

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW 23-020

**BEING A BY-LAW TO REGULATE
THE PROVISION OF MUNICIPAL WATER BY THE TOWNSHIP OF TINY
AND TO REPEAL BY-LAWS 06-31, 20-077 and 21-069**

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (the "Municipal Act") provides that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 11 of the Municipal Act authorizes a lower tier municipality to provide any service or thing that the municipality considers necessary or desirable for the public and includes the power pass by-laws with respect to those matters for which it has jurisdiction pursuant to the Municipal Act;

AND WHEREAS The Corporation of the Township of Tiny has jurisdiction to pass by-laws with respect to public utilities including water distribution pursuant to the Municipal Act as a service provided to the public within the municipality;

AND WHEREAS Sections 79 and 80 of the Municipal Act authorize a municipality, at reasonable times, to enter onto land and into buildings to which it supplies a public utility and including the right to inspect, install, repair, replace or alter a public utility meter;

AND WHEREAS it is necessary to make substantive changes to the by-laws regulating the provision of municipal water by the Corporation of the Township of Tiny to ensure the users of the water works of the Township of Tiny continue to receive an abundant supply of pure and wholesome water, to ensure an efficient and effective water works utility operation and to ensure that the rates charged to the users are reflective of actual costs incurred to operate the water works;

AND WHEREAS it is deemed necessary to consolidate all regulatory by-laws affecting the provision of municipal water;

NOW THEREFORE the Council of the Corporation of the Township of Tiny hereby enacts as follows:

1. DEFINITIONS:

For the purpose of this By-law:

- 1.1 **"Allotted Water Service"** shall mean the capacity for the supply and distribution of Municipal Water that has been allotted to a property by the Municipality.
- 1.2 **"Clerk"** shall mean the CAO/Clerk of the Municipality.
- 1.3 **"Commercial"** shall mean the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from uses such as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 1.4 **"Consumer"** shall mean the owner, occupant, or any other person, that occupies property that is receiving Municipal Water.

- 1.5 **“Capital Water Fee(s)”** shall mean a fee set by Council, from time to time by by-law, for future replacement of Water Works.
- 1.6 **“Corporation Stop”** shall mean a water service shut off valve located at a street water main.
- 1.7 **“Council”** means the Council of the Corporation of the Township of Tiny.
- 1.8 **“Cross Connection(s)”** shall mean any connection between the Water Works and any other water source.
- 1.9 **“Curb Stop”** shall mean a water service shut off valve, rod and curb box located near the municipal property line, between the water main and the Property Owner’s Eligible Building. For clarification purposes, the Curb Stop is the property of the Municipality.
- 1.10 **“Eligible Building”** shall mean any structure in the Municipality that can be used as a residence or business where plumbing facilities are required by the Ontario Building Code.
- 1.11 **“Industrial”** shall mean the use of land, building, or structure for the purpose of warehousing of goods and materials, the assembly of manufactured goods, the repair and servicing of goods, and other similar uses.
- 1.12 **“Institutional”** means:
- a. The use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, public hospitals and government buildings; or
 - b. The use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, and includes churches, places of worship, public or private schools and nursery schools; or
 - c. The use of land, buildings or structures designed, adapted or used for medical, surgical, charitable or other treatment or care of persons, or for detaining persons for correctional, disciplinary or other purpose, and shall include a children’s home, a home for the aged or the infirm, a monastery, nunnery, or religious retreat, a jail, reformatory or training school, and all other such uses.
- 1.13 **“Municipal Engineering Standards”** shall mean the most recent engineering standards accepted by the Municipality.
- 1.14 **“Multiple Residential Use”** shall mean one or more habitable rooms designed or intended for use by more than one individual or family as an independent and separate housekeeping establishment containing separate kitchen and/or sanitary facilities for each individual or family.
- 1.15 **“Municipal Water”** shall mean water drawn, treated and provided by the Municipality.
- 1.16 **“Municipality” or “Township”** shall mean the Corporation of the Township of Tiny and includes, where the context permits, its duly authorized officers, contractors, employees, agents and Water Works Employees.

- 1.17 **“Operation Water Fee(s)”** shall mean a fee set by Council, from time to time, by by-law, for the cost recovery of operational costs of the Water Works in the Municipality.
- 1.18 **“Owner”** shall mean the person who owns a property, including a developer, firm, corporation, contractor, or responsible individual in charge of the property at any given time.
- 1.19 **“Occupant”** Shall mean a person who occupies property or building to which water is supplied by the municipality or that has an Allotted Water Service.
- 1.20 **“Person”** includes an individual, a sole proprietorship, a partnership, an association, a Consumer, an Owner, a Property Owner, a corporation or other legal entity and their respective heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- 1.21 **“Property Owner”** shall mean the owner of a property who is receiving Municipal Water or has an Allotted Water Service.
- 1.22 **“Residential Unit”** shall mean one or more habitable rooms designed or intended for use by an individual or family as an independent and separate housekeeping establishment in which one kitchen and sanitary facilities are provided for the exclusive use of such individual or family.
- 1.23 **“Service Connection(s)”** shall mean a plumbed connection from the municipal water system to a property past the curb stop with the purpose of supplying water from the municipal water system.
- 1.24 **“Stopcock”** shall mean the first water service shut off valve located in a water service line within a building, when closed, shuts the water off to the connected distribution pipes within the building.
- 1.25 **“Treasurer”** shall mean the Treasurer of the Municipality
- 1.26 **“Water Connection”** shall mean the connection from the Curb Stop to the Stopcock.
- 1.27 **“Water Meter Package”** shall mean the water meter, isolation valve, and remote reading pad (if applicable).
- 1.28 **“Water Rates”** shall mean the rates charged by the Municipality, from time to time, for the use of Municipal Water. The Water Rates shall be enacted by By-Law and shall include Operation Water Fees and Capital Water Fees based upon reasonable costs incurred or anticipated, and approved by Council.
- 1.29 **“Water Service”** shall mean the water line including such components as the pipe, tracer wire, seasonal valve, service box and rod that is provided to move water from the Curb Stop to the Stopcock.
- 1.30 **“Water Service Installation”** shall mean the installation of a water service from the Corporation Stop to and including the Curb Stop.
- 1.31 **“Water System”** shall mean a continuous collection of pipes, mains, and structures owned and maintained by the Municipality for the supply of potable water to a local community which operates independently from other Water Systems in the Municipality. In the Township of Tiny, this includes the following systems:

- a. Bluewater
- b. Caste Cove
- c. Cook's Lake
- d. Georgian Bay Estates
- e. Lafontaine
- f. Lefaive
- g. Pennorth
- h. Perkinsfield
- i. Rayko
- j. Sawlog Bay
- k. Tee Pee Point
- l. Thunder Bay
- m. Vanier Woods
- n. Whippoorwill
- o. Woodland Beach
- p. Wyevale

1.32 **"Water Works Employee"** shall mean an employee of the Municipality whose duties include the operation and maintenance of the Water Works.

1.33 **"Water Works"** shall mean any works that is either owned and/or operated by the Municipality for the treatment, storage, supply or distribution of Water, or any part of any such works.

1.34 **"Winterized Service Valve"** shall mean a water shut off valve located in the water service line approximately 1.5 metres away from the Property Owner's Eligible Building.

2. GENERAL PROVISIONS:

2.1 This By-Law shall apply to all Municipal Water Systems located within the Township of Tiny.

2.2 The Municipality shall manage, maintain and operate the Water Works heretofore and hereafter established and constructed in the Municipality in accordance with the provisions of the Public Utilities Act, R.S.O 1990, c. P.52, the Municipal Act, 2001, S.O. 2001, c. 25, the Safe Drinking Water Act, 2002, S.O. 2002 c. 32, as amended from time to time, all other applicable legislation and this by-law.

2.3 The Municipality agrees to use diligence in providing a regular uninterrupted supply of Municipal Water, but does not guarantee service or the maintenance of unvaried pressure and will not be liable in damages to the Property Owner or any other Person by reason of any failure in respect thereto.

2.4 Notwithstanding anything herein stated, there shall be no obligation on the part of the Municipality to service any lands within the Municipality that are not presently serviced for the supply of Municipal Water. The Municipality reserves the right to determine what areas and when such areas will be serviced with Municipal Water.

2.5 The rules and regulations set out in this by-law shall govern the provision and use of Municipal Water and shall be considered to form a part of the agreement between the Municipality for provision of Municipal Water to each Consumer. By applying for and receiving Municipal Water, a Consumer, shall be deemed to have expressed his/her consent to be bound by the said rules and regulations.

- 2.6 The Director of Public Works shall be responsible for the operation and maintenance of all Municipal Water Systems and is authorized to take such measures as are necessary and proper to ensure an adequate and continuous Municipal Water Supply and to safeguard the drinking water objectives as established by the Safe Drinking Water Act, the Ministry of Environment, or such other approval authority.
- 2.7 The Director of Public Works, or other duly authorized employee, may, in the case of an emergency which may imperil the supply or quality of water, shut off the Municipal Water Supply and take such remedial action as may be necessary. Such remedial action may include limiting or stopping up the supply of water in any area or restricting the use of water for any specific purpose.
- 2.8 When the Director of Public Works or other duly authorized employee deems it necessary to limit or shut off the Municipal Water Supply due to an emergency situation, the Township shall not be liable for damages incurred due to such action. Reasonable efforts will be made by the Township to notify the affected owners.
- 2.9 In accordance with Section 449 of the Act, as amended, no proceeding based on nuisance, in connection with the escape of water from water works, shall be commenced against the Township, a member of a municipal council or of a local board, or an officer, employees or agent of a municipality.

3. CONNECTION TO MUNICIPAL WATER WORKS:

3.1 Connections to a Municipal Water Works shall be made as follows:

- 3.1.1. The Owner shall apply in writing to the Municipality, on a form provided by the Municipality for such purpose, for an Allotted Water Service, a Water Service Installation and/or a Water Connection as applicable.
- 3.1.2. The Municipality shall confirm if there is an Allotted Water Service to supply the property.
- 3.1.3. Where no Allotted Water Service exists for the property and a service is deemed viable by the Water Department, the Owner shall provide an Allotted Water Service Deposit as prescribed in Schedule "C". The Owner shall be responsible for all of the Municipality's costs related to determining if the property can have an Allotted Water Service. All of these costs are to be deducted from the Allotted Water Service Deposit. The Municipality may require the Owner to replenish the Allotted Water Service Deposit to the full amount originally required prior to proceeding with any stage of its work. The Municipality is not required to proceed until it is satisfied that the deposit has been replenished sufficiently. If the Municipality determines there cannot be an Allotted Water Service for the property, the Municipality will return the balance, if any, of the Allotted Water Service Deposit to the Owner.
- 3.1.4. Where it is determined that the property can be Allotted a water service, the Owner shall provide the Water Capital Fee and a Water Service Installation Deposit as prescribed in Schedule "C" prior to the Municipality commencing its work. The Owner shall be responsible for the actual costs of the Water Service Installation.

The Municipality may require the Owner to replenish the Water Service Installation Deposit to the full amount originally required prior to proceeding with any stage of the work. The Municipality is not required to proceed until it is satisfied that the deposit has been replenished sufficiently. Upon approval of the application and receipt of the necessary funds the Municipality will complete the Water Service Installation.

3.1.5. After a Water Service Installation has been completed, the Owner may apply for a Water Connection by providing to the Municipality a Water Connection Fee as prescribed in Schedule "C".

3.1.6. Where there is an Allotted Water Service, all works and inspections on the property to be serviced by the Water Connection shall be as follows:

- i. All excavations required for the installation of a Water Connection shall be carried out by open trench unless otherwise approved by the Municipality.
- ii. The Water Connection shall be separated from all other utility's services, by location in a separate trench at a minimum distance of one (1) metre or a distance approved by the Municipality.
- iii. The Owner applying for a Water Connection shall give at least forty-eight (48) hours notice to the Municipality when the Water Connection will be ready for inspection.
- iv. The inspection of the Water Connection shall not proceed until the Property Owner and its designated agents are in compliance with the Occupational Health and Safety Act, R.S.O. 1990, c. O.1. and it is safe for the Municipality to carry out its inspection duties.
- v. The Municipality shall not supply Municipal Water unless the Water Service and water meter (if applicable) has been installed, tested, and approved by the Municipality.
- vi. The water service between the curb stop and the inside wall of the building shall be constructed of a single run of pipe with no joints or fittings if it is placed within 15m of a private sewage disposal system, as per the Ontario Building Code.
- vii. No Person shall back fill a Water Connection until it has been tested, inspected and approved by the Municipality.
- viii. The work is to be completed in accordance with the Municipal Engineering Standards.
- ix. All Commercial, Institutional and Industrial Water Connections are subject to a review by the Municipality, at the time of application for a Water Connection, to determine the need for backflow prevention and the approval of the appropriate type of device that is to be supplied.
- x. Any Property Owner requiring an alteration to their Water Connection shall be subject to Section 3.1 as if they are creating a new Water Connection.

3.2 Every new Eligible Building constructed on property which has an allotted water service shall be connected to the Municipal Water System.

3.3 In the event of water system expansions, the Municipality reserves the right to allot water service to properties which were previously not connected to a water works.

3.4 The Township reserves the right to refuse any application for connection to the Municipal Water Systems by lots which do not have an Allotted Water Service, if the existing system, or portion thereof is at capacity or where any and all excess capacity has been allocated to other properties within the Water System. The allocation of excess capacity shall be subject to such policy as Council may establish from time to time.

4. WATER USAGE:

4.1 No Person shall sell or distribute Municipal Water in any manner without the consent of the Municipality. This shall include giving water away, permitting water to be taken or carried away, or the furnishing of water from one building connected to the Municipal Water System to another building.

4.2 No person, being an owner, tenant, occupant or resident of any multi-residential, commercial or residential building supplied with water from the Municipal Water System shall improperly waste water.

4.3 No Person shall use Municipal Water for the purpose of any outside water use including but not limited to watering lawns or gardens, or filling of swimming pools, except as permitted under Schedule "A".

4.4 No Person shall use Municipal Water for the purpose of watering newly placed sod or seed except as permitted under Schedule "A" and without first obtaining a permit from the Municipality which must be displayed in a conspicuous location on the property.

4.5 The Municipality may impose further watering restrictions when it is in the best interests of the Municipality to do so. The said watering restrictions shall take effect upon any of the following:

- a. placement of community information signs at Wyevale, Lafontaine and/or Perkinsfield or other locations as may be deemed appropriate;
- b. written notice to each Property Owner effected by the watering restrictions; or
- c. public notification by placement of a notice on the Municipality's website and through its various social media channels.

4.6 The restrictions set out in this by-law shall not apply to a Municipal fire fighter where Municipal Water is required for fire protection purposes.

5. MAINTENANCE BY OWNER:

5.1 The Water Service from the Curb Stop (excluding the Curb Stop) to the Stopcock shall be maintained by and at the expense and sole risk of the Property Owner.

5.2 The Property Owner shall repair a broken or damaged Water Service within fourteen (14) days of becoming aware of same or within such time frame as directed in writing by the Municipality. Failure to complete the repairs shall result in Municipal Water being shut off until such repairs are carried out to the satisfaction of the Municipality.

6. RESTRICTIONS:

- 6.1 No Person, including a licensed plumber, shall repair, operate, remove, inspect, tamper with or connect to the Water Works without applying for and receiving written approval of the Municipality.
- 6.2 No person shall obstruct or conceal any Curb Stop, hydrant or valve by placing on or within a one (1) meter radius of them, any structure, building, fence, plant, material, earth, concrete, pavement, snow, rubbish or other obstructive matter. Where the Municipality is required to remove such items to operate, repair or replace the Curb Stop, hydrant or valve the cost of same shall be the sole responsibility of the Property Owner.
- 6.3 No person shall permit a Cross Connections at any time or for any reason. Should a Cross Connection be found to exist, the Municipality has the right to turn the Water Service off until such time as the Cross Connection has been removed and inspected.
- 6.4 No Person shall connect to or tamper with a fire hydrant for any purpose without receiving written approval of the Municipality except as follows:
 - a. Employees, agents, or volunteer firefighters authorized by the Fire & Emergency Services Department; or
 - b. Employees or agents authorized by the Public Works Department;
- 6.5 No person shall use pesticides, herbicides and insecticides on municipally owned property having a Municipal Water supply. The exception is noxious weeds, as set out in the Weed Control Act, R.S.O. 1990 Chapter W. 5, deemed to be excessive by the Municipal Weed Inspector.
- 6.6 Properties situated within 50 metres of a Water Works are encouraged to limit or refrain from usage of pesticides, herbicides and insecticides.
- 6.7 No person shall lay or cause to be laid any pipe or main to communicate with any pipe or main of a Municipal Water System, or in any way obtain or use the Municipal Water Supply without the written permission of the Township.
- 6.8 Any extensions or connection to a Municipal Water System shall be constructed in accordance with the Township's Engineering Standards.

7. WATER METERS:

- 7.1 All existing Service Connections to the water system(s) as identified in Schedule "B" and all commercial, industrial, or institutional connections on any municipal water system shall be equipped with a Water Meter Package.
- 7.2 Any new Service Connection to the water system(s) included in Schedule "B" and any new commercial, industrial, or institutional Service Connection on any municipal water system shall have a Water Meter Package installed by a licensed plumber retained by the Property Owner. The Township will supply the Property Owner with the water meter package at the time of issuance of the Building Permit, and upon payment of all associated costs. The meter installation shall be inspected by the Municipality prior to water being supplied by the Municipality. Billing will begin on the date of final inspection.
- 7.3 When a water system is added to Schedule "B":
 - 7.3.1 All Property Owners on that system are to promptly schedule an appointment for the installation of the Water Meter Package when properly contacted for the same by the Township or its installer.

- 7.3.2 The Property Owner shall permit entry to the property and all buildings and premises located on the property for the initial installation of the Water Meter Package and any subsequent entry onto the property and the building and premises on the property for the reading or repair of the meter at reasonable times.
- 7.3.3 A Property Owner who refuses the initial installation of the Water Meter Package will be responsible for all additional costs for a later installation.
- 7.4 Any Property Owner where a meter is required not permitting access for the installation of a water meter package will be subject to an interruption of water service and/or an increased annual flat operating and capital rate charges of double the standard flat rate charges set out in Schedule "C".
- 7.5 Where a Property Owner continually refuses to allow the Township to install a water meter, the Township may choose to install a metering pit at the property line. The installation cost shall be charged to the Property Owner.
- 7.6 The meter package, once installed to the standards of the Township, shall not be changed, removed or altered by any Person except by Persons authorized by the Township.
- 7.7 No Person shall tamper with or willfully damage a water meter.
- 7.8 If a meter is found to be defective, the cost of repairs shall be paid by the Township.
- 7.9 If a meter is damaged by the carelessness or neglect of any person other than an employee or agent of the Township, the Property Owner shall pay to the Township the cost of making the necessary repairs.
- 7.10 Any leak that may develop at the meter or its couplings shall be reported immediately to the Township for repairs. The Township shall not be held responsible for any damages resulting from such leaks.
- 7.11 The Property Owner shall provide adequate heat in the premises to prevent damage to the meter from freezing.
- 7.12 The Property Owner shall provide ready and convenient access to the meter and appurtenances so that the meter and appurtenances may be examined by Township staff or persons authorized by the Township upon request and any necessary maintenance, repair or replacement can be completed.
- 7.13 Where the Township determines that water meters shall be replaced on a water system, the Municipality will bear the cost. Any meter replacement requested by the Property Owner will be at their cost.
- 7.14 Meters shall remain the property of the Township and shall not be boxed in such manner as to prohibit the meters from being read, examined or removed.
- 7.15 Where the Township has established that a water meter has failed to register accurately, the municipality shall estimate the quantity of water consumed. The recorded consumption prior to such failure will be the basis of estimating quantities consumed during the failure.

7.16 Where the Township has reason to believe that a meter is inoperable and is unable to gain access thereto for inspection and repair, written notice shall be sent by registered mail, courier or personal delivery to the owner. Such notice shall require that access to the subject meter be provided to the Township within twenty- one (21) days of the date of the Notice. If access is not granted within the said 21 days, the Director of Public Works shall shut off the Municipal Water Supply to the subject property.

7.17 Where the Municipal Water Supply has been shut off under Section 7.16, the Director of Public Works shall turn on the water supply, when the owner has complied with the following conditions:

7.17.1 Access has been provided to the meter for inspection and repair by the Township; and,

7.17.2 The Re-Connection fee as set out in Schedule "C" has been paid to the Township and the owner's account is paid in full or satisfactory payment arrangement have been made with the Director of Finance.

The property owner or an authorized agent must be present when the water is turned back on to ensure there are no leaks in their system.

7.18 A customer may, upon written application to the Municipality, 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 set out in Schedule "C" of this By-law. All water meters shall be tested in accordance with American Water Works Association Standards and Procedures. If when tested, the meter is found to operate outside of applicable specifications, the Water Department will estimate or cause to be estimated, the applicable flow volume underage or excess and a refund or charge will be made to the customer as applicable. The time frame used for the calculation of the estimate shall be limited to the four (4) month period prior to testing. If the testing determines that the meter reads in excess of the actual flow volume, the customer's deposit for the test shall be refunded.

7.19 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 read-out device, the Township will consider the reading at the meter to be correct and will adjust and correct the customer's account accordingly.

7.20 Where a discrepancy is acknowledged between the reading at the register of the water meter itself and the reading on the read-out device, as noted in 7.19, or any other acknowledged discrepancy, the Township will adjust the customer's account to a maximum of 1 year from the date of discovery.

8. WATER CONNECTION RATES, WATER RATES AND FEES:

8.1 The Municipality shall complete all Water Connections including all upgrades. The Owner shall pay all fees for the Water Connection. The cost of the Water Connection shall be the actual cost of the Water Service installation and shall be borne by the Owner. A deposit as set out in Schedule "C" of this By-law shall be provided at the time of application. The final cost shall be calculated on a cost-plus basis, taking into consideration material, labour, equipment and a ten percent (10%) administration fee.

- 8.2 A Disconnection/ Re-connection Fee as set out in Schedule "C" of this By-law shall be charged for the turning off/on of the Municipal Water Supply where such action is necessitated by:
- 8.2.1 A written request by the owner;
 - 8.2.2 Non-payment of water bills; or
 - 8.2.3 Failure to provide access to the water meter for inspection, replacement, repair or installation.
- 8.3 Every Property Owner shall pay the Water Rates applicable to the type of use of the property such as Commercial, Institutional, Residential Unit or Multiple Residential Use, metered use, or unmetered use as prescribed in Schedule "C" of this By-law.
- 8.4 All Connected Properties Shall Pay Fee(s):
- 8.4.1 When an Eligible Building is connected to Municipal Water upon which a Capital Water Fee and/or Operation Water Fee should have been levied and no fee was charged, the Municipality shall charge the fee(s) from the beginning of the current year, and for each year from and including 2004 or the year of the building's construction, whichever is more recent, if the Eligible Building could have been occupied during that period.
 - 8.4.2 The Municipality shall add the fee(s) to the tax roll for the property where the Eligible building is situated.
 - 8.4.3 Costs in arrears, since and including the 2004 calendar year may be paid by lump sum or paid over a period of time not exceeding three (3) years in equal installments and no interest to be charged.
- 8.5 When the Municipality has determined that a Curb Stop is located at a lot line but no Water Service has been completed to the occupied lot having an Eligible Building or where there is an Allotted Water Service for a lot having an Eligible Building where such lot does not have a Water Connection, the Municipality shall charge the Property Owner the full unmetered Operation Water Fee(s) as prescribed in Schedule "C". Nothing in this by-law shall compel a Property Owner to complete a Water Connection.
- 8.6 An undeveloped property with an Allotted Water Service and Curb Stop located at the lot line shall be charged the full unmetered Capital Water Fee as prescribed in Schedule "C".
- 8.7 Unmetered Water Services:
- 8.7.1 All water service accounts which are not required to be metered or who are required to have meters but are not required to pay metered rates, as set out in schedule "B", shall be billed annually as part of their Property Tax Bills at the rate set out in Schedule "C" of this By-law.
 - 8.7.2 Water Connections for a new service which does not require the installation of a meter package, shall be charged a prorated Water Rate for the portion of the Operation Water Fees, as set by Council, based upon the Operation Fee divided by twelve times the number of month or part of a month of connection. Capital Water Fees, as set by Council, shall be charged at 100% of the annual fee regardless of the portion of

the year connected. Such amount shall be added to the Property Tax Bill as per Section 8.7.1 above for the following year.

8.7.3 Multiple Residential Use shall be charged Water Rates as described in Schedule "C" of this By-law as part of their Property Tax Bill.

8.8 Metered Water Services:

8.8.1 All Service Connections to the water system(s) as identified in Schedule "B" as being on the metered rates and all commercial, industrial, or institutional connections on any municipal water system shall be equipped with a Water Meter Package.

8.8.2 The water department shall read, or cause to be read, water meters four times per year within one week of March 31st, June 30th, September 30th, and December 31st.

8.8.3 Metered water services shall be charged Water Rates as described in Schedule "C" of this By-law.

8.8.4 A bill shall be issued quarterly to the Owner of each metered property and shall be issued at least twenty-one (21) days prior to the due date set out in Section 8.8.6.

8.8.5 If the Township ascertains that municipal water has been used which has not passed through the meter of such premises, it shall forthwith, without notice, shut off and stop the supply of water. The water used will be billed at an estimated volume plus an administrative penalty fee as set out in Schedule "C".

8.8.6 Water bills shall be due and payable on the final business day of January, April, July, or October. Whichever occurs soonest after the date of billing.

8.9 Unpaid Fees:

8.9.1 When an account is not paid by the due date on the bill, a late payment charge, shown in Schedule "C" of this By-law, will be assessed to the account.

8.9.2 On December 31st of each year all unpaid and overdue water bill amounts as well as an administrative fee as set out in the Municipal Fee By-law will be added to taxes and collected in like manner as taxes, as provided for under the Municipal Act.

8.9.3 In extenuating circumstances, if a customer omits, neglects, or refuses to pay any bill rendered, whether for water service, materials, service charges or any other monies to which the Township may be entitled in respect of the water service to such premises, the Township may, at its own discretion, shut off the flow of water to that service.

8.9.4 Where the property has changed ownership and the previous owner has not paid their outstanding water bills, all outstanding charges for the supply of water services will be added to the tax roll of the property to which the service was supplied and collected in the same manner as municipal taxes.

8.9.5 The amount payable to the Municipality by a Consumer for Water Rates is the responsibility of the Property Owner. The amount payable

for Water Rates or Water Connections or other work performed by the Municipality pursuant to this by-law is a lien and charge upon the estate to interest in such land of the person by whom the amount is due, and may be collected by distress upon the goods and chattels of the person and by the sale of the person's estate and interest in the lands and in the case of an amount payable by the Owner, the amount is a lien and charge upon the lands in the same manner and to the same extent as municipal taxes upon land.

- 8.9.6 The Treasurer shall, upon notice to him or her of the amount due and of the person by whom it is due and of the lands upon which a lien is claimed, enter the amount upon the collector's roll and the Municipality shall proceed to collect the amount from the goods and chattels and the estate or interest in the lands of the person liable in the same way, as nearly as may be, as municipal taxes are collected.
- 8.9.7 The Municipality before taking proceedings under this Section may itself distrain upon the goods and chattels of the person liable to pay for the amount due for any public utility supplied to the person.
- 8.9.8 Where the supply of water cannot be shut off without shutting off the supply to other Consumers who are not in default, the supply of water shall not be shut off, but the fees, rates and charges shall be, nevertheless recoverable.

9. ENFORCEMENT:

- 9.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.
- 9.2 Any person who tampers with, alters, obstructs, removes, neglects, interferes with, or damages any Water Works shall, in addition to any other penalty allowed by law, be held liable for the cost of repair to the equipment of the Water Works.
- 9.3 The owner shall be held liable for any damage to the meter or other equipment of the Township which may be willfully caused by the owner, or result from carelessness or negligence on the part of the owner, or on the part of any person acting for or on behalf of the owner and in particular, without limiting the foregoing, for damage occasioned by operating the Township's curb stop in lieu of control valve, for damage due to ground wire attachments and for damage to the meter caused by hot water or steam from the building of frost.
- 9.4 The provisions of this by-law shall be enforced by: a Municipal Law Enforcement Officer, Police Officer, Peace Officer or other person appointed for the purpose of enforcing this by-law.
- 9.5 The Municipality may, at reasonable times, enter on land to which it supplies a water service to:
- a. Inspect, repair, alter or disconnect the service pipe and other works used to supply a water service; or,
 - b. Determine and shut off the water supply when it is found to be used in contravention of this bylaw.

9.6 Notwithstanding Section 9.5(b) of this by-law, where a Municipality is entering onto an Owner(s) property it shall provide reasonable notice of any proposed shut off to the Owner(s) of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place.

9.7 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law, the Municipal Act, or the Safe Drinking Water Act.

9.8 Any person who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the person described in Section 9.4 upon request, failure to do so shall be deemed to have obstructed or hindered the person described in Section 9.4 in the execution of his duties.

10. SCHEDULES:

10.1 Schedules "A", "B", and "C" attached hereto shall form part of this by-law.

11. VALIDITY AND SEVERABILITY:

11.1 Every Provision of this by-law is declared to be severable from the remainder of the by-law, and if any provisions of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.

11.2 If any provision of the by-law is inconsistent with the Municipal Act, Safe Drinking Water Act, or any other Act, the provision of the applicable Act shall prevail.

11.3 By-laws 06-031, 20-077 and 21-069 are hereby repealed in their entirety.

12. EFFECTIVE DATE:

12.1 This By-law shall come into force and effect on March 15, 2023.

READ A FIRST AND SECOND TIME THIS 15TH DAY OF MARCH 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 15th DAY OF MARCH 2023.

THE CORPORATION OF THE TOWNSHIP OF TINY



MAYOR, David Evans



CLERK, Sue Walton

SCHEDULE "A"

In order to adequately manage and sustain safe water supplies for the purpose of consumption and fire prevention, Watering Restrictions are in place all year. Warm dry weather during summer months brings an even higher demand on the water systems leading to a large decrease in potable water supply. Watering Ban's can be issued at any time when the water system is at risk to be able to provide safe drinking water for the residents and also Fire Protection.

Water Restrictions in Tiny Township:

- Residents with odd number civic addresses may use outdoor water on odd number calendar days
- Residents with even number civic addresses may use outdoor water on even number calendar days
- Residents may only water lawns, trees and shrubs, flower gardens, top up swimming pools, or wash vehicles between the hours of 5 a.m. to 8 a.m. and 7 p.m. to 10 p.m. on their scheduled day
- Residents may wash one vehicle anytime on any calendar day per residence.
- Residents may use water for power washing for safety/painting preparation anytime of day.
- Residents can apply for a watering permit, that must be displayed in a conspicuous location, for:
 - Watering newly laid sod/seed- Watering times are 7 p.m. to 8 a.m. each day at a maximum of 14 days from the initial date of placement.

Excessive use is defined as: Filling pools or hot tubs, power washing driveways or residences other than for safety/painting prep, lawn watering outside of allotted times, lawn watering during inclement weather.

Water Ban in Tiny Township:

- Residents may NOT water lawns, trees and shrubs, flower gardens, top up swimming pools, wash buildings, wash outdoor surfaces or wash vehicles on any day.
- Watering permits will not be issued after the start date of the ban.
 - Permits issued prior to the ban may still be used to the maximum 14-day limit.
- Vegetable gardens may be watered- no sprinklers, hand watering or drip irrigation only.

Tiny Water Restrictions/ Bans Explained	Residential Lawn Watering 	Flower Gardens, Shrubs, Plants and 	Vegetable Gardens 	Vehicle Washing 	Power Washing Driveways/Residences 	Pools and Hot Tubs 	Miscellaneous 
<p>Water Restrictions (Year Round)</p>	<p>Restricted- Even numbered addresses on even numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.) Odd numbered addresses on odd numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.)</p>	<p>Restricted- Even numbered addresses on even numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.) Odd numbered addresses on odd numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.)</p>	<p>Restricted- Even numbered addresses on even numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.) Odd numbered addresses on odd numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.)</p>	<p>Restricted- One vehicle may be washed every calendar day, anytime per residence. Otherwise, even numbered addresses on even numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.) Odd numbered addresses on odd numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.)</p>	<p>Restricted- Power washers can be used anytime for safety or paint preparations. Otherwise, even numbered addresses on even numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.) Odd numbered addresses on odd numbered calendar days from (5 a.m.-8 a.m. or 7 p.m.-10 p.m.)</p>	<p>Restricted- Top up only. Absolutely no filling allowed anytime.</p>	<p>Contact the Township Water Department for direction.</p>
<p>Water Ban</p>	<p>Prohibited- No lawn watering allowed</p>	<p>Restricted- No sprinklers, hand watering or drip irrigation only</p>	<p>Restricted- No sprinklers, hand watering or drip irrigation only</p>	<p>Prohibited- No washing allowed</p>	<p>Prohibited- No washing allowed</p>	<p>Prohibited- No top up or filling allowed.</p>	<p>Contact the Township Water Department for direction.</p>

SCHEDULE "B"

Water Meters are required to be installed and metered water rates shall apply on all Commercial, Institutional, and Industrial services and all services connected to the following Water System(s):

1. Wyevale Water System

Water Meters are required to be installed and **flat rates** shall apply on all services connected to the following Water System(s) until December 31st 2024. Beyond that date, metered water rates shall apply:

1. Perkinsfield Water System

SCHEDULE "C"

Water Rates and Fees Effective January 1st 2023:

Service	Fee
Water Turn On No fee for new connections or to turn off water supply. 8:00 a.m. to 4:30 p.m. - Monday to Friday 4:30 p.m. to 8:00 a.m. - Monday to Friday Any time - Saturday Any time - Sunday and Holidays	 \$55 \$120 \$150 \$200
Allotted Water Service Deposit	\$1,000
Water Service Installation Deposit	\$1,000
Water Service Installation	Actual Cost + 10% Admin Fee
Water Connection Fee	\$250
Lawn Watering Permit	\$50
Residential Water Rates	
Flat Rate – Non-metered Use Operation Water Fees	\$631.60/unit/year
Capital Water Fees	\$438.40/year
Metered Rate – Billed Quarterly Quarterly Basic Service Fee 0m ³ to less than 30m ³ 30m ³ to less than 45m ³ 45m ³ and over	 \$150 \$1.78/m ³ \$2.14/m ³ \$2.68/m ³
Capital Water Fee Per connection to a water system	\$9,515
Water Meter Accuracy Check at Customer's request	\$100
Datalog Consumption Report	\$30
Inspection fee for new meters	\$50
Administrative Penalty Fee	\$500
Water Meter	Actual Cost
Late Payment Charge	1.25% of amount due charged at start of each month