

THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS

BY-LAW NO. 2009 - 27

Being a by-law respecting the supply of water, the establishment, construction, maintenance, operation, improvement and extension of waterworks systems of the Municipality of Grey Highlands.

WHEREAS Section 11 of the Municipal Act, 2001, authorizes municipalities to pass by-laws respecting matters within the sphere of jurisdiction of "Public Utilities".

AND WHEREAS "Public Utilities" is defined in the Municipal Act, 2001 to include a system that is used to provide Water Services to the public.

AND WHEREAS Subsection 9(1) of the Municipal Act, 2001 provides that Article 11 is to be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their abilities to respond to municipal issues.

AND WHEREAS Council considers it appropriate to regulate the supply and distribution of water and to provide for the management and maintenance of the waterworks.

AND WHEREAS the Council of the Corporation of the Municipality of Grey Highlands is desirous of passing a by-law for regulating the times permitted to water gardens or lawns;

NOW THEREFORE, the Council of the Corporation of the Municipality of Grey Highlands hereby enacts as follows:

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SECTION I - DEFINITIONS:

- 1. In this by-law, the following terms have the following meanings:
 - 1.1 **“APPLICANT”** means the Property Owner of lands or his authorized agent requiring services.
 - 1.2 **“BACKFLOW PREVENTER”** means a device or a method that prevents backflow in a water distribution system in accordance with the Ontario Building Code.
 - 1.3 **“BUILDING”** means all or any part of a building.

- 1.4 **"BUILDING CONTROL VALVE"** means the valve in a supply system that controls the flow of potable water from the service pipe to the distributing pipe.
- 1.5 **"BY-PASS VALVE"** means a valve located on a meter by-pass pipe.
- 1.6 **"CONSUMER"** means any Property Owner, Tenant or Lessee or water hauler actually drawing upon or using Municipal supplied water services.
- 1.7 **"CURB STOP"** means the water shut off owned and operated by the municipality.
- 1.8 **"DEVELOPMENT PROCESS"** includes subdivision applications, land severance applications, site plan agreements, pre-servicing agreements and subdivision agreements.
- 1.9 **"WATER AND WASTEWATER SUPERINTENDENT"** means the Water and Wastewater Superintendent of the Municipality of Grey Highlands or designate and for the purpose of exercising any of the powers or duties of the Water and Wastewater Superintendent or designate under this by-law shall include any employee of the Corporation or authorized agent authorized by the Municipality to exercise any power or duty.
- 1.10 **"METER"** means a device and/or mechanism which is the property of the Municipality for the purpose of measuring the flow and quantity of water consumed and including a water meter and remote reader.
- 1.11 **"MUNICIPAL COUNCIL"** means the Council of the Municipality of Grey Highlands.
- 1.12 **"MUNICIPAL FIRE HYDRANT"** means a fire hydrant owned and maintained by the Municipality located on "public right-of-way" or on an easement.
- 1.13 **"MUNICIPAL STANDARDS"** means approval Engineering Standards related to the construction and engineering of water services, including any municipal standards specifications, levels of service criteria and any design and construction procedures which are approved by the Municipality from time to time.
- 1.14 **"MUNICIPALITY"** means the Municipality of Grey Highlands.
- 1.15 **"PRIVATE FIRE HYDRANT"** means a fire hydrant owned by a private Property Owner and located on private property.
- 1.16 **"PRIVATE SERVICE"** means the portion of the water service pipe located on private property, excluding the service valve (curb stop).
- 1.17 **"PROPERTY"** includes public and private lands, buildings, structures, vehicles, railway cars which are located within the Municipal area and which may be entitled to a service connection.
- 1.18 **"PROPERTY OWNER"** shall be deemed to be the person as shown on the last revised assessment roll of the municipality.
- 1.19 **"REMOTE READER" "ENCODER REGISTER"** means a device used to record the quantity of water and which is in an area remote from the meter to which it is connected.

- 1.20 **"SANDPOINT/WELL"** means a system used to obtain water from the ground.
- 1.21 **"STOP AND WASTE VALVE"** means the water shut off with an automatic drain from the private service located on private property eight feet from the municipal curb stop.
- 1.22 **"VALVE"** means a device for controlling the flow of water through a pipe.
- 1.23 **"WATER APPLICATION"** means an Application in the form prescribed by the Municipality, by an applicant requesting a connection to the Municipal Waterworks System.
- 1.24 **"WATERMAIN"** means a primary pipe in any one area used for the supply of potable water.
- 1.25 **"WATER SERVICE"** means all of the physical and mechanical equipment and devices to fully and completely service a property with water from the water main to the curb stop.
- 1.26 **"WATERWORKS SYSTEM"** includes any and all buildings, structures, plants, equipment, appurtenances, devices, conduits, intakes, outlets, underground pipelines and installations and other works designed for the production, treatment, transmission, distribution and storage of water and includes lands appropriated for such purposes and uses.

SECTION II – WATERWORKS SYSTEM

2.1 RESPONSIBILITIES OF MUNICIPALITY

- 2.1.1 Except as otherwise expressly provided in this by-law, the Municipality is responsible for:
- (a) The administration and enforcement of all the provisions of this by-law.
 - (b) The construction, maintenance, operation, improvement, and extension of the waterworks system of the Municipality, as authorized by the Municipal Council.
- 2.1.2 No person or persons shall willfully hinder or interrupt, or cause or permit to be hindered or interrupted, the Municipality or any of its authorized officers, contractors, agents, servants or workmen in the exercise of any of the powers conferred by this by-law.
- 2.1.3 The Water and Wastewater Superintendent or any member of the Municipality may, in the course of performing his/her duties enter, pass upon, through, over and under any property in the Municipality of Grey Highlands.
- 2.1.4 Except in the case of an emergency, the Municipality shall give reasonable notice before entering any property.
- 2.1.5 Except in the case of an emergency, the Water and Wastewater Superintendent may, upon reasonable notice, shut off water for any necessary construction, repair or maintenance and the Municipality shall not be liable for any damages whatsoever caused by the shutting off of water.
- 2.1.6 The construction, installation, maintenance and operation of the waterworks system shall comply with current Municipal standards based on sound engineering.

2.2 CONNECTIONS TO PERMANENT WATER SUPPLY – APPLICATIONS

- 2.2.1 Where a Municipal watermain exists in a highway, or public utility corridor, and/or a local or arterial road the Owner of any abutting property which contains a building and which may in the opinion of the Municipality, be supplied therefrom, shall connect to the Municipal waterworks system.
- 2.2.2 Connections to newly constructed watermain and existing watermain shall be completed within nine months after the municipality has sent notice to the owner requiring the connection to be made. Upon request of the owner, the council may grant an extension of not more than one year from the end of the nine-month period.
- 2.2.3 No premises and/or registered lot shall be provided with more than one such service connection unless justification is provided to the sole satisfaction of the Municipality.
- 2.2.4 Prior to the connection, the Property Owner shall pay to the Municipality of Grey Highlands the fee(s) stated in the most current Fees and Service Charges By-Law 2007-117 and as may be amended from time to time.
- 2.2.5 Each Property Owner shall install the private service connection and installation on their property and maintain the same in good order and repair and fully protected from frost, at their own expense.
- 2.2.6 No person shall make any connection whatsoever with any of the public pipes unless authorized by the Municipality.

2.3 CONNECTIONS TO PERMANENT WATER SUPPLY FOR LAND DEVELOPMENT – APPLICATIONS

- 2.3.1 For a proposed land development pursuant to the development process, the Applicant shall enter into a written agreement with the Municipality to the satisfaction of the Municipal Council, which includes details respecting the installation of watermain, water services, hydrants and other appurtenances.
- 2.3.2 No such private service pipe shall be covered until inspected by the Water and Wastewater Superintendent.
- 2.3.3 Where such inspection does not occur, the supply of water shall not be turned on.

2.4 OPERATION OF WATER SERVICE

- 2.4.1 Where a Property Owner or consumer fails to maintain the private service according to the current Municipal standards or there is contravention of any of the provisions of this by-law, the Municipality may discontinue the supply of water to the property until such time as any maintenance or repairs are undertaken or completed to the satisfaction of the Municipality.
- 2.4.2 No person shall open or close a curb stop unless authorized by the Water and Wastewater Superintendent save and except for emergencies. Any person opening or closing a curb stop for emergencies shall report such action to the Water and Wastewater Superintendent. No person shall obstruct the operation of a curb box.

2.4.3 Any person requesting that a curb stop be turned "on" or "off" shall give notice to the Municipality and pay the fee as stated in the most current Fees and Service Charges By-Law 2007-117 in advance.

2.4.4 Thawing of private services is the responsibility of the property owner.

2.5 DISCONNECTION, INSPECTION AND REPAIR OF MAINS UPON ISSUANCE OF A PERMIT

2.5.1 At the request of an Applicant and where a municipal demolition permit issued by the Municipality, a minimum of two working days notice is required for the turning off of the water at the property line.

2.5.2 The exposure of the municipal service at the property line is required for inspection by the Municipality when a building is demolished. The Property Owner shall, at its complete and sole expense, arrange for the exposure of the valve and disconnection of the service to enable the Municipality to ensure the municipal service has been shut off and disconnected.

2.6 CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR WATERMAINS AND SERVICES

2.6.1 Unless authorized by the Municipality, no work shall be undertaken or performed by any employee, servant, agent or contractor of the Municipality in connection with the installation and/or construction of the private services, except maintenance/servicing of the water meter.

2.6.2 Upon request of the Water and Wastewater Superintendent, a stop and waste valve may be required for new or replacement private services. The valve must be eight feet from the municipal curb stop.

2.6.3 Any consumer occupying property which has been provided with two or more services that are interconnected shall install on each service a sufficient number of valves and backflow preventers as determined and approved by the Municipality in accordance with the Ontario Plumbing Code and shall maintain all backflow preventers in good operating condition.

2.6.4 All townhouse units shall be equipped with individual shut off valves for each unit.

2.6.5 All townhouse units shall be equipped with individual services for each private unit, complying with Municipal standards.

2.7 PROHIBITED USES

2.7.1 No person who is a tenant, occupant or owner of any house, building or other place supplied with water from the waterworks shall lend, sell or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than their own, increase the supply of water agreed for or improperly waste the water.

2.7.2 No person shall use water supplied by the Municipality in any water cooled air-conditioning unit or other cooling or freezing equipment installed after enactment of this by-law unless such unit or equipment is provided with an evaporative condenser or other device approved by the

Municipality which efficiently conserves cools and re-circulates the water used.

2.7.3 No person shall make any connection whatever to the water service or watermain unless authorized by the Water and Wastewater Superintendent.

2.7.4

1. If the Water and Wastewater Superintendent deems to put into effect the following restrictions, no person shall use any water from a lawn tap or garden hose outlet connected to the waterworks system of the Municipality of Grey Highlands, for irrigation purposes except in accordance with the following:
 - (a) Persons owning or occupying premises bearing or being entitled to an odd municipal street number may use water from a lawn tap or garden hose outlet connected to the said waterworks system for irrigation purposes of such premises on any odd numbered day of the year between the hours of 7:00 a.m. to 9:00 a.m. and between the hours of 7:00 p.m. and 9:00 p.m.
 - (b) Persons owning or occupying premises bearing or being entitled to an even municipal street number may use water from a lawn tap or garden hose outlet connected to the said waterworks system for irrigation purposes of such premises on any even numbered day of the year between the hours of 7:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 9:00 p.m.
2. The Municipality hereby authorizes in cases where deemed of absolute necessity, suspension of the provisions of Section 2.7.41 (a) and Section 2.7.41 (b), to allow the Water and Wastewater Superintendent to temporarily order all, or any watering of lawns by use of the Municipal waterworks to cease and that the Notice of any approved temporary suspension imposed shall be by public announcement on radio, television, public address system or published in a newspaper having general circulation in the Municipality.

SECTION III – SERVICE METERS

3.1 LOCATION OF METERS AND TOUCH PADS

- 3.1.1 Every dwelling accessing a water service must be metered according to Municipal Standards.
- 3.1.2 No person shall use water on private property unless it is metered, inspected, approved and sealed by the Municipality. The Property Owner shall provide space and access for such meter. The location shall be as close as practical to the point where the service enters the building and shall be connected on the horizontal immediately after the building control valve and prior to the first fitting and shall be accessible at all times.
- 3.1.3 When the location of a meter cannot be provided in accordance with Section 3.1.2, the Property Owner shall, at his complete and sole expense, have a metering system constructed according to the current Municipal Standards and only with prior approval from the Municipality.
- 3.1.4 Where a request is made to relocate a meter:

- (a) It shall be the responsibility of the Property Owner or consumer to notify the Municipality forthwith of the request to relocate the meter at their expense.
- (b) The meter and appurtenances shall be inspected, approved and sealed by the Municipality.

3.2 SIZE OF METERS

- 3.2.1 The Municipality shall determine the size of any meter, the manner of its installation and any and all matters relating to the required piping and other appurtenances associated therewith. Notwithstanding the aforesaid, the minimum size for a residential meter shall be 15 mm x 20 mm ($\frac{5}{8}$ " x $\frac{3}{4}$ ") and the minimum size for an industrial/commercial/institutional meter shall be 20 mm ($\frac{3}{4}$ ").
- 3.2.2 For purposes of this Section and Section 3.2.1 the minimum size of the meter shall be one size smaller than the service pipe (i.e. if a 2" service pipe has been installed to the premises the minimum size of meter to be installed shall be nominal 1- $\frac{1}{2}$ ") except that the Municipality may permit another size based on sound engineering practice.

3.3 INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR METERS

- 3.3.1 The service valve located at the street line shall be located at grade level and shall be in good working condition, prior to the meter being placed in service.
- 3.3.2 During the installation or the removal of a meter, where piping is damaged as a consequence of the defective condition of the piping, the Property Owner shall install new piping at their complete and sole expense.
- 3.3.3 A Property Owner shall take all precautions necessary to prevent damage by frost, hot water, blows, injury or damage from any cause to the meter and any appurtenances thereto. Should a meter be required to be replaced and/or repaired, the cost, shall be in accordance with the Fees and Service Charges By-Law 2007-117 and shall be payable to the Municipality, by the Property Owner.
- 3.3.4 The cost of downsizing or upsizing a meter shall be paid to the Municipality prior to the change over. No allowance or rebate shall be provided for a meter return.
- 3.3.5 The Municipality shall install a seal on all meters and all by-pass valves. No unauthorized person shall tamper with the seal and/or meter.
- 3.3.6 Where a Property Owner requests that a meter be tested and such testing is not part of the routine testing and/or maintenance program conducted by the Municipality, the Water and Wastewater Superintendent shall test any meter at the expense of the Property Owner. The Property Owner shall pay to the Municipality in advance, a deposit to cover the estimated cost of testing the meter, including removing and replacing, in accordance with the Fees and Service Charges By-Law 2007-117. If the meter is found to be inaccurate, or defective, the Municipality shall replace the meter and return the fee. A meter shall be deemed to be inaccurate if it errors more than 5% (plus or minus) at average flow rates.

- 3.3.7 Occupancy of a property is prohibited until such time as a meter is installed and operational to the satisfaction of the Municipality.
- 3.3.8 No person shall willfully alter any meter placed upon any service pipe or connection therewith, within or without any other property so as to lessen or alter in any manner the amount of water consumption registered.

SECTION IV – FIRE HYDRANT

4.1 MUNICIPAL FIRE HYDRANT

- 4.1.1 The design, location, installation, separation and maintenance of all fire hydrants within the Municipality shall be in accordance with current Municipal standards.
- 4.1.2 No person, except Water and Wastewater Superintendent, or for fire fighting purposes, shall open or tamper in any manner with a fire hydrant, unless a written hydrant permit is obtained from the Municipality.
- 4.1.3 The Public Works Department shall be notified of the use of any hydrant by the Fire Department.
- 4.1.4 No person shall use wrenches other than regulation hydrant wrenches for the operation of fire hydrants. The use of any other type of wrench shall result in the cancellation of any permit issued and the person shall be liable for costs of any damage.
- 4.1.5 When a hydrant is being used under a hydrant permit a reducing coupling shall be attached to the nozzle of the hydrant and equipped with an independent valve for regulating flows and an approved backflow preventer must be installed. During use, the main valve of such hydrant shall be fully opened. At conclusion of work it shall be fully closed.
- 4.1.6 The cost for the approved use of any hydrant shall be in accordance with the Fees and Service Charges By-Law 2007-117 plus the current water rate for the volume obtained. A meter shall be used to determine the volume of water used.
- 4.1.7 No person shall obstruct the access to any hydrant within a distance of three (3) meters.
- 4.1.8 A private hydrant shall be tested and serviced including routine maintenance such as painting annually by the Municipal Staff. When the testing and servicing is done by the Municipality, the cost shall be in accordance with the Fees and Service Charges By-Law 2007-117.
- 4.1.9 Relocation of a municipal fire hydrant may be requested by the Property Owner. The Water and Wastewater Superintendent may permit such a request subject to the fees as set out in the Fees and Service Charges By-Law 2007-117.
- 4.1.10 The Water and Wastewater Superintendent shall have the authority, to establish standards for and to secure the provision of adequate municipal fire hydrants and private fire hydrants.
- 4.1.11 Any high rise building or any buildings which are determined by the Water and Wastewater Superintendent to be a high risk building which requires the use of a booster pump, shall incorporate a backflow preventer located before the pump in order to protect the Municipal waterworks system.

4.2 FIRE SYSTEMS

- 4.2.1 Any industrial, commercial or domestic private fire system which uses chemicals in the system shall incorporate a reduced pressure backflow preventer as determined and approved by the Water and Wastewater Superintendent and Fire Chief.

SECTION V – CROSS CONNECTIONS

5.1 Cross Connections

- 5.1.1 Subject to Section 3, no cross connections shall be made or continued to any plumbing that is connected to the Distribution System. A physical separation shall be maintained between the plumbing connected to the Distribution System and the plumbing connected to any other water source.
- 5.1.2 Subject to Section 3, any cross connections found by the Municipality or its agents shall be severed and no reconnection shall be made.
- 5.1.3 For industrial or commercial buildings that are connected to the Distribution System where an auxiliary water supply exists, cross connections may be approved by the Municipal Water Operating Authority where it can be proven that adequate backflow protection devices are installed and are maintained to ensure that no flow into the Distribution System will occur from the auxiliary water supply. This requirement shall include the handling of process water and water originating from the Distribution System which have been or may be subject to deterioration in sanitary quality.

SECTION VI – BULK WATER SALE

- 6.1 Any person who wishes to obtain a volume of water other than through a metered water service shall pay the administration fee as set out in the Fees and Service Charges By-Law plus the current water rate for the volume obtained.

SECTION VII – PENALTIES

- 7.1 Any person who contravenes any provision of the by-law is guilty of an offense and on conviction is liable to the penalties contained in the Provincial Offenses Act.

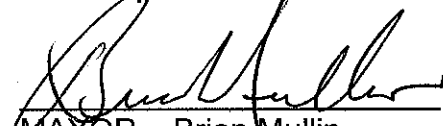
SECTION VIII – REPEAL EFFECTIVE DATE

- 8.1 By-law 2008 – 20 of the Corporation of the Municipality of Grey Highlands and any other by-law, or a portion thereof, inconsistent with this by-law is hereby repealed.
- 8.1.2 This by-law comes into force on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 8TH DAY OF APRIL 2009.

READ A THIRD TIME AND FINALLY PASSED AND SEALED THIS 27TH DAY OF APRIL, 2009.

The Corporation of the Municipality of Grey Highlands


MAYOR – Brian Mullin


CLERK -Debbie Robertson