

THE CORPORATION OF THE
TOWNSHIP OF BONNECHERE VALLEY
BY-LAW 2009-044

Being a By-law to Establish Policy and Enact Rules and Regulations for the
Administration, Use, Operation and Maintenance of the Water and Sewage System in
the Township of Bonnechere Valley.

WHEREAS, pursuant to the Building Code Act, 1992, S.O. 1992, c. 32; Municipal Act, 2001, S.O. 2001 c. 25; Public Utilities Act, R.S.O. 1990, c. P.52; Safe Drinking Water Act, 2002, S.O. 2002, c. 32, and the amendments thereto, a Municipality may enact by-laws for the establishment of policy and for the administration, use, operation and maintenance of public utilities, namely water and sewage systems.

AND WHEREAS, the Council of the Corporation of the Township of Bonnechere Valley now deems it necessary and also desirable to establish policy and enact rules and regulations for the administration, use, operation and maintenance of the Township's water and sewage systems.

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Bonnechere Valley enacts as follows:

1. DEFINITIONS:

In this By-Law:

- 1.1. "**Township**" means the Corporation of the Township of Bonnechere Valley.
- 1.2. "**Council**" means the duly elected Municipal Council of the Township of Bonnechere Valley.
- 1.3. "**Superintendent**" means the Water and Sewage Superintendent for the *Township*
- 1.4. "**O.B.C.**" means the Ontario Building Code.
- 1.5. "**M.O.E.**" means the Ontario Ministry of the Environment.
- 1.6. "**Bleeder**" means a piece of tubing, piping or other device attached to a water system and allowed to run continuously during cold weather to prevent freezing of the water in the system.

2. GENERAL:

- 2.1. All connections to the Township's water or sewage system shall comply with this By-Law.
- 2.2. Property owners of all buildings to which the Township's sewage and/or water system is available are required to connect to said sewage and/or water system.
- 2.3. All new or replacement water service lines, sewage service lines or storm water service lines shall be supplied by the property owner. The Township or approved contractor shall install said service lines from the main water, sewer or storm water line(s) to the property line. It is the responsibility of the property owner to install said service lines from the property line into the premise utilizing a contractor approved of by the Township. The cost to the property owner shall be in accordance with the Township's current "Sewage and Water Service Rates By-Law".
- 2.4. The entire length of the sewer and/or storm water service line from the building to the sewer and/or storm water main line is deemed to be the responsibility of the property owner with respect to its maintenance, repair and replacement.

- 2.5. In the event of a sewer or storm water service line being blocked and if it appears that the blockage is situated on the portion of the line located on Township property and if the owner cannot correct the problem by conventional rodding methods from within the premises, then the Township will excavate to locate and repair the line and the owner will be responsible for all related cost incurred by the Township. If the Township determines that the blockage was a result of damage done by road construction or other reasons attributable to the operations of the Township then the Township will assume financial responsibility for the excavation and repair.
 - 2.6. In the event of a water service line being frozen, blocked or leaking and if it appears that the location is situated on the portion of the line located on Township property, then the Township will undertake the repair as required and be responsible for all related costs. This would normally be the water service line from the water main up to and including the curb stop.
 - 2.7. The water service line located on private property is the responsibility of the property owner.
 - 2.8. The Superintendent, or any person authorized by the Township for that purpose, has free access, at all reasonable times, and upon reasonable notice given and request made, to the property and/or all parts of every building or other premise to which any public utility is supplied for the purpose of inspecting or repairing, or for altering or disconnecting any service pipe, or for placing meters upon any service pipe or connection within or without the building as he or she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it, or of any pipe, wire, connection or tap, and may alter or disconnect any service pipe.
 - 2.9. Any consumer wishing to discontinue the use of water supplied from the Township's water system shall give notice at the Township's Municipal Office, or the water rates or charges shall be continued until such notice is given or until the water is turned off.
 - 2.10. Whenever water has been turned off for non-payment of the water charges or for purposes of repair or construction or for any other purpose, no person will be permitted to turn it on again who is not duly authorized to do so by the Township.
 - 2.11. The Superintendent may, from time to time, establish standards pertaining to connections and installation procedures which shall apply from the time of issuance.
3. HEALTH HAZARDS:
- 3.1. In any case where a sewer or water main abuts a property, and the Medical Officer of Health has determined that it is necessary in the interests of the health of the occupants of the property, or their neighbors, or the public at large, that the premises be connected to the Township water or sewage system, the property owner shall, within 6 months of receiving notification by registered mail, connect the premises to the Township system.
 - 3.2. No person shall cause or permit foreign substances, including, without limiting the generality of the foregoing, hazardous liquids or chemicals of any kind, to enter or have contact with water in the municipal water system.

3.3. Where a person has caused or permitted a foreign substance to enter or have contact with the water in the municipal water system, the person, or the owner or occupant of the premises shall forthwith advise the Superintendent.

4. PERMITS:

4.1. No person shall make any connection to the Township's water, sewage or storm water system without first having obtained a permit from the Township.

5. SEWAGE CONNECTIONS:

5.1. One and only one sewage service pipe shall be provided for each premise. Any variance to this shall require the approval of the Township.

5.2. Where a building occupies the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be serviced from the same sewer connections provided that all of the buildings belong to one owner and such owner pays the sewer rates for all of the sewage.

5.3. Domestic users may discharge into the sewage system from the following:

- a) Bathroom fixtures
- b) Kitchen sinks
- c) Laundry and washing machine wastes
- d) Cellar floor drainage
- e) Garage floor drainage (not including detached garages or carports)

5.4. All discharges into the sewer system of wastes by a commercial user shall first be approved by the Township.

5.5. The discharge of roof leaders, foundation weeping tile, sump pumps, or other surface or underground water collection systems to the sewer system of the Township is expressly prohibited.

5.6. The sewer service connection from the building to the Township's lateral sewer shall be connected to the building at an elevation below the foundation footings where existing grade will permit. No building sewer shall be laid parallel to within three (3) feet of any bearing wall. The piping shall be laid at sufficient depth to afford protection from frost and at uniform grade and in straight alignment, where possible. Where an elbow is required only 45 degree or 22 ½ degree long sweep or "street" bends or elbows shall be used.

5.7. The sizing of the sewer service connection shall be in accordance with the requirements of the O.B.C., M.O.E. and good engineering practice. The minimum diameter for the sewer connection shall be 100 mm (4 inches).

5.8. The installation of a sewer service shall be in accordance with the requirements of the O.B.C., M.O.E. and good engineering practice.

5.9. When the main sewer system and the sewer service lateral thereto are not deep enough to permit a gravity connection at the depth proposed for the basement construction then the owner shall install a sewage grinder pump at his own cost. The owner shall be responsible for the installation, operation, maintenance, replacement and repair of same.

5.10. Where existing buildings have been demolished and the property owner proposes to utilize the existing service connection to serve a new building, the approval of the Superintendent shall be required. The approval of the continued use of the existing connection will be subject to the inspection of the Superintendent to determine that it is in satisfactory condition and will properly serve the new building.

- 5.11. For gravity sewer service connections, a clean-out shall be installed in accordance with the O.B.C.
- 5.12. An inspection clean-out shall be installed in the sewer service line at or near the property line in a location approved by the Superintendent. The inspection clean-out shall be fitted with a riser pipe of the same diameter and material as the sewer service line and shall rise within 75mm (3") of the ground surface and be fitted with a water-tight removable cap.
- 5.13. The property owner shall, within 10 days of a sewer connection being made to the premises, disconnect any septic tank, cesspool or similar private sewage disposal facilities, and where the private sewage disposal facilities no longer service any other premises, the same shall be cleaned, filled or removed or destroyed within 10 days of the said connection.
- 5.14. Every building drain branch serving fixtures below street level that may be subject to back flow and constructed after the date of this by-law shall have installed a backwater valve or other approved device to prevent the flow of sewage from the Township sewage system into the premises in accordance with the O.B.C.
- 5.15. Every backwater valve shall be installed at the property owner's expense and be maintained in good working order.

6. WATER CONNECTIONS:

- 6.1. One and only one water service pipe shall be provided for each premise. Any variance to this shall require the approval of the Township.
- 6.2. Where a building occupies the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be supplied from one water service provided that all said buildings belong to one owner and such owner pays the water rates for all water supplied to such buildings.
- 6.3. The sizing of the water service connection shall be in accordance with the requirements of the O.B.C., M.O.E. and good engineering practice. In no instance shall the water service pipe be less than 18 mm (3/4 inch) in diameter.
- 6.4. The installation of a water service shall be in accordance with the requirements of the O.B.C., M.O.E. and good engineering practice.
- 6.5. The municipal water system shall not be cross-connected to any other water connection that may allow the backflow of contaminants or any other material which may adversely impact the water quality of the municipal water system.
- 6.6. No person shall turn off or turn on a water service except an authorized employee or agent of the Township.
- 6.7. Water line bleeding shall not be permitted except by written authority by way of a permit, issued by the Superintendent to the consumer.
- 6.8. Where a permit to install a bleeder has been issued under subsection 6.7 above, the water rate shall be prescribed as set out in the Township's current "Sewage and Water Service Rates By-Law".

7. WATER METERS:

- 7.1. All water supplied by the municipal water system through a water service connection shall be metered.
- 7.2. Water meters shall be supplied and installed by the Township and/or authorized agent on all existing water service connections free of charge during the "Eganville Water Meter Installation Project". The project window shall close when 100% of the existing service connections are metered or August 31, 2009, whichever occurs first.
- 7.3. Water meters required for new water service installations after the "Eganville Water Meter Installation Project" completion date noted in subsection 7.2 above, shall be purchased from the Township and installed in accordance with the water service installation permit, the O.B.C. and manufactures specifications.
- 7.4. Every meter shall become the property of the Township once it is installed and operational.
- 7.5. Every meter shall be placed in such location and position as the persons authorized by the Township shall direct. If possible, the water meter shall be installed in the basement of residential buildings, and shall be located immediately after the main shut-off valve on the owner's plumbing system, so as to ensure that all water supplied to the building passes through the meter. In the event that a building has no basement, the water meter shall be installed in another location in the building or in a meter pit as authorized by the Township.
- 7.6. Meter bypasses shall not be permitted unless approved of by the Superintendent and secured in a closed position by a method approved by the Superintendent.
- 7.7. The owner of premises to be supplied with water shall provide a convenient and safe space, free of charge or rent, for the Township's meters, pipes and other appliances on said premises. Only an authorized employee or agent of the Township shall be permitted to replace, repair or remove any of the Township's said equipment.
- 7.8. The owner or occupant of premises shall provide ready and convenient access to the meter and appurtenances in said premises so that the meter may be read or examined by persons authorized by the Township for that purpose.
- 7.9. If the meter becomes mechanically defective, the cost of repairs shall be borne by the Township, however if the meter is damaged by the carelessness or neglect of any person other than an employee or agent of the Township, the owner of the premises shall pay to the Township the cost of making the necessary replacement or repair to such meter.
- 7.10. If a meter fails to register, the consumer shall be charged for the average consumption for the pertinent period as determined by the Township.
- 7.11. Where the meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the meter itself and the reading on the remote read-out device, the Township will consider the reading at the meter to be correct, and will adjust and correct the consumer's account accordingly.
- 7.12. Any leak that may develop at the meter or its couplings must be reported immediately to the Township. The Township shall not be held responsible for any damages resulting from such leaks.
- 7.13. All water passing through a meter shall be charged for whether used or wasted.
- 7.14. The owner of the premises to be supplied with water agrees to provide adequate heat in the premises to prevent frost damage to the meters. In the

event that the owner will be away from the premises for an extended period of time, the owner shall be required to notify the Township at least fourteen (14) days prior to departure so the owner in consultation with the Township can take the proper precautions to prevent frost damage to the meter and water service connection otherwise repairs will be at the expense of the owner.

8. WATER RESTRICTIONS:

- 8.1. The Township may, by notice sent by mail to the consumer, or by notice published in a newspaper having circulation in the Township, restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary.
- 8.2. No person shall use water supplied by the Township except in accordance with any such published water restrictions.
- 8.3. Any consumer who, after written warning, fails to comply with water restrictions shall be subject to having the water supply shut off, and such supply shall not be turned back on until arrangements satisfactory to the Township have been made to ensure that the restrictions are complied with.

9. BULK WATER TAKING:

- 9.1. All requests for bulk water taking must be approved by the Superintendent who will provide directions as to location and volumes permitted.
- 9.2. No person, other than a person authorized by the Superintendent, shall open or close a valve, including hydrants, in the water system.

10. OFFENCES:

- 10.1. Every person who contravenes any of the provisions of this by-law is guilty of an offence, and on conviction, is liable to punishment pursuant to the *Provincial Offences Act, R.S.O. 1990, c. P.33*

11. RATES, FEES AND CHARGES

- 11.1. Each property owner shall pay the rates, fees and charges as set out in the Township's current "Sewage and Water Service Rates By-Law" for applications, permits, consumption of water and/or sewage, and such other services as may be provided for therein.

12. SEVERABILITY

- 12.1. Should any section, clause, sub-clause, provision or part of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole, nor any part thereof, other than the part declared invalid.

13. REPEAL OF EXISTING BY-LAWS

13.1. The following by-laws are hereby repealed:

- a) 2007-51 - Bulk Water Taking
- b) 2001-25 - Water Line Jurisdiction
- c) 2001-19 - Sewer Line Jurisdiction
- d) 1973-19 - Sewer & Water Connection Requirements

READ a First, Second and Deemed Read a Third time this 2nd day of June 2009

Mayor Zig Mintha

CAO Bryan Martin