

# THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

## BY-LAW NO. 19-2013

### *VILLAGES OF CHESTERVILLE AND WINCHESTER WATERWORKS SYSTEM* *Being a By-law to enact rules and regulations respecting the Villages of Chesterville and Winchester Municipal Waterworks System.*

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In these rules and regulations, unless the context otherwise requires, the expression:  
“**Council**” means the council of the Corporation of the Township of North Dundas.

“**Township**” means The Corporation of the Township of North Dundas.

“**Customer**” means each person, firm or corporation who or which contracts to be supplied with water and/or sewer services at a specific location or locations.

“**Domestic Service**” means the type of service supplied to the owner or his authorized agent or to the occupant for residential purpose including, without limitations, a duplex, apartment house, rooming house, apartment and flat.

“**Commercial Service**” means any services other than a domestic service as herein defined.

1. Under this By-law, it is mandatory for all property owners that are connected to the municipal water service to participate in the water meter replacement and upgrade program
2. This By-Law shall apply wherever municipal operated water service is available from the North Dundas Drinking Water System.
3. The management of the water works system shall be the responsibility of the Council and shall be carried out by such persons or representatives as it may from time to time designate.
4. **Application:** Any prospective customer desiring a water supply from the Township must first make written application at the Township Office on standard forms and no water service shall be given until the application form has been signed by the owner of the premises to be supplied and payment of the prescribed fee has been received.
5. **Deposit:** Each prospective customer for service shall, upon request, deposit with the Township a sum equal to the estimated charges for such service for a period of three months. This deposit shall be held by the Township as collateral security for the payment of its bills, but is not to be considered as a payment on account thereof. When such customer ceases to use the service and discharges all his liability to the Township in respect to such service, the deposit shall be returned to him with interest thereon at the rate set annually by Council, not compounded.
6. **Water to be supplied only by meter:** Except when water is used for construction purposes from a hydrant, under the supervision of the Township, and except as in these rules and regulations otherwise provided, all services other than those used exclusively for fire protection shall be metered. The Township shall determine the size and type of meter to be installed in each case. All meters shall be the property of the Township.
7. **Cost of Meter:** A 5/8” water meter will be supplied at no charge to the customer for each new water connection. For customers requiring a larger meter, the meter will be purchased by the Township and the cost of the meter billed to the property owner.

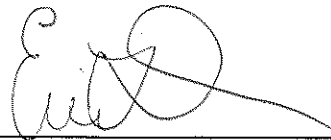
8. **Installation and removal of meters:** Meters shall be installed and removed only by the representatives of the Township, and no other person shall install, alter, change or remove a meter without the written permission of the Township. All connections for such meters shall be installed to the satisfaction of the Township.
9. **Meter reader:** Each meter reader shall be provided with an official identification, which he shall exhibit on request.
10. **Meter reading:** In the event that the reading on the water remote differs from the reading on the water meter, the water meter will be assumed to be the true and correct reading.
11. **Access to customer's premises:** The township may appoint an inspector from time to time to enter in and upon all parts of every building or property to which the municipality supplies water, for the purpose of determining whether water supplied by the municipality is being used for a purpose prohibited by this by-law and for the purpose of inspecting any water pipes or fittings or appliances, or for inspecting meters. All inspections shall occur between the hour of 8a.m. and 9 p.m. upon 48 hours notice to the owner or occupant of the building or premises.
12. **Location of meters:** Each customer shall provide a place, which is suitable for the meter, and such location shall be approved by the Township. It should be in the building served at or near the point of entry of the service pipe in a place where it can be easily read and where it will not be exposed to freezing temperatures. Where the premises of a customer are of such a nature that a meter cannot be properly installed in a building or if the building is not sufficiently frost-proof as to guarantee the safety of the meter, the Township may order the construction of a suitable frost-proof box in which the meter can be installed. Service to such premise may be refused or suspended until such frost-free box approved by the township, is installed.
13. **Damage to water meters:** Each customer shall be responsible for the water meter and remote installed on his service and shall protect it. He shall be liable for any damage to the meter or remote resulting from carelessness, hot water or steam, or the action of frost, disconnection or cutting of wires, or from any other cause not the fault of the Township or its employees or representatives. The cost to the Township occasioned by such damage to the meter or remote shall be paid by the customer. If after the rendering of a bill by the Township to the customer for such cost, the same is not paid within thirty days from the date rendered, the supply of water to the customer concerned may be suspended until all such costs are paid.
14.
  - (1) **Meter Testing:** A meter may be removed and tested upon request. If it is found to register correctly or not in excess of three per cent in favour of the Township, the expense of removing, shipping and testing of the meter will be paid by the person requesting such test.
  - (2) If a meter, when tested, is found to register in excess of three per cent in favour of the Township, a refund will be made to the customer of an amount equal to such excess percentage of the water rates paid for the three months prior to the testing of said meter. Provided, however, that no reduction shall be made which will reduce the water rates for the three months prior to the testing of such meter below the minimum water rates fixed by Council.
15. **Water Service Charges:** Every water service shall be metered and the cost shall be borne by the customer as previously set forth herein and water supplied shall be charged for at the rate per cubic meter based on the consumption period, the time factor and the size of meter used for each individual service as set annually by by-law.
16. **Sewer Service Charges:** Sewer charges shall be in addition to the water service charge, and such charge shall be set annually by by-law.

17. **Fire Protection Service:** All customers having or requesting additional service for the purpose of fire protection shall pay to the Township a rate set annually by by-law for each such service.
18. **Private Fire Protection:** Fire protection lines within buildings shall be so installed that all pipes will be open and readily accessible for inspection at any time, and no connection for any purpose other than fire protection shall be made thereto. Unless approved by the Township in writing, no fire protection line shall be connected in any way to a metered service.
19.
  - (a) **Payment of Accounts:** Accounts shall be charged out and appear on the quarterly water and sewer bill for each residential and commercial user. The charge shall be due and payable in accordance with the water and sewer bill and shall be subject to a 1.25% monthly penalty for nonpayment by due date.
  - (b) **Adjustment of Accounts:** If the seal of a meter is broken or if a meter does not register correctly or if a meter is bypassed the account for that service shall be estimated in accordance with the best data available.
20. **Suspension of Service for Non-Payment of Accounts:** The Township shall have the right to suspend service to customers whose account remains unpaid for more than forty days after the date rendered. Service shall not be reconnected until such time as all unpaid balances and additional charges are paid in full.
21. **Plumbing to be Satisfactory:** All plumbing, pipes and fittings, fixtures, and other devices for conveying, distributing, controlling, or utilizing water, which are used by a customer and are not the property of the Township, shall be installed in accordance with the National Building Code of Canada. The water shall not be turned on (except for construction or testing purposes) until the applicant for service has satisfied the Township that these requirements have been met. The supply of water may be discontinued to any customer at any time, if, in the opinion of the Township, the plumbing, pipes, fittings, fixtures, or other devices as hereinbefore mentioned, fail to comply with the above requirements, or if any part of the water system of such customer or the meter is in any way unsuitable, dirty or unsanitary. Service shall not be reestablished until such condition is corrected to the satisfaction of the Township.
22. **Prohibited Appliances**
  - (a) No person shall use water supplied by the municipal waterworks as a source of heat or cold in any heat pump, air conditioning or similar system but nothing prohibits the use of water from the municipal waterworks as a conductor of heat or cold in closed heating or cooling systems.
  - (b) In the event of conviction of an offence under this section the Township may upon 24 hours notice to the person convicted terminate the water supply to the building or property upon which the offence was committed and same shall not be restored until the Inspector certifies that the contravention no longer continues.
23. **Cross Connections Prohibited:** Connection of any customer's installation served by the Township to any other source of water supply is prohibited. Failure to comply with this regulation shall entitle the Township to suspend the service.
24. **Dangerous Connections:** No Connection shall be permitted to any installation, equipment or source in such a manner as may allow any contamination to pass from such installation, equipment or source into the Township water supply system. If any such connection exists the Township may discontinue the supply of water to such customer.

25. **Improper use or Waste of Water:** No customer shall permit the improper use or waste of water nor shall he sell or give water to any person except upon such conditions and for such purpose as may be approved in writing by the township. **It is the customer's responsibility to ensure that they do not have leaks or faulty plumbing that wastes water. All water passing through a meter will be charged to the customer whether it is used or wasted.**
26. **Service Pipes:** Upon receipt of an application for water and/or sewer service to any premises located on any portion of a street through which a main water or sewer pipe is laid and which premises are not already provided with water and sewer service, the Township shall **consider if sufficient capacity exists to allow the additional service.** If so, the Township shall approve the size of service pipe or pipes to be installed. No water pipe smaller than ¾" in diameter shall be laid for any service. The cost of supplying and laying water and/or sewer pipes and fittings between the main water and/or sewer pipes and the premises shall be paid by the customer. This work is to be carried out by a contractor approved by the Township and supervised by the Township or their representative.  
All water and sewer pipes and fittings, which are installed on Township property, shall be deemed part of the Township water and sewer system and only people appointed or authorized by the Township to do so, may under take repairs or alterations to same.  
The installing of water and sewer pipes from the street line to the premises shall be the responsibility of the customer and ownership of such lines shall be retained by the customer.  
Should any person make application for more than one service to his premise the decision as to the necessity of the additional service shall be made by the Township, and if the additional service is installed the total cost thereof from the main to the customer's premises shall be paid by such applicant.  
All services must be installed in accordance with these rules and regulations and to the satisfaction of the Township.  
When a service has been installed without objection from the customer as to the location of the same, no subsequent removal of or alteration to the position of the pipe shall be made except at the expense of the customer requesting such removal or alteration.  
New subdivisions, commercial and industrial properties shall be required to submit plans (building location and driveways, roadways and parking areas) to ensure that shut-off valves and hydrants are located in "free areas"
27. **Repairs to Services:** If a leak or other trouble occurs in a service pipe it shall be repaired as soon as possible. If the leak or trouble occurs between the main and the street line it shall be repaired by the Township at its expense. If the leak or trouble occurs elsewhere on the service it shall be repaired by the customer at his expense. The Township may make such repairs for any customer provided the customer agrees to pay the cost of same. When required, each customer desiring the Township to do such work shall deposit with the Township a sum equal to the estimated cost of the work.  
If a leak occurs on the customer's portion of his service pipe and after being notified of same refuses or unduly delays to have repairs made, the Township may discontinue the supply of water to such service pipe if in its opinion such action is necessary in order to prevent wastage of water. The Township shall notify the customer affected of its intention to discontinue such supply.
28. **Unauthorized Extensions, Additions, or Connections:** No person shall without the written consent of the Township make or cause to be made any connections to any pipe or main or any part of the water system or in any way obtain or use water therefrom in any manner other than as set out in these rules and regulations.
29. **Season for Laying Pipes:** The Township shall not be required to lay any pipe at any season of the year or at any time which in its opinion is not suitable.


30. **Liability of Township:** The Township shall be deemed not to warrant, covenant or guarantee the purity of any water supplied or an uninterrupted supply or a sufficient or uniform pressure and shall not be liable for any damage or injury caused or done by reason of any deficiency in the purity of the water or the interruption of supply, variation of pressure or on account of the turning off or turning on of the water for any cause.
31. **Suspending Service for Violation:** The rules and regulations stated in this By-Law shall be considered a part of the contract with any person, firm or corporation that uses water or sewer services supplied by the Township and every such user shall be considered to have consented to be bound thereby and whenever in the opinion of the Township violation of any of these rules and regulations is existing or has occurred, the Township may cause the water service to be suspended from the premises where such violation has occurred or is existing and may keep the same so suspended until satisfied that the cause for such action has been removed.
32. **Interference with Township Property:** No Person, unless authorized by the Township in writing, shall draw water from, open, close, cut, break, or in any way damage or interfere with any fire hydrant, water main, water pipe, or any thing that is the property of the Township or obstruct the free access to any hydrant, water main, water pipe, or any property of the Township or obstruct the free access to any hydrant, stop cock, meter, remote, or building which is used in connection with the water works system.  
Provided however, that nothing in this paragraph contained shall be deemed to prevent an officer or member of the Fire Department engaged in the work of such department, from using any hydrant or other source of water supply of the Township for such purpose.
33. **Discontinuance of Service:** All customers wishing to have their water service temporarily discontinued may do so by requesting same in writing and by paying a fee as set annually by by-law. The same fee is to be paid when the customer requests that their service be re-instated. The minimum water billing rate will still apply to the account. The same are to be applicable where the Township deems it necessary to suspend service for violation of its water and sewer By-Laws.
34. Any person knowingly in contravention of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$500.00 or may be imprisoned without the option of a fine for a term of not more than one month.  
  
The Provincial Offences Act, *R.S.O. 1990, P33* as amended, applies to prosecutions under this by-law.
35. All former by-laws or resolutions contrary to and inconsistent with any part of this Bylaw No. 19-2013 are hereby repealed

READ FOR A FIRST AND SECOND TIME THIS 23rd DAY OF April, 2013



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Eric Duncan, MAYOR



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Jo-Anne McCaslin, CLERK

READ A THIRD AND FINAL TIME AND PASSED ON THIS 14th DAY OF May, 2013.



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Eric Duncan, MAYOR



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Jo-Anne McCaslin, CLERK