



BY-LAW NO. 2013-DRAFT

OF

The Corporation of Norfolk County

RESPECTING THE SUPPLY OF WATER, THE MANAGEMENT AND MAINTENANCE OF THE WATERWORKS SYSTEM WITHIN THE CORPORATION OF NORFOLK COUNTY.

WHEREAS Sections 5 and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of the Municipal Council shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise and that the municipality has capacity, rights, powers and privileges of a natural person of exercising its authority;

AND WHEREAS Section 10 of the Act provides that a single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public and pass by-laws related thereto;

AND WHEREAS it is the desire of the Council of the Corporation of Norfolk County to regulate the supply of water, and the management and maintenance of the waterworks systems within the County;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:

1.0 DEFINITIONS

1.1 Definitions

In this By-Law

"building" shall mean an enclosed structure consisting of any combination of walls, roof and floor or a structural system serving the same function.

"County" shall mean The Corporation of Norfolk County.

1.0 DEFINITIONS (Continued)

"confined space" shall mean a confined space as defined by the Occupational Health and Safety Act, 1990 or any amendments or regulations thereto.

"contractor" shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the County to install or maintain mains, service mains, services, hydrants and other appurtenances.

"cross connection" shall mean any temporary, permanent or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, hazardous substances and other materials or substances that will change the water quality in the waterworks distribution system.

"curb valve" shall mean the valve on the water service or private main owned and used by the County to shut off or turn on the water supply from the County's waterworks distribution system to any premises.

"customer" shall mean any person who enters into a verbal or written contract with the County to take water from the County or to receive water related services from the County.

"General Manager" shall mean the General Manager of Public Works & Environmental Services for Norfolk County or designate.

"lot" shall mean a parcel of land which can be legally conveyed.

"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 County has obtained registered or unregistered easements.

"meter" shall mean the water meter supplied and owned by the County to measure the quantity of water used by the customer.

"meter interface unit" or "MIU" shall mean the device installed at a separate location from the water meter and used to retrieve the consumption reading of the meter and shall include the wire necessary to connect the MIU to the meter.

"occupant" shall include any lessee, tenant, owner, the agent of a lessee, or any person in possession of a lot or building.

"owner" shall include any person 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.

1.0 DEFINITIONS (Continued)

"person" shall mean any individual, corporation, partnership, limited partnership, joint venture or other form of association between or among individuals or other entities.

"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.

"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, where ownership of such Private Main is not by the County

"water" shall mean potable water supplied by the County to customers.

"water distribution system" shall mean mains, private mains, services, fire hydrants, valves and shut-off valves and all other appurtenances thereto.

"water related services" shall include but not be limited to those items set out under the schedule "Miscellaneous Charges" in the Water and Wastewater Rates and Charges By-Law as amended or replaced from time to time.

"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" 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, 1992, or any amendments thereto apply.

2.0 GENERAL CONDITIONS

2.1 Applicable Laws

All work and materials performed on the water distribution system shall comply with all applicable Federal, Provincial, and Municipal laws, By-laws, Acts and Regulations, statutes, health and safety policies and procedures and County standards and specifications, as amended.

2.2 Conditions of Water Supply

The County shall use reasonable diligence in providing a regular and uninterrupted supply and quality of water, but the County does not guarantee a constant service or the maintenance of unvaried pressure or quantity or supply of water and the County shall not be liable for damages incurred by any Customer caused, directly or indirectly, by any reason whatsoever, including, without limitation, the breaking of any water service pipe or attachment, or for shutting off of water to repair mains or to tap mains.

2.0 GENERAL CONDITIONS (Continued)

2.3 Authority for Water Supply

The County, in its sole discretion shall have the responsibility, authority, power and capacity to construct, maintain and operate all waterworks plants and equipment within its boundaries, to establish any terms upon which municipalities or persons outside, or within Norfolk County, may be allowed to connect to the said waterworks as customers, and the rates to be charged for water delivered to such customers.

2.4 Unauthorized Operation or Interference

No person other than a person authorized by the General Manager for that purpose shall operate a watermain valve or curb valve in the waterworks distribution system.

2.5 Owner to Provide Access

The General Manager shall be provided free and clear access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other structure to which any water service pipe is connected for any of the following purposes:

- (a) to install, inspect, maintain, repair, alter or disconnect the water service pipe, wire, machinery, equipment or any other part of the water distribution system; or,
- (b) to install, inspect, maintain, repair, replace, test, read or disconnect any meter or MIU; or,
- (c) to inspect, disconnect or cause to be disconnected any potential cross connection; or,
- (d) to determine if this by-law, any order, or condition to any permit is being complied with; or,
- (e) to lawfully shut off the supply of water

2.6 Access to Building

The General Manager shall not enter any building unless:

- (a) the consent of the owner or occupant is first obtained, ensuring the owner or occupant is first advised that entry may be denied and in such circumstance, entry can only occur thereafter under authority of a warrant; or,
- (b) a warrant under the *Provincial Offences Act* is obtained; or,
- (c) if, in the opinion of the General Manager, acting reasonably, the delay necessary to obtain a warrant or the consent of the owner or occupant would result in the immediate danger to the health or safety of any person or damage to any property; or,
- (d) the entry is for the purpose of section 2.5 of this by-law, and the notice requirements of section 2.7 of this by-law have been complied with.

2.7 Access to Building – Notification Requirements

Prior to the General Manager exercising a power of entry pursuant to this by-law, the General Manager shall provide reasonable notice of the proposed entry to the owner or occupant of the building by personal service or prepaid mail or by posting the notice on the building in a conspicuous place for three consecutive business days prior to entry.

2.0 GENERAL CONDITIONS (Continued)

2.8 Access to Building – Failure to Comply

Where access is not voluntarily provided after notification pursuant to section 2.7, a written notice by the General Manager will be issued allowing fourteen (14) days to provide said access. If access is not provided within this time frame, the General Manager may, at his discretion, shut off the supply of water to the building until such time as access is provided.

2.9 Protection from Contamination

- (a) 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 circumstance, may allow water, waste water, distribution water, well water or any other liquid, chemical or substance to enter the water works distribution system. All measures to be taken to prevent any contamination shall be in accordance with the requirements of the Ontario Building Code Act, 1992 as amended.
- (b) Notwithstanding Section 2.9 (a) no owner or occupant shall have a private well supply connected in any manner to the County water supply. An Owner or occupant may have well water connected to outside water bibs however these lines cannot be directly or indirectly connected to the County water supply. An Owner or occupant shall notify the County in the event that they have a private well and, at reasonable times and on reasonable notice, they shall permit the General Manager to inspect the plumbing system to verify that there is no cross connection with the County water supply. If it is determined that a cross connection exists, the General Manager may turn off the County water supply immediately. The owner or occupant shall remove the cross connection at their own expense. Once the cross connection has been removed the owner or occupant shall contact the County for an inspection to verify that the cross connection has been removed to the standards and specifications of the County, and at that time, the General Manager will turn the water on.

3.0 WATER SERVICES

3.1 Water Connection Permit

No person shall install, repair, replace, plug, cap or disconnect a water service pipe until such time as a water connection permit has been approved in writing by the General Manager, and the fee as established in the most current applicable by-law has been paid. The County shall not be responsible for any inadequate or improper installation of the water service resulting from any lack of information on the application or permit or on any plans provided to the County.

3.0 WATER SERVICES (Continued)

3.2 Minimum Requirements for Connection Permit

A new service connection from a water main shall not be permitted unless:

- (a) there is deemed to be sufficient water capacity within the waterworks for the water distribution system off which said connection is to take place;
- (b) the lands requiring said service have frontage on a water main; and
- (c) a plan of the building to be supplied is provided to the County showing all interior piping connected to the water service, if required by the General Manager.

3.3 Long Services

Where lands requiring a water service connection do not have frontage on a water main, it shall be the responsibility of the owner to extend the water main across the entire frontage of said lands at the owner's expense unless the lands are within 20 meters or one lot removed from a water main, and the General Manager does not anticipate the requirement for the mains to be extended in the future.

3.4 Limitation on Number of Services

The following limitations shall apply with respect to the number of water services installed:

- (a) Only one domestic water service pipe shall be installed per lot.
- (b) Where required, one water service pipe for the purposes of providing fire protection may be installed per lot.
- (c) Notwithstanding sections 3.4 (a) and (b) above, only one water service shall be provided per Condominium Corporation for the purposes of supplying water to the condominium corporation's private water main which shall provide private water services to all units within said condominium corporation.
- (d) Notwithstanding section 3.4 (a) above, no water service to one owner's building shall be installed in, over or across the property of another owner unless a legal easement has been registered on title and such written consent has been approved by the General Manager.

3.5 Limitation on Size of Services

No water service pipe shall exceed in size one half of the diameter of the water main to which said service pipe is connected unless otherwise authorized by the General Manager.

3.6 Service Separation Distances

There shall be a minimum of 2.0m horizontal separation between any new water service and a sanitary/storm service unless otherwise approved, in writing, by the General Manager. Norfolk County recommends a minimum of 1.5m horizontal separation between the sanitary and storm services. This separation shall be maintained into the building.

There shall be a minimum of 3.0m horizontal separation between any service and any side lot line unless otherwise approved, in writing, by the General Manager.

3.0 WATER SERVICES (Continued)

3.7 Installation to County Standards

Installation of all water service pipes shall meet all standards and specifications as determined by the County, and shall be completed in accordance with the regulations of the Building Code Act, Part VII, as amended and any other applicable requirements.

3.8 Building Control Valve

Each water service pipe shall be equipped with a stop and drain building control valve within the building at a readily accessible location immediately adjacent to the point at which the water service pipe enters the building. Said stop and drain building control valve shall be installed at the expense of the owner, and shall comply with County standards and specifications. The owner shall be responsible for maintaining the stop and drain building control valve in good working order. If, in the opinion of the General Manager, the building control valve requires replacement, it shall be replaced at the expense of the owner.

3.9 Curb Valve

All water service pipes shall be equipped with a curb valve at the property line. This valve is to act as the primary shut off valve for the water service. Curb valves on water service pipes connected to County water mains shall be maintained at the County's expense. Curb valves on water service pipes connected to private water mains shall be maintained at the expense of the owner of said private water main.

3.10 Inspections

Water service pipes that are installed, repaired, replaced, plugged, capped or disconnected shall be inspected and approved by the General Manager prior to being backfilled, where the costs of said inspection are included in the water connection permit. All water service pipes shall be inspected and approved by the General Manager prior to the curb valve being turned to the ON position.

3.11 Water Service Maintenance – Norfolk County

Water service pipes installed from the water main to the inlet connection of the curb valve shall be maintained in good repair and, without limiting the generality of the foregoing, shall be fully protected from frost and other damage by the elements, all of which said maintenance and protection shall be the responsibility of the County.

3.12 Water Service Maintenance – Owner

Water service pipes installed from the outlet connection of the curb valve to the building shall be maintained in good repair and, without limiting the generality of the foregoing, shall be fully protected from frost and other damage, all of which said maintenance and protection shall be carried out at the expense of the owner.

3.13 Standby Charges

When requested by the owner, a water service will be turned off at the curb valve in accordance with the provisions set out in the applicable by-law, and a standby charge will be levied until such time that the water service is turned back on.

3.0 WATER SERVICES (Continued)

3.14 Permanent Disconnection of Water Service

Where a building is demolished or removed, and notwithstanding that the land is vacant, the standby charges more particularly described in the applicable by-law will remain in full force and effect until such time as the owner or his agent has notified the General Manager, in writing, that the water service will no longer be required. The General Manager may grant permission for a permanent disconnection of the water service. Permanent disconnection must be performed to County standards and specifications, and, upon approval and inspection by the General Manager, the standby charges will no longer be applied.

3.15 Discontinuance of Water Service

When the General Manager determines that a water service connection is no longer required due to property redevelopment or otherwise and can be abandoned, the water service shall be disconnected at the water main or as directed by the General Manager. The owner shall obtain all applicable permits associated with the disconnection. All costs of the disconnection shall be paid by the owner.

3.16 Demolition or Removal of Building

Prior to demolition or removal of a building, the owner shall make arrangements with the General Manager for the removal of the water meter. All costs to replace a water meter damaged or lost due to the building demolition or removal of the building shall be paid by the owner. Prior to the demolition or removal of the building the owner shall acquire a permanent disconnection permit and all applicable permits required by the County to perform the disconnection. The owner shall disconnect the water service to the satisfaction of the General Manager prior to the issuance of a demolition permit. All costs associated with disconnection shall be paid by the owner. Until the disconnection of the water service has been completed and inspected by the General Manager the owner shall pay standby charges as set out in the applicable by-law.

4.0 WATER METERS

4.1 Water Meter Required

Unless authorized in writing by the General Manager, a water meter shall be installed on every water service pipe. Said meter shall be installed in accordance with County standards and specifications as determined by the General Manager.

4.2 Water Meter Sizing

All water meters shall be a minimum size of 16mm x 19mm (5/8 x 3/4"). All water meters shall be a nominal size which is equal to the nominal size of the water service pipe upon which said meter is installed. Where authorized in writing by the General Manager, a water meter which is one nominal size smaller than the service pipe may be installed. In the event that an existing meter is to be reduced in size such work shall be at the expense of the owner.

4.0 WATER METERS (Continued)

4.3 Water Meter Ownership

Water meters of nominal size of 25mm (1") or less shall be supplied and installed by the County.

Water meters of nominal size greater than 25mm (1") up to and including 50mm (2") shall be supplied by the County and installed by the owner at the owner's expense.

Water meters of nominal size in excess of 50mm (2") shall be supplied and installed by the owner at the owner's expense. The installation of said meter shall be deemed to be a transfer of ownership of said meter to the County.

4.4 Water Meter Interface Unit

Each water meter shall be equipped with a meter interface unit (MIU) at a location which is always readily accessible to County staff for the purposes of obtaining a reading from said meter.

4.5 Water Meter Location

Water meters shall be installed immediately adjacent to the building control valve, in an accessible location having full head room. The register of the meter shall be oriented horizontally and upright such that consumption readings can be obtained visually. No meter may be installed in a confined space without the written approval of the General Manager.

4.6 Water Meter Chambers

- (a) If the General Manager receives an application/permit for a new water service and determines that the water meter cannot be located inside a building or structure in accordance with the County's standards and specifications, or if the distance between the property line and building is in excess of 30 metres (100 feet), the General Manager may approve the installation of the water meter in a water meter chamber. The water meter chamber shall be supplied and installed by the owner at the owner's expense. The water meter chamber shall meet County standards and specifications. The installation of said water meter chamber shall be deemed to be a transfer of ownership of said water meter chamber to the County.
- (b) Water meter chambers shall be maintained at the expense of the County, unless the General Manager has determined that the water meter chamber has been damaged due to neglect of the owner.
- (c) The location of a water meter chamber shall be approved in writing by the General Manager prior to installation.
- (d) No owner shall obstruct nor permit the obstruction of a water meter chamber.
- (e) No owner shall place shrubs, trees or other landscaping within two metres of the outer perimeter of the water meter chamber.

4.0 WATER METERS (Continued)

- (f) No owner or person shall have access to a water meter chamber other than a person authorized by the General Manager. If an owner or person tampers with a water meter chamber or causes damage to a water meter chamber, the owner or person shall pay the full cost to the County for the repair of the water meter chamber and all appurtenances, as determined by the General Manager.

4.7 Water Meter By-Pass

Unless authorized in writing by the General Manager, no water meter shall have a meter by-pass. Instances where a meter by-pass has been authorized shall require that said meter by-pass shall have a water meter installed upon it and the total cost of such installation shall be at the expense of the owner.

Such installation of such meter shall be deemed to be a transfer of ownership of such meter to the County. Such meter shall be installed in accordance with County standards and specifications as determined by the General Manager. Any meter installed upon a water meter by-pass shall have a bill rendered as per Norfolk County's current by-law, policies and procedures.

4.8 Water Meter Protection

It shall be the responsibility of the owner to provide sufficient protection from freezing and other damages to the water meter and MIU. Instances where a water meter or MIU is damaged due to the neglect of the owner, as determined by the General Manager, are subject to the fees as set out in the applicable by-law.

4.9 Water Meter Maintenance

Water meters owned by Norfolk County shall be maintained at the expense of the County, unless the General Manager has determined that a water meter has been damaged due to the neglect of the owner.

4.10 Leaks Shall be reported

It is the owner's responsibility to report leaks occurring at any point in the Water Distribution System to the County immediately. The County shall repair such leaks that develop at the water meter or its coupling nuts at no expense to the owner. The County shall not be held liable for damages caused by such leaks. All other leaks around the water meter or within the owner's private plumbing shall be the sole responsibility of the owner to repair.

4.0 WATER METERS (Continued)

4.11 Interference with the Meter

No person, other than persons authorized by the General Manager, shall be permitted to open, or in any way whatsoever to tamper with any water meter, or with the seals placed thereon, or with the MIU, or do anything which may interfere with the proper registration of the quantity of water passing through such meter. No water meter shall be removed from a water service pipe except as authorized by the General Manager. In the event that the General Manager has determined that a water meter has been interfered with, the County may shut off the supply of water to the building, and the owner shall be subject to the fees as set out in the applicable by-law. The water supply shall not be restored until such a time as such fees are paid, and the consent of the General Manager has been obtained.

4.12 Meter Reading and Billing

Water meters may be read and accounts may be rendered monthly, bi-monthly or on any other basis at the discretion of the County. The bill shall be deemed to be served upon the customer if it is delivered or sent by mail to the address of the building to which water is supplied, or to the address associated with the customer's billing account.

4.13 Water Meter Readings - Conflicts

In the event of a discrepancy between the meter readings taken from the MIU and the water meter register, the register of the meter shall be absolute evidence of the quantity of water supplied.

4.14 Water Meter Testing

No person shall test any water meter except the General Manager. If an owner or customer requests that a meter be tested, the General Manager shall arrange for the meter to be tested, and the cost of said test shall be as established by the applicable by-law.

4.15 Water Meter Readings – Inaccurate Readings

If it is determined that a meter fails to register accurately the quantity of water consumed during a period of failure, the quantity shall be estimated by the General Manager on the basis of the recorded consumption after the installation of an accurate meter. The owner shall remain liable for the quantity of water used prior to installation of the accurate meter, based on the estimate as determined by the General Manager.

If a meter is correct, slow or <3% flow accuracy in favour of the County when tested at high flow or normal operating flow rates, it is deemed to be accurate

If a meter is >3% flow accuracy in favour of the County when tested at high flow or normal operating flow rates, it is deemed to be inaccurate.

Based upon results of such testing a charge or credit will be applied to the customer's account as per the County's applicable by-law and policies.

4.0 WATER METERS (Continued)

4.16 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 the applicable by-law, will be assessed to the account and, an overdue notice will be sent by mail reminding the customer of the outstanding account. Should the account remain unpaid the General Manager may deliver or cause to be delivered to the service address, a notice of water shut off/disconnection advising the customer that unless payment is received within a specified time frame, the service may be discontinued.

4.17 Non-payment- water shut off-lien

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

4.18 Turn on/Turn off-charge

Where it has been necessary to discontinue services as a result of non-payment, a water turn on/off charge as indicated in the applicable by-law, will be levied against the delinquent account, in addition to the applicable collection charge.

5.0 FIRE HYDRANTS

5.1 Unauthorized operation of fire hydrant

No person is permitted to operate a fire hydrant except:

- (a) County personnel as authorized by statute, or
- (b) A member of a fire department, or
- (c) A person authorized by the General Manager.

5.2 Use of water from hydrants

Except for water used for fire fighting and County approved maintenance or operations, any other use of a County or private fire hydrant by third parties is prohibited.

5.3 Improper use of water from fire service

Any water supplied or made available to any lot for the 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.

5.0 FIRE HYDRANTS (Continued)

5.4 Testing of Fire Hydrants

No testing of any fire hydrant, whether owned by the County or by private persons, is permitted unless such testing and the mode of same are approved in writing by the General Manager. Results from all fire hydrant tests shall be forthwith supplied to the County without delay upon completion of such testing. Testing of fire hydrants shall be subject to the fees as per the most current applicable by-law.

5.5 Private Hydrants to County Standards

Each hydrant on a private fire protection service shall have a separate valve and all such hydrants shall be according to County standards and specifications.

5.6 Maintenance of Private Hydrants

Maintenance of private fire hydrants shall be the sole responsibility of the owner of said hydrant, and must be performed in accordance with this by-law and the Fire Protection and Prevention Act, 1997, as amended. No maintenance shall be performed unless such maintenance and the mode of the same are approved in writing by the General Manager.

5.7 Hydrant Access

No person shall place or cause to be placed any material including, without limitation, trees, shrubs, plants, fences, berms, snow, earth, aggregate or other obstructions or vehicles of any kind whatsoever at a distance of less than one and one half (1.5) meters from any fire hydrant. Removal of any obstruction by the County will be at the expense of the owner.

6.0 PROHIBITIONS

6.1 Prohibitions under this by-law

No Person shall:

- (a) wilfully hinder or interrupt, or cause or procure to be hindered or interrupted, the County or any of its officers, contractors, agents, servants or workers, in the exercise of any 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 the County, lend, sell, or dispose of water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another person, or for any use or benefit other than his own such use; or increase the supply of water agreed upon;
- (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;

6.0 PROHIBITIONS (Continued)

- (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 the County.

7.0 ENFORCEMENT

7.1 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, R.S.O 1990*, as amended.

7.2 Offence - damage to waterworks

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any waterworks, water service pipe, conduit, wire, rod, pedestal, post, plug, or to any waterworks plant, machinery, fitting or appurtenance thereof belonging to the County is guilty of an offence and on conviction is liable to a fine, for the use of the County, and is also liable for all damages occasioned thereby, which fine and or damages are recoverable under the *Provincial Offences Act, R.S.O 1990*, as amended.

7.3 Offence - wilful damage

Every person who wilfully or maliciously damages or causes or knowingly suffers to be damaged any water meter, water service pipe, conduit, wire, rod or water fitting belonging to the County 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, for the use of the County, and for any expenses of repairing or replacing the water meter, water service pipe, conduit, wire, rod or fitting and for an amount that is double the value of the surplus water so consumed, all of which shall be recoverable under the *Provincial Offences Act, R.S.O 1990*, as amended.

8.0 SHORT TITLE

8.1 Short Title

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

9.0 REPEAL

9.1 Repeal

By-Law 53-00 of the former Regional Municipality of Haldimand- Norfolk and all amendments thereto, are hereby repealed in their entirety upon the passing of this By-Law.

10.0 EFFECTIVE DATE

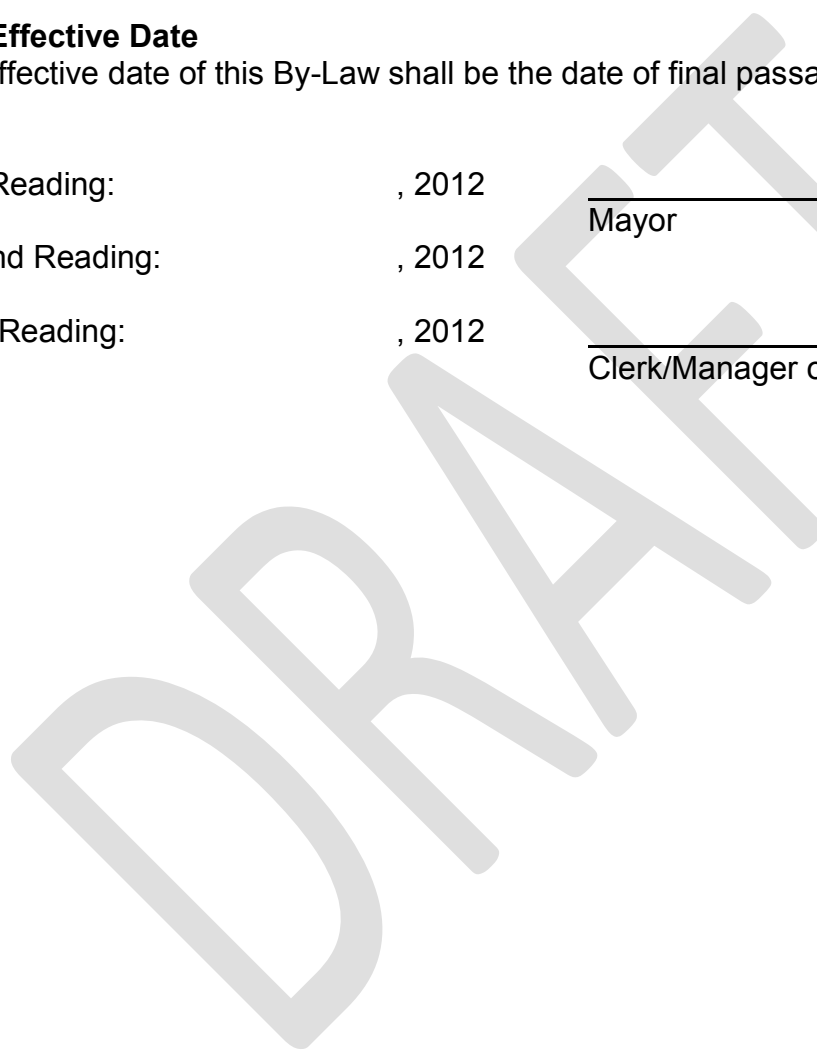
10.1 Effective Date

The effective date of this By-Law shall be the date of final passage thereof.

First Reading: , 2012 _____
Mayor

Second Reading: , 2012

Third Reading: , 2012 _____
Clerk/Manager of Council Services



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