

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**

**BY-LAW 2009-12**

**BEING A BY-LAW TO IDENTIFY WATER & SEWER SERVICE AREAS FOR THE MUNICIPALITY OF POWASSAN AND TO REGULATE THE USE OF SUCH WORKS**

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WHEREAS the Corporation of the Municipality of Powassan ("the municipality") owns and operates a water and sanitary sewer works in the Municipality of Powassan and lateral connections thereto that service distinct areas of the municipality; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 11., provides that a municipality may pass By-laws with respect to public utilities and for the health, safety and well-being of persons; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 80., provides that a municipality may, at reasonable times, enter onto land to which it supplies a public utility, to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility, or to inspect, install, repair, replace or alter a public utility meter; and

WHEREAS the *Municipal Act* S.O. 2001, Chapter 25 Section 86 provides the municipality may, and has, deemed it mandatory for the owners of property in the service areas to connect to the sewer and water services;

WHEREAS Section 10 (2)6 of the *Municipal Act, 2001* authorizes the Municipality to regulate matters relating to the health, safety and well being of the inhabitants of the municipality;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF POWASSAN HEREBY ENACTS AS FOLLOWS:**

**1. Service Areas of Municipality**

- 1.1 That the services areas outlined herein as Schedule "A" forming part of this By-law are to define the water and sewer systems within the Municipality of Powassan:

2. Definitions

- “Backwater Valve”** shall mean a check valve designed for use in a gravity drainage system.
- “Building”** shall mean any building as defined in the *Building Code Act*, S.O. 1992 as amended wherein a potable supply of water and/or a water closet is required by law or intended to be used.
- “Check Valve”** shall mean a device to prevent the flow of water from a private residence back into a municipal system.
- “Connection”** shall mean a connection to a water works system or sanitary sewer works system including service pipes from the interior face of the outer wall of the building.
- “Cooling Water”** shall mean water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with process materials and that has been circulated through the cooling device, but does not include blowdown water.
- “Hauled Domestic Sewage”** shall mean domestic sewage that is transported in a tank truck for treatment or disposal.
- “Industrial Waste”** shall mean or pertain to water that is a product of an enterprise or activity involving industrial or manufacturing processes or operations.
- “Notice”** shall mean a notice given pursuant to the provisions of this By-law requiring a connection or disconnection to be made.
- “Sanitary Sewer Works”** shall mean the sewage lagoons, sewer mains, lateral connections to a private property line and all appurtenances.
- “Storm Water”** shall mean rainwater runoff, water runoff from roofs, flow from foundation drains, snow melt, and surface runoff.

**“Water Works”** shall mean all water treatment facilities, water mains and lateral connections to a private property line and all appurtenances.

**“Uncontaminated Water”** shall mean water supplied by the sanitary sewer works or water works or any other water to which no matter has been added as a consequence of its use.

3. Authorization of Works

That the Municipality is authorized by this By-law to install all sanitary sewer works and water works in the Service Areas.

4. Connection Required

4.1 That every owner of a building within the service areas shall, at the discretion of the Public Works Superintendent and Council connect to the water works and/or sanitary sewage works by making an application on the prescribed form attached hereto as Schedule “B” and forming part of this By-law.

4.2 That each property is required to have an individual sewer lateral connection and lateral connection from the sewer main and water main to the property line.

4.3 That no person shall divide the sewer lateral connection and/or lateral connection to service more than one lot.

4.4 That buildings existing in the Powassan Service Area as of the passing of this by-law shall connect to the Powassan Works no later than December 31, 2009 or at discretion of the Public Works Superintendent or Council.

4.5 That an application fee is payable at the time of submission of an application for connection in accordance with the Municipality of Powassan’s Fees & Charges By-law.

4.6 That in the construction of a service connection, the applicant shall be responsible for all costs with respect to this connection. An estimate by the Public Works Superintendent shall be submitted at the time of application. Additional materials and supplies must be paid prior to final service connection.

4.7 That no connection shall be made to a water works system or sewage works system until a permit has been issued for connection in accordance with this By-law.

5. Installation Inspections

5.1 That all excavations required for the installation of connections to water or sewage works shall be by open trench unless otherwise approved, and no backfill shall be placed until the work has been inspected in compliance with the *Building Code Act*.

5.2 That an applicant for connection shall give at least seven (7) days written notice to the Building Department when the sewer or water service is ready for inspection and connection, and the connection shall be made under the supervision of the Building Inspector or Public Works Superintendent or his/her designate.

6. Connections Concurrent

6.1 That connections to sanitary sewer works and water works shall occur at the same time where both services are available.

7. Grease Trap

7.1 That each property owner shall ensure that all connections to buildings containing commercial and industrial uses include a "grease trap" unless exempted by Municipality depending on nature of business.

7.2 That each property owner shall ensure that grease traps are maintained and inspected on an annual basis, at a minimum. Each property owner shall submit written documentation concerning such maintenance and inspection, satisfactory to the Municipality, shall be supplied within 15 days upon demand in writing by the Municipality.

8. Cost and Liability

8.1 That property owners shall assume all cost and liability for making the connection from the property line to buildings thereon

9. Rates for Water & Sewer Works

9.1 That the owners of each property required to be connected to a municipal sewage works and/or water works system shall pay the rate as determined annually by Municipality By-law, including capital improvements.

9.2 That the rates for maintenance and operation of the sewage works and water works systems are the responsibility of the owner of lands required to be connected to a water or sewage works system and are liable for payment of the rates so fixed commencing with the date of connection.

10. Disconnection of Existing Septic Systems

10.1 That property owners shall disconnect and cease use of existing septic systems upon the connection of buildings thereon to the Sewage Works. **Septic facilities shall be decommissioned** in accordance with the *Building Code Act* and its regulations which may include or require the existing septic tank located on the property to be removed or filled in with gravel, earth or sand at the property owners expense.

11. Wells

11.1 That existing wells may continue to be used provided that there is no cross connection with the municipal water supply, subject to subsection 12.2 herein.

11.2 That whereupon the Municipality determines that the use or existence of a well may be dangerous to the health and well being of the property owner or other persons, the Municipality may, in writing, require the owner to, at owners cost, decommission the well or require the property owner to install a back flow preventer with expansion tank on the municipal water supply service and shall be responsible for all testing and maintenance of such device until such time as pump removal has occurred.

11.3 That whereupon a property owner no longer wishes to use such well or the Municipality has required the decommissioning of a well pursuant to subsection (2), such decommissioning shall be completed in accordance with the *Ontario Water Resources Act*, R.S.O. 1990 and Regulation 903, both as amended from time to time.

12. Sanitary Sewers

12.1 That no person shall discharge or cause or permit to be discharged into the sewage works any:

- (a) industrial/commercial waste
- (b) hauled domestic sewage; and/or
- (c) cooling water, storm water or uncontaminated water.

- (d) storm water including surface water, rain run off, foundation drain, or other subsurface drainage.

12.2 That no person shall deposit in any sewer, opening or receptacle connected with the sewer work systems any matter or thing except feces, urine and the necessary closet paper and domestic liquid waste.

12.3 That no person shall discharge or cause or permit to be discharged into sewage works a substance that may result in one of the following conditions:

- (a) a health or safety hazard to a sewage works person authorized to operate, maintain, repair or otherwise works on sewage works;
- (b) a breach of the Ontario Water Resources Act or the Environmental Protection Act as amended from time to time, or any regulation made there under from time to time;
- (c) biosolids from a sewage works to which either sewage discharge, directly or indirectly, fail to meet the objective and criteria as set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes in/on Agricultural Land" dated March 1996, as amended from time to time;
- (d) an obstruction or restriction to the flow of the sanitary sewer;
- (e) an offensive odor to emanate from the sanitary sewer or sewage works;
- (f) damage to the sanitary sewer works infrastructure;
- (g) interference with the operation or maintenance at a sewage works.

12.4 That no person shall connect sump pumps, down spouts or any other drainage works, that collects storm water or groundwater, to the sanitary sewer work systems.

### 13. Water Supply

13.1 That in the event of a system breakdown or at the discretion of the Public Works Superintendent or his designate any or all use of water from the Municipal owned water systems may be regulated.

### 14. Fire Hydrants

14.1 That no person, save and except an employee of the Municipality of Powassan, shall open or cause to be opened a fire hydrant forming part of a municipal water works system.

15. Offences

15.1 That no person shall maliciously, willfully or negligently break, damage, destroy, deface or tamper with any structure, appurtenance or equipment which is part of a water works or sewer works system.

16. Offences and Penalties

16.1 That any person who contravenes any provision of this By-law is guilty of an offence and, upon conviction thereof, is liable to a fine provided for in the *Provincial Offences Act* as per Schedule "C" of this by-law.

16.2 That each calendar day on which such a contravention occurs is a separate offence.

16.3 Upon second conviction of an offense the penalties shall double.

16.4 That any costs associated with the clean up of any convicted offense shall be the responsibility of the Offender.

17. Connection/Disconnection by the Municipality

17.1. Where a property owner has:

- (a) Failed to connect as required by this by-law; or
- (b) Failed to disconnect as required by this by-law,

the municipality may enter onto property and into buildings, including dwellings, for the purpose of making any such connection and/or disconnection required under this by-law and the cost of such connection and/or disconnection shall be at the expense of the owner of the property.

17.2 That the cost of making connections/disconnections by the Municipality shall be recoverable, and the Treasurer of the Municipality shall add said costs to the Collector's Roll which shall be collected in the same manner as overdue taxes and shall bear interest from the date when the first demand payment is made at the same rate as overdue taxes.

17.3 Persons conducting inspections and/or in the course of enforcing the provisions of this by-law may enter onto land and into buildings and such entry shall comply with the requirements set

out in the Municipal Act., 2001, specifically but without limitation, sections 435 through 438 inclusive.

17.4 For the purposes of “reasonable notice: set out in the aforementioned provisions, seven (7) days shall be the minimum amount of time required for notice.

17.5 In the conduct of inspections, the Municipality may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examination or take tests, samples or photographs necessary for the purposes of the inspection.

18. Decommissioning of a Well by the Municipality

18.1 That whereupon a property owner has failed to decommission a well as required in a notice given under the authority of Section 13.2 herein, the municipality and its agents may enter on to the property to decommission such well and the costs of such decommissioning shall be paid by the property owner or the costs shall be recovered in the same manner as overdue taxes.

19. Enforcement

19.1 That this By-law shall be enforced by the Municipal Law Enforcement Officer(s) appointed by the Municipality of Powassan.

20. Severability

20.1 That all sections of this By-law shall be deemed to be separate and independent and the validity of any section or provision hereof shall not effect the remaining sections.



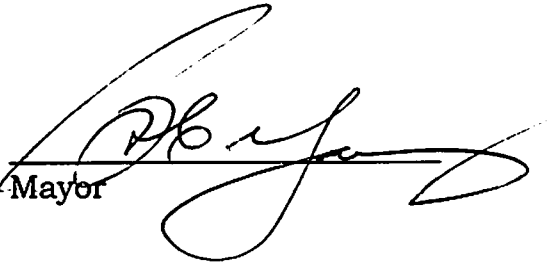
21. Effect

21.1 That this By-law shall come into force and take effect upon the date of its passing thereof.

22. Repeal

22.1 That By-law no. 608 respecting the Management and Regulation of Water Works, be and is hereby repealed.

Adopted May 5, 2009.



Mayor

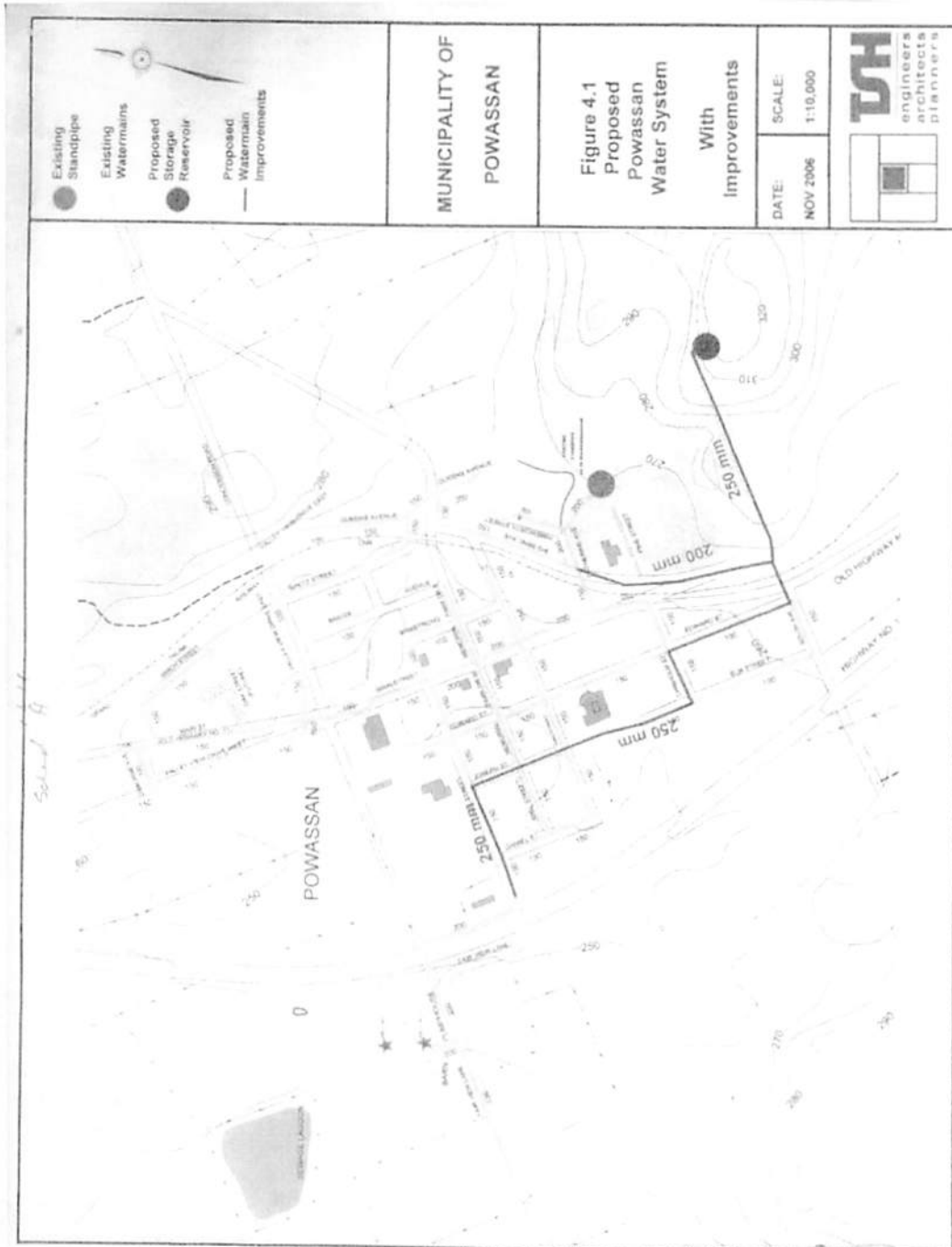


CAO-Clerk

SCHEDULE "A" TO BY-LAW NO. 2009-12

MUNICIPALITY OF POWASSAN

Application for Connection to Water & Sewer System



**SCHEDULE "B" TO BY-LAW NO. 2009-12**

**MUNICIPALITY OF POWASSAN**

**Application for Connection to Water & Sewer System**

NAME:		
MAILING ADDRESS:		
CIVIC ADDRESS:		
TELEPHONE NO.:		
LOT NO.	PLAN/CONC. NO.	ROLL NO.
APPLICATION FEE: \$		RECEIPT NO.:

**Municipal Water/Sewer System:**

Closet Intersection: \_\_\_\_\_

Purpose: New Home

Existing Home

New Lot Creation

**Municipal Services:**

WATER

SEWER

RESIDENTIAL

COMMERCIAL

I, the undersigned, hereby make application to the Municipality of Powassan for the provision of the above-noted municipal services to be supplied at the address and the premises described above and agree to pay for such municipal services as bills are rendered.

I hereby also covenant and agree that neither I nor my executors, administrators, successors or assigns will make any claim or demand whatsoever against the Corporation of the Municipality of Powassan by reason of damage from any flooding occasioned by any overcharging of the said water and sewer or private drain connection. It is also expressly agreed that I will not permit roof water, weeping tile drain water or any stormwater of any nature to be carried into the sanitary sewer in accordance with Municipality of Powassan By-laws.

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPROVAL OF APPLICATION  
Public Works Superintendent

**SCHEDULE "C" TO BY-LAW NO. 2009-12**

**MUNICIPALITY OF POWASSAN  
Offences and Penalties**

<b>Offences</b>	<b>By-law Section</b>	<b>Fine/Penalty</b>
connection prior to a permit being issued.	<b>4.7</b>	<b>300.00</b>
Failing to ensure that all connections to buildings containing commercial and industrial uses include a "grease trap.	<b>7.1</b>	<b>300.00</b>
Failure to ensure that grease traps are maintained and inspected on an annual basis, and/or submit written documentation concerning such maintenance and inspection, satisfactory to the Municipality.	<b>7.2</b>	<b>300.00</b>
Connection of sump pumps, down spouts or any other drainage works, that collects storm water or groundwater, to the sanitary sewer work systems.	<b>10.1</b>	<b>300.00</b>
Discharge of any storm water including surface water, ground water, rain run off, foundation drain or other sub-surface drainage including any unpolluted cooling water or unpolluted industrial/commercial process water into sewage works systems.	<b>10.2</b>	<b>300.00</b>
Failure to disconnect and/or cease use of existing septic systems upon the connection of buildings thereon to the Sewage Works.	<b>11.1</b>	<b>300.00</b>
Failure to decommission the well or to install a back flow preventer with expansion tank on the municipal water supply service and testing and maintaining such device until such time as pump removal has occurred	<b>12.1</b>	<b>300.00</b>
Discharging or permitting to be discharged into the sewage works any industrial/commercial waste.	<b>13.1 (a)</b>	<b>500.00</b>
Discharging or permitting to be discharged into the sewage works any hauled domestic sewage.	<b>13.1(b)</b>	<b>500.00</b>
Discharging or permitting to be discharged into the sewage works any cooling water, storm water or uncontaminated water	<b>13.1(c)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing a health or safety hazard to a sewage works person authorized to operate, maintain, repair or otherwise works on sewage works;	<b>13.3 (a)</b>	<b>500.00</b>

Discharging of substance into the sewage works causing a breach of the Ontario Water Resources Act or the Environmental Protection Act as amended from time to time, or any regulation made there under from time to time;	<b>13.3 (b)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing biosolids from a sewage works to which either sewage discharge, directly or indirectly, fail to meet the objective and criteria as set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes in/on Agricultural Land" dated March 1996, as amended from time to time;	<b>13.3 (c)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing an obstruction or restriction to the flow of the sanitary sewer;	<b>13.3 (d)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing an offensive odor to emanate from the sanitary sewer or sewage works;	<b>13.3 (e)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing damage to the sanitary sewer works infrastructure;	<b>13.3 (f)</b>	<b>500.00</b>
Discharging of substance into the sewage works causing interference with the operation or maintenance at a sewage works.	<b>13.3 (g)</b>	<b>500.00</b>
Person, other than municipal employee opening or causing to be opened a fire hydrant forming part of a municipal water works system.	<b>15.1</b>	<b>500.00</b>
Willfully or negligently breaking, damaging, destroying, defacing or tampering with any structure, appurtenance or equipment which is part of a water works or sewer works system.	<b>16.1</b>	<b>500.00</b>

**NOTE:**

1. The owner/offender shall be responsible for all associated costs with the clean up of any convicted offense.
2. Upon second conviction of an offence the penalty / fine(s) shall double.

BEING a By-law Respecting the Management and Regulation of Water Works.

WHEREAS it is deemed expedient to make provision for the management of the water works system to prescribe rules and regulations for laying house services, and to establish a tariff of water rates,

THEREFORE the Council of the Corporation of the Town of Powassan enacts as follows:

WATER WORKS DEPARTMENT

1. General Direction - The water works system of the Town of Powassan shall be under the general direction and control of the Town Engineer, or of such other official as may be appointed for the purpose.
2. All water service pipes shall be constructed and laid down from the street mains to the outer line of the street by the said Town, which shall be solely responsible for keeping the same in repair, and the owners of the properties to which the same may extend shall pay to the Town the cost of constructing and laying down such service pipes from the street line to the inner face of the outer wall of the building supplied, and such cost shall be a charge on said premises, and shall be payable on demand by the town, and if not so paid, shall be collected in the same manner as water rents or rates.
3. Charge of Properties - The Town Engineer, or such other official as may be appointed for the purpose, shall have charge of all the various properties and works required for the supply of the Town and its inhabitants with water, and of the inspection and rating of all buildings and premises supplied with water. He shall also keep records of applications and full description of all works constructed.
4. Books and Accounts - The collection of the revenue derived from the works, the payment of all disbursements connected therewith, the supervision of all books and accounts, books of record and all books of the officials in charge of the same, shall be under the immediate control and direction of the Town Clerk-Treasurer, and all accounts shall be certified by the Engineer or other official appointed for the purpose.
5. Construction - The laying of water mains and services, setting of hydrants, valves, etc., and all construction work, shall be made under the supervision of the Engineer or other official appointed for the purpose.
6. Connection - No person except the Corporation shall make or tap any connection whatsoever with any of the public or private pipes or mains in the streets or the lanes, in the houses or in private grounds.
7. Interfering with Hydrants, Meters, etc. - No person or persons except the Engineer or other official appointed for the purpose, or those acting with his permission or under the direction of Council, or members of the fire department in the event of fire, shall open, close or interfere with any hydrant, gate or valve connected with the water works. No person shall in any way interfere with any curb stop, pipe or other waterworks appliance outside of his own premises, nor shall he in any way interfere with any meter, whether inside or outside of his premises.
8. Fouling Water - No person shall place or deposit any injurious, noisome or offensive matter along either shore of the creek, or within 275 meters of the shore line, or in the creek, or on the ice if the creek be frozen, at any point within 275 meters above the water works intake or into or in the sedimentation basins or vicinity thereof.
9. (a) Cess Pools - No person shall maintain or construct a cess pool, privy pit or privy vault within 275 meters of the source of the Town's water supply.  
(b) Bathing - No person shall bathe or wash clothing or bedding or discharge sewage, or in any other way foul the water supply within the limits specified in section (a) above.

10. Inspection - The Town Engineer, or other official appointed for the purpose, and persons duly authorized by him, may enter the premises of any water taker at any reasonable time to examine the pipes, the meters, and to ascertain the quantity of water used, and the manner of its use; and in case of fraudulent representations on the part of the water taker, or unnecessary waste of water, all previous payments on account of water rates will be forfeited and the supply cut off.

11. Constables - The Town Engineer or other official appointed for the purpose, the Sanitary Inspector, The Chief of Police and other members of the Police Force or any person especially appointed by the Town Council for the purpose shall be ex-officio possessed of all the power of Constables, as provided for by Statute or By-laws.

12. Annual Report - The Town Engineer, or other official appointed for the purpose shall, as soon as is practicable after December 31st of each year, present to the Town Council a report upon the condition of the water works accompanied by such other statements and suggestions as he may deem necessary. The Town Clerk-Treasurer shall also submit a report giving the revenue and expenses of the water works department for the year end as soon as is practicable after December 31st of each year.

### APPLICATION

13. Applications - Any person desiring a water supply from the water works system shall apply to the Engineer or other official appointed for the purpose and request that the water shall be introduced into lands, premises, or buildings of the applicant. The owner or his authorized agents shall sign the application prescribed by the Corporation for that purpose and all expenses incurred shall be borne by the applicant and shall be paid in advance. This application shall describe the premises to be supplied, shall enumerate the plumbing fixtures, and shall give all necessary data for estimating the water rates to be charged.

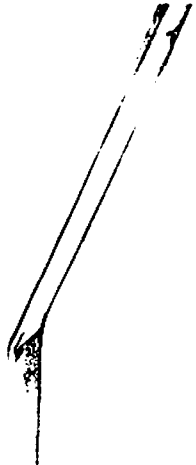
14. Plumber, Agent or Owner - The plumber employed and designated by the owner of the premises in his application will be considered as the agent of said owner while employed in the prosecution of the work introducing the water into the said premises, and will not be recognized as in any sense the agent of the Corporation.

15. The cost of each water connection shall include a fee as referred to in Schedule "D" to be paid by the owner, for each single connection, for laying out and supervising the work, and making the necessary measurements and records of the completed work. If two or more buildings or multiple dwelling units are connected with the water main by one connection, a fee will be charged for each building or unit.

16. Permission to connect premises with the water system and the construction of the house water connection will be granted only between May first and November 1st during any year, except by permission of the Council at its discretion.

17. Double Service - Permission will not be granted to supply two or more buildings fronting on the same street from a single tap, unless the service shall be divided on the street line, and a separate service extended therefrom, controlled by a separate curb stop for each service. In case only one of several buildings occupies the frontage of a single town lot, and the others are located in the rear of the said front building, then permission may be granted to supply all of the buildings from one service, the conditions to be as may be prescribed by the Corporation.

18. Separate Services - In case a double house or other building fronting on any street is to be supplied with water, a separate service to each from the street line and controlled by a separate curb stop will be required, where the water rates are charged and collected on the basis of the general quarterly scheduled rates for each consumer. If the said double house or building be owned by one person, it may be supplied by a single service, in which case the rates for the whole supply shall be paid by the owner. In case of non-payment the water may be shut off, notwithstanding one or more of the parties may have paid their proportion to such owner or to any other party.



19. Main Stop - The main stop shall be of heavy brass, properly threaded, with cock for cutting off water at the main. The Engineer or other official appointed for the purpose will determine the size of the tap to be inserted in the water main under any application and permit and also the position in the street in which any service pipe is to be laid. The standard tap shall not be less than three quarters of an inch in diameter.

20. Standard Service - The service pipes from the street main to the street line shall be a minimum of three quarter inch copper with proper fittings, all to be approved of by the Engineer or other official appointed for the purpose.

21. Curb Stop - The Corporation will place on each service pipe a brass curb stop between gutter and the street line for the purpose of turning on water supply and shutting it off.

22. Curb Boxes - Over the curb stop there shall be placed by the Corporation a metallic curb box of approved pattern, the top of the cover of the box to be placed at the grade of sidewalk or the street, or such grade as the Engineer or other official appointed for the purpose may direct.

23. Private Property - All expense in connection with laying the service pipe from the main line into any premises and introducing the water shall be borne by the owner, except the setting of water meters. Where vacant space or wall intervenes between the street line and the basement or cellar of a building, the Corporation may, with the consent of the owner, lay the service pipe across such space, and charge the cost thereof to the owner of the premises, or the owner may himself lay the service pipes, provided the same be done to the satisfaction of the Engineer or other official appointed for the purpose and the connection shall be made by the Corporation at the expense of the owner.

24. Materials - All materials used by the owner in the construction of his service pipe shall be approved in all particulars by the Corporation.

25. Depth of Services - Persons receiving a permit for the introduction of a water service into the premises and the plumber executing the work will be required to cause the said service to be placed not less than one hundred and fifty centimeters below the surface of the earth at any point between the street line and the inside of the foundation wall of the building into which the water service is introduced.

26. Stop and Waste - Every service pipe shall be provided by the owner or occupant with a brass cut off or "stop and waste cock" of a pattern to be approved of by the Engineer or other official appointed for the purpose, placed immediately inside of the outer wall of the premises supplied, for the use of the owner or occupant of the premises in case of leaky or defective pipes or fixtures, or when premises are vacated.

27. Branch Services - No branch service shall be taken from the part of the service pipe between the curb stop and the stop and waste cock, but all such branches shall be taken from within the premises, beyond the stop and waste, and beyond the meter.

28. Approved Taps - The owners of buildings and premises shall use taps and pipes, fittings and plumbing fixtures that are approved of by the Engineer or other official appointed for the purpose.

29. Defective Taps - If the owner fails to keep his taps, pipes fittings and plumbing fixtures in proper repair, to the satisfaction of the Engineer or other official appointed for that purpose, the Engineer or other official appointed for the purpose may at his discretion place a meter upon such service pipe, and the owner thereafter shall pay meter rates.

30. Protection from Frost - Each owner shall keep his service pipe, meter, stop and waste cock, and other fixtures on his premises, and between such premises and the street line, including the connection of that part of the service supplied by the Corporation in good order and repair and protected from frost at his own risk and expense.



31. Vacating - Whenever any building or premises supplied with water is vacated, the stop cock on the inside of the wall of the building shall be turned off by the party leaving, who shall also give proper written notice to the Engineer or other official appointed for the purpose of his intention to vacate, or by the owner. In case said service pipe and fixtures are not so protected, the Corporation or Engineer or other official appointed for the purpose may cut off supply of water therefrom without notice, and collect the expense incurred from the owner as referred to in Schedule "D" and such amount shall be collected with the first bill of supply of water that shall become due against the said building or premises.

#### METERS

32. Meters Owned by the Corporation - All meters shall be owned by and installed at the expense of the Corporation, and the owners of the premises shall be charged a rental charge at the rates referred to in Schedule "B", saving and excepting those meters owned and installed by other government agencies.

33. Meters May Be Set - The Corporation may, upon the recommendation of the Engineer or other official appointed for the purpose, place a water meter on any service, and, whenever they see fit, compel the use of water meters by any consumer or consumers, and any such consumer shall be responsible for paying for the water used at the meter rates prescribed.

34. Protection of Meters - Every owner, tenant, or occupant shall give every facility for the introduction of water meters, and shall protect them from frost and damage, when placed upon his premises by the said Corporation, and shall at all times, at his own cost, provide ready and easy means of access to said meters so that they may be frequently examined and read by the Engineer or other official appointed for the purpose or other authorized agent of the Corporation, and shall at all times properly and efficiently protect the service pipes and fixtures upon his own premises, leading to or connected with said meter, from frost or other injury, so that said meter shall not be injured thereby.

#### TURNING ON AND SHUTTING OFF WATER

35. Turning on - Water will be turned on to premises only after the plumber has completed the work to the satisfaction of the Engineer or other official appointed for the purpose by the Corporation, and a fee shall be charged as referred to in Schedule "D".

36. Proper Officer to Turn Off Water - No person shall turn water off to any premises, except the Engineer or other official appointed for the purpose, or person authorized by him, and a fee as referred to in Schedule "D" shall be collected from the owner. Whenever water has been turned off by the Corporation or Engineer or other official appointed for the purpose for non-payment of rates, or for purposes of repair or construction, or for any other necessary or proper reason, no person shall turn it on again who is not duly authorized to do so by the Engineer or other official appointed for the purpose.

37. Extension and Repairs - In case of making repairs to the street mains or in constructing new work, or in connecting new work, or in connecting or repairing service pipes, the Corporation shall have the right to shut off the water from any consumer, without notice, and keep it shut off as long as may be necessary.

38. Leaky Fixtures - The Corporation or Engineer or other official appointed for the purpose may have the water shut off the premises of any owner or consumer infringing any of the rules and regulations or amendments thereto, made by the Corporation, and in case where the water has been shut off for allowing waste or leaks or defects in pipes or cocks, the water will not be turned on again until the necessary repairs have been properly made to the satisfaction of the Engineer or other official appointed for the purpose, and payment of the fee referred to in Schedule "D" for turning on the water.

39. Boilers - In all cases where hot water boilers are supplied with water from the water works, the owner or consumer shall provide and attach suitable safety valve, vacuum valve, reducing valve, or other proper device to prevent danger from collapse or explosion when the water is shut off from the street or fire pressure applied to the mains.

40. Damages - The Corporation or its employees shall not be liable for any damages resulting from suddenly shutting off the supply of water from any premises, building, boiler, or from a manufactory deriving its supply from the water works either with or without notice but it is the intention of the Council, where practicable, that reasonable notice of such shutting off be given to consumers.

41. Vacating Premises - Any owner or consumer intending to vacate any premises that have been supplied with water from the water works system or who is desirous of discontinuing the use thereof, shall give notice of the same at the water works office, or the rates thereon will be charged until such notice is given or the water turned off, but no rebate will be made for any fractional part of a month in which any such notice is given.

42. Discontinuance - In case of any owner or consumer wishing to discontinue the use of any fixture or attachment, he shall give notice thereof at the Engineer's office or other official appointed for the purpose, and before the rate payable can be remitted, such fixture or attachment shall be completely cut off and detached from the water supply to the satisfaction of the Engineer or other official appointed for the purpose, and no person shall re-attach the same without giving notice at the Engineer's office or other official appointed for the purpose and no rebate in the water rate for any such discontinuance shall be allowed for any fractional part of the quarter in which such fixtures or attachments may be cut off.

43. Refusal to Pay Meter Rates - If any owner or consumer refuses or neglects to pay meter rates within the time specified for the water used as registered by the water meter, it shall and may be lawful for the said Corporation or Engineer or other official appointed for the purpose, to cause the supply to be cut off, and when such supply is cut off, the water shall not again be turned on except on payment of all arrears and the further fee as referred to in Schedule "D".

44. Limiting Consumption - The Corporation shall have the right to limit the amount of water furnished to any consumer, should circumstances seem to warrant such action, although no limit may be stated in the application or permit for such use; or the Engineer or other official appointed for the purpose may entirely shut off the use for a manufacturing purpose, or any use for supplying power at any time by giving reasonable notice to the consumer of such intended action.

45. Sprinkling - The Corporation reserves the right to discontinue the furnishing of water for fountains or by jets, hose, or sprinklers, or to further limit the hours for using the same whenever in the discretion of the Council the public interests may require.

#### TARIFF AND PAYMENT

46. Schedule Rates - The charges shall be made in accordance with the provisions of the authorized tariff contained in this by-law, and any amendments thereof, or additions thereto. The by-laws, rules and regulations may at any time be replaced, altered and amended. In the case of rented premises, the owner shall be responsible for payment of the water rates.

#### QUARTERLY PAYMENTS

47. The general rates and charges set out in Schedule "A" hereto appended are hereby imposed and levied for water supplied, or ready to be supplied, from the town water works system, and all such rates and charges shall be billed in advance at the office of the Clerk-Treasurer, in four equal quarterly instalments on the first day of January, April, July and October in each year, provided, however, new applicants shall pay only for water to be supplied a proportionate part of said rates for the part of the quarter from the time the water is supplied to the end of the term. Accounts shall be due and payable on the last day of January, April, July and October in each year.

METER RATES

48. The charge to consumers who take water by meter measureme shall be as specified in Schedules "B" and "C" hereto appended. Such rates shall be billed quarterly on the first day of the quarter next succeeding the quarter during which the water has been supplied, name on the first days of April, July, October and January in each year. Accounts shall be due and payable on the last day of April, July, October and January in each year.

49. If the meter of a consumer taking water under Schedule "B" and "C" meter rates be damaged or fail to register during the quarter. then the premises shall be assessed for the identical consumption billed for the same period in the previous year. If the meter has no been installed for the period of one full year, the premises shall be assessed for the average consumption of the period the meter had been installed.

ADVANCE PAYMENTS

50. Consumers taking water under Schedule "A" may pay their rates for six or twelve months in advance.

MULTIPLE DWELLING UNITS

51. Each separate multiple dwelling unit taking water under Schedule "A" shall be charged the schedule rates for water, as if each were a separate premises.

FOR PRIVATE USE ONLY

52. No person being an occupant, tenant or inmate of any house building or other place supplied with water from the water works shall lend, sell or dispose of the water thereof, or give away, or permit the same to be taken or carried away, or use or apply it to the use or benefit of others, or to any other than his own use or benefit, or she increase the supply of water beyond that agreed with the Corporation, or wrongfully neglect or improperly waste the water.

NON-PAYMENT

53. Schedule Rates - In case of non-payment of water rates or charges by any owner or consumer after the last day of the quarter in which they were billed, a penalty shall be added of 5% of the amount then owing, and fifteen days after that date, the said Corporation or Engineer or other official appointed for the purpose may cause the supply of water to be cut off from any lands, premises, house, store, office, building or part of building upon which the said water rates shall be due; and when such supply is so cut off, the water shall not again be turned on except upon payment of all arrears due, and the further fee as referred to in Schedule "D" for shutting off and turning on of the water. The amount in arrears may be collected by action in any court of competent jurisdiction, or by distress or otherwise as provided by statute, or in like manner as property taxes.

54. Meter Rates - In case of non-payment of water meter rates by any owner or consumer after the due date, a penalty shall be added of 5% of the amount then owing, and fifteen days after the expiration of the day upon which the same have become due and payable, the said Corporation or Engineer or other official appointed for the purpose may cause the supply of water to be cut off from any lands, premises, house, store, office, building or part of building upon which the said water rates shall be due; and when such supply is so cut off, the water shall not again be turned on except upon payment of all arrears due, and the further fee as referred to in Schedule "D" for shutting off and turning on of the water. The amount in arrears may be collected by action in any court of competent jurisdiction, or by distress or otherwise as provided by statute, or in like manner as property taxes.

EFFECTIVE DATE

55. This By-law shall be in force and be effective from the date of the passing thereof.

PENALTY

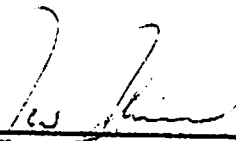
56. Any person violating any of the provisions of this by-law shall be liable on conviction to a fine of not more than \$1,000.00 and costs, and in case of non-payment of the fine and costs, the same may be levied by distress and sale of the goods and chattels of the offender, and in case of non-payment of the fine, and there being no distress found out of which the same can be levied, such offender shall be liable to be imprisoned in the District Jail of the District of Parry Sound in the Province of Ontario for any period not exceeding six months.

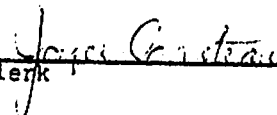
RESCINDED

57. By-law No. 326 is hereby rescinded.

Read a first and second time this 9th day of June, 1981, on motion of R. P. Brushey, seconded by B. Cox.

Read a third time and finally passed this 9th day of June, 1981 on motion of R. Morley, seconded by M. A. Purdon.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

ANNUAL TARIFF OF WATER RATES

SCHEDULE "A"

Commercial Establishments and Non-Residential Units, which are not required to be metered, on the same basis as residential dwellings below - basic charge for six rooms, additional charge for additional rooms, offices, etc., plus additional charge for taps.

The minimum rates for water supplied to commercial and non-residential units shall be \$45.33 annually.

Dwelling Units - six rooms and under (one cold tap and one hot tap included)

\$19.00

- each additional room (rooms to be included - kitchen, dining room, living room, family room, bedrooms)

5.33

One bathtub or shower

8.00

Each additional  
One wash basin

2.67

Each additional  
One toilet

10.33

Each additional  
One urinal

4.00

Each additional  
One laundry tub

8.00

Each additional  
One automatic or spin washer

8.00

Each additional  
One automatic dishwasher, including portables

8.00

Each additional  
One basement tap (other than laundry facility above)

8.00

Each additional  
One outside tap

8.00

One boiler for hot water or steam heating

10.33

Each additional  
One jet fountain

8.00

Each additional nozzle  
Stand pipes for fire protection only, with one nozzle

8.00

Commercial Ice Cube Makers

8.00

The minimum rates for water supplied to residential dwelling units shall be \$53.33 annually.

METERS - RENTAL CHARGES

SCHEDULE "B"

Fixed Annual Rates Payable Quarterly

For each 1/2 inch meter

\$12.00

For each 1 inch meter

14.00

SCHEDULE "C"

BY-LAW NO. 608

METER RATES FOR WATER CONSUMED

For each 100 cubic feet of water, if the quantity does supplied does not exceed 2,000 cubic feet, per quarter or	51¢
For each 1,000 gallons of water, if the quantity supplied does not exceed 12,500 gallons, per quarter	82¢
For each additional 100 cubic feet or	44¢
For each Additional 1,000 gallons	70¢

The same minimum rates to apply to metered premises as to premises paying scheduled rates.

SCHEDULE "D"

RATES FOR OTHER CHARGES

For shutting off of water	\$10.00
For turning on of water	\$10.00
For laying out and supervising the work and making necessary measurements and records.	
for single connection	\$25.00
for multiple units - for first connection	25.00
- for each additional	10.00
For making connection, if connection only done by Town. (plus materials, if any)	\$10.00

*25¢ per 100 cu ft  
82¢ per 1,000 gal  
44¢ per 100 cu ft  
70¢ per 1,000 gal*