

THE CORPORATION OF THE VILLAGE OF ASHCROFT

BYLAW NO. 797

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Being a bylaw to regulate water connections, operations and fees

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Pursuant to Section 194 of the Community Charter, the Council of the Corporation of the Village of Ashcroft, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “The Corporation of the Village of Ashcroft Water Regulations Bylaw No. 797, 2015”.
2. Bylaw No. 724, cited as “The Corporation of the Village of Ashcroft Water Regulations Bylaw No. 755, 2008” is hereby repealed.

**DEFINITIONS**

3. In this bylaw, unless otherwise provided:

“**Corporation**” shall mean the Corporation of the Village of Ashcroft.

“**Council**” shall mean the Council of the Corporation of the Village of Ashcroft.

“**Water Connection**” shall mean the water pipe extending from the public water line to the property line of the property being served or about to be served. Where the public water line is located in an easement through the property, the public water line shall be deemed to be a property line.

“**Public Water Line**” shall mean the water line, water system, or portion thereof used or intended to be used for public use under the control of the Corporation.

“**Owner’s Water Line**” shall mean the water pipe extending from the property line of the property concerned or the public water line where this is located in an easement through said property, to the building situated thereon, and joining the water connection to the plumbing system at that building.

“**Foreman**” shall mean the Foreman or such person as the Corporation may from time to time appoint.

“**Inspector**” shall mean the Foreman or such other person designated by the Foreman from time to time.

**GENERAL PROVISIONS**

4. Application for water connection, if required, and payment for same, must be completed prior to application being made for a building permit. The application for water connection must be approved by the Foreman prior to building permit being issued.
  5. The Corporation shall not be liable for the cost of any work done in connection with any service on private property.
  6. The Corporation may permanently discontinue a water supply to any property owner or occupier by giving three (3) months notice.
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7. The Council may throttle or entirely discontinue any service when the property owner or occupier has been guilty of violating any of the provisions of this bylaw, or when, in the opinion of Council, the public interests require such action.
8. The employees of the Corporation shall have free access to all land and all parts of every building at a reasonable time in which water is delivered and consumed.
9. Meter service may be required by, or water service discontinued to any property owner or occupier who uses an unusual or unnecessary quantity of water, or who allows the waste of water in any way other than by the terms of his application for connection to the water system, except with the written permission of Council.
10. The Foreman, or any other authorized municipal employee, shall determine the position of every service pipe and in doing so, may defer so far as may be practicable to the requirements of the applicant.
11. No person except a duly authorized agent or employee of the Council shall tap or make connection with any main of the water system, and no person shall tamper with, destroy, or obstruct the access to any part of the Corporation's water system.
12. All property owners or occupiers must keep their service pipes and other plumbing fixtures on their premises in good repair and order, at their own expense.
13. A pressure reducing valve shall be installed on all services at the owner's expense.
14. All underground pipes shall not be less than .9 meters (3 feet) below the surface of the ground and all other pipes where situated so as to be exposed to frost shall be properly protected so as to prevent freezing.
15. In the case of any building or premises subdivided into separate units, dwellings or commercial premises, each having its own water service, there shall be provided for each water service a shut-off valve at each entrance of the water pipe service. The shut-off valve shall be of a type that may be sealed or locked, and approved by the Foreman or other authorized municipal employee. Any person unsealing or unlocking such shut-off valve without authority shall be guilty of a breach of this bylaw.
16. The Corporation shall not be liable for any loss or damage whatsoever arising from the failure of water supplied in consequence of any accident or damage to waterworks or the temporary stoppage of water on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the Council or act of God.
17. The owners of premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all water rates, whether water is actually used or not.
18. No person except those duly authorized and employed by the Foreman shall tap or make any connection with the waterworks system or turn off or on any service pipe or curb stop.
19. No person, unless authorized by the Foreman in writing, shall draw water from, open, close, or in any way injure or interfere with any fire hydrant or curb stop being the property of the Corporation or obstruct the free access to any hydrant.

#### **CHARGES**

20. All charges for water service shall be due and payable in advance, but as a matter of convenience may be billed once annually.

21. The charges shall be payable at any place designated by the Council at the rate set forth in Schedule "A" of this bylaw.
22. To encourage early payment, there will be a ten percent (10%) discount for accounts paid before April 1<sup>st</sup> of the year in which they are first billed.
23. Accounts billed after March 31<sup>st</sup> will be allowed a ten percent (10%) discount if paid within thirty (30) days of the date of the billing.
24. Old age pensioners, and others who qualify for the additional Home Owner Grant, may upon application receive a reduction of the water bill for a single family residence. This discount will be available in accordance to Schedule B.

#### **APPLICATION FOR CONNECTION**

25. Every application for a connection to the Corporation's water main shall, if the Corporation has put in the connection, be charged, in advance, on the basis of a minimum fee of Fifteen Hundred Dollars (\$1500.00) per water connection, and any additional costs shall be borne by the owner. If required by the Corporation, the owner shall pay the estimate of additional costs, in advance.

#### **DISCONNECT AND RECONNECT**

26. Any property owner or occupier who desires a disconnection of service for any reason must give to the Corporation seven (7) days notice in writing, and shall at the same time pay a disconnection fee. This fee shall be the actual cost of disconnection as determined by the Corporation. This does not include apartment houses.
27. When a building within the Corporation is removed or demolished, it shall be the duty of the owner or his agent to immediately apply to the office of the Corporation, upon such forms as the Council shall prescribe, for a permit to disconnect from the public water, at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Corporation.
28. If the owner or his agent of any property where the water line has been disconnected wishes to reconnect to the public water main, he shall make application on such forms as the Council shall prescribe for the reconnection. He shall pay the estimated cost of such work. Upon completion of the reconnection, the owner or his agent shall be sent a statement showing the actual cost of the work and he shall be refunded any overpayment or conversely he shall pay the Corporation any cost over and above the estimated cost of this work.

#### **TEMPORARY DISCONNECTION AND RE-CONNECTION**

29. Any property owner or occupier who desires a temporary disconnection of service for a reason related to maintenance must complete the required form and shall pay the Corporation a fee of Fifty Dollars (\$50.00). This does not include apartment houses. Any property owner or occupier who desires a reinstatement after a temporary disconnection of service for a reason related to maintenance shall pay the Corporation a fee of Fifty Dollars (\$50.00). This does not include apartment houses.
30. The disconnection of water service on a seasonal basis shall not be permitted.
31. In instances where older homes do not have a water shut-off valve, the owner of such properties shall have a shut-off valve installed when emergency or maintenance work is being done on the water system. The costs of installation of the shut-off valve shall be the sole responsibility of the owner.

**SALE OF WATER TO THIRD PARTIES**

- 32. Third parties wishing to purchase bulk water from the Village must present written requests to the Village of Ashcroft. Approval of these requests is at the discretion of the Public Works Foreman.
- 33. Only connections to hydrants and curb stops that the Public Works Foreman finds appropriate will be permissible.
- 34. Sales of bulk water to third parties will be charged at rates described in Schedule "A".
- 35. Equipment used by third party water carriers shall be equipped with an approved backflow prevention device with required certification.

**CHARGES**

- 36. Any charges authorized by this bylaw which remain unpaid by December 31<sup>st</sup> in the year in which they were imposed shall be added to and form part of the taxes payable in respect of the land on which said premises is situated and shall be entered upon the collector's roll as taxes in arrears.

**INFRACTIONS AND PENALTIES**

- 37. Any person who shall be guilty of any breach or infraction of any of the provisions of this bylaw shall be liable on summary conviction to a fine or penalty of no less than One Hundred Dollars (\$100.00), but not exceeding Five Hundred Dollars (\$500.00).

READ A FIRST TIME THIS	14 <sup>th</sup>	DAY OF	September	, 2015
READ A SECOND TIME THIS	26 <sup>th</sup>	DAY OF	October	, 2015
READ A THIRD TIME THIS	26 <sup>th</sup>	DAY OF	October	, 2015
RECONSIDERED AND ADOPTED THIS	9 <sup>th</sup>	DAY OF	November	, 2015

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John C. (Jack) Jeyes, Mayor

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J. Michelle Allen, Chief Administrative Officer

Certified to be a true and correct copy of Bylaw No. 797 as adopted by Council.

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J. Michelle Allen, Chief Administrative Officer

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