

CORPORATION OF THE VILLAGE OF COBDEN

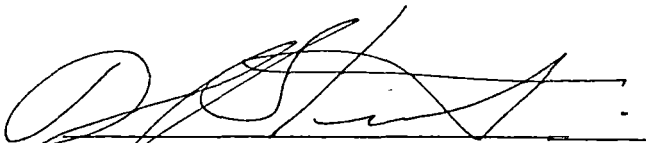
BY-LAW # 1995-9

BEING a by-law of the Corporation of the Village of Cobden to adopt Water works Regulation pursuant to its authority under the Municipal Act, R.S.O. 1990, the Corporation of the Village of Cobden enacts as follows:

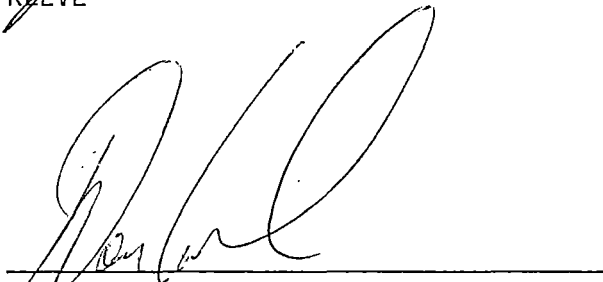
1. That Water works regulations annexed hereto as Annex "A" are hereby adopted.

This By-law shall come into effect immediately upon passing.

READ a first, second and passed on the third reading this 15th day of August 1995.



REEVE



CLERK-TREASURER

CORPORATION OF THE VILLAGE OF COBDEN
REGULATIONS RESPECTING THE WATERWORKS
ANNEX "A" TO BY-LAW 1995-9

The Municipal Council of the Corporation of the Village of Cobden enacts as follows:

1. That the Water Works Department of the Corporation of the Village of Cobden shall be under the general direction of the Water Works Committee of the Village Council.
2. The collection of the revenue derived from the works, the payment of all disbursements connected therewith, and the supervision of all books of account or otherwise, and the officials in charge of the same, shall be under the control of the Village Council.
3. The charges shall be made in accordance with the provisions of the authorized Tariff then in use.
4. Any person or persons vacating any premises that have been supplied with water from the Water Works, who are desirous of discontinuing the use thereof, must give five months notice of the same in writing to the Tax Collector, otherwise they will be held for the rates therefor.
5. Applicants shall give a full and true statement of the size and description of their premises on the application to the Superintendent, the number of dwelling units, the various uses to which the water is about to be put, the existence of a swimming pool and all other information that may be necessary, in order that a correct estimate of the charges to be made against them may be arrived at.
6. In the case of leaky or improper pipes or fixtures on any premises, the Superintendent shall have authority to cut off the supply of water by shutting the stop cock or by detaching the service pipe from the main, and before the water is again turned on, the pipes and fixtures shall be repaired or altered as required, and the cost of detaching and re-attaching and of turning off and on the water shall be paid by the person or persons occupying or owning the premises, and no person supplied from such service pipe shall have any claim against the Corporation by reason of such cutting off of the water.
7. It shall be lawful for the Superintendent and all employees of the Water Works so empowered by him to enter upon the premises of all water takers and other persons between the hours of ten o'clock in the forenoon and four o'clock in the afternoon to examine the service pipes, stop cocks and other fixtures and/or to search for the same. This will also include examining the same for improper or wasteful water usage.
8. No work of any kind connected with the water services, either for the laying of new or repairing of old services, will be permitted to be done within the limit of the street by other than the employees of the Corporation.
9. The Corporation will in every case determine the size of the pipe to be used in supplying any premises and also the position in the street in which it is to be laid.

10. Should any departure from the foregoing be permitted in order to accommodate a water taker then the latter shall be charged for any extra expense entailed by making the change.
11. Any directions as to the position in which it may be desired to have the service laid, when such does not interfere with the requirements of the Corporation, as provided for in the foregoing clauses, must be given in writing to the Superintendent.
12. If the party fails to appear at the time appointed for laying the service pipe the work will be proceeded with in the ordinary way and subsequent alteration will only be made at the expense of the water taker.
13. The onus shall lie on the water taker to show that the pipe laid within his premises to inside the stop cock is in accordance with the requirements of the Corporation and unless such be shown to the satisfaction of the superintendent, connections will not be made with the street pipe.
14. All service pipes upon the premises of water takers shall be laid protected from frost, which protection must have the approval of the Superintendent; where at all possible they shall be laid to a depth of six feet below the level of the surrounding grounds and when they cross or are near other excavations they shall be properly protected against settlement.
15. Within the street line or on their own premises, all persons shall keep their own services, pipes, stop cocks and other fixtures in good order and repair and protected from the frost at their own risk and expense. Running of water to prevent freezing will not be allowed where initial protection measures have not been taken.
16. The material used in the construction of these services, pipes etc., shall correspond in all particulars with that of a similar kind used by the Corporation.
17. All applications for water shall be made in writing upon blank forms furnished by the Superintendent and signed by the Superintendent. The application shall state the size and kind of service pipe to be used, the name and side of street, and the number, if any, of the house and the number of the lot; if on a corner, which street main is to be tapped; the full name of the owner and occupant of the property; the purpose or purposes for which the water is to be used and all other particulars pertaining to a full knowledge of the subject.
18. No person or persons shall make any connection or communication whatsoever with any of the public or private pipes or mains, either in the streets, or in lanes, house or private grounds, without a permit from the Superintendent.
19. Each house shall have a separate service cock, the latter placed six feet below the ground, and all service cocks shall have strong and uniform heads. They shall be enclosed in a substantial case or box coming up even with the surface of the ground, and covered with a close-fitting iron cover; said cover shall be secured in place with four suitable screws, unless by special arrangement with the superintendent.

20. No two premises supplied with water shall be dependent upon one service pipe between the street line and the premises, but each separate and distinct tenement or premises shall be supplied through a separate pipe provided with proper stop cocks or other means of shutting off the water.
21. There shall be a stop and wash cock attached to every supply pipe at the point where it enters the building so as to admit of the water being shut off in frosty weather and the pipes being emptied. The service pipe between the service cock and the building stop and wash cock shall be one solid pipe with no water take off's between the service cock and the building stop and wash cock.
22. All plumbing work shall be done in the manner prescribed by the Council and shall be subject to their inspection and approval, and the quality and pattern of all appurtenances shall, in like manner, be subject to their approval and no work under-ground shall be covered up until examined and approved by the Superintendent.
23. Applications for a permit to connect service or supply pipes with the distribution pipes shall be in writing, signed by the owner of the premises to which a supply of water is desired, or his authorized agent and shall state fully the several and various uses for the manner in which the water is to be used, and the name of the plumber selected to do the work. The permit shall specify the particular uses applied for, and when thereafter any additional service pipe is desired, a further application as aforesaid must be made and permit obtained. Any plumber so designated and to whom a permit is granted, shall not be deemed the agent of the Corporation, nor shall the Corporation be in any way liable for his acts.
24. No attachment shall be made to supply water for building purposes unless it be intended to extend the pipe for the building in which case, application must be made in the usual manner, for attachment.
25. No connection shall be made between the first day of November and the first day of May, unless recommended by the Superintendent and approved of by the Council.
26. It shall be the duty of all persons who may desire to use the water for building purposes to make application in writing at the office of the Superintendent, accompanied by an estimate of the number of gallons and pay the rate assessed before using the same.
27. No person, being owner, tenant, occupant or inmate of any house, building or other place supplied with water from the Water Works, shall lend, sell or dispose of the water thereof or give it away or permit it to be taken or carried away or apply it to use or benefit of others or to any other than his, her or their own use and benefit, or increase the supply of water agreed for with the Corporation or wrongfully neglect or improperly waste the water.
28. No lawns, grass plots or gardens shall be watered except between the hours of 6 p.m. and 9 p.m. and 6 a.m. and 9 a.m.
29. No person shall willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the said Corporation or their managers, contractors, servants, agents, workmen or any of them, in the exercise of any of the powers and authorities conferred upon them, and authorized and contained in the Municipal Act, RSO 1990.

30. No person shall wilfully or maliciously let off or discharge water, so that the same runs waste or useless out of the works.

31. No person not being in the employ of the Corporation and not being a member of the Fire Brigade and duly authorized in that behalf, shall wilfully open or close any hydrant or obstruct the free access to any hydrant, stop cock, chamber pipe or hydrant chamber, by placing on or near it any building material, rubbish or other obstruction.

32. No person shall throw or deposit any injurious noisome or offensive matter into the water or Water Works, or upon the ice, in case such water is frozen, or in any way foul the water or commit any willful damage or injury to the works, pipes or water or encourage the same to be done.

33. No person shall wilfully alter any meter of the Water Works placed upon any service pipe or connected therewith, within or without any house, building or other place, so as to lessen or alter the amount of water registered thereby, unless specially authorized by the Corporation for that particular purpose and occasion.

34. No person shall lay or cause to be laid any pipe or main to communicate with any pipe or main of the Water Works, or in any way obtain or use any water thereof without the consent of the Corporation.

35. That all street hydrants in the said Village shall be used for fire purposes only, provided, however, that the Superintendent may from time to time allow said hydrant or any one or more of them to be used for other purposes, such permission, however, and the time and purpose for which the same are to be used shall be set out in writing by the Superintendent on granting such permission.

36. If meter by injured or fail to register during the quarter then the premises shall be assessed in proportion to the former charge by meter, on an average of the preceding twelve months.

37. Water for steam boilers, condensers or any other apparatus or plant where damage may happen owing to the water being shut off, shall not be taken direct from the water service pipe into such boilers, condensers, apparatus or plant, but water for such purposes shall be drawn from a well or other receptacle into which the water has been previously discharged from the water service pipe.

38. In the event of any portion of the plant of the water works being disabled, or being threatened with disablement, or if, for any reason the Village Engineer is of the opinion that the use of water from the Water Works should be curtailed, the Reeve or Acting Reeve may, with the consent of the majority of the Council, by proclamation, direct that no person shall use any lawn sprinkler or other appliance for sprinkling or watering by pressure or direct from the Village Water Works any lawn, boulevard, yard or garden, or pavement, sidewalk or roadway, and if in the opinion of the majority of the said Council the use of water from the Village Water Works should be further restricted the Reeve or Acting Reeve may, by proclamation, prescribe the manner in which water from the said water works may be used, and the provisions of any such proclamation shall have the same force and effect as if such provisions were contained in the By-law, and any person found guilty of an infraction of such provisions shall be liable to the penalties imposed by this By-law.

39. Water takers supplied with water from the Corporation Waterworks shall not be entitled to notice of turning off or on the water and the Corporation shall not be liable for any damages sustained by any person by reason of such turning off or turning on of the water, and where the supply of water has been cut off pursuant to the By-law, no person shall have any claim against the Corporation or its agents or officers by reason of turning on

or cutting off or refusal to turn on the water.

40. Notwithstanding any of the provisions hereinbefore set out, the Council may, on the recommendation of the Superintendent, require any person or persons supplied with water by the said village to install a meter, and when such meter is so installed, the rates and charges referred to as meter rates in said schedule hereto annexed shall apply, such meter to be paid for and be the property of the user and the cost of installing which to be paid for by the person or corporation using the water.

41. Any person or persons guilty of an infraction of any of the provisions of Sections 28 to 36 both inclusive, of this By-law shall be liable upon conviction to a penalty of not more than \$2000.00 exclusive of costs and such penalty shall be recoverable under the provisions of the Provincial Offences Act.

42. The penalties in money under this By-law or any portion of them which may be recovered shall be paid to the Convicting Justice and by him paid, one-half to the Treasurer of the Corporation and the other half to the Prosecutor, unless the Prosecutor is the servant or officer of the Corporation, in which case the whole of the penalty shall be paid to the Corporation.

43. That the Council shall have power to make special rates for water not provided for by the tarrif subject to approval of Council.