



# FLETCHER CREEK IMPROVEMENT DISTRICT

RR2, Site 3, Comp 38  
Kaslo, BC V0G 1M0

Website: [www.fletchercreekwater.com](http://www.fletchercreekwater.com)  
Email: [fletchercreekwater@gmail.com](mailto:fletchercreekwater@gmail.com)

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## Minutes

August 27, 2018 – 6:30

McLaren's Residence, 4761 Highway 31

Trustees present: Laurie Hartland, Lance McLaren, Tina McLaren, Kevin Jersey, Steven Julien

Secretary Treasurer: Dan Knight

Guests: Aliske Webb, Diane Schreiber

1) Meeting called to order at 6:31 PM (Laurie Hartland, Chair)

2) Approval of agenda

MOTION 2018-08-27-01

Moved by Lance McLaren, second by Kevin Jersey, that the Agenda be approved.

MOTION PASSED UNANIMOUSLY. (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0).

3) Approval of Regular Board Meeting Minutes (July 25, 2018)

MOTION 2018-08-27-02

Moved by Tina McLaren, seconded by Steve Julien, that the Minutes of the July 25, 2018 Board Meeting be approved.

MOTION PASSED UNANIMOUSLY, (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0).

4) Approval of Financial Report (Dan Knight)

a) Balance and Income Statements to July 31, 2018:

- \$196,636 in Cash.
- \$277,730 in Total Liabilities and Equity, including capital assets and accounts receivable.
- Unrestricted cash available: \$61,830

MOTION 2018-08-27-03

Moved by Lance McLaren, seconded by Steve Julien, to approve the Financial Report as of July 31, 2018, as presented.

MOTION PASSED (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Steve Julien, Opposed: Kevin Jersey, Abstained: 0).

## 5) Approval of Accounts Payable (Dan Knight)

Dan presented the list of Accounts Payable for August 20, 2018, totalling \$984.48

Payable to	Description	Amount
Brad Hartland	Expense Reimbursement: System Flush	20.47
CGW Plumbing	Pressure Release valve installation	273.90
Kevin Jersey	Expense Reimbursement: Flowmeter, extension cords	176.93
Lance McLaren	Expense Reimbursement: Pressure Release Valve	176.68
McKinnon Logging Ltd	Excavation Services: Flowmeter	136.50
Forestry, Lands & Natural Resources	Water License	200.00
<b>Total</b>		<b>984.48</b>

MOTION 2018-08-27-04

Moved by Kevin Jersey, seconded by Steve Julien, to approve the Accounts Payable list as presented for payment.

MOTION PASSED UNANIMOUSLY (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Steve Julien, Kevin Jersey, Opposed: 0, Abstained: 0).

## 6) Maintenance Report (written report submitted by Lance McLaren)

## a) Intake Building Venting:

Screens installed by Brad Hartland appear to provide adequate venting and protection against rodents.

## b) Flowmeter:

A temporary flowmeter has been installed.

## c) Air Pressure Release Valve Replacement:

The air pressure release valve was leaking and has been replaced at a cost of \$450.00.

## d) Water Treatment Procedures:

Steve stated that he will coordinate with Brad to review the procedures.

## e) Maintenance report attached as addendum to minutes.

## 7) Water Treatment Project (written report submitted by Kevin Jersey)

## a) Phase 1 Data Gathering:

A waiver of the construction permit requirement was received by 9dot Engineering from Interior Health on Aug 3, 2018.

The Board is grateful to Jorg and Diane Schreiber who have generously agreed to provide power for the flowmeter.

The flowmeter was installed by 9dot Engineering on Aug 8, 2018.

Flow data is being gathered on an on-going basis throughout August and into September.

b) Water Testing:

An initial water test indicated the presence of unacceptable coliforms and e-coli levels.

On August 11, 2018, an advisory email was sent to all property owners who have email addresses and the remainder contacted by phone.

c) Phase 2 Design:

Design for the system will commence once the data has been gathered.

d) Water Treatment Project attached as addendum to minutes.

## **OLD BUSINESS**

8) Action items from previous Trustee minutes

a) Local Government Infrastructure Planning Grant program Guide:

No Report.

b) Bylaw 65 – Connection Moratorium:

The draft of proposed bylaw 65 – Connection Moratorium, along with a review of the various previous Board motions regarding a moratorium on any new connections were previously circulated to the Board.

This bylaw was tabled at the July 25, 2018 meeting

MOTION 2018-08-27-05

Moved by Lance McLaren, seconded by Tina McLaren, that Bylaw 65 – Connection Moratorium now be introduced and read a first time.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Opposed: Kevin Jersey, Steve Julien, Abstained: 0, Absent: 0).

Lance stated that he's in favor of the Moratorium because there are seven properties currently paying for service connections that have not been physically connected to the system, and given the uncertainty of the creek volume coupled with the commitment that exists, he's not comfortable opening up other connections coming on-line

Steve stated that he thinks that there should be distinctions between full primary connection for a property vs. interconnections for irrigation within a property.

Laurie stated that she does not see this as limiting the ability for people to water their gardens or to use water within the context of their property needs, but she does feel that inter-connections to other residential facilities add additional volume

Tina stated that this moratorium has been in effect by resolution since 1994, and she trusts that those before have had a valid reason. And we have not proven that we have the ability to service all the properties that are paying for water. She is not in favor of there being new connections for usages that include guest houses or commercial ventures.

Kevin asked Tina whether she is opposed because she feels she doesn't have enough information to uphold the moratorium

Tina replied that she wants the moratorium upheld because we don't have information assuring that we can supply all the connections.

Diane Schreiber stated that when she was on the board and the moratorium was put in place she believed that it was intended to it being a temporary moratorium until we had enough information to ensure supply for all connections.

Kevin presented a report of a review he conducted of the past minutes regarding the moratorium (included as addendum to minutes), indicating that there has been inconsistencies through the years.

The report also included current flowmeter reading indicating average daily flow usage substantially below our licensed daily allotment.

Kevin asked whether the purpose of the moratorium is a supply reason, stating that if there is not enough water, then put in place other water restrictions solutions. He stated that there are a number of options we can take as a Board to address the issue without having a blanket moratorium, including the requirement of water meters and people pay for what they use.

Laurie suggested an amendment to the bylaw to remove the following from clause 2.1.5: "Detached garages, workshops, greenhouse".

**MOTION 2018-08-27-06**

Moved by Lance McLaren, seconded by Tina McLaren, that Bylaw 65 – Connection Moratorium be read a second time, with the following statement "detached garages, workshops, greenhouse" removed from clause 2.1.5.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Steve Julien, Opposed: Kevin Jersey, Abstained: 0, Absent: 0).

**MOTION 2018-08-27-07**

Moved by Tina McLaren, seconded by Lance McLaren, that Bylaw 65 – Connection Moratorium be read a third and final time.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Opposed: Kevin Jersey, Steve Julien, Abstained: 0, Absent: 0).

c) Water Bylaw 36 Violation Complaint – Jersey/Webb

Kevin stated that he will be recusing himself from voting on this issue and his comments are as the property owner in question and not as a Trustee.

Dan reported that:

- A complaint letter had been received regarding a possible violation of Bylaw 36 at the Jersey / Webb property.
- That as directed by the Board Chair, he corresponded to Mr. Jersey / Ms. Webb to get their comments.
- He also had a verbal discussion with the previous owner of the property to ascertain what, if any, specific representations had been made during the property sale.
- The original complaint, the response from Jersey/Webbs and a review of the process was submitted to the board for review

Laurie stated that in the past she has not seen any activity around the guest cottage.

Lance stated that he has spoken to the previous owner and it was not previously used as rental cottage.

Kevin stated that when he was pursuing the purchase he was given the indication that the guest cottage interconnection was “grandfathered”, but that a new second cottage could not be done because of the moratorium. In previous minutes the Board knew about the interconnection, but never followed up on charging the previous owner for the second connection.

The Jersey/Webbs indicated that they would be willing to have the property reassessed to reflect the second residence.

MOTION Not numbered as motion fell due to no seconder.

Moved by Lance McLaren, that the Board give 30 days written notice to the Jersey/Webbs requiring disconnection of the interconnection to the guest cottage by Sept 30, 2018. Failure to provide evidence of the disconnection will result in the primary connection to their property being shut-off until compliance has been evidenced.

Laurie noted that with no seconder, the motion falls.

Kevin requested that the minutes note the motion and that there was no seconder.

Lance McLaren left the meeting at 8:20 PM

MOTION 2018-08-27-08

Moved by Steve Julien, seconded by Tina McLaren, that the Board revise the assessment for the Jersey/Webb property to a Group 4 to reflect the interconnection.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Steve Julien, Opposed: 0 Recused: Kevin Jersey, Absent: Lance McLaren).

d) Delinquent Taxes

Dan reported that there were only three properties that missed the July 3<sup>rd</sup> deadline and one of those properties was due to misdirection of mail. Of the remaining two delinquent taxes, both have paid before the end of July, with one having included the penalty and the other not.

He recommended that the Board waive the missed deadline penalty for 2018 and reimburse the penalty paid.

MOTION 2018-08-27-09

Moved by Steve Julien, seconded by Kevin Jersey, that the Board waive the late tax penalty for 2018 and reimburse the one property owner who included the penalty amount in their payment.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Steve Julien, Kevin Jersey, Opposed: 0, Abstained: 0, Absent: Lance McLaren).

Lance returned to the meeting at 8:45 PM

9) Procedures Bylaw Review:

A draft of the proposed new Procedures bylaw was circulated to the Board for review.

MOTION 2018-08-27-10

Moved by Lance McLaren, seconded by Kevin Jersey, that bylaw 66 – Meeting Procedures Bylaw now be introduced and read a first time.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey Opposed: 0, Abstained: None, Absent: 0).

MOTION 2018-08-27-11

Moved by Kevin Jersey, seconded by Lance McLaren, that further reading of bylaw 66 – Meeting Procedures Bylaw be tabled until the next Board meeting.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey Opposed: 0, Abstained: None, Absent: 0).

10) Backflow Prevention:

A recommendation for the Board to consider requiring the installation of backflow preventer at each dwelling on the FCID system, was received from Mr. Craig Tucker, a plumber and resident of FCID.

MOTION 2018-08-27-12

Moved by Lance McLaren, seconded Tina McLaren, that the review of Bylaw 36 shall include consideration of the requirement that all residences connected to the Fletcher Creek Improvement District water system be required to have a backflow preventer installed.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0).

**NEW BUSINESS****11) Correspondence****a) Resignation of Phoner:**

Dan reported that Pat Gibbings has resigned as one of our Phoners for personal reasons, effective August 17, 2018.

Laurie stated that she sent a note to Pat thanking her on behalf of the Board for all her dedicated service to the district.

Aliske Webb volunteered that she will take on the additional phoning role.

Laurie stated that she feels it's important that we look for a second phoner.

**12) Fall Newsletter:**

Dan circulated an initial draft of the Fall Newsletter for review and input from the Board.

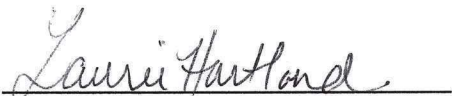
**13) Welcome Packages:**

Dan reported that due to an oversight on his part, welcome packages, which include a Release of Claims, have not been sent to any new property owners since last September. This affects 3 new property owners.

The Welcome Packages will be sent to the new owners as soon as possible.

**14) Next Board Meeting:**

- a) The next Board Meeting was scheduled for Thursday, September 06, 2018 at 1:30 PM at McLarens.

**15) Adjournment at 9:10 pm.**

Laurie Hartland, Chair  
Fletcher Creek Improvement District



Dan Knight, Secretary Treasurer  
Fletcher Creek Improvement District



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## Maintenance Report

August 2018

Submitted by: Lance McLaren

### Report:

1. Intake Building Venting:

The screens installed by Brad Hartland appear to provide adequate venting for the building and should be sufficient protection against rodents access the building.

2. Flowmeter:

A temporary flowmeter was installed by 9dot Engineering as part of the Water Treatment Project.

3. Air Pressure Release Valve Replacement:

During the installation of the flowmeter it was discovered that the Air Pressure Release valve was leaking water instead of air. After closer examination the valve was determined to be beyond repair. A new valve was ordered and installed by CGW Plumbing on Friday, August 17, 2018. There was no need for a full system shut down during installation.

The total cost of the valve and installation was \$450.00. Invoices for both the valve and the installation have been included in this month's Accounts Payable.

### Board Action Required:

There is no additional action required from the Board





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## Water Treatment Project Report

August 2018

Submitted by: Kevin Jersey

### Report:

#### 1. Phase 1 – Data Gathering:

A waiver of the Construction Permit requirement for the installation of a temporary ultrasonic flowmeter, was received by 9dot Engineering from Interior Health on August 3<sup>rd</sup>.

An excavation providing access for the flowmeter was completed August 7<sup>th</sup>, with the flowmeter being installed by 9dot Engineering on August 8<sup>th</sup>.

Power for the flowmeter is being supplied by Jorg & Diane Schreiber. Extension cords were purchased to access the Schreiber's power supply.

The first week's data from the flowmeter indicates about 43,000 gallons per day; This would include any leakage.

I will check it every couple days to make sure the power is on. However, if for some reason the power goes off, the meter stores the data to that point, and carries on when the power is restored.

The meter will stay in place for the month of August and possibly part of September; This will capture the data for the most demanding months. The meter will then be removed and the excavation filled in.

There are no additional visits from the techs anticipated, unless there is a metering problem detected.

#### 2. Water Testing:

The techs visited the intake and took water samples from the creek.

The initial water test indicated the presence of unacceptable coliforms and e-coli levels. An email advisory was sent to all property owners on August 11<sup>th</sup>.

Additional water samples will be taken.

#### 3. Phase 2 - Design:

The design stage will start once the meter data is collected. It is my understanding that the design team will also make suggestions regarding the intake, storage tanks, and location of the proposed purification plant.

I anticipate this to be completed in time for cost figures to be presented to the ratepayers at the AGM along with a funding resolution if needed.

### Board Action Required:

There is no action required from the Board at this time.



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## Report on Moratorium on New Connections

Recently there has been much discussion on the Moratorium on New Connections. Accordingly, I have read through all the minutes of both Regular and Annual General Meetings in an effort to ascertain whether there has been a motion passed enacting such a moratorium. In summary, there has been:

1. Firstly, at the Feb 12, 2007 Regular Meeting, the minutes read: “[the board] **placed a moratorium on all new hook-up connections as the system is now at its maximum**”;
2. Secondly, at the Apr 24, 2013 Regular Meeting, the minutes read: “**Elle [Andrewert] made the following motion: ‘The moratorium on any new water connections will remain in place.’ Seconded by Gillian [Froese]. Unanimously Carried.**”

When I was first questioned about the moratorium, I was directed to the Feb 12, 2007 minutes. And while these minutes state a decision was made, it doesn’t state the decision in the standard format of “*Moved by X, seconded by Y, that Z. Vote Results*”. Therefore it could be argued that the “decision” is not valid. However, the wording of other “decisions” made during that meeting is consistent with the minute taking of that time.

Furthermore, there have been a number of times when the issue has been questioned and reiterated at both Regular meetings and numerous AGMs. Each of those minutes (excluding the Apr 24, 2013) do not have a specific motion recorded, but the minutes, as written, are later approved. If there was a dispute as to the authenticity, or validity, of the Feb 12, 2007 “decision”, then there was ample opportunity for the minutes to be called into question and/or amended.

I suspect that the specific motion at the Apr 24, 2013 meeting may well have been a response to the question being raised at the Apr 09, 2013 AGM.

It has been suggested that, as an Improvement District, our mandate is to provide water to our residents, and that the prohibition of new connections is a failure to fulfill that mandate.

Our Letters Patent stipulates: “*The objective of the improvement district shall be the acquisition, maintenance and operation of works for waterworks and irrigation purposes and all matters incidental thereto.*”

It is the Board’s duty to ascertain what is the best method to acquire, maintain and operate the system. Is it the Board’s assessment, that FCID has a duty to provide every property within the district access to water? Is the access to be unfettered by lifting the moratorium? Is the moratorium a failure of duty or an upholding of duty?

Given the recent questioning of the moratorium, I recommend that the Board, once again debate and decide, with a motion, the status of the moratorium on new connections.

Dan Knight, Secretary Treasurer, submitted at the June 13, 2018 meeting.

6. Annual Honoraria

Chairperson	\$500
Trustees	50
Maintenance 1	500
Maintenance 2	250
Telephone 1	75
Telephone 2	75

Secretary/Treasurer - minimum \$500/year, \$12/hour, thereafter.

**Moved** by Anne Tellam, seconded by Cal Wanvig, "that the Honoraria be accepted as presented". Carried.

7. New Business

Bob Whelan mentioned that there is concern regarding secondary connections on one lot and the amount of water being used for the secondary connections. There was discussion on quantity of water and other property owners having prior rights on the creek.

**Moved** by Cal Wanvig, seconded by Bruce Milner, "that all requests for second connections be put on hold until water flow on creek can be measured". *Carried*

**Moved** by Doris Morris, seconded by Bruce Milner, "that a moratorium be put on any hook-ups to the system until further investigations on quantity of water have been performed." *Carried*

The phone persons were asked to call the Trustees for their meetings.

Bruce Milner mentioned that a trail for hiking, fishing, etc. had been developed further up the creek.

**Moved** by Meg Milner, "that the meeting be adjourned".

The meeting was adjourned at 5:30 p.m.

**FLETCHER CREEK  
IMPROVEMENT DISTRICT**

1998  
RR-2, S-3, C-38  
KASLO, BC VOG 1MO

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**TRUSTEE MEETING**  
Wednesday, February 18, 1998

**Convened:** 7:00 pm at the home of Fred Richinger

**Present:**

Pat Gibbings	Steve Scott
Stu Gibbings	Anne Tellam
David Herreshoff	Jake van Smeden
Bill Morris	Pete White
Fred Richinger	

1. Minutes of the December 4, 1997 Trustee meeting were read.  
It was ***MOVED by Jake, SECONDED by Stu that the minutes be approved as read. CARRIED.***
2. Pat reported that 1998 taxes from 9 water users have been received to date, the current bank balance is \$4344.51, and that 20% of the Class B Patronage Shares have been transferred to the T-Bill Savings Account. It was agreed that a T5 for interest received be filed and that the monies in the District's Class B Patronage Shares be listed as an asset. In preparation for the Annual Meeting, a statement of Receipts and Disbursements was circulated and the 1998 budget as submitted with Bylaw #33 should be reviewed.

***Acceptance of the Treasurer's Report was MOVED by David, SECONDED by Stu. CARRIED.***

3. **Bylaws**  
A lengthy discussion on the need for a set of Bylaws which are understandable, stating what we want and to be able to back it up ensued.

It was then ***MOVED by David, SECONDED by Jake that Pat and Stu revise several Bylaws for consideration at the next Trustee meeting. CARRIED.***

4. **Request for Water Hook-up**  
Fred noted that a verbal request from Bob Whelan was made for a hook-up for Mr. Baumgardner.  
A lengthy discussion followed on this, particularly on lifting the moratorium on any hook-ups to the system passed at the April 1995 Annual Meeting.  
Stu reported that he and Jake measured a leakage of 10,000 gallons a day.



It was then ***MOVED by David, SECONDED by Steve that the moratorium on primary hook-ups be lifted, up to a maximum of 60 (presently 51), and that the moratorium on second connections remain in effect; this motion to be ratified at the Annual Meeting. CARRIED.***

It was agreed that a letter be mailed to Mr. Baumgardner requesting a written request for a hook-up.

5. Liability Insurance

Jake reported that our liability insurance would be approximately \$750.00 - \$800.00 a year. A definite quote from the insurance broker will be presented at the Annual Meeting.

6. Annual Meeting

A short Trustee meeting will be held prior to the Annual Meeting, set for Sunday, April 26, 1998 at 3:00 pm at the Richinger's.

Anne will check when the notices of the Annual Meeting have to be sent prior to the meeting and set up a Trustee meeting prior to that date. An agenda for the Annual Meeting will be prepared for Trustee approval.

Doris Morris has been asked to contact people who may wish to put their names forward as a Trustee. Anne will contact Doris to let her know who the Trustees are whose term will expire this year.

7. Stu reported that he found no problems on reviewing of the proposed forest development plan by Jeff Mattes as there is only a small cut on Woodbury Creek.

Jake reported that Meadow Creek Cedar are planning to clear some blow down on Fletcher Creek. Stu would like to see it before the clearing is done.

8. Maintenance

Bill reported that the water system is working well, that VSA has put cement curbs where damage to the water system was made. He estimated the damage would cost about \$500.00 to repair.

9. ***MOVED by David that the meeting be adjourned at 9:00 pm.***

## NEW CONNECTION MORATORIUM- Review by Kevin Jersey

- Diane Schreiber advised that the Connection Moratorium was never meant to be permanent (Board Member 2001 to 2006, 2009 to 2011)
- Water Use Study of 1998 – not available – presented at AGM resulting in a lifting of the moratorium on new connections but moratorium on interconnections.
- AGM 1999 moratorium on second connections was lifted.
- AGM 2001 suggestion that moratorium on second connections would be revisited
- BOARD 5 SEP 2001 mention of reviewing terminology of “interconnection” and “second connection”. No mention of same in following year.
- AGM 2007 – Laurie assumed position of CHAIR advised that 7 FEB Board meeting a moratorium was placed on all new connections. DEFINITION – New Connection is to the main system line. Interconnection is a connection off the main residence line to another dwelling or outlet.
- BOARD 12 FEB 2007 – moratorium on all “new hook-up connections”
- BOARD 24 APR 2007 – moratorium on all hook-up connections (not interconnections)
- BOARD 9 OCT 2007 – new connection approved “FROESE”
- AGM 2008 – reference to moratorium and hand written “interconnection”
- BOARD – June 2017 – need to have flow meter to determine water usage not exceeding license and address moratorium
- BOARD July 2017 – need to have flow meter to determine water usage not exceeding license and address moratorium

## Current Water Usage (License permits a maximum of 60,000 gallons per day)

- Flow meter 7 days ending 15 August 266,810 or 38,115 gallons per day
- Flow meter 12 days ending 20 August 419,445 or 34,953 gallons per day
- Flow meter 14 days ending 22 August 476,273 or 34,019 gallons per day
- All readings include downstream leakage

## Water Shortage Options available to the Board

1. Access emergency water supply from Kootenay Lake
2. Access water from Comstock belonging to Scarlett Family
3. Designated irrigation days and restricted hours
4. Prohibit all irrigation



# FLETCHER CREEK IMPROVEMENT DISTRICT

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BYLAW NO: 65

TITLE: **Connection Moratorium Bylaw**

## **1 PREAMBLE:**

- 1.1 WHEREAS Section 697, Subsection 2 (f) of the BC Local Government Act (BCLGA) authorizes an improvement district to *"regulate the distribution of water...conveyed by the improvement district."*
- 1.2 AND WHEREAS Section 707, Subsection (1) of the BCLGA states: *"An improvement district has no obligation to convey or supply water...to any person, land or premises"*
- 1.3 AND WHEREAS Section 707, Subsection (2) of the BCLGA provides a mechanism for appeal *"to the inspector"* of Municipalities, for any limitation of provision of water;
- 1.4 AND WHEREAS Fletcher Creek, as the source of water for Fletcher Creek Improvement District, has annually experienced severe low water levels, sufficient to warrant implementation of water use restrictions;
- 1.5 AND WHEREAS Fletcher Creek Improvement District is currently undertaking a water flow analysis to determine current average water consumption and supply;
- 1.6 AND WHEREAS the impact of additional connections or interconnections on the existing FCID distribution system is unknown at this time;
- 1.7 NOW THEREFORE, the Board of the Fletcher Creek Improvement District, enacts as follows:"

## **2 DEFINITIONS:**

- 2.1 In this bylaw, unless the context otherwise requires:
  - 2.1.1 "FCID" shall mean Fletcher Creek Improvement District.
  - 2.1.2 "Works" shall mean anything capable of, or useful for, diverting, storing, measuring or conveying, conserving, retarding, confining or using water.
  - 2.1.3 "Water" shall mean water conveyed through the works operated or maintained by FCID
  - 2.1.4 "Connection" shall mean the pipeline installation (or curb stop) from FCID's main to the property served, where such connection is intended to serve the principal residence or household of the property.
  - 2.1.5 "Interconnection" shall mean, anything additional extension made to the water works of the principal connection which are intended to service additional buildings, other than the principal residence. Including, but not limited to, guest cottages, detached garages, workshops, greenhouses, commercial building, rental units or trailers, whether temporary or permanent.

**3 Moratorium:**

- 3.1 There is a moratorium on any new connections or interconnections. This moratorium disallows any new connections or interconnections to the FCID water distribution system.
- 3.2 Notwithstanding 3.1, this moratorium does not apply to existing properties currently paying annual water taxes to FCID with no existing connection to the FCID water distribution system.
- 3.3 Notwithstanding 3.1 above, the Board of FCID may, in response to an application in accordance with Bylaw 36: Water Distribution Regulations (or subsequent revisions or replacements), may grant a replacement connection or interconnection, if, in the opinion of the Board, the replacement connection or interconnection is designed primarily to:
  - 3.3.1 replace one or more existing connections or interconnections which will be dismantled or disconnected from the water works of FCID;
  - 3.3.2 maintain, or reduce, the existing flow of water to the property.

**4 Penalties:**

- 4.1 Any property found in violation of this Bylaw may have the water disconnected. And shall be no longer provided water from FCID until the violation has been remedied.
- 4.2 Every person who disobeys or fails to comply with this bylaw shall be, upon summary conviction, deemed guilty of an offence and liable to a fine not exceeding five thousand dollars (\$5,000.00)
- 4.3 In the event that water supply is to be disconnected under this bylaw, FCID is required to provide at least 24 hours written notice to the registered owner of the property before disconnection of the water supply.

**5 Appeals:**

- 5.1 Any person or property owner to whom supply of water has been discontinued under this bylaw, or has been refused connection or interconnection under this bylaw, has the right to appeal such decision, to the Inspector of Municipalities, in accordance with Section 707 of the BC Local Government Act,
  - 5.1.1 The decision of the Inspector of Municipalities is binding on both FCID and the appellant.
  - 5.1.2 Any appeal of the Inspector's decision must be brought in accordance with the laws of the Province of British Columbia.

**6 Liability of District:**

- 6.1 FCID does not guarantee, nor is under any obligation to guarantee, a specific pressure of water, nor water of quality or quantity to meet the requirements of individual properties or users.
- 6.2 FCID reserves the right to interrupt water service at any time for the purpose of making repairs or alterations or maintenance to the works.

**7 READINGS:**

- 7.1 INTRODUCED and given first reading by the Trustees on the      of July, 2018
- 7.2 RECONSIDERED and given second reading by the Trustees on the      of
- 7.3 RECONSIDERED and finally passed by the Trustees on the      of

**SIGNING:**

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Co-Chair of the Trustees

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Secretary-Treasurer of the Trustees