

**THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER**

**BY-LAW 2017-011**

**A By-law to regulate Municipal Water Systems and to establish Water Rates within the Township of Springwater and to repeal and replace By-law 2016-005**

**(Water Regulation and Rating By-law)**

**WHEREAS** under Section 11 (1) of the *Municipal Act, 2001*, S.O 2001, Ch. 25 herein referred to as the "Act", establishes that the Township of Springwater as a lower tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

**WHEREAS** under Section 11(3) provides that a municipality may pass by-laws to regulate matters within its sphere of jurisdiction; and

**WHEREAS** Section 80 (1) of the Act provides that a municipality may, at reasonable times, enter on land to which it supplies a public utility, to inspect, repair, alter or disconnect the servicing pipe or wire, machinery, equipment and other works used to supply the public utility or to inspect, install, repair or alter a public utility meter; and

**WHEREAS** Hemson Consulting presented the Water and Wastewater Rate Study at a meeting held October 7, 2013; and

**WHEREAS** the subject of Water and Wastewater Rates were deliberated at meetings open to the public on November 16, 2016, December 6 and 7, 2016; and

**WHEREAS** the Water and Wastewater Rate was reported in the consolidated 2017 budget as presented at a meeting open to the public on November 16, 2016; and

**WHEREAS** notice of the proposed Water and Wastewater rate increases was provided in a Staff Report on November 16, 2016; and

**WHEREAS** Section 391(1) of the Act provides that a municipality may pass by-laws imposing fees or charges on any class of persons,

(a) for services or activities provided or done by or on behalf of it;

(b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and

(c) for the use of its property including property under its control; and

**WHEREAS** Section 391(2) of the Act provides that a fee or charge for capital costs related to sewage or water services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time; and

**WHEREAS** Section 398 (1) of the Act provides that fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively; and

**WHEREAS** Section 398 (2) of the Act, provides the Treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all of the owners are responsible for paying the fees and charges.

**WHEREAS** the Council of The Corporation of the Township of Springwater deems it desirable and necessary to pass a new by-law to regulate the Municipal Water Systems and to establish Water Rates within the Township and to repeal and replace By-law 2016-005;

**NOW THEREFORE** the Council of The Corporation of the Township of Springwater enacts as follows:

## **1. DEFINITIONS**

For the purpose of this By-law,

- 1.1 "**Commercial Building**" shall mean all commercial, industrial or institutional buildings and includes any residential units within a Commercial Building serviced by the same meter;
- 1.2 "**Council**" shall mean the Council of The Corporation of the Township of Springwater;
- 1.3 "**Director of Finance**" shall mean the Treasurer of The Corporation of the

Township of Springwater or designate;

- 1.4 **"Director of Fire and Emergency Services"** shall mean a person appointed by Council under the Fire Protection and Prevention Act or designate;
- 1.5 **"Director of Public Works"** shall mean the Director of Public Works of the Township of Springwater, or designate or such other person or agency as may be appointed by Council from time to time for the purposes of overseeing the Municipal Water Systems;
- 1.6 **"Multi-Residential Building"** shall mean residential buildings with four (4) or more units where such units are serviced by a single meter;
- 1.7 **"Municipal Water Area"** shall mean an urban settlement area or subdivision within the Township of Springwater serviced by a Municipal Water System;
- 1.8 **"Municipal Water Supply"** shall mean the water supplied from a Municipal Water System;
- 1.9 **"Municipal Water Systems"** shall mean all water works established by the Township or the former municipality in the built up areas of Anten Mills, Centre Vespra, Elmvale, Hillsdale, Midhurst (and area), Minesing, Phelpston, Snow Valley, Vespra Downs subdivision and shall further include any new Municipal Water systems or extensions to the existing Municipal Water Systems authorized by an Act, By-law or Agreement between the Township or its predecessors, but shall not include any private waterworks which have not been acquired, established, maintained, accepted or operated by the Township or its predecessors;
- 1.10 **"Owner"** shall mean the assessed owner(s) as identified on the Assessment Roll for Taxation purposes, as amended;
- 1.11 **"Person"** shall mean an individual human being, his/her personal agent, heir, successors and assigns and shall include a corporation with or without share capital;
- 1.12 **"Residential Building"** shall mean residential buildings comprised of three (3) or less units and includes any residential unit in a Multi-Residential Building or Commercial Building serviced by a separate meter;
- 1.13 **"Township"** shall mean The Corporation of the Township of Springwater;
- 1.14 **"Unit"** shall mean an assessed or assessable unit within a Multi-Residential, Commercial or Residential Building, and shall include an apartment located within

a single family dwelling;

- 1.15 **"Water works"** shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of such works, but does not include plumbing or other works to which the Ontario Building Code Act and its regulations apply.

## **2. GENERAL PROVISIONS**

- 2.1 This By-law shall apply to all Municipal Water Systems located within the geographical boundaries of the Township.
- 2.2 No person shall lay or cause to be laid any pipe or main to communicate with any pipe or main of a Municipal Water System, or in any way obtain or use the Municipal Water Supply without the written permission of the Township.
- 2.3 Any extensions or connections to a Municipal Water System shall be constructed in accordance with the Township of Springwater Engineering Standards.
- 2.4 No person, being an owner, tenant, occupant, or resident of any multi-residential, commercial or residential building supplied with water from the Municipal Water System, shall improperly waste water.
- 2.5 No person, being an owner, tenant, occupant, or resident of any apartment, commercial or residential building supplied with water from the Municipal Water System, shall, without the written permission of the Director of Public Works, lend, sell or dispose of water, give water away, permit water to be taken or carried away, use or apply water to the use or benefit of another, or to any use and benefit other than the person's own, or increase the supply of water. This shall include the furnishing of water from one building connected to the Municipal Water System to another building.
- 2.6 All pipes, valves, fittings and other equipment between the watermain and the street line shall remain the property of the Township.
- 2.7 All pipes, valves, fittings and other equipment between the property line and a building shall remain the property of the owner. The owner shall be responsible for the satisfactory operation, cleaning, repairing, replacement and maintenance of the connection from the property line to the buildings.
- 2.8 The Director of Public Works shall be responsible for the operation and maintenance of all Municipal Water Systems and is authorized to take such measures as are necessary and proper to ensure an adequate and continuous Municipal Water Supply and to safeguard the hygienic purity thereof within the

drinking water objectives as established by the Safe Drinking Water Act, the Ministry of the Environment, or such other approval authority.

- 2.9 The Director of Public Works, or other duly authorized employee, may, in the case of an emergency which may imperil the supply or quality of water, shut off the Municipal Water Supply and take such remedial action as may be necessary. Such remedial action may include limiting or stopping up the supply of water in any area or restricting the use of water for any specific purpose.
- 2.10 When the Director of Public Works, or other duly authorized employee, deems it necessary to limit or shut off the Municipal Water Supply due to an emergency situation, the Township shall not be liable for damages incurred due to such action. Reasonable efforts will be made by the Township to notify the affected owners. The Director of Public Works shall report to Council all such incidents and actions taken as soon as it is practical.
- 2.11 In accordance with Section 449 of the Act, as amended, no proceeding based on nuisance, in connection with the escape of water from water works, shall be commenced against, the Township, a member of a municipal council or of a local board; or an officer, employee or agent of a municipality.

### **3. REQUIREMENT FOR CONNECTION TO AND REGULATION OF MUNICIPAL WATER SYSTEM**

- 3.1 Every owner of a property located within a Municipal Water Area who wishes to connect an existing building to the Municipal Water System shall apply in writing to the Director of Public Works. All applications for connection to the Municipal Water System shall be accompanied by the Connection Fee set out in Schedule A of this By-law.
- 3.2 Every new building constructed on property located within a Municipal Water Area shall be connected to the Municipal Water System, subject to the following:
  - 3.2.1 An application for connection to the Municipal Water System shall be filed with the Director of Public Works prior to the issuance of a building permit; and
  - 3.2.2 An application shall be accompanied by the Connection Fee as set out in Schedule A attached hereto and forming part of this By-law; and
  - 3.2.3 In addition to the Connection Fee, the owner shall be responsible for the cost of the service connection from the Water Works to the property line, where applicable. An estimate of this cost shall be provided by the Director of Public Works at the time of application and the owner shall deposit said

amount with the Township prior to issuance of the connection permit; and

- 3.2.4 In the event that the actual cost exceeds the deposit, the owner shall be invoiced for the difference. If payment of said invoice is not received within 90 days, the Director of Finance is authorized to place the outstanding balance on the Water Bill to be collected in the same manner as Taxes.
- 3.3 No connection to the Municipal Water System shall be made until a permit has been issued by the Director of Public Works. No such permit shall be issued until the Connection Fee and/or Deposit as required under this Section is paid to the Township. In the event that the connection is for a new building, no building permit shall be issued until such time as a connection permit is issued by the Director of Public Works.
- 3.4 The Township reserves the right to refuse any application for connection to the Municipal Water System, if the existing system, or portion thereof is at capacity or where any and all excess capacity has been allocated to other properties within the Municipal Water Area. The allocation of excess capacity shall be subject to such policy as Council may establish from time to time.
- 3.5 An Owner may apply in writing to Council for an exemption from connection to the Municipal Water System. Council, or a Committee designated by Council, shall consider any such request and may only grant such an exemption where:
- 3.5.1 written approval is received from the Director of Public Works; and
- 3.5.2 written approval is received from the Medical Officer of Health, and/or
- 3.5.3 written approval is received from the Ministry of the Environment or such other approval authority for municipal water systems;
- AND THAT in addition to the above noted requirements, an exemption from connection may only be granted when:
- 3.5.4 it has been determined that the Municipal Water System is at capacity or any excess capacity has been allocated to service other properties within the Municipal Water Area in accordance with Council policy; and
- 3.5.5 it is anticipated that there is no potential for any future allocation of water capacity which could service the subject property.

AND FURTHER THAT an exemption granted under this Section shall not relieve the owner from payment of any minimum Water Rate or any other Waterworks Rate assessed against the subject property.

- 3.6 Notwithstanding Section 3.4, no owner of a property located within a Municipal Water Area and connected to the Municipal Water Supply shall be granted an exemption in order to permanently disconnect from the Municipal Water System.
- 3.7 Every building connected to a Municipal Water System shall have its own individual connection with the exception of a Multi-Residential or Commercial Building which contains multiple units where a minimum 25 millimetre dual connection with 19 millimetre wyes may be provided.
- 3.8 Any owner of a building connected, or to be connected, to a Municipal Water System shall install, if not already provided, a gate type control valve and backflow preventer on the water service between the wall and floor of the building and the meter. The control valve shall have capability to be drained and shall be mounted so the valve can be drained when the water supply is shut off. This control valve is in addition to the curb stops located on the service pipe at the property line.
- 3.9 The owner shall be held liable for any damage to the meter or other equipment of the Township which may be willfully caused by the owner, or result from carelessness or negligence on the part of the owner, or on the part of any person acting for or on behalf of the owner and in particular, without limiting the foregoing, for damage occasioned by operating the Township's curb stop in lieu of a control valve, for damage due to ground wire attachments and for damage to the meter caused by hot water or steam from the building of frost.
- 3.10 Any owner who desires a change in the location, arrangement or size of the connection to the Municipal Water System shall apply in writing to the Director of Public Works. The Director of Public Works shall provide a written estimate of the cost of carrying out this change. The owner shall deposit with the Township an amount equal to the estimated value of the works prior to the commencement of the works. In the event that the actual cost exceeds the estimate, the owner shall pay upon demand the difference. If payment is not received within 90 days, the Director of Finance is authorized to place the outstanding balance on the Tax Roll to be collected in the same manner as taxes.
- 3.11 Where any auxiliary water supply exists in any building connected to a Municipal Water System, an approved backflow protection shall be provided. This requirement shall include the handling of processed waters and waters originating from the Municipal Water System which may have been or may be subjected to deterioration in sanitary quality. Backflow protection devices shall be installed where internal cross connections exist.
- 3.12 Any owner desiring to have the Municipal Water Supply temporarily turned off or on for any reason whatsoever shall apply in writing to the Director of Public Works

who may direct that the water be turned on or off.

3.13 A Disconnection/Re-Connection Fee as set out in Schedule A of this By-law shall be charged by the Township for the turning off or on of the Municipal Water Supply where such action is necessitated by:

- 3.13.1 a written request by the owner, or
- 3.13.2 non-payment of a water bill, or
- 3.13.3 failure to provide access to a meter.

3.14 No person shall throw or deposit any injurious, noxious or offensive matter into the Municipal Water System or in any way foul the Municipal Water Supply.

3.15 No person shall commit any willful damage, or injury to the water works, pipes or water, or encourage the same to be done.

#### **4. CONNECTION BY PROPERTIES OUTSIDE MUNICIPAL WATER AREA**

4.1 In the event that an owner of property outside of the Municipal Water Area wishes to make application to connect to the Municipal Water System, the owner shall make application in the same manner as set out in Section 3 above.

4.2 In addition to any Connection Fee as required under Section 3 above, any owner of property outside of the Water Service Area shall also make a capital contribution to the Water Reserve Fund prior to connection to the Water Works. The amount of this capital contribution shall be negotiated between the Township and the owner at the time of connection.

4.3 Where an extension of the Municipal Water System is required to service a property outside of the Municipal Water Area, the Township may require an owner to enter into an Agreement to provide for the construction of the Water Works and the payment of all associated costs to extend the system.

#### **5. WATER USAGE & RESTRICTIONS**

5.1 No person shall willfully let off or discharge water so that the water runs waste or useless out of the Municipal Water System.

5.2 The Township reserves the right to turn off the Municipal Water Supply, as deemed necessary by the Director of Public Works, to stop and prevent waste.

5.3 Failure to comply with any requirements relative to the protection of a Municipal Water Supply shall be sufficient reason for immediate discontinuance of water service by the Township until such time as it is determined that the requirements



of the Township and the Ontario Building Code Act have been met.

- 5.4 The Director of Public Works may take such measures as it is deemed necessary to regulate or suspend any or all use of water distributed through a hose, or any other attachment, for street, lawn or garden watering, washing of motor vehicles, or for any fountain or object, or for any other similar purpose. A Water Ban Order issued by the Township to suspend lawn watering or any other similar purpose shall remain in effect until it has been revoked by the Director of Public Works.
- 5.5 No person shall use water for lawn watering or any other similar purpose when a Water Ban Order is in effect.
- 5.6 No person shall water lawns or gardens within the Township of Springwater except when provided in By-law 2009-042 or any subsequent replacement by-laws that may come into force.

## **6. METERS**

- 6.1 The Township shall provide meters for the purpose of measuring the supply of water to any building, subject to the following:
  - 6.1.1 meters shall be required for all new Multi-Residential, Commercial or Residential buildings to be constructed on properties lying within a Municipal Water Area at the cost of the owner. The owner shall pay the applicable fee as set out in Schedule A of this By-law prior to the issuance of the building permit.
  - 6.1.2 meters shall be required for all existing Multi-Residential, Commercial or Residential buildings located within a Municipal Water Area, subject to the following:
    - (i) Where a property was exempted from connection by the former municipality and the owner wishes to connect to the Municipal Water System, meters shall be installed at the expense of the owner. The fee set out in Schedule A of this By-law shall be due and payable prior to the issuance of the Connection permit and shall be in addition to any Connection fee.
    - (ii) Where the Township determines that water meters shall be installed or replaced in existing buildings located within a Municipal Water Area, meters shall be installed or replaced by the Township and the cost will be borne by the Municipality through the Water Reserve Fund. Any replacement meter requested by the owner will be at the cost of the owner.

- 6.1.3 One (1) meter shall be required for each unit within any Multi-Residential, Commercial or Residential building. The Director of Public Works may waive the requirement for separate meters where, in the opinion of the Director of Public Works, the existing or proposed water service prevents the installation of multiple meters. The waiving of this requirement does not relieve the owner from any minimum water charge which may be assessed against each unit under this By-law.
- 6.2 Interior and exterior meters shall remain the property of the Township and shall not be boxed in such a manner as to prohibit the meters from being read, examined or removed.
- 6.3 Exterior meters shall be firmly attached to the wall of the building and shall be mounted so that the top of the meter shall be between 140 and 170 centimetres from the grade level of the wall directly below it.
- 6.4 Interior meters shall be located in a safe and convenient space, free from charge or rent, in a heated room suitable for this purpose, as close as possible to the entrance of the service pipe into the building. The inside meter shall be mounted in such a manner as to be fully braced to prevent movement.
- 6.5 Free access shall be afforded to such meters and their connections for persons authorized by the Township whenever such access is required.
- 6.6 Where the Township has reason to believe that a meter is inoperable and is unable to gain access thereto for inspection and repair, written notice shall be sent by registered mail, courier or personal delivery to the owner. Such notice shall require that access to the subject meter be provided to the Township within twenty-one (21) days of the date of the Notice. If access is not granted within the said 21 days, the Director of Public Works shall shut off the Municipal Water Supply to the subject property.
- 6.7 Where the Municipal Water Supply has been shut off under Section 6.6, the Director of Public Works shall turn on the water supply, when the owner has complied with the following conditions:
- 6.7.1 access has been provided to the meter for inspection and repair by the Township, and
- 6.7.2 the connection fee as set out in Schedule A of this by-law has been paid to the Township and the owner's account is paid in full or satisfactory payment arrangements have been made with the Director of Finance.

- 6.8 The owner shall be responsible for the security of the meter and other Township equipment and shall pay the Township the value of such meter and equipment should any damage or loss occur which is, in the opinion of the Director of Public Works, due to circumstances beyond normal wear and tear.
- 6.9 No person other than an authorized employee or agent of the Township shall be permitted to remove, inspect or repair the meter or other equipment of the Township.
- 6.10 No person shall willfully alter any meter placed on any service pipe or connected therewith, within or outside any building or other place so as to lessen or alter the amount of water registered.

## **7. FIRE HYDRANTS**

- 7.1 No person shall use hydrants connected to any Municipal Water System except as follows:
- 7.1.1 employees, agents or volunteer fire fighters authorized by the Director of Fire and Emergency Services, or designate, or
- 7.1.2 employees or agents authorized by the Director of Public Works, or
- 7.1.3 persons having written permission from the Director of Public Works to use the hydrants under the supervision of the Township.
- 7.2 No person shall, without approval of the Director of Public Works or Director of Fire and Emergency Services, willfully open or close any hydrant.
- 7.3 No person shall obstruct the fire access to any hydrant, stopcock, chamber, pipe or hydrant by placing on it any building material, rubbish or other obstruction.
- 7.4 The Director of Public Works or the Director of Fire and Emergency Services shall ensure that any accumulation of snow from around all fire hydrants shall be removed as deemed necessary.

## **8. WATER CHARGES, BILLING AND COLLECTION**

### **8.1 MULTI-RESIDENTIAL BUILDINGS**

- 8.1.1 At the end of each month, the Director of Public Works shall read, or cause to be read, all meters connected to Multi-Residential Buildings to determine the amount of water used during the previous month.

- 8.1.2 The Director of Finance shall calculate Water Rates to be assessed against each unit in a Multi-Residential Building, in accordance with the fixed monthly rate and consumption charge per cubic metre as set out in Schedule A of this By-law.
- 8.1.3 The Director of Finance shall issue monthly bills to the Owner of each Multi-Residential Building based on the applicable Water Rates.

## 8.2 COMMERCIAL BUILDINGS

- 8.2.1 At the end of each month, the Director of Public Works shall read, or cause to be read, all meters connected to Commercial Buildings to determine the amount of water used during the previous month.
- 8.2.2 The Director of Finance shall calculate Water Rates to be assessed against each unit in a Commercial Building, in accordance with the fixed monthly rate and consumption charge per cubic metre as set out in Schedule A of this By-law.
- 8.2.3 The Director of Finance shall issue monthly bills to the Owner of each Commercial Building based on the applicable Water Rates.

## 8.3 RESIDENTIAL BUILDINGS

- 8.3.1 The Director of Public Works shall read, or cause to be read meters three times per year around May <sup>15<sup>1</sup></sup>, August 1st and November <sup>15<sup>1</sup></sup>. There will not be a reading on February <sup>15<sup>1</sup></sup> due to the difficulty accessing meters in the winter months.
- 8.3.2 The Director of Finance shall calculate Water Rates to be assessed against each unit in a Residential Building, in accordance with the fixed monthly rate and consumption charge per cubic metre as set out in Schedule A of this By-law. .
- 8.3.3 The Director of Finance shall issue quarterly bills to the Owner of each Residential Building based on the applicable Water Rates;
- 8.3.4 On the one quarter where the meter is not read (February <sup>15<sup>1</sup></sup>), water usage will be estimated for a total of three months and billed in accordance with the fixed monthly rate and consumption charge per cubic metre as set out in Schedule A of this By-law. An adjustment will be made for actual usage on the following water meter reading.

- 8.4 Water bills shall be due and payable not less than fourteen (14) days from the date

of billing.

- 8.5 Water bills shall be payable to the Township of Springwater and may be paid during office hours in person or by mail at Springwater's Administration Centre, 2231 Nursery Road, Minesing, ON L0L 1Y2 or in person at most financial institutions. Water payments made at a financial institution shall be deemed to be paid on the date shown by the Teller's stamp on the bill stub. The Township shall not be responsible for any applicable service charge payable to the financial institution.
- 8.6 The Director of Finance may offer a Pre-Authorized Payment Plan to owners for the payment of water bills.
- 8.7 The owner shall pay to the Township upon demand the Water Rates assessed against each unit, subject to the following:
  - 8.7.1 an owner may apply, in writing, to the Director of Finance to authorize the billing of Water Rates to a tenant. Said application shall be signed by both the owner and the tenant.
  - 8.7.2 an application for the billing of Water Rates to a tenant shall be denied if there is more than one unit serviced by one water meter and where an exemption under Section 6.1.3 has been granted with respect to separate water meters.
  - 8.7.3 an owner who has opted to have Water Rates billed directly to a tenant is not relieved from the financial responsibility of said charges should a tenant default.
- 8.8 The Director of Finance shall impose an interest charge of 1.25% per month on the first day of the calendar month on any unpaid balances.
- 8.9 If a water account remains unpaid for a period of at least ninety (90) days, the Director of Finance shall notify the owner by registered mail, or courier or personal delivery that the Municipal Water Supply may be turned off by the Township. If the owner has opted to direct bills to the tenant, a copy of this notice shall be copied to the tenant. The Notice shall provide the owner with twenty-one (21) days from the date of the notice to make suitable arrangements for payment of the account. If the owner fails to pay the account or make suitable arrangements for the payment thereof within the twenty-one (21) days, the Director of Finance may direct the Director of Public Works to shut off the Municipal Water Supply to the subject unit or building.
- 8.10 Where the Municipal Water Supply has been shut off under Section 8.9, the Director of Public Works shall turn on the water supply, when the owner has

complied with the following conditions:

- 8.10.1 the account has been paid in full or suitable arrangements for the payment thereof has been made with the Director of Finance, and
- 8.10.2 the re-connection fee as set out in Schedule A of this By-law has been paid to the Township.
- 8.11 Where the Municipal Water Supply has been turned off and the owner fails to take any action to restore the water supply in accordance with Section 8.9, the Director of Finance may add the account to the Tax Roll to be collected in the same manner as property taxes.
- 8.12 Where the property has changed ownership and the previous owner has not paid their outstanding water bills, all outstanding charges for the supply of water services will be added to the tax roll of the property to which the service was supplied as per Section 398(2) of the Act and collected in the same manner as municipal taxes.
- 8.13 Where a billing error has resulted in over-billing, the account shall be credited with an amount equal to any overpayment during the twelve month period preceding the discovery of the error by the Township. Where a property has changed ownership during the twelve month period, the Township shall make every reasonable effort to locate and refund any applicable credit to the previous owner.
- 8.14 Where a billing error has resulted in under-billing, the account shall be charged an amount equal to any underpayment during the twenty-four (24) month period preceding the discovery of the error by the Township. Where a property has changed ownership during the twenty-four month period, the water shall only be charged the amount attributable to the current owner.
- 8.15 For the purpose of calculating the Water Rates under this By-law, 220 gallons equals 1 cubic metre.

## **9. OFFENCES AND PENALTIES**

- 9.1 Every person who:
  - 9.1.1 willfully hinders or interrupts, or causes or procures to be hindered or interrupted, the Township, its officers, contractors, agents, servants or workers in the exercise of any of the powers conferred under this By-law, the Municipal Act or Safe Drinking Water Act; or
  - 9.1.2 who contravenes any provision of this By-law is guilty of an offence and is

subject to a penalty pursuant to the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

- 9.2 The conviction of an offender upon the breach of any provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any provision.

## **10. MISCELLANEOUS**

- 10.1 If any court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires the jurisdiction of Council, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.
- 10.2 If any provision of this By-law is inconsistent with the *Municipal Act*, *Safe Drinking Water Act*, or any other Act, the provisions of the applicable Act shall prevail.
- 10.3 Where the context permits, words importing the singular also include more than one persons, parties or things of the same kind. Where the context permits, words importing the masculine gender, also include female as well as male.
- 10.4 That this By-law may be cited as the "Water Regulation and Rating By-law".

## **11. REPEAL**

- 11.1 THAT By-law 2016-005 is hereby repealed effective February 1, 2017.

## **12. ENACTMENT**

- 12.1 THAT this By-law shall take force upon the date of passage and such rates are effective February 1, 2017.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED** this 25th day of January, 2017.

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Bill French, Mayor

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Renée Chaperon, Clerk

### SCHEDULE "A" WATER RATES & FEES SCHEDULE

Calculated Water Rates		
Rate Structure	2017 Rates	
	Residential	Commercial
Fixed Fee:	\$18.48	\$30.81
Consumption Rate:		
0 -15 cubic meter/month	\$1.695	\$1.695
16-30 cubic meter/month	\$1.778	\$1.695
31-45 cubic meters/month	\$2.224	\$1.695
45 + cubic meters/month	\$3.113	\$1.695

#### **MISCELLANEOUS FEES:**

Connection Fee \$75.00 per property, except as otherwise provided by By-law or Agreement

Disconnection/Re-Connection Fee \$50.00 per occurrence

Meters: Residential \$530.00 per meter  
Commercial or Industrial as per cost to Township

Pressure Reducing Valve: Residential \$92.00 each

Note \* - if more than 1 unit is serviced by a single meter, the consumption levels shall be multiplied by the number of units to calculate the consumption level. For example, a building with two units serviced by one meter would pay the lowest rate for up to 30 cubic metres of consumption, or 15 cubic metres\* 2 units.

#### **OFFENCES & FINES:**

Water lawn, garden or wash vehicle during restricted times- \$50.00

Water lawn, garden or wash vehicle during water ban- \$150.00