

The Corporation of the Township of Guelph/Eramosa

By-law Number 21/2000

A BY-LAW TO REGULATE THE SUPPLY, DISTRIBUTION AND USE OF WATER WITHIN THE TOWNSHIP OF GUELPH/ERAMOSIA

*(and to repeal Township of Guelph By-laws 14/82, 11/83, 13/94, 18/96, 28/95
and Township of Eramosa By-law 35-98)*

WHEREAS the Public Utilities Act, R.S.O. 1990, ch. P.52, authorizes the Corporation of the Township of Guelph/Eramosa to establish waterworks and to supply and distribute water to the inhabitants of the Township of Guelph/Eramosa and to pass by-laws for regulating the time and extent and nature of the supplies of water, the building or persons to which and to whom the water shall be furnished, the price to be paid therefor, and every other matter and thing related to or connected therewith that it may be necessary or proper to regulate in order to secure to the inhabitants of the municipality a continued and abundant supply of pure and wholesome water;

AND WHEREAS it is deemed desirable to pass a by-law to establish regulations for the distribution, supply and use of water in the Township of Guelph/Eramosa;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows:

INTERPRETATION

1. In this By-law,
 - (1) "Township" means The Corporation of the Township of Guelph/Eramosa;
 - (2) "Supervisor" means the Supervisor of Public Works for the Township, or his duly authorized representative;
 - (3) "Treasurer" means the Treasurer for the Township or his duly authorized representative;
 - (4) "Person" means an individual, firm, corporation, association or partnership;
 - (5) "Waterworks System" means the Waterworks system of the Township;
 - (6) "Building Inspector" means the Building Inspector for the Township, or his duly authorized representative;
 - (7) "Water Service Area" means an area of the Township which has been established as a Water Service Area by By-law of the Township.

PART I

ADMINISTRATION

2. (1) The Waterworks System of the Township shall be administered under the authority of the Council of the Township jointly with the Supervisor and the Treasurer.
- (2) The Supervisor shall be responsible for the installation, operation and maintenance of the entire physical Waterworks System including the water mains, water services, water hydrants, water meters, and all appurtenances thereto.
- (3) The Treasurer shall administer all matters relating to the billing, collecting of water accounts, and the reading of water meters.

PART II

CONTRACT FOR THE SUPPLY OF WATER

3. (1) Every person in the Township who is supplied water by the Waterworks System shall be deemed to have entered into a contract with the said Waterworks System and shall be liable for the payment of all charges and shall be subject to all the regulations set out in this By-law.
- (2) Where any person contravenes the regulations set out in this By-law, the Township shall have the right to cut off the water supply to such person without notice, and the water shall not be turned on again until the said regulations are complied with and a charge of THIRTY-FIVE (\$35.00) DOLLARS is paid.
- (3) A special service charge of seventy (\$70.00) DOLLARS shall be made in each case where water is turned on any Saturday or Sunday or on any Statutory or Civic Holiday or when water is turned on after the hour of 5:00 o'clock in the afternoon of each day and before the hour of 9:00 o'clock in the forenoon of the following day.

PART III

APPLICATION FOR SUPPLY OF WATER

4. Any person in the Township who desires a supply of water from the Waterworks System shall make application to the Building Inspector on forms supplied by the Township, and the application shall be accompanied by such plans as may be required, and shall state the several and various uses for which the water is required. Such application must be signed by the owner of the premises, or his duly authorized agent.
5. The applicant shall prepay to the Treasurer the charges for water supply and installation of the water service pipe and fittings from the water main to the street line. Where the applicant for a water service requests the Supervisor to leave sufficient extra service pipe coiled at the street line to reach from the street line to the building, the Supervisor may at his discretion, provide such extra service pipe at cost to the applicant, including taxes, together with an administrative charge of fifteen (15%) per cent.

6. If (a) the property for which a supply of water is requested lies within one of the Water Service Areas of the Township; (b) the application has been approved by the Supervisor and the necessary work on private property is completed to the satisfaction of the Supervisor in compliance with the regulations set out in this By-law and all other Township By-laws; and (c) all necessary fees have been paid, the water will be turned on to the premises.

PART IV

GENERAL CONDITIONS AND RESTRICTIONS

7. In this Part,
- (1) “Water Service Pipes” means those portions of the water system supplying any premises and lying below the surface of the ground and between the Township water main and the street line.
 - (2) “Private Water Service Pipes” means the pipes and fixtures below the surface of the ground and through the walls of any premises and between the street line and the premises.
 - (3) In no case shall any private water supply system be connected to the Township’s water supply system.
 - (4) Every owner of a large boiler or of premises where water supply is essential shall install holding tanks to retain an ample supply of water to provide for situations where the Township deems it necessary to shut off the water supply.
 - (5) Where the Township of Guelph/Eramosa deems it necessary, the Township of Guelph/Eramosa may shut off water supply in an emergency, or impose water restrictions to safeguard the supply of water, and in any such case, the Township shall not be held liable for any damages incurred as a result, provided that the Township has made a reasonable effort to notify affected users.
 - (6)
 - (1) Every owner of any premises upon which is situated an industrial, commercial or institutional building which is supplied with water from the Township’s water supply system shall ensure that under no condition shall there be any backflow of unpotable or contaminated water into the potable drinking water lines on said premises or into the Township’s water supply system. Where air gaps are not possible in the connecting of the potable water supply onto contaminated systems, backflow preventers designed to the degree of contamination shall be installed.
 - (2) Backflow preventers shall be installed, tested and maintained by qualified persons only.
 - (3) An employee or authorised agent of the Township may enter any premises at any reasonable time to request a test of the functionality of the backflow preventer.
 - (4) Every owner shall ensure that backflow preventers are checked annually to ensure their reliability, and the results of such inspections shall be forwarded forthwith to the Township’s Waterworks Department.

7. When so requested in an emergency situation by the Township Supervisor or his or her representative, every water consumer shall limit or discontinue the use of water as requested
8.
 - (1) No person shall allow the once through use of water for the purpose of cooling, with the exception of makeup water for recirculation systems and boiler blowdowns. Bypasses will be permitted for emergency uses.
 - (2) No person shall use or allow the use of water for manufacturing purposes unless the amount and application have first been approved by the Township Engineer.
8. The Supervisor shall determine the position in the street where the water service pipe connection is to be made.
9.
 - (1) In no case shall the internal diameter of a water service be less than three-quarters (3/4") of an inch where a meter is installed to service a residence or building.
 - (2) Any person who requests a service larger than that which exists to his or her premises may be supplied with a larger service, subject to payment of the cost thereof, and provided that such larger service will not adversely affect the water supply and distribution system.
 - (3) Every connection in such premises shall be detached from the existing service and attached to the new service forthwith. Where this is not possible, alternate arrangements for the water supply shall be made with the Township's Waterworks Department prior to any change in the existing connection.
10.
 - (1) The work of all kinds connected with the water service pipes between the street line and any other water main shall be done only by the Supervisor or his agent.
 - (2) The cost of maintaining the water service pipe within the street allowance shall be borne by the Waterworks System.
11.
 - (1) The owner of the property into which the water is introduced shall maintain in good order and repair at his own expense the private water service pipe and its fixtures and appurtenances.
 - (2) In case the said service pipes and fixtures are not kept in good order and repair, the Supervisor may cut off the supply of water therefrom, without notice, and collect the expenses incurred against the premises with the first bill for supply of water that shall thereafter become due with respect to such premises.
 - (3) No person supplied from such private water service pipes shall have any claim against the Township by reason of a shutting off of the water, for any purposes whatsoever.
12. All water service pipes shall be laid with due regard to danger from freezing, and shall be at least five (5') feet below finished grade.

13. (1) The Waterworks System shall not supply two (2) or more buildings fronting on the same street, from a single service.
 - (2) Where one building occupies the frontage of a property and other buildings are located in the rear of the front building, the Supervisor may permit the supply of all of the said buildings from one water service pipe, provided that all buildings belong to one owner and are located on one property.
 - (3) In no event shall a single service be supplied to two (2) or more properties, and where by reason of conveyance, foreclosure, or any other alienation of land, two (2) or more parcels requiring service are created from one parcel, a single service shall be replaced by such additional services as will provide a single service to each of the parcels, at the owners' expense.
14. Where water is supplied to more than one residence through a single meter, the owner of the premises is liable for the payment of the water supply account, and in case of non-payment the water may be shut off notwithstanding one or more of the parties have paid their proportion of the cost of such water to the said owner.
 15. While making repairs and constructing new work in connection with the Waterworks System, the Supervisor may shut off the water from any consumer without notice and may keep it shut off as long as may be necessary.
 16. The Supervisor or any person duly authorized by him for the purpose of inspecting any premises which are supplied with water by the Waterworks System, shall have free access at all reasonable times, and upon reasonable notice given, and requests made, to all parts of every building or other premises to which the water is supplied, for the purpose of inspecting or repairing or of altering or disconnecting any service pipe within or without the building or for placing meters upon any service pipe or connection within or without the building as he may deem expedient, and for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it or of any connection or tap and may alter or disconnect any service pipe.

PART V

DISCONTINUANCE OF USE OF WATER

17. Any consumer wishing to discontinue the use of water supplied by the Waterworks System shall give notice to the Treasurer on forms supplied by the Township; otherwise the water rates shall continue to accrue until such notice is given or the water is turned off.
18. Whenever water has been turned off for non-payment of the water rates, or for purposes of repair or construction, or for any other necessary or proper purpose, no person will be permitted to turn it on again who is not duly authorized to do so by the Supervisor.

PART VI

WATER FOR BUILDING PURPOSES

19. Builders may use water for building purposes, when it is not available through a metered private water service pipe located on the same lot, provided that application is made for the use of building water, and the special rates for building water, as determined by the Supervisor from time to time, are paid for each building prior to the issuance of a Building Permit.
20. Upon request of the Supervisor the permit to use water for building purposes must be produced for inspection, and any person refusing to comply with this request or wasting the water shall be subject to the regulations and penalties provided for by this By-law.

PART VII

VALVES, HYDRANTS AND MAINS

21. No person or persons except the Supervisor or anyone acting under his direction or authority shall open or close any valve, hydrant or gate in the street mains or molest or interfere with the same in any manner, except in case of a hydrant, which may be opened by a member of the Fire Department of the Township of Guelph/Eramosa.
22. Notwithstanding the provisions contained in Section 21 hereof, any person wishing to draw water from a Township hydrant must make application therefor to the Supervisor and obtain a hydrant permit. To obtain a hydrant permit a FIVE HUNDRED (\$500.00) DOLLAR deposit is required. On completion of the hydrant usage, the cost of any repair which may be necessary to return the hydrant to its condition prior to usage, and the cost of the estimated quantity of water used, as well as the cost of any inspections required at SEVENTY-FIVE (\$75.00) DOLLARS per inspection, will be subtracted from the deposit, and the balance of the deposit refunded. If the said costs exceed the deposit, the person making the deposit shall pay the additional amount owed forthwith.

PART VIII

WATER FOR FIRE EXTINCTION

23.
 - (1) All equipment installed solely for the automatic extinction of fires in buildings shall be permitted to be attached to the water mains, provided that the water used for extinction of fires and equipment is entirely disconnected from pipes used for any other purposes.
 - (2) All such equipment must be provided with a suitable valve outside the building in the street under the exclusive control of the Waterworks System.
 - (3) In the case of the standpipes, a valve or valves must be placed at each hose opening, which valve(s) shall be sealed by the Supervisor.
 - (4) In case such seals shall be broken for the extinction of any fire, the person breaking the seal shall immediately thereafter, as soon as practical, give notice to the Supervisor and the valve shall again be sealed by him.

24. No person shall break the seal as described in Section 23 hereof or take water from the fire equipment or standpipe connection for any other purpose than fire extinction.

PART IX

METERS

25. All private water service pipes shall be metered, and the minimum sum charges for such metered rate shall be fixed from time to time by Council of the Township.
26. (1) All domestic services shall be furnished and installed with a meter complete with an external read-out at the expense of the owner. A water meter charge in the amount specified under Schedule "H" shall be paid upon issuance of a building permit. The meter shall be installed by the owner and inspected by the Chief Building Official. The water meter and read out is the property of the Township.
- (2) During the construction of, or alteration to, a building requiring the issuance of a building permit, the owner and the contractor shall ensure that a two conductor wire is installed to facilitate the installation of a meter with a remote read-out. This wire shall extend from the point where the water meter is to be installed inside the building to a point on the inside or outside of the building where the electric meter is to be installed. In cases where the distance does not exceed 30 metres (100 feet), the wire will be composed of a two conductor 22 gauge solid copper and sheathed wire. If the distance exceeds 30 meters, the wire size will be increased to 18 gauge solid copper and sheathed wire. These conductors shall be capable of carrying a voltage of approximately 6 to 8 volts. The wire shall be installed in such a fashion so as to leave a loose loop of approximately one third of a metre in length at the point of exit to allow for reconnection in case of breakage.
- (3) The size and location of the meter and read-out to be installed in any water service shall be determined by the Supervisor.
- (4) All meters shall be maintained and repaired at the expense of the Waterworks System, provided that where any meter is damaged owing to the carelessness or neglect of the owner, lessee, tenant or occupant of the premises, the cost of such repair shall be paid to the Township by the owner, on demand, and in case payment is not made the water supply, after due notice, may be shut off from the premises and not turned on again until all charges for the repair of the meter have been paid.
27. (1) Water meters shall be placed where they are easily accessible at all times to employees of Waterworks System for reading and examination.
- (2) No person, save and except an employee of the Waterworks System or agent duly authorized by the Supervisor, shall disconnect or take apart any meter or branch or in any manner disturb the seal or any other part of the meter.

28. If a meter gets out of order and fails to register, the owner shall be charged at the average consumption as shown by the meter when in order.
29. All water passing through the meter will be charged for whether used or wasted.
30. Any owner of premises may require the removal and testing of the water meter installed therein upon payment to the Treasurer of the amount hereinafter prescribed in Schedule "D" hereto.
31. Where any meter is tested and found to register more than three (3) per cent greater than the actual amount of water flowing through the meter, the excess amount paid based on the excess percentage shall be refunded by the Township for the three (3) month period preceding the testing. If the meter is found to be accurate within 3 percent, the deposit will be forfeited to the Township. If not, the deposit will be returned and adjustments will be made to the subject account. The deposit shall be as prescribed in Schedule "D".
32. Not more than one (1) meter shall be placed in each building, apartment, house or any other residential premises and the plumbing shall be so arranged that all water used on such premises shall pass through the meter and the owner of the premises shall be liable to the Township for all water charges.
33. On all water service installations, the owner shall supply and install, at his own expense, valves and by-passes as follows, namely:
 - (1) On all water services up to and including three-quarters (3/4") of an inch in inside diameter --- one (1) stop and waste valve on the street side of the water meter;
 - (2) On all water services over three-quarters (3/4") of an inch and up to and including one and one-half (1 1/2") inches in inside diameter --- two (2) valves of the same diameter as the service pipe, one (1) located on either side of the water meter;
 - (3)
 - (a) On all water services in excess of one and one-half (1 1/2") inches in diameter -- a by-pass piping around the meter of the same diameter as the service in which a valve shall be installed, along with the two (2) valves, one (1) on either side of the meter.
 - (b) These valves shall be arranged so as to permit the continuance of water supply during the period the meter is being removed or repaired.
 - (c) The valve in the by-pass shall be sealed and operated only by the employees of the Waterworks System.
 - (d) The design of all valves must be approved by the Supervisor.

PART X

GENERAL CHARGES

34. (1) Water rates for the maintenance, and for the recovery of supply and installation costs of water shall be charged in accordance with the rates set forth in Schedule "A".
- (2) Water rates for the consumption of water supplied shall be in accordance with Schedule "B".
- (3) Water rates for the maintenance of connections to a sprinkler system or fire service shall be in accordance with the rates set forth in Schedule "C".
- (4) Water rates for the maintenance of connections to a hydrant, provision of water for building purposes and for the removal and testing of meters shall be in accordance with Schedule "D".
- (5) Owners having sanitary sewers connected to the Township of Guelph/Eramosa Sanitary Sewer System shall pay a surcharge on their water consumption as set forth in Schedule "E".
- (6) In cases where a meter cannot or is not read for the normal billing period, an average will be charged for the billing period.
- (7) Owners having sanitary sewers connected to the City of Guelph Sanitary Sewer System shall pay a surcharge on their water consumption as set forth in Schedule "E".
- (8) Until a municipally-owned water meter is installed in an existing building, the water service rate shall be charged as a flat service rate of \$144.00 per year against each user in respect of such lands which are used for purposes other than commercial, industrial or multi-family units, and a water service rate of \$.70 per cubic meter used against each user in respect of such lands which are used for commercial, industrial or multi-family units, which will be metered.
- (9) On all overdue accounts, the charge for late payment shall be 2% per month of the original amount billed.
- (10) The fee for cheques which are returned to the Township of Guelph/Eramosa dishonoured and/or marked "N.S.F." shall be TWENTY-FIVE (\$25.00) DOLLARS.
- (11) Change of occupancy charge shall be TWENTY-FIVE (\$25.00) DOLLARS.

PART XI

CUSTOMERS' DEPOSITS

35. Applicants for the supply of water to any premises, buildings or parts of buildings within the Township shall pay in cash to the Treasurer upon such application and before the water supply is turned on, a deposit as set forth in Schedule "F".

PART XII

PENALTIES

36. Except where otherwise hereinbefore provided, a penalty of two (2%) per cent per month on the amount of each account, including service charge, shall be charged where payment of the account in full is not made on or before the last day of the month after the issue of the account.

PART XIII

CHARGES FOR WATER SERVICE CONNECTION

37. Charges for water service connections shall be in accordance with the charges set forth in Schedule "F" to this By-law, based upon the diameter of the water service supplied and shall be payable in full to the Treasurer before the connection is made.
38. Where a smaller domestic service is constructed off a larger fire service, the rates payable shall be the sum of the cost of the larger fire service plus seventy-five (75%) per cent of the cost of the smaller domestic service, as set out in Schedule "G", provided that the smaller service comes off the larger service within fifteen (15') feet of the Township's street line.

PART XIV

GENERAL

39. Any person convicted of a breach of any of the provisions in this By-Law shall forfeit and pay at the discretion of the Convicting Judge a penalty not exceeding (exclusive of costs) the sum of FIVE THOUSAND (\$5,000.00) DOLLARS for each offence.
40. The Township specifically adopts as part of this By-law the prohibitions and penalties set out in Section 13 of the Public Utilities Act, R.S.O. 1990, ch. P.52 as amended.
41. Pursuant to the provisions of the Municipal Act, R.S.O. 1990, ch. M-45, as amended all rates charged and chargeable under this By-law are liens and charges upon the lands of the owner and can be collected as municipal taxes.

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42. Township of Guelph By-law Nos. 14/82, 11/83, 13/94, 18/96, 28/95 and Township of Eramosa By-law No. 35-98 are hereby repealed.

READ A FIRST AND SECOND TIME this **15th** day of **May, 2000**.

David Adsett, Mayor

Janice Sheppard, Clerk

READ A THIRD TIME AND PASSED this **15th** day of **May, 2000**.

David Adsett, Mayor

Janice Sheppard, Clerk

Schedule "A" to By-law Number 21/2000

MONTHLY MAINTENANCE RATES

<u>Meter Size</u>	<u>Rate</u>
5/8"	\$ 3.00
3/4"	4.00
1"	7.00
1-1/2"	10.00
2"	15.00
3"	20.00
4"	40.00
6"	95.00
8"	120.00

Schedule "B" to By-law Number 21/2000

Operation and Maintenance Rate	\$0.70 per cubic metre
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Schedule "C" to By-law Number 21/2000

<u>SPRINKLER SYSTEMS AND FIRE SERVICES</u>	<u>ANNUAL RATE</u>
One and one-half (1 1/2") inch Main	\$26.64
Two (2") inch Main	\$33.30
Two and one-half (2 1/2") inch Main	\$38.85
Three (3") inch Main	\$44.40
Four (4") inch Main	\$55.50
Six (6") inch Main	\$83.25
Eight (8") inch Main	\$111.00
Ten (10") inch Main	\$138.75
<u>Maximum</u> Charge for Each Building	\$138.75

This Fee is payable in addition to any and all meter rates.

Schedule "D" to By-law Number 21/2000

Fire Hydrants - Rate per each connection	\$75.00 per hydrant
Connection Charge for Building Purposes	\$1.00 per \$1,000.00 of estimated building cost subject to minimum of \$25.00
Charge for removing and checking water meter	\$100.00

Schedule "E" to By-law Number 21/2000

	<u>Rate</u>
Surcharge on water rates for Sanitary Sewer connection to Township of Guelph/Eramosa Sanitary Sewer System	175% of the water rate
Surcharge on water rates for Sanitary Sewer connection to City of Guelph Sanitary Sewer System	175% of the water rate

Schedule "F" to By-law Number 21/2000

DEPOSITS AS REQUIRED by Section 35 of By-law

The Deposit for each premise shall be \$100.00.

Schedule "G" to By-law Number 21/2000

CHARGES FOR WATER SERVICE CONNECTIONS

The rate to be charged shall be the actual cost to the Township of such installation plus an administrative charge of Thirty-five (35%) per cent of the labour costs and Fifteen (15%) per cent of material costs, all of which will be estimated by the Supervisor and a deposit sufficient to cover the estimate paid prior to installation.

Schedule "H" to By-law Number 21/2000

CHARGE FOR WATER METER

The purchase of a water meter and read-out	\$125.00
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