

POWELL RIVER REGIONAL DISTRICT

BYLAW No. 488, 2014

**Being a bylaw to regulate the disconnection and closure of Wells on properties connected to
the Water Supply and Distribution System.**

WHEREAS the Powell River Regional District (Regional District) currently operates a Water Supply and Distribution System (System) established by the Myrtle Pond Specified Area Establishment and Loan Authorization Bylaw No. 111, 1984 within the boundaries of the Powell River Regional District; and

WHEREAS the Regional District's Board deems it necessary and desirable to regulate the disconnection and closure of Wells on properties served by the System.

NOW THEREFORE the Board of the Powell River Regional District in open meeting assembled enacts as follows:

1. Citation

This Bylaw may be cited as the "Powell River Regional District Well Regulation Bylaw No. 488, 2014".

2. Interpretation

(a) In this bylaw

"Close" means to take a Well out of service permanently in accordance with the Groundwater Regulation.

"Connect" means to connect the Private System on a parcel to the System.

"Contractor" means the person responsible for the performance in compliance with this Bylaw of the work of Closing a Well.

"Disconnect" means to disconnect a Well from the Private System on the parcel on which the Well is located, in a manner that prevents water or other substances from the Well from entering the System.

"Domestic Purpose" means the use of water for human consumption, food preparation, sanitation, or other household purposes.

"Groundwater Regulation" means the Groundwater Protection Regulation, B.C. Reg. 299/2004, under the *Water Act*.

"Non-Domestic Purpose" means a purpose that is not a Domestic Purpose.

“Owner” means the owner of a Well on a parcel Connected to the System.

“Private System” means the onsite pipes and other apparatus on a parcel, connected to the System at the property line and used to convey water from the System to the plumbing fixtures in the buildings and structures on that parcel.

“System” means the Water Supply and Distribution System operated by the Powell River Regional District.

“Well” means a well that was used for supplying water for Domestic Purposes prior to the Connection of the parcel on which the well is located.

“Well Closure Report” means a report that complies with the Groundwater Regulation or a successor enactment of similar intent.

- (b) In this Bylaw, the first letter of a word or words in a phrase defined in this section is written in upper case to indicate that its interpretation is limited to its defined meaning.

3. Well Disconnection and Closure Option

- (a) As a condition of connecting a parcel on which a Well is located to the System, the Owner of the parcel must, promptly upon the Connection, Disconnect or cause the Well to be Disconnected at the Owner’s expense.
- (b) No later than 90 days after the Connection, the Owner must
- (i) ensure the Well is Closed in accordance with this Bylaw and all applicable provincial enactments; and
 - (ii) at the Owner’s expense, obtain and submit a Well Closure Report prepared by the Contractor to the Powell River Regional District and the Ministry of the Environment.

4. Non-domestic Purpose Option

If, despite section 3(b), an Owner wishes to be Connected to the System and to use the Well for Non-domestic Purposes, the Owner must submit to the Powell River Regional District, at the same time as the *Application for Connection*,

- (a) An *Application for Permission to Use a Well for Non-Domestic Water after Connection (see appendix)*;
- (b) A map showing:
- (i) the location of the Well in relation to the buildings and structures on the parcel on which the Well is located; and
 - (ii) the well identification plate number if available; and
 - (iii) a *Declaration of Well Use (see appendix)*.

- (c) Promptly after Connection, the Owner must ensure the Well is Disconnected at the Owner's expense.
- (d) An Owner who is permitted under this section to use a Well for Non-Domestic Purposes after Connection to the System must:
 - (i) operate and maintain the Well in good order;
 - (ii) ensure the Well is Closed immediately when required by the Powell River Regional District to do so if it is not operated or maintained in good order;
 - (iii) not reconnect the Well to the Owner's private water distribution system as long as the Owner's parcel is Connected; and
 - (iv) not use the Well for Domestic Purposes.

5. Prohibition and Penalties

- (a) No person shall introduce, or cause to be introduced into the System, any water or other substance from a well on a parcel owned or occupied by that person or, if the person is not the owner or occupier of the parcel, from a well that the person has Disconnected, Closed, performed any other work upon or caused any of those things to be done in relation to the well.
- (b) A person who violates a provision of this Bylaw commits an offence and is liable upon conviction to a minimum fine of one thousand dollars (\$1,000.00) for a violation of sections 3(b) and 5(a) of this Bylaw and a minimum fine of five hundred dollars (\$500) for a violation of any other provision of this Bylaw, in addition to the penalties prescribed by the *Local Government Act*.

READ A FIRST TIME this	17 th day of September, 2014.
READ A SECOND TIME this	17 th day of September, 2014.
READ A THIRD TIME this	17 th day of September, 2014.
RECONSIDERED AND ADOPTED this	17 th day of September, 2014.



CHAIR



CORPORATE OFFICER

I hereby certify that this is a true and correct copy of the "Powell River Regional District Well Regulation Bylaw No. 488, 2014" as RECONSIDERED and ADOPTED by the Board of Directors of the Powell River Regional District the 17th day of September, 2014.



Corporate Officer

Dated at Powell River, B.C. this 18th day of September, 2014.

POWELL RIVER REGIONAL DISTRICT
BYLAW NO. 488, 2014

APPLICATION FOR PERMISSION TO USE THE PRIVATE WELL
FOR NON-DOMESTIC WATER AFTER CONNECTION

I, _____ being the property Owner of the premises legally described as:
(Name of applicant)

_____ located in the _____ hereby make application for
(Address of property) *(Community name)*

the following services:

_____ use of private well for non-domestic purposes after Connection to the System.

Dated at _____ on the ____ day of _____, 20____.

APPLICANT _____
(signature)

(Date)

(Witness)

POWELL RIVER REGIONAL DISTRICT
BYLAW NO. 488, 2014

DECLARATION OF WELL USE

I, _____ being the property owner of the premises legally described as:
(name of applicant)

_____ located in the _____ intend to use the private well
(address of property) *(community name)*

for the following non-domestic water uses *(list possible uses)*:

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In addition, as the private well Owner, I agree to:

- (A) operate and maintain the Well in good order;
- (B) ensure the Well is Closed immediately when required by the Local Government if it is not operated or maintained in good order;
- (C) not reconnect the Well to the Owner's private water distribution system as long as the Owner's parcel is Connected; and,
- (D) not use the Well for Domestic Purposes.

Dated at _____ on the ____ day of _____, 20 ____.

APPLICANT _____
(signature)

(Date)

(Witness)