

**THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO**

**BY-LAW 05 - 63**

**A BY-LAW TO ESTABLISH AND FIX THE RATES OR CHARGES FOR SUPPLYING WATER TO USERS FROM THE MUNICIPAL WATER WORKS SYSTEMS AND TO ESTABLISH PROCEDURES FOR THE COLLECTION OF WATER ACCOUNTS**

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**Municipal Water Rates By-law**

**WHEREAS** the Municipal Act, Statutes of Ontario, 2001, Part XII, Fees and Charges, as amended, provides that a Municipality may pass By-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** the Public Utilities Act, Revised Statutes of Ontario, 1990, Chapter P.52, section 8, as amended, allows a Municipality to regulate the distribution and use of water and to fix prices for the use thereof and the times of payment;

**AND WHEREAS** the Corporation of the Township of Adjala-Tosorontio deems it necessary and desirable to establish water rates for the purpose of maintaining and servicing the Municipal Water Works Systems and to establish procedures for the collection of water accounts;

**NOW THEREFORE** the Council of the Corporation of the Township of Adjala-Tosorontio enacts as follows:

**1. BILLING**

- (a) **THAT** the water rates shall be billed on four (4) billings per year for the Water Works Systems due on a date to be determined by the Treasurer for all Water Works Systems in the Municipality;
- (b) **THAT** should a water payment not be received by the due date, the Township shall charge a penalty of five per cent (5%) on accounts not paid by the due date;
- (c) **THAT** the assessed owner be billed for the water supplied and that the assessed owner is responsible for payment of the bill;

**2. RATES**

- (a) **THAT** the non metered water rate for a single residential dwelling unit shall be \$250.00 per month;
- (b) **THAT** where a water meter has been installed the water rate shall be \$2.05 for each and every cubic metre of water supplied to be effective March 1, 2006;
- (c) **THAT** buildings with multiple unit dwellings without water meters shall be charged the rate charged for a single residential dwelling unit multiplied by the number of dwelling units in the building;
- (d) **THAT** any school which does not have a meter shall be charged in accordance with the following formula:

Current School Population X Current Rate per Cu. M X Rate of 0.08  
Cu. M per Student X # of School Days per Year

### 3. WATER METERS

- (a) **THAT** where water meters have been installed, the consumption of water as indicated by the water meter for that billing period shall be taken into account, the water rate to be charged;
- (b) **THAT** the water meter and its components remain the property of the Township. All other components i.e. service lines, piping, building system plumbing, and/or valves connected before or after the meter from the property line into the building must be approved by the Municipality prior to installation and will remain the property of the owner;
- (c) **THAT** the registered owner of the property shall maintain easy access to the meter and its components for replacement, repair or inspection as required;
- (d) **THAT** where an installed water meter or any of its components has been found inoperative, unavailable or inaccessible at the time of the meter reading, due notice shall be given to the registered owner to provide the Township with the actual meter reading within one week and to have the meter and its components repaired and inspected by the Municipality within one month from the date of notice;
- (e) **THAT** upon inspection the water meter seal is proven to be broken or tampered with and a search of water consumption history proves that there has been a deviation in usage, the owner is subject to a fine under section 9 of this By-law;
- (f) **THAT** if any water meter or water system component repairs are necessary due to negligence or fault of the resident, the cost of repairs or replacement of the water meter or water system component shall be recoverable against the registered owner;
- (g) **THAT** failure to have the meter and/or its components repaired and inspected within one month from notice shall cause the monthly rate to be \$250.00 per month or fraction thereof for each and every month from the date of notice until the meter is repaired and inspected;
- (g) **THAT** failure to have the meter and its components accessible for repair, replacement or inspection shall be deemed to be failure to have the meter repaired;
- (h) **THAT** where a dispute arises as to the accuracy of the meter reading, the Township may, at the request of the registered owner of the property, remove and test the water meter for calibration to verify the meter's accuracy at the expense of the registered owner. If the meter's accuracy is found to be greater than +/- ten per cent (10%), the meter will be replaced, the cost to test the meter will be paid for by the Township and correction made to the account of the registered owner for that billing period only;
- (i) **THAT** a residential inspection shall be required if the water consumption reading is less than thirty (30) cubic meters per billing period;
- (j) **THAT** failure to arrange a residential inspection within fifteen (15) days from notice shall cause the monthly rate to be \$250.00 per month or fraction thereof for each and every month from the date of notice until an inspection has been completed;

- (k) **THAT** the registered owner shall be responsible for payment of the water rate charged until the test results are received for the water meter calibration;
- (l) **THAT** multiple unit buildings shall be served by only one water meter for the purposes of billing by the Township;
- (m) **THAT** all new connections to municipal water supplies be connected with water meters;
- (n) **THAT** no water service shall be disconnected without the prior approval of the Municipality;
- (o) **THAT** no water meter shall be removed, bypassed or rendered inoperable save and except for the repair and/or testing of the water meter by the Township;
- (p) **THAT** no water meter seal shall be removed and/or tampered with save and except for the repair and/or replacement of the seal and/or meter by the Township;
- (q) **THAT** the Township shall make provisions to supply and install a water meter at the expense of the Township in any residence currently not served by a water meter at the registered owner's request;

#### **4. FIRE HYDRANTS**

- (a) **THAT** no person other than a person authorized by the Township of Adjala-Tosorontio shall be permitted to open or otherwise interfere with or operate or take water from any fire hydrant;

#### **5. CROSS CONNECTIONS**

- (a) **THAT** no person shall connect, cause to be connected or allow to remain connected to the waterworks distribution system or home plumbing system any piping, fixture, container or appliance in a 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 and that every home served by Municipal water supply be served by no other supply of water without the consent of the municipality;

#### **6. NEW CONNECTIONS**

- (a) **THAT** any new connection to the Municipal Water Systems must be approved and water supply allocated by resolution of Council;
- (b) **THAT** the installation of any new connection to the Municipal Water Works Systems shall be under the supervision of the Director of Public Works;
- (c) **THAT** the costs including a ten percent administration fee incurred by the Municipality for supervising or assisting in the placement, installation or repair of new watermains or appurtenances shall be recoverable against the registered owner of the lands on which said work is being done;

- (d) **THAT** the Service Connection Fee for any new connection to connect initially to the Municipal Water Works Systems shall be \$10,000.00 plus any expense in excess of the aforementioned fee;

**7. ADDITIONAL SERVICE CHARGES**

- (a) **THAT** the service charge to open or close water services, after having been connected initially, be \$50.00;
- (b) **THAT** the service charge to supply water to builders on a temporary permit basis be \$100.00;
- (c) **THAT** the service charge to supply water on a “per occasion” basis from truck filling station or hydrant be \$50.00 for opening and closing the valve plus the current rate per cubic metre supplied;

**8. OUTSTANDING ACCOUNTS**

- (a) **THAT** the Treasurer of the Township may direct that the residential water service be disconnected that has a billing account in arrears for ninety (90) days or more;
- (b) **THAT** prior to any water service being disconnected, Council be so advised;
- (c) **THAT** the Treasurer of the Township may direct that any penalties incurred due to an administrative error be written off;
- (d) **THAT** prior to disconnecting the water service, due to the account being in arrears, the Township shall make every reasonable attempt to provide the assessed owner with notice of the Township’s intention to disconnect the water service;
- (e) **THAT** prior to the water service being reconnected, the assessed owner shall pay to the Township, the total amount of the billing account in arrears plus a reconnection charge of \$50.00 plus any additional costs which may be incurred by the Township;

**9. PENALTY PROVISION**

- (a) **THAT** any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act and each day that a separate breach of this By-law occurs shall constitute a separate offence;

**10. SEVERABILITY**

- (a) **THAT** should any section of this By-law be declared by a Court of competent jurisdiction as ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding and shall be read as if the offending section or part had been struck out;
- (b) **THAT** should the provisions of this By-law be found to conflict with the provisions of any other By-law of the Township the provisions of this By-law shall prevail;

- 11. THAT** By-laws 04-64 and 05-37 are hereby repealed;

12. **THAT** this By-law shall come into force and take effect from the date of passage hereof;
13. **THAT**, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 15th day of December, 2005.

"T. Walsh"  
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**MAYOR TOM WALSH**

"B. Kane"  
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**CLERK BARB KANE**