

Amended by  
135-PW-2004

**TOWN OF NORTH PERTH  
ONTARIO**



**Regulation of Potable Water Supply  
By-Law # 71-PW-2004**

# WATER

By-law #71-PW-2004

## A by-law to provide for the REGULATION OF POTABLE WATER SUPPLY IN THE TOWN OF NORTH PERTH

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WHEREAS Section 11 of the *Municipal Act, S.O. 2001*, as amended, provides that the municipality may pass by-laws respecting matters within the sphere of Public utilities, including water production, treatment, storage and distribution;

AND WHEREAS the Regulation of Potable Water Supply By-law #71-PW-2004 applies only to North Perth users receiving water from the Town of North Perth;

NOW THEREFORE the Municipal Council of the Town of North Perth enacts as follows:

## **WATER BY-LAW**

### **Part 1 DEFINITIONS**

#### **1.1 Definitions**

In this by-law:

##### **Building – defined**

“building shall mean a structure supplied with water by the Town of North Perth

##### **Bulk water user – defined**

“bulk water user” shall mean any customer who draws water from the Town of North Perth’s designated Bulk Water Station.

##### **Town – defined**

“Town” shall mean the Town of North Perth

##### **Contractor – defined**

“contractor” shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the Town to install or maintain mains, service mains, services, hydrants and other appurtenances.

##### **Cross Connection – defined**

“cross connection” shall mean any temporary, permanent or potential water connection that may allow backflow or back-siphonage of contaminants, pollutants, infectious agents, other materials or substances that will change the water quality in the waterworks distribution system in any way, and includes swivel or changeover devices, removable sections, jumper connections, and bypass arrangements.

##### **Customer – defined**

“customer” shall mean any person who enters into a verbal or written contract with the Town to take water from the Town or to receive water related services from the Town.

##### **Developer – defined**

“developer” shall mean the owner or party specifically named in a Development Agreement or in a Subdivision Agreement.

##### **Director – defined**

“director” shall mean the Director of Public Works for the Town of North Perth, or the Director’s authorized representative.

##### **External use of water – defined**

“external use of water” shall mean the use of water for any purpose outside the walls of any building located at a municipal address.

##### **Main – defined**

“main” shall mean every water pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the Town has obtained easements.

**Meter – define**

“meter” shall mean the water meter supplied and owned by the Town to measure the quantity of water used by the customer.

**Occupant – defined**

“occupant” shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premises.

**Owner – defined**

“owner” shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

**Plumbing system – defined**

“plumbing system” shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter.

**Potable water – defined**

“potable water” shall mean water that is fit for human consumption.

**Premises – defined**

“premises” shall mean any house, tenement, building, lot or part of a lot, or both, in, through, or past which water service pipes run.

**Private main – defined**

“private main” shall mean a pipe connected to a main and installed on private property and from which more than one service and/or hydrant lateral are connected.

**Remote read-out unit – defined**

“remote read-out unit” shall mean the device installed at a separate location from the water meter and used to record the consumption reading of the meter.

**Service extension – defined**

“service extension” shall mean the portion of a water service pipe from the property line to the meter location, or to the inside of the exterior wall of a structure, ie. An extension of a service stub.

**Service stub – defined**

“service stub” shall mean the portion of a water service pipe from a main to the property line which will always include one control valve.

**Shut-off valve – defined**

“shut-off valve” shall mean the valve on the water service or private main owned and used by the Town to shut off or turn on the water supply from the Town’s waterworks distribution system to any premises.

**Subdivider – defined**

“subdivider” shall mean the owner or party specifically named in a Subdivision Agreement.

**Water – defined**

“water” shall mean potable water supplied by the Town.

**Water distribution system – defined**

“water distribution system” shall mean mains with connections to feeder mains, feeder mains within subdivision lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto.

### **Water related services – defined**

“water related services” shall include but not be limited to those items set out under the heading “Miscellaneous Charges” in Schedule “I” of by-law #98-AD-2002.

### **Water service pipe – defined**

“water service pipe” shall mean the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or to the inside of the exterior wall of a structure.

### **Waterworks – defined**

“waterworks” shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of any such works, but does not include plumbing to which the *Building Code Act, 1997*, or any amendments thereto apply.

## **Part 2**

### **APPLICATION FOR WATER SERVICE**

#### **2.1 Application and payment prior to installation**

The owner or their agent shall apply to the Town for a water service and before the service is installed, shall pay for it at the rates shown in Schedule “I” of by-law #98-AD-2002 or on such other basis as the director may at any time determine.

#### **2.2 Installation – payment required**

The installation of the water service will not be scheduled or commenced in any way until the application and payment have been made.

#### **2.3 Disconnection of service – payment**

When an owner discontinues the use of a water service for water supply to a premises, the owner shall pay to the Town a charge as shown in Schedule “I” of by-law #98-AD-2002 for disconnection of the meter.

## **Part 3**

### **WATER RATES AND CHARGES**

#### **3.1 Application for water supply**

Before the initial supply of water or any subsequent reconnection to any premises in the Town, the owner shall make application for the same, and the owner shall be governed by the requirements of this by-law.

#### **3.2 Water measured by meters**

The water consumed on all metered premises in the Town shall be charged for as indicated by the meter on each respective property at rates shown in Schedule “I” of by-law #98-AD-2002.

#### **3.3 Flat rate water**

The water consumed on all premises without meters in the Town shall be charged for at rates shown in Schedule “I” of by-law #98-AD-2002.

#### **3.4 Reading and/or billing**

Residential accounts will be rendered bi-monthly. Industrial, commercial, and institutional meters will be read and accounts rendered monthly. The bill shall be deemed to be served upon the owner if it is delivered or sent by mail to the premises supplied.

#### **3.5 Overdue notice**

When an account is not paid by the due date stated on the bill, an overdue notice will be sent by mail reminding the customer of the outstanding account. An interest charge of 2% per month will be charged on outstanding amounts on the day after the due date on each account monthly.

**3.6 Notice of disconnection**

Sixty (60) days after the initial bill is mailed and, should the account remain unpaid, the director will deliver or cause to be delivered a notice of disconnection to the service address, advising the customer that unless payment is received within ten (10) business days, service will be disconnected, and the outstanding balance will be forwarded for collection to the Credit Bureau.

**3.7 Non-payment – water shut off – lien**

If the customer at any premises omits, neglects or refuses to pay any bill rendered, whether for water service pipes, meters, service charges, or any other monies to which the Town may be entitled in respect of water services to such premises, the Town may, at its discretion, shut off or reduce the flow of the water to the premises. Such charges shall remain a lien on the property where they have been incurred by the owner of the property and may be collected in accordance with the procedures permitted by section 81 of the *Municipal Act, S.O. 2001*.

**3.8 Reconnection – charge**

Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge as shown in Schedule “T” of by-law #98-AD-2002, will be levied against the delinquent account, in addition to any applicable charges.

**3.9 Change of occupancy – charge**

At the time of a change of occupancy, an administrative charge as shown in Schedule “T” of by-law #98-AD-2002 will be levied by the Town to the new customer to cover the cost of administrative work, and the said charge will be included on the first billing to the new customer.

**3.10 Minimum monthly charge**

The minimum monthly charge for providing and maintaining water supply to a property is applicable for every water service. In instances when the occupant of a premises terminates his or her account with the Town, subsequent minimum monthly charges shall be rendered to the owner of the premises until such time as a new occupant applies to the Town for the supply of water, unless a temporary service disconnection is requested in accordance with section 3.14.

**3.11 Service installation charge**

All water service pipes, except those to lands being developed under a Town development or subdivision agreement wherein the main is installed, will be installed at a rate as set out in Schedule “T” of by-law #98-AD-2002.

**3.12 Construction water charge**

Water used during the construction phase of a building, prior to occupancy, is not required to be metered. The Town will recover the cost of this construction water by applying a construction water charge, according to Schedule “T” of by-law #98-AD-2002 to the cost of the owner’s water service.

**3.13 Temporary water supply – application and charge**

Where a customer requires a temporary water supply, such customer shall apply to the Town for a connection to a fire hydrant. If this connection is approved and an agreement signed, the customer shall pay, prior to connection or when billed, the applicable charge shown in Schedule “T” of by-law #98-AD-2002. The customer shall use a connection device supplied by the Town, or any other device as approved by the director.

**3.14 Temporary service disconnection**

Where a property owner requires and requests a temporary service disconnection, the director may approve same. During the time period covered by this request, the service will be shut-off, and there will be no minimum monthly charges. A disconnection and reconnection charge will apply as set out in Schedule “T” of by-law #98-AD-2002.

**3.15 Meter testing charge**

The charge for testing the accuracy of a water meter is shown in Schedule "I" of by-law #98-AD-2002 and is explained in section 6.14 of this by-law.

**Part 4  
OPERATION OF WATERWORKS**

**4.1 Conditions on water supply**

The Town agrees to use reasonable diligence in providing a regular and uninterrupted supply and quality of water, but does not guarantee a constant service or the maintenance of unvaried pressure or quality of supply of water and is not liable for damages to the customer caused by the breaking of any water service pipe or attachment, or for shutting off of water to repair or to tap mains, if reasonable notice of the intention to shut off the water is given.

**4.2.1** Where a municipal owned and operated water supply service is in existence, no private wells can be drilled.

**4.2 Authority for Water Supply**

The Town in its own right shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all waterworks plant and equipment within its boundaries servicing the Town of North Perth, to establish whether and the terms upon which municipalities or persons outside the Town of North Perth may be allowed to connect to the said waterworks as consumers, and the rates to be charged for water delivered to such consumers.

**4.3 Authority of the director**

The director is hereby authorized and directed to have a general supervision over the installation, construction and maintenance of all waterworks in the Town, and it shall be his or her duty to see that all waterworks are installed, constructed and maintained in accordance with accepted practices, and all applicable legislation, including this by-law. No person shall obstruct or prevent the director or any person duly authorized by the director from carrying out any or all of the provisions of this by-law, nor shall any person refuse to grant the director, or any person duly authorized, permission to inspect any waterworks at any reasonable time.

**4.4 Unauthorized operation of fire hydrants**

No person other than a person authorized by the Director for that purpose, or a North Perth firefighter, in the normal performance of his or her duties, shall be permitted to open or otherwise interfere with or operate or take water from any fire hydrant.

**4.5 Unauthorized operation or interference**

No person other than a person authorized by the director for that purpose shall open or close a valve in the water works distribution system, or remove, tamper with, or in any way interfere with any valve, water meter, structure, watermain or water service in the water works distribution system.

**4.6 Use of water from hydrants**

Except for water used for fire fighting, any other use of a Town's fire hydrant for water supply must be approved by the director. The method of application and payment shall be according to part 3 of this by-law. The terms and conditions required for granting the permit shall be at the discretion of the Town and may be changed from time to time as the Town deems necessary.

**4.7 Improper use of water from fire service**

Any water supplied or made available for any land or building for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose.

**4.8 Communal Water Supply**



The Town owns and operates a number of small water supply systems. The conditions contained in this by-law apply equally to all municipally owned and operated water supply systems, regardless of size.

**4.9 Private Industrial Water Supply**

The Town acknowledges the existence of three existing wells on two industrial properties within the Listowel Ward. These water supplies are utilized for industrial production purposes only. No additional or replacement wells will be allowed.

**Part 5  
WATER SERVICE PIPES**

**5.1 Installation – by Town – by contractor**

All water service pipes shall be installed by the Town or by contractors engaged by the Town for the purposes of such installation, except in new land development projects where agreements with the Town require the developer or subdivider to complete such work.

**5.2 Installation – to Town specifications**

All water service pipes and private mains located within Town property shall be constructed according to the Town's *Development Standards* as approved by Council from time to time. All water service pipes and private mains located on private property shall be constructed in accordance with Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the Chief Building Official. Where the Ontario Building Code is silent, the Town's specifications shall prevail.

**5.3 Installation inspection**

All water service pipes and appurtenances installed, including those required by a Town subdivision of development agreement, must be inspected by the Town.

**5.4 Access for inspection**

The Town and persons authorized by the Town for inspection shall be, at all times, entitled to enter any premises for the purposes of examining pipes, connections and fixtures which are used in connection with the water service pipe and/or service main.

**5.5 Permanent disconnection**

In cases requiring permanent service disconnection, the water service pipe must be disconnected at the property line, the service plugged, and the curb box and rod removed at the owner's expense. All work must be performed by the Town, or its authorized agent.

**5.6 Maintenance of service stub – Town**

The water service stub shall be maintained by the Town at the Town's expense.

**5.7 Maintenance of service extension and private main**

Any and all defects to the water service extension or private main shall be repaired by the owner of the property being serviced. Should the Town become aware of any such defect, and upon written notification to the owner, the said defect is not repaired, within seven (7) business days of the date of the notification or within such time as the director may deem necessary, then the Town may shut off the water supply to the property. If the Town is ordered to restore the water supply, then the Town may repair the defective water service pipe and charge the cost to the owner and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The Town shall not be held responsible for the cost of restoration.

**5.8 Operation of shut-off valve**

No person, other than persons authorized by the director for that purpose shall be permitted to operate the shut-off valve to any premises.

**5.9 Access to shut-off valves**

All shut-off valves must be left clear and accessible at all times so that the water in the water service pipe and private mains may be turned off or on as may be found necessary by the director.

**5.10 Responsibility for protection, water loss, damage**

All water service extensions to and including the meter shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension and/or private main and the charge for such water loss shall be determined by the director, shall be paid by the owner upon demand by the Town, and the Town shall not be held responsible for any damages arising from such leakage.

**5.11 Responsibility – water damage**

When any premises left vacant, unattended or without heat, where the water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, the owner or the occupant shall have no claim against the Town. Should the director become aware of such leaking or burst pipes, the director shall turn off the shut-off valve, and the water supply shall not be turned on until the director, in his/her discretion, shall consider it advisable.

**5.12 Responsibility for Hydrant Maintenance**

Any hydrant situated within the road allowance is the property of the Town and shall be maintained by it. Town-owned hydrants located on private property shall be maintained by the Town. Hydrants owned and paid for by any persons other than the Town shall be maintained by such persons through a written agreement with the Town.

**5.13 Renewal of service – Town – owner**

The Town shall renew service stubs on public property at its expense and to its specifications when:

- (a) piping is deemed by the director to be beyond repair;
- (b) the existing pipe material is lead.

Replacement pipe shall be the same size as existing or the minimum size for the area. If any owner requests a larger size, the owner shall pay the difference in material cost.

**5.14 Access – removal – inspection**

Where a consumer discontinues the use of the water service, or the Town lawfully refuses to continue any longer to supply it, the director may, at all reasonable times, enter the premises in or upon which the consumer was supplied with the water service, for the purpose of cutting off the supply of the water service or of making an inspection from time to time to determine whether the water service has been or is being unlawfully used or for the purpose of removing therefrom any fittings, machines, apparatus, meters, pipes or other things being the property of the Town in or upon the premises, and may remove the same therefrom, doing no unnecessary damage.

**Part 6  
WATER METERS**

**6.1 Water to be metered**

All services within the Town, except those used for fire fighting purposes, or those authorized by the director for construction or other purposes, shall pass through the meter supplied by the Town for use upon such premises, and in addition to whatever other remedies the Town may have in respect to infringement of this by-law, the Town may, upon ascertaining that water has been used which has not passed through the meter of such premises, forthwith, without notice, shut off and stop the supply of water.

**6.2 Supply – installation – ownership**

The owner shall pay the water service charge shown in Schedule "T" of by-law #98-AD-2002 before the Town will supply the owner with a meter and the meter must be installed

prior to occupancy of the building. The meter shall remain the exclusive property of the Town and may be removed as and when the Town may see fit, upon the same being replaced by another meter, or for any reason which the Town may, in its discretion, deem sufficient.

**6.3 Installation – maintenance – repair – access**

The Town may require access to a property to install, replace, repair or inspect a water meter. Any person authorized by the Town for that purpose has free access, at all reasonable time, and upon reasonable notice given, to all parts of every building or other premises to which any water service is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the building, or for placing meters upon any water service pipe or connection within or without the building as he/she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it.

**6.4 Charges – meters**

All applicable charges for any of the work and services mentioned in section 6.3 of this by-law will be determined by the director and will be paid in full by the owner or the customer, as the case may be.

**6.5 Every building metered – director’s discretion**

Every new separate building to which water is being supplied shall be furnished with a separate water meter, supplied by the Town, except where non-compliance is acceptable to the director. Additional water meters, supplied by the Town, may only be installed at the discretion of the director.

**6.6 Installation to Town specifications**

All water meters, supplied by the Town, shall be installed to conform to the specifications of the Town.

**6.7 Meter location – consent to change**

The location of a meter, when once installed to the specifications of the Town, shall not be changed by any person except with the consent of the director.

**6.8 Reading meter – access**

The Town and persons authorized by the Town for that purpose shall be allowed access to the premises and be provided free and clear access to the meter where water is being supplied at all reasonable times for the purpose of reading, at the discretion of the Town. Where such access to the premises and/or free and clear access to a meter is not provided by the occupant within fourteen (14) days upon written notice by the Town, the Town may, at its discretion, shut off the supply of water to the premises until such time as free and clear access to the meter is provided.

**6.9 Valve maintenance**

The owner shall supply and install the inlet valve to the water meter. The owner shall be responsible for maintaining in good working order, the inlet valve to the meter, and the outlet and by-pass valve if applicable, for all meters, and shall ensure that such valving is accessible.

**6.10 Leaks must be reported**

Any leaks that may develop at the water meter or its couplings must be reported immediately to the Town. The Town is not liable for damages caused by such leaks.

**6.11 Interference with meter and appurtenances**

No person, except a person authorized by the Town for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any water meter, by-pass valve, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of water passing through such meter, and should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter placed in any building, the director may forthwith, without any notice, shut off the water

for such building or premises, and the water shall not be again turned on to such building or premises without the express consent of the director.

**6.12 Owner responsible to repair piping**

If, in the opinion of the director, the condition of the water service pipe and/or valves and of the plumbing system on such piping is such that the meter cannot be safely removed for the purpose of testing, replacing, repairing, or testing in place without fear of damage to the water service pipe and valves, the director may require the owner or occupant to make such repairs as may be deemed necessary.

**6.13 Non-functioning meter**

If, for any cause, any meter shall be found to not be working properly, then the amount of water to be charged for shall be estimated on the average reading for the previous months, when the meter was working properly, and the charge for the water for the period during which the meter was not working properly shall be based thereon.

**6.14 Meter testing for customer**

Any customer may, upon written application to the Town, have the water meter at his or her premises tested for accuracy of registration. Every such application shall be accompanied by a deposit of the fee for testing water meters set out in Schedule "I" of by-law #98-AD-2002. If the meter is found to register a rate not to exceed three per cent (3%) in favour of the Town when tested, the customer's deposit shall be forfeited toward the cost of the test. If the meter is found to register in excess of three per cent (3%), a refund will be made to the customer equal to such excess percentage of the amount of the account for the period of six (6) months prior to such testing of the meter, plus the customer's deposit for the test.

**6.15 Meter reading supersedes remote reading**

Where the water meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the water meter itself and the reading on the read-out device, the Town will consider the reading at the meter to be correct, and will adjust and correct the customer's account accordingly.

**Part 7**

**CROSS CONNECTION CONTROL**

**7.1 Protection from contamination**

No person shall connect, cause to be connected, or allow to remain connected to the waterworks distribution system any piping, fixture, fitting, container or appliance, in any manner which under any circumstances, may allow water, waste water, non-potable water, or any other liquid, chemical or substance to enter the water works distribution system. The means for "protection from contamination" shall be in accordance with the requirements of the *Ontario Building code Act, 1997* as amended from time to time.

**7.2 Inspection – access**

Any person authorized by the Town 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 water service pipe is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any water service pipe, wire, rod or cross connection within or without the building.

**7.3 Access to be provided**

Where access is not provided, a written notice by the Town will be issued allowing fourteen (14) days to provide access. If access is not provided within this time frame, the Town may, at its discretion, shut off the supply of water to the premises until such time as the access is provided.

**7.4 Order to install control device**

If a condition is found to exist which is contrary to section 7.1 of this by-law, the Town shall immediately carry out an inspection and shall issue such order or orders to the customer as may be required to obtain compliance with section 7.1 of this by-law.

**7.5 Additional device**

Notwithstanding sections 7.1 and 7.4 of this by-law, where a risk of possible contamination of the water works distribution system exists in the opinion of the director or an approved authority, a customer shall, on notice from the Town, install on his/her water service pipe a cross connection control device, approved by the Town, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.

**7.6 Installation to required standards**

Cross connection control or backflow prevention devices, when required by the Town, shall be installed in accordance with the Ontario Building Code and "AWWA M14 Recommended Practice for Backflow Prevention and Cross-Connection Control" as amended from time to time.

**7.7 Failure to install**

If the customer to whom the Town has issued an order fails to comply with that order, the director, at his/her discretion, may:

- (a) Give notice to the customer to correct the fault within a specified time period and, if the notice is not complied with, the director may then shut off the water service or services; or
- (b) Without prior notice, shut off the water service or services.

**7.8 Inspection and testing**

All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Town, by personnel approved by the Town to carry out such tests. The customer shall submit a report on the form as approved by the director of any and all tests performed on a cross connection control device within thirty (30) days of the required test date.

**7.9 Failure to test**

If a customer fails to have a cross connection control device tested, the Town may notify the customer that the cross connection device must be tested within four (4) days of the customer receiving the notice. If the customer fails to have the device tested within the time allowed, the director may shut off the water service or services until the device has been tested and approved as required by this by-law.

**7.10 Repair – replacement**

When the results of a test referred to in section 7.8 of this by-law show that a cross connection control device is not in good working condition, the customer shall make repairs or replace the device within fifteen (15) days. If a customer fails to repair or replace the device within the time allowed, the director may shut off the water service until such repair or replacement has been made.

**7.11 Removal of device – permission by Town**

No person shall without the permission of the Town remove any cross connection control or backflow prevention devices installed as a requirement of this by-law.

**Part 8  
USE OF WATER EXTERNALLY**

**8.1 Regulations – use of water**

For the purpose of limiting the consumption of water as necessary:

- (a) During all months of the year, the external use of water is permitted:
  - (i) on even calendar dates at even numbered municipal addresses;
  - (ii) on odd calendar dates at odd numbered municipal addresses.
- (b) External use of water is only permitted between the hours of 7:00 am and 10:00 am, and again between 7:00 pm and 10:00 pm.

- (c) The director is authorized to implement at any time any other regulation which he, in his discretion, considers advisable to limit the external use of water and this authority includes the right to ban completely the external use of water.
- (d) A temporary exemption to this regulation may be granted, in writing, on the prescribed form, by the director to allow for watering in the designated areas for new grass seeding or sod. The exemption form is attached as Schedule 'B' of this by-law.

## **8.2 Violations**

Any person who contravenes section 8.1 of this by-law shall be given written notice to comply. Any subsequent violations by the same person shall result in water to the affected premises being shut off without notice. Water shall not be turned on until the applicable shut-off charge has been paid in full.

## **Part 9 PROHIBITIONS**

### **9.1 Prohibitions under this by-law**

No person shall

- (a) willfully hinder or interrupt, or cause or procure to be hindered or interrupted, the corporation or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law;
- (b) willfully let off or discharge water so that the water runs waste or useless out of the works;
- (c) being a customer, tenant, occupant or inmate of any house, building or other place supplied with water from the waterworks, improperly waste the water or, without the written permission of the Town, lend, sell, or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his own or increase the supply of water agreed for;
- (d) without lawful authority willfully open or close any valve or hydrant or obstruct the free access to any hydrant, stopcock, valve chamber or pipe by placing on it any building material, rubbish or other obstruction;
- (e) willfully alter any meter placed upon any service pipe or connected therewith, without or without any building or other place, so as to lessen or alter the amount of water registered; or
- (f) use water externally at any time of the year except in accordance with the regulations set out in Part 8 of this by-law.

## **Part 10 ENFORCEMENT**

### **10.1 Fine – for contravention**

Any person who contravenes any provision of this by-law, upon conviction, is guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

### **10.2 Offence – additional – damage to waterworks**

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any water works, or to any waterworks plant, machinery, fitting or appurtenance thereof is liable to the Town therefor.

### **10.3 Offence – additional – willful damage**

Every person who willfully, or maliciously damages or causes or knowingly suffers to be damaged any water meter, water service pipe, conduit, wire, rod or water fitting belonging to the Town or willfully impairs or knowingly suffers the same to be altered or impaired, so that the water meter indicates less than the actual amount of the water that

passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the Town, and for any expenses of repairing or replacing the water meter, water service pipe, conduit, wire, rod or fitting and double the value of the surplus water so consumed, all of which is recoverable under the *Provincial Offences Act*.

**Part 11  
PREVIOUS BY-LAWS REPEALED**

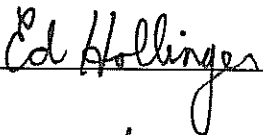
**11.1 Repeal – previous by-laws**  
By-law 28-PW-2003 of the Town of North Perth is hereby repealed.

**Part 12  
EFFECTIVE DATE**

**12.1 Effective date**  
This By-law shall come into force and effect on the date of its final passing.

**READ A FIRST AND SECOND TIME: this 7<sup>th</sup> day of June, 2004.**

**READ A THIRD TIME AND FINALLY PASSED this 7<sup>th</sup> day of June, 2004.**

  
\_\_\_\_\_  
MAYOR

SEAL

  
\_\_\_\_\_  
CLERK

**SCHEDULE 'A'**

**WATERING EXEMPTION**

A temporary exemption to the Town of North Perth By-Law No. 71-PW-2004 Part 8 is granted to:

NAME: \_\_\_\_\_

PROPERTY LOCATION: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

For watering at the above address for the period \_\_\_\_\_ am to \_\_\_\_\_ pm  
From \_\_\_\_\_ to \_\_\_\_\_ ONLY.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Official

**NOTE:**

Any contravention of this temporary exemption will result in its immediate withdrawal and the above noted property will come immediately under the provisions and penalties of the North Perth By-Law No. 71-PW-2004.