

Corporation of the Village of Cobden

By-Law Number 1987-29

Being a by-law to require owners of buildings to connect such buildings to water works in the Village of Cobden.

WHEREAS pursuant to the provisions of Section 219 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, Councils may pass by-laws requiring owners of buildings or any class or classes of buildings in the municipality or in any defined area thereof to connect the said buildings to the water works of the municipality,

AND WHEREAS such by-law may provide for exempting owners of buildings in the municipality from the application of the provisions of the by-law requiring the connection of such buildings thereof to the water works of the municipality of such amounts or of amounts computed by such method as may be provided for in the by-law, and the by-law may provide for the manner in which and the period for which the payments may be made,

AND WHEREAS it is deemed expedient by the Corporation of the Village of Cobden to pass a by-law requiring the owners of all buildings in the municipality to connect such buildings to the water works,

NOW THEREFORE, the Council of the Corporation of the Village of Cobden enacts as follows:

1. In this by-law:

- a) "building" means and includes any building, trailer, or other covering or structure with a pressurized water supply which:
 - i) is located within 50 metres of a watermain, or
 - ii) is located on a parcel of land abutting on a public highway or street in which a water works is located or a parcel of land not more than one foot from a public highway or street in which a water works is located, and
 - iii)
 1. contains, or is required by any other by-law, regulation or statute to contain, any sleeping, eating or food preparation facilities, or
 2. contains or is required by any other by-law, regulation or statute to contain, any washing or toilet or cleaning facilities, or
 3. is connected, or is required by any other by-law, regulation or statute to be connected, to a water supply, or water works, or
 4. is connected or is required by any other by-law, regulation or statute to be connected, to a drain or sewage works, or
 5. which is a source of sewage;other than a barn used for agricultural purposes and which contains no sleeping accommodation for persons;

- b) "connect" means to install a connection;
 - c) "Connection" means a connection to a water works system including the service pipe from the interior face of the outer wall of a building or from the water meter if one is installed inside the building, including any valves, stopcocks and water meters to:
 - i) the street line where a service line has been installed from the watermain to the street line, or
 - ii) the watermain where a service line has not been so installed;
 - d) "cost" includes the cost of restoring any property disturbed or damaged in the course of making a connection and the cost of design, if any, materials, labour and supervision of the connection incurred after the date of sending a Notice and includes the amount of expense charged by the municipality to the owner when the municipality makes a connection at the expense of the owner;
 - e) "Notice" means a notice given pursuant to this By-law requiring a connection to be made;
 - f) "owner" means the owner of a building and includes the registered owner of, the person shown on the assessment roll as owner of, and the actual owner of a building or any property on which a building is located;
 - g) "water works" means any watermain provided by or for the municipality for the purpose of supplying water in the municipality.
2. Every owner of a building shall connect the building to the water works.
3. 1) Any connection required to be made by an owner under this By-law shall be made:
- a) within nine months of the mailing of a Notice (Schedule "A") to the owner by registered mail to his last known address requiring the connection to be made, or within such periods of time, if any, as are granted by Council as an extension pursuant to the provisions of this By-law, and
 - b) in accordance with the requirements of the Notice and any by-law, regulation or statutes governing such connection.
- 2) Any Notice hereunder:
- a) shall require the owner to make the connection,
 - b) shall advise the owner
 - i) the date on which the nine month period expires, and
 - ii) that if the owner fails to make the connection as required, the municipality has the right to make it at the owner's expense and to recover the expense by action or in like manner as municipal taxes, and
 - c) shall make reference to the within By-law.
4. 1) Council may, on the application of an owner to whom Notice has been sent, grant an extension of the period of nine months within which the connection must be made.
- 2) An extension if granted, must not be for a period longer than two years from the end of the nine month period provided by the Notice.
- 3) If the first extension is for a period of less than two years, one further extension with an expiry date not more than two years from the end of the original nine month period provided by the Notice may be granted by Council and no further extension may be granted.

5. 1) If the owner fails to make a connection required by a Notice within the nine month period or such extended period permitted hereunder, as Council grants, the municipality may make the connection at the expense of the owner and for this purpose may enter into and upon the property of the owner.
- 2) The cost of making such connection shall be a lien or charge as municipal taxes upon the land in respect of which the connection was made, shall be added to the Collector's Roll by the Clerk of the municipality and shall be collected in the same manner as overdue taxes and shall bear interest from the date the first demand for payment is made at the same rate as overdue taxes.
6. The owner of a building affected by this By-law may be exempted from the provisions of section 2 upon a request for Exemption Application (Schedule "B") having been received by the Treasurer of the Municipality and the owner requesting exemption shall be billed a flat charge equal to \$10.00.
7. For a owner to be continued to be entitled to the exemption he must pay bills issued under section 6 as they fall due.
8. The owner of a building electing to be exempted under section 6, shall, within twenty-one days of Notice, return to the Treasurer of the Municipality a Request for Exemption Application.(Schedule "B")
9. Notwithstanding the provisions of section 6, no exemption will be granted which is at variance with any written requirement, order or approval by a Medical Officer of Health or Public Health Inspector or pursuant to Part VII of the Environmental Protection Act, R.S.O. 1980, Chapter 141.
10. When an owner who has been making payments under sections 6 and 7 of this by-law connects the building to the water works, his charges for water service rates shall be credited with any amount paid under sections 6 and 7 with respect to the time period after the connection is made.
11. a) When an owner is disconnected due to non-payment of water arrears, a \$20.00 disconnection fee will be charged. Upon reconnection, a second charge of \$20.00 will also occur.
b) When an owner requests disconnection for a specified period of time due to absence, a total fee of \$20.00 will be charged for disconnection and reconnection.
12. Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine not exceeding two thousand dollars and every such fine shall be recoverable under the Provincial Offences Act, R.S.O. 1980, Chapter 400 as amended.
13. This By-law comes into force and effect on the date of the final passing thereof.

Read a first, second and passed upon the third reading this 17
day of August, 1987.



REEVE



CLERK-TREASURER

Schedule "A"

Notice
of
Water Connection

Please be advised that pursuant to the Corporation of the Village of Cobden By-Law #1987-29, it is mandatory that connection to municipal water services be made on or before _____.

Connection shall be arranged through the Village Roads Superintendent. Failure to do so by the deadline authorizes the municipality to make the connection at your expense and to collect these expenses in a like manner as municipal taxes.

Wendy C. Stone
Clerk-Treasurer

Schedule "B"

Request for Exemption
The Corporation of the Village of Cobden

I/We _____
the owners of the property listed below hereby request(s) exemption
from the provisions of Section "2" of By-law Number _____
of the Municipality for the following reason(s):

and agree to pay the amounts imposed by by-law from time to time
to be entitled to such exemption.

Dated this _____ day of _____, 1987

*Owner (Signature)

Street Address

Lot Registered Plan and
Assessment Roll No.

* Where there is more than one owner, all owners must sign.

Where the owner is a corporation, partnership, etc. the positions of
the persons signing must be stated and the seal of such corporation,
partnership, etc. must be affixed hereto.

For Municipal Use Only

i) MOH confirms no outstanding requirements with respect to
unsatisfactory water supplied

YES _____
NO _____

Checked by Date

ii) Director confirms no outstanding requirements under Part
VII Environmental Protection Act

YES _____
NO _____

Checked by Date

iii) The above request for exemption from connection was considered
by Council at a meeting held on _____. The
request was approved/not approved by a vote of _____.

iv) Property owner advised of Council's decision by letter dated
_____.

SEWER SERVICE
CONNECTION PERMIT
NO. _____

Permission is hereby granted to construct the connection to the Municipal Sanitary Sewer System for the following property subject to compliance with all prescribed regulations.

Owner _____ Roll No. _____
Address _____ Plan _____
_____ Lot Number _____
Contractor _____ Street Address _____
_____ Licence No. _____
Date _____ Clerk _____

CONDITIONS

- 1) This Permit valid for three (3) months only.
- 2) The Municipality requires 48 hours notice prior to connection for inspection purposes. If connection is made without notifying the Municipality, the Owner will be billed for the service as of the date of issuance of this Permit.
- 3) A copy of this Permit must be presented to the Plumbing Inspector when applying for a Plumbing Permit. No work to be commenced until a Plumbing Permit has been obtained.
- 4) The Owner is responsible for any damage to Municipal or private property incurred as a result of the installation of the service(s).
- 5) The location and depth of the municipal sewer service connection to the property described above is approximate only. The Municipality will not be responsible for any delays incurred or additional expenses resulting from the service(s) not being located according to the sewer service connection location sheet.
- 6) Connections to the Municipal Sewage Works are to be made from Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

The Municipality will not allow connections to be made over the weekends OR on legal holidays OR after regular working hours of the Municipality.

Date Connection Construction Commenced _____

Date of First Inspection _____ Inspector _____

Date of Final Inspection/Approval _____

Status of Septic Tank: _____ Inspector _____

Remarks _____

Material Specifications

