

# THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

## BY-LAW NO. 2021-55

*Being a By-law of the Corporation of the Township of North Dundas to control the use of fire hydrants.*

**WHEREAS** Section 5, Subsection (1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that the powers of a municipal corporation are to be exercised by its council;

**AND WHEREAS** Section 5, Subsection (3) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that the powers of every council are to be exercised by by-law;

**AND WHEREAS** Section 436, Subsection (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the power to pass By-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

**AND WHEREAS** Sections 435, 437 and 438 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, set out additional powers and restrictions in regard to the power of entry;

**AND WHEREAS** the Township has deemed it necessary to regulate the use of fire hydrants.

**NOW THEREFORE** the Council of the Corporation of the Township of North Dundas enacts as follows:

### 1.0 SHORT TITLE

1.1 That this By-law shall be known as the "Fire Hydrant Use By-law".

### 2.0 DEFINITION

2.1 "Council" means the Council of the Corporation of the Township of North Dundas.

2.2 "Fire Hydrant" means a discharge pipe with a valve and spout at which water may be drawn from a water main (as for fighting fires)

2.3 "Officer" means a Municipal Law Enforcement Officer appointed by the Township under Section 15 of the Police Services Act, R.S.O. 1990, cP.15

2.4 "Township" means the Corporation of the Township of North Dundas

### 3.0 GENERAL PROHIBITIONS

3.1 No person shall open or otherwise interfere with or operate or take water from any fire hydrant, regardless of whether the fire hydrant is on public or private property.

### 4.0 DUTIES

4.1 Where a customer requires a temporary water supply, such customer shall apply to the Township and Ontario Clean Water Agency for a connection to the Winchester Reservoir and pay water use fees. The Township may authorize, in writing, for a connection to a fire hydrant in exceptional situations, where the following shall apply:

4.1.1 Any use of a Township fire hydrant for water supply must be approved by the Director of Public Works;

- 4.1.2 All fire hydrant connections shall be made in such a way as to prevent back-flow into the hydrant;
- 4.1.3 All fire hydrant connections shall be inspected by a person approved by the Director of Public Works; and,
- 4.1.4 If the connection is approved by the Director of Public Works and an agreement signed, the costumer shall pay, prior to connection or when billed the applicable charge.

## **5.0 EXEMPTIONS**

- 5.1 Subsection 3.1 of the By-law shall not apply to a person authorized by the Director of Public Works.
- 5.2 Subsections 3.1 and 4.1 of the By-law shall not apply to a person using the fire hydrant water for fire fighting.

## **6.0 LOCATIONS**

- 6.1 Fire hydrants on Township roads.
- 6.2 Schedule "A" lists existing authorized fire hydrants on private property for fire fighting purposes only.
- 6.3 Any new private location shall be approved by the Council.

## **7.0 OFFENCE**

- 7.1 Any person who contravenes any provisions of this By-law is guilty of an offence and, upon conviction, is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.
- 7.2 Where a person is convicted of an offence under this By-law, the Ontario Court of Justice or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 7.3 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law, and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

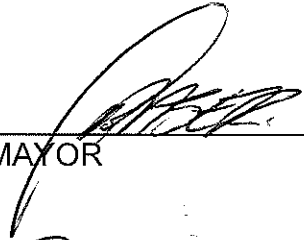
## **8.0 ENFORCEMENT**

- 8.1 An Officer may at any reasonable time, enter onto land for carrying out an inspection to determine whether or not the By-law is being complied with.
- 8.2 No person shall hinder, obstruct, or attempt to hinder or obstruct, an Officer in the exercise of a power or the performance of a duty.

## **9.0 EFFECTIVE**

- 9.1 This By-law shall come into full force and effect upon the date of its passing by Council.

READ and passed in Open Council, signed and sealed this 17<sup>th</sup> day of August, 2021.



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MAYOR



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CLERK

**Schedule "A"**  
**Fire Hydrant Use By-law No. 2021-55**

The following are authorized fire hydrants on private property for fire fighting purposes only:

1. 490 Gordon Street, Winchester (Lactalis Sewage Plant)
2. 550 Louise Street S, Winchester (Winchester Hospital)
3. 691 St. Lawrence Street, Winchester (Advanced Drainage Systems)
4. 533 Clarence Street, Winchester (Dundas Manor)
5. 171 Chesterville Main Street, Chesterville (IDP Group – formerly Nestle Chesterville)
6. 510 Beach Street, Winchester (Beachcroft Apartments)
7. 530 Fred Street, Winchester (Community Care Building)