



**THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO 87 OF 2008**

A by-law to amend By-Law #38 of 2001, being a by-law to regulate the Town of Goderich Waterworks Utilities to consolidate the waterworks utilities regulations.

WHEREAS the Town of Goderich passed By-Law #38 of 2001 on the 23rd day of April, 2001;

AND WHEREAS the Goderich Environmental Committee on behalf of Council prepared a report entitled Town of Goderich Report on Water and Sewage Service Rate Structure dated April 25, 2005, which was prepared by B. M. Ross & Associates Ltd.;

AND WHEREAS the Goderich Environmental Committee met on June 29th, 2005, and recommended that Council adopt the rate study and consider implementing the rate increase over a minimum period of five years;

AND WHEREAS Council dealt with the recommendation of the Environmental Committee at their meeting of July 18th, 2005 and adopted the rate study;

AND WHEREAS Council received correspondence dated July 8th, 2005, from Steve Burns of B. M. Ross & Associates Ltd. concerning possible incremental rates;

AND WHEREAS Council approved incremental rates over a five year period requiring five increases of 12.5% per year for water and 11.8% per year for sewage plus the rate of inflation;

AND WHEREAS By-Law #97 of 2005, By-Law #89 of 2006 and By-Law #39 of 2007 have increased the rate for three of the five increases;

AND WHEREAS the C.P.I. for 2007 was 2.4%;

AND WHEREAS the Council of the Town of Goderich wishes to amend Schedule "A" of By-Law #38 of 2001.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

1. That Schedule "A" of By-Law #38 of 2001, be amended as attached hereto;
2. That this by-law shall come into being and take effect on all bills issued on and after September 1, 2008.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ELEVENTH DAY OF AUGUST 2008.

MAYOR

CLERK

SCHEDULE #1

SCHEDULE "A" TO BY-LAW 38 of 2001

Amended by By-Law 87 of 2008

1. Fees for turning the water supply on or off to a private or public water service, other than a new service or for the purpose of short time repair (less than 7 days) to the water service/system provided that the turn off or on is during regular working hours.

- 7:00 a.m. to 3:30 p.m. - Monday to Friday \$84.78 Flat rate for each on or off.
- Any other time \$254.37 Flat rate for each on or off.

2. That the following rates be established for any person, firm or corporation in the Town of Goderich who uses the water being supplied by the Corporation of the Town of Goderich.

- a) For each household unit, the sum of \$32.13 net per month,
- b) For each industrial and commercial user, except those who obtain metered water, in the Town of Goderich, the sum of \$32.13 net per month,
- c) For each Home Occupation user, the sum of \$16.47 per month in addition to the household unit charge;
- d) For each user who obtains metered water from the Town of Goderich the following charges will apply monthly;

1 st 250 cu. metres	\$1.09/cu.m./month
Next 500 cu. metres	\$0.86/cu.m./month
Next 1000 cu. metres	\$0.80/cu.m./month
Balance	\$0.70/cu.m./month

Subject to a minimum charge of \$32.13 per month

For Multiple Unit Residential – which are metered (2 units to 5 units) the owner, upon application will be charged \$27.96 per month per residential unit plus a meter charge as set out below, plus \$1.09 per cubic meter for water consumed over 30 cubic meter/month/unit.

- e) For multiple-unit residential – metered (6 units or more) the owner, upon application will be charged \$11.20 per residential unit plus a meter charge as set out below plus \$1.09 per cubic meter of water consumed. Multi-unit residential applications, with more than one building, will be required to pay one flat rate charge monthly for utility room purposes, per connection to the watermain. This is to be in addition to the residential charges.
- f) All customers receiving metered water will pay monthly meter service charges as follows:

<u>WATER METER SERVICE CHARGE</u>	per month
12.7 mm, 15.8 mm, 19 mm	\$2.94
25.4 mm	\$5.92
38.1 mm	\$14.76
50.8 mm	\$17.67
76.2 mm	\$47.09
101.6 mm	\$73.57
152.4 mm	\$103.00
203.2 mm	\$147.14

- g) All customers with fire suppression sprinkler services will pay sprinkler service charges monthly as follows:

<u>SPRINKLER SERVICE CHARGE</u>	per month
50.8 mm	\$12.31
76.2 mm	\$23.52
101.6 mm	\$70.64
127 mm	\$94.16
152.4 mm	\$117.66
203.2 mm	\$176.53
254 mm	\$240.10

- h) The Town of Goderich will pay for fire protection charge of \$449.37 per hydrant annually.
 - i) The Town of Goderich will pay an annual charge per fountain or garden tap of \$32.13.
 - j) Existing non residential applications combined with residential applications that find that the separation of these users, in the opinion of the Administrator, is not practical the following shall apply. All the water provided will be metered and billed as per this schedule however, the non-residential component will be billed for all the water provided through the meter less 30 cubic meters multiplied by the number of residential units contained in the multi-use application. This billing shall not be less than the combined flat rate charges would be for the total number of non-residential & residential units located at the application.
3. Water service inspection charge
- Any owner wishing to have a connection made to the water main shall pay the following inspection/connection charge
- a) For 19 mm water lines \$423.94 ea
 - b) For all other size services \$169.58 ea
(plus the actual cost of the connection & materials)
4. **Interest on overdue accounts will be charged at a rate of 1.5% compounded monthly, to an equivalent of 19.56% per annum.**
5. **Interest on overdue accounts will be charged at a rate of 1.5% compounded monthly, to an equivalent of 19.56% per annum.**
6. Goderich Hydro shall be paid for attending to the billing and collection of the water rates levied at a rate, as set from time to time.
7. All proceeds from the collection of the water rates by Goderich Hydro shall be paid to the Treasurer of the Corporation of the Town of Goderich within thirty (30) days of the billing date, after having deducted therefrom, collection charges as authorized in the preceding paragraphs.
8. Annually all surplus funds collected by this by-law, in excess of the amounts (including allocated administration) needed for operating and capital purposes of the Water Treatment Plant and the water system, shall be placed in the Water Expansion reserve fund to be used by the Town of Goderich to repair, maintain or expand the Water Treatment Plant or water system in the Town of Goderich.
9. That By-Law shall come into being and take effect on all bills issued on or after the 1st day of September 2008.
10. That By-Law No. 39 of 2007 be hereby repealed on the 1st day of September 2008.

**THE CORPORATION OF THE
TOWN OF GODERICH**

BY-LAW NUMBER 38 OF 2001

**BEING A BY-LAW TO REGULATE THE TOWN OF
GODERICH WATER WORKS UTILITY, TO
CONSOLIDATE THE WATER WORKS UTILITY REGULATIONS
AND TO REPEAL PREVIOUS WATER WORKS UTILITY REGULATING BY-LAWS**

*Amended
79 of 2002
Amended by
108 of 2002
Amended by
39 of 2003*

WHEREAS the Council of the Corporation of the Town of Goderich passed By-Law 110 of 2000, being a by-law to provide for the fixing of rate to those persons, fines and corporations using water supplied by the Town of Goderich;

AND WHEREAS the Public Utilities Commission of the Town of Goderich passed By-Law #39 of 2000, being a by-law to authorize the transfer of all water assets to the Corporation of the town of Goderich;

AND WHEREAS the Corporation of the Town of Goderich passed By-Law #97 of 2000, being a by-law to dissolve the Public Utilities Commission of the Town of Goderich;

AND WHEREAS the Corporation of the Town of Goderich passed By-Law #88 of 2000, being a by-law to authorize a water and waste water services agreement between U.S.F. Canada Inc. (U.S.F.C.) and the Corporation of the Town of Goderich;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 7, states that the service pipes from the line of a highway to the interior face of the outer wall of the building supplied, together with all branches, couplings, stopcocks and apparatus placed therein by the corporation are under its control, and if any damage is done to that portion of the service pipe or its fittings, the owner shall forthwith repair the same to the satisfaction of the corporation, and, in default of so doing, whether notified or not, the corporation may enter upon the land where the service pipe is and repair the same, and charge the cost thereof to the owner or occupant of the premises, and the cost may be collected in the same manner as water rates;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P. 52, Section 8, states that a corporation may regulate the distribution and use of the water in all places where and for all purposes for which it may be required, and fix the prices for the use thereof, and the times of payment, and may erect such number of public hydrants and in such places as it may see fit, and may direct in what manner and for what purposes the same shall be used, and may fix the rate or rent to be paid for the use of the water by hydrants, fireplugs and public buildings.

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 12, empowers the corporation of a local municipality to pass by-laws for regulating the time, manner, extent and nature of the supply by the works, the building or persons to which and to whom the water shall be furnished, the price to be paid therefore, and every other matter or thing

related to or connected therewith that it may be necessary or proper to regulate, in order to secure to the inhabitants of the municipality a continued and abundant supply of pure and wholesome water, and to prevent the practicing of frauds upon the corporation with regard to the water so supplied, and for providing that for a contravention of any such by-law the offender is guilty of an offense;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 13, provides for the prohibitions and penalties for any person who commits any act with respect to the water utility not in conformity with the Act;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 28, empowers the corporation of a local municipality to pass by-laws for the maintenance and management of the works and the conduct of the officers and others employed in connection with them, and may also by by-law or resolution fix the rates or charges for supplying the public utility and the charges to meet the cost of any work or service done or furnished for the purpose of a supply of a public utility, and the rent of or charges for fittings, apparatus, meters or other things leased or furnished to consumers and provide for the collection of such rates, charges and rents, and the times and places when and where they shall be payable, and for allowing prepayment or punctual payment such discounts as may be considered expedient;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 31 provides that the amount payable to a municipal corporation or to a public utility or hydro-electric commission of a municipality by the owner or occupant of any lands for the public utility supplied to the owner or occupant for use thereon is a lien and charge upon the estate or interest in such land of the person by whom the amount is due, and may be collected by distress upon the goods and chattels of the person and by the sale of the person's estate and interest in the lands and in the case of an amount payable by the owner of lands, the amount is a lien and charge upon the lands in the same manner and to the same extent as municipal taxes upon land;

AND WHEREAS the Public Utilities Act, R.S.O. 1990, Chapter P.52, Section 50 provides that any person authorized by the corporation for that purpose has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premises to which any public utility is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any service pipe, wire or rod, within or without the building, or for placing meters upon any service pipe or connection within or without the building as he or she considers expedient and 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 rod, connection or tap, and may alter or disconnect any service pipe, for fixing the price to be paid for the use of the meter, and the times when and the manner in which the price shall be payable and for cutting off the supply of the utility and for the removal of any fittings, machines, apparatus, meters, pipes or other things being the property of the corporation;

AND WHEREAS it is necessary to make substantive changes to the by-laws regulating the water works utility of the Corporation of the Town of Goderich to ensure the inhabitants of the Town of Goderich continue to receive an abundant supply of pure and wholesome water, and to ensure an efficient and effective water works utility operation;

AND WHEREAS it is deemed necessary to consolidate all regulatory by-laws affecting the water works utility;

NOW THEREFORE the Council of the Corporation of the Town of Goderich hereby enacts as follows:

PART I

DEFINITIONS:

1. For the purpose of this by-law the following words shall have the meaning given herein:

“Change of use” shall mean a new use for an existing building, structure or premises or part thereof.

“Clerk” shall mean the Administrator/Clerk of the Corporation of the Town of Goderich.

“Commercial” shall mean the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from uses such as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

“Commissioner” shall mean the Commissioner of Public Works for the Corporation of the Town of Goderich or his designate. The Commissioner may designate a Water Works Employee or the Road Superintendent as his designate for the purpose of carrying out the duties of the Commissioner as provided for and contained herein. The designation shall be made in writing.

“Consumer” shall mean the owner, occupant, or any other person, that occupies property that is used for commercial, industrial or residential dwelling purposes that is consuming water.

“Corporation Stop” shall mean a water service shut off valve located at a street water main.

“Council” shall mean the Council of the Corporation of the Town of Goderich.

“Curb Stop” shall mean a water service shut off valve located in a water service pipe near the curb and between that water main and the building.

“Industrial use” shall mean:

- a) The use of land, building, or structure for the manufacturing, processing, fabricating of, assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.
- b) The use of land, or building, or structure for one or more of the following operations:
 - i) the carrying on of any process of manufacture whether or not a finished article results therefrom;
 - ii) the dismantling and separating into parts of any article, machinery, or vehicle;
 - iii) the breaking up of any articles, goods, machinery, or vehicles;

- iv) the treatment of waste materials;
- v) the processing of sand, gravel, clay, turf, soil, rock, stone, or similar substances, but not the extraction thereof; and
- vi) the repairing and servicing of all vehicles, machinery and buildings and may include:
 - the storage of goods in connection with or resulting from any of the above operations;
 - the provision of amenities for persons engaged in such operations;
 - the sale of goods resulting from such operations; and,
 - any work of administration or accounting in connection with the undertaking.

“Institutional use” shall mean:

- a) The use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, public hospitals and government buildings.
- b) The use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, and includes churches, places of worship, public or private schools and nursery schools.
- c) Designed, adapted or used for medical, surgical, charitable or other treatment or care of persons, or for detaining persons for correctional, disciplinary or other purpose, and shall include a children’s home, a home for the aged or the infirm, a monastery, nunnery, or religious retreat, a jail, reformatory or training school, and all other such uses.

“Multiple Family Dwelling” shall mean one or more habitable rooms designed or intended for use by more than one individual or family as an independent and separate housekeeping establishment containing separate kitchen and sanitary facilities for each individual or family.

“Municipal Facility” shall mean any building or structure, any and all lands that have been or hereafter may be set apart, designated, dedicated or established by Council as public parkland or municipal facility for enjoyment by the public, or any operation, that is owned or made available by lease agreement or otherwise to the Town.

“Municipality” shall mean the Corporation of the Town of Goderich and includes, where the context permits, its duly authorized officers, contractors, employees and agents.

“Occupant” shall mean a person occupying a place or dwelling;

“Owner” shall mean the person who owns the property, a developer, firm, corporation, contractor, or responsible individual in charge of the property at any given time.

“Person” shall mean a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.

“Single Family Dwelling” shall mean one or more habitable rooms designed or intended for use by an individual or family as an independent and separate housekeeping establishment in which one kitchen and sanitary facilities are provided for the exclusive use of such individual or family.

“Stopcock” shall mean the first water service shut off valve located in a water service line within a building, when closed, shuts the water off to the connected distribution pipes within the building.

“Treasurer” shall mean the Treasurer of the Corporation of the Town of Goderich.

“Use” shall mean the purpose for which the building, structure or premises or part thereof is used, occupied or intended to be used or designed to be used or occupied.

“Water” shall mean water drawn, treated and provided by the Corporation of the Town of Goderich.

“Water Meter Package” shall mean and include two ball valves, water meter, dual check valve and pressure relief valve, touch pad, meter wire and adapter.

“Water Works Employee” shall mean an employee of the Corporation of the Town of Goderich or an employee of U.S.F. Canada Inc., whose duties include the operation and maintenance of the Water Works Utility.

“Water Works Utility” shall mean any works for the collection, production, treatment, storage, supply or distribution of water, or any part of any such works.

PART II

GENERAL PROVISIONS:

2. The municipality shall manage, maintain and operate the water works utility heretoforth and hereafter established and constructed in the municipality in accordance with the provisions of The Public Utilities Act, The Municipal Act, The Ontario Water Resources Act, and this By-law.
3. The municipality agrees to use diligence in providing a regular uninterrupted supply of water for domestic use only, but does not guarantee service or the maintenance of unvaried pressure and will not be liable in damages to the owner of property serviced by water or any other person by reason of any failure in respect thereto.
4. The municipality shall not be liable to the owner of property serviced by water or any other person for damages by reason of failure to supply water for any reason whatsoever.

The municipality will, however, exercise reasonable diligence and make such repairs as may be necessary, and do such acts as within its powers, to restore the services, and shall at all times for such purpose, have the right to enter upon the lands of the owners; provided that if the municipality by reason of its entry onto private property, occasions any damage to the said property, then such damage shall be repaired in a proper manner forthwith, at the municipality's expense.

5. Notwithstanding anything herein stated, there shall be no obligation on the part of the municipality to service any lands within the municipality that are not presently serviced for the supply of water. The municipality reserves the right to determine what areas and when such areas will be serviced with the supply of municipal water.
6. The Commissioner may enter the premises of any water taker during reasonable hours, upon reasonable notice and request to examine the pipes, meters, fittings and fixtures to ascertain the quantity of water used and the manner of its use.
7. The rules and regulations set out in this by-law shall govern and regulate the operation of any water works utility owned by the municipality and shall be considered to form a part of the agreement between the municipality for provision of water service to each building and every such person by applying for and receiving water service from the municipality shall be deemed to have expressed his/her consent to be bound by the said rules and regulations.

PART III

MAINTENANCE AND MANAGEMENT PROVISIONS

8. Every person who wishes to repair, install, move, shut off or turn on a water service or make a connection to any of the municipality's water service equipment shall make application in writing to the Commissioner on an application form provided for such purpose, and upon approval of the said application, such person shall pay to the Town a fee and or charge as described in Schedule "A".
9. The municipality shall not supply water or complete a water connection unless the building water service pipe and all necessary equipment, including the water meter package, from the corporation stop to the first tee inside the building has been installed by the owner at his/her expense according to the regulations herein this by-law. The municipality may supply water or complete a water connection, if the building water service pipe and all necessary equipment, including the water meter package, has not been installed, for the purpose of supplying water for the use in constructing the said building.
10. The water service pipe, from the municipality's main water line to the curb stop (including the curb stop), shall be maintained by and at the expense of the municipality.

11. The water service pipe from the curb stop (excluding the curb stop), into the building shall be maintained by and at the expense of the property owner.
12. Every new building that will receive metered water shall be equipped with a water meter package. The water meter package shall be supplied by the Town. All water supplied to metered residential (water services over 19 mm), commercial, industrial, institutional buildings or multiple family dwellings shall be measured by such water meter package and be charged the metered rate. All water supplied to a new building that will not receive metered water shall install a water meter spacer and a dual check valve. The dual check valve shall be supplied by the Town and the customer shall be charged the flat rate.
13. It shall be the duty of any and every person to report to the municipality, any person who damages, tampers or interferes with any water works utility when it comes to his/her attention.
14. No person shall repair, remove, inspect, tamper with or connect to any of the municipality's water works utility without applying for, paying the required fee and receiving the work permit from the Commissioner.
15. No person shall neglect to maintain or keep his service pipe, stopcock, and other appurtenances, from the curb stop to the stopcock in good working order and repair, free from leaks and protected from frost at his sole risk and expense.
16. No person shall connect any vehicle or use water from a fire hydrant without first applying in writing to, and receiving written approval of, the Commissioner. Water shall be billed at the metered monthly rate. This restriction shall not to a municipal fire fighter where water is required for fire protection purposes.
17. No person shall operate a curb stop unless that person has received permission of the Commissioner to do so. This restriction does not apply to a water works employee. It is the duty of a water works employee to operate a curb stop. A fee shall be paid, by every person requesting a water service shut off and turn on, as described in Schedule "A".
18. No person shall remove, alter or tamper with any water meter and/or remote display other than a water works employee.
19. No person shall damage any water meter.
20. No person shall in any way interfere with any hydrant, valve, curb stop, service pipe, water meter or other water works appurtenances, whether inside or outside of any building without written approval of the Commissioner. This restriction shall not apply to a municipal fire fighter where water is required for fire protection purposes.
21. No person shall obstruct free access to any hydrant by placing on or within a one (1) meter radius of it, any structure, building, fence, plant, material, earth, snow, rubbish or

other obstructive matter, nor shall any person conceal or partially conceal a hydrant with any structure, building, fence, plant, material, earth, snow, rubbish or other obstructive matter.

22. No person shall obstruct free access to any curb box by placing on it any fence, plant, material, earth, concrete, pavement or other obstructive matter.
23. No person shall excavate, pave or concrete a driveway on private or public property without first obtaining a water service locate.
24. Any person who tampers with, alters, obstructs, removes, neglects, interferes with, or damages any water works utility equipment shall, in addition to any other penalty allowed by law, be held liable for the cost of repair to the equipment of the water works utility.

PART IV

CONNECTION TO WATER MAIN

25. No person shall make a service connection to a municipal water main. The connection of a new water service, or replacing, or upgrading of an existing water connection to the municipality's water main shall be made by a water works employee or agent of the water works utility, in accordance with the following:
 - 1) Each property shall have a separate building water service pipe provided with a separate stopcock or valve for turning on and shutting off the water.
 - 2) The owner shall supply and install the water service from the corporation stop into the building at the cost of the owner as outlined elsewhere in this by-law and in Schedule "C" to the by-law. The corporation stop shall be supplied and installed by the Town. The cost to supply and install the corporation stop and to supply the curbstop and valve box shall be included in the cost of the water service inspection fee included in Schedule "A".
 - 3) The size of a service pipe required for a single family dwelling shall be a minimum of 19mm inside diameter. Any new installation of a service pipe with a diameter larger than 19mm inside diameter for a single family dwelling will also require the installation of a water meter and billing shall be at the metered rate as outlined in Schedule "A".
 - 4) The size of a service pipe required for multiple family, commercial, institutional or industrial uses shall be determined by the owner's engineer and approved by the Commissioner, provided however, that in no case shall such service pipe be less than a minimum of 19 mm inside diameter.
 - 5) Where any variation from standard practice is permitted by the Commissioner, any additional expense incurred by reason of such variation shall be borne and paid by the person applying for the water service.

26. The owner of the property shall repair a broken or damaged water service within seven (7) days of becoming aware of a break or damage to the water service or within another time frame as approved by the Commissioner. Failure to do so shall result in the water being shut off to the property by the municipality until such repairs are carried out.

PART V

CONNECTION TO A WATER SERVICE

27. No person shall make a connection to a municipal water service, except as follows:
- 1) An application for a water service connection shall be made to the Commissioner, as provided for in Section 8, and Section 14, of this by-law, prior to any work being commenced, including excavation.
 - 2) The size of a service pipe required for a single family dwelling shall be a minimum of 19mm inside diameter.
 - 3) The size of a service pipe required for a multiple family, commercial, institutional or industrial use shall be determined by the person's engineer and approved by the Commissioner provided however, but in no case shall such service pipe be less than 19 mm minimum inside diameter.
 - 4) Every service pipe shall be of a type and installed in accordance with the Ontario Building Code and in accordance with the standards attached as Schedule "C"
 - 5) All excavations required for the installation of a building water service pipe shall be carried out by open trench unless otherwise approved by the Commissioner. All pipes shall be installed according to municipal specifications and no back fill shall be placed until the work has been inspected and is deemed in compliance with this by-law.
 - 6) The water service pipe shall be separated from all other services, such as buried cables and sewer laterals, in accordance with the Ontario Building Code.
 - 7) The water service pipe shall be laid upon a 150mm sand bedding. The water service pipe shall be covered with another 150mm of sand prior to back filling.
 - 8) The person applying for a water service connection shall give at least forty-eight (48) hours notice to the Commissioner when the building water service pipe will be ready for inspection and connection to the corporation stop. The connection shall be made under the supervision of the Commissioner.
 - 9) No person shall back fill a water service connection until it has been inspected and approved for back filling. Every water service connection shall be inspected by the Commissioner prior to back filling.

- 10) All excavations for a building water service pipe connection shall comply with the Ontario Occupational Health and Safety Act and Regulations for Construction Projects, R.S.O. 1990, O.1. Part III of the Regulations for Construction Projects shall be strictly adhered to. It shall be the owner's responsibility to obtain a copy of the said regulations and ensure compliance by his/her contractor. If compliance is not obtained, inspection of the water service pipe cannot be completed until compliance is obtained and it is safe for the Commissioner to carry out his inspection duties.

PART VI

WATER USE

28. No person shall sell or dispose of water in any manner to other persons, firms or corporations without the consent of Council.
29. No person shall draw off or use any water from any fire hydrant without the written consent of the Commissioner. This restriction shall apply to fire hydrants on assumed roads, unassumed roads, and private property. This restriction shall not apply to a municipal fire fighter where water is required for fire protection purposes.
30. No person shall use water supplied by the water works utility for the purpose of washing, watering or irrigating any lawn, garden, landscaped area, asphalt area, covered area or any other area of such property except as described in Schedule "B".
31. Notwithstanding the provisions of Section 30, Council hereby authorizes the Commissioner to impose a watering restriction covering watering of lawns, gardens, filling of swimming pools or any other like use when water in the water works utility is in short supply. The said watering restriction shall take effect immediately upon notice of said watering restriction being announced by the municipality.
32. 1) Upon receiving a request the Commissioner may permit water from its water works utility to be used for the purpose of watering newly placed nursery sod and seed.
- 2) A permit for the purpose of watering newly placed sod and seed with water from the water works utility shall be valid for fourteen consecutive days starting on the commencement date stated on the permit. The watering permit shall only be available for newly placed sod or seed which was placed in the same calendar year as the request for the watering permit.
- 3) A permit for the purpose of watering newly placed sod and seed with water from the water works utility may be extended for an additional seven consecutive days by the Commissioner upon receiving a request. The extension shall only be available for newly placed sod or seed which was placed in the same calendar

year as the request for the watering permit. The Commissioner may give additional extensions to a limit of two in total.

- 4) The Commissioner shall not give a watering permit or an extension of a watering permit when water in the water works utility is in short supply nor when the person applying for a watering permit or an extension has received a fine for an offence committed under the provisions of this by-law.
- 5) The permit for the purpose of watering newly placed sod and seed shall be displayed in a conspicuous place, failing which the permit will become invalid and be revoked by the Commissioner. Should a person have their permit revoked due to their failure to post same, they may apply for another permit, which permit will run for the remainder of the time provided for in the previous permit

PART VII

WATER METERS

33. No person shall install a water meter package except in accordance with the requirements of this by-law.
34. Regardless of the situation prior to the passing of this by-law, every new building constructed after the date of passing this by-law, shall be equipped with a water meter package, except those buildings which are eligible to obtain a flat rate charge as outlined in the water rate by-law in Schedule "B" and that all other new building shall make provision for the future installation of a meter as shown in Schedule "C":
35. For every change of use of a property within any class of water user, a water meter package shall be installed in accordance with this by-law and the water supplied shall be charged in accordance with Section 34 above.
36. The water meter and remote display only, shall be maintained by and at the expense of the municipality.
37. No person shall remove, alter or tamper with any component of the water meter package other than a water works employee with the exception of the meter valve which may be operated by the homeowner to undertake any plumbing modifications necessary in the household.
38. No person shall willfully damage or neglect a water meter or remote display. Where a water meter has been damaged by frost or a water meter or remote display has been damaged by the actions of the owner or representative of the owner, the owner shall be liable and pay to the municipality the cost of all repairs and replacements, including parts and labour, and all other costs arising from such damage. Meters and remote display shall be repaired by a water works employee.

39. Upon a written request by an owner, the municipality may test any water meter and remote display at the expense of the owner. If the meter and/or remote display is found to be inaccurate, the municipality shall adjust the water bills accordingly.
40. The municipality reserves the right to test the water meter and remote display at any reasonable time.
41. Where the municipality has established that a water meter has failed to register accurately, the municipality shall estimate the quantity of water consumed. The recorded consumption prior to such failure will be the basis of estimating quantities consumed during the failure.
42. Where a water meter or remote display has failed for any reason, other than that referred to in Section 38 above, a water works employee, at the discretion of the Commissioner, may temporarily replace the water meter or remote display and repair the original water meter or remote display at the municipalities cost. Once repaired the original water meter or remote display shall be reinstalled. Should the original water meter or remote display be beyond repair, a water works employee shall replace same with a new water meter or remote display at the municipality's cost. The municipality will not be responsible for the cost of repair or replacement of a water meter or remote display where it has been improperly installed, removed, altered, tampered with, damaged or neglected by any person in which case the owner shall be responsible for the cost of repair or replacement of the water meter or remote display.
43. No person shall install a water meter package except as described in Schedule "C" and as outlined below:
 - 1) The water meter package shall be installed on the water service line directly after it enters the building and prior to the first tee of the interior water service line.
 - 2) A ball valve shall be installed first on the water supply line to any building. It shall be installed on the inside of the building within 150mm to 1200mm of the floor.
 - 3) The water meter shall be installed second in a horizontal position.
 - 4) A dual check valve shall be installed third on the opposite side of the meter than the ball valve, prior to the first tee off the main line.
 - 5) A ball valve with drain shall be installed on the immediate downstream side of the dual check valve.
 - 6) A pressure relief valve shall be installed fifth on the downstream side of the second ball valve.

- 7) The touch pad shall be installed on the exterior wall adjacent to the hydroelectric meter and shall be connected to the water meter by the meter wire provided in the meter package so that the meter can be read from the touch pad. The touch pad shall be installed at a height of 1.5 metres above finished grade, and at no time shall it be installed lower than 1.2 metres or higher than 1.8 metres above finished grade except upon the approval of the Commissioner
- 8) In the event the hydroelectric meter is located inside a building, the touch pad is to be installed in an area approved by the Commissioner

PART VIII

WATER RATES AND FEES

44. The Town of Goderich Fire Department shall pay a Fire Protection Charge as described in Schedule "A."
45. The prices, rates or charges for the use of water supplied to consumers from the said water works utility and any other costs or charges, for management, maintenance, installation or otherwise, in connection with or for supplying same, (hereinafter called the "rates"), shall be determined from time to time by the municipality and may be varied from time to time, subject to the approval of Council to be expressed by by-law.
46. No person shall use water without paying the water rates chargeable for the supply of water under this by-law, as described in Schedule "A".
47.
 - 1)
 - (a) Where any account for any service, matter or thing incurred and payable under the provisions of this by-law in respect of any building or premises, is overdue and unpaid for more than thirty days after the date on which such account is due and payable, the Treasurer may cause a notice in writing to be sent by prepaid mail addressed to the consumer to whom it was furnished and to the owner of such building or premises, at their last known address according to the last revised assessment rolls of the municipality, notifying them that unless such account is paid within ten days after the date of the notice, the supply of water to such building or premises will be shut off and withheld, and if such account is not paid within the aforementioned period, the Treasurer shall advise the Commissioner of such failure, who shall cause the supply of water to be shut off and withheld in accordance with the terms of the said notice.
 - (b) Where any account for water rates or water service charges, under the provisions of this by-law in respect of any commercial, industrial, institutional or residential building or dwelling is overdue and unpaid for more than thirty days after the date on which such account is due and payable,

the Treasurer shall cause a notice in writing to be sent by prepaid mail addressed to the consumer and to the owner of such building or dwelling, at his/her last known address according to the last revised assessment rolls of the municipality, notifying them that unless such account is paid within ten days after the date of the notice, the supply of water to such building or premises will be shut off and withheld, and if such account is not paid within the aforementioned period, the Treasurer shall advise the Commissioner of such failure, who shall cause the supply of water to be shut off and withheld in accordance with the terms of the said notice.

- c) The amount payable to the municipality by a consumer in any commercial, industrial, institutional or residential building or dwelling for water rates or water charges is the responsibility of the consumer. The amount payable for water rates or water service charges is a lien and charge upon the estate to interest in such land of the person by whom the amount is due, and may be collected by distress upon the goods and chattels of the person and by the sale of the person's estate and interest in the lands and in the case of an amount payable by the owner of lands, the amount is a lien and charge upon the lands in the same manner and to the same extent as municipal taxes upon land.
- 2) a) The clerk of the municipality shall, upon notice to him or her of the amount due and of the person by whom it is due and of the lands upon which a lien is claimed, enter the amount upon the collector's roll and the collector shall proceed to collect the amount from the goods and chattels and the estate or interest in the lands of the person liable in the same way, as nearly as may be, as municipal taxes are collected.
 - b) The municipality, before taking proceedings under Section 47, Subsection 2), Paragraph a), may itself distrain upon the goods and chattels of the person liable to pay for the amount due for any public utility supplied to the person.
- 3) a) In default of payment, the Corporation may shut off the supply, but the rents or rates in default are, nevertheless recoverable.
 - b) Where the supply of water cannot be shut off without shutting off the supply to other consumers who are not in default, the supply of water shall not be shut off, but the rents, rates and charges shall be, nevertheless recoverable.

PART IX

PENALTY PROVISION

- 48. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offenses Act.

PART X

ENFORCEMENT

49. A Police Officer, Municipal Law Enforcement Officer and the Commissioner as designated by the Council of the Town of Goderich are hereby vested with the authority to enforce this by-law.

PART XI

SCHEDULES

50. Schedules "A", "B" and "C" attached shall form part of this by-law.

PART XII

VALIDITY AND SEVERABILITY

51. Every Provision of this by-law is declared to be severable from the remainder of the by-law, and if any provisions of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.
52. By-Law 110 of 2000 is hereby repealed in its entirety.

PART XII

EFFECTIVE DATE

53. This by-law shall take effect upon its passing.

BY-LAW READ a first, second and third time and finally passed this twenty-third day of April, 2001.

MAYOR

CLERK

SCHEDULE "A" TO BY-LAW 38 of 2001

1. Fees for turning the water supply on or off to a private or public water service, other than a new service or for the purpose of short time repair (less than 7 days) to the water service/system provide that the turn off or on is during regular working hours.

- 7:00 a.m. to 3:30 p.m. - Monday to Friday	\$50.00	Flat rate for each on or off.
- Any other time	\$150.00	Flat rate for each on or off.

2. That the following rates be established for any person, firm or corporation in the Town of Goderich who uses the water being supplied by the Corporation of the Town of Goderich.

- a) For each household unit, the sum of \$15.95 net per month,
- b) For each industrial and commercial user, except those who obtain metered water, in the Town of Goderich, the sum of \$15.95 net per month,
- c) For each user who obtains metered water from the Town of Goderich the following charges will apply monthly;

1 st 250 cu. metres	\$0.54/cu.m./month
Next 500 cu. metres	\$0.43/cu.m./month
Next 1000 cu. metres	\$0.39/cu.m./month
Balance	\$0.35/cu.m./month
Subject to a minimum charge of \$15.95 per month	

For Multiple Unit Residential – which are metered (2 units to 5 units) the owner, upon application will be charged \$15.95 per month per residential unit plus a meter charge as set out below, plus \$.054 per cubic meter for water consumed over 30 cubic meter/month/unit.

- d) For multiple-unit residential – metered (6 units or more) the owner, upon application will be charged \$5.55 per residential unit plus a meter charge as set out below plus \$0.54 per cubic meter of water consumed. Multi-unit residential applications, with more than one building, will be required to pay one flat rate charge monthly for utility room purposes, per connection to the watermain. This is to be in addition to the residential charges.
- e) All customers receiving metered water will pay monthly meter service charges as follows:

<u>WATER METER SERVICE CHARGE</u>	per month
12.7 mm, 15.8 mm, 19 mm	\$1.46
25.4 mm	\$2.93

38.1 mm	\$7.32
50.8 mm	\$8.77
76.2 mm	\$23.37
101.6 mm	\$36.52
152.4 mm	\$51.12
203.2 mm	\$73.02

- f) All customers with sprinkler services will pay sprinkler service charges monthly as follows:

<u>SPRINKLER SERVICE CHARGE</u>	per month
50.8 mm	\$6.11
76.2 mm	\$11.68
101.6 mm	\$35.05
127 mm	\$46.74
152.4 mm	\$58.41
203.2 mm	\$87.63

- g) The Town of Goderich will pay for fire protection charge of \$223.02 per hydrant annually.
- h) The Town of Goderich will pay an annual charge per foundation or garden tap of \$15.95.
- i) Existing non residential applications combined with residential applications that find that the separation of these users, in the opinion of the commissioner, is not practical the following shall apply. All the water provided will be metered and billed as per this schedule however, the non-residential component will be billed for all the water provided through the meter less 30 cubic meters multiplied by the number of residential units contained in the multi-use application. This billing shall not be less than the combined flat rate charges would be for the total number of non-residential & residential units located at the application.

3. Water service inspection charge

Any owner wishing to have a connection made to the water main shall pay the following inspection/connection charge

- | | |
|-----------------------------------------------------------------------------------------|-------------|
| a) For 19 mm water lines | \$250.00 ea |
| b) For all other size services
(plus the actual cost of the connection & materials)) | \$100.00 ea |

4. A one time penalty of 5% will be added to all bills not paid on or before the due date.

SCHEDULE "B" TO BY-LAW 38 of 2001

- 1
 - a) No person being the owner or tenant or occupant of property shall permit water from the municipal water system to be used for the purposes of washing, watering or irrigating any lawn, garden, landscaped area, asphalt area, concrete area, or any other area of such property;
 - j) No person having the apparent care and control of property shall permit water from the municipal water system to be used for the purposes of washing, watering or irrigating any lawn, garden, landscaped area, asphalt area, concrete area or any other area or such property;
 - k) For the purposes of Section 1(a), "owner shall be deemed to include persons who are shown as such on the current assessment rolls for the Town of Goderich, or persons who are the registered owners of property as disclosed in the records of the Land Registry Office
2. This by-law shall be deemed not to prohibit the lawful use of water from the municipal water system, for the purposes referred to in subparagraph 1 (a) and (b) of this by-law during the months of January to May 15th, inclusive of January and the 15th day of May and September to December both, inclusive in any calendar year provided said water is a lawful use.
3. Commencing the 15th day of May and during the months of May, June, July and August, in any year this by-law shall be deemed not to prohibit the lawful use of water from the municipal water system if said water is used as follows:
 - a) Water may be used for all lawful purposes with respect to those properties having municipal address, except those properties with automatic sprinkling systems, which are even numbers in said months of May, June, July and August, of any year, on even numbered calendar days, but only during the hours of 5:00 a.m. to 9:00 a.m., local time and 6:00 p.m. to 9:00 p.m., local time.
 - b) Water may be used for all lawful purposes with respect to those properties having municipal address, except those properties with automatic sprinkling systems, which are odd numbers in said months of May, June, July and August, of any year, on odd numbered calendar days, but only during the hours of 5:00 a.m. to 9:00 a.m., local time and 6:00 p.m. to 9:00 p.m., local time.
 - c) Water may be used for all lawful purposes which respect to those properties having an automatic sprinkling system in said months of May, June, July and August, of any year, on any day, but only during the hours of 2:30 a.m. to 6:00 a.m., local time

4. Notwithstanding Section 1, the Town, or its authorized officers, may, by special permit, allow the use of water from the municipal water system for all otherwise lawful purposes on such terms and conditions as the Town or its authorized officer deems advisable. Special permits will be in a form similar to that in attached Schedule "B-1", which forms a part of this schedule.
5. Notwithstanding Sections 2 and 3 of this schedule, in the event of a fire to which the Town of Goderich Fire Department is called, no person being the owner, tenant, or occupant, or having the apparent care and control of property, upon notification shall permit water from the municipal water system to be used for the purposes of washing, watering or irrigating any lawn, garden, landscaped area, asphalt area, concrete area, or any other area of such property.
6. The schedule shall be deemed not to apply to the Municipal Corporation of the Town of Goderich.

Schedule "B-1"

TOWN OF GODERICH

LAWN SERVICE WATER PERMIT

This is authorization for _____
(Name)

of _____, Goderich, Ontario to have
(Address)

unrestricted lawn watering from _____
(Dates)

inclusive (not to exceed seven days) while watering restrictions are in force during
the months of May, June, July and August.

Note:

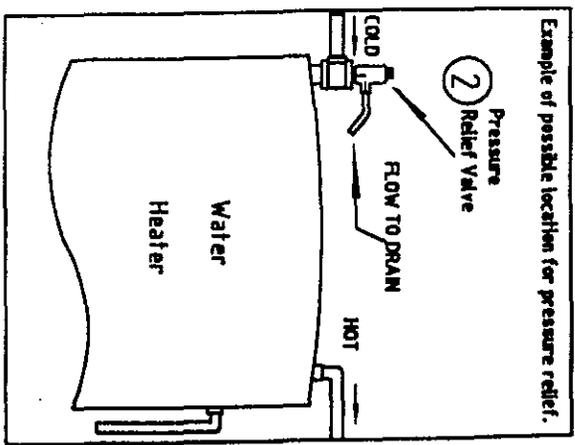
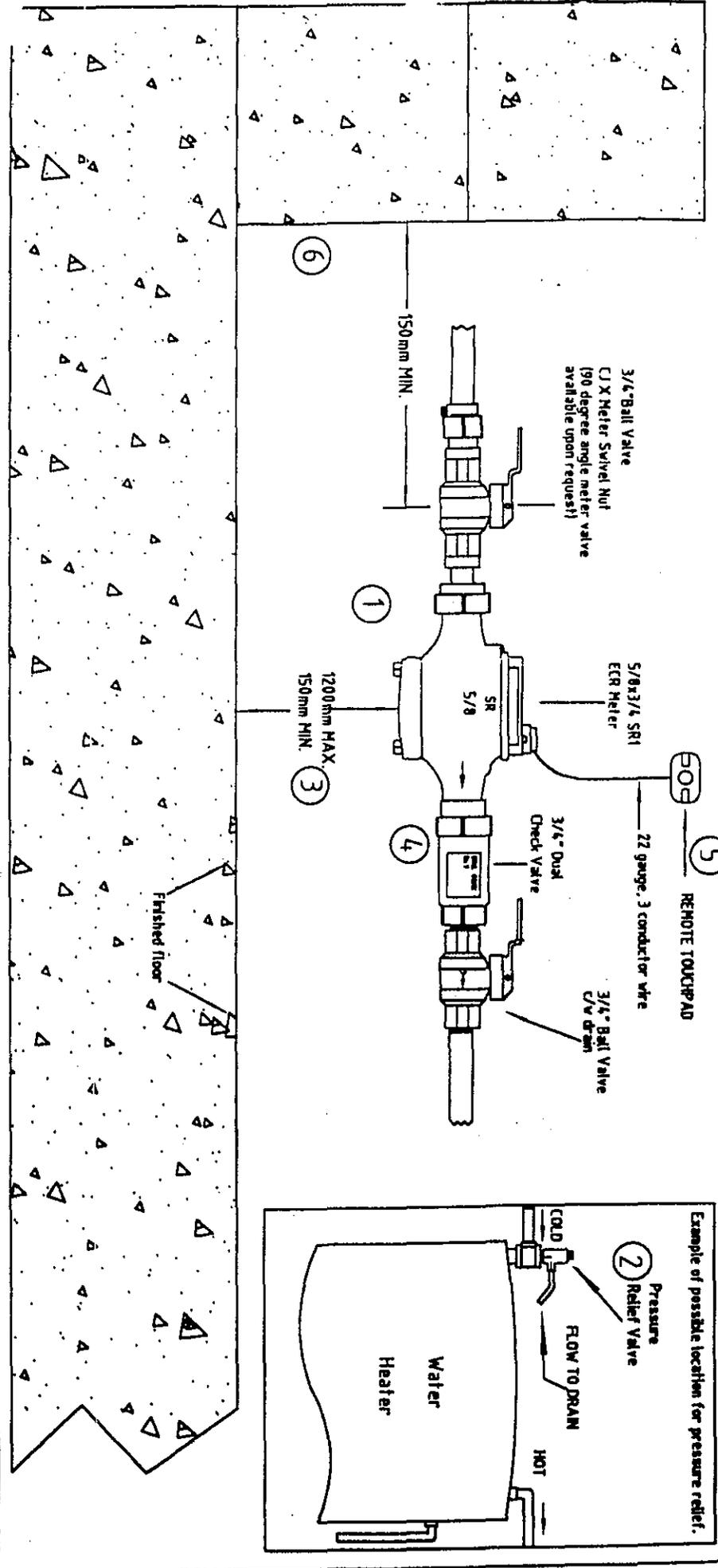
Lawn watering restrictions in the Town of Goderich are authorized by virtue of the provisions contained in the Public Utilities Act, R.S.O. 1980, Chapter 423, Section 4, as enforced in By-law No. 24, Public Utilities Commission, Town of Goderich.

Lawn Service Permit Authorized By

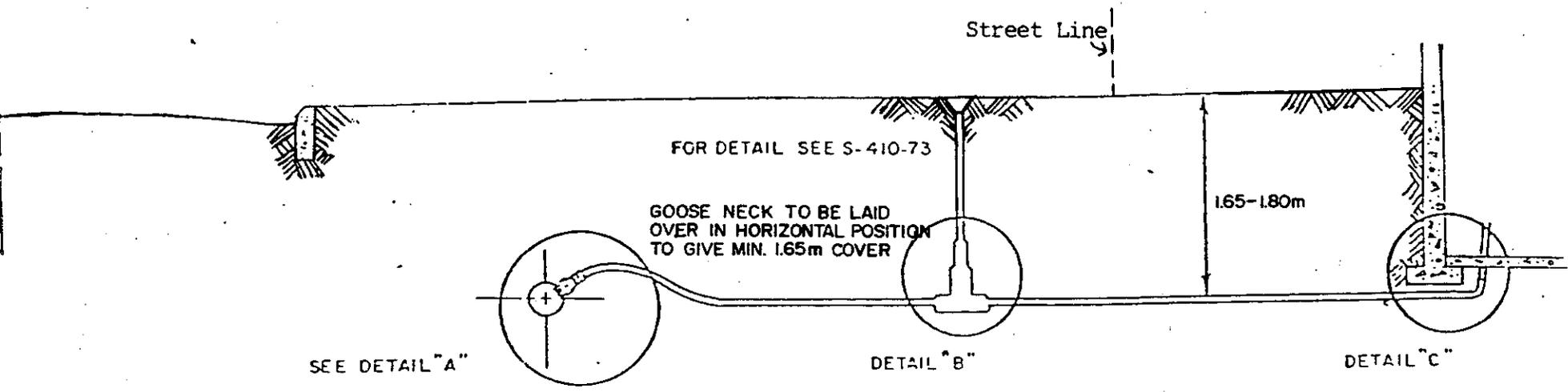
Date of Issue

Authorized Officer

Reason for Permit: _____



- ① Meter to be installed not less than 150mm from any wall and installed horizontally.
- ② Pressure relief valve to be installed on the hot or cold water line.
- ③ Support for the meter will be needed. Adjust to fit.
- ④ Direction of flow.
- ⑤ Mounted outside beside hydro meter or nearest exterior wall to water meter if hydro meter is inside building. Elevation of touchpad on outer wall to be between 12m to 15m above finished ground elevation.
- ⑥ No branches or taps permitted upstream of meter. Also no valves other than ball valve supplied with meter installation package.



SECTION VIEW

DETAIL "C"
N.T.S.

SEE DETAIL "A"

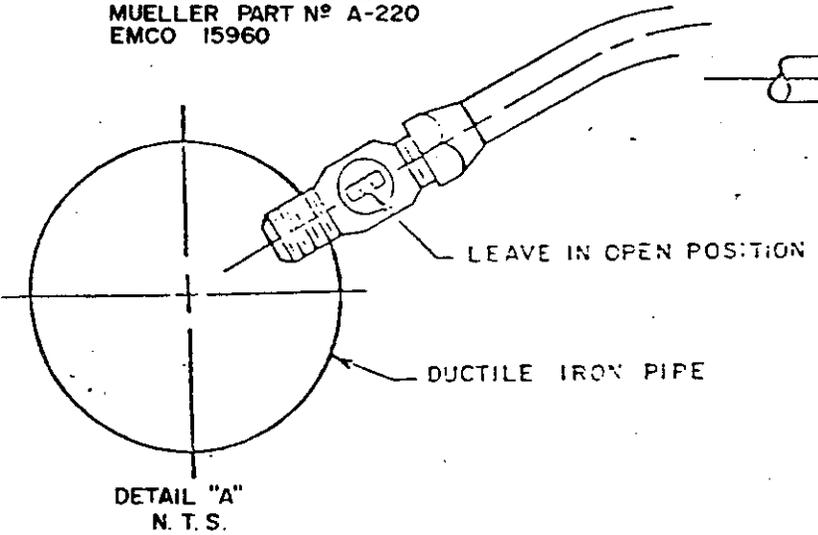
DETAIL "B"

DETAIL "C"

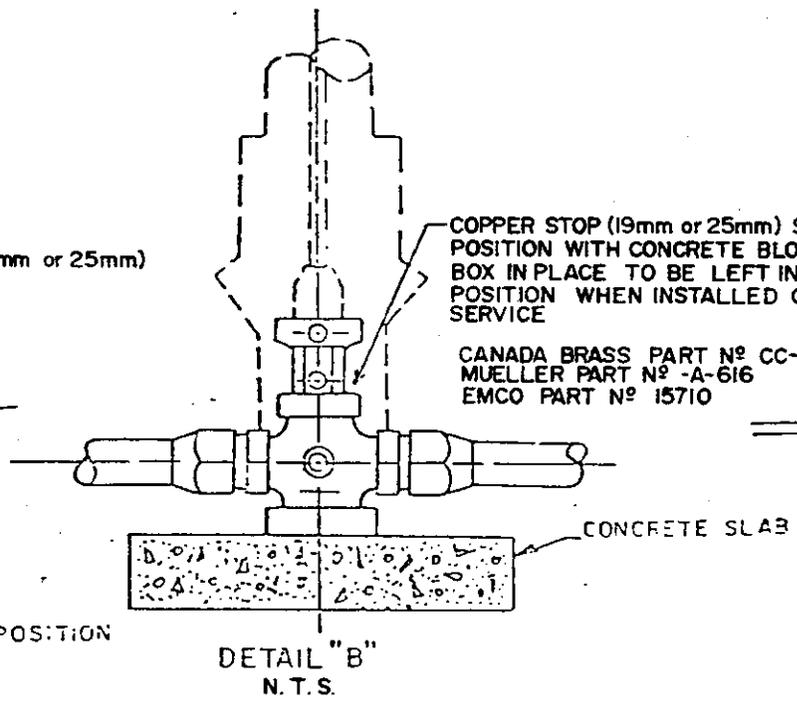
NOTE: MAIN STOPS SHALL NOT BE SPACED CLOSER THAN 450mm

COPPER MAIN STOP (19mm or 25mm) TAPPED AT EITHER 2 or 10 O'CLOCK POSITION
 PART N° CANADA BRASS CC-102
 MUELLER PART N° A-220
 EMCO 15960

TYPE "K" COPPER TUBING (19mm or 25mm)



DETAIL "A"
N.T.S.



DETAIL "B"
N.T.S.

