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**THE CORPORATION OF THE TOWNSHIP OF ESSA**

**BY-LAW 2006 - 79**

**A By-law to establish procedures regarding connections to the Township of Essa Water Systems, including Hydrants.**

**WHEREAS** Section 9 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, enables municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

**WHEREAS** Section 11 (2) of the *Municipal Act*, provides that a lower tier municipality has the power to pass by-laws respecting water distribution, being a matter within the spheres of jurisdiction; and

**WHEREAS** the Council of the Corporation of the Township of Essa deems it necessary and expedient to establish rules regarding internal and external connections of water to the Township of Essa Water Works and to establish water use restrictions in the Township of Essa.

**NOW THEREFORE BE IT RESOLVED THAT** the Council of The Corporation of the Township of Essa hereby enacts as follows:

1. Definitions

- 1.1 “Consumer” shall mean the applicant for water service, and includes the owner or occupant of the Premises served.
- 1.2 “Council” shall mean the Council of The Corporation of the Township of Essa.
- 1.3 “Designate” shall mean the person designated, in writing, to have the authority to act under this By-law in the absence of the Operations Superintendent.
- 1.4 “Manager of Public Works” shall mean the person appointed by the Corporation to perform the duties of the Operations Superintendent.
- 1.5 “Operator” means any firm, company or service provider contracted by the Township for the operation and maintenance services for water and waste water facilities, including but not limited to the Ontario Clean Water Agency (OCWA).
- 1.6 “Premises” means the whole of a property including all buildings and structures thereon that is registered in the Land Titles Office as a separate parcel and for this purpose each “multiple dwelling unit apartment building” or “condominium building” is deemed a single premises.
- 1.7 “Township” shall mean the Corporation of the Township of Essa.

2. General

- 2.1 This By-law governs and regulates the operation of every water system owned or operated by the Township.
- 2.2 All connections to the Township water system shall comply with this By-law, the Township's Engineering Design Standards, the *Ontario Building Code*, and the America Water Works Association specified materials shall be used for all installations.
- 2.3 The Operator, the Manager of Public Works, or designate, is hereby authorized by the Township for that purpose and has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premise to which any public utility is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any service pipe, wire or rod, within or without the building as, or for placing meters upon any service pipe or connection within or without the building as he or she considers 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 of any pipe, wire, rod, connection or tap, and may alter or disconnect any service pipe.
- 2.4 Whenever water has been turned off for non-payment of the water charges or for purposes of repair or construction or for any other purpose, no person will be permitted to turn it on again who is not duly authorized to do so by the Township.
- 2.5 The Operator, the Manager of Public Works, or designate may, from time to time, establish standards pertaining to connections and installation procedures, which shall apply from the time of issuance.

3. Water Connections

- 3.1 The municipal water system shall not be connected to any water system that is also supplied from a well or any other source of water.
- 3.2 The municipal water system shall not be connected to a water distribution system in such a manner that foreign materials or non-potable water may enter the municipal system.
- 3.3 No persons or persons, except the employees of the Township, its Operator, or other acting under their authority, shall open or close any valve, hydrant or gate in the street mains, or interfere with the same in any manner.
- 3.4 No person shall turn off or turn on a water service except an authorized employee of the Township or its Operator. If the Township is requested to turn off or turn on a water service, a service charge is to be paid, it being understood that no water

service will be turned off or turned on unless the consumer or other person authorized in writing to act on his behalf, is present on the premises.

- 3.5 With the exception of municipal fire fighters, the Operator, and operating authority no person shall remove water from any fire hydrant, without having first obtained permission in writing from the Township.
- 3.6 Each hydrant on a private fire protection service shall be separately valved and all such hydrants shall be according to specifications approved in writing by the Township.
- 3.7 No person shall operate or use a private fire hydrant except Township firefighters, unless permission of the Township or its Operator to use the same otherwise is obtained in writing.

#### 4. All Connections

- 4.1 Private service connections installed to the premises shall, at all times, be maintained in good repair and without limiting the generality of the foregoing, be fully protected from frost and other damage by the elements, all of which said maintenance and protection shall be carried out at the expense of the consumer.
- 4.2 Any repair or maintenance to a private service connection requiring excavation shall not be backfilled until said repair or maintenance is inspected and approved and to the satisfaction of the Township Building Department.
- 4.3 No service pipe installed from the main to the premises shall be used for any purpose other than to supply the premises.

#### 5. Water Restrictions & Delegation

- 5.1 The Council authorizes the Operator, the Manager of Public Works, or designate, the power to restrict or prohibit the consumption of water.
- 5.2 The Manager of Public Works, or designate may, by notice placed on the Township website, by letter, or by Public Notice published in a newspaper having circulation in the Township, restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary.
- 5.3 No person shall use water supplied by the Township water system except in accordance with any such published water restrictions.
- 5.4 Any consumer who fails to comply with water restrictions after receiving written warning shall be subject to having the water supply shut off, and such supply shall not be turned on until arrangements satisfactory to the Township have been made to ensure that the restrictions are complied with.

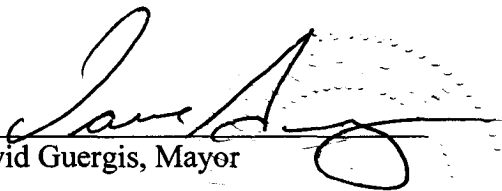
6. Offences

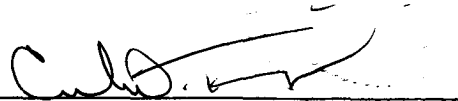
6.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and on conviction, is liable to punishment pursuant to the *Provincial Offences Act*.

7. Effective Date

7.1 This By-law shall come into force and take effect on the final passing hereof.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME and finally passed this First day of November 2006.

  
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David Guergis, Mayor

  
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Carol O. Trainor, Clerk