

THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN
BY-LAW NUMBER 2004-18

**BEING A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE
MAINTENANCE AND OPERATION OF AND CONNECTION TO A
SYSTEM OF WATER WORKS IN THE HAMLET OF MINDEMOYA IN THE
TOWNSHIP OF CENTRAL MANITOULIN AND PROVIDING PENALTIES
FOR VIOLATIONS THEREOF.**

WHEREAS The Corporation of the Township of Central Manitoulin (the "Municipality") has authorized the establishment, construction, maintenance and operation of a water works system to provide water service in the Hamlet of Mindemoya within the Municipality; AND

WHEREAS Section 44 of the Ontario Water Resources Act, being Chapter 361 of the Revised Statutes of Ontario, 1990, as amended, or any revisions thereof provides (inter-alia) that, subject to the approval of the Lieutenant Governor in Council, The Ministry of the Environment may make regulations regulating and controlling the construction, repair, renewal of the location of drains, pipes, traps and other works and applications that form part of or are connected with the plumbing in any building or structure, and may require Municipalities to carry out such inspections with respect to plumbing as may be prescribed; AND

WHEREAS pursuant to Section 222 of The Municipal Act, RSO; 1990 Chapter M45, the Council the Township of Central Manitoulin provides this by-law requiring owners of buildings or any class of buildings in the Municipality, or in any defined area thereof, to connect the said buildings to the waterworks of the Municipality within a certain specified period of time; AND

WHEREAS the Council of the Township of Central Manitoulin deems it expedient and desirable to make certain rules and regulations for the operation of the said water works system; AND

WHEREAS Ontario Regulation 815/84 made pursuant to the said Section 44, requires every municipality to carry out such inspections as are prescribed by the Regulation; AND

WHEREAS Section 46 of the said Act provides (inter-alia) and where a municipality undertakes, under the regulations made under Section 44 to inspect plumbing, the municipality may pass by-laws for charging fees for the inspections of plumbing and fixing the amount of such fees, for requiring the production of plans, for charging fees for the inspection and approval of plans and fixing the amount of such fees, and for the issuing of permits, all as more particularly set out in said Section 46: AND

WHEREAS paragraph 81 of Section 210 of the Municipal Act, Chapter 302, R.S.O. 1990 as amended provides that by-laws may be passed by the councils of local municipalities for charging a fee for the inspection of plumbing, sewers, septic tanks, cess pools, water closets, earth closets, privies and privy vaults where, under this or any other Act, approval or a certificate of compliance or such inspection is required; AND

WHEREAS Section 27 of the Public Utilities Act, being Chapter 423, R.S.O. 1990 as amended provides that by-laws may be passed by the Council for the maintenance and management of a water works and the conduct of the officers and others employed in connection therewith, and may also by by-law or resolution fix the rates or charges for supplying the water and the charges to meet the cost of any work or service done or furnished for the purpose of water supply.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CENTRAL
MANITOULIN HEREBY ENACTS AS FOLLOWS:**

In this by-law:

1. (a) "Clerk-Treasurer" shall mean the Clerk-Treasurer of the Corporation of the Township of Central Manitoulin
- (b) "Municipality" and "Corporation" shall mean the Corporation of the Township of Central Manitoulin

- (c) "Council" Shall mean the Municipal Council of the Township of Central Manitoulin
- (d) "By-Law Enforcement Officer" shall mean and include the Superintendent of the Water Works Department of the Municipality, as appointed by the Council of the Municipality.
- (e) "Person" shall mean and include an individual, firm, company, association, partnership, society, incorporated company or group, and wherever the singular is used herein shall also be construed as including the plural.
- (f) "Premises" shall mean the property being supplied or to be supplied with water and includes the portion of a multiple occupancy premises separately supplied.
- (g) "User" or "Consumer" shall include, as the context requires, the applicant for water supply, the owner or occupant of and the person to whom invoices are sent for water supplied to the affected premises.
- (h) "Water Works System" shall mean the works and equipment under the jurisdiction of the Municipality for the supply and distribution of water or any part of such system.
- (i) "Water Service" shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality from the water works system established by the Municipality and situated between the street line in front of or abutting the premises so supplied and the premises.
- (j) "Private Water Service" shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality with water from the water works system established by the Municipality and situated between the street line in front of or abutting the premises so supplied and the premises.
- (k) "Commercial User" shall mean the applicant for water supply, the owner or occupant of and the person to whom invoices are sent for water supplied to any premises in which the water supplied is directly or indirectly for or in the prosecution of any business trade or commercial undertaking.

2. Jurisdiction

- (i) The Council shall appoint a By-Law Enforcement Officer known as Superintendent of Works of the Municipality whose duties shall be:
 - (a) To enforce provisions of this by-law.
 - (b) To supervise and inspect all water mains and connections and water services, and private water services installed by private parties in the Municipality
 - (c) To perform such other duties as may be given to him by the said Council.
- (ii) The By-Law Enforcement Officer shall hold office during the pleasure of Council.

- 3.
- (i) The rules and regulations set out in this by-law shall govern and regulate the operation of any system of water works in the Municipality and shall be considered to form a part of the contract between the Corporation and 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 intent to be bound by the said rules and regulations.
 - (ii) The provisions of this by-law with respect to construction of a water service connection from the Municipality's water works system to the street line shall not apply for One Year after certification of completion by the consulting engineers where connections from the main watermain to the street line are made at the time the water works system is constructed and installed on the road allowance.

4. Application for Water Connection Permit

- i) No person shall make any connection to the Municipality's water works system without first having obtained a permit from the Clerk-Treasurer, and such permit shall be called "Water Connection Permit", as follows:
- ii) All persons desiring a supply of water from the Corporation shall, first, make written application to the Clerk-Treasurer, upon the appropriate form approved by the Council, as set out in Schedule "A" to this by-law, showing the purposes for which water is required. Subject to Subsection (3) of this section such application to be signed by the owner of the building to be supplied with water, or by his agent duly authorized in writing.
- iii) Where the necessary water service connection and private water service have already been installed, the cost of such installation fully paid, and the premises for which the supply of water is required is occupied by a tenant, the application for a supply of water to the said building may be signed by the occupant of such building.
- iv) The application for supply of water to each premises shall be accompanied by a payment of Ten Dollars (\$10.00) as fee for inspection of newly installed private water service and/or turning-on of the water supply.

5. Water Service Connections

- i) Any person applying to the Clerk-treasurer for a supply of water more than One Year after completion of the water works system shall pay to the Clerk-treasurer in advance of the installation, the charge set by Council for installing the necessary water service.
- ii) After the payment referred to in the preceding section has been made to the Clerk-Treasurer, and approval is received from the Municipality for the said connection, the By-Law Enforcement Officer shall install the necessary water service.
- iii) Persons making application for the installation of water services other than the ordinary dwelling house services shall, at the time of such application, pay to the Clerk-Treasurer the charge for such water services imposed by Council and, upon the receipt of such sum by the Clerk-Treasurer and approval from the Municipality for said connection, the By-Law Enforcement Officer shall install the necessary water services.
- iv) The By-Law Enforcement Officer shall determine the size of the pipes and fittings to be connected to a water main, but no water service shall be less than 25 millimetre nominal diameter, and he shall also determine the position in the street where the water services may be connected to any water main.
- v)
 - 1. All water services shall be new pipe
 - 2. All water services up to and including 50 mm (2") in internal diameter shall be type 'K' Soft Copper pipe and/or suitable PE pipe
 - 3. All water services more than 50 mm (2") in internal diameter shall be of PVC Series 160 or equivalent and/or suitable PE pipe.
 - 4. All private water services to be approved watertight with new pipe.
- vi) Water services shall be installed only by persons employed by the By-Law Enforcement Officer or designated by him and approved by the Municipality.
- vii)
 - 1. Unless the By-Law Enforcement Officer otherwise directs in writing, no water services shall be installed between the first day of December in any year and the first day of May in the following year.
 - 2. Where the By-Law Enforcement Officer is of the opinion that a water service may be safely installed between the first day of December in any year and the first day of May in the following year, he may permit such water service to be installed upon such terms and conditions as he may deem necessary.

- viii) All water services shall be at least 2.40 meters below grade in which such services are laid, and will be properly protected from freezing.

6. Private Water Service Connections

All private water services shall be in accordance with 5(v) above, and the pipes and fittings used for private water services shall conform in design and quality to the standard prescribed by the By-Law Enforcement Officer, or as revised by Ontario Water Resources, Regulation 815/84.

- i)
 - 1. All private water services shall be at least 2.40 meters below the finished grade or area through which they are installed, and shall be properly protected from freezing.
 - 2. Where the overburden over a rock base is less than 2.40 meters an application may be obtained from the Council for approval of the installation shallower than 2.40 meters if the private service connection has an approved heat cable and/or insulation as directed by the By-Law Enforcement Officer wrapped around the pipe from the building to the curb stop in accordance with those details specified on Schedule "B" of this By-Law No 2004-18 "Application for Exemption of 2.40 meter minimum cover of private water service".
- ii)
 - 1. In the event that the owner of any building may request the Corporation to install the necessary private water service at the time the water service for the same building is being installed, and the Corporation may, if it deems it expedient, install such private water service upon the owner prepaying to the Clerk-Treasurer the estimated cost of the installation of such private water services provided for under Section 6 (2) of the Public Utilities Act, Chapter 423, R.S.O. 1990.
 - 2. In the event of the actual cost of the installation of such private water service exceeding the amount prepaid to the Clerk-treasurer, the person applying for such installation shall forthwith, after the completion of such installation, pay to the Clerk-Treasurer the balance of such cost.
 - 3. Nothing in this section shall relieve the owner from the obligation of maintaining such private water service in accordance with the provisions of this by-law.
- iii) Subject to the above provisions all private water services shall be installed by the owners of the premises for which such private water services are required, or their agents.
- iv) Private water services shall be properly laid and graded with a fall to stop and waste cock placed in the floor of the cellar or basement, or other convenient place so that all pipes within the building may be emptied by opening the faucet at the higher point therein and allowing air to enter the said pipes. If any building to which there is no basement, a stop and waste cock shall be placed so that it is protected from frost, and so that the pipes may be conveniently drained. In all commercial premises, as designated by the By-Law Enforcement Officer, sufficient space shall be allowed on the horizontal pipe for the installation of a water meter.
- v) New private water service pipes in a building shall be located in the parts thereof best protected from frost. No private water service pipes shall be placed back of plaster on outside walls. In buildings where there is no cellar, the pipes shall be carried to or near the centre of the building up to an unexposed part thereof, previous to being carried upward. In all exposed situations, if it is necessary to protect the service pipes and fixtures from freezing, each pipe shall be properly insulated with 50 millimetre minimum thickness preformed polystyrene pipe insulation, and surrounded by a box constructed of some non conductive material. The void spaces within the box shall be packed with non conducting material. It shall be the duty of the installer employed by the owner or agent to protect and guarantee from damage by frost all work done by him.
- vi) The By-Law Enforcement Officer of Water Works shall be given at least 48 hours notice by the owner of the premises when the private water service has been laid and is ready for inspection. All works must be left uncovered and convenient for examination until inspected and approved. No water supply shall be turned on until the work is inspected and approved by the By-Law Enforcement Officer..

- vii) The owner of any property shall maintain in proper order and repair, at his own expense, the private water service and its fixtures and appurtenances.
- viii)
 1. Not more than one building, except for commercial premises, shall be supplied from a single water service and for the purposes of this by-law a semi-detached dwelling shall be deemed a separate dwelling.
 2. Provided that where a building occupies the frontage of a lot and buildings are located in the rear of the said front building, all such buildings may be supplied from one water service provided that all said buildings belong to one owner and such owner pays the water rates for all water supplied to such buildings.
 3. If the Municipality deems that excessive water supply to a consumer is being removed from the consumer's premises and used at any location other than on the consumer's premises or for any use or benefit other than to the consumer, a water meter may be installed and such rates recovered as set by the Municipality.
- ix) In all cases where range of steam boilers are supplied with water, it is understood and agreed that the municipality will not be liable for any damage which may result to any person or premises or equipment caused by the shutting off of the water from any water main or service pipe for any purpose whatever, even in cases where no notice is given, or caused by uneven water pressure. All service pipe connections to boilers shall have back flow preventer fixed to prevent water escaping back into the mains and suitable relief valves to relieve excess pressure.
- x) Where necessary water service and private water services has been completely installed to the satisfaction of the By-Law Enforcement Officer and in compliance with the rules and regulations set out by this by-law and the payments provided by Subsection (iii) of Section 4 and by Section 5, and by Subsection (i) 2 of Section 8 of this by-Law made to the Clerk Treasurer, the water to the premises may be turned on by the By-Law Enforcement Officer.
- xi) All water supplied through private water services to all users, other than "commercial users" and domestic users with swimming pools, shall be charged for at the applicable rates fixed from time to time by the Municipality and the owner of the premises will be held liable for all water charges.

7. Billing

- i) All water supplied through private water services to all users shall be charged for at the applicable flat rate based on average consumption, fixed from time to time by Council and the owner of the premises will be held liable for all water charges.
- ii) Billing for flat rate services shall be rendered every three (3) months.
- iii) When water is supplied to a multiple family dwelling, the account for the water supply shall be charged to the owner and in case of non-payment, where any such default continues for a period of six months, the water may be shut off under authority of Sub-section 3 of Section 27 of the Public Utilities Act, notwithstanding that one or more of the occupants, have paid part or all of the account to such owner or principal occupant.
- iv) All sums charged for water supplied, or for expenses incurred, by the repair of private water pipe services, meters, fixtures, and all other appliances connected with the water service or for damage to the same shall be charged to the owner of the premises. If for any reason charges for water rates cannot be collected from the owner, or the occupant of the premises for a continuous period of six months, the water shall be turned off under authority of Sub-section 3 of Section 27 of the Public Utilities Act on account of non-payment. No application for water supply for such premises shall be approved by the Corporation, notwithstanding that the ownership of the said premises shall have changed, until such sums and other charges have been paid in full to the Municipality.
- v) A book shall be kept in the offices of the Municipality, which book shall contain the street number and location of premises from which water has been turned off for non-payment of accounts and the sum remaining unpaid, which book shall be for the information and protection of person or persons intending to purchase any property whether any accounts appear upon such book.

- vi) 1. Any person may, upon payment of the Fee described by Council, receive a certificate from the Clerk-Treasurer showing that all Accounts or charges against the premises covered by such certificate have been paid or the amount of any charges or account outstanding, subject to the Conditions of Freedom of Information Act.
- 2. The foregoing shall not be held to prevent the Corporation from resorting to other means or method of collecting said accounts.
- vii) The Municipality may from time to time under this by-law designate that a commercial user or domestic user shall have a meter for billing purposes.

8. Metering facilities

All water supplied through private water services to "commercial users" and to domestic users with swimming pools shall be metered, and the rates charged shall be those fixed from time to time by the Municipality, as provided under sections 27 and 49 of the Public Utilities Act, being Chapter 423, R.S.O. 1990, as amended.

- i) 1. All meters shall be furnished and installed by the By-Law Enforcement Officer.
- 2. The cost of installing and repairing meters, including cost of such meters shall be prepaid by the applicant before the water is turned on. If the meter is mechanically defective then the cost of repairs shall be paid by the Municipality, but if the meter is damaged by the carelessness or neglect of any person, other than an employee or agent of the Municipality, the owner of the premises shall pay to the Corporation the cost of making the necessary repair to such meter.
- ii) If a meter fails to register, the consumer will be charged for the average consumption for the pertinent period as determined by the By-Law Enforcement Officer.
- iii) All water passing through the meter will be charged for whether used or wasted.
- iv) The owner of premises to be supplied with water agrees to provide convenient and safe space free of charge or rent for the Municipality's meters, pipes, and other appliances on the said premises, and further agrees that no one who is not servant or agent of the Municipality or otherwise lawfully entitled to do so, shall be permitted to remove, inspect or tamper with any of the Municipality's said equipment.
- v) 1. The owner or occupant of premises shall provide ready and convenient access to the meter in the said premises so that it may be frequently read and examined by the Municipal Inspectors.
- 2. Where a meter cannot conveniently be placed inside a building it shall be placed inside a meter chamber, the location and construction of which are to be approved by the By-Law Enforcement Officer, and the cost of which is paid for by the applicant.
- vi) 1. A meter will be removed and tested upon request. If it is found to register correctly or not in excess of three per cent in favour of the Corporation, the expense of removing and testing the meter will be paid by the person requesting the test.
- 2. If a meter when tested is found to register in excess of three per cent in favour of the Corporation, a refund will be made to the consumer of any amount paid equal to such excess percentage of the water rates paid for the three months prior to the testing of the said meter. Provided, however, that no reduction shall be made prior to the testing of such meter below the minimum water rates fixed by Council.
- vii) 1. One meter only shall be placed in each designated building, apartment or other commercial premises in the Municipality and the plumbing shall be so arranged that all water used on such commercial premises shall pass through such meters and the owner of the premises will be held liable for water charges.
- 2. Each meter shall be placed in such location as the By-Law Enforcement Officer shall direct.

- viii) The Corporation may enter into agreements with owners to provide for the installation of water services or meters in any manner satisfactory to Council.

9. Water Rates

- i) The water rates charged by the Corporation for water supplied through the water services and private water services shall be those set out in Municipal By-Law No. 95-WS4, unless the same are changed by By-Law or resolution of the Council.
- ii) The Council may from time to time change the said water rates without notice to any person taking a supply of water from the system.
- iii) All accounts for water shall be prepaid. The first account shall be based upon the minimum rate for three (3) months, or as it may be from time to time fixed by Council.
- iv) Payment to the Corporation of accounts for the supply of water shall be made at three (3) month intervals. Rates for water supply shall be due when billed. A 1.25 per cent per month penalty shall be charged on all accounts not paid in full on or before the 30th day after the date upon which accounts are rendered. Accounts in default for six months may result in the water service being disconnected under authority of Sub-section 3 of Section 27 of the Public Utilities Act and no further water will be supplied to the said premises.
- v) A service charge of ten (\$10.00) dollars shall be levied for connecting or disconnecting any water service.
- vi) A "User" for the purpose of payment and the supply of water, shall be deemed to be the owner of the premises and in the event of tenant or other occupant, the registered owner shall be liable for water rates and charges.

10. Water Use for Building

Builders requiring water for building purposes shall make a separate application for each building to be erected and shall furnish the By-Law Enforcement Officer with all information required by him and shall pay to the Clerk-treasurer such special water rates as may from time to time be fixed by the Council. A permit for the use of water for building purposes shall be in force for six months from the date thereof.

11. Fire Protection Equipment

- i) Equipment installed solely for the automatic extinction of fires in buildings may, with the approval of the By-Law Enforcement Officer, be attached to water mains provided that such equipment is entirely disconnected from water pipes used for any other purposes, and water supplied through such equipment is used solely for the purpose of fire extinction. All such equipment must be provided with a suitable valve outside the building and under the exclusive control of the Corporation. A valve shall be placed at each hose opening in the stand pipe and all such valves shall be sealed by the By-Law Enforcement Officer. Whenever the seal of any such valve is broken for the extinction of any fire, the person breaking such seal shall immediately thereafter give notice to the By-Law Enforcement Officer, who shall immediately upon receiving such notice reseal the said valve. The Corporation may require a compound meter of approved pattern to be furnished, installed and maintained by the owner, lessee or agent. In case of violation of this rule the By-Law Enforcement Officer may shut the control valves and refer the matter to Council. Such control valve shall not be again opened without authority from Council.
- ii) No seal placed by the By-Law Enforcement Officer upon the valve situated at a hose opening in the stand pipe shall be broken nor shall any water be used from equipment for fire extinction, for any purpose except the extinction of fire without the consent in writing of the By-Law Enforcement Officer.

12 Installation

No person shall make any connection or connections whatsoever to any water service or private water service without the written consent of the By-Law Enforcement Officer 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 Parliament of Canada.

13. General

- i) No person supplied with water by the Corporation shall be entitled to use such water for any purpose other than those stated in his or her application.
- ii) No person being the owner, occupant, tenant or inmate of any house, building or other premises supplied with water by the Corporation shall rent, sell or dispose of such water or give away or permit the same to be carried away or used or apply such water to the use or benefit of any other person unless the said house, building or other premises has a meter in accordance with Section 6 Item (viii) Clause 2.
- iii) In case of making repairs or constructing new work in connection with the water works system, the By-Law Enforcement Officer may shut off the water from any consumer without notice, and keep it shut off as long as may be necessary and the Corporation shall not be liable for any damage resulting therefrom.
- iv) The By-Law Enforcement Officer, or any person duly authorized by him for the purpose, must at all reasonable hours, upon presentation of satisfactory identification, be given free access to all parts of every building to which water is supplied, for the purpose of inspection and examination of meter, fixtures and pipes of every kind used in connection with the supply of water to or the use of water on such premises.
- v) Whenever water has been turned off for non-payment of the water charges or for the purposes of repair or construction or for any other necessary or proper purposes, no person will be permitted to turn it on again who is not duly authorized to do so by the By-Law Enforcement Officer.
- vi) No person or persons except the By-Law Enforcement Officer or those acting under his direction or authority, shall open or close any valve, hydrant or gate in the street main, or molest or interfere with the same in any manner.
- vii) The By-Law Enforcement Officer when acting in the discharge of his duties under this by-law shall be Ex-Officio Constable.
- viii)
 - 1. Whenever any persons taking a supply of water from the Corporation fail to comply with the provisions of the by-law in any respect, the By-Law Enforcement Officer may, without notice to such persons, turn off the water and the water shall not be turned on again until all the provisions of this by-law are complied with and the sum of ten dollars (\$10.00) paid to the Clerk-Treasurer to cover the cost of turning the water off and on.
 - 2. Failure to pay water rates as and when the same become due and payable shall be considered to be a failure to comply with the provisions of this by-law.
- ix) There shall be no connection between the water service or private water services and any cisterns, wells, privies, privy vaults or cesspools.
- x) There shall be no connection between the water services or private water services and a private pressure pump.

- x) If water is supplied to premises on a flat rate and if the premises are occupied as more than a single dwelling, then the rates to be charged in such cases shall be those set out for multiple dwellings.
- xii) For the purpose of this by-law, the owners or occupants of farm property shall be classed as "Commercial Users" and farm property shall mean not less than twenty acres of land in the actual occupation of the owner of it.
- xiii) The Municipality agrees to use reasonable diligence in providing a regular and uninterrupted service, but does not guarantee a constant water supply or the maintenance of unvaried pressure, and will not be liable for damages to the customer by reason of any failure in respect thereof.
- xiv) The Municipality shall in no way be liable or responsible for loss or damage due to freezing or bursting pipes.
- xv) This by-law shall be in full force and effect on the third reading and final passing thereof.

14. Registration

In order to safeguard life, health and property, every person, firm or corporation engaged in or working at a business of plumbing must submit evidence that he is qualified and shall provide proof that he is so certified by the Ministry of Labour.

Any person who assumes responsible charge and direction of other persons in the installation of plumbing, and who employs, whether for gain, or otherwise, a person not registered as provided herein to perform and install plumbing, shall be guilty of a contravention of this by-law and shall be subject to penalties hereinafter imposed.

It is provided, however, that the provisions of this by-law pertaining to registering shall not apply to anyone who is employed as or acting as a maintenance man while working on the piping belonging to the person by whom he is employed, or to an employee of any public service, commission, or corporation while such employee is engaged in the business of the employer on the employer's premises. Provided, further, that the provisions of the by-law pertaining to registration shall not apply to an owner who may install plumbing on his own premises in which he is actually residing at the time, provided he abides by all rules and regulations pertaining to plumbing under the Province of Ontario Regulation 815/84 written under The Ontario Water Resources Act, R.S.O.1990 as amended, respecting plumbing.

All applications for registration shall be made to the Clerk-Treasurer.

Registration shall not be accepted by the Clerk-Treasurer until the prescribed fees have been paid to the Corporation.

15. Penalties

- (a) Any person found guilty of an offense under the provisions of this by-law shall be subject to a penalty of an amount not exceeding three hundred dollars (\$300.00) for each offense, exclusive of costs, to be recoverable under the provisions of the Provincial Offenses Act.
- (b) If the house, building or properties used for human occupancy, employment, recreation or other purposes are not connected to the system on or before the date stipulated under Item No. 16, a penalty of an amount of three dollars (\$3.00) shall be paid for each day the building, property, etc. is not connected to the system, unless the owner is exempted under Paragraph "16" of this by-Law, exclusive of cost, as stated in paragraph (a) above.
- (c) If any private water service or any connection to a service connection or public water main is made by an owner or his authorized representative, contrary to the provisions of this by-law, the owner shall repair such defective work or material within ten (10) days after receipt of notice from the engineer, By-Law Enforcement Officer (or Inspector) or Municipality requiring him to do so and, if the owner fails to repair such work, the Municipality may repair the work including the right to enter upon the lands, and the cost of such repairs shall be paid by the owner. If any moneys owed to the Corporation for any reason named under both of the above mentioned paragraphs, (a) and (b) are not paid within sixty (60) days of notice, all outstanding costs shall be added to the tax roll for the property and collected in the same manner as other municipal taxes.

16. Time for Connection

The owner of any houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Municipality and abutting on any street, lanes or right-of-way in which there is now or will be located a public water main installed under the Township of Central Manitoulin, Hamlet of Mindemoya, current Water Works program, is herein required at their expense to install suitable potable water facilities therein, and to connect such facilities directly with the water service connection in accordance with provisions of this by-law, within Nine (9) months from the commencement date for connections of which the Owner will be notified by letter sent by registered mail, unless exemption is given in writing by the Clerk-Treasurer.

This provision applies whether an existing well, cistern, or similar private water supply are in effect at the time of the commencement date for connection. Temporary systems installed prior to the commencement date will not be exempt.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 13TH OF MAY, 2004.

Reeve

Clerk

I, Ruth Frawley, Clerk of the Township of Central Manitoulin, hereby certify that the foregoing is a true copy of By-Law No. 2004-18 which was finally passed by Central Manitoulin Township Council at its meeting on May 13, 2004 .

Ruth Frawley, Clerk.

APPLICATION FOR WATER SERVICE CONNECTION
AND PRIVATE WATER SERVICE CONNECTION AND
AGREEMENT

BETWEEN

THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN

AND

(Name of owner of lot)

(mailing Address)

(address of Lot application is being made for)

FOR THE PROVISION OF WATER SERVICE:

1. I, the undersigned (hereinafter called the Owner) do hereby request the Corporation of the Township of Central Manitoulin (hereinafter called the municipality) to make necessary connections and provide water service and/or a private service connection at the premises above listed if the water service connection is not now present or if a water service connection is present, I request that I be allowed to connect my private water services to the service connection and I undertake and agree to be bound by the rules and regulations and general conditions as stated herein and in By-Law No. 2004-18 and as may be established from time to time by the Municipality.
2. This agreement shall not be binding upon the Municipality until accepted by it through its proper officers, and shall not be modified or affected by any promise, agreement or representation, by any agent or employee of the Municipality, unless incorporated in writing into this agreement before such acceptance.
3. (a) If an owner or tenant vacates the above listed premises without the owner notifying the Municipality, the owner is liable for all subsequent accounts until a new consumer is registered at the vacated location. It is the owner's responsibility to notify the Clerk-Treasurer in writing when the owner or the tenant vacates the premises where they were registered for water service.

(b) Where the necessary water services and private water services have already been installed, and the cost of such installation fully paid, and the premises for which the supply of water is required, is occupied by a tenant the notice of vacation of the building must be signed by the Owner of such building.

4. The owner agrees that on request of the Municipality at its discretion, he will make a deposit to be held by the Municipality without interest as a guarantee that the Owner will fulfill all terms of this agreement.
5. The Owner will provide all plumbing on the premises and all water lines connecting the premises with the point of connection with the Municipal Water Service at the property lines and maintain the same in efficient condition with proper devices.
6. The rates charged for water services are subject to change at any time on receipt of notice from the Municipality.
7. This Agreement shall continue in force from year to year until terminated by a notice in writing, given by either party hereto at least one month before the end of term or any year term thereafter.
8. The Owner agrees not to make any changes in or additions to his connections to the water line after the same has been installed by the Owner and inspected by the Superintendent except with written consent of the Municipality.
9. It is agreed that the signatures of the parties hereto shall be binding upon their successors or assigns, and that the vacating of the premises herein named shall not release the Owner from this Agreement, except at the option, and by written consent of the Municipality.
10. The Owner agrees that if his application for exemption from minimum 2.40 meter cover is approved the service connection shall be installed in strict accordance with the appropriate clause as stated in Schedule "B" of this By-Law.
11. The Owner agrees that if the Municipality allows him to connect to the water distribution system prior to the system being charged he is liable for all the cost of repair if it is found that his private service connection leaks once the system is charged.
12. The Owner agrees to make such repairs as may be designated by the Superintendent from time to time to his private service or interior house plumbing that may eliminate leaks.

PLOT PLAN If new building is being constructed and/or service record sheet is not applicable, show the point at the street at which the connection is to be made.

Date proposed works to be done _____ 20 ____.

Name and Address of Contractor _____

to undertake the work. _____

(If by owner Check here) _____

SIGNED BY.....
(Owner)

.....
(Signed by Spouse)

The application to be accompanied by a fee of ten (\$10.00) Dollars per Section 4 of By-Law No. 2004-18.

ACCEPTED FOR THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN

*Exemption from Minimum Cover of 2.4 meters

.....
(Superintendent)

.....
(Clerk-Treasurer)

APPROVED BY:
.....

Date:.....

* Cross out where not applicable

(The consumer may apply for an exemption from installing his private water service at the minimum 2.4 meter cover in accordance with Schedule 'B' of this By-Law.

**APPLICATION FOR EXEMPTION
FROM MINIMUM 2.4 METER COVER
OF PRIVATE WATER SERVICE CONNECTION**

AGREEMENT

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN

AND

Name of Owner of Lot

Mailing Address

Address of Lot Application being made for

FOR PROVISION OF AN EXEMPTION FROM MINIMUM 2.40 METER COVER

- 1. I, the undersigned (hereinafter called the Owner) do hereby request from the Corporation of the Township of Central Manitoulin (hereinafter called the Municipality) an exemption from my Private Water Service being within the minimum 2.40 meter cover specified by By-Law No. 2004-18.
- 2. I wish to install my Private Water Service at _____ cover for the following reasons: (specify)

- 3. If exemption is granted I hereby agree to install my Private Water Services as detailed on the attached drawing to this schedule including the installation of heat cables and/or insulation as directed and as required by the By-Law Enforcement Officer.
- 4. I hereby acknowledge and agree that as a result of this exemption that if either my Private Water Service or the Municipal Water Service Connection becomes frozen or damaged as a result of this exemption the full cost of repair will be borne by the Owner.

Signed by:
(Owner)

Signed by:
(Spouse)

Date:

ACCEPTED BY TOWNSHIP OF CENTRAL MANITOULIN:

Signed by:
(Superintendent)

Signed by:
(Clerk-Treasurer)

Date: