

# Regulation of Water Supply

W-1 - Consolidated March 1, 2001

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**Bill No. 43**

**WATER**

**By-law W-1**

**A by-law to provide for the  
REGULATION OF WATER SUPPLY IN THE  
CITY OF HUMBER BAY**

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WATERWORKS - SCHEDULE OF RATES AND CHARGES**

WHEREAS the *Public Utilities Act, R.S.O. 1990, c. P.52*, as amended provides that the Corporation of a local municipality may acquire, establish, maintain and operate waterworks;

AND WHEREAS the said *Act* in section 28 provides that by-laws may be passed by the council for the maintenance and management of the works;

THEREFORE the Municipal Council of The Corporation of the City of Humber Bay enacts as follows:

**SHORT TITLE  
WATER BY-LAW**

**Part 1  
DEFINITIONS**

1.1 **Definitions**

In this by-law:

**Building - defined**

"building" shall mean a structure supplied with water by the City of Humber Bay.

**Bulk water user - defined**

"bulk water user" shall mean any customer who draws water from a pipe located at the City's Bulk Water Stations.

**City - defined**

"City" shall mean The Corporation of the City of Humber Bay.

**Contractor - defined**

"contractor" shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the City to install or maintain mains, service mains, services, hydrants and other appurtenances.

**Cross Connection - defined**

"cross connection" shall mean any temporary, permanent or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, other material or substance that will change the water quality in the waterworks distribution system and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

**Customer - defined**

"customer" shall mean any person who enters into a verbal or written contract with the City to take water from the City or to receive water related services from the City.

**Developer - defined**

"developer" shall mean the owner or party specifically named in a Development Agreement or in a Subdivision Agreement.

**Engineer - defined**

"engineer" shall mean the City Engineer for the City of Humber Bay or the City Engineer's authorized representative.

**External use of water - defined**

"external use of water" shall mean the use of water for any purpose outside the walls of any building located at a municipal address.

**Main - defined**

"main" shall mean every water pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the City has obtained easements.

**Meter - defined**

"meter" shall mean the water meter supplied and owned by the City to measure the quantity of water used by the customer.

**Meter pit - defined**

"meter pit" shall mean any exterior chamber or pit approved by the engineer for the purpose of containing a water meter.

**Municipal Address - defined**

"municipal address" shall mean a building or buildings identified by a number pursuant to City of

Humber Bay By-Law B-1, as amended, or as provided for in any successor by-law thereto.

**Occupant - defined**

"occupant" shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premises.

**Owner - defined**

"owner" shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

**Plumbing System - defined**

"plumbing system" shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter.

**Potable water - defined**

"potable water" shall mean water that is fit for human consumption.

**Premises - defined**

"premises" shall mean any house, tenement, building, lot, or part of a lot, or both, in, through, or past which water service pipes run.

**Private Main - defined**

"private main" shall mean a pipe connected to a main and installed on private property and from which more than one service and/or hydrant lateral are connected.

**Remote Read-Out Unit - defined**

"remote read-out unit" shall mean the device installed at a separate location from the water meter and used to record the consumption reading of the meter.

**Service Extension - defined**

"service extension" shall mean the portion of a water service pipe from the property line to the meter location, or for a fire service to the inside of the exterior wall of a structure, ie. an extension of a service stub.

**Service Stub - defined**

"service stub" shall mean the portion of a water service pipe from a main to the property line which will always include one control valve.

**Shut-Off Valve - defined**

"shut-off valve" shall mean the valve on the water service or private main owned and used by the City to shut off or turn on the water supply from the City's waterworks distribution system to any premises.

**Single detached residence - defined**

"single detached residence" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.

**Subdivider - defined**

"subdivider" shall mean the owner or party specifically named in a Subdivision Agreement.

**Water - defined**

"water" shall mean potable water supplied by the City.

**Water Distribution System - defined**

"water distribution system" shall mean mains with connections to feeder mains, feeder mains within subdivision lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto.

### **Water Related Services - defined**

"water related services" shall include but not be limited to those items set out under the heading "Miscellaneous Charges" in Schedule "A" of this by-law.

### **Water service pipe - defined**

"water service pipe" shall mean the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or, for a fire service, to the inside of the exterior wall of a structure.

### **Waterworks - defined**

"waterworks" shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of any such works, but does not include plumbing to which the *Building Code Act, 1997, or any amendments thereto apply.*

## **Part 2**

### **APPLICATION FOR WATER SERVICE**

#### **2.1 Application and payment prior to installation**

The owner or their agent shall apply to the City for a water service and before the service is installed, shall pay for it at the rates shown in Schedule "A" of this by-law or on such other basis as the engineer may at any time or from time to time determine.

#### **2.2 Installation - payment required**

The installation of the water service will not be scheduled or commenced in any way until the application and payment have been made.

#### **2.3 Disconnection of service - payment**

When an owner discontinues the use of a water service for water supply to a premises, the owner shall pay to the City a charge as shown in Schedule "A" of this by-law for disconnecting the meter for such service from the water distribution system.

## **Part 3**

### **WATER RATES AND CHARGES**

#### **3.1 Application for water supply**

Before the initial supply of water or any subsequent reconnection to any premises in the City, the owner shall make application for the same, and the owner shall be governed by the requirements of this by-law.

#### **3.2 Water measured by meters**

The water consumed on all premises in the City shall be charged for as indicated by the meter on each respective property at rates shown in Schedule "A" of this by-law.

#### **3.3 Meter reading and billing**

Water meters may be read and accounts be rendered monthly, bi-monthly or on any other basis at the discretion of the City. The bill shall be deemed to be served upon the customer if it is delivered or sent by mail to the premises supplied.

#### **3.4 Late payment charge and overdue notice**

When an account is not paid by the due date stated on the bill, a late payment charge, as shown in Schedule "A" of this by-law, will be assessed to the account and, seven (7) days after that date, an overdue notice will be sent by mail reminding the customer of the outstanding account.

#### **3.5 Notice of disconnection**

Fourteen (14) days after the overdue notice is mailed and, should the account remain unpaid, a notice of disconnection the engineer will deliver or cause to be delivered to the service address, advising the customer that unless payment is received within 48 hours, service will be disconnected.

**3.6 Collection - charge**

When it has been necessary for a notice of disconnection to be delivered as set out in section 3.5 of this Part of this by-law, a collection charge shall be applied to the outstanding account. Where two (2) consecutive billings have resulted in the need for such notice of disconnection to be delivered in as described herein, then a collection charge shall be applied for each occurrence. The rates for collection charges are shown in Schedule "A" of this by-law.

**3.7 Non-payment - water shut off - lien**

If the customer at any premises omits, neglects or refuses to pay any bill rendered, whether for water service pipes, meter, service charge or any other monies to which the City may be entitled in respect of water services to such premises, the City may, at its discretion, shut off or reduce the flow of the water to the premises. Such charges shall remain a lien on the property where they have been incurred by the owner of the property and may be collected in accordance with the procedures permitted by section 31 of the *Public Utilities Act*.

**3.8 Reconnection - charge**

Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge as shown in Schedule "A" of this by-law, will be levied against the delinquent account, in addition to the applicable collection charge.

**3.10 Change of occupancy - charge**

At the time of a change of occupancy, an administrative charge as shown in Schedule "A" of this by-law will be levied by the City to the new customer to cover the cost of administrative work, and the said charge will be included on the first billing to the new customer.

**3.11 Temporary removal & reinstallation of meter - charge**

When the owner requests a temporary removal of the water meter from their premises, for any reason, the meter removal and reinstallation charge, as shown in Schedule "A" of this by-law will be applied to their account.

**3.12 Minimum monthly charge - who payable by**

The minimum monthly charge for providing and maintaining water supply to a property is applicable for every water meter owned and read by the City. In instances when the occupant of a premises terminates his account with the City, subsequent minimum monthly charges shall be rendered to the owner of the premises until such time as a new occupant applies to the City for the supply of water.

**3.13 Service installation charge**

All water service pipes, except those to lands being developed under a City development or subdivision agreement wherein the main is installed, may be installed on an actual cost basis at the owner's expense.

**3.14 Construction water charge**

Water used during the construction phase of a building, prior to occupancy, is not required to be metered. The City will recover the cost of this construction water by applying a construction water charge, according to Schedule "A" of this by-law to the cost of the owner's water service.

**3.15 Temporary water supply - application and charge**

Where a customer requires a temporary water supply, such customer shall apply to the City for a connection to a fire hydrant. If the connection is approved and an agreement signed, the customer shall pay, prior to connection or when billed, the applicable charge shown in Schedule "A" of this by-law.

**3.16 Meter testing charge**

The charge for testing the accuracy of a water meter is as shown in Schedule "A" of this by-law and is explained in section 7.18 of Part 7 of this by-law.

**Part 4**  
**SECURITY DEPOSITS**

**4.1 Deposit is security for payment**

Whenever an application is made to the City for a supply of water, the City may, in its discretion, before furnishing such supply, require the customer to make a deposit of such sum of money as it may consider advisable. Each such deposit shall be security for payment for all water passing through the meter of the service in respect to which such deposit was made until the customer shall have notified the City in writing to discontinue such service.

**4.2 Deposit applied as payment**

Where a deposit has been made pursuant to section 4.1 of this Part of this by-law, and the water supplied to the customer has not been paid for on demand as may be provided by the City's by-laws and regulations, then the deposit, or as much of it as shall be necessary, shall be applied in payment for such water, and the water service shall be discontinued until further monies have been paid to the City sufficient to again bring up the deposit to the amount required.

**Part 5**  
**OPERATION OF WATERWORKS**

**5.1 Conditions on water supply**

The City agrees to use reasonable diligence in providing a regular and uninterrupted supply and quality of water, but does not guarantee a constant service or the maintenance of unvaried pressure or quality or supply of water and is not liable for damages to the customer caused by the breaking of any water service pipe or attachment, or for shutting off of water to repair or to tap mains, if reasonable notice of the intention to shut off the water is given.

**5.2 Authority for Water Supply**

The City in its own right shall have the sole responsibility authority, power and capacity to construct, maintain and operate all waterworks plant and equipment within its boundaries serving the City of Humber Bay, to establish whether and the terms upon which municipalities or persons outside the City of Humber Bay may be allowed to connect to the said waterworks as consumers, and the rates to be charged for water delivered to such consumers; and the City as Administering Municipality, acting on behalf of the Joint Boards of Management for the Lake Huron and Elgin Area Primary Water Supply Systems, shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all waterworks plant and equipment in conjunction with these systems, to establish whether and the terms upon which municipalities or persons outside the City of Humber Bay may be allowed to connect to the said waterworks as consumers, and the rates to be charged for water delivered to such consumers.

**5.3 Unauthorised operation of fire hydrants - offence**

No person other than a person authorized by the engineer for that purpose shall be permitted to open or otherwise interfere with or operate or take water from any fire hydrant.

**5.4 Unauthorized operation or interference - offence**

No person other than a person authorized by the engineer for that purpose shall open or close a valve in the water works distribution system, or remove, tamper with or in any way interfere with any valve, water meter, structure, watermain or water service in the water works distribution system.

**5.5 Use of water from hydrants**

Except for water used for fire fighting, any other use of a City's fire hydrant for water supply must be approved by the engineer. The method of application and payment shall be according to section 3.15 of Part 3 of this by-law. The terms and conditions required for granting the permit shall be at the discretion of the City and may be changed from time to time as the City deems necessary.

**5.6 Improper use of water from fire service - offence**

Any water supplied or made available for any land or building for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose.

## Part 6

### WATER SERVICE PIPES

#### **6.1 Installation - by City - by contractor**

All water service pipes shall be installed by the City or by contractors engaged by the owner for the purposes of such installation, except in new land development projects where agreements with the City require the developer or subdivider to complete such work.

#### **6.2 Installation - to City specifications - Ont. Build. Code requirements**

All water service pipes and private mains located within City property shall be constructed according to the City's *Standard Contract Documents for Municipal Construction Projects* (hereinafter called "standard contract documents") and the *General Requirements and Design Specifications for the Water Distribution System of the City* (hereinafter called "specifications") as approved by the engineer from time to time. All water service pipes and private mains located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the Chief Building Official. Where the Ontario Building Code is silent, the City's specifications shall be applied and shall prevail.

#### **6.3 Connection to main - prior application**

The installation of the water service pipe connection will not be scheduled or commenced in any way until the customer has met the requirements of this by-law.

#### **6.4 Installation - alteration - approval by City**

For any new water service pipe or private main installation, or alteration of existing water service pipes or private mains, the owner must apply for approval from the City for such work as specified in the City's standard contract documents and the City's specifications.

#### **6.5 Installation inspection by City**

All water service pipes and appurtenances installed, including those required by a City Subdivision or Development Agreement, must be inspected by the City as specified in the City's standard contract documents and the City's specifications, the charge for which inspection is as specified in Schedule "A" of this by-law.

#### **6.6 Installation - access for inspection**

The City and persons authorized by the City for inspection shall be, at all times, entitled to enter any premises for the purposes of examining pipes, connections and fixtures which are used in connection with the water service pipe and/or service main.

#### **6.7 Disconnection of service**

The water service pipe must be disconnected at the watermain, the watermain plugged, and the curb box and rod removed at the owner's expense. All work must be inspected by the City of Humber Bay, and the charge for such inspection is as shown in Schedule "A" of this by-law.

#### **6.8 Maintenance of service stub - City**

The water service stub shall be maintained by the City at the City's expense.

#### **6.9 Maintenance of service extension and private main - owner**

Any and all defects to the water service extension, private main and meter pits, shall be repaired by the owner of the property being serviced. Should the City become aware of any such defect, and upon written notification to the owner, the said defect is not repaired, within seven (7) days of the date of the notification or within such time as the engineer may deem necessary, then the City may turn off the water supply to the property. If the City is ordered to restore the water supply, then the City may repair the defective water service pipe and charge the cost to the owner and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The City shall not be held responsible for the cost of restoration.

#### **6.10 Operation of shut-off valve**

No person, other than persons authorized by the engineer for that purpose shall be permitted to operate the shut-off valve to any premises.

#### **6.11 Access to shut-off valves**

All shut-off valves must be left clear and accessible at all times so that the water in the water service

pipe and private mains may be turned off or on as may be found necessary by the engineer.

**6.12 Responsibility for protection, water loss, damage**

All water service extensions to and including the meter shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension and/or private main and the charge for such water loss shall be determined by the engineer, shall be paid by the owner upon demand by the City, and the City shall not be held responsible for any damages arising from such leakage.

**6.13 Responsibility - vacant and unheated premises**

When any premises is left vacant or without heat, it is the owner's responsibility to shut off the water supply from within the premises and to drain the piping therein. The owner or occupant may apply in writing to the City to have the shut-off valve turned off to stop water supply. The valve will be turned on only at the owner's request and in the owner's presence. The owner shall pay for this service at the rate shown in Schedule "A" of this by-law.

**6.14 Responsibility - water damage**

When any premises left vacant, unattended or without heat, where the water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, the owner or the occupant shall have no claim against the City. Should the engineer become aware of such leaking or burst pipes, the engineer shall turn off the shut-off valve, and the water supply shall not be turned on until the engineer, in his/her discretion, shall consider it advisable.

**6.15 Responsibility for frozen pipes - City - owner**

Thawing out frozen water service stubs shall be the City's responsibility. Thawing out frozen service extensions and private mains shall be the owner's responsibility. Where any employee of the City assists the owner in the thawing of frozen pipes on the owner's property, all such assistance work will be considered to be at the owner's risk, and the owner shall have no claim against the City by reason of such work.

**6.16 Responsibility for Hydrant Maintenance**

Any hydrant situated within the road allowance is the property of the City and shall be maintained by it; City-owned hydrants located on private property shall be maintained by the City. Hydrants owned and paid for by any persons other than the City shall be maintained by such persons through a written agreement with the City.

**6.17 Renewal of service - City - owner**

The City shall renew service stubs on public property at its expense and to its specifications when:

- (a) piping is deemed by the engineer to be beyond repair;
- (b) the existing pipe material is lead and supplies a single detached residence provided the owner is prepared to replace the service extension before the City replaces the service stub. Replacement piping shall conform to the specifications of the City. Replacement pipe shall be the same size as existing or the minimum size for the area. If an owner requests a larger size, the owner shall pay the difference in material cost.

**6.18 Access - removal - inspection - fittings**

Where a consumer discontinues the use of the water service, or the City lawfully refuses to continue any longer to supply it, the engineer may, at all reasonable times, enter the premises in or upon which the consumer was supplied with the water service, for the purpose of cutting off the supply of the water service or of making an inspection from time to time to determine whether the water service has been or is being unlawfully used or for the purpose of removing therefrom any fittings, machines, apparatus, meters, pipes or other things being the property of the City in or upon the premises, and may remove the same therefrom, doing no unnecessary damage.

**Part 7  
WATER METERS**

**7.1 Water to be metered - remedy for violation**

All water used on premises within the City of Humber Bay, except water used for fire fighting purposes, or water authorized by the engineer, for construction or other purposes, shall pass through the meter supplied by the City for use upon such premises, and in addition to whatever other remedies the City may have by law in respect to infringement of this by-law, the City may, upon ascertaining that water has been used which has not passed through the meter of such premises, forthwith, without notice, shut off and stop the supply of water.

**7.2 Supply - installation - ownership - replacement**

The owner shall pay the water service charge shown in Schedule "A" of this by-law before the City will supply the owner with a meter and the meter must be installed prior to occupancy of the building. The meter shall remain the exclusive property of the City and may be removed as and when the City may see fit, upon the same being replaced by another meter, or for any reason which the City may, in its discretion, deem sufficient.

**7.3 Installation - maintenance - repair - access**

The City may shut off or restrict the supply of water to a property if the City requires access to the property to install, replace, repair or inspect a water meter. Any person authorized by the City for that purpose has free access, at all reasonable times, and upon notice given as set out in section 7.4 of this by-law, to all parts of every building or other premises to which any water service is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the building, or for placing meters upon any water service pipe or connection within or without the building as he/she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it.

**7.4 Notice required - access**

Before shutting off or restricting the supply of water, the City shall,

- (a) by personal service or by registered mail, serve the owners and occupants of the property as shown on the last returned assessment roll of the municipality with a notice of the date upon which the City intends to shut off or restrict the supply of water if access to the property is not obtained before that date;
- (b) ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

**7.5 No shut off - reasonable effort - gain access**

The City shall not shut off or restrict the supply of water unless it has made reasonable efforts to get access to the property and has been unable to get access within fourteen (14) days after the later of,

- (a) the day the last notice under part (a) of section 7.4 of this by-law was personally served;
- (b) the day the last notice under part (a) of section 7.4 of this by-law was mailed; and
- (c) the day a copy of the notice was attached under part (b) of section 7.4 of this by-law.

**7.6 Restoration of water supply - as soon as practicable**

If the City has shut off or restricted the supply of water under section 7.3 of this by-law, the City shall restore the supply of water as soon as practicable after obtaining access to the property.

**7.7 Charges - meters - owner to pay**

All charges for any of the work and services mentioned in sections 7.3 and 7.6 of this by-law will be determined by the engineer as set out in Schedule "A" of this by-law and will be paid in full by the owner or the customer, as the case may.

**7.8 Every building metered - engineer's discretion**

Every separate building to which water is being supplied shall be furnished with a separate water

meter, supplied by the City except where non-compliance is acceptable to the engineer. Additional water meters, supplied by the City, may only be installed at the discretion of the engineer.

**7.9 Installation to City Specifications**

All water meters, supplied by the City, shall be installed to conform to the specifications of the City.

**7.10 Meter location - engineer to consent to change**

The location of a meter, when once installed to the specifications of the City, shall not be changed by any person except with the consent of the engineer.

**7.11 Private meters - owner responsible**

The City will not supply, install, inspect or read private water meters, nor will the City bill consumption on private water meters. Water supply pipes to private meters must be connected to the owner's plumbing after the City's meter.

**7.12 Reading meter - access**

The City and persons authorized by the City for that purpose shall be allowed access to the premises and be provided free and clear access to the meter where water is being supplied at all reasonable times for the purpose of reading, at the discretion of the City. Where such access to the premises and/or free and clear access to a meter is not provided by the occupant within fourteen (14) days upon written notification by the City, the City may, at its discretion, shut off the supply of water to the premises until such time as free and clear access to the water meter is provided.

**7.13 Valve maintenance - responsibility of owner**

The owner shall supply and install the inlet valve to the water meter where the water meter is larger than 19 mm and the water service is 25 mm diameter or larger. The owner shall be responsible for maintaining in good working order, the inlet valve to the meter if the water meter is larger than 19 mm and the water service is 25 mm diameter or larger and the outlet and by-pass valves for all meters, and shall ensure that such valving is accessible.

**7.14 Leaks must be reported**

Any leaks that may develop at the water meter or its couplings must be reported immediately to the City. The City is not liable for damages caused by such leaks.

**7.15 Interference with meter not permitted**

No person, except a person authorized by the City for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any water meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of water passing through such meter, and should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter placed in any building, the engineer may forthwith, without any notice, shut off the water from such building or premises, and the water shall not be again turned on to such building or premises without the express consent of the engineer.

**7.16 Owner responsible to repair piping**

If, in the opinion of the engineer, the condition of the water service pipe and/or valves and of the plumbing system on such piping is such that the meter cannot be safely removed for the purpose of testing, replacing, repairing or testing in place without fear of damage to the water service pipe and valves, the engineer may require the owner or occupant to make such repairs as may be deemed necessary to facilitate the removal or testing of the meter. If, upon notification, the owner does not comply with the engineer's request, then the water supply to the property may be turned off at the shut-off valve during removal, replacement, repair and testing of the meter and the City shall not be held responsible for any damages to the owner's property arising from such work.

**7.17 Non-functioning meter - amount of water estimated**

If, for any cause, any meter shall be found to not be working properly, then the amount of water to be charged for shall be estimated on the average reading for the previous months, when the meter was working properly, and the charge for the water for the period during which the meter was not working properly shall be based thereon.

**7.18 Meter testing for customer - deposit - conditions**

Any customer may, upon written application to the City, have the water meter at his or her premises tested for accuracy of registration. Every such application shall be accompanied by a deposit of the

fee for testing water meters set out in Schedule "A" of this by-law. If the meter is found to register correctly, slow or not to exceed three per cent (3%) in favour of the City when tested at a flow rate of one gallon (4.54 litres) per minute, the customer's deposit shall be forfeited towards the cost of the test. Any additional expense of removing and testing of the meter will be paid for in full by the customer. If the meter is found, when tested to register in excess of three per cent (3%), a refund will be made to the customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the meter, plus the customer's deposit for the test.

**7.19 Meter reading supersedes remote device reading**

Where the water meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the water meter itself and the reading on the read-out device, the City will consider the reading at the meter to be correct, and will adjust and correct the customer's account accordingly.

**Part 8  
CROSS CONNECTIONS AND BACKFLOW PREVENTION**

**8.1 Protection from Contamination**

No person shall connect, cause to be connected, or allow to remain connected to the waterworks distribution system any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow water, waste water, non-potable water, or any other liquid, chemical or substance to enter the water works distribution system. The means for "protection from contamination" shall be in accordance with the requirements of the *Ontario Building code Act, 1997*, as amended from time to time.

**8.2 Inspection for cross connections - access**

Any person authorized by the City for that purpose has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premises to which any water service pipe is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any water service pipe, wire, rod or cross connection within or without the building.

**8.3 Access to be provided on written notice**

Where access is not provided, a written notice by the City will be issued allowing fourteen (14) days to provide access. If access is not provided within this time frame, the City may, at its discretion, shut off the supply of water to the premises until such time as the access is provided.

**8.4 Order to install control device**

If a condition is found to exist which is contrary to section 8.1 of this by-law, the City shall immediately carry out an inspection and shall issue such order or orders to the customer as may be required to obtain compliance with section 8.1 of this by-law.

**8.5 Failure to install - notice - water shut-off**

If the customer to whom the City has issued an order fails to comply with that order, the engineer, at his/her discretion, may:

- (a) Give notice to the customer to correct the fault, at his/her expense, within a specified time period and, if the notice is not complied with, the engineer may then shut off the water service or services; or
- (b) Without prior notice, shut off the water service or services.

**8.6 Additional device on service**

Notwithstanding sections 8.1, 8.4 and 8.5 of this by-law, where a risk of possible contamination of the water works distribution system exists in the opinion of the engineer or an approved authority, a customer shall, on notice from the City, install on his/her water service pipe a cross connection control device, approved by the City, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.

**8.7 Installation to required standards**

Cross connection control or backflow prevention devices, when required by the City, shall be installed in accordance with the Ontario Building Code and "CAN/CSA-B64.10-94 Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices" as amended

from time to time.

**8.8 Inspection and testing - paid by customer**

All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the City, by personnel approved by the City to carry out such tests to demonstrate that the device is in good working condition. The customer shall submit a report on a form approved by the engineer or any or all tests performed on a cross connection control device within fourteen (14) days of a test, and a record card shall be displayed on or adjacent to the cross connection control device on which the tester shall record the address of the premises, the location, type, manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self employed) or the name of his employer and the tester's licence number.

**8.9 Failure to test device - notification - water shut-off**

If a customer fails to have a cross connection control device tested, the City or approved authority may notify the customer that the cross connection control device must be tested within four (4) days of the customer receiving the notice. If the customer fails to have the device tested within the time allowed, the engineer may shut off the water service or water services until the cross connection control device has been tested and approved as required by section 8.8 of this by-law.

**8.10 Repair - replacement - by customer**

When the results of a test referred to in section 8.8 of this by-law show that a cross connection control device is not in good working condition, the customer shall make repairs or replace the device within four (4) days. If a customer fails to repair or replace the device within the time allowed, the engineer may shut off the water service until such repair or replacement has been made.

**8.11 Removal of device - permission by City**

No person shall without the permission of the City remove any cross connection control or backflow prevention devices installed as a requirement of provincial legislation notwithstanding the fact that the applicable provincial regulation has been rescinded.

**PART 9  
USE OF WATER EXTERNALLY**

**9.1 Regulations - use of water - June, July and August**

For the purpose of limiting the consumption of water as necessary:

- (a) During the months of June, July and August, the external use of water is permitted:
  - (i) on even calendar dates at only those municipal addresses ending with numbers 0, 2, 4, 6, 8;
  - (ii) on odd calendar dates at only those municipal addresses ending with numbers 1, 3, 5, 7, 9.
- (b) The engineer is authorized to implement at any time any other regulation which he, in his discretion, considers advisable to limit the external use of water and this authority includes the right to ban completely the external use of water.
- (c) Notice of the implementation of a water use regulation by the engineer and the effective date thereof shall be given immediately in a manner determined by the engineer.
- (d) Upon the announcement of the implementation of a water use regulation by the engineer, no person shall use water except in accordance with the provisions of such regulation.

**Part 10  
PROHIBITIONS**

**10.1 Prohibitions under this by-law**

No person shall

- (a) wilfully hinder or interrupt, or cause or procure to be hindered or interrupted, the corporation or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law;
- (b) wilfully let off or discharge water so that the water runs waste or useless out of the works;
- (c) being a customer, tenant, occupant or inmate of any house, building or other place supplied with water from the waterworks, improperly waste the water or, without the consent of the City, lend, sell, or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his own or increase the supply of water agreed for;
- (d) without lawful authority wilfully open or close any valve or hydrant, or obstruct the free access to any hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;
- (e) throw or deposit any injurious or offensive matter into the water or waterworks, or upon the ice if the water is frozen, or in any way foul the water or commit any wilful damage or injury to the works, pipes or water, or encourage the same to be done;
- (f) wilfully alter any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered; or
- (g) lay or cause to be laid any pipe or main to connect with any pipe or main of the waterworks, or in any way obtain or use the water without the consent of the corporation
- (h) use water externally during the months of June, July and August in any year except in accordance with the regulations set out in Part 9 of this by-law.

**Part 11  
ENFORCEMENT**

**11.1 Fine - for contravention**

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

**11.2 Continuation - repetition - prohibited - by order**

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

**11.3 Offence - additional - damage to waterworks**

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any water public utility works, or to any waterworks plant, machinery, fitting or appurtenance thereof is liable to the City therefor.

**11.4 Offence - additional - wilful damage**

Every person who wilfully or maliciously damages or causes or knowingly suffers to be damaged any water meter, lamp, lustre, water service pipe, conduit, wire, rod or water fitting belonging to the City or wilfully impairs or knowingly suffers the same to be altered or impaired, so that the water meter indicates less than the actual amount of the water that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the City, and for any expenses of repairing or replacing the water meter, lamp, lustre, water service pipe, conduit, wire, rod or fitting and double the value of the surplus water so consumed, all of which is recoverable under the *Provincial Offences Act*.

**11.5 Offence - additional - injuring waterworks**

Every person who wilfully removes, destroys, damages, fraudulently alters or in any way injures any water service pipe, conduit, wire, rod, pedestal, post, plug, lamp or other apparatus or thing belonging to the City is guilty of an offence and on conviction is liable to a fine, to the use of the City, and is also liable for all damages occasioned thereby, which are recoverable under the *Provincial Offences Act*.

**Part 12  
PREVIOUS BY-LAW REPEALED**

**12.1 Repeal - previous by-law - former PUC**

By-law W87-13(a) of the former Public Utilities Commission of the City of Humber Bay passed on July 19, 1988 is repealed.

**Part 13  
EFFECTIVE DATE**

**13.1 Effective Date**

This by-law comes into force on January 1, 1996.

Passed in Open Council on December 18, 1995.

Dianne Haskett  
Mayor

K. W. Sadler  
City Clerk

First Reading - December 18, 1995  
Second Reading - December 18, 1995  
Third Reading - December 18, 1995

**SCHEDULE "A"**  
**WATERWORKS**  
**2001 SCHEDULE OF RATES AND CHARGES**

**EFFECTIVE DATES:**

**MONTHLY RATES AND CHARGES**

January 1, 2001 for all water used on or after that date with the water used prior to that date billed at existing rates and estimated by proration based on meter reading dates.

**EQUIPMENT RENTALS**

January 1, 2001 for all rentals applicable on or after that date with rentals prior to that date billed at existing rental charges.

**MISCELLANEOUS CHARGES**

January 1, 2001 for all charges incurred on or after that date.

**MONTHLY RATES AND CHARGES**

**2001**

**Residential**

First 600 cu. ft.	2.956 cents/cu.ft.
Next 1,400 cu.ft.	3.117 cents/cu.ft.
All additional cu.ft.	3.274 cents/cu.ft.
Minimum monthly bill	\$5.00

**Commercial and Industrial**

First 100 cu.ft.	10.153 cents/cu.ft.
Next 25,000 cu.ft.	1.733 cents/cu.ft.
All additional cu.ft.	1.417 cents/cu.ft.

**WATERWORKS**  
**2001 SCHEDULE OF RATES AND CHARGES**

**WATER METER RENTALS**

**2001**

- Monthly (Excluding Taxes)

Meter Size

5/8"	No Charge
3/4"	No Charge
1"	\$3.45
1 1/2"	\$6.70
2"	\$9.00
3"	\$22.40
4"	\$33.00
6"	\$55.70
8"	\$86.00

**MISCELLANEOUS CHARGES**

\$12.25

*Change of occupancy*

Note: Change of occupancy charges billed by Hydro Electric Commission and split \$8.80 for electric and \$3.45 for water.

*Non-payment of account*

Late payment charge	Monthly Interest Compounded
NSF cheques	\$8.50 + bank chgs
Collection charges	\$8.80 per trip

*Reconnection*

-during regular hours	\$17.60
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**2001**

*Arrears certificate* \$16.00 per property

Note: Arrears certificate charges for non-payment and arrears are billed by Hydro Electric Commission and split \$8.00 for electric and \$8.00 for water.

*Disconnect and Reconnect meter at customer request*

-Up to 1" \$36.50  
-Over 1" \$62.00

*Install remote water meter register*

-Wiring done by Water Meter Shop \$85.50  
-Wiring done by contractor - attached \$58.00

*Repair damaged meter*

-3/4" and 5/8" \$96.00  
-1" and larger Time and material

*Meter checked for accuracy at customer's request and found to be accurate*

-Up to 1" \$72.00

**WATERWORKS  
2001 SCHEDULE OF RATES AND CHARGES**

**2001**

*Water Rate for Temporary Connection  
for Construction*

Single family structure	\$8
Duplex structure one service line	\$8
Up to four units	\$10
5 to 10 units	\$15
11 to 15 units	\$20
16 to 20 units	\$25
21 to 25 units	\$30
26 to 30 units	\$35
31 to 35 units	\$40
36 to 40 units	\$45
41 to 50 units	\$50
Over 50 units	\$1.00 per unit
Other structures	\$2.00 per 1000 sq.ft. of floor space but not less than \$8.00

*Bulk water users* \$75.00 annual user fee  
plus \$7.50 per 1,000

**WATERWORKS  
2001 SCHEDULE OF RATES AND CHARGES**

<u>2001</u>	
<i>Temporary hydrant connection</i>	\$53.00 + \$17.00/day
1"	\$53.00 + \$36.00/day
1 ½"	\$53.00 + \$72.00/day
2"	Daily rate does not include Sunday
<i>Inspecting waterworks Installations</i>	\$55.00 per hour
<b><u>BUILDER AND DEVELOPER CHARGES (1)</u></b>	
Frontage charge for existing mains mains installed prior to 1988 (all sizes)	\$7.00 per foot
mains installed during or after 1988	
- 6" main (2)	\$29.89 per foot
- 8" main (2)	\$31.75 per foot
- 10" main (2)	\$35.32 per foot
- 12" main (2)	\$38.84 per foot
(1) Council approved, on February 20, 1995, that the City discontinue the use of frontage charges and acreage and dwelling unit charges for water service, where development charges are applicable. The Development Charges by-law was effective as of March 1, 1995 with subsequent by-law dated August 4, 1999. (Revised January 17, 2000)	
(2) Based on an average increase of 2.0% in the Statistics Canada Quarterly, Construction Price Statistics (Cat 62-007) Index in 2000.	