

**BY-LAW NO. 52**

**A BY-LAW OF THE CITY OF MIRAMICHI RESPECTING  
WATER AND SEWERAGE SYSTEMS AND RATES**

1. In this By-Law , the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future; words used in the singular number shall include the plural and words used in the plural number shall include the singular. All other words shall carry their customary meaning except for those defined hereinafter:
  - (1) **BUILDING** means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment.
  - (2) **CENTRAL SEWAGE DISPOSAL SYSTEM** means a private sewage disposal system serving two or more properties.
  - (3) **CITY SEWAGE DISPOSAL SERVICE** means a public sewage disposal system serving more than one lot of real property by means of a series of sewers.
  - (4) **CITY** means the City of Miramichi, including designated staff.
  - (5) **CITY WATER** means water obtained by the City from municipal wells and carried to customers through a series of pumping systems and water and pipe lines.
  - (6) **COMBINED SEWER** means a sewer receiving and carrying storm water, surface run off, ground water and sewage.
  - (7) **CONTROL MANHOLE** means a service conduit designed and used to monitor, sample and measure sewage emissions from the property of a service customer.
  - (8) **CURB STOP** means a control valve designed to regulate the flow of City water from a water service pipe to a private water service pipe.
  - (9) **CUSTOMER** means the owner of the real property to which City water or City sewage disposal services are, in the opinion of the Director, accessible, whether said services are being accessed or used by the property owner or not. The terms shall also include the owners of mobile homes located in mobile home parks with a public right-of-way.
  - (10) **DIRECTOR** means the Director of Public Works for the City, or any other City employee authorized by him to act on his behalf.
  - (11) **FIRE DEPARTMENT** shall mean the fire department for the City of Miramichi.
  - (12) **FIRE PROTECTION LINE** means a piping system contained within any building which is designed to carry water for the sole purpose of extinguishment of fire within said building, and shall include all sprinkler heads, valves and mechanisms whatsoever related to said piping system.
  - (13) **INTERCEPTORS** means a mechanism or structure designed and used to operate and collect undesirable waste components from sewage prior to said sewage entering any sewer lateral.
  - (14) **METER** means a mechanism designed to measure the volume of water flowing through any piping system and shall include all materials or equipment related to the efficient operation of said mechanism.

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- (15) **MOBILE HOME** means the manufactured, movable or portable dwelling unit constructed to be towed or transported to its appropriate site, connected to utilities and designed for year round living. It may consist of one or more parts that can be folded, collapsed or telescoped for towing to the appropriate site and expanded later for additional cubic capacity to be jointed into one integral unit. The unit shall contain sleeping accommodation, a flush toilet, a tub or shower, bath and kitchen facilities, with plumbing and electrical connections to provide for attachment to outside systems. For the purpose of this by-law, a mobile home shall include any structure commonly referred to as a mini-home.
- (16) **MOBILE HOME PARK** means a lot of real property upon which two or more mobile homes are situate and set up for their intended use.
- (17) **PERSON** means and includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply, according to law.
- (18) **PRIVATE DRAIN CONNECTION** means a piping system designed to carry sewage from a building located upon a customer's property to the customer's property line.
- (19) **PRIVATE SEWAGE DISPOSAL SYSTEM** means any privately owned system for sewage disposal serving one lot of real property, including cesspools and septic tanks, or other similar systems.
- (20) **PRIVATE WATER SERVICE PIPE** means a piping system designed to carry City water from a customer's property line to a building located upon the customer's property.
- (21) **PUBLIC RIGHT-OF-WAY** means and includes a street or other roadway which the City is responsible to maintain by law or agreement and which is accessible to the public at large.
- (22) **RIGHT-OF-WAY** means a roadway through a private property whose access is controlled by the owner of said property.
- (23) **SANITARY SEWER** means a sewer receiving and carrying water borne wastes from buildings located within the City into which storm, surface or ground waters are not intentionally omitted.
- (24) **SERVICE CONNECTION** shall mean the linkage of a sewer lateral with a private drain connection or the linkage of a water service pipe with a private water service pipe.
- (25) **SERVICED CUSTOMER** shall mean a customer in receipt of City water or City sewage disposal services.
- (26) **SEWAGE** means the combination of water carried wastes from buildings located within the City, containing animal, vegetable or mineral matter, in suspension or solution.
- (27) **SEWER** means pipes, conduits or drains designed and used for carrying sewage, which are vested in or under the control of the City, whether within or outside the corporate boundaries of the City and includes the structures, devices, equipment and appurtenances intended for the collection, transportation, pumping and treatment of sewage.
- (28) **SEWER LATERAL** means a piping system designed to convey sewage from a customer's property line to a sewer.

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- (29) **STORM DRAIN** means pipes, conduits or drains used and designed for receiving and carrying storm water and surface runoff water which are vested in or under the control of the City, whether within or without said corporate boundaries of the City, and includes the structures, devices, equipment and appurtenances intended for the collection, transportation, pumping or treatment of storm water and surface run off water.
- (30) **STREET** means the whole and entire right-of-way of every, highway, road or road allowance vested in the City, or vested in the Province of New Brunswick and located within the City.
- (31) **WATER COURSE** means any channel in which a flow of water occurs either continuously or intermittently.
- (32) **WATER MAIN** means the major piping system vested in or under the control of the City, designed to carry City water, the majority of which is, or will be, installed beneath a street.
- (33) **WATER SERVICE PIPE** means a piping system designed to carry City water from a water main to a customer's property line.
- (34) **WATER SHORTAGE** means a marked reduction in the amount of City water available for use by customers. It shall be the discretion of the director to rule at what stage the City's water has been reduced so as to constitute a "marked reduction".

**SERVICE CONNECTIONS**

- 2. (1) No person or party shall make or establish any service connection unless permission has been granted by the director.
  - (2) All applications for permission to establish a service connection shall be made by a customer, in the form prescribed by the City, and accompanied by such plans, specifications, or other information required by the Director.
  - (3) No permission shall be given under this section until the customer's application has been approved by the Director and the appropriate fees, as outlined in Schedule "C" have been paid to the City.
  - (4) The City shall establish and install a service connection for which permission has been given under this section.
  - (5) Where a customer requests a service connection involving a water service pipe larger than nineteen millimetres in diameter or a sewer lateral larger than one hundred millimetres in diameter, said customer shall pay a surcharge to the City equal to the difference in cost between the sewer lateral or water service pipe requested and the sewer lateral or water service pipe set out in Schedule "C" attached hereto.
  - (6) If the service connection requested would constitute a second sewer lateral or water service pipe for a single lot of property, then in addition to any other requirements established by the Director, the customer shall pay to the City the actual cost of the provision of the requested service connection, including the actual cost of any sewer lateral or water service pipe, and including any cost for repairs or replacement to streets or other City property.
3. The installation of any private drain connection or private water service pipe shall be the responsibility of the customer upon whose property said piping systems are being installed.

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4.
  - (1) All private drain connections or private water service pipes shall be made of such materials and shall conform to such grades and details as the Director may direct.
  - (2) No private drain connection or private water service pipe shall be covered over until it has been inspected or approved by the Director.
  - (3) The customer shall provide the Director with at least 24 hours notice of any request for an inspection of a private drain connection or private water sewage pipe.
  - (4) If any person covers over any private drain connection or private water sewer pipe before it has been inspected and approved by the Director, the Director may require that said private drain connection or private water service pipe be uncovered for the purpose of inspection and the cost of doing so shall be recoverable from the customer.
5.
  - (1) Any customer utilizing a private sewage disposal system or a water well located upon his property shall comply with a written notice from the Director to install a private drain connection or private water service pipe.
  - (2) Upon a private drain connection or private water service pipe being installed, pursuant to a notice issued under subsection (1), the City shall install a sewer lateral or water service pipe for connection to the customer's private drain connection or private water service pipe.
  - (3) A customer who complies with a notice made under subsection (1) shall pay the City service connection charges as set out in Schedule "C".
  - (4) Where a customer fails to comply with a notice under subsection (1), such customer shall pay the City fees as set out in Schedules "A" & "B".
6. The City shall not be required to install any sewer lateral or water service pipe or to effect any service connection at any time of the year, which, in the opinion of the Director, is not suitable for the performance of said work.
7. No serviced customer shall provide any other customer with access to the serviced customer's private water service pipe or private drain connection without the approval of the Director.
8. No serviced customer shall permit the improper use or waste of water and shall promptly repair any water leaks in all piping systems located upon his property, and the Director may suspend the supply of water to said serviced customer until such leaks have been properly repaired.
9.
  - (1) All materials or devices used by a serviced customer for the purposes of plumbing, distributing, controlling or utilizing water or sewage, and which are not the property of the City, shall be installed and maintained in a manner satisfactory to the Director.
  - (2) Service connections shall not be made, except for construction or testing purposes, until and unless the requirements referred to in subsection (1) have been met.
  - (3) The supply of City water may be suspended to any customer at any time, if, in the opinion of the Director, the service customer is failing to comply with requirements of subsection (1) or if any part of the water or City sewage disposal system of such service customer, including the meter, is in any way unsuitable or unsanitary.
  - (4) If the supply of City water to a service customer is discontinued, pursuant to subsection (3), such City water supply shall not be re-established until the reason for the original suspension has been corrected to the satisfaction of the Director.

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10. (1) No person shall make a connection between any piping system containing City water and any other piping system containing water from another source.
- (2) If a connection noted in subsection (1) is made, the Director may suspend the supply of City water to any serviced customer upon whose property the subject connection exists.
- (3) If the supply of City water to a serviced customer is suspended, pursuant to subsection (2), such City water supply shall not be re-established until the reason for the original suspension has been corrected to the satisfaction of the Director.
11. (1) No person shall connect:
  - (a) a booster pump;
  - (b) a quick opening or quick closing valve;
  - (c) a flushometer;
  - (d) a rod-hopper water closet;
  - (e) a water operated pump or siphon;
  - (f) a standpipe;
  - (g) a large outlet which may occasion sudden demands of short or long duration thereby requiring oversize meters and pipe lines;
  - (h) any device which may affect the stability or regulation of water pressure in the City system;
  - (i) a water supplied heat pumpto a water service pipe or any piping system connected to a water service pipe without first obtaining permission to do so from the Director.
- (2) No person shall install or operate a water-supplied heat pump in the City without first obtaining permission from the Director.
- (3) An application for permission pursuant to this section shall be accompanied by all necessary plans and specifications, along with such information which may be required by the Director.
- (4) If, in the opinion of the Director, a service or any person is committing a violation of this section, the Director may suspend the supply of City water to any serviced customer upon whose property the violation of this section is apparently taking place.
- (5) If the supply of City water to a serviced customer is suspended, pursuant to subsection (4), such City water supply shall not be re-established until the reason for the original suspension has been corrected to the satisfaction of the Director.
12. (1) No serviced customer shall operate any water piping system which, in the opinion of the Director, poses a risk of allowing contamination to pass from said water piping system to a water service pipe.
- (2) If the risk set out in subsection (1) exists, then the Director may suspend the supply of water to a serviced customer who owns the subject property.
- (3) If there is a suspension of the supply of City water to any serviced customer, pursuant to subsection (2), the City water will not be turned back without the approval of the Director.

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13. No fire protection lines shall have a connection to serve any other purpose and no fire protection line shall be connected to a metered service.
14. (1) Subject to subsection (2) all private drain connections shall extend directly from the subject building to a sewer lateral and all private water service pipes shall extend directly from the subject building to a water service pipe.  
(2) The Director may approve of a connection between a new private drain connection and an existing, and active, private drain connection. The Director may approve the connection of a new private water service pipe with an existing, and active, private water service pipe.
15. The Director may refuse to effect a service connection to any property if, in his opinion, said service connection is not in the best interest of the water utility or the City, including its citizens.
16. No person, unless authorized by the Director, shall draw water from, open, close, cut, break or in any way interfere with any fire hydrant, water main, sewer or other property of the City, or obstruct the full access to any hydrant, curb stop, meter or building; provided however, that nothing in this paragraph shall be deemed to prevent an officer or member of the Fire Department, engaged in the work of such Department, from using any hydrant or other source of City water for fire fighting.
17. Unless authorized otherwise in this By-Law, no more than one building per lot of real property, shall receive City water or City sewage disposal service from a water service pipe or sewer lateral.
18. No person shall discharge, cause to be discharged, or continue to discharge any storm water, surface water, ground water, roof run-off, sub-surface drainage, or polluted waters into any piping system connected to any private drain connection or sewer.
19. No person or party shall discharge sewage anywhere except into a public sewer, a private sewage disposal system or a central sewage disposal system.
20. (1) Except as hereinafter provided, no person shall discharge or cause to be discharged, or continue to discharge any of the following into any private drain connection or sewer, or any piping system connected to any private drain connection or sewer;
  - (a) liquid or vapour having a temperature higher than 150 degrees F;
  - (b) ashes, cinders, sand, earth, mud, straw, metal, glass, pigments, rags, textiles, tar, wood, wood products, paper fibre and plastics, or other viscous or colloidal substance capable of causing obstruction to the flow on sewers or other interferences with the proper operations of the sewage treatment plants;
  - (c) animal wastes such as hair, wool or fur, feathers, intestines or stomach casing, paunch, manure or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings;
  - (d) water or wastes which may contain more than 150 parts per million by weight of fat, oil or grease of animal or vegetable origin, or 15 parts per million of oil or grease of mineral origin, or tar;
  - (e) waters or wastes having a pH lower than 6.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel;
  - (f) gasoline, benzene, naphtha, fuel oil, acetone, solvents, or other inflammable or explosive liquid, solid or gas;

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- (g) waters or wastes containing cyanide, chromium, cadmium, copper, or sulphide; or containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment or constitute a hazard to humans or animals;
  - (h) noxious or malodorous gas or substance capable of creating a public nuisance;
  - (i) waters or wastes containing more than 1500 parts per billion of phenolic equivalents;
  - (j) waters or wastes containing substances of such character and quality that unusual expense or attention is required to handle such materials at any sewage works under the control of the City;
  - (k) water or wastes containing more than 1500 parts per billion of chlorides or sulphates; and
  - (l) waters or wastes having a five day Biochemical Oxygen demand or Suspended Solids concentration greater than 400 parts per million by weight.
- (2) A serviced customer who wishes to discharge any of the materials noted in subsection (1) into any private drain connection or sewer, or any piping system connected to any private drain connection or sewer, shall first do the following:
- (a) install pre-treatment facilities to the satisfaction of the Director; or,
  - (b) enter into an agreement with the City whereby the City would treat the subject materials and the customer would pay a fee to the City for the provision of said treatment service.

**INTERCEPTORS AND MANHOLES**

21. Whenever the Director considers it necessary, he may require any service customer to install and operate such interceptors as are deemed necessary by the Director, to provide for the proper handling of wastes originating or emanating from the serviced customers property.
22. (1) Whenever the Director considers it necessary, he may require any service customer to install and operate a control manhole, satisfactory to the Director, to facilitate observation, sampling and measurement of wastes emanating from the property of the service customer.
- (2) The control manhole shall be located and constructed in accordance with plans approved by the Director.
- (3) The control manhole shall be installed and maintained by the service customer, at the service customer's expense.
- (4) The Director may require, as a part of the work under this section, the installation of a suitable water closet and its connection with a sewer.

**PRIVATE SEWAGE DISPOSAL SYSTEMS**

23. (1) No person may install a private sewage disposal system within the City without first obtaining permission to do so from the Director.

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- (2) Before permission is granted for the installation of a private sewage disposal system, the plans for such installation must be approved by the Director and by such representatives of the Province of New Brunswick as are mandated with legal authority regarding such systems by any legislation or regulations of the Province of New Brunswick.
- (3) No permission shall be granted for the installation or operation of a private sewage disposal system to be located upon property with access to City sewer services.
- 24. (1) No contents of a septic tank or cesspool shall be discharged into any water course.
- (2) No person may discharge, or cause to be discharged, the contents of any septic tank or cesspool into a private drain connection, sewer, or into a piping system connected with a sewer, without the written permission of the Director, and then only upon such terms as the Director may specify.
- 25. All private sewage disposal systems shall be operated and maintained in a sanitary manner and at no expense to the City.
- 26. (1) Upon a serviced customer complying with an order made pursuant to section 5 of this By-Law, said serviced customer shall, within a period of time designated by the Director, cause any septic tank, cesspool, privy or private sewage disposal system located upon the serviced customer's property to be abandoned and filled with material approved by the Director.
- (2) Where a service customer fails to comply with the provisions of subsection (2), the Director may cause to be done all work necessary for compliance with subsection (2) and the cost thereof shall be recoverable from the serviced customer.

### **CENTRAL SEWAGE DISPOSAL SYSTEMS**

- 27. (1) No central sewage disposal system shall be constructed or installed until permission is granted for said construction or installation by the Director.
- (2) An application for permission under this section shall be made on a form furnished by the Director and accompanied by such plans, specifications or other information required by the Director.
- (3) The plans and specifications required under subsection (2) shall bear the seal and signature of a professional civil engineer registered to practise in the Province of New Brunswick.
- (4) The Director may, at any time, require any such tests as he considers necessary to be conducted to ensure the proper construction, installation and operation of a central sewage disposal system.
- 28. The Director shall not issue permission for the installation of a central sewage disposal system until plans for the proposed central sewage disposal system have been approved by the Province of New Brunswick.
- 29. No person shall use, cause to be used, or permit to be used, any central sewage disposal system until its installation has been completed to the satisfaction of the Director.
- 30. (1) No person shall cover any portion of a central sewage disposal system until it has been inspected and approved by the Director.
- (2) The Director shall be given at least twenty four (24) hours notice of any request for the inspection of a central sewage disposal system.

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- (3) If any person covers over any central sewage disposal system before it has been inspected and approved by the Director, the Director may order the central sewage disposal system to be uncovered for the purpose of inspection and the cost of doing so shall be recoverable from the owner of real property upon which said central sewage disposal system is located.
31. A person who owns, maintains or operates a central sewage disposal system, or who owns or occupies real property upon or under which there is a central sewage disposal system, shall maintain or operate the system in such a manner that:
- (a) a danger to the public health is not created by the system;
  - (b) sewage or effluent from the system does not appear on the surface of the ground, or in any ditch, excavation or building basement;
  - (c) sewage or effluent from the system does not appear in any well or in any body of water from which water is used for drinking purposes by human beings;
  - (d) sewage or effluent from the system does not leak from any part of the system; or
  - (e) offensive odours are not emitted from the system.
32. (1) Any person who fails to comply with the provisions of section 31 of this By-Law may be given notice by the Director of the subject failure along with an order requiring correction of the failure upon such terms as the Director considers necessary and within such time as the Director may specify.
- (2) If a person fails to comply with notice provided to him under subsection (1), the Director may cause to be done all work necessary for compliance with the notice and the cost thereof shall be recoverable from the owner of the real property upon or under which the subject central sewage disposal system is located.
33. (1) Upon a customer complying with a notice made under section 5 of this By-Law, the customer shall, within a time ordered by the Director, abandon the use of any central sewage disposal system located upon the customer's property and fill said central sewage disposal system with material approved by the Director.
- (2) If a customer fails to comply with notice provided to him under subsection (2), the Director may cause to be done all work necessary for compliance with the notice and the cost thereof shall be recoverable from the owner of the real property upon or under which the subject central sewage disposal system is located.

**WATER SERVICES**

34. (1) The Director may order that the supply of water to any service customer be paid for on the basis of measured quantities determined by a meter which shall be supplied and installed at the expense of the City.
- (2) No person shall construct any water well upon property located within the City which, in the opinion of the Director, has access to City water, without the written consent of the City.
- (3) City water shall be supplied to a customer who operates a mobile home park with a private right-of-way according to the following terms and conditions:
- (a) City water shall be supplied for the use of inhabitants of the mobile home park through a single water service pipe and the volume of water consumed by inhabitants of the mobile home park shall be measured through a single meter.

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- (b) The customer upon whose property said mobile home park is located shall be responsible for payment of water rates relating to City water provided to the mobile home park in accordance with the rates set out in Schedule "A".
  - (c) The customer may collect a portion of the cost of City water from each owner of a mobile home located upon the customer's property. In no circumstances shall the total amount collected from mobile home owners, pursuant to this subsection, exceed the amount of the customer's water bill.
  - (d) The customer shall be liable for the cost of installation of private drain connections and private water service pipes to each mobile home located upon the customer's property.
  - (e) The customer shall be liable for the cost of installation of a sewer lateral and water service pipe for usage by the mobile home park, according to the rates set out in Schedule "C" attached hereto.
- (4) City water shall be supplied to customers who operate mobile home parks upon their property with a public right-of-way upon the following terms and conditions:
- (a) City water shall be supplied to each mobile home located within the said mobile home park and the volume of water consumed by the occupiers of each mobile home shall be determined by a meter which shall be supplied to each mobile home within the mobile home park.
  - (b) All customers who own mobile homes located in said mobile home park shall be responsible for payment of water rates in accordance with the rates set out in Schedule "A".
  - (c) All customers who own a mobile located within the mobile home park shall be liable for the cost of installation of any private water service pipe.
  - (1) The customer who owns a mobile home located within the mobile home park shall be responsible for the costs of installation of a water service pipe according to the rates set out in schedule "C".
35. (1) Every building whose City water supply is to be metered shall have a location which, in the opinion of the Director, is suitable for the location of the meter.
- (2) Where a building is of such a nature that a meter cannot be properly installed, or if the building is not sufficiently frost proof so as to guarantee the safety of the meter, the Director may order the construction and installation of a suitable frost proof box in which the meter can be installed and the cost of constructing and installing said frost proof box shall be recoverable from the customer who owns the building.
36. (1) No person other than City employees, or designates, shall install, alter, service or remove meters.
- (2) All installed meters shall remain the property of the City.
- (3) No person shall cause, or attempt to cause, the flow of City water into any building to by-pass, or in any way avoid measurement by, metres.
- (4) No person shall interfere, or attempt to interfere, with the operation of a meter unless authorized to do so by the Director or the City.
37. (1) Every service customer whose water supply is metered shall be held liable for any damage to, or loss of, the meter resulting from any cause other than damage by the City, or its designates.

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- (2) For the purpose of this section, meter includes the ARB Box and associated wiring.
  - (3) Where a meter has been damaged or lost, the Director may, by written notice, demand that the serviced customer re-imburse the City for the full cost of the repair or replacement of the meter.
  - (4) If payment of the monies referred to in subsection (3) have not been made within thirty (30) days of the date of the notice to the serviced customer, then the Director may suspend the supply of water to said serviced customer until said monies have been paid in full.
38. (1) Where a service customer whose water supply is metered requests the meter to be tested, he shall pay a deposit of \$100.00.
- (2) Where the test indicates that the meter is over-registering by more than one point five per cent (1.5%) above the standards set by the American Water Works Association as same exists from time to time, the \$100.00 deposit shall be refunded and the serviced customer's water bills during the previous 12 months shall be adjusted accordingly.
- (3) Where the test indicates that the meter not over-registering by more than one point five per cent (1.5%) above the standards set by the American Water Works Association as same exists from time to time, the \$100.00 deposit shall be forfeited to the City.
39. City employees, or their designates, shall have the right of access to any parts of a customer's property or premises at all reasonable hours for the purpose of inspecting any pipes, fixtures or appliances, or for the purpose of installing, removing, repairing, reading or inspecting meters.

### GENERAL

40. The installation of private hydrants or fire protection lines, including sprinkler systems, shall be the responsibility of the person desiring or requiring same, who shall assume the cost of said installation, along with maintenance of such service, including the cost of any tee and valve, excavation, tamped backfill and street or sidewalk surface repairs to a level acceptable to the Director.
41. In the event of a water shortage, the Director may issue an order that all persons shall preserve City water and not use City water for watering lawns, washing vehicles or any other use that is specifically included in the order.
42. (1) Nothing in this By-Law shall be deemed to be a guarantee by the City or water utility of the provision of an uninterrupted City water supply or of a sufficient or uniform water pressure.
- (2) The City shall not be liable to any person for any damage or injury resulting, directly or indirectly, from the following:
- (a) the interruption of the supply of City water;
  - (b) any variation of City water pressure,
  - (c) the turning off or turning on of City water;
  - (d) the drawing of a vacuum on the City water system by fire fighters;
  - (e) the intermittent flow of the City sewage disposal service.

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43. A customer shall, during the construction of buildings on his property, and when ordered to do so by the Director, install upon the private drain connection on his property, a back water valve approved by the Director.
44. City water or City sewage disposal services may be suspended to any property condemned by order of the City, pursuant to its By-Laws.
45.
  - (1) When a customer requests that the Director carry out work related to the provision or continuation of City water or City sewage disposal services to the customer, for which such customer will be liable to pay, the customer shall pay to the City, in advance of said work, a sum equal to the estimated cost of said work as same is determined by the Director.
  - (2) When the actual cost of the work referred to in subsection (1) has been determined, the amount paid to the City in advance by the customer, shall be adjusted accordingly.
  - (3) No City water or City sewage disposal service shall be established or continued until the monies required to be paid pursuant to this section have been paid to the City.
  - (4) Any work to be carried out by City employees or their designates related to the provision or continuation of City water or sewer services to a service customer, shall be performed between 8 a.m. and 5 p.m., unless ordered otherwise by the Director.
  - (5) Where there is a freeze up in a private drain connection, before any work may be initiated on said freeze up by said City employees or their designates, the City and the serviced customer shall both have a qualified electrician present. In addition, the serviced customer shall execute an agreement or waiver form presented by the City, and no such work may be initiated until said document has been properly executed and the work authorized by the Director, or his designate.
  - (6) All customers are required, at their expense, to keep curb stops visible and in a state of good repair.
  - (7) The cost of work performed by City employees, or their designates, on private water service pipes, private drain connections or a curb stop located upon or adjacent to a serviced customer's property, shall be the responsibility of the serviced customer and may be added to the water or sewage bill of the customer.
46. Whenever, in the opinion of the Director, a violation of any of the provisions of this By-Law has occurred or is existing, the Director may cause the City water or City sewage disposal service to be discontinued to the property where such violation has occurred or is existing, until the violation has been addressed to the satisfaction of the Director.

### RATES

47.
  - (1) All customers shall pay charges to the City in accordance with the rates set out in Schedules "A" and "B" attached.
  - (2) Other users of City water shall pay charges to the City as set out in Schedule "A".
  - (3) Interest at the rate of 1% per month shall be charged on the gross amount of City water or City sewage disposal bills or accounts remaining unpaid thirty (30) days after having been issued.
48.
  - (1) Bills or Statements of Account issued under this By-Law shall be issued by the City to each customer at times, or at such intervals, as is decided from time to time by the City Treasurer.

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- (2) If a customer's obligation to pay reoccurring rates or fees under this By-Law is initiated or terminated at any time other than on a designated billing date, the amount to be charged to the customer shall be the pro rata proportion of the flat rate applicable to the customer, for the billing period plus consumption charges, if any.
  - (3) If the Water Utility, or its designates, is unable to obtain a meter reading for billing purposes after exercising due diligence in its attempt to do so, a meter reading for the subject serviced customer shall be estimated in accordance with the best data available. If an estimated meter reading is rendered for three consecutive billing periods the water utility may notify the customer by registered mail that arrangements must be made for the water utility to obtain a meter reading, and failing such arrangements, the water utility may suspend the provision of City water to the serviced customer until such arrangements are made. When such meter readings have been obtained, the serviced customers water or sewage disposal bills, which were based on estimated meter readings, shall be adjusted accordingly.
  - (4) If a serviced customer receives a water or sewage disposal bill which the City Treasurer considers excessive, upon reviewing the history of the previous meter readings, the City Treasurer may adjust the bill after consultation with the Director.
49. (1) Every bill or statement of account issued under this By-Law is due and payable on the day the bill or statement of account is issued.
- (2) Interest at the rate of 1% per month will be charged on the gross amount of any statement of account or bill issued pursuant to this By-Law which remains unpaid thirty days after the date of billing.
  - (3) Where money is paid to the City towards obligations incurred under this By-Law, such money is to be first applied towards payment of interest and arrears, if any.
  - (4) The net amount will be the amount payable only if the bill is paid within 30 days after the day of rendering the bill, which date shall be clearly shown on the bill.
  - (5) The Director or City Treasurer may suspend City water or sewage service to serviced customers whose bills for City water or City sewage disposal services remain unpaid for more than forty (40) days after the date the bill was issued.
50. Where City water or City sewage disposal services to a property have been suspended for non-payment of any bills or statement of account issued by the City, pursuant to this By-Law, or any other violation of this By-Law, such City water or City sewage disposal service shall not be restored until all arrears have been paid to the City, along with Twenty-Five (\$25.00) for reconnection charge.
51. If a serviced customer, for any reason, requests that the provision of City water be discontinued to his property, a charge of \$25.00 shall be made for said discontinuance, and no additional charge shall be made for restoration of City water to the property if, and when, it is requested.

### **ENFORCEMENT**

52. Where a notice is authorized to be given under this By-Law, such notice shall:
- (a) be in writing;
  - (b) be signed by the City Clerk or the Director;
  - (c) be served personally on, or forwarded by registered mail to, the customer who owns the property in respect of which the notice is issued;

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- (d) if applicable, state the nature of work to be performed and grounds upon which the work is required; and
  - (e) if applicable, state that the work must be carried out or affected by the customer within the period stated in the notice, such period to be not less than seven days and not more than two months from the day the notice is served or mailed.
53. A person who violates any provision of this By-Law is, in addition to any other remedy or penalties provided by this By-Law, guilty of an offense and is liable on summary conviction to a fine not exceeding \$1,000.00.
54. Nothing in this By-Law shall be interpreted so as to preclude the City from enforcing its rights hereunder by any and all legal means.

**BY-LAWS REPEALED**

55. By-Law No. 22, A By-Law Respecting Water and Sewerage Systems and Rates and all amendments thereto and By-Law No. 22-1, A By-Law to Amend By-Law No 22, a By-Law Respecting water and Sewerage Systems and Rates and all amendments thereto.

**ENACTMENT**

56. This By-Law comes in effect on the date of enactment thereof.

READ THE FIRST TIME BY TITLE: December 17, 1998

READ THE SECOND TIME BY TITLE: May 27, 1999

**READ IN ITS ENTIRETY AS PER  
MUNICIPALITIES ACT SECTION  
12(1)(B) AND ENACTED: May 27, 1999**

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**MAYOR**

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**ASSISTANT CLERK**

Schedule "A"

**Schedule of Water Rates**

- 1.0 There shall be a charge for all customers whose property receives City water as follows:
- (a) Customers with meters shall pay a rate of \$0.69 per cubic meter of water received by the customer as determined by the meter.
  - (b) Customers whose consumption of City water is not metered shall pay a quarterly rate of \$50.00, plus a quarterly surcharge related to the size of serviced customer's private water service pipe. The applicable surcharge to each customer shall be determined as follows:

Size of private water service pipe	Quarterly surcharge
15 mm	3.95
18 mm	4.10
25 mm	4.56
40 mm	5.18
50 mm	6.88
75 mm	13.72
100 mm	16.80
150 mm	24.00
200 mm	32.23
250+ mm	43.54

2.0 All customers owning property with access to City water who choose not to access said City water and to operate a private water well system, shall pay a quarterly rate of \$50.00

3.0 **Hydrants**

When a person requests the City to use a hydrant, an administration charge of \$200.00 shall be paid in advance of each use, in addition to consumption charges of \$0.69 per cubic meter.

4.0 **Ships**

When a person requests water for a ship at port, the cost to said person will be \$3.00 per cubic meter, plus the cost of any overtime for City personnel which is required to comply with said request.

5.0 **Others**

All other requests for City water will be evaluated by the Director who may determine the terms upon which said water may be provided and the cost of said water to the person making the request. Unless provided for otherwise in this By-Law, there shall be no obligation on the Director to approve of any request for usage of City water by any person.

Schedule "B"

**Schedule of Sanitary Sewerage Charges**

**1.0** There shall be a charge for all customers whose property receives City sewage disposal services as follows:

(1) Customers receiving City water whose consumption of City water is measured by a meter shall pay a quarterly rate of \$0.89 per cubic metre of City water received by the customer as determined by the meter, plus a quarterly surcharge according to the size of the customers private water service pipe. The applicable surcharge to each customer shall be determined as follows:

Size of private water service pipe	Quarterly surcharge
15 mm	3.42
18 mm	3.55
25 mm	3.95
40 mm	4.49
50 mm	5.97
75 mm	11.92
100 mm	14.60
150 mm	20.87
200 mm	28.03
250+ mm	37.87

(b) Customers receiving City water whose consumption of City water is not measured by a meter shall pay a rate of \$63.50 per quarter.

(c) Customers with access to City water who choose not to utilize said access and to operate a private water well system, shall pay a rate of \$63.50 per quarter.

(4) Customers whose property does not have access to City water shall pay a rate of \$63.50 per quarter.

**2.0** Customers owning property with access to City sewage disposal services, who choose not to utilize or access said service and to operate any other form of sewage disposal system shall pay a rate of \$63.50 per quarter.

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**Schedule C**

**Connection Charges**

1.	Where the service is requested is for 3/4" (19mm) water service pipe only	\$ 750.00
2.	Where the service requested is for a 4" (100mm) sewer lateral only	\$ 750.00
3.	Where the service requested is for a 4" (100mm) storm sewer lateral only	\$ 750.00
4.	Where two or more service connections are installed at the same time	\$1500.00