

The Corporation of the Township of McGarry

BY-LAW No. 2019-30

**Being a by-law to adopt a Frozen Water Services policy for the
Township of McGarry**

WHEREAS The Council for the Corporation of the Township of McGarry deems it expedient to establish policies;

WHEREAS the *Municipal Act S.O. 2001, c 25*, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

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

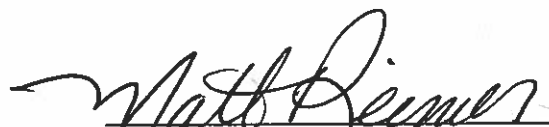
- 1.0 That the Corporation of the Township of McGarry hereby adopts a Frozen Water Services Policy as contained in the attached Schedule "A" to this by-law.
- 2.0 This by-law shall come into full force and effect upon final passage.
- 3.0 This by-law may be cited as the "Adopt Frozen Water Services Policy By-Law".

Read a first, second and third time and passed this 8th day of October, 2019.

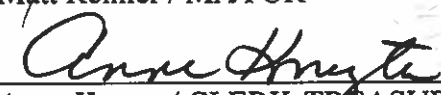
BY-LAW READ A FIRST AND SECOND TIME ON OCTOBER 8, 2019

BY-LAW READ A THIRD AND FINALLY PASSED OCTOBER 8, 2019

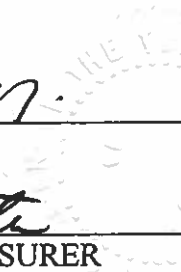
THE CORPORATION OF THE TOWNSHIP OF MCGARRY



Matt Reimer / MAYOR



Anne Kmyta / CLERK-TREASURER



THE CORPORATION OF THE TOWNSHIP OF MCGARRY FROZEN WATER PIPE POLICY

POLICY PURPOSE AND GOALS

The overall purpose of this Frozen Water Pipe Policy is to prevent and manage interruptions to the Township's supply of water, caused by the temporary freezing of Township and/or Customer Water Pipes, so that Customers maintain reliable, continuous access to water.

Core goals of this Policy include:

- 1) To implement proactive first priority measures to prevent the freezing of Water Pipes.
- 2) To provide Customers who have frozen Water Pipes with timely access to continuous, reliable, safe, potable water.
- 3) To recognize the special needs of Vulnerable Customers and implement processes to expedite resources required to restore their access to continuous, reliable, safe, and potable water in frozen Water Pipe events.
- 4) To implement the elements of this Policy in an effective and efficient manner with available resources.
- 5) To improve the impact and value of this Policy through the engagement, beyond Public Works Department, of other Township departments, public agencies, and third parties as part of response efforts.
- 6) To maintain compliance with utility regulations and health guidelines, while best managing the Township's water resources during responses to frozen Water Pipe events.

POLICY DESCRIPTION

This Frozen Water Pipe Policy is comprised of programs that are implemented to achieve the above purpose and goals. Often the programs overlap and work in tandem.

The specific programs comprising this Policy include the following:

- 1) Freeze Prevention Program: a program that requires Customers to take specific actions to prevent the freezing of Water Pipes.
- 2) Frozen Water Pipe Thawing Program: a program whereby Public Works Department may, based on available technology, and where resources allow, attempt to thaw frozen Water Pipes which are readily accessible.
- 3) Temporary Water Service Program: a program that includes the installation of Temporary Water Service Lines providing temporary water supplies to Customers who are without water due to frozen Water Pipes.
- 4) Special Assistance Program: a program that may be available in special circumstances to Vulnerable Customers and Critical Customers.

These programs are more fully described below.

DEFINITIONS

Critical Customer: any Customer requiring water for direct product inputs or core operational processes which may be affected if changes in quantity are experienced. Critical Customers include the following service areas:

- Food handling and processing facilities
- Arenas, stadiums and other large venues

Customer: any person who has an active water and/or wastewater customer account, in good standing, with the Township.

Non-potable: usable for non-consumptive uses (for example, water which can be used for toilet flushing, but not for drinking or cooking).

Potable: usable for all consumptive uses (for example, water which can be used for drinking or cooking).

Temporary Water Service: a temporary supply of water to a Customer who is without water due to frozen Water Pipes.

Temporary Water Service Donor: a Customer with an active water supply who provides a Temporary Water Service to a neighbour through a Temporary Water Service Line connected to the donating Customer's own Water Pipes.

Temporary Water Service Line: a Water Pipe used to provide a Temporary Water Service.

Vulnerable Customer: any Customer with a water-dependent medical condition or similar vulnerability; Vulnerable Customers include:

- Elderly residents
- Pregnant customers or those with infants
- Schools and day care centers

Water Pipe: any pipe, main, plumbing, hose or appurtenance through which water from the Township is provided to Customers.

Public Works Department: the Township's Public Works Department, including all applicable officers, employees and third party contractors.

RESPONSIBILITIES

Public Works Department will:

- Respond to Customer frozen Water Pipe issues in accordance with this Policy and provide timely service and communication to Customers.

Each applicable Customer will:

- Comply with this Policy.
- Ensure that the Customer's own Water Pipes meet the Building Code standards in place to prevent freezing.
- Take proactive actions to maintain the Customer's own Water Pipes to prevent freezing.
- Maintain adequate heat to the Customer's own Water Pipes to reduce the threat of internal freezing.

- Pay all home-based energy costs incurred when the Customer applies heat to exposed Water Pipes on the Customer's property to cure or prevent Water Pipe freezing, whether instructed to do so by Public Works Department or voluntarily doing so.
- Permit safe access to the Customer's property by Public Works Department if the Customer has requested assistance in addressing frozen Water Pipes.
- Follow the provisions of this Policy and any instructions provided by Public Works Department.
- Operate and maintain the Water Pipes on the Customer's property.
- Contribute to the costs of these programs as set out in this Policy.

Each applicable Temporary Water Service Donor will:

- Allow Public Works Department safe entry to the Donor's property to install Temporary Public Works Department.

CUSTOMER SERVICE

In frozen Water Pipe events, the Township will provide the following special customer service functions:

1. Customer Service Desk

- The Township will maintain an open customer service desk accessible by telephone, email and walk-in on Monday to Friday between 8:00 am – 11:59am and 1:00pm - 4:00 pm.

2. Service Request Response Priorities

- Public Works Department will address Customer service requests on a "first come, first served" basis. Upon receipt of a Emergency Water Shut-off / Turn On Request Form (regarding a frozen Water Pipe) Public Works Department will aim, wherever feasible, to initiate a response within twenty-four hours.
- Public Works Department may accelerate its response efforts to a service request from a Vulnerable Customer. Upon receipt of a service request from a Vulnerable Customer regarding a frozen Water Pipe, Public Works Department will aim to initiate a response within twelve hours.
- Public Works Department will place recurring Customer service requests regarding frozen Water Pipes into the "first come, first served" queue for response.
- Public Works Department will contact the contractor upon receipt of a deposit for 50% of the estimated cost for the work that is required.

3. Communications

- Public Works Department will provide specific updates and timely communications to Customers with frozen Water Pipes for the duration of the frozen Water Pipe event (for example, via telephone, e-mail or delivered hard copy letter).

1. Freeze Prevention Program

The Freeze Prevention Program requires Customers to take specific actions to prevent the freezing of Water Pipes.

Each fall the Township will advise Customers to ensure they take adequate measures to prevent frozen Water Pipes. Information will be posted via the Municipal Website, and in the Fall Newsletter.

Frozen Water Pipe Thawing Program

Under the Frozen Water Pipe Thawing Program, Public Works Department may, based on available technology, and where resources allow, attempt to thaw frozen Water Pipes which are readily accessible.

Public Works Department:

- i. Will receive each Customer request for thawing and assess whether thawing is feasible in the particular circumstances, and if so, provide the thawing service.
- ii. If conditions do not continue to support the safe use of existing thawing technology or if thawing stops being technically feasible, cease the thawing activities.
- iii. Will contact a third party contractor and arrange for the thawing operation to take place.

Each applicable Customer with frozen Water Pipes:

- i. Will ensure that the Customer's property is safe and accessible for Public Works Department or the third party contractor to carry-out the thawing activity.

2. Temporary Water Service Program

The Temporary Water Service Program includes the installation of Temporary Water Service Lines providing temporary water supplies to Customers who are without water due to frozen Water Pipes.

Public Works Department will consider field conditions and technical constraints and may decide not to install a Temporary Water Service if field conditions or technical feasibility are unsatisfactory.

Out of concern for public health, Public Works Department does not condone or endorse the private installation of temporary water supplies. Any Customer who installs or operates a private temporary water supply does so at that Customer's own sole risk and expense.

Public Works Department will:

- i. If field conditions are appropriate and the installation is technically feasible, install a Temporary Water Service Line for a Customer with frozen Water Pipes, and provide the following at no cost to the Customer or the Temporary Water Service Donor:
 - Materials, labour, Temporary Water Service Line installation,
 - Obtain permission from the Temporary Water Service Donor,
 - If the Customer with the frozen Water Pipes receives a Temporary Water Service Line supplying Non-potable water, regular monthly charges will apply
 - Provide and install a hose bib backflow prevention device in any instance where a backflow prevention device was removed by the Township to accommodate a Temporary Water Service Line installation.

- At the end of the frozen Water Pipe event, remove the Temporary Water Service Line.

Customers receiving the Temporary Water Service will:

- i. Provide written authorization to Public Works Department to install a Temporary Water Service Line.
- ii. Prepare for Public Works Department' installation of a Temporary Water Service Line by:
 - Providing clear walkways and clear access to exterior unfrozen and undamaged hose bibs for the installation;
 - Turning off the internal water supply; and
 - Coordinating necessary plumbing modifications to support water servicing through a Temporary Water Service Line, including, but not limited to, removal of backflow prevention devices at outdoor hose bibs.
- iii. Run water continuously to prevent freezing of the Temporary Water Service Line as instructed by Public Works Department.
- iv. Retain or de-install the Temporary Water Service Line as instructed by Public Works Department.

Temporary Water Service Donors providing water to a Customer will:

- i. Provide written authorization to Public Works Department to install a Temporary Water Service Line.
- ii. Prepare for Public Works Department' installation of a Temporary Water Service Line by:
 - Providing clear walkways and clear access to exterior unfrozen and undamaged hose bibs for the installation;
 - Turning on the internal water supply to external hose bibs upon instruction by Public Works Department; and
 - Coordinating necessary plumbing modifications to support water servicing through a Temporary Water Service Line, where appropriate.
- iii. Continue to maintain active supply of water to the Temporary Water Service Line as instructed by Public Works Department to prevent freezing.

3. Special Assistance Program

The Plant Manager of Public Works Department may, in special circumstances, approve the use of additional resources, beyond those available in the foregoing programs, for Vulnerable Customers and Critical Customers. Any such special assistance will be consistent with provisions of the Township's Procurement By-law and in consultation with the Township's Community Emergency Management Coordinator.

5. COSTS

A Customer who submits a service requests for assistance with frozen Water Pipes on the Customer's property, then Township will seek full cost recovery from such Customer. The costs of Public Works Department are based on actual labour costs, payroll burden costs, overhead and administration costs, vehicle, equipment, materials and all property restoration costs.

- If the Public Works Department thaws a frozen Customer Water Pipe that had been supplied with water by a Township Water Pipe that froze, then Public Works Department will pay the costs of the thawing.
- If Public Works Department thaws a frozen Customer Water Pipe that had been supplied with water by a Township Water Pipe that did not freeze, then the Customer will pay the costs of the thawing.
- **If it is determined that the customer failed to take measures to prevent frozen Water Pipes and a Township Water Pipe freezes, the customer will be responsible for the payment of water and wastewater basic charges, as defined in the Township's By-law to establish a yearly water and sewer user fee and for all costs associated with the thawing of frozen Water Pipes that are considered to be municipally owned.**
- The owner of a Property with frozen water lines shall be required to pay a 50% deposit prior to the outside contractor being called by the Public Works Department and work commencing.
- Interest will be charged on all overdue accounts.
- All accounts that are overdue in excess of 90 days will result in water services being terminated and/or collection measures being taken by the Municipality.

Temporary Water Service Program

Each Temporary Water Service Donor is responsible for the payment of water and wastewater basic charges as defined in the Township's By-law to establish a yearly water and sewer user fee.

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

EMERGENCY WATER SHUT - OFF / TURN - ON REQUEST FORM (SIDE A)

Name of Home Owner:	Present at time of Emergency [YES / NO]
Name of Authorized Agent:	Present at time of Emergency [YES / NO]
Service Address:	Waterline Emergency:
Date of emergency services:	Account #: Billing Type:
Fee Paid [YES / NO] Date:	Invoice Home Owner: [YES / NO]

According to the Insurance Bureau of Canada, if a homeowner is not going to be present at their residence for any period of time equal to or exceeding four consecutive days, they are deemed to be responsible for ensuring that the home is inspected a minimum of every two days until their return and their individual home insurer must be notified. The Corporation of the Township of McGarry, its employees, staff, contractors, councilors and others are hereby released from any and all liability caused or incurred directly or indirectly, however caused, regarding the turn on and turn off, maintenance and/or inspection, or lack thereof, of any and all portions of the water works system, municipal, private or otherwise. I further acknowledge and agree to the aforementioned and do hereby understand that it is my responsibility to obtain my own individual and independent insurance coverage for the aforementioned property. I also understand that no warranties or guarantees of any kind are expressed or implied.

<input type="checkbox"/> Homeowner	<input type="checkbox"/> Authorized Agent	Date signed: _____
		X _____
Print Name		Signature
(I have been made aware of or was present at the waterline emergency)		

<input type="checkbox"/> Waterworks Superintendent	Date signed: _____
	X _____
Print Name	Signature
(I was present at the Water Line Emergency on [_____] as it was fully resolved)	

<input type="checkbox"/> Staff Processing payment/paperwork	Date signed: _____
	X _____
Print Name	Signature

* Only registered homeowners may make a request to have water turned on or off unless they provide the municipality with an authorization in writing allowing an authorized agent to act on their behalf.

Fill out all grey cells and return to The Corporation of the Township of McGarry with your payment. Keep one copy for your records.

