

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2255

A BYLAW WITH RESPECT TO THE REGULATION, INSPECTION,
CONTROL, USE OF AND RATES FOR THE SUPPLY OF
ELECTRICITY AND THE WORKS AND EQUIPMENT IN CONNECTION
HEREWITH UNDER THE CONTROL OF THE CORPORATION OF THE
DISTRICT OF SUMMERLAND

WHEREAS it is desirable to make provisions for the regulation, inspection, control, use of and rates for the supply of electricity and the works and equipment in connection therewith under the control of The Corporation of the District of Summerland;

NOW THEREFORE, the Municipal Council of The Corporation of the District of Summerland, in open meeting assembled, ENACTS AS FOLLOWS:

1. In this Bylaw, unless the context otherwise requires:

"BUILDING" or "BUILDINGS" shall mean a structure which stands alone or which is cut off from adjoining structures by unpierced fire walls or by openings protected by approved fire doors;

"CONSUMER" shall mean any person who is the owner or agent for the owner of any premises to which electricity is supplied from the Corporation works and also any person who is the occupier of any such premises, and also any person who is actually a user of electricity supplied to any premises or by any service from the Corporation works;

"CORPORATION" shall mean The Corporation of the District of Summerland;

"COUNCIL" shall mean the Municipal Council of The Corporation of the District of Summerland;

"ELECTRICAL DEPARTMENT" shall mean the Electrical Department of The Corporation of the District of Summerland;

"PERSON" shall include any person or persons, company or companies, corporation or corporations, partnership or partnerships;

"RATE" and "RATES" shall mean the price or sum of money to be paid by any consumer for either the given quantity of electricity supplied to such consumer as measured by a meter or to be paid for a service to the premises of such consumer for a stated period of time;

"SERVICE" shall mean and include the supply of electricity from the Corporation to any person and, where the context requires, the works necessary to and actually used for the purpose of such supply;

"SUPERVISOR" shall mean that person appointed by the Council as a supervisor of the Electrical Department;

"WORKS " shall mean and include any machinery, plant, wires, pipes, poles, conduits, apparatus, appliances, instruments, devices, fittings, material and equipment used or designed or intended for use or in connection with the transformation, transmission, supply, distribution, measurement of use of electricity for any purposes within the Municipal limits of the Corporation.

2. The construction of all works in The Corporation of the District of Summerland and the maintenance thereof shall conform to the latest edition of the Canadian Electrical Code and any additional requirements of the Inspector appointed under the provisions of the "Electrical Energy Inspection Act", (Section A) B. C. Reg. 162/80.
3. Any person installing, constructing, maintaining, altering, repairing, or using any works in or on buildings, premises or property which do not comply in all respects with the provisions of the Bylaw shall be guilty of an infraction of this Bylaw.
4. (a) The Supervisor shall have the authority, subject to the consent of the Council, to employ such assistants as he shall deem necessary for the purpose of effectually carrying out the provisions of this Bylaw and, whenever the Supervisor is authorized or directed to perform any act or duty under this Bylaw, such act or duty may be performed by any employee of the Corporation authorized by such Supervisor to perform such act or duty.

- (b) The Supervisor is hereby authorized and directed to have a general supervision over the installation, construction, alteration, repair and maintenance of all works in the Corporation, and it shall be his duty to see that all works installed, constructed, altered, repaired or maintained are installed, constructed, altered, repaired or maintained in such condition that they will not cause damage to life or property.

5. Underground Services and Distribution:

Amended by
Bylaw 2447

- (a) Consumers requiring an underground service from overhead distribution facilities shall, at their expense, supply all necessary materials and be responsible for the installation of the same, except for the work on the pole and street repairs, which shall be done by the Corporation at the Consumer's expense, providing such costs were not previously covered by the subdivision developer.
- (b) In new subdivisions unless exempted by this bylaw, all costs pertaining to such underground electrical distribution facilities shall be charged to the developer, except for that part on private property deemed to be the consumer's responsibility and outlined in the Corporation Construction Standards, which the Corporation may for the preservation, regulation and protection of its work from time to time adopt.
- (c) Unless otherwise exempted, all new electrical services or reconnection of existing electrical services which may become necessary as a result of a change to or the relocation of the Customer's main service equipment, shall be served underground from a suitable overhead or underground transformer installation.
- (d) The following types of development may be exempted, at the discretion of the Electrical Superintendent, for underground electrical services:
 - 1. Minor subdivisions as defined in the Municipal Subdivision Control Bylaw;
 - 2. Home Site severances as approved by the Agricultural Land Commission;
 - 3. Lands zoned Forestry Grazing, Agriculture, or Country Residential; when affected by subdivision;
 - 4. Existing Industrial, Commercial, Multi-family or Institutional buildings when affected by subdivisions;
 - 5. Existing residences affected by subdivision, where:
 - the conversion of the existing residence to underground electrical services is deemed impractical and of little benefit because of existing landscaping, such as concrete patios, driveways, structures, septic fields, or other obstacles and the developer agrees to make a voluntary contribution to the Municipality, in lieu of such conversion. The voluntary contribution shall be the greater of \$750.00 or \$350.00, plus 50% of the Corporation's charge-out rate of 3" DBII duct and the Underground Wire (USEB or USI-90) required to meet the customer's energy demand at 2% of better voltage drop.

6. (a) The Corporation shall supply the necessary meters for registering the consumption of electricity from the service lines of the Corporation works. Meters shall be installed in a location readily accessible and satisfactory to the Corporation and must never be enclosed in such a manner that makes removal difficult. Time spent by a municipal employee to remove a meter that has been wrongly enclosed shall be charged to the owner of such premises.
- (b) Meters and materials provided by the Corporation are, and shall remain, the property of the Corporation and the Corporation shall maintain, repair and replace same. If such Corporation property should be wilfully, negligently or carelessly damaged or destroyed or covered with paint or stucco, the consumer in or on whose premises the same had been placed shall pay to the Corporation the value of the property so damaged or destroyed, or the cost of repairing and/or cleaning same.
6. (c) If a consumer disputes the accuracy of a meter, he may on application to the Ministry of Consumer and Corporate Affairs, Penticton, B.C., have the meter tested by a government meter inspector in accordance with the provisions of the "Electricity Inspection Act". 1952, being Chapter 94 of the Revised Statutes of Canada. The Corporation shall arrange for the meter to be tested upon receipt of a deposit of Forty Dollars (\$40.00) from the consumer and notification from the Ministry of Consumer and Corporate Affairs.
- (d) If the meter proves defective the deposit shall be refunded and an adjustment made in the previous billings as provided by the Electricity Inspection Act. If the meter passes the government inspection, the deposit shall be forfeited.
- (e) Where a meter has not been installed, or is not registering, or where the meter reader is unable to read the meter on his regular visit, the Corporation may estimate the consumption and maximum demand from the best information available.
7. (a) The Customer's service entrance to any premises shall be installed in a location satisfactory to the Corporation and in such a way that the supply service wires can be run directly from a suitable supply pole or in case of underground wiring, from a suitable junction box.

Amended by
94-037

- (b) For overhead wiring, it shall be the consumer's responsibility to provide acceptable means for attachment of the supply service wires. Wherever practicable, a service mast shall be used, having the insulator attached at a height which, in case of a low building, shall not be less than three and three-quarter (3.75) metres above the crown of the street.
 - (c) In cases of high buildings or gable ends of buildings where a minimum connection height of five (5) metres above the crown of the street is obtainable, a suitable rack, bracket, or single point type wire holder, as may be required to withstand maximum tensions, may be attached to an acceptable base.
8. Trees, shrubs or plants growing on private property shall not be permitted to interfere with the Corporation's power lines, supply service wires or meter accessibility. It shall be the consumer's responsibility to keep his trees, shrubs and plants cut or trimmed so that the Corporation's power lines, supply service wires and meters are at all times well clear from contact with same. Should any consumer, after having one week's notice to remove, cut or trim any trees, shrubs or plants, refuse or neglect to do so, such action shall constitute an infraction of this Bylaw, and each day's continuance of such refusal or neglect shall constitute a separate offence.
 9. The electrical energy supplied to a consumer will be for the use of that consumer only and shall not be resold to any person by the consumer, except with the approval of the Corporation.
 10. No person shall destroy, injure or tamper with any works and no person shall in any manner interfere or meddle with the service of works in or on any street, lane or other municipal property, or post, paint or affix any advertisement, poster, bill or notice whatsoever on or to any pole, transformer or other portion of the works of the Corporation.
 11. Applications for connection with the Corporation works and/or for service and/or for the turning on or off of the electricity to and from any premises shall be made in writing and delivered five (5) days prior to the date of turn on or turn off, to the office of the Corporation, and must be signed by the owner of such premises or his duly authorized agent (who must produce written authority), signing as such, and such owner shall be personally responsible for the payment of all rates which may become payable between the date of his application and the date upon which he shall have delivered to the Municipal Office a duly signed notice ordering the

discontinuance of such service. If the application for electricity is signed by the tenant or occupant of the premises, and not by the owner as aforesaid, a deposit appropriate for the service applied for and as set forth in this section shall be made at the time of application.

DEPOSIT SCHEDULE

RESIDENTIAL ELECTRICAL DEPOSITS

For Lighting/Range/Water/Heating and/or Space Heating \$50.00

DEPOSITS FOR OTHER THAN RESIDENTIAL SERVICE

Commercial Lighting/Power \$50.00

12. With the exception of small portable 115 volt appliances, no consumer shall make any addition to his load until he has made application on the Corporation's standard form and paid all fees and charges due and/or has received proper authorization from the Corporation. In the event of an increase being made without the Corporation's consent, the consumer, in addition to all fees and charges payable, shall be responsible for any damage to the Corporation's property caused by such unauthorized increase. All wiring must be covered by a Provincial Wiring Permit. Electrical contractors who make unauthorized load additions or otherwise engage in illegal wiring shall be subject to having their Trades License revoked.
13. The Corporation may as it sees fit require from any consumer desiring a service or a renewal of a service, an agreement between such consumer and the Corporation as a condition on which such service is to be granted, and such agreement may contain special terms or conditions not inconsistent with this By-law.
14. Agreements are not transferable. Where there is a change in ownership or tenancy on any existing service connection, the new owner or tenant shall make an application for service at the Municipal Office as a new customer in order to avoid being responsible for any consumption registered prior to such notice for which payment has not already been made.
15. Upon receipt of an application and due authorization from the provincial Electrical Inspector, the Corporation may make a connection and or provide service for the fees stated in this Bylaw.

16. The Municipality may refuse to connect service wires to any premise where the wiring is not up to the standards as required by the Electrical Department, and the Municipality will not be responsible for any accident, risk or hazard which may arise from the making or existence of any installation, or the subsequent operation thereof.
17. (a) If the power factor, as determined by the Corporation, at any consumer's service entrance is less than ninety percent (90%) lagging, the Corporation may require the consumer to install the necessary corrective equipment to improve the power factor to this value. If the consumer, on notice, fails to install the necessary facilities, the Corporation shall, at its discretion, either disconnect service or increase the consumer's bill for electrical service by a surcharge of one percent (1%) for each one percent (1%) that the consumer's load power factor is found to be below ninety percent (90%). Where the power factor is found to be below eighty percent (80%) lagging, the surcharge shall be increased to two percent (2%) for each one percent (1%) that the consumer's load power factor is determined to be below eighty percent (80%).
 - (b) No credit will be allowed for leading power factor.
18. (a) Space Heating Specifications:
 - (i) No consumer shall install, connect or permit the installation and connection of electrical space heating units without first obtaining the consent of the Corporation in writing.
 - (ii) General Requirements:
 - (1) No single phase heating unit rated in excess of 1650 watts shall be connected to a circuit rated less than 208 volts.
 - (2) Where one thermostat controls a single unit rated at more than 6000 watts, single phase time delay switching must be provided to limit the occurrence of unnecessarily sudden and severe heating load fluctuations.
 - (3) The Corporation may at its sole discretion stipulate the use of an approved load regulator where, in case of new electric space heating installations, the total connected heating load exceeds 6000 watts.

- (iii) Electric Furnaces:
Electric furnaces may be connected to the Corporation's supply facilities only by special permission, given in writing, by the Corporation.
- (iv) Heat pumps and other types of space heating equipment which involve indirect conversion of electrical energy to heat energy for space heating purposes shall be subject to special approval for connection to the Corporation's supply facilities in order to qualify for a modified electric heat installation charge as set out in Schedule "B", Part 5.

(b) Equipment causing an undue disturbance:

The Corporation may require the consumer to disconnect and leave disconnected any and all equipment which, when connected to the Corporation's power facilities, causes an undue disturbance to the system. Under such circumstances, the consumer shall be responsible for the purchase and installation of any and all corrective facilities which may be required to permit the reconnection of such equipment to the Corporation's distribution system.

(c) Water Heaters:

All water heating units shall be properly insulated so as to prevent unnecessary heat loss and it is the customer's responsibility to select units of such capacity as will adequately supply the customers normal usage of hot water with the electricity supply to the heating elements interrupted for a period not exceeding two hours total duration each day. They shall be designed for a nominal voltage rating of 240 volts, single phase, except where it is known that the service supply is to be 120/208 volts, 3 phase, in which case they shall be rated for 208 volts. Heating elements having a total rating of 1650 Watts or less may be rated and connected for 120 volt supply.

Each tank shall be equipped with two elements each of which shall not have a rating in excess of 3000 watts unless special permission is granted by the Corporation to exceed this rating. Each element shall be controlled by a separate thermostat for the base and booster functioning and shall be arranged so that both elements cannot function at the same time unless the total capacity of the two elements does not exceed 3000 watts. In every case the maximum wattage allowed per tank shall not exceed 75 watts per gallon of capacity.

The Corporation may, at its own discretion and expense, install a time switch; carrier current control, or other device or means suitable for the disconnection of the unit during periods of peak system load demand. The period or periods during each day of which the supply to the hot water heater installation may be so interrupted will not exceed a total of two hours.

(d) Motors:

- (i) All motors connected to the electrical system must be of a type satisfactory to and approved by the Supervisor.
 - (ii) Single phase motors rated over one (1) horsepower shall not be connected to circuits having a voltage less than 208 volts, except by special permission from the Supervisor.
 - (iii) Motors exceeding a rating of five (5) horsepower shall not be connected to single phase circuit, except by special permission from the Supervisor.
 - (iv) When both three phase and single phase power of suitable voltage is available, motors rated more than three (3) horsepower will not be allowed on single phase supply, except by special permission from the Supervisor.
 - (v) Motors exceeding twenty (20) horsepower must be equipped with reduced voltage starters, unless special permission to the contrary has been obtained from the Supervisor.
19. (a) All applications for electric service involving an extension of the Electrical System shall conform to the terms and conditions herein provided and no extension shall be authorized unless the applicant or applicants shall first have lodged with the Corporation in advance of receiving service, the amount of money by which the cost of the extension exceeds the sum allowed under this Bylaw for such purposes.
- (b) Single Phase Line Extensions: (Overhead)
- (i) Extensions of the Corporation lines will be made to existing properties along gazetted roadways as material and labour are available.

The Corporation reserves the right to postpone the extensions of lines and services during the season of the year where climatic conditions would cause abnormally high construction costs. The cost of a single phase line extension shall be determined by measuring the distance of extension in excess of 90 metres (295 feet) from the nearest suitable supply pole to the customer's property and applying a rate of \$7.90 per metre (\$2.40 per foot) to such excess. Costs of easements, surveys, railway crossings, rock holes, right of way clearings, etc. shall be deemed an additional expense, not included in the per unit of distance rate and shall be added to the cost so determined. An estimate shall be provided for such extra costs.

- (ii) The maximum non-shareable amount which the Corporation shall expend on such single phase line extensions shall not exceed \$1000 per applicant. Except when the total cost of any such extension including that of the first 90 metres (295 feet) is in excess of \$710 per applicant, each applicant shall contribute the next \$290 after which the Corporation may contribute on a proportional equal sharing basis additional funds to a limit of \$1000 per applicant.

No allowance shall be applied towards any part of a single phase line construction extending beyond the closest boundary of the legally described property to be served.

- (iii) Should any additional service connection be made to such line extension during the first year from the date of any extension made pursuant to this Bylaw, a refund shall be payable to any customer who has paid to the Corporation any amount in excess of that set out in Section (b) (ii) hereof, proportionately, as the amount paid would have been reduced had the new user or users been granted service on the original date.

- (v) No additional service connection shall be granted during the first year from the date of an extension made pursuant to this Bylaw under conditions less onerous than those obtaining on the original date nor unless the applicant shall pay to the Corporation an amount of money equivalent to the sum which he would have been required to pay had he been granted a service connection on the original date.

(c) Overhead Three Phase Extensions: Commercial and Industrial:

- (i) Applies to all new customers, as well as existing ones wishing to change their three-phase service requirements.
- (ii) Where the customer's three-phase service head is located less than 150 metres (490 feet) from a suitable supply, the customer, before receiving a connection and/or a change of service, must first deposit with the Corporation, funds adequate to cover the cost of metering and all materials essential to install, alter or expand facilities necessary to provide the required service. In cases where the customer's three-phase service head is located more than 150 metres (490) feet from a suitable supply, the customer must in addition deposit funds adequate to cover all costs (including labour and equipment) to extend the necessary facilities to within the 150 metres (490 feet) distance.
- (iii) Should any additional service connection be installed during the first year from the date of any extension made pursuant to this Bylaw, refunds shall be payable to any customer who has paid to the Corporation any sum in excess of the amount set out in Section (c)(ii) hereof, proportionately, as the amount paid would have been reduced had the new user or users been granted a service connection on the original date.
- (iv) Easements and/or utility corridors must be provided where loads require transformers to be located on consumer's premises. Whenever practical, transformer banks shall be located on Municipal Property.
- (v) Where applicable, refunds will be made and credited to the consumer's account during the first twelve month period, which shall commence on the day when the service is connected to the consumer's installation for the purpose of delivering electrical energy.
- (vi) Refunds shall be limited to the equivalent of that portion of the total rates paid during the first twelve month period which is in excess of the amount equal to the consumer's measured peak kW or kVA demand or the rated transformer capacity provided for the consumer (whichever is greater) multiplied by Thirty Dollars (\$30.00). The total of such refunds shall in no case exceed the amount originally paid to cover costs of materials less the connection fee.

- (vii) Where extensions are required for seasonal use or where special construction or operating conditions prevail, or where equipment needed is of a type or size not normally usable in the operation of the Electrical Department, a special agreement may be required between the Corporation and the consumer.
 - (d) Nothing in this Bylaw shall be construed as compelling the Corporation to authorize any extension beyond monies legally available for such purpose, nor as granting to or conferring upon any person any title or right to or any interest in any extension made pursuant to this Bylaw.
20. In order that the Corporation may guard its interest properly, it shall at all reasonable times, by its authorized agents, have free access to the premises connected with the Municipal Works to determine if the electricity is being carried, distributed and used in a proper manner and in accordance with this Bylaw and for the purpose of reading meters, and for removing any and all such meters at the expiration of the contract or discontinuance of the service.
21. Consumers who wish to have their service discontinued shall give to the Municipal Office ten (10) days notice thereof and, before the service is again renewed, the intending consumer shall pay to the Municipality the fee hereafter mentioned for the renewal of a service. No service shall be renewed to any premises when there are arrears or rates against the applicant for such renewal.
22. Should it be necessary to remove or cut any of the electric wires belonging to the Corporation, either leads or house connections, notice must be given to the Corporation by the person desiring such cutting or disconnecting, stating when and why the same is required and a sum sufficient to cover the cost thereof as estimated by the Electrical Department shall be deposited with the Corporation, and such cutting, disconnecting or removing of wires shall be done by or under the direction of the Electrical Department and the cost of any work done and material used shall be paid from the monies deposited with the Corporation and any surplus of each deposit shall be returned to the depositor upon completion of the said work. Nothing in this clause shall be construed to make it obligatory on the Municipality to remove or cut any of the wires aforesaid.

Amended by
94-037

23. (a) In the case of rates or fees or any monies levied under this Bylaw and the Fees and Charges Bylaw remaining unpaid on the 15th of the month following the month which they were billed, the service shall be discontinued without further notice. Such services discontinued for non-payment shall not be reconnected until all unpaid amounts have been paid in full.
- (b) Any rates which have become in arrears by the thirty-first (31st) day of December in the year imposed, are deemed to be taxes in arrears and bear interest from said date at the rate specified in Section 428 of the Municipal Act, being Chapter 290, Revised Statutes of B. C., 1979, and all amendments thereto.
24. The Corporation shall exercise reasonable diligence and care to furnish and deliver to the consumer electric current in consideration of rates hereinafter contained. In case the supply of electricity shall fail, whether from natural causes or accident (in which case strikes shall be included), the Corporation shall not be liable for damage or losses by reason of such failure, nor shall the Corporation be liable in any event for damage to person or property arising, accruing or resulting from the use of electricity from the electrical system. The Corporation reserves the right to discontinue service to any consumer for the following reasons: repairs, want of supplies, violation of any of the provisions of this Bylaw, and assignments or insolvency of the consumer.
25. It shall be unlawful for any consumer to use electricity for any purpose or in any place other than that provided for in his application without having first obtained the written consent of the Corporation. In case of deficiency of service, notice thereof should be given forthwith at the office of the said Corporation.
26. Utility bills, which may be billed either monthly or bi-monthly at the discretion of the Treasurer, shall be calculated in accordance with the rates contained in the Fees and Charges Bylaw. Such rates shall be payable to the Municipality at the Municipal Office or an authorized financial institution as follows:
- at the Municipal Office before the third last business day of the month billed;
 - at a local authorized financial institution before the fourth last business day of the month filled;
 - payments made on the last day as described above shall be received and receipted prior to closing time of the respective office's business hours to avoid loss of discount in effect.

Amended by
94-037

27. Electric current will be supplied by the Corporation for light and power at a phase and voltage that, in the opinion of the Supervisor, will be most suitable to fulfill the requirements of each respective consumer subject to the provisions of this Bylaw.
28. The rate or fees to be charged to the various classifications of users shall be as defined in the Schedules attached to and forming part of this Bylaw.
29. Each separate division of the rate structure as set forth in the Schedules of this Bylaw dealing with rates chargeable for electricity and each separate voltage as set forth in Section 27 of the Bylaw shall be metered separately, and with one (1) meter. In no case shall the readings of two (2) or more meters be added together in computing the consumption of any consumer, except that it be deemed satisfactory to the Corporation to do so because of special circumstances.
30. (a) Consumers using current at two (2) or more different voltages, or consumers using current to supply a group of two (2) or more buildings under one (1) ownership, and being used for one (1) industry or business, may be supplied with current through one (1) service and one (1) meter as set forth in Section 29 of this Bylaw, under one (1) or more the of the following conditions:
 - (i) Where the consumer is using current at two (2) or more different voltages, the consumption shall be metered at the highest voltage and the consumer shall be required to transform to the lower voltages through the consumer's own equipment.
 - (ii) In cases where the consumer's load or business is isolated from other loads of a similar character, or where the load is being supplied through an individual transformer or transformers, to which no other load or service is attached, the Corporation reserves the right to meter the consumption of energy on the line or the load side of the transformer or transformers, whichever is more convenient to the Corporation.
 - (iii) Groups of buildings under one (1) ownership and being used for (1) industry or business, requiring electric current through one (1) service, must be located on lots adjoining the building to which the service is attached.

- (b) Residential service shall be restricted to the use of individual family living quarters or premises for normal residential and housekeeping requirements. Where four (4) or more rooms are rented or a portion of the residence is used for other than residential purposes and supply is through one (1) meter, the appropriate commercial rate shall apply.
 - (c) The Corporation may, as in the case of self-contained basement suites, permit more than one (1) single family living quarters to be served through one (1) meter but, in each case, the monthly service charge in the residential rates will be increased proportionately to the number of single family living quarters served.
31. (a) All the rates and charges, as outlined in this Bylaw, shall be subject to a decrease of ten percent (10%) if paid to:
- the Corporation at the Municipal Office during regular business hours within twenty (20) days of the billing date of the invoice; or
 - any local authorized financial institution during their regular business hours within nineteen (19) days of the billing date.
- (b) Except as otherwise provided in this Bylaw or in any amendments to the same, no money received by the Corporation in payment of rates or fees chargeable under this Bylaw or under any amendments thereto, shall be applied to the payment of the rates or fees for the then current month, until all rates and fees which became due in previous months have been fully paid.
32. This Bylaw shall be subject in all respects to the provisions of the said "Electrical Energy Inspection Act".
33. (a) The minimum period for which a service contract will be accepted by the Corporation shall be twelve consecutive months from the date the service is first connected, except for seasonal and single family residential service, in which case the period may be reduced at the sole discretion of the Corporation.

- (b) When more than an ordinary drop service is required to supply the consumer from the Corporation's lines, the minimum period for which a service contract will be accepted shall be determined by the Corporation commensurate with the cost of applying service and the method of financing same.

- 34. (a) Temporary service shall be available under the rate applicable to the class of service required. The consumer shall be charged labour, materials and equipment (excepting transformers, where such are readily available), at cost plus an allowance of ten percent (10%) to cover administration. The Corporation shall prepare an estimate of these costs and require the consumer to pay this amount in advance of receiving service.

- (b) Consumers requiring periodical or seasonal use of service at the same location shall not be eligible for temporary service.

- 35. Any person guilty of any violation or infraction of any of the provisions of this Bylaw (whether hereby expressly declared or not), shall be liable on summary conviction to a penalty not exceeding One Hundred Dollars (\$100.00) for every such infraction or violation. The imposition of the aforesaid penalty shall not be held to prevent the enforced removal or discontinuance of authorized conditions under the provisions of this Bylaw.

- 36. Metric units (Systems International D Unites) are used for all measurements in this Bylaw. The approximate equivalent of those units in currently used units of imperial and U.S. measure are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this Bylaw.

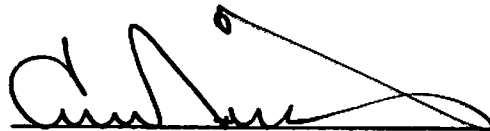
- 37. Bylaw Number 3000 and amendments thereto is hereby repealed.

- 38. Schedules "A" to "F" inclusive, attached hereto are hereby made an integral part of this Bylaw.

39. This Bylaw may be cited for all purposes as: "The Corporation of the District of Summerland Electric Rates and Regulations Bylaw Number 2255, 1986".

READ A FIRST TIME this 24th day of November, 1986.
READ A SECOND TIME this 24th day of November, 1986.
READ A THIRD TIME this 24th day of November, 1986.


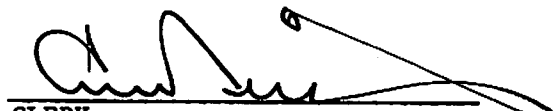
I, George Redlich, Municipal Clerk, HEREBY CERTIFY the within to be a true and correct copy of Bylaw Number 2255 read a third time by the Municipal Council of The Corporation of the District of Summerland on the 24th day of November, 1986.



CLERK OF THE CORPORATION OF
THE DISTRICT OF SUMMERLAND

RECEIVED THE APPROVAL of the Minister of Municipal Affairs
this 15th day of April, 1987.

RECONSIDERED, FINALLY READ AND ADOPTED by the said Council of
the said Corporation, signed by the Mayor and Clerk and sealed with the
Corporate Seal of the said Corporation this 27th day of April, 1987.


MAYOR
CLERK

*Replaced
in rate
bylaw*

SCHEDULE "A"

RESIDENTIAL ELECTRIC RATES

AMENDED BY 1.
BYLAW 91-010
JAN /91

1. The following is applicable to all residential use, including Regular Farm Service where service is single phase and motor loads do not exceed 5 horsepower (total connected).

SUMMER RATES - applicable for May, June, July, August, September and October

Monthly Service Charge (Minimum) Charge \$7.09

Per KWH per month 3.31¢

WINTER RATES - applicable for November, December, January, February, March and April

Monthly Service Charge (Minimum) Charge \$7.09

First 1500 KWH per month 3.31¢

In excess of 1500 KWH per month 3.68¢

Demand Charge: (Not applicable to bi-monthly periods)

24 kW or less - no charge. Where the customer's load demand exceeds 24 kW, a demand charge of \$6.30 per kW shall apply to such excess demand and that part of the consumption in excess of 180 kWh per kW of demand shall be charged at the reduced rate of 3.31¢ per KWH.

For customers using electricity for heating of swimming pools, the consumption for such purposes may be separately metered and taken through a separate service, in which case any consumption registered from May to September, inclusive, shall be at the flat rate of 2.76¢ per KWH and the service charge shall be \$6.89.

SCHEDULE "B"

ELECTRIC HEATING INSTALLATION CHARGE

Applies to all new electric heating customers, as well as established electric heating customers who increase their electrically heated floor area.

1. Single and two family dwellings, including work shops, garages and other detached structures served under the residential rate.
 - (a) Dwellings with basements shall be charged the rate of 36¢ per square foot of main floor area.
 - (i) If the basement floor area is less than the main floor area, the total charge shall be reduced by the amount derived from multiplying the difference of the two floor areas by 14.4¢ per square foot.
 - (ii) If the basement floor area is greater than the main floor area, the total charge shall be increased by the amount derived from multiplying the difference of the two floor areas by 14.4¢ per square foot.
 - (b) Dwellings with no basements shall be charged the rate of 21.6¢ per square foot.
 - (c) A charge of 18¢ shall apply to all floor areas above the main floor level, except in the case of a split level dwelling, the second half level immediately above the ground floor level shall be considered part of the mainfloor area for the purpose of this Schedule.
2. Apartments and Rest Homes:

A surcharge of 21.6¢ per square foot of electrically heated floor area shall apply.
3. General:

Where a thermostat controls a heating unit or units having a total rating of 5 kw or more, the charge per kw shall not be less than \$24.00 per kw.

For all additional units or banks of units rated less than 5 kw per thermostat, the charge per kw for such units may be reduced to \$12.00 per kw. In all cases, the charge shall be the greater of the account calculated under Part I or Part 3.

4. Commercial and Industrial Buildings:

Applies to all new installations including additions - a surcharge of 30¢ per square foot of electrically heated floor area or \$30.00 per kW, whichever is greater, shall apply.

The Corporation reserves the right to disallow any new electric space heating connection where:

- (a) Facilities to serve such electric heating load are inadequate.
- (b) Where building construction is such as to render electric heating uneconomical and permit intolerable waste of electrical energy.

5. Heat Pumps:

Where heat pumps or other approved types of electrically operated equipment which indirectly convert electrical energy to heating energy for space heating purposes or where electricity is employed in conjunction with supplementary sources of heating energy such as wood or oil burning furnaces, the electric heating installation charges under this schedule shall be applied as follows:

- (i) A charge of \$25.00 per kW or \$20.00 per HP shall apply to that part of the fully rated load demand of the heating equipment which is in excess of 4 kW or 5 HP. Such charge shall be determined to the nearest 100 Watts or one-tenth of a HP of the amount of such excess capacity.
- (ii) A further charge of 2¢ per Watt shall apply to any conventional type of electrical space heating equipment which directly converts electrical energy to heating energy for the purposes of supplementing the effective heating output of the heat pump or similar type of indirect electrical heating equipment.
- (iii) A further charge of \$7.50 per kVA of the capacity of the main service connection to the premises which is found to be in excess of that which would otherwise be necessary at the time of service connection to conform with Sections 8-200; 8-202; 8-204; 8-206 and 8-208 and 8-210 of the Canadian Electrical Code Part I or such other editions of this code which may supercede this edition. This charge shall be based on the excess capacity calculated to the nearest one-half (1/2) kVA as determined in this manner.

*Replaced
in rate by law*

SCHEDULE "C"

GENERAL SERVICE

(Commercial, Industrial Power and Lighting)

Applicable to commercial and industrial power and all other non-residential customers whose maximum load demand does not exceed 500 kVA.

Monthly Rate:

AMENDED BY
BYLAW
91-010
JAN/91

A basic service charge of \$10.19
A demand charge for billing demand in excess of 40 kVA of \$4.15 per kVA.

Energy:

First	1,000 kWh	per month	@	7.67¢/kWh
Next	9,000 kWh	per month	@	4.83¢/kWh
Next	40,000 kWh	per month	@	3.20¢/kWh
Next	50,000 kWh	per month	@	2.45¢/kWh
Excess	100,000 kWh	per month	@	2.23¢/kWh

"Billing Demand" - the greater of:

- (a) Fifty percent (50%) of the Contract Demand, which is the amount of power in kVA reserved for the customer by the Corporation and contracted for by the customer, or
- (b) The maximum demand in kVA for the current month, or
- (c) Seventy-five percent (75%) of the maximum demand in kVA registered during the winter months in the previous eleven month period, or
- (d) Twenty-five percent (25%) of the maximum demand in kVA registered during the summer months in the previous eleven month period.

Minimum:

- (a) \$10.19 per month, or
- (b) The demand charge.

*Rates
replaced
in rate
bylaw*

(c) Primary Power Rate:

AMENDED BY
BYLAW 91-010
JAN /91

Where the consumer elects to take service at available primary voltage and owns or pays for all service facilities, including the necessary transformers, the regular demand charge of \$4.15 shall be reduced to \$3.52 per kVA, but in no case shall the monthly minimum be less than Two Hundred Fifty Dollars (\$250.00).

Definitions:

"Winter Months" are the billing months of November of one year to April of the following year, inclusive.

"Summer Months" are the billing months of May to October of the same year, inclusive.

Large General Service at Primary Distribution Voltage

Applicable to Commercial and Industrial customers whose maximum load demand exceeds 500 KVA.

Monthly Rate:

A Demand Charge of:

\$3.89 Per KVA of "Billing Demand"

Plus

An Energy Charge of:

3.17¢ Per KWH for first 100 KWH per KVA of "Billing Demand"

2.65¢ Per KWH for next 100,000 KWH

1.88¢ Per KWH for balance of Monthly Consumption.

Minimum: The monthly demand charge shall be the minimum charge.

Definitions:

- A. Billing Demand
- B. Winter Months
- C. Summer Months

all as in Schedule "C" General Service

*Replaced
in note
my law*

SCHEDULE "D"

1. Services Charges:

The following Service Charges shall apply:

- (a) The fee for transfer of service shall be: \$15.00
- (b) (i) The fee for a new residential service shall be \$25.00
(includes service drop up to 30 meters
(100 ft) in length)
- (ii) Where more than one meter is installed, the
basic fee shall be increased by \$15.00 for
each additional meter.
- (c) (i) The fee for a new industrial or commercial
service connection, notwithstanding the charges
set out under Section 19, Subsection (c), shall
be the metering cost plus the cost of service
materials at chargeout rate.
- (ii) Where more than one meter is installed the basic
connection fee shall be increased by the
equivalent of the cost of each additional meter.
- (d) The fee for reconnection of service shall be \$15.00
Or
After a turn off for non payment or other violation
of this Bylaw:
 - office hours reconnection \$20.00
 - non-office hours reconnection \$50.00
- (e) The fee for a change of service drop shall be: \$20.00
for #4-triplex; and for larger sizes the fee shall
be increased by the cost difference between No. 4
Triplex and the larger wire.
- (f) The fee for a temporary construction service shall be: \$50.00
- (g) There shall be no charge for disconnecting service.

AMENDED BY
BYLAW 90-015
JAN./90

*Replaced
by rate
bylaw*

2. Private Outdoor Lighting:

(a) Lease Light

- for outdoor lighting service to illuminate private property from dusk to dawn and available only where service can be readily supplied from existing overhead secondary facilities.

(i) Luminaire with pole provided 175 Watt mercury lamp. \$ 9.20 per luminaire per month

(ii) Luminaire only provided:

Where a private service pole of suitable height and location exists 175 Watt mercury luminaire.

\$ 6.95 per luminaire per month

(b) Unmetered Lighting

For lighting on private property where the fixture is customer owned, photocell controlled, of design and specification approved by the Corporation and installed and maintained by the Corporation at the customer's expense.

1.56¢ per watt:

- per month for the combined lamp and ballast wattage.

(c) Unmetered Cable T.V. Power Supply Connections

(i) The general service rate shall apply and the monthly consumption shall be calculated on the basis of measured or known volt-amperes at 90% power factor multiplied by 730 hours.

(ii) Where by mutual agreement the average monthly kilowatt hour consumption per connection is determined to be not less than 250 kilowatt hours and payment for the ensuing year is made by January 31 as invoiced, the regular monthly service charge shall be reduced from \$9.84 to \$2.75 per connection.

*Replaced
in rate
bylaw*

SCHEDULE "E"

AMENDED BY
BYLAW 91-010
JAN /91

1. The following electrical rate shall apply to all single phase electrical irrigation pump services which are served from the Municipal Electrical System:

Service charge \$7.04 per month

All energy @ 2.93¢ per kWh

This rate shall apply only to consumption for the months of May through October. If service continues beyond this period, the rates for the months of November through April shall have the same monthly service charge, but on energy consumption during such months shall be billed at the rate of 4.86¢ per kWh.

SCHEDULE "F"

1. The following charges will be made to the customer:

(a) Primary Line Construction (Single Phase):

Dead-end pole and span of primary	\$450.00
Each intermediate pole and span of primary	320.00
Each anchor and single guy	85.00
Each anchor and double guy	100.00
Installation of Tranformer	75.00

(b) Secondary Line Construction (Single Phase):

Including service drops:

- (i) Service drops shall be kept as short as possible. Where the distance from a suitable supply pole is greater than 38 metres (125 feet) or where acceptable clearance or tension cannot be maintained, a 25' or 30' secondary pole shall be installed on private property in a location satisfactory to the Corporation.
- (ii) Except in special circumstances, secondary lines, excluding the service drop, shall not exceed 90 metres (295 feet).
- (iii) Where the distance from a suitable supply pole is greater, or in case of heavier loads, a primary extension shall be built to keep voltage drop and power losses to a minimum.

(iv) Secondary poles	\$120.00
Anchor and Guy	85.00

Triplex wire and support materials,
at chargeout rate.

- (c) Costs set out under Section (a) and (b) do not provide for clearing railway crossings, rock holes, legal surveys etc. Where unusual conditions exist, a detailed estimate shall be required to determine the additional cost.
- (d) All maintenance work and upgrading of private primary or secondary line extensions shall be done by the Corporation on the basis of the charges outlined in Section (a) and (b) and under a 40/60 cost sharing arrangement, whereby the larger amount (60%) shall be charged to the customer.
- (e) With the exception of salvaged triplex wire for which the customer may be credited up to 60% of the Corporation's chargeout rate, all reclaimed line materials shall revert to the Corporation for disposal with no allowance made for credit.

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2000-082

A BYLAW TO AMEND SUMMERLAND ELECTRIC RATES AND REGULATIONS BYLAW NUMBER 2255

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. Summerland Electric Rates and Regulations Bylaw Number 2255 is hereby amended by deleting Section 5. and replacing it with the following:
 - '5. Underground Services and Distribution:
 - (a) Unless exempted by this bylaw, in new subdivisions, the District's Subdivision and Development Servicing Bylaw No. 99-004 identifies the standard of utility service required for subdivisions and developments.
 - (b) Conversion of existing overhead services to underground or new construction:
 - (i) unless exempted by this bylaw, where overhead electrical services exist, all new electrical services shall be served underground from a suitable overhead or underground transformer installation;
 - (ii) where overhead electrical Distribution services exist, renovations to the principal building amounting to more than 75% of the value of that building will require, unless exempted by this bylaw or at the discretion of the Director of Works & Utilities, the overhead electrical service to be converted to underground from a suitable overhead or underground transformer installation.
 - (c) The following types of development may be exempted from underground services at the discretion of the Director of Works and Utilities:
 - (i) minor subdivisions being lot line adjustments etc. where no new lots are created;
 - (ii) home site severance as approved by the Land Reserve Commission;
 - (iii) Building Development on lands zoned A1 Agriculture Zone, A2 Agriculture Zone, CR3 Country Residential Zone, CT3 Commercial Tourist Zone M1 Industrial Zone, M2 Industrial

Zone, M3 Industrial Zone, M4 Industrial Zone, and FG Forestry
Grazing Zone;

- (iv) existing residences affected by subdivision, where, in the
opinion of the Director of Works and Utilities, the conversion of
the existing residence to underground is deemed impractical
and of little benefit because of existing landscaping or other
obstacles.'

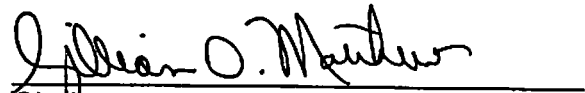
2. This bylaw may be cited as "Bylaw Number 2000-082, Amendment of District of
Summerland Electric Rates and Regulations Bylaw Number 2255."

Read a first, second and third time this 11th day of June, 2001.

Adopted by the Municipal Council of the Corporation of the District of Summerland this
25th day of June, 2001.



Mayor



Clerk