

# **CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA**

## **BY-LAW NUMBER 34-2006**

**BEING A BY-LAW TO** Enact Rules and Regulations for the Maintenance, Operation, Expansion and Use of Municipal Water Systems in the Township of East Garafraxa.

**WHEREAS** the Corporation of the Township of East Garafraxa has authorized the establishment, construction, maintenance and operation of water works in the municipality,

**AND WHEREAS** the Public Utilities Act authorizes the Municipality to pass by-laws to regulate the supply of water and fix rates to be paid therefore, and every matter or thing related to or connected therewith:

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:**

### **1. DEFINITIONS**

- 1.1 “Treasurer” shall mean the Treasurer of the Corporation of the Township of East Garafraxa.
- 1.2 “Corporation” shall mean the Corporation of the Township of East Garafraxa.
- 1.3 “Council” shall mean the Municipal Council of the Township of East Garafraxa.
- 1.4 “Inspector” shall mean any person duly authorized by the Corporation to perform inspections under this by-law.
- 1.5 “Municipality” shall mean the Corporation of the Township of East Garafraxa.
- 1.6 “Municipal Water Service” shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality with water from a water works system established or assumed by the Municipality between the water main and the limit of the street on which the premises so supplied front or abut.
- 1.7 “Operator” shall mean any person duly authorized by the Corporation to perform maintenance, operate valves or curbstops or turn on hydrants connected to the water system.
- 1.8 “Owner” shall mean the registered owner of the premises supplied with water from the Municipal Water system.
- 1.9 “Private Water Service” shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality with water from a water works system established by the Municipality and situated between the street line and the premises so supplied.
- 1.10 “Premises” shall mean the property being supplied or to be supplied with water.
- 1.11 “User” shall include as the context requires, the applicant for water supply, the owner or occupant of the affected premises, and the person to whom invoices are sent for water supplied to the affected premises.

### **2 JURISDICTION**

- 2.1 The rules and regulations set out in this bylaw shall be considered to form a part of the contract between the Corporation and the owner or occupant of any building in the Municipality for a supply of water by the Corporation to such building and every such owner or occupant by applying for or accepting a supply of water from the Corporation, shall be deemed to have expressed his consent to be bound by the provisions of this bylaw.
- 2.2 The inspector, or any duly authorized person, must at all reasonable hours, upon presentation of identification, be given access to all parts of every building and property to which the water is supplied for the purpose of inspections of all fixtures which transport, measure or use water.

### **3 LIABILITY**

- 3.1 The Municipality does not guarantee a constant supply of water and shall not be liable for any damages resulting from the water service being shut off for mechanical failure, electrical failure, repairs or expansion of the system.
- 3.2 The municipality retains the right to shut off any water service, without prior notice, as deemed necessary, for the purpose of repairing or expanding the system.

4      **USE OF THE MUNICIPAL SYSTEM**

- 4.1      No users, except users authorized in writing by the Township, shall turn on or turn off any water valve, curbstop or fire hydrant on the Township waterworks distribution systems.
- 4.2      No user shall waste, dispose of, rent, give away or allow to be carried away such water as is supplied by the Municipal System.
- 4.3      Council may restrict the use of water supplied by the Township for the watering of outdoor plants, shrubs, trees, flowers, vegetables or grass or any other use other than for strictly domestic household purposes as follows:
- 4.3.1      No person/property owner shall be permitted to water lawns and gardens of municipally even numbered properties at any time other than between the hours of 5:00 a.m. and 8:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m. on even numbered days of the month.
- 4.3.2      No person/property owner shall be permitted to water lawns and gardens of municipally odd numbered properties at any time other than between the hours of 5:00 a.m. and 8:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m. on odd numbered days of the month.
- 4.3.3      Notwithstanding 4.3.1 and 4.3.2, a ban on lawn or garden watering may be imposed by Council at any time.
- 4.4      Council may at a future date establish policies requiring all persons within reasonable servicing proximity of the water main to connect to the system and be liable for fees as set out.
- 4.5      No premises shall use water from the municipal system for any heat exchanger system, or outdoor sprinkler system and shall not connect any such equipment to the municipal water service, and the filling of swimming pools is prohibited.

5      **WATER SERVICE CHARGES**

- 5.1      A service charge of \$50.00 shall be levied for turning on or shutting off any water service.

6      **BY-LAW REVIEW**

- 6.1      This by-law shall be reviewed from time to time in order to ensure the integrity of the waterworks system of the Township of East Garafraxa.
- 6.2      This By-Law shall take effect and come into force on the day of passing thereof.

7      **OFFENCE**

- 7.1      Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to the penalty provided for under the Provincial Offences Act.
- 8      This By-Law shall take effect and come into force on the day of passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS    20<sup>th</sup>    DAY OF    **JUNE 2006**

BY-LAW READ A THIRD TIME AND PASSED THIS    20<sup>th</sup>    DAY OF    **JUNE 2006**

  
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HEAD OF COUNCIL

  
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CLERK