

By-law No. 2005-64
of the
Corporation of the Town of Collingwood



Being a By-law to provide for the Regulation of Water Supply in the
Town of Collingwood.

WHEREAS under section 11 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities, and Public Utilities includes a system that is used to provide water services for the public;

AND WHEREAS section 9(1) of the *Municipal Act, 2001* provides that section 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

THEREFORE the Municipal Council of The Corporation of the Town of Collingwood enacts as follows:

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Part I DEFINITIONS

1.1 Definitions

In this by-law:

Building - defined

"building" shall mean a structure supplied with water by Collingwood Public Utilities.

Bulk water user - defined

"bulk water user" shall mean any customer who draws water from the Collingwood Public Utilities' Bulk Water Station located at the Raymond A. Barker Water Treatment Plant, 2 Raglan Street.

Town - defined

"Town" shall mean The Corporation of the Town of Collingwood and with particular respect to water supply and distribution shall mean Collingwood Public Utilities.

Collingwood Public Utilities – defined

"Collingwood Public Utilities" shall mean a municipal service board of the Town of Collingwood solely responsible for the supply, treatment and distribution of water.

Contractor - defined

“contractor” shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or Collingwood Public Utilities or the Town to install or maintain mains, service mains, services, hydrants and other appurtenances.

Cross Connection - defined

“cross connection” shall mean any temporary, permanent or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, other material or substance that will change the water quality in the waterworks distribution system and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

Customer - defined

“customer” shall mean any person who enters into a verbal or written contract with Collingwood Public Utilities to take water from Collingwood Public Utilities or to receive water related services from Collingwood Public Utilities.

Developer - defined

“developer” shall mean the owner or party specifically named in a Development Agreement or in a Subdivision Agreement.

External use of water - defined

“external use of water” shall mean the use of water for any purpose outside the walls of any building located at a municipal address.

Good payment history - defined

“good payment history” is defined as a customer that has not received a disconnection notice within the last 12 months of activity with the Collingwood Public Utilities.

Manager of Water Services - defined

“Manager of Water Services” shall mean the Manager of Water Services for the Collingwood Public Utilities or the Manager of Water Services’ authorized representative.

Main - defined

“main” shall mean every water pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the Town or Collingwood Public Utilities has obtained easements.

Meter - defined

“meter” shall mean the water meter supplied and owned by the Collingwood Public Utilities to measure the quantity of water used by the customer.

Meter pit - defined

“meter pit” shall mean any exterior chamber or pit approved by the Manager of Water Services for the purpose of containing a water meter.

Municipal Address - defined

“municipal address” shall mean a building or buildings identified by a number pursuant to Town of Collingwood By-Law 2005-64, as amended, or as provided for in any successor by-law thereto.

Occupant - defined

“occupant” shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of premises.

Owner - defined

“owner” shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

Plumbing System - defined

“plumbing system” shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter.

Potable Water - defined

“potable water” shall mean water that is fit for human consumption.

Premises - defined

“premises” shall mean any house, tenement, building, lot, or part of a lot, or both, in, through, or past which water service pipes run.

Private Main - defined

“private main” shall mean a pipe connected to a main and installed on private property and from which more than one service and/or hydrant lateral are connected

Process Water – defined

“process water” shall mean non-potable water for industrial use only.

Remote Read-Out Unit - defined

“remote read-out unit” shall mean the device installed at a separate location from the water meter adjacent to the hydro meter and used to record the consumption reading of the meter.

Service Extension - defined

“service extension” shall mean the portion of a water service pipe from the property

line to the meter location, or for a fire service to the inside of the exterior wall of a structure, i.e. an extension of a service stub.

Service Stub - defined

“service stub” shall mean the portion of a water service pipe from a main to the property line which will always include one control valve.

Shut-Off Valve - defined

“shut-off valve” shall mean the valve complete with access box on the water service or private main owned and used by Collingwood Public Utilities to shut off or turn on the water supply from the Town’s waterworks distribution system to any premises.

Single detached residence - defined

“single detached residence” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.

Subdivider - defined

‘subdivider’ shall mean the owner or party specifically named in a Subdivision Agreement.

Water - defined

“water” shall mean potable water supplied by Collingwood Public Utilities.

Water Distribution System - defined

“water distribution system” shall mean mains with connections to feeder mains, feeder mains within subdivision lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto.

Water Related Services - defined

“water related services” shall include but not be limited to those items set out under the heading “Schedule B” in the Town’s Fees and Service Charges By-Law.

Water service pipe - defined

“water service pipe” shall mean the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or, for a fire service, to the inside of the exterior wall of a structure.

Waterworks - defined

“waterworks” shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of any such works, but does not include plumbing to which the *Building Code Act, 1997*, or any amendments thereto apply.

Part 2
APPLICATION FOR WATER SERVICE

2.1 Application and payment prior to installation

The owner or their agent shall apply to Collingwood Public Utilities for a water service and before the service is installed, shall pay for it at the rates as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law. This is over and above the payment of all other appropriate Town Charges including the Development Charge.

2.2 Installation - payment required

The installation of the water service will not be scheduled or commenced in any way until the application and payment in full have been made.

2.3 Disconnection of service - payment

When an owner discontinues the use of a water service for water supply to their premises, the owner shall pay to the Collingwood Public Utilities a charge as indicated in "Schedule B" in the Fees and Service Charges By-Law for disconnecting the meter for such service from the water distribution system.

2.4 Payment of Rates — Lump Sum

The payment of the rates as stipulated in Part 2.1 and 2.2 must be paid as a total lump sum.

Part 3
WATER RATES AND CHARGES

3.1 Application for water supply

Before the initial supply of water or any subsequent reconnection to any premises in the Town, the owner shall make application for the same, and the owner shall be governed by the requirements of this by-law.

3.2 Water measured by meters

The water consumed on all premises in the Town shall be charged for as indicated by the meter on each respective property at rates as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law.

3.3 Meter reading and billing

Water meters may be read and accounts be rendered monthly or on any other basis at the discretion of the Collingwood Public Utilities. The bill shall be deemed to be served upon the customer if it is delivered or sent by mail to the premises supplied.

3.4 Late payment charge and overdue notice

When an account is not paid by the due date stated on the bill, a late payment charge, as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law, will be assessed to the account and, seven (7) days after that date, an overdue notice will be sent by mail reminding the customer of the outstanding account.

3.5 Notice of disconnection

Seven (7) days after the overdue notice is mailed (fourteen (14) days after the due date), should the account remain unpaid, the Manager of Water Services will deliver or cause to be delivered to the service address, a notice of disconnection advising the customer that unless payment is received within 48 hours, service will be disconnected.

3.6 Non-payment -water shut off - lien

If the customer at any premises omits, neglects or refuses to pay any bill rendered, whether for water service pipes, meter, service charge or any other monies to which Collingwood Public Utilities may be entitled in respect of water services to such premises, Collingwood Public Utilities may, at its discretion, shut off or reduce the flow of the water to the premises. Collingwood Public Utilities shall provide reasonable notice of the proposed shut off to the owners and occupants of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place. Such charges have priority lien status, and may be collected in accordance with the *Municipal Act, 2001*, and may be added to the tax roll against the property in respect of which the water service was supplied.

3.7 Reconnection - charge

Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law, will be levied against the delinquent account, in addition to the applicable collection charge.

3.8 Temporary removal & reinstallation of meter - charge

When the owner requests a temporary removal of the water meter from their premises, for any reason, the meter removal and reinstallation charge, as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law will be applied to their account.

3.9 Change of occupancy - charge

At the time of a change of occupancy, an administrative charge as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law will be levied by Collingwood Public Utilities to the new customer to cover the cost of administrative work, and the said charge will be included on the first billing to the new customer.

3.10 Minimum monthly charge - who payable by

The minimum monthly charge for providing and maintaining water supply to a property is applicable for every water meter owned and read by Collingwood Public

Utilities. In instances when the occupant of a premise terminates their account with Collingwood Public Utilities, subsequent minimum monthly charges shall be rendered to the owner of the premise until such time as a new occupant applies to Collingwood Public Utilities for the supply of water.

3.11 Service installation charge

All water service pipes, except those to lands being developed under a Town development or subdivision agreement wherein the main is installed, may be installed on an actual cost basis at the owner's expense.

3.12 Construction water charge

Water used during the construction phase of a building, prior to occupancy, is not required to be metered. Collingwood Public Utilities will recover the cost of this construction water by applying a construction water charge, as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law to the cost of the owner's water service.

3.13 Temporary water supply - application and charge

Where a customer requires a temporary water supply, such customer shall apply to Collingwood Public Utilities for a connection to a fire hydrant. If the connection is approved and an agreement signed, the customer shall pay, prior to connection or when billed, the applicable charge as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law.

3.14 Meter testing charge

The charge for testing the accuracy of a water meter is indicated in "Schedule B" in the Town's Fees and Service Charges By-Law and is explained in section 7.18 of Part 7 of this by-law.

Part 4 SECURITY DEPOSITS

4.1 Deposit is security for payment

Whenever an application is made to Collingwood Public Utilities for a supply of water, Collingwood Public Utilities may, in its discretion, before furnishing such supply, require the customer to make a deposit of such sum of money as it may consider advisable. Each such deposit shall be security for payment for all water passing through the meter of the service in respect to which such deposit was made until the customer shall have notified Collingwood Public Utilities in writing to discontinue such service.

4.2 Deposit applied as payment

Security Deposits (cash) where applicable will be applied as payment with interest upon determination of good payment history or closure of an account.

4.3 Non Payment of Security Deposit

Non-payment of a security deposit will be subject to the standard collection procedures including disconnection of water services.

Part 5 OPERATIONS OF WATERWORKS

5.1 Conditions on water supply

Collingwood Public Utilities agrees to use reasonable diligence in providing a regular and uninterrupted supply and quality of water, but does not guarantee a constant service or the maintenance of unvaried pressure or quality or supply of water and is not liable for damages to the customer caused by the breaking of any water service pipe or attachment, or for shutting off of water to repair mains or to tap mains.

5.2 Authority for Water Supply

Collingwood Public Utilities in its own right shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all waterworks plant and equipment within the Town boundaries serving the Town of Collingwood.

5.3 Unauthorised operation of fire hydrants - offence

No person other than a person authorized for that purpose, by the Manager of Water Services or their designate, shall be permitted to open or otherwise interfere with or operate or take water from any fire hydrant.

5.4 Unauthorized operation or interference - offence

No person other than a person authorized for that purpose, by the Manager of Water Services or their designate, shall open or close a valve in the water works distribution system, or remove, tamper with or in any way interfere with any valve, water meter, structure, water main or water service in the water works distribution system.

5.5 Use of water from hydrants

Except for water used for fire fighting, any other use of a Town's fire hydrant for water supply must be approved by the by the Manager of Water Services or their designate. The method of application and payment shall be according to section 3.13 of Part 3 of this by-law. The terms and conditions required for granting the permission shall be at the discretion of Collingwood Public Utilities and may be changed from time to time as Collingwood Public Utilities deems necessary.

5.6 Improper use of water from fire service - offence

Any water supplied or made available for any land or building for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose.

Part 6 WATER SERVICE PIPES

6.1 Installation - by Collingwood Public Utilities - by contractor

All water service pipes shall be installed by Collingwood Public Utilities or by approved contractors engaged by the owner for the purposes of such installation, except in new land development projects where agreements with the Town require the developer or subdivider to complete such work.

6.2 Installation - to Collingwood Public Utilities specifications — Ontario Building Code requirements

All water service pipes and private mains located within Town property shall be constructed according to the Town of Collingwood's *Development Standards and Collingwood Public Utilities' Standard Material Specifications* as approved by the Collingwood Public Utilities Municipal Service Board from time to time. All water service pipes and private mains located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the chief Building Official. Where the Ontario Building Code is silent the Town's development standards and Collingwood Public Utilities' material specifications shall be applied and shall prevail.

6.3 Connection to main - prior application

The installation of the water service pipe connection will not be scheduled or commenced in any way until the customer has met the requirements of this by-law.

6.4 Installation - alteration - approval by Collingwood Public Utilities

For any new water service pipe or private main installation, or alteration of existing water service pipes or private mains, the owner must apply for approval from Collingwood Public Utilities for such work as specified in the Town of Collingwood's *Development Standards and Collingwood Public Utilities' Standard Material Specifications*.

6.5 Installation inspection by Collingwood Public Utilities

All water service pipes and appurtenances installed, including those required by a Town Subdivision or Development Agreement, must be inspected by Collingwood Public Utilities; the charge for which inspection is as specified in "Schedule B" in the Town's Fees and Service Charges By-Law.

6.6 Installation - access for inspection

Collingwood Public Utilities and persons authorized by Collingwood Public Utilities for inspection shall be, at all times, entitled to enter any premises for the purposes of examining pipes, connections and fixtures which are used in connection with the water service pipe and/or service main.

6.7 Disconnection of service

The water service pipe must be disconnected at the water main in the case of a permanent disconnection, the water main plugged, and the curb box and rod removed at the owner's expense. In the case of a demolition where the intent is to rebuild, a demolition permit is to be obtained. The conditions on the permit are to be adhered to and in general the water service is to be disconnected at the curb box prior to the start of the demolition work. All work must be inspected by Collingwood Public Utilities, and the charge for such inspection is as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law.

6.8 Maintenance of service stub - Collingwood Public Utilities

The water service stub shall be maintained by Collingwood Public Utilities at the Collingwood Public Utilities' expense.

6.9 Maintenance of service extension and private main - owner

Any and all defects to the water service extension, private main and meter pits, shall be repaired by the owner of the property being serviced. Should Collingwood Public Utilities become aware of any such defect, and upon written notification to the owner, the said defect is not repaired, within seven (7) days of the date of the notification or within such time as the Manager of Water Services may deem necessary, then Collingwood Public Utilities may turn off the water supply to the property. If Collingwood Public Utilities is ordered to restore the water supply, then Collingwood Public Utilities may repair the defective water service pipe and charge the cost to the owner and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. Collingwood Public Utilities shall not be held responsible for the cost of restoration.

6.10 Operation of shut-off valve

No person, other than persons authorized for that purpose, by the Manager of Water Services or their designate, shall be permitted to operate the shut-off valve to any premises.

6.11 Access to shut-off valves

All shut-off valves must be left clear and accessible at all times so that the water in the water service pipe and private mains may be turned off or on as may be found necessary by the Manager of Water Services or their designate.

6.12 Responsibility for protection, water loss, damage

All water service extensions to and including the meter and Collingwood Public Utilities rental water heater shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension, private main and or Collingwood Public Utilities rental water heater and the charge for such water loss shall be determined by the Manager of Water Services or their designate, shall be paid by the owner upon demand by

Collingwood Public Utilities, and Collingwood Public Utilities shall not be held responsible for any damages arising from such leakage.

6.13 Responsibility - vacant and unheated premises

When any premises is left vacant or without heat, it is the owners responsibility to shut off the water supply from within the premises and to drain the piping therein. The owner or occupant may apply in writing to Collingwood Public Utilities to have the shut-off valve turned off to stop water supply. The valve will be turned on only at the owner's request and in the owner's presence. The owner shall pay for this service at the rate as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law.

6.14 Responsibility - water damage

When any premises left vacant, unattended or without heat, where the water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, the owner or the occupant shall have no claim against Collingwood Public Utilities or the Town of Collingwood. Should the Manager of Water Services or their designate become aware of such leaking or burst pipes, the Manager of Water Services or their designate shall turn off the shut-off valve, and the water supply shall not be turned on until the Manager of Water Services or their designate, in their discretion, shall consider it advisable.

6.15 Responsibility for frozen pipes - Collingwood Public Utilities -owner

Thawing out frozen water service stubs shall be the Collingwood Public Utilities' responsibility. Thawing out frozen service extensions and private mains shall be the owner's responsibility. Where any employee of Collingwood Public Utilities assists the owner in the thawing of frozen pipes on the owner's property, all such assistance work will be considered to be at the owner's risk, and the owner shall have no claim against Collingwood Public Utilities by reason of such work.

6.16 Responsibility for Hydrant Maintenance

Any hydrant situated within the public road allowance and placed for the benefit of the Town is the property of Collingwood Public Utilities and shall be maintained by it. Hydrants owned and paid for by any persons other than Collingwood Public Utilities shall be maintained by such persons through a written agreement with Collingwood Public Utilities.

6.17 Renewal of service - Collingwood Public Utilities - owner

Collingwood Public Utilities shall renew service stubs on public property at its expense and to its specifications when:

- (a) piping is deemed by the Manager of Water Services or their designate to be beyond repair;
- (b) the existing pipe material is lead and supplies a single detached residence provided the owner is prepared to replace the service extension before Collingwood Public Utilities replaces the service stub. Replacement piping shall conform to the specifications of Collingwood Public Utilities. Replacement pipe shall be the same

size as existing or the minimum size for the area. If an owner requests a larger size, the owner shall pay the difference in material cost.

6.18 Access - removal - inspection - fittings

Where a consumer discontinues the use of the water service, or Collingwood Public Utilities lawfully refuses to continue any longer to supply it, the Manager of Water Services or their designate may, at all reasonable times, enter the premises in or upon which the consumer was supplied with the water service, for the purpose of disconnecting the supply of the water service or of making an inspection from time to time to determine whether the water service has been or is being unlawfully used or for the purpose of removing there from any fittings, machines, apparatus, meters, pipes, rental water heater or other things being the property of Collingwood Public Utilities in or upon the premises, and may remove the same there from, doing no unnecessary damage.

Part 7 WATER METERS

7.1 Water to be metered - remedy for violation

All water used on premises within the Town of Collingwood, except water used for fire fighting purposes, or water authorized by the Manager of Water Services or their designate, for construction or other purposes, shall pass through the meter supplied by Collingwood Public Utilities for use upon such premises, and in addition to whatever other remedies Collingwood Public Utilities may have by law in respect to infringement of this by-law, Collingwood Public Utilities may, upon ascertaining that water has been used which has not passed through the meter of such premises, forthwith, without notice, shut off and stop the supply of water.

7.2 Supply - installation - ownership - replacement

The owner shall pay the water service charge as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law before Collingwood Public Utilities will supply the owner with a meter and the meter must be installed prior to occupancy of the building. The meter shall remain the exclusive property of Collingwood Public Utilities and may be removed as and when Collingwood Public Utilities may see fit, upon the same being replaced by another meter, or for any reason which Collingwood Public Utilities may, in its discretion, deem sufficient.

7.3 Installation - maintenance - repair - access

Collingwood Public Utilities may shut off or restrict the supply of water to a property if Collingwood Public Utilities requires access to the property to install, replace, repair or inspect a water meter. Any person authorized by Collingwood Public Utilities for that purpose has free access, at all reasonable times, and upon notice given as set out in section 7.4 of this by-law, to all parts of every building or other premises to which any water service is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the building, or for placing meters upon

any water service pipe or connection within or without the building as he/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.

7.4 Notice required - access

Before shutting off or restricting the supply of water, Collingwood Public Utilities shall;

(a) by personal service or by registered mail, serve the owners and occupants of the property as shown on the last returned assessment roll of the municipality with a notice of the date upon which Collingwood Public Utilities intends to shut off or restrict the supply of water if access to the property is not obtained before that date;

(b) ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

7.5 No shut off - reasonable effort - gain access

Collingwood Public Utilities shall not shut off or restrict the supply of water unless it has made reasonable efforts to get access to the property and has been unable to get access within fourteen (14) days after the later of,

(a) the day the last notice under part (a) of section 7.4 of this by-law was personally served;

(b) the day the last notice under part (a) of section 7.4 of this by-law was mailed; and

(c) the day a copy of the notice was attached under part (b) of section 7.4 of this bylaw.

7.6 Restoration of water supply - as soon as practicable

If Collingwood Public Utilities has shut off or restricted the supply of water under section 7.3 of this by-law, Collingwood Public Utilities shall restore the supply of water as soon as practicable after obtaining access to the property.

7.7 Charges - meters - owner to pay

All charges for any of the work and services mentioned in sections 7.3 and 7.6 of this by-law will be determined by the Manager of Water Services as indicated in "Schedule B" in the Town's Fees and Service Charges By-Law and will be paid in full by the owner or the customer, as the case may.

7.8 Every building metered – Manager of Water Services discretion

Every separate building to which water is being supplied shall be furnished with a separate water meter, supplied by Collingwood Public Utilities except where non-compliance is acceptable to the Manager of Water Services or their designate. Additional water meters, supplied by Collingwood Public Utilities, may only be installed at the discretion of the Manager of Water Services or their designate.

7.9 Installation to Town of Collingwood's *Development Standards*

All water meters, supplied by Collingwood Public Utilities, shall be installed to conform to Town of Collingwood's *Development Standards*.

7.10 Meter location – Manager of Water Services to consent to change

The location of a meter, when once installed to the Town of Collingwood's *Development Standards*, shall not be changed by any person except with the consent of the Manager of Water Services or their designate.

7.11 Private meters - owner responsible

Collingwood Public Utilities will not supply, install, inspect or read private water meters, nor will Collingwood Public Utilities bill consumption on private water meters. Water supply pipes to private meters must be connected to the owner's plumbing after Collingwood Public Utilities' meter.

7.12 Reading meter - access

Collingwood Public Utilities and persons authorized by Collingwood Public Utilities for that purpose shall be allowed access to the premises and be provided free and clear access to the meter where water is being supplied at all reasonable times for the purpose of reading, at the discretion of Collingwood Public Utilities. Where such access to the premises and/or free and clear access to a meter is not provided by the occupant within fourteen (14) days upon written notification by Collingwood Public Utilities, Collingwood Public Utilities may, at its discretion, shut off the supply of water to the premises until such time as free and clear access to the water meter is provided.

7.13 Valve maintenance - responsibility of owner

The owner shall supply and install the inlet valve to the water meter. The owner shall be responsible for maintaining in good working order, the inlet valve, the outlet and bypass valves for all meters, and shall ensure that such valving is accessible.

7.14 Leaks must be reported

Any leaks that may develop at the water meter or its couplings must be reported immediately to Collingwood Public Utilities. Collingwood Public Utilities is not liable for damages caused by such leaks.

7.15 Interference with meter not permitted

No person, except a person authorized by Collingwood Public Utilities for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any water meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of water passing through such meter, and should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter placed in any building, the Manager of Water Services or their designate may forthwith, without any notice, shut off the water from such building or premises, and the water shall not be again turned on to such building or premises without the express consent of the Manager of Water Services or their designate.

7.16 Owner responsible to repair piping

If, in the opinion of the Manager of Water services or their designate, the condition of the water service pipe and/or valves and of the plumbing system on such piping is such that the meter cannot be safely removed for the purpose of testing, replacing, repairing or testing in place without fear of damage to the water service pipe and valves, the Manager of Water Services or their designate may require the owner or occupant to make such repairs as may be deemed necessary to facilitate the removal or testing of the meter. If, upon notification, the owner does not comply with the Manager of Water Services' or their designee's request, then the water supply to the property may be turned off at the shut-off valve during removal, replacement, repair and testing of the meter and Collingwood Public Utilities shall not be held responsible for any damages to the owner's property arising from such work.

7.17 Non-functioning meter - amount of water estimated

If, for any cause, any meter shall be found to not be working properly, then the amount of water to be charged for shall be estimated on the average reading for the previous months, when the meter was working properly, or, if unavailable or proven inaccurate, the amount of water to be charged for shall be estimated on a daily average when the meter is working properly, and the charge for the water for the period during which the meter was not working properly shall be based thereon.

7.18 Meter testing for customer - deposit - conditions

Any customer may, upon written application to Collingwood Public Utilities, have the water meter at his or her premises tested for accuracy of registration. Every such application shall be accompanied by a deposit of the fee for testing water meters as set out in "Schedule B" in the Town's Fees and Service Charges By-Law. If the meter is found to register correctly, slow or not to exceed three per cent (3%) in favour of Collingwood Public Utilities when tested at a flow rate of 4.54 litres (one gallon) per minute, the customer's deposit shall be forfeited towards the cost of the test. Any additional expense of removing and testing of the meter will be paid for in full by the customer. If the meter is found, when tested to register in excess of three per cent (3%), a refund will be made to the customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the meter, plus the customer's deposit for the test.

7.19 Meter reading supersedes remote device reading

Where the water meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the water meter itself and the reading on the readout device, Collingwood Public Utilities will consider the reading at the meter to be correct, and will adjust and correct the customer's account accordingly.

Part 8
CROSS CONNECTIONS AND BACKFLOW PREVENTION

8.1 Protection from Contamination

No person shall connect, cause to be connected, or allow to remain connected to the waterworks distribution system any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow water, waste water, non-potable water, or any other liquid, chemical or substance to enter the water works distribution system. The means for "protection from contamination" shall be in accordance with the requirements of the *Ontario Building Code Act, 1997*, as amended from time to time.

8.2 Inspection for cross connections - access

Any person authorized by Collingwood Public Utilities for that purpose has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premises to which any water service pipe is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any water service pipe, wire, rod or cross connection within or without the building.

8.3 Access to be provided on written notice

Where access is not provided, a written notice by Collingwood Public Utilities will be issued allowing fourteen (14) days to provide access. If access is not provided within this time frame, Collingwood Public Utilities may, at its discretion, shut off the supply of water to the premises until such time as the access is provided.

8.4 Order to install control device

If a condition is found to exist which is contrary to section 8.1 of this by-law, Collingwood Public Utilities shall immediately carry out an inspection and shall issue such order or orders to the customer as may be required to obtain compliance with section 8.1 of this by-law.

8.5 Failure to install - notice - water shut-off

If the customer to whom Collingwood Public Utilities has issued an order fails to comply with that order, the Manager of Water Services or their designate, at their discretion, may:

- (a) Give notice to the customer to correct the fault, at his/her expense, within a specified time period and, if the notice is not complied with, the Manager of Water Services or their designate may then shut off the water service or services; or
- (b) Without prior notice, shut off the water service or services.

8.6 Additional device on service

Notwithstanding sections 8.1, 8.4 and 8.5 of this by-law, where a risk of possible contamination of the water works distribution system exists in the opinion of the Manager of Water Services or their designate or an approved authority, a customer shall, on notice from Collingwood Public Utilities, install on his/her water service pipe

a cross connection control device, approved by Collingwood Public Utilities, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.

8.7 Installation to required standards

Cross connection control or backflow prevention devices, when required by Collingwood Public Utilities, shall be installed in accordance with the Ontario Building Code and "CAN/CSA-B64.10-94 Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices", as amended from time to time.

8.8 Inspection and testing - paid by customer

All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by Collingwood Public Utilities, by personnel approved by Collingwood Public Utilities to carry out such tests to demonstrate that the device is in good working condition. The customer shall submit a report on a form approved by the Manager of Water Services or their designate or any or all tests performed on a cross connection control device within fourteen (14) days of a test, and a record card shall be displayed on or adjacent to the cross connection control device on which the tester shall record the address of the premises, the location, type, manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self employed) or the name of his employer and the tester's licence number.

8.9 Failure to test device - notification - water shut-off

If a customer fails to have a cross connection control device tested, Collingwood Public Utilities or approved authority may notify the customer that the cross connection control device must be tested within four (4) days of the customer receiving the notice. If the customer fails to have the device tested within the time allowed, the Manager of Water Services or their designate may shut off the water service or water services until the cross connection control device has been tested and approved as required by section 8.8 of this by-law.

8.10 Repair - replacement - by customer

When the results of a test referred to in section 8.8 of this by-law show that a cross connection control device is not in good working condition, the customer shall make repairs or replace the device within four (4) days. If a customer fails to repair or replace the device within the time allowed, the Manager of Water Services or their designate may shut off the water service until such repair or replacement has been made.

8.11 Removal of device - permission by Collingwood Public Utilities

No person shall without the permission of Collingwood Public Utilities remove any cross connection control or backflow prevention devices installed as a requirement

of provincial legislation notwithstanding the fact that the applicable provincial regulation has been rescinded.

PART 9 USE OF WATER EXTERNALLY

9.1 Regulations - use of water - June, July and August

For the purpose of limiting the consumption of water as necessary Collingwood Public Utilities may from time to time impose the following water management techniques after first issuing a public notice:

(a) During the months of June, July and August, the external use of water is permitted:

(i) on even calendar dates at only those municipal addresses ending with numbers 0, 2, 4, 6, 8;

(ii) on odd calendar dates at only those municipal addresses ending with numbers 1,3,5,7, 9.

(b) The Manager of Water Services or their designate is authorized to implement at any time any other regulation which, at their discretion, considers advisable to limit the external use of water and this authority includes the right to ban completely the external use of water.

(c) Notice of the implementation of a water use regulation by the Manger of Water Services or their designate and the effective date thereof shall be given immediately in a manner determined by the Manager of Water Services or their designate.

(d) Upon the announcement of the implementation of a water use regulation by the Manager of Water Services or their designate, no person shall use water except in accordance with the provisions of such regulation.

Part 10 PROHIBITIONS

10.1 Prohibitions under this by-law

No person shall:

(a) wilfully hinder or interrupt, or cause or procure to be hindered or interrupted, Collingwood Public Utilities or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law;

(b) wilfully let off or discharge water so that the water runs waste or useless out of the works;

(c) being a customer, tenant, occupant or inmate of any house, building or other place supplied with water from the waterworks, improperly waste the water or, without the consent of Collingwood Public Utilities, lend, sell, or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his own or increase the supply of water agreed for;

(d) without lawful authority wilfully open or close any valve or hydrant, or obstruct the

free access to any hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;

(e) throw or deposit any injurious or offensive matter into the water or waterworks, or upon the ice if the water is frozen, or in any way foul the water or commit any wilful damage or injury to the works, pipes or water, or encourage the same to be done;

(f) wilfully alter any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered; or

(g) lay or cause to be laid any pipe or main to connect with any pipe or main of the waterworks, or in any way obtain or use the water without the consent of Collingwood Public Utilities

(h) use water externally during the months of June, July and August in any year except in accordance with the regulations set out in Part 9 of this by-law.

Part II ENFORCEMENT

11.1 Fine - for contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

11.2 Continuation - repetition - prohibited - by order

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

11.3 Offence - additional - damage to waterworks

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any water public utility works, or to any waterworks plant, machinery, fitting or appurtenance thereof is liable to Collingwood Public Utilities therefore.

11.4 Offence - additional - wilful damage

Every person who wilfully or maliciously damages or causes or knowingly suffers to be damaged any water meter, lamp, lustre, water service pipe, conduit, wire, rod or water fitting belonging to Collingwood Public Utilities or wilfully impairs or knowingly suffers the same to be altered or impaired, so that the water meter indicates less than the actual amount of the water that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of Collingwood Public Utilities, and for any expenses of repairing or replacing the water meter, lamp, lustre, water service pipe, conduit, wire, rod or fitting and double the value of the surplus water so consumed, all of which is recoverable under the *Provincial Offences Act*.

11.5 Offence - additional - injuring waterworks

Every person who wilfully removes, destroys, damages, fraudulently alters or in any way injures any water service pipe, conduit, wire, rod, pedestal, post, plug, lamp or other apparatus or thing belonging to Collingwood Public Utilities is guilty of an offence and on conviction is liable to a fine, to the use of Collingwood Public Utilities, and is also liable for all damages occasioned thereby, which are recoverable under the *Provincial Offences Act*.

**Part 12
SHORT TITLE**

12.1 Short Title

The short title of the by-law shall be the Water By-Law.

**Part 13
EFFECTIVE DATE**

13.1 Effective Date

This by-law comes into force and effect on the day it is passed.

ENACTED AND PASSED this 7 day of November 20 05.



Mayor



Clerk