

**THE CORPORATION OF THE VILLAGE OF SOUTH RIVER**

**By-law #5-2014**

**Being a By-law of the Corporation of the Village of South River to enact rules and regulations for the installation, repair, maintenance and access to water meters, the water distribution system, related appurtenances, cross connection control and pricing including penalties for offences.**

**WHEREAS** the Council of The Village of South River installed water meters on all residential, industrial, commercial and institutional establishments located within the Village of South River and those residences from Machar Township currently connected to municipal water service with funding available through OSWAP Funding Program; and

**WHEREAS** Part 7 (Plumbing) of the Ontario Building Code, as amended, requires every Municipality to regulate the connection of individual water services to a municipal potable water works; and

**WHEREAS** the Council of The Village of South River deems it necessary to confirm the mandatory use and installation of water meters in the Village of South River and those residences in Machar Township currently connected to the municipal water service; and

**WHEREAS** section 80.(1) of the Municipal Act, 2001 as amended, provides that a Municipality may, at reasonable times, enter on land to which it supplies a public utility, to inspect, install, repair, replace or alter a public utility meter; and

**WHEREAS** section 80. (3) of the Municipal Act, 2001 as amended, provides that if a Customer discontinues the use of a public utility on land or a municipality lawfully decides to cease supplying the public utility to land, the municipality may enter on the land to shut off the supply of the public utility, or to remove any property of the Municipality, or to determine whether the public utility has been or is being unlawfully used; and

**WHEREAS** the Public Utilities Act, R.S.O. 1990, Chapter 50, provides that the Corporation may regulate the inspection, Meters, Inspection of Premises, fix the prices for the use thereof and for the provision of a Security Deposit; and

**WHEREAS** section 391 of the Municipal Act, 2001 as amended, authorizes a Municipality to pass by-laws imposing fees or charges for services or activities provided or done by the municipality; now

**THEREFORE** the Council of The Village of South River hereby enacts as follows:

**1. DEFINITIONS**

In this By-law:

- 1.1 **“Backflow”** shall mean the flowing back of or reversal of the normal direction of the flow of water
- 1.2 **“Backflow Preventer or prevention device”** shall mean a device that prevents backflow, as further defined in Article 1.4.1.2 of the Ontario Building Code (O. Reg 332/12)
- 1.3 **“Building”** shall mean a structure supplied with potable water by the Corporation;
- 1.4 **“Consumer”** shall mean the owner or occupant of property which is serviced by, connected to, and takes water from the Corporation’s water system;
- 1.5 **“Contractor”** shall mean a person, partnership, or corporation who has been retained to undertake the execution of work commissioned by the Village of South River to install and/or maintain water meters and other

Appurtenances;

1.6 **“Corporation”** shall mean the Corporation of the Village of South River including its employees, servants and agents.

1.7 **“Cross-connection”** shall mean any actual or potential connection between a potable water supply or system and any source of pollution or contamination. This includes any by-pass, jumper connection, removable section of pipe, swivel or changeover device and any other temporary or permanent connection arrangement through which backflow may occur.

1.8 **“Cross-connection control program”** shall mean any program initiated by the Municipality to administer and regulate the selection, installation, testing, and maintenance of backflow prevention devices.

1.9 **“Developer”** shall mean the owner or company specifically named in a development agreement or in a subdivision agreement;

1.10 **“Duplex”** shall mean a residential building, divided horizontally, containing two separate living units each served by an individual water service connection from the Village’s water works;

1.11 **“External use of water”** shall mean the use of water for any purpose outside the walls of any building located at a municipal address;

1.12 **“Hazard”** shall mean three levels of hazard: minor (MH), moderate, (MoH) and high or severe (HH) as defined by CAN/CSA B64.10.

1.13 **“Hydrant”** shall mean an outlet from a Village of South River water main, usually consisting of an upright pipe with a valve attached, from which water can be drawn for the purposes of fighting fires or flushing the Village’s water main.

1.14 **“Inspector”** shall mean the Chief Building Official or Building Inspector of the Village and may also include the Public Works Chief Operator, the Fire Chief and Municipal By-Law Enforcement Officer or any Federal or Provincial inspector applicable to the situation;

1.15 **“Meter”** shall mean the water meter, register and remote readout unit installed and owned by the Village to measure the quantity of water used by the consumer;

1.16 **“Meter pit”** shall mean any exterior chamber or pit approved by the Village for the purpose of containing a water meter and related appurtenances;(our contract expresses an inside meter will be used but I didn’t know if there might be circumstances where this may have to be used)

1.17 **“Multiple residential”** shall mean a single building containing three or more single family units, including apartment buildings, which is serviced by, connected to, and takes water from the Village’s water system;

1.18 **“Municipality”** shall mean the Corporation of the Village of South River and includes its employees, servants and agents.

1.19 **“Operating Authority”** shall mean the operating authority contracted by the Council of The Village of South River to operate the South River Water Treatment Plant and works, as needed, in conjunction with the staff of the Village of South River to help identify problems in the South River Distribution System;

1.20 **“Occupant”** shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of premises;

1.21 **“Owner”** shall include any person or any firm or corporation who 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;

1.22 **“Person”** shall mean any person, firm or corporation having control over property to which this regulation applies and includes the owner registered on the title of the property and any occupant of any building located on such property.

1.23 **“Potable water”** shall mean water that is fit for human consumption;

1.24 **“Premises”** shall mean the property being supplied or to be supplied with municipal potable water;

1.25 **“Premises isolation”** shall mean prevention of backflow into a public water system from a user’s premises by the installation of a suitable backflow preventer at the entrance to the building or property.

1.26 **“Private water service”** shall mean the pipes and fixtures used for the purpose of supplying any building with water from the Village’s water works that is located between the street line in front of or abutting the premises so supplied and the building on the premises;

1.27 **“Remote read-out unit”** shall mean the device installed at a separate location from the water meter and used to provide electronic access to the register on the meter;

1.28 **“Qualified Person”** shall mean a private contractor with approved qualifications required to be employed by a licensed plumbing contractor, a licensed plumbing contractor under the direction of a Journeyman Plumber or Master Plumber or under the direction of a professional engineer or an approved OWWA cross-connection control specialist.

1.29 **“Semi-Detached”** shall mean a residential building, divided vertically, containing two separate living units each served by a water service connection from the Village’s water works;

1.30 **“Shut-off valve”** shall mean the valve on the Village’s water service connection owned and used by the Village to shut off or turn on the water supply from the Village’s water distribution system to a property;

1.31 **“Village”** shall mean The Corporation of the Village of South River;

1.32 **“Water service connection”** shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality with water from the Village’s water works that is located between the Village’s water main in the street and the street property line abutting the premises so supplied.

## **2. WATER METER INSTALLATION, REPAIR, MAINTENANCE, RESPONSIBILITY AND ACCESS**

2.1 All water supplied by the Village through a water service connected To the Municipal water service shall pass through a meter supplied by the Village for use upon such premises, and the water rate charged shall be that fixed from time to time by the Village of South River.

2.2 All meters and related appurtenances shall be supplied and installed by persons authorized by the Village for that purpose.

2.3 The Village’s cost of supplying, relocating and installing water meters and related appurtenances shall be recovered as follows:

2.3.1 For owners who have been connected to the Village of South River water service after September 28th, 2012, the cost of the meter and all costs associated with the installation of the meter shall be paid by the property owner requesting such water service as set out in Schedule "A" attached to and forming part of this by-law.

2.3.3 If the meter is mechanically defective, the cost of repairs shall be paid by the Village, but if the meter is damaged by the carelessness or neglect of any person other than an employee or agent of the Village of South River, the owner of the premises shall pay to the Village the cost of making the necessary repair to such meter.

2.3.4 If a meter fails to register, the consumer will be charged a minimum consumption based upon the average consumption of the last four months or, if such data is unavailable, then the cost shall be pro-rated annually based on the previous year's fee.

2.4 All water passing through a meter will be charged for, whether used or wasted.

2.5 The owner of premises to be supplied with water agrees to provide convenient and safe space, free of charge or rent, for the Village's meter, pipes and other appliances on said premises, and further agrees that no one who is not a servant or agent of the Village of South River or otherwise lawfully entitled to do so, shall be permitted to remove, inspect or tamper with any of the Village's said equipment.

2.6 The owner of the premises to be supplied with water agrees to provide adequate heat in the premises to prevent frost damage to the meter.

2.6.1 The owner or occupant of premises shall provide ready and convenient access to the meter and appurtenances in said premises so that the meter may be examined, as needed, by persons authorized by the Village for that purpose.

2.6.2 Where a meter cannot conveniently be placed inside a building, it shall be placed in a meter pit, the location and construction of which shall be confirmed with the owner or occupant of the premises and shall be constructed in a manner approved by the Village, the cost of which shall be paid by the consumer.

2.7 Upon written request from the consumer and payment of a deposit as set out in Schedule "A" of Water Prices and Time of Payment the Village will remove and test a meter. If the meter is found to register correctly or not to exceed a 3% discrepancy, the consumer's deposit shall be forfeited towards the cost of the test and any additional expense incurred in removing, testing and reinstalling the meter shall be paid for in full by the consumer requesting such test, plus the consumption undercharged of the previous four (4) billings based on the water rate prior to the testing.

2.7.1 If a meter, when tested, is found to register in excess of a 3% discrepancy in favour of the consumer, a refund will be made to the consumer of an amount equal to such excess percentage of the water rates paid for the previous four (4) billings prior to the testing, plus the consumer's deposit for the test; provided, however, that no reduction shall be made to reduce the water rate for the previous four (4) billings prior to the testing below the minimum water rate established by Council.

2.7.2 No reduction shall be made as provided in Section 2.7 if the owner or occupant of the building has not complied with any provisions of this By-Law.

2.8 One (1) meter shall be placed in each single family residential, multi-family residential, commercial, industrial and institutional private water service that has a single connection to the Village's water works and the plumbing shall be so arranged that all water used on such premises shall pass through such meter and the owner of the premises shall be held liable for water charges.

2.9 There shall be no direct or indirect connection between water lines which are part of a private well and water lines which are part of the Village's water system(s). Failure to comply with this requirement shall result in immediate disconnection of the water supply from the Corporation and will also result in the penalty provisions of Section 3 of this By-law.

2.10 Any person authorized by the Village for the purpose of inquiring into the compliance with the provisions of this By-Law shall have free access to the premises at all reasonable times. Upon reasonable notice given and request made to the owner/occupant and lands to which municipal water is supplied, no person occupying or in charge or apparently in charge of such buildings or other premises or lands shall refuse access to such authorized person.

2.11 Every meter shall be placed in such location as the persons authorized by the Corporation shall direct. If possible, the water meter shall be installed in the basement of residential and commercial buildings, and shall be located immediately after the main shut-off valve on the owner's plumbing system, so as to ensure that all water supplied to the building passes through the meter. In the event that a building has no basement, the water meter shall be installed in another location in the building or in a meter pit as authorized by the Corporation.

2.12 The location of a meter, once installed to the standards of the Village, shall not be changed by any person except by persons authorized by the Village of South River.

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

2.14 Any leak that may develop at the meter or its couplings must be reported immediately to the Village. The Village shall not be held responsible for any damages resulting from such leaks.

2.15 The Village of South River may enter into agreements with others to provide for the installation of water services or meters in any manner satisfactory to the Village.

2.16 All sums charged for expenses incurred for the repair of meters, fixtures and all other appurtenances connected to the water service or for damage to same, as per Section 2.3.3, shall be charged to the owner of the premises. If these charges remain unpaid they shall be collected in the same manner as municipal taxes.

2.17 Any request for a reading of a meter prior to or after a regular reading schedule shall be subject to a fee as established by the fees and charges for municipal services.

2.18 A consumer, for the purpose of payment for 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.

### **3. PROTECTION FROM CONTAMINATION AND BACKFLOW PREVENTION**

#### **3.1 Connections – prohibited**

No person, shall connect, cause to be connected, or allow to remain connected to the water supply and distribution system any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow, untreated water, waste water, any

source of pollution or any other liquid, chemical or substance to enter the water supply and distribution system except as may be expressly permitted by the Section.

### **3.2 Backflow – standards**

The Municipality requires that the selection, installation, maintenance, and field testing of backflow preventers follow the CAN/CSA B64.10 standard (CSA, July 2007). All approved backflow preventers must conform to the following, and shall be certified by the CSA or a certification body recognized by the Standards Council of Canada:

- a) CAN/CSA-B64 Series-07 Backflow Preventers and Vacuum Breakers which comprises B64.0, B64.11, B64.1.2, B64.2, B64.2.1, B64.2.1.1, B64.2.2, B64.3, B64.3.1, B64.4, B64.4.1, B64.5, B64.5.1, B64.6, B64.6.1, B64.7, B64.8 and B64.9 and
- b) ASME A112.18.1/CAN/CSA-B125-01 or CSA-B125.3 Plumbing Fittings and
- c) The Ontario Building Code

## **4. CROSS-CONNECTION INSPECTION REPORTS**

### **4.1 Commercial water billing- Inspection reports**

Person(s) responsible for any buildings billed for water (WS) as a “Commercial Water Billing Account (WC)”, being Institutional, Commercial, Industrial or large volume consumers, shall retain a Qualified person at the owner’s expense to prepare Cross-Connection Inspection Reports as required.

### **4.2 Report- Qualified person**

The Cross-Connection Inspection Report shall be completed by a Qualified Person at the owner’s expense, of the property’s piping system starting at the water service connection (property line service box) of all Commercial Water Billing Accounts (WC), as per 4.1.

### **4.3 Report – details – date**

The initial Cross-Connection Inspection report shall be submitted to the Municipality before the date stated. The Cross-Connection Inspection Report shall include a detailed drawing of the piping system, existing backflow prevention devices, a summary, including dates, of backflow prevention device inspection and testing over the previous six (6) years, cross-connections discovered, corrective measures, recommendations and a schedule of work to be completed. The inspection report must also assess a health “hazard level” designated according to CAN/CSA B64.10 Section 4.2, Categories of Hazards. The method of cross-connection control and/or selection and installation of backflow prevention devices shall conform to 3.2.

### **4.4 Report- Not Provided – Water – Shut-off**

A cross-connection inspection report shall be completed and submitted as required. If the report is not provided within the time frame required, the Municipality may, at their discretion, shut off the supply of water to the premises until such time as the report is provided.

### **4.5 Report – Submission – date**

A Cross-connection Inspection Report shall be completed and submitted to the Municipality no more than five (5) years and two (2) months from the date of the previous report.

### **4.6 Access – reasonable notice**

Notwithstanding the obligations for persons to undertake a Cross-connection inspection Report, the Municipality shall be allowed access, with reasonable notice, to any premises that are connected to the water distribution system for the purpose of performing inspections to locate possible cross-connections. The Municipality may require a routine cross-connection inspection of the premises to be performed by a Qualified Person, at the owner’s expense.

### **4.7 Access- not provided – water – shut-off**

Where the access is not provided, a written notice by the Municipality may be issued providing the time frame to allow access. If access is not provided within this time frame,

the Municipality may, at their discretion, shut off the supply of water to the premises until such time as the access is provided.

#### **4.8 Compliance Notice**

If a condition is found to exist which is contrary to Section 3, the Municipality may issue a "compliance notice" to the person, to be compliant with these regulations, or if determined, in its sole discretion, that an immediate threat of contamination to the water system exists that may endanger public safety, the Municipality may shutoff the water service immediately without notice.

### **5. Cross-Connection Compliance**

#### **5.1 Report- review-compliance note**

The Municipality will review the submitted report and if there are deficiencies issue a 'Compliance Notice' that may support the recommendations contained in the Cross-Connection inspection report and may contain additional or alternative requirements deemed by the Municipality as required under this section.

#### **5.2 Compliance notice – qualified person – 30 days**

The person receiving the 'Compliance Notice' shall retain a Qualified Person to undertake the required works within 30 days of receipt of written notification and advise the Municipality in writing of completion of the work, by submitting a Corrective Actions form.

#### **5.3 Compliance notice – failure to comply**

If the person to whom the Municipality has issued a notice fails to comply with the "Compliance Notice", the Municipality, at its discretion, may:

- a) Give notice to person to correct the fault at their expense within 5 days and if the notice is not complied with, the Municipality may then shut off the water service or services; or
- b) Issue an Unsafe Order by the Chief Building Official or the property Standards Officer, in accordance with the Ontario Building Code Act in a condition that could be hazardous to the health or safety of persons in the normal use of the building, persons outside the building or persons who access the building; or
- c) Without notice to the person, shut off the water service, where the Municipality has determined, in its sole discretion, that an immediate threat of the contamination to the water system exists that may endanger public safety or health.

### **6. PREMISES ISOLATION**

#### **6.1 Contamination – risk**

Where, in the opinion of the Municipality, a risk of possible contamination of the water distribution system exists, a person on notice from the Municipality shall install premises isolation within the building in addition to any other source of protection devices on the premises.

#### **6.2 Specification**

Premises isolation shall be installed:

- a) As specified by the Clerk Administrator or designate.

### **7. MAINTENANCE AND FIELD-TESTING OF BACKFLOW PREVENTION DEVICES**

#### **7.1 Commercial water billing – moderate – severe hazard**

This section applies to all Commercial Water Billing Accounts (as described in this by-law) for which a Moderate or severe hazard has been identified.

#### **7.2 Qualified person – inspection – test**

Person(s) responsible for buildings shall retain a Qualified Person, as per the definition in this by-law, to inspect and test, at the expense of the person(s), to demonstrate that the

backflow prevention device is in good working condition. Such inspection and testing shall be completed prior to or in conjunction with the initial Cross-Connection Inspection Report and within thirteen (13) months of the previous inspection and testing. All equipment used to test backflow preventers shall be verified or calibrated for accuracy, as described in CAN/CSA B64.10.

**7.3 5 days – repair- replace –report**

When the results of a test show that a backflow prevention device is not in good working condition, the person shall make repairs or replace the device within 5 days. A Corrective Actions form shall be submitted by the Qualified Person detailing necessary repairs and a completion date immediately after inspection.

**7.4 5 days – water shut-off**

If a person does not make the appropriate repairs or replace the defective device within the 5 days, the Municipality may shut the water service or services off.

**7.5 Backflow prevention device tested**

If a person fails to have a backflow prevention device tested within the specified time of the notice the Municipality may shut off the water service or water services until the backflow prevention device has been tested and approved.

**7.6 Backflow prevention device – water shut-off**

If a person fails to have a backflow prevention device tested within the specified time of the notice the Municipality may shut off the water service or water services until the backflow prevention device has been tested and approved.

**7.7 Documentation – maintained**

Current documentation of inspection and testing shall be maintained on the premises for the inspection by the Municipality.

**8. REMOVAL OF BACKFLOW PREVENTION DEVICES PROHIBITED**

**8.1 Backflow prevention device – removed**

No person shall remove a backflow prevention device or part thereof after it has been installed, and no owner of a building or structure in which a backflow prevention device is installed shall cause or permit the removal of such device, unless such removal is:

- a) To facilitate the repair of the device and such device is replaced immediately after such repair is carried out, or
- b) To replace the device with another device that meets or exceeds the provisions of the By-law, and acknowledged, written notification must be received by the Municipality prior to removal of the device.

**9. INSPECTION REPORT, IMPLEMENTATION AND RETESTING SCHEDULE**

**9.1 Requirements**

The requirements under this Section shall be undertaken as follows:

**a) Commercial Water Billing Accounts**

Submission of Initial Cross-Connection Inspection Report within two (2) months of awareness that a report is required. Implementation deadline for completion of Report Recommendations to be determined by the Clerk Administrator or designate; shall be at least three (3) months but will not exceed one year from the original report submission. For new buildings and renovations that include plumbing, a Cross-Connection Inspection Report shall be submitted prior to issuance of the Occupancy Permit.

**b) Residential Water Billing Accounts**

All new dwelling units must have a backflow prevention device installed prior to connection to the Municipality's water system. This device will be part of the water meter package that must be purchased through the Municipality. Inspection and approval will be granted at the same time the water meter is tested and sealed. Inspection Reports and scheduled testing of backflow prevention devices shall not be required for low volume residential units. The Municipality shall install backflow prevention devices in existing residential units where



practical and in conjunction with water meter replacements. The backflow prevention devices installed shall become the responsibility of the owner of the swelling unit.

## **9.2 Reports – submission**

All cross-connection inspection reports are to be submitted to:

The Village of South River  
63 Marie Street  
P.O. Box 310  
South River, Ontario  
P0A 1X0  
Attn: Public Works Chief Operator

## **10. Waterlines on Private Property**

10.1 Property owners are responsible for the maintenance and repair of private water lines from the curb or municipal property line. The Municipality is responsible for the maintenance and repair of the water main to the private connection at the curb or municipal property line. If Municipal personal is called to assist with a water main's maintenance or repair which is located on private property the property owner will be billed according to the fee schedule attached.

## **11. Hydrants**

### **11.1 Hydrants – connection**

No person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a Municipally-owned or private fire hydrant in a manner which, under any circumstances, may allow water, wastewater or any liquid or substance of any kind to enter the Municipality's water supply system

### **11.2 Hydrants maintained**

Any hydrant situated within the road allowance is the property of the Municipality and shall be maintained by the Municipality; the Municipality shall maintain Municipally-owned hydrants located on private property.

## **12. OUTDOOR WATER USE**

### **12.1 Address-odd-even-alternating**

No person shall use municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the purpose of any outside use including, but not limited to watering lawns or gardens, washing of vehicles, sidewalks or driveways or the filling of swimming pools, except as follows:

- (a) An even numbered address may only use municipal water on even numbered days of the month starting June 1<sup>st</sup> and ending September 30 of any given year.
- (b) An odd numbered address may only use municipal water on even numbered days of the month starting June 1<sup>st</sup> and ending September 30 of any given year.

### **12.2 General – Prohibited –Exemptions**

Notwithstanding section 11.1, the use of municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the following purposes shall be exempted:

- (a) Watering of new trees or shrubs during installation and within 24 hours following planting;
- (b) Watering of newly placed sod or seed within 30 days following planting,

### **12.3 Outdoor Water Use Ban or Restriction – Notice**

Where the Public Works Chief Operator, or designate, deems it necessary that an outdoor water use ban or restriction be implemented, notice shall be issued on the Village's website and through local media (radio).

### **12.4 Outdoor Water Use Ban or Restriction – Prohibition**

Notwithstanding Section 11.1 and 11.2, where the Public Works Chief Operator, or designate, gives notice that an Outdoor Water Use Ban or Restriction is declared, no person shall use municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the purpose of any outside water use.

**12.5 Entry and Inspection**

The Public Works Chief Operator, or his designate, may, at all reasonable times, enter on land for the purpose of carrying out an inspection to determine compliance with this Section of the by-law and may turn off or restrict the supply of municipal water when it is found to be used in contravention of this section.

**13. LAWN SPRINKLER SYSTEMS**

**13.1 Sprinkler System – backflow**

After January 1, 2014 all new sprinkler systems must be connected downstream of the building's water meter. The building's water supply must include backflow prevention. The system must be in compliance with the Plumbing Code (Building Permit, sprinkler system backflow).

**14. RATES**

13.1 The water rates shall be as set out in Schedule 'A' to this by-law, and such schedule may be altered from time to time by by-law of the Council of the Village of South River, at its discretion.

13.2 The water service rates for customers outside the municipal boundaries of the Village of South River shall be as set out in Schedule 'A' to this by-law.

13.3 The water service rate for properties in the Corporation of the Village of South River which have water available to the property line and no structure shall be set out in Schedule A to this by-law.

**15. BILLINGS**

15.1 Billing frequency for water service charges shall be every 2<sup>nd</sup> month in accordance with the schedule established by the Council of the Village of South River.

15.2 All accounts shall be due and payable on or before the due date as printed on the billing invoice.

15.3 A late penalty charge of 5% shall be added to the account on the first day of default.

15.4 Upon six months of default in payment of an account the Village may, at its sole discretion, add the outstanding account to taxes and collect it in a like manner.

15.5 In default of payment, the Village may shut off the supply but the charges in default are nevertheless, recoverable.

15.6 The water service billings may, from time to time, reflect a pre-determined credit which will result from the need for property owners to run water for an extended period of time following a water main flushing program which occurs several times a year as part of a regular maintenance program as well as times when the water distribution system requires flushing outside the usual maintenance program.

15.7 The water service billing is the responsibility of the property owner. However, landlords may, by a written request, direct the water usage billing be sent to a tenant. Such requests are limited to two annually. Any water arrears which appear on the account as of December 31<sup>st</sup> of any year will be automatically transferred to the property tax account and is the responsibility of the property owner to pay.

15.8 Notwithstanding Section 15.7 property owners of multi-units may not direct the water usage billing be sent to tenants.

**16. DEPOSIT**

15.1 The Village may, at its sole discretion, before supplying water to any person or to any building or premises, as a condition of continuing to supply the water, require any consumer to give reasonable security for the payment of the proper charges thereof or for carrying the water into the building or premises.

**17. SECURITY**

16.1 No person shall hinder or interrupt or cause or procure to be hindered or interrupt the Village or any of its officers, contractors, agents, servants or works in the exercise of any of the powers contained in this by-law.

16.2 No person shall operate any hydrant which is connected to the Village's water distribution system with the exception of individuals acting on behalf of the Village who possess appropriate water certificates and fire fighters for training purposes or for the purpose of fighting fire.

**18. REGULATIONS AND PENALTIES FOR OFFENCES**

18.1 Every person is guilty of an offence who:

- a) willfully hinders or interrupts, or causes to be hindered, or procures, or interrupts the Village or any of its officers, contractors, agents, servants or staff, in the exercise of any of the power conferred by the Municipal Act, 2001, as amended;
- b) willfully wastes water (ie) continues to use water for gardening after public notice of a water usage ban or restriction has been issued.
- c) being a tenant, occupant, lessee, owner, the agent of a lessee, or any person in possession of any house, building or other premises supplied with water from the water works, improperly wastes water or, without the consent of the Village, lends, sells or disposes of water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than his own;
- d) without lawful authority willfully opens or closes any valve or hydrant, or obstructs the free access to any hydrant, shut off valve, valve chamber or pipe by placing on it any building material, rubbish or other obstruction;
- e) throws or deposits any unsafe substance into the water or waterworks, or in any other way fouls the water or commits any willful damage or injury to the works, pipes or water, or encourages the same to be done;
- f) willfully alters any meter placed upon any service pipe or connected therewith, within or outside any building or other place, so as to lessen or alter the amount of water registered; or
- g) lays or causes to be laid any pipe or main to connect with any pipe or main of the Village's water works, or in any way obtains or uses the water without the consent of the Corporation.

18.2 Any person convicted of a breach of any of the provisions of this By-Law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding (exclusive of costs) the sum of five thousand dollars (\$5,000.00) for each offence and not less than three hundred dollars (\$300.00) for each offence, recoverable under the Provincial Offences Act for the Province of Ontario.

18.3 In addition to other sanctions and remedies provided in this By-law, the Village may turn off or restrict the supply of water to any consumer where such consumer has violated any of the provisions of this By-law, and may refuse to restore normal service until the violation complained of has been terminated or remedied. The Village of South River will not be liable for any damage to property or injury to person by reason of shut-off of water supply.

**MISCELLANEOUS**

19.1 The requirements of this By-law are severable. If any requirements of this By-law are held invalid, the application of such requirements to other circumstances and the remainder of the By-law shall be valid and shall remain in force.

19.2 Where any inconsistency exists within this by-law and any other By-law of the Village of South River, the provision(s) of the By-law imposing a greater requirement, regulation, fee or enforcement and penalty provisions shall apply and prevail.

**REPEAL AND EFFECTIVE DATE**

20.1 Any by-law inconsistent with this by-law is hereby repealed.

20.2 This By-law shall come into force and effect on February 11, 2014.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF FEBRUARY, 2014.**

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**Jim Coleman, Mayor**

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**Susan L. Arnold, Clerk Administrator**