

THE CORPORATION OF THE TOWN OF SAUGEEN SHORES

BY-LAW NO. 89- 2001

Being a by-law respecting the supply of water, the establishment, construction, maintenance, operation, improvement and extension of waterworks systems of the Town of Saugeen Shores.

WHEREAS it is provided by Section 12 of the Public Utilities Act, R.S.O., 1990 Chapter P.52, that the Town may pass by-laws for regulating the time, manner, extent and nature of the supply by the Works, the building or persons to which and to whom the water shall be furnished, the price to be paid therefore, and every other matter or 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:

NOW THEREFORE, the Council of the Corporation of the Town of Saugeen Shores hereby enacts as follows:

SECTION 1 – GENERAL PROVISIONS

DEFINITIONS:

1. In this by-law, the following terms have the following meanings:
 - 1.1 “**APPLICANT**” means the Property Owner of lands or his authorized agent requiring services.
 - 1.2 “**BACKFLOW PREVENTER**” means a device or a method that prevents backflow in a water distribution system in accordance with the Ontario Building Code.
 - 1.3 “**BUILDING**” means all or any part of a building.
 - 1.4 “**BUILDING CONTROL VALVE**” means the valve in a supply system that controls the flow of potable water from the service pipe to the distributing pipe.
 - 1.5 “**BY-PASS VALVE**” means a valve located on a meter by-pass pipe.
 - 1.6 “**CONSUMER**” means any Property Owner, Tenant or Lessee or water hauler actually drawing upon or using Town supplied water services.
 - 1.7 “**CURB STOP**” means the water shut off owned and operated by the municipality.
 - 1.8 “**DEVELOPMENT PROCESS**” includes subdivision applications, land severance applications and site plan agreements.
 - 1.9 “**DIRECTOR OF PUBLIC WORKS**” means the Director of Public Works of the Town of Saugeen Shores and for the purpose of exercising any of the powers or duties of the Director of Public Works under this by-law shall include any employee of the Corporation or authorized agent authorized by the said Director of Public Works to exercise any power or duty.

- 1.10 **“METER”** means a device and/or mechanism which is the property of the Town for the purpose of measuring the flow and quantity of water consumed and including a water meter and remote reader.
- 1.11 **“MUNICIPAL FIRE HYDRANT”** means a fire hydrant owned and maintained by the Town and located on “public right-of-way” or on an easement.
- 1.12 **“PRIVATE FIRE HYDRANT”** means a fire hydrant owned by a private Property Owner and located on private property.
- 1.13 **“PRIVATE SERVICE”** means the portion of the water service pipe located on private property, excluding the service valve (curb stop).
- 1.14 **“PROPERTY”** includes both public and private lands, buildings, structures, vehicles, railway cars or mobile homes which are located within the Town area and which may be entitled to a service connection.
- 1.15 **“PROPERTY OWNER”** shall be deemed to be the person as shown on the last revised assessment roll of the municipality.
- 1.16 **“REMOTE READER” “ENCODER REGISTER”** means a device used to record the quantity of water and which is in an area remote from the meter to which it is connected.
- 1.17 **“SANDPOINT/WELL”** means a system used to obtain water from the ground.
- 1.18 **“STOP AND WASTE VALVE”** means the water shut off with an automatic drain from the private service located on private property eight feet from the municipal curb stop.
- 1.19 **“TOWN”** means the Town of Saugeen Shores.
- 1.20 **“TOWN COUNCIL”** means the Council of the Town of Saugeen Shores.
- 1.21 **“TOWN STANDARDS”** means approval standards related to the construction and engineering of water services, including any municipal standards specifications, levels of service criteria and any design and construction procedures which are approved by the Town from time to time.
- 1.22 **“VALVE”** means a device for controlling the flow of water through a pipe.
- 1.23 **“WATER APPLICATION”** means an Application in the form prescribed by the Town, by an applicant requesting a connection to the Town’s Waterworks System.
- 1.24 **“WATERMAIN”** means a primary pipe in any one area used for the supply of potable water.
- 1.25 **“WATER SERVICE”** means all of the physical and mechanical equipment and devices to fully and completely service a property with water from the water main to the curb stop.
- 1.26 **“WATERWORKS SYSTEM”** includes any and all buildings, structures, plants, equipment, appurtenances, devices, conduits, intakes, outlets, underground pipelines and installations and other works designed for the production, treatment, transmission, distribution and storage of water and includes lands appropriated for such purposes and uses.

SECTION II – WATERWORKS SYSTEM

2.1 RESPONSIBILITIES OF TOWN

- 2.1.1 Except as otherwise expressly provided in this by-law, the Town is responsible for:
- (a) The administration and enforcement of all the provisions of this by-law.
 - (b) The construction, maintenance, operation, improvement, and extension of the waterworks system of the Town, as authorized by the Town Council.
- 2.1.2 No person or persons shall willfully hinder or interrupt, or cause or permit to be hindered or interrupted, the Town or any of its authorized officers, contractors, agents, servants or workmen in the exercise of any of the powers conferred by this by-law.
- 2.1.3 The Director of Public Works may, in the course of performing his/her duties enter, pass upon, through, over and under any property in the Town of Saugeen Shores.
- 2.1.4 Except in the case of an emergency, the Town shall give reasonable notice before entering any property.
- 2.1.5 Except in the case of an emergency, the Director of Public Works may, upon reasonable notice, shut off water for any necessary construction, repair or maintenance and the Town shall not be liable for any damages whatsoever caused by the shutting off of water.
- 2.1.6 The construction, installation, maintenance and operation of the waterworks system shall comply with current Town standards based on sound engineering.

2.2 CONNECTIONS TO PERMANENT WATER SUPPLY – APPLICATIONS

- 2.2.1 Where a Town watermain exists in a highway or public utility corridor, the Owner of any abutting property which contains a building and which may in the opinion of the Town, be supplied therefrom, shall connect to the Town's waterworks system.
- 2.2.2 Connections to newly constructed watermains and existing watermains shall be completed within nine months after the municipality has sent notice to the owner requiring the connection to be made. Upon request of the owner, the council may grant an extension of not more than two years from the end of the nine-month period, but not more than two extensions may be granted.
- 2.2.3 No premises and/or registered lot shall be provided with more than one such service connection unless justification is provided to the sole satisfaction of the Town.
- 2.2.4 Prior to the connection, the Property Owner shall pay to the Town of Saugeen Shores the fee(s) stated in Schedule "A".
- 2.2.5 Each Property Owner shall install the private service connection and installation on their property and maintain the same in good order and repair and fully protected from frost, at their own expense.

2.2.6 No person shall make any connection whatsoever with any of the public pipes unless authorized by the Town.

2.3 CONNECTIONS TO PERMANENT WATER SUPPLY FOR LAND DEVELOPMENT – APPLICATIONS

2.3.1 For a proposed land development pursuant to the development process, the Applicant shall enter into a written agreement with the Town to the satisfaction of the Town Council, which includes details respecting the installation of watermains, water services, hydrants and other appurtenances.

2.3.2 No such private service pipe shall be covered until inspected by the Director of Public Works.

2.3.3 Where such inspection does not occur, the supply of water shall not be turned on.

2.4 OPERATION OF WATER SERVICE

2.4.1 Where a Property Owner or consumer fails to maintain the private service according to the current Town standards or there is contravention of any of the provisions of the Public Utilities Act or this by-law, the Town may discontinue the supply of water to the property until such time as any maintenance or repairs are undertaken or completed to the satisfaction of the Town.

2.4.2 No person shall open or close a curb stop unless authorized by the Director of Public Works save and except for emergencies. Any person opening or closing a curb stop for emergencies shall report such action to the Director of Public Works. No person shall obstruct the operation of a curb box.

2.4.3 Any person requesting that a curb stop be turned “on” or “off” shall give notice to the Town and pay the fee as set out in Schedule “A” in advance.

2.4.4 Thawing of private services is the responsibility of the property owner.

2.5 DISCONNECTION, INSPECTION AND REPAIR OF MAINS UPON ISSUANCE OF A PERMIT

2.5.1 At the request of an Applicant and where a municipal demolition permit issued by the Town, a minimum of two working days notice is required for the turning off of the water at the property line.

2.5.2 The exposure of the municipal service at the property line is required for inspection by the Town when a building is demolished. The Property Owner shall, at its complete and sole expense, arrange for the exposure of the valve and disconnection of the service to enable the Town to ensure the municipal service has been shut off and disconnected.

2.6 CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR WATERMAINS AND SERVICES

2.6.1 Unless previously authorized by the Town, no work shall be undertaken or performed by any employee, servant, agent or contractor of the Town in

connection with the installation and/or construction of the private services, except maintenance/servicing of the water meter.

- 2.6.2 A stop and waste valve is required for all new or replacement private services. The valve must be eight feet from the municipal curb stop.
- 2.6.3 Any consumer occupying property which has been provided with two or more services that are interconnected shall install on each service a sufficient number of valves and backflow preventers as determined and approved by the Town in accordance with the Ontario Plumbing Code and shall maintain all backflow preventers in good operating condition.
- 2.6.4 All townhouse units shall be equipped with individual shut off valves for each unit.
- 2.6.5 All townhouse units shall be equipped with individual services for each private unit, complying with Town standards.

2.7 PROHIBITED USES

- 2.7.1 No person who is a tenant, occupant or owner of any house, building or other place supplied with water from the waterworks shall 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 their own, increase the supply of water agreed for or improperly waste the water.
- 2.7.2 No person shall use water supplied by the Town in any water cooled air-conditioning unit or other cooling or freezing equipment installed after enactment of this by-law unless such unit or equipment is provided with an evaporative condenser or other device approved by the Town which efficiently conserves, cools and re-circulates the water used.
- 2.7.3 No person shall make any connection whatever to the water service or watermain unless authorized by the Director of Public Works.
- 2.7.4
 - 1. If Director of Public Works deems to put into effect the following restrictions, no person shall use any water from a lawn tap or garden hose outlet connected to the waterworks system of the Town of Saugeen Shores, for irrigation purposes except in accordance with the following:
 - (a) Persons owning or occupying premises bearing or being entitled to an odd municipal street number may use water from a lawn tap or garden hose outlet connected to the said waterworks system for irrigation purposes of such premises on any odd numbered day of the year between the hours of 7:00 a.m. to 9:00 a.m. and between the hours of 7:00 p.m. and 9:00 p.m.
 - (b) Persons owning or occupying premises bearing or being entitled to an even municipal street number may use water from a lawn tap or garden hose outlet connected to the said waterworks system for irrigation purposes of such premises on any even numbered day of the year between the hours of 7:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 9:00 p.m.
 - 2. The Town of Saugeen Shores hereby authorizes in cases where deemed of absolute necessity, suspension of the provisions of Section 2.7.4 (a) and Section 2.7.4 (b), to allow the Director of Public Works to temporarily

order all, or any watering of lawns by use of the Town waterworks to cease and that the Notice of any approved temporary suspension imposed shall be by public announcement on radio, television, public address system or published in a newspaper having general circulation in the Town of Saugeen Shores.

SECTION III – SERVICE METERS

3.1 LOCATION OF METERS AND TOUCH PADS

- 3.1.1 Every dwelling accessing a water service must be metered according to Town Standards.
- 3.1.2 No person shall use water on private property unless it is metered, inspected, approved and sealed by the Town. The Property Owner shall provide space and access for such meter. The location shall be as close as practical to the point where the service enters the building and shall be connected on the horizontal immediately after the building control valve and prior to the first fitting and shall be accessible at all times.
- 3.1.3 When the location of a meter cannot be provided in accordance with Section 3.1.2, the Property Owner shall, at his complete and sole expense, have a metering system constructed according to the current Town Standards and only with prior approval from the Town.
- 3.1.4 Where a request is made to relocate a meter:
- (a) It shall be the responsibility of the Property Owner or consumer to notify the Town forthwith of the request to relocate the meter at their expense.
 - (b) The meter and appurtenances shall be inspected, approved and sealed by the Town.

3.2 SIZE OF METERS

- 3.2.1 The Town shall determine the size of any meter, the manner of its installation and any and all matters relating to the required piping and other appurtenances associated therewith. Notwithstanding the aforesaid, the minimum size for a residential meter shall be 15 mm x 20 mm ($\frac{5}{8}$ " x $\frac{3}{4}$ ") and the minimum size for an industrial/commercial/institutional meter shall be 20 mm ($\frac{3}{4}$ ").
- 3.2.2 For purposes of this Section and Section 3.2.1 the minimum size of the meter shall be one size smaller than the service pipe (i.e. if a 2" service pipe has been installed to the premises the minimum size of meter to be installed shall be nominal 1- $\frac{1}{2}$ ") except that the Town may permit another size based on sound engineering practice.

3.3 INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR METERS

- 3.3.1 The service valve located at the street line shall be located at grade level and shall be in good working condition, prior to the meter being placed in service.

- 3.3.2 During the installation or the removal of a meter, where piping is damaged as a consequence of the defective condition of the piping, the Property Owner shall install new piping at their complete and sole expense.
- 3.3.3 A Property Owner shall take all precautions necessary to prevent damage by frost, hot water, blows, injury or damage from any cause to the meter and any appurtenances thereto. Should a meter be required to be replaced and/or repaired, the cost, in accordance with Schedule "A" shall be payable to the Town, by the Property Owner.
- 3.3.4 The cost of downsizing or upsizing a meter shall be paid to the Town prior to the change over. No allowance or rebate shall be provided for a meter return.
- 3.3.5 The Town shall install a seal on all meters and all by-pass valves. No unauthorized person shall tamper with the seal and/or meter.
- 3.3.6 Where a Property Owner requests that a meter be tested and such testing is not part of the routine testing and/or maintenance program conducted by the Town, the Director of Public Works shall test any meter at the expense of the Property Owner. The Property Owner shall pay to the Town in advance, a deposit to cover the estimated cost of testing the meter, including removing and replacing, in accordance to Schedule "A". If the meter is found to be inaccurate, or defective, the Town shall replace the meter and return the fee. A meter shall be deemed to be inaccurate if it errors more than 3% (plus or minus) at average flow rates.
- 3.3.7 Occupancy of a property is prohibited until such time as a meter is installed and operational to the satisfaction of the Town.
- 3.3.8 No person shall willfully alter any meter placed upon any service pipe or connection therewith, within or without any other property so as to lessen or alter in any manner the amount of water consumption registered.

SECTION IV – FIRE HYDRANT

4.1 MUNICIPAL FIRE HYDRANT

- 4.1.1 The design, location, installation, separation and maintenance of all fire hydrants within the Town shall be in accordance with current Town standards.
- 4.1.2 No person, except Director of Public Works, or for fire fighting purposes, shall open or tamper in any manner with a fire hydrant, unless a written hydrant permit is obtained from the Town.
- 4.1.3 The Public Works Department shall be notified of the use of any hydrant by the Fire Department.
- 4.1.4 No person shall use wrenches other than regulation hydrant wrenches for the operation of fire hydrants. The use of any other type of wrench shall result in the cancellation of any permit issued and the person shall be liable for costs of any damage.
- 4.1.5 When a hydrant is being used under a hydrant permit a reducing coupling shall be attached to the nozzle of the hydrant and equipped with an independent valve for regulating flows and an approved backflow preventer must be installed. During use, the main valve of such hydrant shall be fully opened. At conclusion of work it shall be fully closed.

- 4.1.6 The cost for the approved use of any hydrant shall be in accordance with Schedule "A", plus the current water rate for the volume obtained. A meter shall be used to determine the volume of water used.
- 4.1.7 No person shall obstruct the access to any hydrant within a distance of three (3) meters.
- 4.1.8 A private hydrant shall be tested and serviced including routine maintenance such as painting annually by the Town Staff. When the testing and servicing is done by the Town, the cost shall be in accordance with Schedule "A".
- 4.1.9 Relocation of a municipal fire hydrant may be requested by the Property Owner. The Director of Public Works may permit such a request subject to the fees as set out in Schedule "A".
- 4.1.10 The Director of Public Works and Fire Chief shall have the authority, through the statutory development process, to establish standards for and to secure the provision of adequate municipal fire hydrants and private fire hydrants.
- 4.1.11 Any high rise building or any buildings which are determined by the Director of Public Works and Fire Chief to be a high risk building which requires the use of a booster pump, shall incorporate a backflow preventer located before the pump in order to protect the Town waterworks system.

4.2 FIRE SYSTEMS

- 4.2.1 Any industrial, commercial or domestic private fire system which uses chemicals in the system shall incorporate a reduced pressure backflow preventer as determined and approved by the Director of Public Works and Fire Chief.

SECTION V – SANDPOINT AND/OR PRIVATE WELL

5.1 CONNECTION OR SANDPOINTS AND WELLS

- 5.1.1 No person shall connect a water system from a "sandpoint" or "private well" to a water system connected to the municipal system.
- 5.1.2 No person, serviced by the Municipal water system, shall install a sandpoint and/or private well prior to completing an application and paying the fees as specified in Schedule "A".
- 5.1.3 Each water system connected to a sandpoint or private well shall be inspected and documented by the Town from time to time.
- 5.1.4 No person may use a private source of water which results in an increased sewage flow without written notification to the Town and without the installation of a metering system that is in accordance with Town Standards.

SECTION VI – BULK WATER SALE

- 6.1 Any person who wishes to obtain a volume of water other than through a metered water service shall pay the administration fee as set out in Schedule "A" plus the current water rate for the volume obtained.

SECTION VII – WATER SERVICES OUTSIDE TOWN BOUNDARIES

- 7.1 The municipal water system shall not be connected to any water system outside the boundaries of the Town, unless the system meets the standards of the Town of Saugeen Shores to the sole satisfaction of the Town and there is an agreement with the municipality in which the system is located.
- 7.1.2 Any water system extended beyond the boundaries of the Town shall be metered at the boundary of the Town and the consumption fee will be determined by the applicable Town By-law(s).

SECTION VIII – PENALTIES

- 8.1 Any person who contravenes any provision of the by-law is guilty of an offense and on conviction is liable to the penalties contained in the Provincial Offenses Act.
Schedule “B” of this by-law also applies.

SECTION IX – REPEAL EFFECTIVE DATE

- 9.1 By-law 23-96 of the Corporation of the Town of Port Elgin and By-law 1-90 of the Town of Southampton, and any other by-law, or a portion thereof, inconsistent with this by-law is hereby repealed.
- 9.2 This by-law comes into force on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 1ST DAY OF OCTOBER 2001.

READ A THIRD TIME AND FINALLY PASSED AND SEALED THIS 1ST DAY OF OCTOBER 2001.

MAYOR

CLERK

THE CORPORATION OF THE TOWN OF SAUGEEN SHORES

SCHEDULE "A" TO BY-LAW NO. 89-2001

SERVICE CHARGES

Item #1 **CHARGES FOR TURN "ON" AND "OFF"**

- a) During normal working Hours No Charge
- b) Outside of normal working hours \$150.00

Item #2 **METERS**

- a) Repairs to water meter Actual cost
- b) Charge for removal or reinstallation of water meter
 - i) normal working hours \$30.00
 - ii) outside normal working hours Actual cost

Item #3 **HYDRANTS**

- a) Hydrant permit
 - i) normal working hours \$100.00
 - ii) outside normal working hours \$200.00
- b) Relocation of fire hydrant Actual cost
- b) Testing and servicing of Private Hydrant \$100.00

Item #4 **SANDPOINT AND/OR PRIVATE WELL**

- a) Application Fee \$25.00

Item #5 **BULK WATER SALE**

- a) Administration Fee
 - i) normal working hours \$100.00
 - ii) outside normal working hours \$200.00

Item #6 **CONNECTION FEES**

- Increase size above standard Actual cost – material and labour
- House service residential ¾" \$1,000.00 (Minimum deposit)
Project based on actual cost
- Commercial Service 1" to 2" \$1,000.00 (Minimum deposit)
Project based on actual cost
- Industrial Service 2" plus \$1,000.00 (Minimum deposit)
Project based on actual cost

THE CORPORATION OF THE TOWN OF SAUGEEN SHORES

SCHEDULE "B" TO BY-LAW 89-2001

13	Obstructing access to fire hydrant.	Section 4.1.7		
14.	Connection of sandpoint and private well connection to water works system.	Section 5.1.1		
15.	Increased sewage flow	Section 5.1.4		

The penalty provisions for the offences indicated above is Section 8.1 of By-law Number 89-2001.