

VILLAGE OF CHASE

BY-LAW NO. 434

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. INTERPRETATION

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.

"Service-pipes" means that portion of the water supply line extending from the property line of the property concerned to the building situated thereon.

"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 for service shall be made on the form provided for the supplying of water to any property 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 on a form provided for convenience. 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. A fee for discontinuance of service is \$25.00; a temporary shut down for repairs is \$10.00.

(3) When the resumption of water service is desired, the consumer must make application to the Clerk in writing, or on the form provided and a reconnect fee of \$25.00 will apply.

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

4. CONNECTIONS

(1) Application shall be in the form provided for the installation and connection of a water service to any parcel of land 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 by 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. All appropriate fees must be paid prior to issuing of the 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 installed unless already installed, thereupon the owner shall connect his service pipe to the water connection in accordance with the regulations herein 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 and the appropriate Construction permit as approved by the Municipality must be provided prior to commencing work.

(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.

(7) (a) The installation of water connection or service pipe established under this By-law shall be considered to be permanently located, unless otherwise stated in writing to the property owners concerned by the Clerk prior to its installation.

(b) The cost of an alteration or relocation of an established water connection or service pipe will be the responsibility of the Village provided the alteration or relocation is initiated or instigated by the Village.

(c) An alteration or relocation of an established water connection or service pipe, if requested of the Village in writing by a consumer and approved by the Village, shall be carried out at the sole expense of the consumer requesting the change, in which case any Village property damaged during the course of the alteration or relocation is to be restored to its original condition at the expense of the consumer requesting the change.

(d) Landscaping, including plants, shrubs, etc., on private property which may be disturbed by the Village in the alteration or relocation of an established water connection or service pipe under the conditions of Sub-Para. 4(7)(b) above is to be restored as closely as reasonably possible to its original condition by the Village at no cost to the consumer.

(5) CONNECTION CHARGE

(1) To defray the cost of a water connection, there is hereby imposed upon the owner of land which there may or may not be situated buildings or structures, a water connection charge as follows:-

<u>EXISTING SERVICE CONNECTION</u>		<u>NEW SERVICE CONNECTION</u>
3/4"(19.5 m.m.)	\$275.00	\$850.00
1" (25.4 m.m.)	\$300.00	\$900.00

over 1" (above 25.4 m.m.) at cost with deposit of \$900.00

Winter installation (December 1st. to April 1st.) addition fee from the installation charge noted of \$100.00

Meters - Installed at cost, with a deposit of \$900.00 all services over 1" that require a water meter .

(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 code.

(5) Every premise shall have a properly placed stop and wastecock.

(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-law 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 regulation established for the connection.

(9) (a) In the event of leakage, freezing or any 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 (1) of this By-law, and thereafter as long as the supply of water shall be continued.

(4) "FLAT RATE" USER. Each consumer classified in Schedule "A" of the By-law is a "flat rate" user of water, but a "meter" user 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.

(5) A discount of five percentum (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 the year.

(6) A penalty of ten percentum (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) 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.

(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 Five Dollars (\$5.00) per day, or any part thereof for such use, A hydrant wrench rental deposit of Thirty Five Dollars (\$35.00) will apply and be returned if the wrench is returned on the last day of use.

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. Council may waive meter requirements in certain instances.

(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 as noted in Section 5 for the cost of the meter shall be made by the applicant. The balance of the costs are due and payable upon installation.

(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 the 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.

(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 unserviceable 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 stopcock, service valve or gate valve without the written approval of the Clerk.

(1)(a) Any damage caused to Village Water Works by persons through no fault of the Municipality, by its workmen or others, at the time of construction or otherwise, shall be the responsibility of the registered owner of the property in question. Any works carried out by Village employees to repair such damage, shall be charged to and be paid for by the registered owner of the property. Any such charges which remain unpaid at December 31st. of each year, shall be deemed to be taxes in arrears in respect of the property and be entered on the real-property tax roll in the following year.

(2) No person shall sell or dispose of water from the Municipal system, or give it 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 unless otherwise approved by Council.

(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, 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 application provided, together with the payment of a fee of Twenty Five Dollars (\$25.00) 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 the 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 the By-law and wherever the Clerk is authorized by the Council 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.

(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 providing water to another property other than a road allowance.
- (h) 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.

12. SEVERABILITY CLAUSE

If any Section, subsection, sentence or phrase of this By-law for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this By-law.

13. CITATION

This By-law may be cited as "Village of Chase Water Rates and Regulations By-law No. 434, 1991."

14. That upon Registration this Bylaw, Bylaw #416 and amendments thereto is hereby repealed.

READ A FIRST TIME THIS 12th.DAY OF September, 1991 A.D.

READ A SECOND TIME THIS 12th.DAY OF September, 1991 A.D.

READ A THIRD TIME THIS 12th.DAY OF September, 1991 A.D.

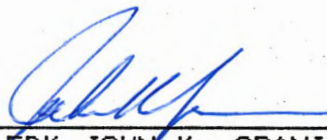
RECONSIDERED AND ADOPTED by the Council of the Village of Chase on the 10th. day of October, 1991 A.D.

Recind THIRD reading and adoption on the 2nd. day of December 1991.


Reconsidered a third time this 2nd. day of December, 1991.

Reconsidered and adopted by the Council of the Village of Chase on the 2nd. day of December, 1991.


MAYOR C. MARSHALL


CLERK JOHN K. SPANIER

I hereby certify the foregoing to be a true and correct copy of By-law No. 434 as adopted by the Council of the Village of Chase on the 2 day of December, 1991. A.D.


CLERK JOHN K. SPANIER

A true copy of By-Law No. 434 registered in the office of the Inspector of Municipalities this 5th day of February 1992.


Deputy Inspector of Municipalities

SCHEDULE A

Attached to and forming part of Bylaw No. 434

<u>CATEGORY</u>	<u>ANNUAL CHARGE</u>
1) Residential 3/4" Connection (19.5mm)	
a) Single Family Residence, Mobile Home	\$ 73.00
b) Apartment, Suites, Duplex, Strata Units Town Houses - each unit	73.00
c) 1" connection (25.4mm) - additional to category rate.	32.00
2)a) Business Premises - lawyer, doctor, accountant, Self employed, and (not otherwise specified)	73.00
b) Business/Residence combined	117.00
3) BUSINESS PREMISES - Stores, Bakery, Court House, D&T Centre Gov't Liquor Store, Post Office, R.C.M.P., Department Store, Drug Store, Bank, Credit Union, Confectionary, Laundromat, Day Care Centre. Not otherwise specified	
0 sq. meters to 46 sq. meters	69.00
47 sq. meters to 99 sq. meters	82.00
100 sq. meters to 186 sq. meters	109.00
187 sq. meters to 279 sq. meters	120.00
280 sq. meters to 372 sq. meters	125.00
373 sq. meters to 465 sq. meters	135.00
466 sq. meters to 557 sq. meters	145.00
558 sq. meters to 743 sq. meters	153.00
744 sq. meters to 929 sq. meters	162.00
930 sq. meters and over	170.00
4) Service Station and/or Auto Repairs	73.00
5) Restaurant, Dining Room, Lunch Counter	180.00
6) Racquet Ball, Bowling Alley, Curling Club, Leisure Centre	180.00
7) Licence Club or Neighbourhood Pub	180.00
8) Hotel - managers suite	73.00
- each unit or suite w/bath	28.00
- each unit or suite w/o/bath	10.00
9) School per class room	73.00
10) Church	73.00
11) Motel - managers residence	73.00
- each unit	28.00
- cabins	32.50
12) Camp sites - per site (seasonal) non metered	10.00

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SCHEDULE A (continued)

13) Golf Course, Clubhouse	\$180.00
14) Nursery and/or Greenhouse	180.00
15) Each barn or Commercial Farm	118.00
16) Beauty Salon, Barber (first chair)	73.00
each additional chair	28.00
17) Saw Mill or Planer Mill	450.00
18) Coin Laundry	270.00
plus each washer installed	28.00
19) Hand operated Power Washer or Wand	73.00
20) Private indoor or outdoor Swimming Pool	19.00
21) Railway yard and office/shop	208.00
22) Library	235.00
23) Ambulance	110.00
24) Court House	235.00
25) <u>METER RATES</u>	

The water meters will be read annually and the charges affixed by the meter rates contained herein.

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

A) A minimum monthly charge on metered service.

.....3/4 inch (19.05mm).....	\$14.00
..... 1 inch (25.4mm).....	17.00
.....1 1/2 inch (38.1mm).....	20.00
..... 2 inch (50.8mm).....	28.00

B) Rates for metered premises per annum.

\$2.69 per thousand (28.31m) for the first 67,000 cubic feet.

\$2.25 per thousand (28.31m) for the next 17,000 cubic feet.

\$1.94 per thousand (28.31m) for the next 14,000 cubic feet.

\$1.75 per thousand (28.31m) for all in excess of 88,000 cubic feet.