

## THE CORPORATION OF THE CITY OF ELLIOT LAKE

BY-LAW NO. 84-28

OFFICE CONSOLIDATION –November 2013

Being a By-law to provide for the management, maintenance and regulation of a waterworks system for **The Corporation of the City of Elliot Lake** and for the fixing of rates for supplying water and water services, and to repeal By-law No. 79-149.

The Council of **The Corporation of the City of Elliot Lake** ENACTS AS FOLLOWS:

1. In this by-law:
  - (a) “Corporation” means **The Corporation of the City of Elliot Lake**;
  - (b) “Council” means the Council of **The Corporation of the City of Elliot Lake**;
  - (c) “**Director of Operations**” means the **Director of Operations** of **The Corporation of the City of Elliot Lake**;
  - (d) “Party” means any person or persons and/or bodies corporate and their servants, agents and workmen;
  - (e) “Person” means any person or body corporate and their servants, agents and workmen;
  - (f) “Property” means any building or buildings situated on one lot or on one or more lots owned by the same owner;
  - (g) “Dwelling Unit” shall mean a room or suite of two or more rooms designed or intended for use by a person or one family, in which is provided for the exclusive use of such person or family sanitary conveniences and facilities for cooking or installation of cooking equipment, with a private entrance from outside the building or from a common hallway or stairway inside;
  - (h) “Treasurer” means the Treasurer of **The Corporation of the City of Elliot Lake**.
2. Management of the waterworks system shall be under the **Director of Operations** whose powers are set out as follows:
  - (a) to enquire into and report on the supply of water and the erection and maintenance of hydrants;
  - (b) to recommend from time to time charges to be made for the consumption of water and the methods by which such charges are to be computed;
  - (c) to administer and to cause all by-laws pertaining to water systems to be enforced;
  - (d) to maintain records as they pertain to the water system;
  - (e) determine the nature of the service connections required, the size of pipe to be used for such purpose, and the position  
in the street in which such pipe shall be laid having regard to sound engineering principles.
3.
  - (a) No work relative to the water system shall be performed either upon or under any street by any person unless authorized by the **Director of Operations**.
  - (b) Beginning at the water service connection on the user’s side of the curb stop, every user of water services shall maintain all pipes and fixtures used in connection with the services within his property in good repair and protected from frost at his own expense.
  - (c) The **Director of Operations** may direct the thawing out of any service pipe that is frozen between the main in the street and the building so supplied upon payment of the fee as set out in Schedule “A” attached hereto and forming

part of this by-law and further, it is understood that the Corporation shall not be held responsible for any damages that may result from the thawing procedure.

- (d) Except when approved by the **Director of Operations**, the Corporation shall not be required to make any connection for the supply of water services between the 1<sup>st</sup> day of November and the 15<sup>th</sup> day of April of the next year following.
- (e) The owner of any property using water of the waterworks system shall be held responsible for payment of all charges made for the use of such water and such charges may be collected in a like manner as taxes.
- (e)i No person shall make any connection or connections whatsoever to any water service or private water service without written consent of the Director of Operations first obtained. The owner of the premises on which an unlawful connection has been made shall be responsible for the water rates or charges which would have been payable in addition to being liable for any other penalty provided by by-law or any Act or Acts of the Legislative Assembly of Ontario or the Government of Canada.
- (e)ii There shall be no connection between the water service or private water services and any cisterns, wells, privy vaults or cesspools.
- (e)iii There shall be no connection between the water services or private water services and a private pressure pump. (09-72)
- (f) No connection shall be made to the watermain to supply water to any premises where adequate provision for carrying off waste water either into a sewer or cesspool has not previously been made and that no premises shall be provided with more than one service connection.
- (g) No service pipe shall be covered over until approved by the **Director of Operations** and no water supply shall be turned on until such approval is granted.
- (h) Unless approved by the **Director of Operations**, no employee of the Corporation shall perform any work on the property of any person in connection with water services.
- (i) All material used in connection with water services shall comply with all applicable Municipal, Provincial and Federal plumbing requirements.
- (j) The use of water for purposes of air conditioning shall be permitted only where the air conditioning system provides for efficient cooling and recirculation of the water contained within the air conditioning system.
- (k) A curb stop shall be installed on the water service line in a readily accessible location immediately adjacent to the point of entry to each property supplied.
- (l) The Corporation reserves the right to turn off the water supply with or without notice, at any property that is in contravention of any of the provisions of the Public Utilities Act or this by-law and such service shall not be restored until any such contravention has been corrected, and upon payment of the required service charge as set out in Schedule "A" hereto.

- (m) Unless authorized by the **Director of Operations**, no person shall open or close any curb stop.
  - (n) No person shall tap into any water service line, whether private or public, for the purpose of diverting water for unauthorized use.
  - (o) Immediately from the sounding of a fire alarm and until fires are extinguished, no person in the area of the fire shall use water from the water system for outside purposes including the watering of lawns.
  - (p) Users of boilers taking water from the waterworks system shall take all necessary precautions so as to ensure an adequate supply of water in the event that the water flow be interrupted for any reason.
  - (q) Water service pipes shall be laid down from the main water pipe to the line of the roadway by the Corporation and further that the Corporation shall be responsible for keeping the same in good repair.
4. (a) Subject to Council policy, the **Director of Operations** may, at his/her discretion, direct that the water meters and readouts be installed in any service within the Municipality.
- (b) When water meters have been installed in any property, the user shall:
- (i) take all reasonable precautions to protect the meter from frost or other hazards at the user's cost;
  - (ii) permit access to the meters and all connections when required by an authorized agent of the Corporation;
  - (iii) be liable for the cost of repair or replacement of any damaged meter or connections while such meter is situated on the user's property and that these costs may be collected in a like manner as taxes subject to the provisions of section 4. clause (f).
- (c) All water meters located on any property, shall be sealed by the Corporation and the onus shall be on the user to report any broken seals to the **Director of Operations** immediately. There shall be a service charge as detailed in Schedule "A" hereto for the resealing of any seal broken without authorization from the **Director of Operations**.
- (d) All water meters supplied by the Corporation shall remain the property of the Corporation.
- (e) Should a water meter fail to register accurately, the user shall be charged on the basis of past recorded consumption until such time as the meter is repaired.
- (f) Except when caused by negligence on the part of the user or by an illegal act, the Corporation shall be responsible for the testing, maintaining and repair of meters.
5. (a) The Corporation reserves the right to shut off water supply lines without notice for any reasonable cause, including repairs to the system, new construction and to prevent damage to the system or for any breach of this by-law; and the Corporation shall not be held liable for any damages that result therefrom. It is understood that when practicable, notice of such shut off shall be given to those users so affected.
- (b) Where an amount due to the Corporation by any user of the water system remains unpaid (30) days after such amount was due, the Treasurer may cause such service to be shut off and shall not cause such service to be restored until all overdue charges and service charges as per Schedule "A" hereto have been paid to the Corporation.

6. The Corporation does not guarantee the quality or supply of water to any user at any time, but shall make all reasonable efforts to supply high quality water in sufficient quantities; and that failure to supply such water shall not be construed as neglect on the part of the Corporation.
7. Any user of the waterworks system wishing to discontinue the use thereof, shall notify the Treasurer in advance of such discontinuance. All applicable rates shall be applied until water is turned off.
8.
  - (a) All charges to users of the water system, including water meters, shall be as set out in Schedule "A" hereto.
  - (b) All charges for such use on a flat rate basis shall be assessed and billed semi-annually in February and May of each year and, and on a flat rate multiple housing (5 units or more) shall be assessed and billed quarterly, in advance, in February, May, August and November and on a meter basis shall be assessed and billed Quarterly each year in February, May, August and November and shall be payable to and reach the Treasurer by the last working day of the month billed. (95-25) (90-15)
  - (c) A penalty of ten percent (10%) shall be charged for non-payment of water bills on or before the due date and shall be added on the first day of the month following the due date specified in subsection 8. (b) above. (87-5)
  - (d) Any user of the water system seeking a reduction or refund of water rates shall do so in writing and any consideration granted for such a reduction or refund shall be for the current year only or any portion thereof.
9. The **Director of Operations** may from time to time:
  - (i) regulate the use of water in garden sprinklers, swimming pools, hoses, fountains or any other nonessential uses;
  - (ii) regulate the use of water in air conditioning systems where water is allowed to run waste;
  - (iii) cause a water supply to be shut off to enforce any regulation pursuant to this section.
10.
  - (a) The owner of premises equipped with fire protection systems shall from time to time conduct tests of such systems so as to ensure efficient operation at all times.
  - (b) All fire hydrants shall be individually valved from the feed line.
  - (c) Unless otherwise authorized by the **Director of Operations**, private hydrants shall not be used except in the case of fire.
  - (d) Private fire hydrants installed within the Municipality must be of a type approved by the **Director of Operations**.
11. Every person who:
  - (a) willfully hinders or interrupts, or causes or procures to be hindered or interrupted the Corporation, or any of its officers, contractors, agents, servants or workmen, in the exercise of any of the powers conferred by the Public Utilities Act, S.O. 1980 as amended;
  - (b) willfully lets off or discharges water so that the water runs to waste or uselessly out of the works;
  - (c) being a tenant, occupant, or inmate of any house, building or other place supplied with water from the waterworks, lends, sells, or disposes of the water, gives it away, permits it to be taken or carried away,

uses or applies it to the use or benefit of another, or to any use and benefit other than his own, increases the supply of water agreed for, or improperly wastes the water;

- (d) without lawful authority willfully opens or closes any hydrant, or obstructs the free access to any hydrant, stopcock, chamber, pipe, or hydrant-chamber by placing on it any building material, rubbish, or other obstruction;
- (e) throws or deposits any injurious, noisome or offensive matter into the water or waterworks, or upon the ice, if the water is frozen, or in any way fouls the water or commits any willful damage, or injury to the works, pipes, or water, or encourages the same to be done;
- (f) willfully alters any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered; or
- (g) lays of causes to be laid any pipe or main to connect with any pipe or main to the waterworks, or in any way obtains or uses the water without the consent of the Corporation,

commits an offence and any person found guilty of an offence shall be subject to a penalty not to exceed \$300.00 or may be imprisoned, without the option of a fine, for a term of not more that one month.

12. By-law No. 79-149, as amended, is hereby repealed.

13. This by-law shall come into force on July 1, 1984.

READ a first and second time this 14<sup>th</sup> day of May, 1984.

READ a third time and finally passed this 14<sup>th</sup> day of May, 1984.

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Mayor

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Clerk

<b>2017 Water / Sewer Schedule &amp; Service Rates</b>		
		Effective Jan. 1, 2017
<b>Flat Water / Sewer Rates</b>		
<b>Annual Rate, Semi-Annual Billing</b>		
Each Residential Dwelling Unit - Annual		\$ 613.75
Each Commercial User – per unit Unit - Annual		\$ 613.75
Religious Institutions - Annual		\$ 306.88
<b>Multiple Dwellings, 7 Units or More</b>		
Each Dwelling Unit - Quarterly		\$ 153.44
<b>Meter Rates per Quarter</b>		
		<b>per m<sup>3</sup></b>
First 100 m <sup>3</sup>		\$ 0.72
Next 250 m <sup>3</sup>		\$ 1.31
Next 1,200 m <sup>3</sup>		\$ 0.95
Balance		\$ 0.58
Minimum Charge per quarter		\$ 153.44
<b>Service Disconnection Charge</b>		
		\$ 50.00
<b>Service Re-connection Charge</b>		
		\$ 50.00
<b>Thawing frozen Water Services</b>	Time & Materials (min. \$220.00)	\$ 225.00
<b>Service First Time Connection</b>	Time & Materials (min. \$220.00)	\$ 225.00
<b>Meter Re-sealing Service Charge</b>	Time & Materials (min. \$82.75)	\$ 84.00
<b>Refusal to Install Meter</b>		
	Flat Rate monthly fee	\$ 500.00
<b>Meter Tampering / By-pass Meter</b>		
	Per identified occurrence	\$ 1,000.00