

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 36-94

BEING THE WATER SERVICES BY-LAW FOR THE CITY OF NORTH BAY

WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52 authorizes the council to pass by-laws relating to the management and maintenance of municipal waterworks;

AND WHEREAS it is considered advisable to implement such procedures, and others, in respect of the water distribution system of The Corporation of the City of North Bay.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

PART I - DEFINITIONS

1. For the purposes of this by-law:
 - (1) "Council" shall mean the Council of The Corporation of the City of North Bay;
 - (2) "Corporation" shall mean The Corporation of the City of North Bay;
 - (3) "Curb Stop" shall mean the on/off valve on the service pipe located on or about the boundary line between private property and the municipal road allowance;
 - (4) "Director" shall mean the Director of Engineering and Environmental Services or the Director of Financial Services of The Corporation of the City of North Bay or their successors and their designate or designates;
 - (5) "Mainstop" shall mean the on/off valve located on the watermain;
 - (6) "Municipal Service" shall include any water provided directly or indirectly by or from a watermain owned by the City;
 - (7) "Municipal Water System" shall mean any pipe, watercourse or other structure providing water from a watermain owned by the City;
 - (8) "Owner" shall mean the owner of the property as shown on the last revised Assessment Roll for the City of North Bay and shall include the occupant or lessee of such property;
 - (9) "Person" shall include an individual, a body corporate, partnership and any other group or association of individuals carrying on business or operating under a name other than those of the individuals comprising such group or association;
 - (10) "Service pipe" means the pipe connecting a watermain to a building or structure not owned by the City;
 - (11) "Watermain" shall mean the pipe owned by the City and used to distribute water by the City, which is generally located on or about a road allowance or City easement.

PART II - CONNECTIONS

Applications for Water Service

2. (1) No person shall connect with, tap into, or take any water from any service pipe or watermain for any purpose unless:
 - (i) a permit has been obtained from a Director;
 - (ii) all amounts due to the Corporation have been paid; and
 - (iii) any and all directions of the Directors for protecting the service pipe or otherwise have been complied with.
- (2) All applications for the laying of service pipes shall be made in writing to a Director.
- (3) Every person who discontinues the use of water supplied by the City from a watermain for any purpose shall continue to be liable for the rates and charges billed therefore until such time as notice in writing of such discontinuance shall have been given to a Director.
- (4) The charges payable by the Owner to the Corporation for installation of water service shall be paid in advance in such amounts as are established by the Council in Schedule "A".
- (5) Additional charges will be payable by the Owner to the Corporation as approved by a Director for:
 - (i) repair of asphalt, concrete, sodded areas, or any other appurtenances affected by the installation work;
 - (ii) rock or frost excavation;
 - (iii) temporary maintenance of repair; and
 - (iv) installation below depth of seven (7) feet.
- (6) Where the Schedule "A" does not fix an installation charge expressly directed at the type or manner of service applied for, the applicant shall deposit with the Corporation a sum equal to the estimated cost of providing such service, as calculated by a Director, and if the actual cost exceeds such estimate, the applicant shall pay the balance before the water is turned on.

Limitations on Applications

- (7) The Corporation has the absolute discretion to reject any application for water service which is contrary to the by-law or other applicable law.
- (8) Any special direction by an owner as to the location of a service pipe may be followed if such direction does not interfere with the requirements of this by-law and is approved by a Director.

PART III - CONSTRUCTION OF SERVICES

Extent of Work

3. (1) No person, other than a person having a contract with the Corporation for such work, shall do any work on the municipal water system.
- (2) Only the Corporation shall tap the watermain or supply and install the "mainstop" service piping from the watermain to the street line or curb stop.
- (3) No person shall connect a water service pipe to a watermain unless such pipe is laid and equipped in accordance with the provisions of this by-law and the Plumbing Code.
- (4) No work shall be done by the Corporation upon any land or premises taking municipal water service except as is necessary for placing, repairing, removing or protecting meters.
- (5) The Corporation may supervise or inspect any or all work to be done beyond the property line of the road allowance or municipal easement which relates to water service.
- (6) The expense of installing service pipes and fixtures for the distribution and use of water through lands and buildings shall be borne by the owners thereof.

Size and Location of Services

4. (1) No person shall install a water service pipe to any building or land except in compliance with the Plumbing Code and this By-law except with the prior written approval by a Director of a design by a Professional Engineer.
- (2) Every person installing a water service pipe shall do the installation by way of type K soft copper pipe from the watermain to the property line, in a trench excavated and backfilled by the Corporation or its authorized agent.
- (3) The diameter of the service pipe to be used in all service connections, other than connections to single detached, semi-detached, or duplex homes shall be as determined by a Director, at such Director's discretion.
- (4) Every person laying service pipes upon premises to which water service is supplied shall ensure that such pipes are laid at a depth of not less than six feet six inches (6'6") below the level of the surrounding ground and shall be properly protected against settlement.
- (5) Every person connecting water services into a building shall ensure that:
 - (i) all water services are carried into the building by water pipes of the same size and weight as those laid by the Corporation;
 - (ii) each building shall and every separate unit may have a separate service pipe with stop and drain placed immediately inside the building, well secured from frost; and
 - (iii) all water service connections inside any building are wiped, jointed and graded to a stop and drain so that water shall drain when the service is closed.

- (6) Every owner shall keep service pipes on their property in good repair and free from frost at their own risk and expense.
- (7) Every owner shall promptly repair any leaks in service pipes on their property.
- (8) The Corporation may shut off water service where an owner fails to promptly make necessary repairs on private property, after reasonable notice.

Variations

- (9) Any variation from the requirements of this by-law but approved by a Director relating to the installation and construction of a water service shall be done at the applicant's expense.

Material Specifications

- (10) Every plumber's work in any building supplied with water by the Corporation shall be subject to the approval of the Plumbing Inspector of the Corporation.

Cross Connections

- 5. (1) Where a private water system is continued in service after the installation of municipal water service, no person shall construct, attach or otherwise connect a cross connection between the private water system and the municipal service.
- (2) No person shall construct, attach or otherwise connect a cross connection of any kind to the municipal service without the express written consent of a Director.
- (3) Every person who wishes to undertake work on a private water system which may in any way affect the Water Works Systems of the Corporation, shall notify the Corporation, in writing, prior to undertaking such work.

PART IV - OPERATION OF SERVICES

Curb Stops

- 6. (1) No person shall:
 - (i) shall turn off or on any curb stop, or service pipe;
 - (ii) make any connection with a watermain;
 - (iii) interfere with any meter or any service pipe leading to such meter whether inside or outside of the building;
 - (iv) interfere with a water service in, on or under any street; or
 - (v) alter any curb stop.

- (2) Every person who:
- (i) vacates any premises supplied with water from the municipal water system, or
 - (ii) wishes to discontinue water services,
- shall:
- (iii) give notice thereof to the City, and
 - (iv) be responsible for water rates until such notice is given.
- (3) The Director shall not turn water on again until notified of the name of the person to be responsible for water rates and all rates or charges in arrears have been paid.

Frozen Services

7. In the event that a water service becomes frozen, the Corporation will determine which section of the service is frozen and, where the water is frozen on the Corporation side of the curb stop at the property line the Corporation will thaw the service.

Renewal Services

8. Where an existing galvanized or lead pipe service requires renewal because of low volume or poor pressure caused by defective pipe, the Corporation shall renew the service within the street allowance only after the owner has replaced the portion thereof on the owner's property.

Restricted Uses

9. (1) A Director may suspend the use of water whenever public exigency may require.
- (2) A Director may regulate the use of water by way of notice published in a newspaper having general circulation within boundaries of the Corporation at least three times, which will be deemed effective notice to all owners of premises to which such water is supplied.
- (3) No person shall install any air conditioning equipment which requires the use of water without first acquiring a plumbing permit pursuant to the Plumbing Code.

Municipal Fire Hydrants

10. No person shall open, close, tamper with, use or interfere with any hydrant, valve, chamber, service pipe or hydrant chamber, owned by the Corporation.

PART V - METERS**INSTALLATION OF METERS**

11. (1) Every owner shall:
- (i) provide a location to install, and
 - (ii) fully protect
- every meter required by this by-law.
- (2) The Council may require any or all services to be metered, and may refuse to supply water to any premises unless the owner provides a suitable place for, and maintains in or upon the said premises, a meter of design and construction approved by a Director.
- (3) No person shall set, reset, relocate or adjust with any meter regulated by this by-law.
- (4) The owner shall pay for all water passing through the meter, whether used or wasted.
- (5) Every person whose property draws water from a municipal water system shall ensure that all water so drawn passes through the appropriate meter.

Meter Maintenance

12. (1) The entire cost of maintaining or repairing meters supplied by the Corporation shall be paid for by the Corporation unless such meter is damaged by frost or by the owner or occupant of the premises on which such meter has been installed.
- (2) Where a meter is damaged, the said owner shall pay to the Corporation the cost of repair or replacement of such meter.
- (3) Where a water meter has been installed, a check valve may be installed with the consent of the Director.

Meter Testing

13. (1) A meter will be removed and tested at the request of the owner on deposit of \$50.00 and if it is found to register correctly, slow, or not to exceed three per cent (3%) in favour of the Corporation, the said deposit will be retained by the Corporation and the full cost of the testing and shipping shall be paid by the owner, on demand.
- (2) In the event that the margin of error in the meter exceeds three per cent (3%), the deposit will be returned to the owner.

Meter Failure

- (3) Whenever a meter has failed to register or to register correctly, water rates will be charged and collected for such time as the meter has failed to register, or to register correctly based on the average consumption of corresponding periods as shown by the meter when in order.

ADMINISTRATION

14. (1) This by-law shall not apply to authorized employees of the Corporation acting in the ordinary course of their employment.
- (2) In the event of violation of any of the provisions of this by-law, a Director may shut off or restrict the supply of water to any lands or premises and the supply of water shall not be turned on again or restored to normal until all rates and charges have been paid.
- (3) The Directors and any person authorized by them may enter upon any premises in or upon which a meter has been installed for the purpose of reading, repairing or removing same between the hours of 7:00 a.m. and 6:00 p.m. on any day except Saturday and Sunday.

Material Specifications

- (4) A Director may cut off the supply of water to any building or premises in respect of which any defect exists, and the defect shall be remedied in such manner as such Director may require before the water is turned on again, and a charge as provided in Part II, Section 4 (b) shall be paid in such cases by the owner thereof.

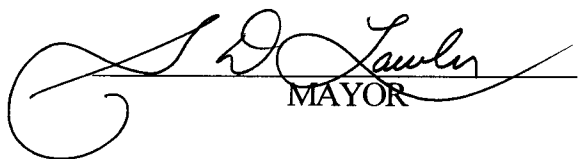
PART IV - PENALTY

15. Any person who contravenes any provision of this by-law is guilty of an offence and is subject to a fine recoverable under the Provincial Offences Act.
16. All water rates and charges shall be a charge against the person who incurred the charges and may be a lien against the lands pursuant to the Public Utilities Act.
17. This by-law shall come into effect upon being passed.
18. By-law No. 146-70, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 25TH DAY OF APRIL , 1994 .

READ A SECOND TIME IN OPEN COUNCIL THE 25TH DAY OF APRIL , 1994 .

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 25TH DAY OF APRIL , 1994 .


MAYOR


DEPUTY CITY CLERK