

VILLAGE OF CHASE

By-law No. 101

A By-law to regulate the rates, terms and conditions under which water from the municipal water utility may be supplied and used.

The Council of the Village of Chase, in open meeting assembled, ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law, unless the context otherwise requires;

"Clerk" means the Clerk of the Village of Chase or his authorized representative.

"Water Connection" means the water line extending from the water main to the property line of the property being serviced or about to be serviced.

"Consumer" means any person, company or corporation who is the owner, or agent for the owner, of any premises to which water is supplied or made available from the works, also any person who is the occupier of any such premises, and also includes any person who is actually a user of water supplied to any premises or by any service from the said works.

"Service-pipes" means that portion of the water supply line extending from the property line of the property concerned to the building situated thereon, and joining the water connection to the plumbing system at the building.

"Water mains" means any water service under the control of the Municipality which is intended for public use.

"Water service" means the supply of water from the waterworks to any person; and all the taps, valves, meters, connections and other things necessary and actually used for the purpose of such supply.

"Works" means the waterworks of the Village of Chase.

2. APPLICATION FOR SERVICE

(1) Application in the form of "Schedule C" attached to and forming part of this By-law for the supplying of water to any property shall be made and delivered to the Clerk, and must be signed by the owner of such property or his authorized agent signing as such, or by the consumer applying for such service. Each application, when signed by the potential consumer, shall be an agreement whereby the consumer agrees to abide by the terms and conditions of this By-law.

(2) Upon approval of the application by the Clerk, he may turn on or cause to be turned on, the water service to the consumer's premises.

### 3. CESSATION OR RESUMPTION OF SERVICE

(1) When it is desired that water service be discontinued on a permanent or temporary basis, the consumer must inform the Clerk in writing to that effect. The service will then be turned off within 24 hours, excluding weekends and holidays, following authorization from the consumer.

(2) A credit or rebate of charges paid or payable may be granted or allowed on a proportionate basis following cessation of service, excepting that no credit or rebate of charges will be granted or allowed for any month, or portion thereof, during which service was provided.

(3) When the resumption of water service is desired, the consumer must make application to the Clerk in writing, as provided for in Section 2 of this By-law.

(4) A proportionate charge of the applicable annual rates for a part year in which service is provided, will be levied, with the month during which the resumption of service was provided being assessed as one-twelfth of the applicable annual rate.

### 4. CONNECTIONS

(1) Application in the form of "Schedule B" attached to and forming part of this By-law for the installation and connection of a water service to any parcel of land shall be delivered to the Clerk, which shall be signed by the owner of the property or his duly authorized agent signing as such, and shall be accompanied by the required connection charge as established in Section 5 of this By-law.

(2) Where a new building or structure is being built and will come within the provision of this By-law, the owner or his agent shall make application for a connection permit at the time he makes application for a building permit.

(3) The Clerk shall determine the size of the pipe which is to be used in supplying any premises, the position to the street in which it is to be placed, and the main to which the connection shall be made if there is a choice of mains.

(4) Upon approval of the application by the Clerk, a water connection extending from the water main to the applicant's property line shall be laid, unless already laid, thereupon the owner shall connect his service pipe to the water connection in accordance with the regulations hereinafter contained.

(5) No work shall be permitted to be done on or under any street other than by an employee or agent of the Municipality and no persons shall be allowed to make any connection with the waterworks system without the permission in writing from the Clerk.

(6) It shall be the responsibility of the consumer to supply, install and maintain the connection or joint at the property line between the consumer's service pipe and the Municipality's connection pipe. The said connection or joint shall be of an approved flange or flare-type fitting. No soldered joints below ground will be permitted.

5. CONNECTION CHARGE

To defray the cost of a water connection, there is hereby imposed upon owner of land upon which there may or may not be situate buildings or structures, a water connection charge as established in Schedule "A" attached to and forming part of this By-law.

6. SERVICE PIPES

(1) Before any person shall install or construct any water service, or commence doing any construction work in relation to or in connection with any water service, he shall notify the Clerk in writing. If required by the Clerk he shall furnish a plan and specification which shall show:

- (a) the purpose for which the water is to be used, the size of pipes and the number of outlets in connection with such an installation.
- (b) a description of the material which the applicant proposes to use in connection with such installation or construction.

(2) The installation of service pipes shall be the responsibility of the property owner but shall conform to specifications approved by the Clerk.

(3) All underground pipes on any premises shall be placed below the frost line but not less than seventy-two inches (72") below the surface of the ground. All other pipes exposed to frost shall be properly and sufficiently protected therefrom.

(4) It shall be the duty of every consumer to provide that all taps, fittings and other things connected with the service within and without the premises are in good order, and installed and connected in accordance with the provisions of the current Building and Plumbing By-laws.

(5) Every premises shall have a properly placed stop and waste cock.

(6) When the owner's service pipe plans and water connection application have been approved he may proceed with the installation of the service pipes. When the service pipes have been installed, but before the excavation is back-filled, the Clerk shall be notified that such work is ready for inspection and he shall cause such inspection to be made within two (2) days thereafter, excluding weekends and holidays.

(7) The back-filling of the service pipes shall not be commenced until the Clerk has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other By-laws have been adhered to.

(8) The Clerk or any other officer or employee of the Municipality shall refuse to turn on water to any premises not complying with this section.

(9) (a) In the event of leakage, freezing or other condition which causes the interruption of supply in the service pipes, repairs shall be the responsibility of the consumer. If the consumer feels that such conditions are present in the Municipality's connection pipe, and not in the consumer's service pipe, he shall deposit with the Municipality a sum of money equal to the Clerk's estimate of the cost of the required excavating and back-filling.

(b) In the event that the Municipality's connection pipe is faulty and is the cause of the consumer's complaint, the Municipality shall repair such faults and return the deposit to the consumer. If there is no fault found in the Municipality's connection pipe, the consumer shall forfeit that portion of the deposit in the amount equal to the actual cost of the work, any surplus being returned to the consumer. The consumer shall have the right to inspect the site of the excavation by the Municipality and satisfy himself as to the condition of the connection pipe.

(10) Every consumer shall provide a pressure reducing valve and pressure relief valve for each service to his premises to prevent or control possible damage which may be caused by the water pressure in the Municipal main being too great or becoming too great.

## 7. RATES

(1) There is hereby imposed and levied a water user rate upon all users of water supplied by the Municipal water utility.

(2) The Clerk shall classify each consumer in accordance with the categories set out in Schedule "A", attached to and forming part of this By-law, and the consumer is liable for payment of the appropriate rate, or rates under the terms of this By-law.

(3) The rates pursuant to Schedule "A" of this By-law shall become chargeable to the consumer upon application for the commencement or resumption of the supply of water thereto being made as provided in Section 2 of this By-law, and thereafter so long as the supply of water shall be continued.

(4) (a) Each consumer classified in Schedule "A" of this By-law as a flat rate user of water shall be charged the applicable rate or rates on a yearly basis, and such charge, or charges shall become due and payable annually in advance on the first day of January.

(b) Each consumer classified as a "meter" user of water, in Schedule "A" of this By-law shall be charged on a monthly basis, and such monthly charge shall become due and payable on the first day of the month following that month to which the meter reading charge applies. Any charges remaining unpaid after the last day of the following month to which the charges apply will be deemed as being overdue and will attract a penalty of ten per centum (10%) of the overdue amount.

(5) A discount of five per centum (5%) will be allowed on the applicable water rates levied to a "flat rate" consumer for the current year if paid in full on or before the first Friday in the month of March of that year.

(6) A penalty of ten per centum (10%) will be imposed on all "flat rate" consumers on any balance of water rates remaining unpaid after the thirty-first day of July of the current year.

(7) Water rates for the current year remaining unpaid after the thirty-first (31st) day of December of that year shall be deemed to be taxes in arrears and shall forthwith be entered on the real property tax roll by the Collector as Taxes in Arrears against the property to which the water rates apply.

(8) (a) No contractor, builder or other person shall use for building purposes of any kind any water from any pipe or main of the waterworks or from any other consumer without the written approval of the Clerk.

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(b) Application for such service shall be made in the manner prescribed in Section 4 of this By-law and the user shall agree to pay the rates applicable, the connection fee if one is required, and to properly protect the supply pipes, meter and other facilities of the Waterworks.

(9) (a) No person, except an employee of the Municipality in the course of his duties, or a member of the Municipal Fire Department on duty, shall without the written authority of the Clerk, open any hydrant, standpipe or valve or use any water therefrom. Such authority shall reserve to the Municipality the right to stop such use at any time for any reason without liability for damage resulting therefrom in any manner whatsoever.

(b) Every person who receives such authority shall deposit with the Clerk a cash bond of Fifty Dollars (\$50.00) and the Municipality, in its reasonable discretion may retain this deposit or a portion thereof for the use of water and/or for damages to the main, hydrant, standpipe or valve.

(c) Every person who uses water from any hydrant or standpipe shall pay to the Municipality on demand a minimum charge of Five Dollars (\$5.00) or the sum of Two Dollars (\$2.00) per day, or any part thereof for such use, whichever sum shall be greater.

#### 8. METERS

(1) Meters shall be installed on all services not qualifying for classification under the flat rate detailed in Schedule "A". The Council may also require the installation of a meter where there appears to be a greater than average consumption of water or where water is being wasted.

(2) The Municipality shall supply all meters and install them at the expense of the consumer. The consumer shall provide a suitable and easily accessible location for the meter.

(3) A deposit of one half the cost of the meter shall be made by the applicant. This deposit shall be held for three (3) years and be refundable in lieu of water rates at that time.

(4) (a) Every consumer having a metered service shall pay for that amount of water registered by the meter according to the rate applicable for the service, pursuant to Schedule "A" of this By-law. No reduction shall be allowed on account of any waste unless it be shown to the satisfaction of the Clerk that such waste arose from an accident to the pipes or fittings on the premises of the consumer arising from some cause beyond the control of the consumer, and unless it be further shown that such consumer used all reasonable diligence to stop such waste.

(b) When it is determined that a reduction should be made, the amount paid by the consumer shall be determined by taking the average reading of the meter for the three months immediately preceding the accident, or for the three corresponding months of the preceding year, if available, which average quantity shall be paid for at the rate fixed for such service.

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(5) If any meter stops or fails to indicate correctly the quantity of water passing through it, the municipality shall be entitled to charge for such water according to the average consumption for the three months preceding the failure or the three corresponding months of the previous year, if available.

(6) All damage to meters caused by hot water shall be chargeable against the person or premises supplied.

(7) The Municipality shall maintain and repair all meters when rendered unservicable through fair wear and tear, and shall renew them if necessary, provided however that where replacement or repairs of any meter is rendered necessary by the act, neglect or carelessness of the owner or occupant of any premises, any expense caused to the Municipality shall be charged against and collected from the owner or occupant of such premises.

#### 9. REGULATIONS

(1) No person shall destroy, injure or tamper with any hydrant or other fixture of the Waterworks, and no person shall in any manner interfere or meddle with the water connections or works in any street, or make any additions or alterations to the water system or any connections or turn on or off any Corporation stop-cock, service valve or gate valve without the written approval of the Clerk.

(2) No person shall sell or dispose of water from the Municipal system, or give it away to any person or persons whatsoever, or to permit it to be taken away or carried away by any person or persons whomsoever, or to use or supply it for the use or benefit of others.

(3) No connection or cross connection between the Municipal water system and any other water system or source of water shall be permitted.

(4) No person shall obstruct at any time or in any manner the access to any hydrant, valve, stop-cock, or other fixture connected with the works, and should any person obstruct such access the Clerk or any other employee or servant of the Municipality may, by his order, remove such obstruction and the expense for such removal shall be charged to and be paid for by the person so offending, and on non-payment thereof, on demand, the Municipality may recover the said expense in Court of competent Jurisdiction.

(5) When water has been shut off from any premises, either at the request of the owner, on the form shown as Schedule "C" of this By-law, or by the Municipality under Section 10, Subsection 5 of this By-law, service may not be resumed unless applied for by the owner in writing on the form shown as Schedule "C" of this By-law, together with the payment of a fee of Five Dollars (\$5.00), and when all requirements under Section 10, Subsection 5 have been met.

(6) No person shall obstruct or prevent the Clerk, or any person authorized by him, from carrying out any or all of the provisions of this By-law, nor shall any person refuse to grant the Clerk, or any person authorized by him, permission to inspect any water service work at any reasonable time.

#### 10. ADMINISTRATION

(1) The Clerk is hereby authorized and directed to have general supervision over the Municipal Waterworks system and to see that the provisions of this By-law are carried out.

(2) The Clerk shall have the power, subject to the consent of the Council, to appoint assistants and inspectors for the purpose of effectually carrying out the provisions of this By-law, and wherever the Clerk is authorized or directed to perform any act or duty under this By-law, such act or duty may be performed by any inspector or employee authorized by the Clerk to perform such act or duty.

(3) Nothing contained in this By-law shall be construed to impose any liability on the Municipality to service any person or premises or to give a continuous supply of water to any person or premises.

(4) The Municipality shall not be liable for the failure of the water supply in consequence of any accident or damage to the works, or to excessive pressure or lack of pressure, or any temporary stoppage thereof on account of alterations or repairs, whether such failure arises from the negligence of any person in the employ of the Municipality or other person whomsoever, or through natural deterioration or obsolescence of the Municipality's system or otherwise, howsoever; but in the event of such failure or stoppage continuing for more than five (5) consecutive days, an equitable reduction shall be made on all rates or services affected thereby.

(5) The Municipality may, without notice, disconnect the water service to any premises for any of the following reasons, and the Municipality shall not be liable for damages by reason of discontinuing water service for such reasons:

- (a) Unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling.
- (b) Non-payment of rates.
- (c) Failure to replace or repair defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are or may become a cause of waste of water.
- (d) For repairs.
- (e) For want of supplies.
- (f) For employing any pump, booster, or other device for the purpose of, or having the effect of, increasing water pressure in service lines, without obtaining the approval of Council.
- (g) For violation of any of the provisions of this By-law.

(6) The Council may, in its discretion, whenever the public interest so requires, suspend or limit the consumption of water from the Municipal water system, or may regulate the hours of use, or may further prescribe the manner in which such water may be used.

11. OFFENCES

Any person who violates any provisions of this By-law shall be deemed to have committed an offence and is punishable in accordance with the Summary Convictions Act, and each day on which this violation occurs shall be considered a separate offence.

By-law No. 24 cited as "Water Rates and Regulations By-law No. 24" adopted by Council on January 28, 1971, is hereby repealed.

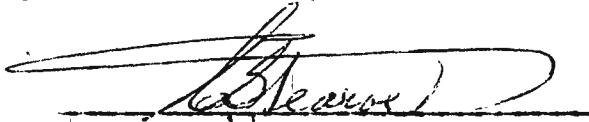
12. CITATION

This By-law may be cited as "Village of Chase Water Rates and Regulations By-law No. 101, 1973" and is effective on the first day of January, 1974.

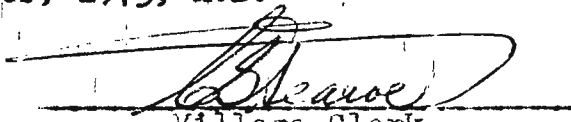
Read a first time this 13<sup>th</sup> day of DECEMBER, 1973 A.D.

Read a second time this 13<sup>th</sup> day of DECEMBER, 1973 A.D.

Read a third time this 13<sup>th</sup> day of DECEMBER, 1973 A.D.

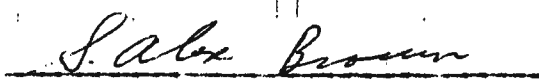
  
Village Clerk

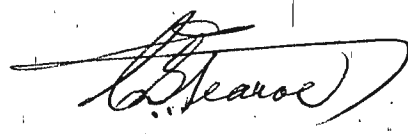
I hereby certify the foregoing to be a true and correct copy of By-law No. 101 cited as "Village of Chase Water Rates and Regulations By-law No. 101, 1973" as read a third time by Council of the Village of Chase on the 13th day of December, 1973, A.D.

  
Village Clerk

APPROVED by the Lieutenant-Governor in Council on the 24<sup>th</sup> day of JANUARY, 1974 A.D.

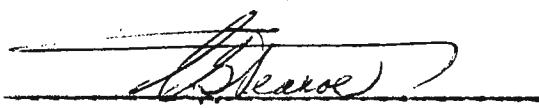
RECONSIDERED AND ADOPTED by the Council of the Village of Chase on the 30<sup>th</sup> day of JANUARY, 1974 A.D.

  
Mayor

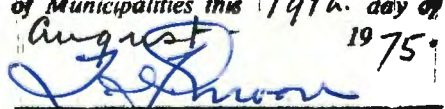


  
Village Clerk

I hereby certify the foregoing to be a true and correct copy of By-law No. 101 as adopted by the Council of the Village of Chase on the 30<sup>th</sup> day of JANUARY, 1974 A.D.

  
Village Clerk

A true copy of By-law No. 101 registered in the office of the Inspector of Municipalities this 19th day of August 1975.

  
Deputy Inspector of Municipalities

Assistant Deputy Inspector of Municipalities

3.2.41



SCHEDULE "A"

ATTACHED AND FORMING PART OF BY-LAW NO. 101

The owner of each and every parcel of real property upon which there is now or hereafter may be situated any one or more of the establishments described in the following table shall, in respect of each such establishment, pay or cause to be paid to the Corporation for the use of water supplied by the Corporation to or for such establishment or establishments the following sum or sums, that is to say:

(a)	Single family residence or mobile home	\$48.00	per year	
(b)	Apartments, suites, Duplexes, etc. (each unit)	48.00	" "	
(c)	single family dwelling with 1" connection	72.00	" "	
(d)	Each dwelling with cabin(s) plus \$24.00 per year per cabin	48.00	" "	
(e)	Each store, bank, workshop, office, pool hall, warehouse, barber shop plus \$30.00 per year for each suite	78.00	" "	
(f)	Each service station and/or automotive repair shop	120.00	" "	
(g)	Each motel, first unit each additional unit	48.00 18.00	" "	
(h)	Each medical suite	78.00	" "	
(i)	Each barn	78.00	" "	
(j)	Each beauty salon with a maximum of two chairs plus each additional chair	78.00 18.00	" "	
(k)	Each drive-in theatre	102.00	" "	
(l)	Each drive-in snack bar	120.00	" "	
(m)	Each club, hall, restaurant, cafe plus \$30.00 per year for each suite plus \$6.00 per year for each room for rent	120.00	" "	
(n)	Each railway station	138.00	" "	
(o)	Each coin laundry plus \$13.00 per year for each washer installed	130.00	" "	
(p)	Each sawmill and/or planer mill	300.00	" "	
(q)	Each hotel plus \$12.00 per year for each room with bath plus \$6.00 per year for each room without bath	240.00	" "	
(r)	School, each classroom	48.00	" "	
(s)	Each bakery up to 3000 square feet for each additional 1000 sq. ft. or part thereof	78.00 \$18.00	" "	
(t)	Each trailer park renting overnight trailer spaces		Meter rates only	
(u)	Each golf course		Meter rates only	
(v)	Each ready-mix plant		Meter rates only	
(w)	Each school sprinkler system		Meter rates only	
(x)	Each car wash	78.00	per year	
(y)	Private indoor swimming pool	12.00	" "	
	Private outdoor swimming pool	12.00	" "	

2. CONNECTION CHARGES

3/4 inch connection . . . . .	\$125.00
1 inch connection . . . . .	\$150.00

Over 1 inch connection, the connection fee shall be \$150.00 plus the cost of material and additional labor required to install the larger pipe, less the cost of material required if a one inch service had been installed, which additional cost shall be paid to the municipality, together with \$150.00 aforementioned, before work on the service is commenced. Provided, however, that should additional installation costs, including material and labor, be less than the estimated cost of the service, a refund shall be made to the applicant and further provided that should there be a deficiency or a miscalculation in the estimated cost of the service, such sums as are required to make up the deficiency shall be paid by the owner before the water is turned on.

Provided also that where a subdivider has installed a service line to the property, complete with curb stop and drain and curb box, a connection fee of Sixty Dollars (\$60.00) shall be charged.

Provided also that where a connection is required to be made during the time elapsed from the first day of December in any one year to the first day of April in the succeeding year, the foregoing connection fees shall be tripled.

3. WATER RATES

The owner of each and every parcel of real property to which water is supplied through a metered service pursuant to this By-law shall pay or cause to be paid to the Corporation for water supplied by the Corporation at the following rates:

(a) A minimum monthly charge on metered service,

3/4 inch connection . . . . .	\$10.00
1 " " . . . . .	20.00
1 1/2 " " . . . . .	30.00
2 " " . . . . .	40.00

(b) Rates for metered premises per month:

\$1.25	per thousand	for the first 8,000	cubic feet
1.00	"	"	" next 10,000 " "
.75	"	"	" " 20,000 " "
.50	"	"	" all in excess of 38,000 cu. ft.

2.3.40.

SCHEDULE "B"

ATTACHED TO AND FORMING PART OF BY-LAW No. 101

APPLICATION TO THE VILLAGE OF CHASE FOR WATER CONNECTION

I/we \_\_\_\_\_ owner/agent of owner,

hereby make application for one water connection to:

I herewith tender the sum of \$ \_\_\_\_\_ to cover the cost of such connection, and further agree to pay the amount assessed against the aforesaid property from time to time in respect to the said water pursuant to the provisions of the By-Laws of the Village of Chase.

Date: \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner or Agent.

E.E.V.

SCHEDULE "C"

ATTACHED TO AND FORMING PART OF BY-LAW No. 101

APPLICATION FOR THE SUPPLY OF WATER FROM THE VILLAGE OF CHASE

I/We \_\_\_\_\_ owner/agent of owner,

hereby make application for the supply of water to:

and agree to abide by the terms and conditions as established by By-law No. 101 and amendments thereto, regulating the supply and use of the water utility of the Municipality.

Date: \_\_\_\_\_ 19 \_\_\_\_\_

Signature of Owner or Agent.

3.3.40