

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2006-07

Being a By-Law to Establish Procedures regarding internal and external connection to the Municipality of Powassan's water system and establish water use restrictions

WHEREAS Section 9 of the Municipal Act, 2001 enables municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

WHEREAS Section 11(1) of the Municipal Act 2001 enables a municipality to pass by-laws respecting public utilities, being a matter within the spheres of jurisdiction; and

WHEREAS the Council of the Corporation of the Municipality of Powassan deems it necessary and expedient to establish rules regarding internal and external connections of water to the Municipal water system and establish water use restrictions.

NOW THEREFORE be it resolved that the Council of the Corporation of the Municipality of Powassan enacts as follows:

1. Definitions

- 1.1 "Consumer" shall mean the applicant for water service, and includes the owner or occupant of the Premises served.
- 1.2 "Corporation" shall mean the Corporation of the Municipality of Powassan.
- 1.3 "Council" shall mean the Council of the Corporation of the Municipality of Powassan.
- 1.4 "Designate" shall mean the person designated, in writing, to have the authority to act under this By-law in the absence of the Public Works Superintendent.
- 1.5 "Inspector" shall mean the Public Works Superintendent and/or the Chief Building Official or designate.
- 1.6 Public Works Superintendent shall mean the person appointed by the Corporation to perform the duties of the Public Works Superintendent.
- 1.7 "Premises" shall mean the whole of a property including all buildings and structures thereon that is registered in the Land Titles Office as a separate parcel and for this purpose each "Multiple dwelling unit apartment building" is deemed a single premises.

2. General

- 2.1 This by-law governs and regulates the operation of every water system owned or operated by the municipality.

- 2.2 All connections to the Municipal water system shall comply with this by-law and the Ontario Building Code.
- 2.3 The Public Works Superintendent and/or Chief Building Official or designate(s) is hereby authorized by the Municipality for the purposes outlined to have free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premise to which any public utility is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any service pipe or connection within or without the building as he or she considers expedient and for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it or any pipe, wire, rod, connection or tap, and may alter or disconnect any service pipe.
- 2.4 Any consumer wishing to discontinue the use of water supplied from the municipal water system shall give written notice thereof at the Municipal Office or the water rates or charges shall be continued until such notice is given or until the water is shut off.
- 2.5 Whenever water has been turned off for non-payment of the water charges or for purposes of repair or construction or any other purpose, no person will be permitted to turn it on again who is not duly authorized by the Municipality.
- 2.6 The Public Works Superintendent or designate may, from time to time, establish standards pertaining to connections and installation procedures, which shall apply from the time of issuance.

3. Water Connections

- 3.1 The municipal water system shall not be connected to any water system that is also supplied from a well or any other source of water. Where two water systems exist in one dwelling/establishment a backflow prevention valve and testing tap shall be installed between the two systems.
- 3.2 The municipal water system shall not be connected to any device in such a manner that foreign materials, non-potable water, chemicals and/or disinfectants may enter the municipal system.
- 3.3 No persons shall turn off or turn on a water service except an authorized employee of the Municipality. If the Municipality is requested to turn the water off or on a service charge is to be paid and the owner of the premises must be present.
- 3.4 No person except the employees of the Municipality or other agency acting on behalf of the Municipality shall open or close any valve, hydrant or gate in the street mains, or interfere with the same in any manner.
- 3.5 With the exception of Municipal Fire Fighters and operating authority no person shall remove water from any fire hydrant in the Municipality.
- 3.6 In all cases where hot water boilers are supplied with water from the municipal water system, the owner 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 main.

4. All Connections

- 4.1 Private service connections installed to the premises shall, at all times, be maintained in good repair and without limiting the generality of the foregoing, be fully protected from frost and other damage by the elements, all of which said maintenance and protection shall be carried out at the expense of the consumer.
- 4.2 Any repair or maintenance to a private service connection requiring excavation shall not be backfilled until said repair or maintenance is inspected and approved to the satisfaction of the Public Works Superintendent or designate.
- 4.3 No service pipe installed from the main to the premises shall be used for any purpose other than to supply the premises.

5. Water Restrictions and Delegation

- 5.1 The Council authorizes the Public Works Superintendent or designate the power to restrict or prohibit the consumption of water.
- 5.2 The Public Works Superintendent or designate may, by public notice restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary.
- 5.3 No person shall use water supplied by the Municipal water system except in accordance with any such published water restrictions.
- 5.4 Any consumer who, after written warning, fails to comply with water restrictions, shall be subject to having the water supply shut off, and such supply shall not be turned on until arrangements satisfactory to the Municipality have been made to ensure that the restrictions are complied with.

6. Inspection and Testing

- 6.1 Industrial/Commercial/Institutional properties shall be subject to bi-annual inspections performed by the Chief Building Official or other municipal designate.
- 6.2 Inspection will include testing the tap between the backflow prevention valve and the municipal water system.
- 6.3 Re-inspection shall be performed upon the issuance of a renovation building permit for Industrial/Commercial/Institutional properties.
- 6.4 Inspection Reports shall be kept as permanent files in the municipal roll filing system.

7. Offences

7.1 Where an Inspector is satisfied that a contravention of this By-law has occurred, the Inspector may make an Order requiring the person who contravened the By-law or who caused or permitted the contravention of the By-law to take corrective measures within a set period of time.

7.1.1 When an Order is issued by an Inspector during the period of May 1st and October 31st, of each and every year the owner shall have a thirty (30) day period to meet compliance.

7.1.2 When an Order is issued by an Inspector during the period of November 1st and April 30th of each and every year the owner shall have until May 31st to meet compliance. The owner must provide evidence of corrective measures taken to eliminate cross connection prior to the May 31st compliance date.

7.2 An Order issued under this section may be served personally or served by sending it by mail to the last known address of the owner.

7.2 Every person who contravenes any of the provision of this By-law is guilty of an offence and upon conviction, is liable to a fine or punishment pursuant to the Provincial Offences Act.

7.4 Every person who contravenes any provision of section 7.1 is guilty of an offense and upon conviction is liable for every month or part thereof upon which such offence of occurs or continues to a fine on not more than \$500.00.

8. Enactment

8.1 This by-law shall come into force and take effect on the date of passing.

READ A FIRST time, and considered read a SECOND and THIRD time and passed as such in open Council this 7th day of March 2006.

Mayor

Clerk