



BLACK MOUNTAIN IRRIGATION DISTRICT BYLAW NO. 735

A BYLAW FOR FIXING CONNECTION CHARGES PAYABLE TO THE DISTRICT AND THE TIME OF PAYMENT THEREOF.

The Trustees of the Black Mountain Irrigation District **ENACT AS FOLLOWS:**

1. DEFINITIONS

In this bylaw, unless the context otherwise requires, the following words and terms shall have the meanings hereinafter assigned to them:

“**Application for Building**” means the application form filled out by the owner or authorized agent that sets out the servicing components and identifies the known costs to the owner for servicing of water to the subject property. Signature of this form by the owner or authorized agent shows acknowledgement of the costs by the owner and that they are in agreement with paying for these costs prior to the water being turned on.

“**Application for Subdivision**” means the application form filled out by the owner or authorized agent that sets out the servicing components and identifies the known costs to the owner for servicing of the proposed subdivision. Signature of this form by the owner or authorized agent shows acknowledgement of the costs by the owner and that they are in agreement with paying for these costs prior to official subdivision of the land.

“**District**” means the Black Mountain Irrigation District and their Staff and Operators or duly appointed representatives.

“**Service Inspection**” means physical inspection by authorized District Operators of water supply piping from the District’s water main to the property line curb stop and the inspection of the Private Service Pipe from the building to the curb stop.

“**Subdivision Inspection**” means physical inspection by authorized District Operators of subdivision water supply piping, service lines, hydrants, valves from the District’s water main to the property line curb stops, and review of inspection reports and/or testing summaries.

“**Metered Connections**” means all Service Connections that are new or upgraded as of 1 January 2005 where water use can be measured and data collected for metered billing or conservation purposes.

“**Private Service Pipe**” means the pipeline installation from the curb stop at the property line to the building.

“**Service Connection**” means the pipeline installation from the District’s water main to the property line of the serviced property.

“**Water Service Certificate**” means the Certificate (or Water Letter) issued by the District required by the City of Kelowna as part of their Subdivision or Building Permit processes. The Certificate verifies that the requirements of the District are known by the property owner and that arrangements have been made by the owner and the District for water servicing and costs to cover said works.

“**Work Order**” means the form issued by the District to authorize the District expenditures and effort to perform service installation.



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2. APPLICATION FOR WATER

- a) Application for water shall be made in writing, and shall be in such form as prescribed by the Trustees.

For Subdivision construction, the signing authority for the property or their authorized agent must fill out an *Application for Subdivision* form prior to a *Water Service Certificate* being issued to the developer for submission to the City of Kelowna Planning Department.

For Building construction, the signing authority for the property or their authorized agent must fill out an *Application for Building* form prior to a *Water Service Certificate* being issued to the owner for submission to the City of Kelowna Building Inspections Department.

- b) Each application shall contain the name of the owner, the legal description of the land parcel, specific details of the type and extent of development to be serviced, and the type of water service required.
- c) Water is provided based on a first-come first-serve basis and according to the District's ability to supply water to the application property, based on the District's estimated requirements.
- d) No water shall be supplied to the property until all fees and charges for water connection, meter installation or other monies required by the Trustees have been paid in full. Said monies must be paid prior to the District at time of application, and no later than final *Inspection*.

3. INSTALLATION RESPONSIBILITY AND CHARGES

3.1 Connection Fees - New Subdivision Areas:

- a) Where a new subdivision is to be developed, the builder or developer installs new water main and new service lines to provide water to each new independent land parcel. The new main extends from the District's existing water main to the new property line(s). The subdivision builder or developer must pay the Subdivision Connection Fee, which covers the subdivision plan review, intermittent review during construction, witnessing of the pressure and leak test, disinfection procedure of the mains and new service lines, the bacteriological test and witnessing of final connection of the main, all installed to District standards.

Charges for Subdivision Connection Fees are as follows:

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| • Single lot subdivision, no new watermain or testing required | \$ 500.00 |
| • 2-15 lot subdivision | \$ 2,500.00 |
| • 15-50 lot subdivision | \$ 5,000.00 |
| • > 50 lot subdivision | \$ 10,000.00 |



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3.2 Connection Fees – New Building Construction:

Building Connection Fees charged by the District are to cover administrative costs to set up the account, for the final Inspection and Connection of the service pipe to the service connection, and all costs associated with these tasks. The District retains the right to determine the category for each development.

Charges for Building Connection Fees are as follows:

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| a) Single family dwelling unit, townhouse, row housing, or detached dwelling unit, including carriage houses with separate service connections; | \$ 300.00 |
| b) Legal suite and carriage house off the same property connection and through the main property meter; | \$ 100.00 / unit |
| c) High-density residential development: apartments/condominiums | \$ 150.00 / unit |
| d) Hotels, motels, congregate care, micro units (< 400 ft ²) and similar units | \$ 75.00 / unit |
| e) Commercial and Industrial development with a ¾" – 2" connection; | \$ 350.00 |
| f) Commercial and Industrial development with a > 2" connection; | \$ 500.00 |
| g) Irrigation connection. | \$ 300.00 |

3.3 Meter Installations:

The cost of the meter plus installation shall be the responsibility of the property owner. The District will provide information for the size and brand of the required meter, as well as the preferred location of the meter installation. The property owner must source the meter and installation, and is responsible for the costs of same. The District will be responsible for any renewal costs for said meter.

3.4 Work Order Charges:

- a) Where the property owner is requesting to have the District complete the installation of a physical Service Connection as part of the District's servicing requirements, an "Offsite Works Fee" is payable by the owner or authorized agent at the time of the *Work Order* being issued. The Offsite Works Fee shall be determined by the District, based on the complexity and requirements of the service connection installation. The calculation of the Fee will be based on best practice and best estimates using historical costs from prior installations.
- b) Where staff or equipment of the District are required to render any service other than stated in section 3.4 (a) above, a *Work Order* must be completed. If an Offsite Works Fee has not been collected for this service, the owner requesting such work, service or materials shall pay the following charges:
 - i. For staff, the charge shall be at the employee's full wage rate and 20% for benefits for that time period;
 - ii. For vehicles and equipment, the equivalent to rental rate from an outside agency;
 - iii. For materials, at actual cost plus 10%.

4. REPEAL

This bylaw repeals "Black Mountain Irrigation District Connection Charge Bylaw No.720".



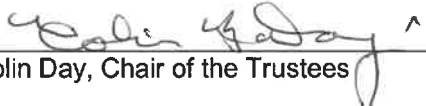
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5. CITATION

This bylaw may be cited as the "Black Mountain Irrigation District Connection Fee Bylaw No. 735".

INTRODUCED AND GIVEN FIRST READING by the Trustees on the 8th day of December, 2023.

RECONSIDERED AND PASSED by the Trustees on the 8th day of December, 2023.

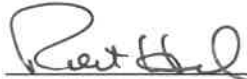


Colin Day, Chair of the Trustees



Robert Hrasko, Administrator

I HEREBY certify under the Seal of the Black Mountain Irrigation District that this is a true copy of Bylaw No. 735 of the Black Mountain Irrigation District passed by the Trustees this 8th day of December, 2023.



Robert Hrasko, Administrator