

**THE CORPORATION OF THE TOWNSHIP OF MCGARRY**

**BY-LAW 2007-48**

BEING A BY-LAW TO ESTABLISH PROCEDURES REGARDING INTERNAL AND EXTERNAL CONNECTION TO THE MUNICIPALITY OF TOWNSHIP OF MCGARRY WATER SYSTEMS AND ESTABLISH WATER USE RESTRICTIONS.

WHEREAS Section 9 of the Municipal Act, 2001, c.25, as amended, enables municipality to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

WHEREAS Section 11 (1) of the Municipality Act, S.O., c25, as amended, enables a single-tier municipality to pass by-laws respecting public utilities, being a matter within the spheres of jurisdiction; and

WHEREAS the Council of the Corporation of the Township of McGarry deems it necessary and expedient to establish rules regarding internal and external connections of water to the Township of McGarry Water Works and Establish Water Use Restriction in the Township of McGarry.

NOW THEREFORE, the Council of the Corporation of the Township of McGarry hereby enacts as follows:

1. Definitions

- 1.1 "Consumer" shall mean the applicant for water service, and includes the owner or occupant of the Premises served.
- 1.2 "Township of McGarry" shall mean the Corporation of the Township of McGarry.
- 1.3 "Council" shall mean the Council of The Corporation of the Township of McGarry.
- 1.4 "Designate" shall mean the person designated, in writing, to have the authority to act under this By-Law in the absence of the Operations Superintendent.
- 1.5 "Municipality" shall mean the Corporation of the Township of McGarry.
- 1.6 "Operations Superintendent" shall mean the person appointed by the Corporation to perform the duties of the Operations Superintendent.
- 1.7 "Premises" shall mean the whole of a property including all buildings and structures thereon that is registered in the Land Titles Office as a separate parcel and for this purpose each "multiple dwelling unit apartment building" or "condominium building" is deemed a single premises.

2. General

- 2.1 This By-Law governs and regulates the operation of every water system owned or operated by the Municipality.
- 2.2 All connections to the Municipality water system shall comply with this By-Law and the Ontario Building Code, and America Water Works Association specified materials shall be used for all installations.
- 2.3 An Operations Superintendent is hereby authorized by the Municipality for that purpose and has free access, at all reasonable notice given and request made, to all parts of every building or other premise 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 as, or for placing meters upon any service pipe or connection within or without the building as he or 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, or any pipe, wire, rod, connection or tap, and may alter or disconnect any service pipe. No person shall hinder, impede or obstruct an Operations Superintendent or designate from entering property.
- 2.4 Any consumer wishing to discontinue the use of water supplied from the Municipality's water works shall give notice thereof at the Administration Office at the Municipal Office, or the water rates or charges shall be continued until such notice is given or until the water is turned off.
- 2.5 Whenever water has been turned off for non-payment of the water charges or for purposes of repair or construction or for any other purpose, no person shall be permitted to turn it on again who is not duty authorized to do so by the Municipality.
- 2.6 The Operations Superintendent or designate may, from time to time establish standards pertaining to connections and installations procedures, which shall apply from time if issuance.

3. Water Connections

- 3.1 No person shall connect the municipal water system to any water system that is also supplied from a well or any other source of water.
- 3.2 No person shall connect the municipal water system to any water distribution system in such a manner that foreign materials or non-potable water may enter the municipal system.
- 3.3 No person or persons, except the employees of the Municipality or other acting under their authority, shall open or close any valve or hydrant in the street mains, or interfere with the same in the manner.
- 3.4 No person shall turn off or turn on a water service except an authorized employee of the Municipality. If the Municipality is requested to turn off or turn on a water service, a service charge is to be paid, it being understood that no water service will be turned off or turned on unless the consumer or other person authorized in writing to act on his behalf, is present on the premises.

3.5 With the exception of municipal fire fighters, and operating authority no person shall remove water from any fire hydrant, without having first obtained permission in writing from the Municipality.

3.6 Each hydrant on a private fire protection service shall be separately valved and all such hydrants shall be according to specifications approved in writing by the Municipality.

3.7 No person shall operate a private fire hydrant except in the case of fire, unless permission of the Municipality to use the same otherwise is, in writing, obtained.

4. All Connections

4.1 All persons shall maintain private service connections in good repair and without limiting the generality of the foregoing, be fully protected from frost and other damage by the elements, all of which said maintenance and protection shall be carried out at the expense of the consumer.

4.2 No person shall backfill any repair or maintenance to a private service connection requiring excavation until said maintenance until said repair or maintenance is inspected and approved and to the satisfaction of the Operations Superintendent.

4.3 No person shall use any service pipe installed from the main to the premises for any purpose other than to supply the premises.

5. Water Restrictions & Delegation

5.1 The Council authorizes the Operations Superintendent or designate the power to restrict or prohibit the consumption of water.

5.2 The Operations Superintendent or designate may, by notice placed in the Municipal Newsletter or by Notice published in a newspaper having circulation in the Municipality, restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary.

5.3 No person shall use water supplied by the Municipality water system except in accordance with any such published water restrictions.

5.4 Any consumer, who, after written warning, falls to comply with water restrictions, shall be subject to having the water supply shut off, and such supply shall not be turned on until arrangements satisfactory to the Municipality have been made to ensure that the restrictions are complied with.

6. Offences

6.1 Every person who contravenes any of the provisions of this By-Law is guilty of an offence and on conviction, is liable to a fine or penalty not exceeding \$500.00.

7. Effective Dates

This By-Law shall come into force and take effect on the final passing hereof.

READ A FIRST AND SECOND TIME THIS 27<sup>TH</sup> DAY OF NOVEMBER, 2007.

READ A THIRD TIME AND FINALLY PASSED THIS 27<sup>TH</sup> DAY OF NOVEMBER, 2007

  
REEVE

  
CLERK-TREASURER