

Version 3: for municipalities or regional districts (a regional district may have to establish the service first) to close wells at their expense.

LOCAL GOVERNMENT OF ANYWHERE

BYLAW NO. XXXX

A Bylaw to Regulate Well Closure on Properties Connected to the Water System

WHEREAS:

- A. The Local Government of Anywhere (the “Local Government”) currently operates a Water Supply and Distribution System (the “System”) established by Bylaw No. YYYY within the boundaries of the Local Government (and in the area outside of the boundaries of the Local Government as authorized by Bylaw No. VVVV); and
- B. The Local Government, prior to the adoption of this bylaw, has consulted with the medical health officer responsible for public health matters within the Local Government; and
- C. The Local Government’s Council deems it necessary and desirable to close wells on properties served by the System.

NOW, THEREFORE, the council of the Local Government of Anywhere, in open meeting assembled, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as the “Local Government of Anywhere Well Regulation Bylaw”.

2. Interpretation

- (1) In this Bylaw

“Bylaw” means the Local Government of Anywhere Well Regulation Bylaw.

"Close means to take a Well out of service permanently in accordance with section 9 of the Regulation.

“Connect” means to connect the private water distribution system on a parcel to the System.

“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 from the Well from entering the System.

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

“Private System” means the system of pipes and other apparatus 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 the parcel on which the Private System is installed.

“Regulation” means the Ground Water Protection Regulation, B.C. Reg. 299/2004, under the *Water Act*.

“System” means the Water Supply and Distribution System (the “System”) established by Local Government of Anywhere Bylaw No. 0000.

“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.

(2) In this Bylaw,

- (a) the first letter of a word that is defined in this section is written in upper case to indicate that it is limited to its defined meaning.
- (b) a reference to a section, subsection, clause, or subclause means a section, subsection, clause, or subclause of this Bylaw unless otherwise indicated.

3. Well Closure Requirement

- (1) An Owner whose Well is located upon a parcel which is the subject of an application to Connect or that has already been Connected, must ensure the Well is Closed upon or promptly after Connecting, as applicable.
- (2) If the Owner does not comply with subsection (1), the Local Government may Close or cause the Well to be Closed, in either case without compensation to the Owner.

4. Prohibition and Penalties

- (1) No person shall introduce or cause to be introduced into the System water or another 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.
- (2) 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 (\$1000.00) for a violation of section

4(1) and a minimum fine of five hundred dollars (\$500) for violating any other provision of this bylaw, in addition to the penalties prescribed by the *Community Charter (Local Government Act* for regional districts).

READ A FIRST TIME the	day of	, 200_.
READ A SECOND TIME the	day of,	, 200_.
READ A THIRD TIME the	day of,	, 200_.
APPROVED by the Minister of Environment the	day of	, 200_.
DEPOSITED with the Minister of Health on the	day of	, 200_.
ADOPTED the	day of	, 200_.

MAYOR (CHAIR)

CORPORATE ADMINISTRATOR