Regulations.

CROSS CONNECTION means any actual or potential physical connection whereby the District Waterworks System is connected, directly or indirectly, with any non-potable or unapproved private water supply system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture or any other device which contains, or may contain, contaminated water, liquid, gases, sewage or other waste or unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow;

CROSS CONNECTION CONTROL PROGRAM means the District Cross Connection Control Program Policies, Procedures and Specifications which provide references, guidelines, bulletins and amendments relevant to this bylaw;

CSA is the abbreviation for the Canadian Standards Association;

CURBSTOP is a water shut off valve at, or near to, the property line and is owned by the District of Port Hardy.

CUSTOMER means the same as Consumer;

DIRECTOR means the person designated to act on behalf of the District in relation to this bylaw.

DISCONTINUE means to terminate the arrangement between the District and the customer for the supply of water and to shut off the service pipe, disconnect or remove it;

DISTRICT means the District of Port Hardy.

FIXTURE means a faucet, toilet, urinal, sink, drinking fountain, bath or shower, hot tub or Jacuzzi or similar appurtenance.

HYDRANT OR TEMPORARY USE PERMIT means a permit issued by the District for any person requesting water from a fire hydrant, stand pipe or temporary water connection for purposes other than emergency fire protection;

INSPECT means an on-site review of the water use, facilities, meters, piping, equipment, operating conditions and maintenance records for the purpose of evaluating for conformity with the terms and conditions of this bylaw;

INSPECTOR means the Municipal Inspector, his designate or any other person designated to act on behalf of the District to administer the building and plumbing regulations.

OCCUPIER means any person to whom a water service is rendered and shall include the tenant of lands and premises;

OWNER means the registered owner, or the person named as the registered owner on the tax roll by reason of agreement for sales, of any lands and premises situated within the District boundaries and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises;

PERSON shall, in addition to its ordinary meaning, include a firm or partnership, company or corporation.

POTABLE WATER means water that is fit for human consumption as defined in the *Drinking*

Water Protection Act and Regulations.

PREMISES mean any real property and buildings on it;

PRIVATE WATER SYSTEM means any privately owned pipe and fittings intended for the delivery or distribution of water within a premise or to a property and includes any domestic use, irrigation system, greenhouse and hydroponics system and any other use of water supplied by the District Waterworks System.

SERVICE means the supply of water by means of the waterworks system;

SERVICE CONNECTION POINT means the point of physical connection between the waterworks system and the private water system. Typically the service connection point is at the downstream side of the water meter and/or is located at or near the owner's property line;

SERVICE PIPES means that portion of the water supply line extending from the property line of the property concerned to the building situated thereon, and joining the water connection to the plumbing system at the building.

TURN OFF means to turn off the water supply by closing a District owned valve or curb stop by any other means approved by the District;

TURN ON means to allow the flow of water by opening a District owned valve or by any other means approved by the District;

USED WATER means any potable water which is no longer in the water distribution system including potable water that has moved downstream or past the water connection (water meter) and/or the property line to the private water system;

WATER CONNECTION means the same as Service Connection Point.

WATER MAINS mean any water service under the control of the municipality which is intended for public use.

WATER SERVICE means the supply of water from the waterworks to any person and all the taps, valves, meters, connections and other things necessary to any actual use for the purpose of such supply.

WATERWORKS SYSTEM or WORKS means the pipe connecting the District Waterworks System and all fittings and valves owned or maintained by the District and provided to the property line on any street, lane, right of way or easement.

3. APPLICATION FOR SERVICE

3.1 Application for service in the form as prescribed from time to time must be completed and signed by the owner of such property or his duly authorized agent. Each applicant agrees to abide by the terms and conditions of this Bylaw and pay all appropriate fees or assessments for works or services.

3.2 Application for water connection and payment for same must be completed prior to application being made for a building permit, if applicable. The application for water connection must be approved by the District prior to a building permit being issued.

4. SERVICE PIPES

- 4.1 Before any person shall install or construct any water service on private property, or commence doing any construction work in relation to or in connection with such service, he shall notify the District in writing. If required by the Inspector, he shall furnish a plan and specifications which shall show:
- (a) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation;
 - (b) a description of the material which the applicant proposes to use in connection with such installation or construction.
- 4.2 The installation of service pipes on private property shall be the responsibility of the property owners but shall conform to specifications approved by the District.
- 4.3 The District shall not be liable for the cost of any work done in connection with any service on private property nor shall any employee of the District carry out any work on private property during working hours.
- 4.4 It shall be the duty of every consumer to provide that all taps, fittings and other appurtenances connected with the service within the premises are in good condition and installed and connected in accordance with the provisions of the Building Code, Plumbing Code and all relevant District bylaws.
- 4.5 Every premise shall have a properly placed curbstop or meter setter.
- 4.6 When the owner's service pipe plans and water connection application have been approved he may proceed with the installation of the service pipes. When the service pipes have been installed, but before the excavation is backfilled, the District shall be notified that such work is ready for inspection and the Inspector shall make such inspection within two days thereafter, excluding Saturdays, Sundays and holidays.
- 4.7 The District shall refuse to turn on water to any premises not complying with this bylaw.
- 4.8 In the event of leakage, freezing or other conditions which causes the interruption of supply in the service pipe, repairs shall be the responsibility of the consumer. If the consumer feels that such conditions are present in the Municipality's connection pipe, the consumer shall notify the District requesting repairs.
- 4.9 In the event that the District's connection pipe is faulty and is the cause of the consumer's complaint, the District shall repair such faults. If there is no fault found in the District's connection pipe, the consumer shall be invoiced for all costs of the work. The consumer may have the right to inspect the site of the excavation by the Municipality and satisfy himself as to the condition of the connection pipe.
- 4.10 Every consumer shall provide for his own service to his premises a pressure reducing valve, in accordance with the Plumbing Code.
- 4.11 For all new water connections there shall be a meter setter and appurtenances installed at the consumer's expense.

4.12 Fees related to commercial meters

- (a) In reimbursing the District for the cost of any meter under this bylaw the consumer may pay over the period of five years and appropriate quarterly payments, including financing costs, will be added to their water billing.
- (b) Financing costs will be calculated as simple interest on the declining balance at the interest rate established under the *Taxation (Rural Area) Act* less 2½% on a quarterly basis.

5. WATER SUPPLY AND PRESSURE

- 5.1 The District does not guarantee pressure or continuous supply of water or accept responsibility at any time for the maintenance of pressure in its water mains or for increases or decreases in pressure. The District reserves the right at any and all times, without notice, to change operating water pressure and to turn off the water supply for the purposes of making repairs, extensions, alterations or improvements or for any other reason.
- 5.2 The District, its officers, employees or agents shall not incur any liability of any kind whatsoever by reason of the cessation in whole or in part of water pressure or water supply or changes in operating pressures or by reason of the water containing sediments, deposits or other foreign matter.
- 5.3 Where steam or hot water boilers or other equipment is fed with water by pressure directly from the waterworks system, the District shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or any injury or damage resulting from the improper installation of a backflow preventer.

6. INSPECTIONS

- 6.1 The owner or his agent shall test the house connection for water tightness in the presence of the Inspector.
- 6.2 Where the Inspector finds that the materials or workmanship of an owner's water connection are defective or otherwise not in accordance with the provisions of the bylaw, he shall notify the owner who shall forthwith replace the defective material or correct the faulty workmanship and notify the Inspector when the installation is again ready for inspection.
- 6.3 The District shall refuse to provide a connection to the works if any premises do not comply with the requirements of this bylaw.

7. TERMS

- 7.1 There shall be charged against the owner of the land or real property where a water connection has been installed to the property and where plumbing is installed on the premises and is connected to the District water system, a water rate as set forth in the current District of Port Hardy Rates Bylaw.
- 7.2 Where multiple independent users exist in what is commonly referred to as a Common Connection line, the individual rates as defined in the current District of Port Hardy Rates Bylaw shall be applicable whether or not an independent water line has been installed to the property.

- 7.3 Fees shall be in accordance with the District of Port Hardy Rates Bylaw. All monthly fees are effective January 1st of the current year and are payable at the end of each quarter as follows:
- (a) Services for January, February, March will be billed in April and are due 40 days after invoice date;
 - (b) Services for April, May, June will be billed in July and are due 40 days after invoice date;
 - (c) Services for July, August, September will be billed in October and are due 40 days after invoice date.
 - (d) Services for October, November, December will be billed in January and are due 40 days after invoice date.
 - (e) These rates shall be payable at any place designated by Council, subject to the provisions of the *Community Charter*.
 - (f) A penalty of 2.5% of the entire outstanding balance shall be applied on each of the quarterly due dates indicated above.
- 7.4 Invoicing for new customers will commence when the Building Permit is issued.
- 7.5 If the owner of any property, or his agent, where the water line has been disconnected wishes to reconnect to the public water, he shall make application upon such forms as prescribed by the District for the reconnection. He shall pay the estimated cost, with minimum fees being charged pursuant to the current District of Port Hardy Rates Bylaw. Upon completion of the reconnection, the owner or his agent shall be sent a statement showing the actual cost of the work and he shall be refunded any overpayment or conversely he shall pay the District any cost over and above the estimated cost of his work.
- 7.6 Any charges authorized by this bylaw which remain unpaid on December 31st shall form a charge or lien upon the land or real property upon which or in respect of which they are imposed and Section 258 of the *Community Charter* shall apply to the collection of such charges. These unpaid charges will be transferred to taxes in arrears and will accrue daily interest.
- 7.7 The District has a specified water district; therefore, the owners of premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all water rates, whether water is used or not.
- 7.8 Use of hydrants
- (a) No person, except an employee of the municipality in the course of his employment, or a member of the municipal fire department on duty, shall without the written authority of the District open any hydrant, standpipe or valve or use any water there from. Such authority shall reserve to the municipality the right to stop such use at any time for any reason without liability for damages resulting there from in any manner whatsoever.

- (b) Every person who receives such authority shall deposit with the District a damage deposit of Two Hundred Fifty Dollars (\$250) and the Municipality may deduct from such deposit whatever charge shall be payable to the municipality in its reasonable discretion for the use of the water and for damages to the main, hydrant standpipe, valve or maintenance and/or repair.
- (c) Permission will be granted in writing by the District specifying use and conditions thereof.

7.9 The water connection fee in the District of Port Hardy Rates Bylaw includes one inspection and one re-inspection, if required, of the connection.

7.10 Upon application by a property owner to Council, Council may consider the relief of utility charges for reason of property loss of use when a natural disaster such as fire or flood make the entire premises uninhabitable or unusable. Such relief shall not exceed six (6) months.

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8. REGULATIONS

8.1 If a parcel of land upon which is situated a building occupied and/or used by one or more persons abuts a street or land or right-of-way upon or under which there is laid a water main, the owner or occupier of such building shall connect or cause to be connected the said building with the works in the manner provided by this bylaw.

8.2 It shall be compulsory for any owner or owners whose property is capable of being serviced by a water supply system to connect such building with the public water system with the owner/owners being subject to all of the requirements under this bylaw.

8.3 Where an owner or owners of any parcel of land in the District which is required to be connected to the works of this bylaw, neglects, omits or refuses to comply with the provisions of this bylaw within sixty (60) days of receipt of such notice, then the District may serve the owner with a second registered notice to comply with this bylaw. If the owner neglects, omits or refuses to comply within sixty (60) days of receipt of the second notice, the District may contract a private contractor to make the connection and the costs and expenses may be recovered from the owner together with any administration costs in like manner as municipal taxes.

8.4 No person shall use, destroy, injure or tamper with any hydrant or other fixture of the waterworks.

8.5 No person shall in any manner interfere or meddle with the water connection or works in any street or make any additions or alterations to the water system or any connection or turn on or off any corporation curbstop, service valve or gate valve without express approval of the District.

8.6 No person shall sell or dispose of water from the municipal water system or supply it to the use or benefit of others unless such usage is recorded by a water meter.

8.7 *The water connection fee deposited in accordance with the District of Port Hardy User Rates and Fees Bylaw does not include or relate to works on private property (premises).*

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8.8 *Only the District or its authorized contractors shall undertake any of the works associated with a water connection or the District's waterworks system.*

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8.9 Each lot or potential lot must be independently and separately connected with the public water main.

8.10 When a building within the District is removed or demolished, it shall be the duty of the owner or his agent to immediately supply to the office of the District, upon such forms as prescribed by the District, for a permit to disconnect from the public water main at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the District.

8.11 No connection or cross connection between the municipal water system and any other water system or source of water supply shall be permitted.

8.12 The District may refuse to supply water at any time to any property owner or to any premises otherwise than by meter service.

8.13 *No person shall install a swimming pool or below ground sprinklers with a connection to a water service coming from the District's waterworks system nor shall any addition to a water service made that may have cross connection implications, without first installing a District approved backflow prevention device. All such backflow prevention devices and installations must first be approved by the District based on a detailed design and no work shall proceed with respect to these installations without first obtaining approval from the District.*

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8.14 No person is permitted to connect equipment adapted for use on service pipes or mains for pressure spraying of fertilizer, pesticides or any other materials of a toxic or non-toxic nature unless proper protection for back flow has been installed and without the written authority of the District.

8.15 No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock or other fixture connected with the works and should any person obstruct such access the District may remove such obstruction and the expense of such removal shall be charged to and paid by the person so offending and on nonpayment thereof, on demand, the municipality may recover pursuant to Section 258 of the *Community Charter*.

8.16 Every fire hydrant or standpipe shall be located in clear view from the roadway while being approached from either direction and shall have an area having a radius of one (1) metre that is maintained clear and unobstructed around it. Where an owner of a property has a fire hydrant located adjacent to their property, the clearance around the hydrant is the responsibility of the registered owner of the property.

8.17 The employees or approved agents of the District shall have free access to all lands and all parts of every building, upon request and at a reasonable time, where water is delivered and consumed.

9. ADMINISTRATION

9.1 The Director is hereby authorized and directed to have general supervision over the municipal waterworks system and to see that the provisions of this bylaw are carried out.

- 9.2 The District shall have the power to appoint assistants and inspectors for the purpose of effectually carrying out the provisions of this bylaw and, wherever the Director is authorized or directed to perform any act or duty under this bylaw, such act or duty may be performed by an employee or agent authorized by the District to perform such act or duty.
- 9.3 Nothing contained in this bylaw shall be construed to impose any liability on the municipality to service any person or premises or to give a continuous supply of water to any person or premises.
- 9.4 The District shall not be liable for the failure of the water supply in consequence of any accident or damage to the works or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the municipality or other person whomsoever or through natural deterioration or obsolescence of the municipality's system or otherwise.
- 9.5 The District may, with notice, disconnect the water service to any premises for any of the following reasons, and the municipality shall not be liable for damages by reason of discontinuing water service for such reasons:
- (a) unnecessary or wasteful use of water or violation of regulations concerning watering or sprinkling;
 - (b) non-payment of rates;
 - (c) failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are, or may become, a cause of waste of water;
 - (d) for employing any pump, booster or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without obtaining the approval of the District;
 - (e) for violation of any of the provisions of this bylaw.
- 9.6 Notice to disconnect services as provided in section 9.5:
- (a) shall be delivered at least five (5) working days prior to disconnection of service;
 - (b) shall state the date that services will be disconnected; and
 - (c) shall include notice of a right to make a representation to Council prior to disconnection of services.
- 9.7 Delivery as provided in section 9.6 shall be considered received:
- (a) if notice is sent by facsimile, with confirmation of successful transmission;
 - (b) two working days after the date of mailing to the mailing address registered on the property tax roll;
 - (c) at the time of hand delivery to the owner/occupier of the property; or

- (d) if all reasonable attempts at delivery have been made.
- 9.8 If water is disconnected as provided for in this bylaw, all costs and expenses for either disconnection or reconnection may be recovered from the owner together with any administration costs in like manner as municipal taxes.
- 9.9 The District may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the municipal water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.

10. CROSS CONNECTION CONTROL

- 10.1 The District of Port Hardy and/or an authorized agent shall be entitled, at its determination, to:
 - (a) access the private water system located on private property at all reasonable hours in order to carry out inspections and surveys of the premises to determine the existence of connections or cross connections prohibited by this bylaw and as stated in the District Cross-Connection Control Program;
 - (b) impose minimum standards that must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same as specified by the District Cross-Connection Control Program; and
 - (c) inspect the type of backflow preventer, the installation and state of maintenance and repair of the same.
- 10.2 No customer or other person shall turn on a water valve to provide service to the occupants of any newly renovated or constructed or reconstructed premise(s) until the private water system in such premise(s) has been inspected for cross connections and approved by the Inspector and/or the District.
- 10.3 Service supplied by the District of Port Hardy to a customer shall only be provided where, in the opinion of the District, the waterworks system has been effectively protected from any actual or potential cross connections existing at or within the customer's private water system.
- 10.4 Subject to the provisions of this Bylaw, no person shall create a cross connection by connecting, causing to be connected or allowing to remain connected to the District waterworks system, any device, piping, fixture, fitting, container, appliance of any other chattel or thing which may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas or other substance to enter the waterworks system.
- 10.5 Where the District or authorized agent determines that there exists a connection or cross connection prohibited by the Bylaw and/or the Cross Connection Control Program, written notice may be given to the customer to correct the connection or cross connection at the expense of the customer within a specified time.
- 10.6 A customer to whom notice has been given under this section shall eliminate or control the connection or cross connection by installing an approved backflow preventer conforming to the District Cross Connection Control Program policies, procedures and specifications.

- 10.7 The customer shall install a type of backflow preventer commensurate to the degree of hazard and that is approved by the District.
- 10.8 Notwithstanding anything contained herein if, in the opinion of the District, the configuration of any water connection which creates a risk of contamination to the waterworks system, the customer shall install on the private water system at the location of the service connection point an approved backflow prevention assembly in addition to any backflow preventers installed in the customer's private water system.
- 10.9 The failure to be sent a notice(s), or the failure to receive a notice(s), shall not excuse the mandatory duty of the customer or other responsible party to comply with this Bylaw and/or the District Cross Connection Control Program and all other applicable bylaws.
- 10.10 Where any condition is found to exist, which in the opinion of the District, may otherwise expose the waterworks system to risk of contamination, the District or authorized agent shall, at their discretion, take one or more of the following actions:
- (a) give notice to the customer to correct the condition or cross connection(s) at the expense of the customer within a specified time period; or
 - (b) notify the customer that an approved backflow preventer shall be properly installed at the expense of the customer; or
 - (c) turn off or discontinue service until the condition is corrected; or
 - (d) install an approved backflow prevention assembly at the service connection point with all costs being charged to the customer.
- 10.11 Any customer whose water has been turned off pursuant to this Bylaw shall not have the water from the District waterworks system turned on until all requirements of the District have been met and the customer has paid to the District all costs associated with the turn off / turn on of service and the customer's default under this section has been remedied.
- 10.12 The customer shall provide to the District within thirty (30) days of initial installation, repair or relocation of an approved backflow prevention assembly a District backflow assembly test report from a certified backflow assembly tester confirming the following:
- (a) the installation date of the approved backflow prevention assembly;
 - (b) the specific location of the assembly and what cross connection or hazard it is intended to isolate;
 - (c) the manufacturer, model, size and serial number of the backflow preventer installed; and
 - (d) that it is an approved backflow prevention assembly, installed correctly and in proper operating condition.

- 10.13 Approved backflow prevention assemblies are required to be inspected and tested by a certified Backflow Assembly Tester upon installation, after repair and at least once in every twelve (12) month period or more often if required by the District.

BYL 1030-2014 Sept/14 Sec 10.14 is hereby deleted and the remaining sections are renumbered accordingly.

- 10.14 Where there is a visible or other indication that a backflow preventer is malfunctioning, it is the responsibility of the customer to immediately notify the District and, further, to stop using the private water system until the backflow preventer is replaced or repaired and re-tested. This includes, but is not limited to, damage by freezing, hot water, fire or otherwise due to neglect.
- 10.15 Except for emergency fire use, no person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance to a fire hydrant, stand pipe or any other temporary water connection:
- (a) in a manner which, under any circumstances, may allow used water, wastewater or any liquid or substance of any kind to enter the District waterworks system; and
 - (b) without using an approved backflow prevention assembly which has been approved and installed in accordance with the District Cross Connection Control Program; and
 - (c) without first obtaining a Hydrant Use Permit.
- 10.16 Any customer who violates section 10.15 will be refused access to service through the use of a fire hydrant or temporary water connection and may be subject to penalties listed under the Bylaw.
- 10.17 No connection shall be installed or maintained whereby water from an auxiliary water supply system may enter the waterworks system or private water system unless such auxiliary water supply system and the method of connection and use of such system shall have been approved by the District.
- 10.18 Where a cross connection exists between the District waterworks system and a private water system, in addition to the general provisions stated in this Bylaw, the customer shall also comply with the following:
- (a) no person except the duly authorized agent of the District shall turn on an agricultural irrigation system; and
 - (b) prior to commencement of operation of the private water system in each irrigation season, the customer or any person operating a commercial or agricultural irrigation system shall have the approved backflow prevention assembly inspected and tested, at the customer's expense, by a certified Backflow Assembly Tester; and
 - (c) an approved reduced pressure principal backflow assembly shall be used whenever fertilizers, chemicals or any other substance detrimental to health are introduced to a private water system.

11. CONTRAVENTION AND PENALTIES

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- 11.1 *Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed which in addition to financial penalties, may also include discontinuation of water services to the affected premises.*
- 11.2 Any person found guilty of an infraction of any of the provisions of this bylaw shall, upon summary conviction, be liable to a minimum fine of Five Hundred Dollars (\$500), which shall be recoverable and enforceable upon summary conviction in the manner provided by the Offence Act. Each day that a violation continues to exist shall constitute a separate offence.

12. INCLUSIVITY

In this bylaw, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.

13. SEVERABILITY

If a Court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

14. REPEAL

District of Port Hardy Water Regulations Bylaw 14-2009 as amended is repealed.

Read a first time on the 10th day of January, 2012.

Read a second time on the 10th day of January, 2012.

Read a third time on the 10th day of January, 2012.

Adopted the 24th day of January, 2012.

Original signed by:

Director of Corporate Services

Mayor