

**CITY OF NIAGARA FALLS**

**A CONSOLIDATED BY-LAW**

Being **By-law No. 2007 - 161**, as amended by:  
By-law 2008-031, 2008-092, 2009-069, 2009-151 and 2010-053

**A by-law to regulate the supply of water and to provide for the maintenance and management of the waterworks and for the imposition and collection of rates for the use of water and water-related services.**

**WHEREAS** section 11 and Part III of the *Municipal Act, 2001* authorize a municipality to pass by-laws respecting matters within the sphere of jurisdiction of public utilities;

**AND WHEREAS** section 391 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees and charges for the use of waste management systems, use of sewage systems or the consumption of water;

**AND WHEREAS** O. Reg. 581/06 grants priority lien status to municipal public utilities fees and charges;

**AND WHEREAS** the Council of The Corporation of the City of Niagara Falls desires to use any and all legislative authority available to it at by statute common law or by common law to regulate the supply of water and to provide for the maintenance and management of the waterworks and for the imposition and collection of rates for the use of water and water-related services.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:**

**Definitions**

1. In this By-law,
  - (a) “**Appurtenance**” and “**appurtenances**” mean and include electronic communication register, touch pad, and any new equipment or technology replacing the same;
  - (b) “**City**” means The Corporation of the City of Niagara Falls;
  - (c) “**Council**” means the Council of The Corporation of the City of Niagara Falls;
  - (d) “**Cover**” means the distance between the finished-grade ground surface and the top of the water main or water service pipe;
  - (e) “**Distribution system**” means the transmission pipes of the City which are tapped for

water services and includes all valves, fittings and appurtenances but does not include water services nor private water services;

- (f) “**Engineer**” means the Executive Director of Community Services for the City and for the purpose of exercising any of the powers or duties of the Engineer under this by-law and shall include any employee of the City authorized by the Engineer to exercise any such powers or duties;
- (g) “**Industrial premises**” means premises used for or in connection with,
  - (i) manufacturing, producing or processing anything;
  - (ii) research or development in connection with manufacturing, producing or processing anything;
  - (iii) storage, by a manufacturer, producer or processor, of anything used or produced in such manufacturing, production or processing if the storage is at the site where the manufacturing, production or processing takes place; or
  - (iv) retail sales, by a manufacturer, producer or processor, of anything produced in such manufacturing, production or processing if the retail sales are at the site where the manufacturing, production or processing takes place;
- (h) “**Meter**” means a meter installed for the purpose of measuring water supplied by the distribution system;
- (i) “**Owner**” means any registered owner of land or buildings thereon, or any authorized agent, contractor, employee, tenant or servant representing such owner;
- (j) “**Premises**” includes lands, buildings and structures;
- (k) “**Private water service**” means the pipes and fixtures (exclusive of meter) used for the purpose of supplying water from the distribution system to any premises and located upon private property beyond the limits of the road allowance;
- (l) “**Remote read out device**” means any device not including the register on a meter, used by the City to transmit and record the amount of water passing through a meter;
- (m) “**Residential premises**” means premises used solely for residential occupancy as defined in the *Ontario Building Code*, consisting of three or fewer units which has a separate and distinct private water service with a separate shut-off;

- (n) **“Schedule”** means the schedule or schedules of water rates, sewer rates, fees and charges attached to and forming part of this by-law and set out as Schedule of Rates, Fees and Charges;
- (o) **“Security deposit”** means such amount of money as set out in the Schedule that is required to be deposited with the City as a condition of supplying or continuing to supply water to the premises;
- (p) **“Tenant”** means anyone other than the owner who occupies any premises;
- (q) **“Treasurer”** means the Director of Finance for the City for the purpose of exercising any of the powers or duties of the Treasurer under this by-law and shall include any employee of the City authorized by the Treasurer to exercise any such powers or duties;
- (r) **“Water service”** means the pipes and fixtures located in the allowance for any public highway, public street, public lane, public alley or public thoroughfare and extending between the water main and the limit of such allowance and including the corporation cock, service pipe, curb stop, post and service box, used for the purpose of supplying water from the distribution system to any premises.

#### **Application for Permit for Water Main Extension, Water Service, Private Water Main Extension or Private Water Service**

- 2. No person shall connect or cause or permit to be connected a system or means of drawing water to a City water main or a private water service or to a City-owned water service until written application for such connection is made to the City and a permit has been issued by the City.
- 3. No person shall in any way interfere with, obstruct, conceal or bypass any hydrant, valve, curb stop, service pipe, stopcock, meter, remote reader, or other waterworks appurtenance.
- 4. No water main extension shall be permitted until written application for such extension is made to the City, a permit has been issued by the City and all applicable regulatory approvals have been obtained.

#### **Installation of Water Service or Private Water Service**

- 5. The pipes, fittings, attachments, methods of installation, maintenance, use, renovations to and removal of any water service shall be pursuant to, as required by and in compliance with all applicable legislation.
- 6. Every water service shall be buried to a minimum cover of 1.5 metres below the finished grade of the highway, street, lane, alley or thoroughfare in which it is laid or an equivalent amount of insulation acceptable to the Engineer.

7. Every private water service shall be buried with a minimum cover of 1.5 metres below the finished grade of any private property traversed by it or an equivalent amount of insulation acceptable to the Engineer.
8. Every private water service entering a building, which does not contain a cellar, shall be carried horizontally beyond the inside face of the exterior wall for a minimum distance of 0.6 metres before being carried upward or shall be insulated in a manner acceptable to the Engineer, or both.
9. Each building supplied by a private water service shall have a separate meter.
10. Where more than one building is located on a particular lot, each building shall be supplied by an independent private water service which service shall be equipped with an independent meter.
11. In the case of a multiple unit building or an existing building that is going to be or has been divided into multiple units, the Engineer shall determine the appropriate number and specifications of private water services to be provided.

#### **Installation Costs**

12.
  - (1) All water services from the water main to the property line of any premises shall be installed by the City at the expense of the owner.
  - (2) The charge to be paid to the City for the installation of water services shall be in accordance with the Schedule and shall be paid by the owner to the Treasurer at the time of making application for such water service.
  - (3) Any person making application to connect a water service to a water main, the cost of which water main has been paid by some other person and not the City, may be required to pay to the City, in addition to the charges provided in subsection 12(2), a proportionate share of the cost of such water main paid by such other person to be calculated at the rate per foot frontage to be determined by the Engineer.
  - (4) The City may refund to the person who originally paid the cost of such water main, any such contributions towards its costs, if and when received by the City.
13.
  - (1) The cost of providing, installing, replacing and renewing each private water service from the property line to the building shall be borne by the owner of the premises supplied by such private water service.
  - (2) The owner shall, at the time of making application for any work to be performed on a private water service by the City, deposit with the Treasurer the cost of any such work.

## Meters

14. (1) All private water services shall be equipped with a functioning meter of a design, size and construction approved by the Engineer and installed in accordance with the City's specifications.
  - (2) The owner of a premises shall pay the cost of installing such meter or meters.
  - (3) A water account shall be established at the time of building permit issuance for the premises at or within which the meter is, or is to be installed, and will be billed at the flat rate until such time as the meter installation has occurred.
  - (4) The owner shall be responsible for the installation of the meter and contacting the City for a meter inspection.
  - (5) Should the owner not contact the City for a meter inspection or installation, the owner will be billed on the basis of the refusal rate set out in the Schedule, from the date that the account is established, up to and including the recorded date of inspection by City Staff, at which time the account will be transferred to a volumetric charge.
  - (6) (a) Notwithstanding sub-section 14(1) above, the Engineer, in situations in which it is not technically feasible to install a meter, may permit the installation and operation of an unmetered water service at a particular premises.  
  
(b) The determination of the Engineer as to whether or not it is technically feasible to install a meter in a particular premises is final and not subject to any form of review or appeal.
15. The City shall have the right to seal, inspect and test any meter or meter by-pass, at any time.
  16. (1) No person shall break or damage any seal attached to any meter or meter by-pass.  
  
(2) If the seal attached to any meter or meter by-pass becomes broken or damaged from any cause, the occupant of the premises where such meter or by-pass is situated shall forthwith report the breaking or damage to the City which shall cause the meter to be re-sealed and the owner shall be responsible for the costs of the repair.
  17. Where, in the opinion of the Engineer, it is not practical to locate the meter inside the building to be served, the meter may be located outside such building with the written consent of the Engineer, in which case it shall be located in a meter chamber, the location

and construction of which shall be subject to the approval of the Engineer and the cost of which shall be paid for by the owner of the building to be served by such meter.

18. Where water is to be supplied to premises on which no building is erected, the meter shall be located in a meter chamber, the location and construction of which shall be subject to the approval of the Engineer and the costs of which shall be paid by the owner of such land.
19.
  - (1) The Engineer shall have the right to require the relocation of any meter or remote read out device which he deems to be improperly or inconveniently located and the cost of such relocation shall be paid by the owner of the building served by such meter.
  - (2) The Engineer may require that a specified meter and remote read out device, be installed, in a specified location on a particular private service.
  - (3) In the event that a meter or remote read out device becomes concealed or obstructed in any manner which in any way limits access to the specified meter or remote readout device the owner shall take such steps as are necessary to remove the concealment or obstruction, at his or her own expense.
  - (4) In the event that the City is unable to obtain a current read out from a particular meter the City may estimate the consumption of the private water service that is served by that meter, calculate the amount owing in accordance with the Schedule and bill the owner the estimated amount.
  - (5) In the event that an owner:
    - (a) upon receiving 10 days notice from the City of a requirement to relocate any meter or remote read out device pursuant to section 19(1) of this by-law;
    - or
    - (b) upon receiving 10 days notice of the need to take such steps as are specified in the notice to remedy a condition described in section 19(2) of this by-lawfails or declines to take the corrective measures specified in the notice, the City may bill the owner the rate specified in the Schedule.
20. All meters shall be purchased by and remain the property of the City.
21. In the event that any meter owned by the City is damaged after installation, either wilfully,

through neglect or carelessness, the cost of repairing or replacing the meter shall be paid by the owner of the premises served by the meter, whether or not such wilful act or such neglect or carelessness was that of the owner.

22. (1) The City shall have the right at any time or times to remove and test any meter or part or parts of any meter whether owned by the City or privately owned and to substitute another meter or part or parts of a meter for or in any meter owned by it.
  - (2) Where the meter continues to be privately owned, the owner thereof shall be solely responsible to maintain and repair the meter and shall do so at his or her expense, in accordance with directions from the City.
  - (3) Notwithstanding subsection 22(2) the City, at all times, shall have the right to inspect, test and seal any meter and the right to repair such meter, should the owner fail to do so and the cost of such repairs shall be paid by the owner to the City.
  - (4) The City shall remove and test any meter at the written request of an owner and such owner shall pay to the City, in advance, the fee listed in the Schedule as a deposit on account of the estimated cost of removing, testing and replacing the meter.
  - (5) If the meter, when tested, is found to register correctly or register in favour of the owner, it shall be deemed to measure accurately and the cost of removing, testing and replacing the meter shall be paid by the owner requesting the test.
  - (6) If the meter, when tested, is found to register in excess of three percent (3%) in favour of the City, no charge shall be made for the cost of removing , testing and replacing the meter and the City shall authorize a reduction or a refund to the owner of an amount equal to the additional water rates incurred by reason of such excess percentage for the last preceding billing period, or for such larger billing period as the Treasurer may determine.
23. In the event that any meter should fail to register, the City may charge the rate set out in the schedule that is identified as the failure rate.

### **Meter By-passes**

24. (1) No person shall open a meter by-pass for any reason other than to replace, repair or service a meter or to respond to an emergency.
- (2) No person shall open a meter by-pass to repair, replace or service a meter without notifying the City in advance of their intention to open the by-pass.
- (3) Any person who opens a meter by-pass for any reason shall immediately notify the City that the by-pass was opened.
- (4) Where a meter by-pass is opened, the owner shall ensure that the by-pass is closed

immediately or immediately upon the resolution of the emergency or the completion of the replacement, repair or servicing of the meter.

### **Commencement of Service**

25. Where a new or replacement water service or a new or replacement private water service is installed, or where the Corporation has shut off the supply of water to an existing water service or to an existing private water service, no person other than the Engineer shall turn on the supply of water.
26. Notwithstanding section 25, a duly licensed plumber, upon installing or repairing a private water service, may,
  - (1) temporarily turn on the water for the purpose of testing this installation or repairs and shall forthwith thereafter shut the water off again; or
  - (2) if the water has been turned on by the City, such plumber may shut off the water and after completing his installation or repairs, turn the water on again.
27. In the case of a residential tenancy:
  - (1) A landlord and tenant of a residential tenancy may apply together to have the water bill made out in the tenant's name.
  - (2) The application must be accompanied by a deposit in the amount specified in the Schedule.
  - (3) In the event that any water bill issued to the tenant's account is unpaid 14 days after the date of the bill, the City shall draw down on the deposit of the tenant.
  - (4) In the event that the City draws down on the deposit of the tenant, the City will immediately send the tenant notice that the account of the tenant is in default.
  - (5) The notice will advise the tenant that the account is now in default and will remain in default until such time as the tenant restores the deposit to the amount specified in the Schedule and pays the fee specified in the Schedule for the sending of the notice described in subsection 27(4).
  - (6) In the event that the account remains in default for 14 days from the date of the notice described in subsection 27(4), the City may shut off the water to the tenant's residential premises and apply the balance of the deposit to the account.
  - (7) In the event that there is a shortfall in the account after the application of the balance of the deposit, the landlord shall be billed in the amount of the shortfall, which amount shall be added to the tax roll entry for the premises to be collected in the same manner as municipal taxes.

### **Maintenance of Water Service and of Private Water Service**

28. (1) The cost of maintaining and repairing a water service shall be borne by the City.
- (2) Notwithstanding subsection 28(1) a person who damages such a water service intentionally or by way of negligence or neglect shall bear the cost of repairing the damaged water service.
29. The cost of maintaining and repairing a private water service shall be borne by the owner of the premises served by the private water service.
30. (1) The owner of any building into which a private water service extends and in which water is supplied to any range or steam boiler, shall take such precautions as may be necessary to prevent damage to the meter from hot water or steam and to prevent water escaping back into the water main and shall be responsible to the City for any loss, injury or expense incurred by the City as a result of his or her failure to do so.
- (2) The owner shall pay the cost of repairing any damage to a water service box which occurs during the construction of a building or the grading or landscaping of a lot for which building or lot such service was installed.

### **Shutting Off Service**

31. In the case of any premises other than a residential tenancy as defined in this by-law, the City, upon providing notice as specified in section 33 of this by-law, may shut off the supply of water to any private water service for any of the following causes;
  - (a) failure to pay any water rate or charge for water supplied to any premises;
  - (b) failure to pay the rent or charges for fittings, apparatus, meters or other things leased or furnished by the City;
  - (c) failure to pay any sewer rate which is based on the water rates or charges for water supplied to any premises;
  - (d) failure to maintain or provide any security deposit requested by the City Treasurer;  
or
  - (e) construction, installation or maintenance work is being carried out by or with the permission of the City that requires the supply of water to be shut off.
32. Notwithstanding section 31 or any other provision of this by-law, the city may shut off any water supply without notice of any kind in any case where:
  - (a) there is an emergency; or
  - (b) the Chief Building Official of the City of Niagara Falls has issued an Order that forbids occupancy of a building or premises.

33. (1) Subject to subsection 33(2), if the rates and charges are not paid within seven days from the day on which they fall due, then the supply of water may be shut off from the premises supplied and such supply shall not be restored until such rates and charges and arrears, if any, are paid in full including the charges set out in the Schedule for turning off and turning on the water service.
- (2) Before shutting off the supply of water, the City, directly or indirectly through its billing agent, Niagara Falls Hydro serve notice upon the owner and any tenant of the premises of the City's intention to shut off the water supply.
- (3) The City shall not shut off the supply of water until fourteen days after service of the notice described in subsection 33(2).
- (4) Where the water supply is shut off as a result of an Order to the Chief Building Official, the supply shall not be restored without the express written approval of the Chief Building Official.

#### **Permitted Use of Water**

34. Except with the written approval of the Engineer, no person shall sell or dispose of water supplied by the City or give the water away or permit the water to be carried or taken away.
35. No person, other than the Engineer, shall open, let off or use water from a hydrant or any valve or other appurtenance which is the property of the City, except by written authority of the Engineer.
36. (1) No person shall use water supplied by the City unless the consumption of that water is measured by a meter and the fee set out in the Schedule for that water is paid.
- (2) Subsection 36(1) does not apply to *need to identify an unmetered house*.
37. No person shall attach to the water main any equipment for the automatic extinguishment of fires in a building without the approval of the City and the piping for any such equipment shall be entirely separate from the piping used for any other purpose in the building and shall be equipped with a shut-off valve located outside the building, which shut-off valve shall be under the exclusive control of the City.
38. No person shall install a stand-pipe for fire protection without the approval of the City and any such stand-pipe shall be equipped at each hose opening with a valve and shall be sealed as directed by the City.
39. No person shall attach any fire hydrant to a water main or a private water service without the approval of the City and the piping for any such fire hydrant shall be entirely separate from the piping used for any other purpose on the premises and any such fire hydrant shall be equipped with a locking device and sealed as directed by the City.

40. No person shall break any seal referred to in sections 38 or 39 except for the purpose of using water for fire extinguishment and the person breaking any such seal shall forthwith report the breaking to the Engineer, who shall cause the hydrant to be re-sealed.
41. No person shall use water from the equipment referred to in either sections 37, 38 or 39 for any purpose other than the extinguishment of fire unless otherwise authorized by the Engineer.
42. In the event of the use of the equipment referred to in sections 37, 38 or 39, the City may require the installation of a compound meter, in which case the cost of the installation and maintenance thereof shall be paid by the owner of the building serviced by such equipment.
43.
  - (1) The use of water supplied by the City for lawn and garden sprinkling purposes shall be subject to such regulations and restrictions as may be enacted by the City by by-law, resolution or proclamation by the Engineer from time to time.
  - (2) All lawn and garden sprinkling systems which are connected to the water lines must be connected so that the flow of water is recorded by the water meter.
44.
  - (1) No person shall use water supplied by the City in any air-conditioning or refrigeration unit or other equipment for the cooling of air unless such unit or equipment is provided with an evaporative condenser or other device which efficiently conserves, cools and recirculates the water so used.
  - (2) Subsection 44(1) shall apply to:
    - (a) All air-conditioning units and other equipment for the cooling of air which utilize water in any way, which are installed after the passing of this by-law, and have a rating of more than ten tons of refrigeration capacity; and
    - (b) All air-conditioning units and other equipment for the cooling of air which utilizes water in any way, which are installed after the passing of this by-law, in or on a single building or more than one connected building where the total rated refrigeration capacity of all such units or equipment in or on a single building, or more than one connected building, where the total rated refrigeration capacity of all such units or equipment in or on such building or buildings is more than ten tons.
45. No person shall use water for construction purposes for a building, road, sewer, water main or similar matter without paying the fee set out in the Schedule.

## **Rates and Charges**

46. The City may fix such water rates, sewer rates, fees and charges in the Schedule, to be paid by persons who receive a supply of water or sewage service to any premises from the City and, without limiting the generality of the foregoing,
- (a) the City shall impose a service charge on all metered and unmetered private water services in respect of the construction, operation or maintenance of water works;
  - (b) all water passing through a meter shall be charged at the water rates or charges set out in the Schedule;
  - (c) with respect to sewage services, the City shall impose on all metered private water services, a sewer rate that is based on the water rates or charges at the rates set out in the Schedule;
  - (d) the owner or tenant of a private water service not metered at the time of the passing of this by-law, whether by the choice or other determination of the City, or by refusal of an owner, shall pay the flat rate set out in the Schedule; and
  - (e) the City may impose a fee as set out in the Schedule in any instance where the outstanding balance of a private water account is transferred to the tax account for the premises to which the water was supplied.
47. The rates and charges set out in the Schedule shall fall due when the bill therefor is rendered and shall be payable as indicated on the bill.
48. Where, pending the installation of a meter, water rates are being charged on a flat rate service basis for water supplied to any multiple or semi-detached dwelling, apartment building or buildings divided into separate dwelling units, the flat rate shall be charged for each dwelling unit in the same manner as if it were a separate dwelling house.

## **Responsibilities of Owner of Property Other Than Residential Property**

49. The owner of property other than residential property may apply on his own behalf or in conjunction with a tenant of his premises, however, the owner shall at all times be and remain responsible to the City for the payment of all rates and charges in respect of water and sewage service supplied to the premises and for all costs and fees of the City applicable to the supply of water and sewage service to such premises.
50. Where the owner of a multiple or semi-detached dwelling, apartment building or building divided into separate units desires a separate metered connection to each dwelling, apartment or unit, a lock valve shall be installed ahead of each meter, at the expense of the owner, which lock valve shall be of a type approved by the Engineer, who shall have the right to cause it to be sealed from time to time as he or she deems necessary.

51. The Engineer shall have free access, at all reasonable times, and upon reasonable notice being given and request made, to all parts of every building or premises to which water is supplied by the City for the purpose of inspecting or repairing, or of altering or disconnecting any service pipe, wire, or rod within or without the building, or for placing meters upon any service pipe or connection within or without the building as he or she may deem 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 or to examine the pipes, meters, remote readers, fixtures, appliances, appurtenances to ascertain the quantity of water used.
52. (1) In the event of a leak in a private water service, the owner shall repair the said leak at his or her own expense within 48 hours after being notified to do so by the City.
- (2) Should the owner not comply with subsection 52(1), the City may enter the premises, repair the leak and charge the owner of the premises for which the repairs were made, the costs of such repairs, which may be collected or recovered by any legal means available to the City.
- (3) The Engineer may turn off the water supply until the leaking water private water service is repaired.

#### **Shut off to Replace, Repair or Inspect Water Meter**

53. (1) The City may shut off or restrict the supply of water to any premises if the City requires access to the premises to replace, repair or inspect a water meter.
- (2) Before shutting off or restricting the supply of water, the City shall serve the owner and tenant, if any, of the premises with notice of the City's intention to shut off the water supply.
- (3) The City shall not shut off or restrict the supply of water unless it has made reasonable efforts to get access to the premises and has been unable to get access within fourteen days after notice as required by section 53(2) has been given.
- (4) If the City has shut off or restricted the supply of water under subsection 53(1), the City shall restore the supply of water as soon as practicable after obtaining access to the premises.

#### **Miscellaneous**

54. The City does not guarantee the supply or quality of water, and failure to supply water shall not be construed as negligence or nuisance on the part of the City.
55. (1) Every person who contravenes and is convicted of any contravention of any provision of this by-law, shall be liable to a fine of up to \$10,000.00.

- (2) The owner is responsible for ensuring that the mandatory requirements of this by-law are complied with and it shall be an offence for any owner to fail to comply with the regulations of this by-law.
56. In the event of any conflict between the provisions of this by-law and any other general or special by-law, the provisions of this by-law shall prevail.
57. If a court of competent jurisdiction should declare any section of this by-law or part thereof, or any provision in the Schedule to be invalid, such section, part or provision in the Schedule shall not be construed as having influenced Council to pass the remainder of the by-law or the provision in the Schedule, and it is hereby declared that the impugned section or provision in the Schedule shall be severable and distinct from the remainder of this by-law or Schedule and the remainder of the by-law or Schedule shall be valid and shall remain in force.
58. The Mayor of the City of Niagara Falls may proclaim a water emergency and impose restrictions on the consumption and use of water for a period of up to five days.
59. The City Treasurer and the Director of Public Works of the City of Niagara Falls may make such forms as are required to administer this by-law and such forms shall be recognized as official forms.
60. Notwithstanding any provision of this by-law, the Niagara Falls Fire Department and any volunteer Fire Service affiliated with the Niagara Falls Fire Department may use any and all water required to carry out their duties.
61. The City may carry out any of the actions and procedures set out in this by law by means of an agent, including, without limiting the generality of the foregoing, the Niagara Falls Hydro Commission.

#### **Notice and Service of Notice**

62. In any instance within this by-law in which there is a reference to notice being provided, the following rules shall apply:
  - (1) Notice shall be given in writing.
  - (2) Notice shall be served upon the owner and any known tenant of the property.
  - (3) Service shall consist of one or all of:
    - (a) personal service;
    - (b) posting the notice in a conspicuous place upon the premises;
    - (c) mailing the notice by registered mail to the address listed for the owner in the last returned assessment roll and to the premises.

- (4) Where notice is given by posting the notice at the property or by registered mail, it shall be deemed to have been received three days after the posting or mailing as the case may be.

**Confirmation and Ratification**

- 63. The amounts of the water rates, sewer rates, fees and charges set out in the Rate Table attached to By-law No. 2004-48 are confirmed, ratified and imposed for the period commencing February 23, 2004 and continuing up to the date of the coming into effect of this by-law.

**Schedule**

- 64. The Schedule attached to this by-law shall form part of this by-law.

**Effective Date**

- 65. This by-law shall come into effect on July 31, 2007.

**Repeal**

- 66. By-law No. 2005-60 and all amendments thereto are hereby repealed.

Passed this twenty-third day of July, 2007.

(Original By-law passed July 23, 2007)

.....  
 BILL MATSON, ACTING CITY CLERK

.....  
 R.T. (TED) SALCI, MAYOR

First Reading: July 23, 2007  
 Second Reading: July 23, 2007  
 Third Reading: July 23, 2007

**Schedule "A"**

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**SCHEDULE OF RATES, FEES AND CHARGES**

	After	Before	
	<u>Due Date</u>	<u>Due Date</u>	
1. Service charges:			
15 mm meter	\$ 22.97	\$ 21.88	monthly
18 mm meter	\$ 22.97	\$ 21.88	monthly
25 mm meter	\$ 22.97	\$ 21.88	monthly
37 mm meter	\$ 68.93	\$ 65.65	monthly
50 mm meter	\$ 137.85	\$ 131.29	monthly
75 mm meter	\$ 275.72	\$ 262.59	monthly
100 mm meter	\$ 505.49	\$ 481.41	monthly
150 mm meter	\$ 965.00	\$ 919.05	monthly
200 mm meter	\$1,723.22	\$1,641.16	monthly
250 mm meter	\$2,412.50	\$2,297.62	monthly
2. Water rates:	After	Before	
	<u>Due Date</u>	<u>Due Date</u>	
	\$ 0.9035	\$ 0.8605	per cubic metre
3. Flat rates for a private water service not metered by choice or other determination of the City:			

After	Before
<u>Due Date</u>	<u>Due Date</u>

**\$ 50.08**

**\$ 47.70**

monthly includes  
30m<sup>3</sup> of usage

4. Flat rates for a private water service not metered because of refusal of owner:

After	Before
<u>Due Date</u>	<u>Due Date</u>

**\$ 150.26**

**\$ 143.10**

monthly  
3 x the rate

5. Billing period:  
Minimum of one month.

6. Service deposits:  
Two times the estimated billing for a billing period with a minimum **of the amount of \$230.00.**

7. Sewer rates:

(a) Service charge as set out in section 1:	<b>92.30%</b>
(b) Water rates as set out in section 2:	<b>120.02%</b>
(c) Flat rates as set out in sections 3 and 4:	<b>108.90%</b>

8. Charge for Installation of Water Service:

(a) 3/4" Service:	<b>\$1,650.00</b>
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(b) Over 3/4" Service Actual cost - Deposit required based on estimated costs.

9. Charge for shutting off or turning on supply of water:

- (a) During normal working hours: \$ 55.00
- (b) Outside normal working hours: \$ 165.00

Note: For the purpose of this by-law, normal working hours shall mean Mondays to Fridays (exclusive of holidays) between 8:00 a.m. and 4:00 p.m.

10. Charge for meter removal or reinstallation:

- (a) During normal working hours: \$ 40.00 per hour/per city employee
- (b) Outside normal working hours: \$ 100.00 per hour/per city employee

11. Charge for Testing Meter Consumption: At cost with a deposit of \$75.00

12. Bulk carrier rate for City stand-pipe:

- (a) **For Water** \$ 1.08 per cubic metre  
Cost plus 25%
- (b) Service deposit: Based on estimated charges for two billing periods, minimum of \$500.00.
- (c) **Bulk water card purchase** \$10.00

13. Use of Water for Construction Purposes:

- (a) At rates shown in sections 1 and 2 together with the cost to supply and install a meter.
- (b) Service Deposit: based on estimated charges for two billing periods; minimum of \$500.00.

14. Charge for private water service account transferred to tax account:

(a) Per transaction fee of \$22.00.

15. Charge for meter purchase to be paid at building/sewer permit issuance.

5/8"	positive displacement water meter & costs	\$	193.47
5/8" x 3/4"	positive displacement water meter & costs	\$	193.47
3/4"	positive displacement water meter & costs	\$	225.69
1"	positive displacement water meter & costs	\$	303.92
1.5"	positive displacement water meter & costs	\$	581.36
2"	compound water meter & costs	\$	2,267.61
3"	compound water meter & costs	\$	3,140.64
4"	compound water meter & costs	\$	4,470.57
5"	compound water meter & costs	\$	8,131.02
4"	protectus compound water meter & costs	\$	8,135.67
6"	protectus compound water meter & costs	\$	10,045.94
8"	protectus compound water meter & costs	\$	13,655.54