

**OFFICE CONSOLIDATION
FOR INFORMATION PURPOSES ONLY**

**THE CORPORATION OF THE TOWN OF GANANOQUE
BY-LAW NO. 2008-20**

Amended by By-law No. 2022-028, March 1, 2022

BEING A BY-LAW TO REGULATE "WATER WORKS"

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PREAMBLE OF BY-LAW

WHEREAS Section 391 (1) of The Municipal Act 2001, authorize Council to pass bylaws related to Water:

- a. to acquire, establish, construct, maintain and operate "Water Works", and;
- b. to regulate the supply, distribution and use of municipal water, including the restricting of certain types of uses in order to preserve adequate supplies for essential purposes such as domestic use and firefighting purposes.
- c. to prevent the practising of frauds upon the town of Gananoque with the water so supplied;

AND WHEREAS the Corporation of the Town of Gananoque (the "Town of Gananoque") owns, operates and maintains the Gananoque James W. King Water Treatment Plant/Water Works.

AND WHEREAS Section 398(2) of the Municipal Act, 2001 authorizes the treasurer of a local municipality to add fees and charges Imposed by the municipality to collect them in the same manner as municipal taxes;

AND WHEREAS It Is deemed desirable and expedient to pass a by-law respecting those "Water Works" owned and operated by or for the Town of Gananoque to ensure that there Is a continued supply of water to those persons to whom water is supplied from such "Water Works".

AND WHEREAS the Council of the Town of Gananoque received Council Report UTIL-2020-01 and concurs with the recommendation to amend Section 15.8 of this By-law to add the following at the end of Section 15.8:

“, except for larger buildings, where one “Water (Lateral) Service” may be permitted and equipped with bulk water meter/remotes and in which case all operating and Capital Water and Wastewater rates charges shall be applied on a per-unit basis.”

NOW THEREFORE the Corporation of the Town of Gananoque enacts as follows:

1. Definitions

- 1.1. “Applicant” shall mean a land or property owner or agent acting on behalf of a land or property owner;
- 1.2. "Consumer" shall mean anyone Who receives from the Council any public utility and shall also include any person who has applied for such utility and to whom the Council is prepared to furnish same whether he uses same or not;
- 1.3. "Town of Gananoque" shall mean The Corporation of the Town of Gananoque;
- 1.4. "Council" shall mean the Council of the Corporation of the Town of Gananoque;
- 1.5. "Clerk" shall mean the Clerk of the Corporation of the Town of Gananoque;
- 1.6. "Treasurer" shall mean the Treasurer of the Corporation of the Town of Gananoque;
- 1.7. "Director" shall mean the Director of Public Works/Recreation for the Corporation of the Town of Gananoque;
- 1.8. "Inspector" shall mean a person defined or authorized by the Town of Gananoque to carry out the observations and inspection and to take samples prescribed by this By-law;

- 1.9. "Water Works" shall mean the water filtration plant located at 110 Kate Street, including pumping stations, treatment facilities, intake structures, distribution mains and water storage facilities in the Gananoque water area and serviced by the James W. King Water Treatment Plant.
- 1.10. "Public Water Main (Trunk) Service" shall mean that section of the "Water Works" considered to be the "distribution mains" and in which all owners of abutting properties have equal rights and is owned and operated by or on behalf of the Town of Gananoque;
- 1.11. "Water (Lateral) Service" shall mean that part of the water piping (lateral pipe) outside a building or structure, that connects a "Public Water Main (Trunk) Service" to the building or structure;
- 1.12. "Water Service Permit" is a permit required for water services and connections to "Public Water Main (Trunk) Service" including upgrades to an existing "Water (Lateral) Service", if changing size and/or location is required by the owner.

2. Authority

- 2.1. Council shall be the authority responsible for the operation of the "Water Works", including the setting of rates, the engaging of employees, the payment of accounts and all other processes necessary for the successful operation of the "Water Works".

3. Water Areas

- 3.1. The Town of Gananoque water area is more particularly described in Schedule "A" hereto.
- 3.2. Notwithstanding clause 3.1, this by-law shall apply to all owners and occupants of lands supplied with water from the "Water Works".

4. Ownership of Services

- 4.1. The Town of Gananoque possesses ownership of the "Water (Lateral) Service" from the "Public Water Main (Trunk) Service" and including, the shut off valve associated with the "Water (Lateral) Service", and the water meter associated with the structure being served by the water service.
- 4.2. The owner possesses ownership of the "Water (Lateral) Service" from the shut off valve (curb stop valve) to the internal connection within the structure being served by the water service.

5. Maintenance Responsibility

- 5.1. The owner is responsible for the costs associated with the maintenance/replacement of the "Water (Lateral) Service" from the connection within the structure being served to the water (lateral) service shut off valve (curb stop valve).

6. Requirement to Extend Services

- 6.1. An owner (applicant) requiring a water service, where a "Public Water Main (Trunk) Service" does not front on the owner's property, is responsible for the full cost of installing the trunk water main from the existing "Public Water Main (Trunk) Service" so designated by the Director of Public Works/Recreation to the point midway along the frontage of the applicant's property.

- 6.2. The Water Hook-up Fee, assigned to pay a reasonable share of the capital costs related to the installation of the "Public Water Mains (Trunk) Service", Water Treatment, Pumping Stations, Hydrants, etc., shall be paid by the owner prior to the issuance of the "Water Service Permit".
- 6.3. The specifications for the work must be approved by the Director of Public Works/Recreation or his/her designate and such work is to be undertaken by the Public Works/Recreation Department under the supervision of the Director of Public Works/Recreation or his/her designate.
- 6.4. Water services will not be turned on by the Town of Gananoque until all costs related to the extension of the "Public Water Main (Trunk) Service" are paid in full by the owner. If there is a default in the payment of aforementioned costs, the owner is ultimately responsible for the payment of such outstanding debt and that such debt can be added as an outstanding tax expense.
- 6.5. All requirements pertaining to the following Sections are additional responsibilities of the applicant (owner).

7. Requirement to Connect

- 7.1. The owner or occupant of every lot or parcel of land which is built upon that derives an immediate benefit from the construction of a "Public Water Main (Trunk) Service" along the street abutting such lot or parcel of land shall, within six months of the municipality giving notice, connect the lot or parcel to the "Public Water Main (Trunk) Service" at the owner's expense.
- 7.2. The owner shall pay all costs for constructing "Water (Lateral) Service" and connections to the "Public Water Main (Trunk) Service" and such work shall be done in accordance with the provisions of this By-law. If there is a default in the payment of aforementioned costs, the owner is ultimately responsible for the payment of such outstanding debt and that such debt can be added as an outstanding tax expense.
- 7.3. No cross connection between any other water supply system and the "Water Works" shall be permitted. The "Water (Lateral) Service" serving a single family unit is restricted to use by the single family unit only.
- 7.4. It is recognized that those presently on private wells are not required to hook-up to the Town of Gananoque's water system (grandfather clause). However, a property owner, who is presently on a private well and decides to apply to hook-up to the Town of Gananoque's water system, is responsible for the payment of the Water Hook-up Fee as his/her share of the cost of the "Water Works" including the installation of the "Public Water Main (Trunk) Service".

8. Application for "Water (Lateral) Service"

- 8.1. Water service will be introduced into buildings or lots and water will be turned on for premises where services have already been installed only upon the written request of the owner thereof or his duly authorized agent in writing to the Town of Gananoque.
- 8.2. In every case in which there is a change of ownership of premises supplied with water, the new owner shall notify the Town of Gananoque of the change of ownership and shall sign and file with the Town of Gananoque an application.

- 8.3. An application for the supply of water shall be made on a form to be furnished by the Town of Gananoque. All applicable fees as detailed on the form must be paid upon application.
- 8.4. In the event the actual cost of the installation of such "Water Lateral Service" and/or connection to the "Public Water Mains (Trunk) Service" exceed the amount prepaid to the Town of Gananoque, the person applying for such installation shall forthwith, after the completion of such installation, pay the Town of Gananoque the balance of such cost. The prepayment amount shall be calculated at 50% of the estimated cost of the project.
- 8.5. If the applicant and owner are different people, the owner of the land must join in such application and both owner and applicant shall agree to pay for the water supplied on such basis as Council may determine. If there is a default in the payment of aforementioned costs, the owner is ultimately responsible for the payment of such outstanding debt and that such debt can be added as an outstanding tax expense.
- 8.6. A "Water Service Permit" for water services and connections to "Public Water Main (Trunk) Service" including upgrades to an existing water service, if changing size and/or location, shall be secured from the Director of Public Works/Recreation or designate before any work is undertaken and all work shall be carried out strictly in accordance with such terms and conditions as may be set out in the "Water Service Permit" application.
- 8.7. All applicable fees associated with the application for a water service such as "Water Service Permit" fees, hook-up fees, connection fees, excavation permit fees and deposits, or any other fees as set by Council by resolution from time to time must be paid prior to the installation. The "Water Service Permit" fee is non-refundable.
- 8.8. The Water Hook-up Fee assigned to pay a reasonable share of the capital costs related to the Installation of the "Public Water Mains (Trunk) Service", Water Treatment, Pumping Stations, Hydrants, etc., shall be paid by the owner or occupant prior to the issuance of the "Water Service Permit". The Water Hook-up Fee shall be established by By-law of the Council of the Town of Gananoque.
- 8.9. The applicant shall be responsible for any costs associated with inspections by Town of Gananoque employees as per Schedules "B" and "D" of this By-law.
- 8.10. No work may be done on either the installation or the repair of "Water (Lateral) Service" and services without the approval by the Town of Gananoque.
- 8.11. The receipt of approved water "Water Service Permit" does not eliminate the applicant's responsibilities for any other applicable permits or authorizations.

9. Installation of "New Water (Lateral) Services"

- 9.1. The "New Water (Lateral) Service" pipe shall be laid down from the "Public Water Main (Trunk) Service" to the building at the expense of the owner. The owner may contract with the Town of Gananoque to undertake the work or may contract with a private contractor hired by the owner. In either case, the Director of Public Works/Recreation, or his/her designate, shall approve the contractor, the servicing plans, and inspect the work prior to backfilling the trench.

- 9.2. Where a new "Water (Lateral) Service" is permitted connection to a "Public Water Main (Trunk) Service" and water pressure exceeds acceptable normal pressure, the Town of Gananoque will provide the owner with a pressure reducing valve at no charge. The owner will be responsible for the installation and maintenance, as per manufacturer's recommendations which will be provided with the pressure reducing valve. A normal arrangement for a pressure reducing valve installation as per the "Water Service Repairs" fees are outlined in Schedule "D" of this By-law.
- 9.3. The Owner shall pay on demand all costs for laying a "Water (Lateral) Service" pipe from the "Public Water Main (Trunk) Service", for constructing "Water (Lateral) Services" and connecting to the "Public Water Main (Trunk) Service" and for all other expenses necessary or incurred to serve an applicant or property, and if not so paid, may be collected in the same manner as water rates.
- 9.4. All new "Water (Lateral) Services" and/or replacements, in whole or in part, of existing "Water (Lateral) Services" shall be constructed as per approved Town of Gananoque specifications at the time of "Water Service Permit" application in such manner, size, material and grade and with such appurtenances as the Director of Public Works / Recreation shall require, and no such "Water (Lateral) Service" shall, under any circumstances, be closed or backfilled until examined, tested and approved in writing by the Director of Public Works/Recreation, or his/her designate.
- 9.5. Testing, where required, shall be at the expense of the "Water Service Permit" applicant.
- 9.6. All plumbing and pipe work on private property shall be installed in accordance with Part 7, (Plumbing) of the Ontario Building Code, the Ontario Provincial Standard Specifications and Town of Gananoque standards. Should there be conflicts between standards and codes, the direction of the Director of Public Works/Recreation will be final.
- 9.7. The requirement for a backflow prevention device on new buildings shall be as per the latest editions of the Ontario Building Code and Guide for Plumbing. In addition, a backflow prevention device, at the water meter, is required for all new commercial, industrial or institutional premises, if there is a possibility of backflow from the premises caused by either over pressure in the premises or back siphonage. This shall exclude domestic hot water heaters as a source of pressure overflow. Backflow preventers shall be registered with the Town of Gananoque. Those devices must be regularly maintained at the cost of the owner and maintenance records available for inspection by Town of Gananoque employees, as required.
- 9.8. Bedding and location of "Water (lateral) Services" pipes shall be in accordance with standards established by Provincial and Town of Gananoque Standards and administered by the Director of Public Works/Recreation.
- 9.9. The Director of Public Works/Recreation, or his/her designate, shall, from time to time, during the progress of the laying and construction of all "Water (lateral) Services", inspect the same, and may revoke the "Water Service Permit" and order the work of construction to be stopped if the work done or the material used is not as required by him/her and by this By-law.

- 9.10. No person shall damage or injure any "Public Water Main (Trunk) Service" and/or "Water (Lateral) Service" pipes, connections, etc.
- 9.11. All applicable Safety Standards shall be adhered to by the owner and/or his/her contractor(s).

10. Maintenance of "Water (Lateral) Service" Pipe(s) on Town of Gananoque Property

- 10.1. All costs associated with repairs/maintenance or replacement of "Water (Lateral) Service" pipe(s) including that portion from the connection to the building to the water (lateral) service shut off valve (curb stop) shall be the responsibility of the owner. All "Water (Lateral) Service" connected thereto from the connection at the "Public Water Main (Trunk) Service" up to and including the water (lateral) service shut off valve (curb stop) in the Town of Gananoque shall be repaired, kept in order or replaced at the expense of the Town.
- 10.2. No person shall injure, break or remove any portion of any "Water (Lateral) Service", related valve, curb stop, hydrant, water meter, any part of any "Public Water Main (Trunk) Service" or obstruct the flow of water in any part of the system, unless approved in writing by the Director of Public Works/Recreation, or his/her designate.
- 10.3. Any damage or leak or other maintenance of the "Water (Lateral) Service" pipes from the water (lateral) service shut off valve (curb stop) up to but excluding the water meter, shall be forthwith repaired by the owner or occupant of the building to the satisfaction of the Town of Gananoque, and in default of his so doing, whether notified or not, the Town of Gananoque may enter upon the land where the "Water (Lateral) Service" pipe is and repair the same and charge the cost thereof to the owner or occupant of the premises and the same may be collected in the same manner as water rates.

11. Maintenance of "Water Lateral Service" Pipes by Owner

- 11.1. Every person taking water must at his own expense keep his "Water (Lateral) Service" pipe or pipes, from the "Public Water Main (Trunk) Service" to the interior face of the outer wall of the building and all appliances and fixtures connected therewith, in good order and condition.
- 11.2. Should the said "Water (Lateral) Service" pipes, appliances and fixtures get out of repair and not be forthwith repaired it shall be lawful for the Town of Gananoque to refuse to continue the supply of water until such repairs have been completed to the satisfaction of the Director of Public Works/Recreation, or his/her designate.
- 11.3. "Water (Lateral) Service" pipes, fittings, etc. must be inspected, tested and approved by an authorized agent of the Town of Gananoque before regular water service commences.
- 11.4. Any water consumption cost that is a direct result of damage, disrepair, freezing or unattended maintenance requirement, to a "Water (Lateral) Service" pipe or water fixture, will be the responsibility of the owner. If there is a default in the payment of aforementioned costs, the owner is ultimately responsible for the payment of such outstanding debt and that such debt can be added as an outstanding tax expense.

- 11.5. Where a "Water (Lateral) Service" on private property is jointly owned and such "Water (Lateral) Service" requires servicing and/or repairs, the Town of Gananoque may, after giving adequate notice to the owners by personal delivery or by registered mail, repair the service(s) and levy the cost on the taxes of the owners of the service(s) rendered if the levy is not paid promptly.

12. Inspections

- 12.1. The officers or employees of the Town of Gananoque shall be at all times entitled to enter any premises for the purpose of examining pipes, connections and fixtures which are used in connection with the water service. The location of a water meter, once installed to the approval of the Town of Gananoque, shall not be changed by any person except with the written consent of the Town of Gananoque.
- 12.2. All "Water (Lateral) Service" pipes and connections shall be inspected by an authorized officer or employee of the Town of Gananoque prior to backfilling and when back-filled such "Water (Lateral) Service" pipes and connections shall be properly protected from frost at the expense of the owner of the property for which such "Water (Lateral) Services" are supplied. Such "Water (Lateral) Service" pipes and connections shall be so protected from all damage whether by frost or otherwise and the owner of each building shall be responsible for the due protection of such "Water (Lateral) Service" pipes, and connections and in the case of leakage such owner shall be responsible for the loss occasioned by such leak(s), and the charge for such water so leaking shall be determined by the Director of Public Works/Recreation, and the cost thereof shall be paid by the owner forthwith upon demand and such owner shall be responsible for all damage arising from such leakage.

13. New Connections Through Development or Extension of Services

- 13.1. All "Public Water Mains (Trunk) Service" and "Water (Lateral) Services", which are laid or installed in public streets, shall become the property of the Town of Gananoque.
- 13.2. Where "Public Water Mains (Trunk) Service" and "Water (Lateral) Services" are installed by a developer, all the works shall be supervised by the Town of Gananoque and legal agreements will be required prior to the commencement of the installation stating that the Town of Gananoque will become the owner of the installation located on Town of Gananoque property on their completion. The Town of Gananoque requires detailed drawings of the proposed work and construction shall not proceed until the drawings are approved by the Director of Public Works, or his/her designate.
- 13.3. New "Water (Lateral) Service" connections to existing "Public Water Main (Trunk) Service" shall be made by the Town of Gananoque or an approved contractor and all applicable fees for the connection such as "Water Service Permit" fees, impose fees, Water Hook-up fees, excavation permit fees and deposits, or any other fees as set by Council by resolution from time to time must be paid prior to the installation.

14. Water Shut Off Notices

- 14.1. If a "Planned Public Water Main (Trunk) Service" shut down is necessary in order to conduct work under any Section of this By-law, and where on-line consumers will be affected, the applicant for the work will be responsible for notifying all affected consumers of a potential loss of

water supply in a format approved in writing by the Director of Public Works/Recreation. The notice must be clearly printed, with the date of the shutdown, duration and contact number for any questions, and delivered a minimum of 24 hours in advance to all affected properties.

- 14.2. Planned water shut downs will only be allowed with the Director of Public Work's and Recreation's approval.
- 14.3. Emergency shut down circumstances, Section 14.1 and 14.2 do not apply.

15. Water Meters, Service Fixtures and Liability Thereof

- 15.1. All water supplied from Town of Gananoque "Water Works" and used on any premises or by any consumer shall pass through and be measured by a water meter approved and supplied by the Town of Gananoque. Failing to comply with the proper use of the water meter policy, the Town of Gananoque shall refuse to supply water to any person or premises otherwise than by water meter.
- 15.2. In addition to whatever other remedies the Town of Gananoque may have by law with respect to infringement of Section 15.1 (proper use of the water meter), the Town of Gananoque may, upon ascertaining that water has been used which has not passed through the water meter of such premises, forthwith without notice, shut off and stop supply of water and assess costs for consumption of such water.
- 15.3. The Town of Gananoque Building Department will issue water meters, a copy of the "Water Service Permit" application, and a copy of schedule B, C and D of this By-law to the applicant. Contractor's installation includes the installation of the water meter and pre-wiring of remote water meter reading controls. A normal arrangement for a water meter installation is shown in the urban service requirement diagram C of this By-law.
- 15.4. The location of the remote receptacle assembly will be based on the following considerations:
 - 15.4.1. Proximity to the water meter and telephone line;
 - 15.4.2. Location where the cable entry hole can be drilled within the proximity of the water meter installation;
 - 15.4.3. Location of other meters (electric and gas);
 - 15.4.4. Reasonable customer preferences, and;
 - 15.4.5. Ability to read multiple meters for a common location.
- 15.5. All water meters and remote water meters shall be positioned in a location approved by the Director of Public Works/Recreation Department or designate, be accessible to the officers of the Town of Gananoque at all times, and shall not be covered except where permission or authority had been given in writing by the Director of Public Works/Recreation of the Town of Gananoque, or his/her designate.
- 15.6. In the event that a water meter or remote water meter is not accessible, it shall be repositioned to a location approved by the Director of Public Works/Recreation Department, or his/her designate, at the cost of the property owner.

- 15.7. Inspection of new water meter installations will be performed by an employee of the Town of Gananoque Building Department, whereas inspection of existing installations will be performed by an employee of the Town of Gananoque Public Works/Recreation Department.
- 15.8. At the discretion of the Operating Authority, every separate building supplied with water, with the exception of private garages attached to any residence, shall be furnished with a separate service and water meter/remote, and in the case of duplex houses and other buildings with more than a single family unit there shall be a separate "Water (Lateral) Service" and water meter/remote for each single family unit, except for larger buildings, where one "Water (Lateral) Service" may be permitted and equipped with bulk water meter/remotes and in which case all Operating and Capital Water and Wastewater Rate Charges shall be applied on a per-unit basis.
- 15.9. Any building with more than one single family unit built before December 7, 2021, with only one (1) service and water meter/remote, or fewer services and water meters/remotes than residential units, is exempt from Section 15.8 provided that the building owner pays all Operating and Capital Water and Wastewater Rate Charges on a per-unit basis as issued by the Town of Gananoque.
- 15.10. Any building exempt from Section 15.8 pursuant to Section 15.9 shall install one (1) service and water meter/remote per residential unit at such time as the building is reconstructed or renovated, unless the Town of Gananoque extends the exemption in writing prior to issuance of a building permit for the work.
- 15.11. Similarly, each unit within a multiple commercial, industrial and institutional building must be furnished with a separate water meter and remote.
- 15.12. Any multiple commercial, industrial and institutional building built before December 7, 2021 with only one (1) service and water meter/remote, or fewer services and water meters/remotes than units, is exempt from Section 15.8 provided that the building owner pays all Operating and Capital Water and Wastewater Charges on a per unit basis as issued by the Town of Gananoque.
- 15.13. Any multiple commercial, industrial and institutional building exempt from Section 15.8 pursuant to Section 15.12 shall install one (1) service and water meter/remote per unit at such time as the building is reconstructed or renovated, unless the Town of Gananoque extends the exemption in writing prior to issuance of a building permit for the work.
- 15.14. Every property owner shall be liable for the safety and care of the water meter and all other service equipment placed on his property, and will be charged for all damage thereto, whether occasioned by frost, hot water, blows or injury from any other cause, and for the loss of the water meter or other service equipment if the same be removed from his premises without the consent of the Director of Public Works/Recreation of the Town of Gananoque, or his/her designate, whether stolen or otherwise, and the cost of every such water meter or other equipment, or of repairing or replacing the same, shall be payable to the Town of Gananoque on demand and in default of payment, the Town of Gananoque may, in addition to all other remedies which it may have by law collect same, and until paid all such charges shall be and remain a lien upon the lands in respect to which they were incurred.

- 15.15. Every property owner shall be responsible for the installation of a new water meter or other service equipment, including "Water (Lateral) Service" pipes, when damages, as detailed in Section 15.12 of this By-law, occur.
- 15.16. The contractor shall be responsible for any damage done to the customer's service plumbing and shall repair any leaks or other defects that may have been caused by the installation work, presuming that any leaks or defects reported by the customer to either the contractor or the Town of Gananoque within (14) calendar days after the completion of the installation are the result of a faulty installation and the contractor shall repair the damage at no extra cost to the Town of Gananoque or the property owner. This presumption does not apply to leaks or pre-existing conditions noted by the contractor and acknowledged in writing by the customer, as being in existence prior to the installation.
- 15.17. No person, except an officer or employee of the Town of Gananoque, shall be permitted to open, or in any way howsoever, tamper with any water meter, remote, service, curb stop 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 service or water meter. Should any person change, tamper with or otherwise interfere with the water without any notice, and/or shut off the water from such buildings, or premises, without the express consent of the Director of Public Works/Recreation of the Town of Gananoque, or his/her designate, shall be liable for a conviction under "Section 28 - Penalty" of this By-law.
- 15.18. In case any premises be left vacant or without heat, the property owner or occupant thereof shall give notice to the Town of Gananoque and any occupant or property owner who leaves his premises vacant, without heat, without notice to the Town of Gananoque shall be subject to the set out in Section 15.2 of this By-law.
- 15.19. When such building is left vacant, with or without notice, the Town of Gananoque may turn off the water, and such water shall not be again turned on until the Town of Gananoque, in its discretion, shall consider it advisable.
- 15.20. When such building is left vacant, with or without notice, and damage occurs to any part of the water service, the owner is responsible for the costs of any necessary repairs.
- 15.21. Ownership of the water meter and fittings will vest with the Town of Gananoque.

16. Water for Construction (Building) Purposes

- 16.1. An application for water use during construction (building) phase shall be made on the prescribed form to the Town of Gananoque Building Department at the time of procuring a Building Permit.
- 16.2. The charge for such supply of water shall be based upon a rate for a reasonable quantity of water as per Schedule D.
- 16.3. Water can not be supplied for watering lawns during the construction (building) phase.

- 16.4. Water for construction (building) purposes shall only be taken from a completed "Water (Lateral) Service" and Town of Gananoque approved "Public Water Main (Trunk) Service" to the site. The termination at the building service must not allow any backflow conditions into the distribution system and be controlled by a suitable valve.
- 16.5. The Town of Gananoque can revoke this supply at any time if abused, and no refund will be provided.

17. Turning Water On/Off

- 17.1. No person other than a Licensed Water Distribution System Operator employed by the Town of Gananoque shall be permitted to turn on or shut off water by means of the street shut-off from any premises. This will be strictly enforced and anyone who contravenes this policy will be charged under Section 28 of this By-law.
- 17.2. A diagram showing the installed "Water (Lateral) Service" as constructed must be submitted by the applicant using Schedule C of this by-law after the installation has been completed and before the Town of Gananoque turns on the water.

18. Use of Water

- 18.1. It shall not be lawful to use the supply of water for hydraulic elevators or motors, water driven appliances, whether operated wholly or in part by water, or for air conditioning except where a special agreement has been entered into with Council.
- 18.2. Council by resolution may at any time restrict the hours when water may be used for, including but not limited to, watering or sprinkling, by hose or pipe connections, lawns, gardens, grass plots, boulevards or grounds of any description, car washing and filling of pools.

19. Hydrants

- 19.1. No person shall at any time open or use water from any public hydrant except a Licensed Water Distribution Operator employed by the Town of Gananoque. The members of the Fire Department, under the direction of an officer, shall be considered as licensed operators for the purpose of opening hydrants only.
- 19.2. The Fire Department will advise the Town of Gananoque Director of Public Works/Recreation, in writing, before the end of the next working day if any hydrant has been operated by the Fire Department.

20. Shut Off for Not Complying with By-law

- 20.1. Council shall have the right to shut off water from the premise of any person guilty of a breach or non-compliance with this By-law or because of waste, breakage or defects in the pipes or fixtures and not turn on the water again until the penalty imposed has been paid and/or until satisfactory evidence is received that the necessary repairs have been made.

21. No Liability for Non-Supply

- 21.1. The Director of Public Works/Recreation agrees to use reasonable diligence in providing a regular and uninterrupted supply of water consistently meeting quality and standards as defined in the Provincial Drinking Water Regulation, 0. Reg. 459/00, as amended, but does not guarantee a constant supply or pressure, and will not be liable in

damages to the consumer or third parties for any results arising from the failure of the water supply quantity or any fluctuations thereof.

22. Water Supply Interruptions

- 22.1. Subject to the notice requirements set out in certain Sections of this By-law, the water may be cut off from the "Water Works" for cleaning mains or pipes, or for effecting repairs to the machinery, pumps or any part of the "Water Works".
- 22.2. The Town of Gananoque will not be liable in case of damage to boilers, fittings or other property by reason of any such shut-off of the water.
- 22.3. All steam and hot water plants, or Installations, shall be fitted with all necessary appliances as may be requisite for the purpose of safeguarding such plants and installations, and the property in connection therewith, in case of any such shut-off.

23. Water Meter Chambers

- 23.1. Where the Town of Gananoque deems the construction of a frost-proof chamber(s) is necessary to house Town of Gananoque's water meter(s), it shall give notice in writing accordingly mailed to the consumer by registered mail and the consumer shall forthwith provide a drained frost-proof chamber(s). The plans and specifications of which shall be subject to the approval of the Town of Gananoque.
- 23.2. The cost of providing and maintaining such a frost-proof chamber(s) readily accessible at all times shall be at the expense of the consumer (owner).
- 23.3. The water meter or water meters shall be provided by and remain the property of the Town of Gananoque but shall be the responsibility of the consumer for the maintenance and care.
- 23.4. The Town of Gananoque shall be entitled to shut off all water services without further notice at the expiry of twelve months from the date of the aforesaid written notice to the consumer, whether received by the consumer or not, unless an approved frost-proof chamber(s) has (have) been provided by that date and shutting off water shall not preclude any and all other remedies available to the Town of Gananoque by by-law or statute.

24. Access

- 24.1. The authorized officers, employees and agents of the Town of Gananoque shall, when carrying out Town of Gananoque business, have, at all reasonable hours, access to the buildings and premises of a consumer for the purpose of installing, reading, examining, repairing or moving water meters, readers, seals, pipes and other material and for the inspection of all plumbing fixtures, services and pipes to carry out the requirements of this By-law and to determine whether or not the provisions thereof are being fully observed.

25. Heavy Consumption

- 25.1. When, in the opinion of the Town of Gananoque, the quantity of water consumed or likely to be consumed in a relatively short time by any consumer is such as to require special facilities, the Town of Gananoque shall give notice in writing, accordingly mailed to the consumer by registered mail and the consumer shall forthwith provide a private overhead or underground reservoir of a capacity which in the

opinion of the Town of Gananoque is sufficient to supply the consumer's short-time requirements.

- 25.2. Plans and specifications of such reservoir and all piping thereof and connections thereto shall be subject to the approval of the Town of Gananoque in addition to such other approval as may be required.
- 25.3. The cost of providing and maintaining such reservoir and all piping and connections thereto shall be at the expense of the consumer.
- 25.4. The Town of Gananoque shall be entitled to shut off all water without further notice at the expiry of twelve months from the date of the aforesaid written notice to the consumer whether such notice was received by the consumer or not unless an approved reservoir has been provided by that date and shutting off water shall not preclude any and all other remedies available to the Town of Gananoque by by-law or statute.

26. Restrictions on Use of Water

- 26.1. In the case of an emergency or any condition requiring repairs to any municipal sewer or water system, the Town of Gananoque may shut off or restrict the supply of water to a property.
- 26.2. Before shutting off or restricting the supply of water, the Town of Gananoque shall, except in the case of an emergency:
 - 26.2.1. 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 Town of Gananoque with a notice of the date upon which the Town of Gananoque intends to shut off or restrict the supply of water if access to the property is not obtained before that date; or
 - 26.2.2. ensures that a copy of the notice described in clause 23.2 (a) is securely attached to the property in a conspicuous place.
- 26.3. If the Town of Gananoque has shut off or restricted the supply of water under Section 26.1, the Town of Gananoque shall restore the supply of water as soon as practicable after the repairs have been completed.
- 26.4. When a water shortage problem exists or is expected, Council may prohibit the use of water for lawn and garden watering purposes, car washing, pool filling or the taking of water from all or any of the "Water Works" for other than domestic use by the owner or occupant of the land to which the water is supplied, or for firefighting purposes.

27. Method of Charging for Water Services

- 27.1. The Town of Gananoque shall establish a method of charging for repairs, maintenance, replacement, new installations and all related water services rendered by Town of Gananoque Staff based on "actual costing" for services rendered procedures. This policy is related to (i) pending provincial legislation requiring municipalities to substantiate costing for services provided and, (ii) because of varying maintenance parameters, to the inequalities associated with a flat rate invoicing system.
- 27.2. An overhead (administration) cost of 30% is added to the "actual costing" procedures.

27.3. Any unpaid Water Charges shall be added to the Tax Roll for any real property in the Town of Gananoque and shall be collected in like manner as municipal taxes.

28. Penalty

28.1. Every person who contravenes this By-law is guilty of an offence and on conviction is liable to payment of a fine not exceeding Five Thousand (\$5,000.00) dollars for each offence, exclusive of costs.

29. Schedules

29.1. Schedules "A", "B", "C" and "D" inclusive forms a part of this By-law as if these Schedules were included in the body of the By-law.

30. By-law Repealed

30.1. Any and all by-laws or portions thereof conflicting with this by-law are hereby repealed.

31. Short Title

31.1. This By-law may be referred to as the "Water Works By-law".

**By-law No. 2008-20, as amended
Schedule "A"**

DESCRIPTION OF WATER AREA

1. Limits of the Town of Gananoque

**SCHEDULE "A"
OUTSIDE AREA CONSUMERS**

380 County Road #2,
Leeds Concession 1, Part Lot 18
RP 28R1101, Parts 2 and 3
0812-812-020-04401 – Township of Leeds and the Thousand Islands

357 County Road #2,
Leeds Concession 1, Part Lot 17,
RP28R1895, Part 1,
0812-812-020-01106 – Township of Leeds and the Thousand Islands

TOWN OF GANANOQUE

URBAN SERVICE REQUIREMENTS

By-law No. 2008-20, as amended SCHEDULE "B"

INSPECTIONS

(Call the Public Works/Recreation Department at 382-4360 for new installation inspection)
(Call the Public Works/Recreation Department at 382-4360 for existing installation)

- **A 48 hours notice is required.**
- All work must conform to the requirements as outlined in the Occupational Health and Safety Act as amended from time to time which includes trenching, personal protection and equipment.
- The curb box valve and any coupling for all services shall be exposed for inspection.
- The servicing will be inspected for material, type, elevation, slope, bedding and depth of cover. Testing of services may take place at any time at the Town of Gananoque's Public Works / Recreation Department.
- All work to be completed as per the relevant section OPSS unless specifically stated otherwise as per this sheet.

"SEWER (LATERAL) SERVICE"

- 100mm 0 minimum size PVC SDR28 or equivalent for single family homes. Pipe must be labelled. Multiple units will require design approval from the Town of Gananoque.
- Coupling at connection point shall be to manufacturer's specifications and/or same material as pipe.
- Clean out to be same size as "Sewer (Lateral) Service".
- Sweeps to be installed. No bends or modifications will be approved.
- No "Sewer (Lateral) Service" shall be located above the water service.
- Minimum slope for "Sewer (Lateral) Service" is 2%.
- Bell end of pipe shall be upstream towards building.
- Backfilling of "Sewer (Lateral) Service" trench shall be of material which does not have rocks or boulders of 150mm or larger in one direction, and be free of organic material.

"WATER (LATERAL) SERVICE"

- 19mm 0 minimum type 'k' copper, or 19mm 0 polyethylene (must be labelled CAN/CSAB 1371), is approved by the Town and installed to the Ontario Plumbing Code.
- Where the "Water (Lateral) Service" pipe needs to be longer than 18m from the curb stop to the building, a 25mm service is the minimum size approved.
- When polyethylene pipe is being used and passes through wall and concrete slab, it shall be installed with a metal sleeve and pressure tested at 150 psi.
- Where polyethylene water pipe is used, it shall be wire traced from building foundation wall to connection joint at property line. Tracer wire to be 10 gauge stranded wire.
- Polyethylene services must have stainless steel inserts to compression fittings.
- Minimum depth of cover of the water service is 1.5m along the entire length.
- Bedding material shall be granular 'A' and compacted to a minimum depth of 150mm above and below the water service.
- There shall be no buried joints, except at the curb stop.
- Double water services will only be allowed if there is a 25mm service minimum from the "Public Water Main (Trunk) Service" to the curb stop and a double curb stop with compression fittings and without drain is installed. Each unit should have a 19mm service minimum from curb stop to the unit.

WATER METERS

- Water meters shall be supplied by the Town of Gananoque through the Public Utilities Department.
- Water meters to be installed horizontally as per manufacturer's specifications.
- Remotes will be placed within 300mm of the Hydro meter or approved location.
- Contractors are responsible for installing the water meter and a wire, 4 -strand wire, 22 gauge minimum (Bell wire), from the water meter to the approved remote location.
- Public Utilities Department personnel will do the final connection at the water meter and mount/connect the remote.
- Public Utilities staff will tag and secure all water meters.

CURB STOP

- Mueller Roto-Seal type or equivalent – compression fittings. Without drain
- Inverted key type not acceptable.
- Valve will be no deeper than 1.7m below finished grade.
- An anode must be fastened to the curb stop with an electric clamp for every copper service, minimum 7.7 Kg zinc anode. If an anode has already been installed on the main stop than this is not required.

MAIN STOPS

- Compression fittings. Without drain.
- Service taps will include stainless steel saddle as recommended by pipe manufacturer.
- An anode must be fastened to the main stop with an electric clamp, minimum 7.7 Kg zinc anode.

BEDDING AND BACKFILL MATERIAL

- As per OPSS 701 or as approved by Director of Public Works/Recreation of Public Works/Recreation.

TOWN OF GANANOQUE

**By-law No. 2008-20, as amended
SCHEDULE "C"**

AS CONSTRUCTED FORM

ADDRESS _____

LOT # _____ R. PLAN NO. _____ PROJECT NO. _____

WATER SERVICE

TYPE of PIPE _____ SIZE _____

TYPE of CONNECTION FITTING _____ TYPE of CURB STOP _____

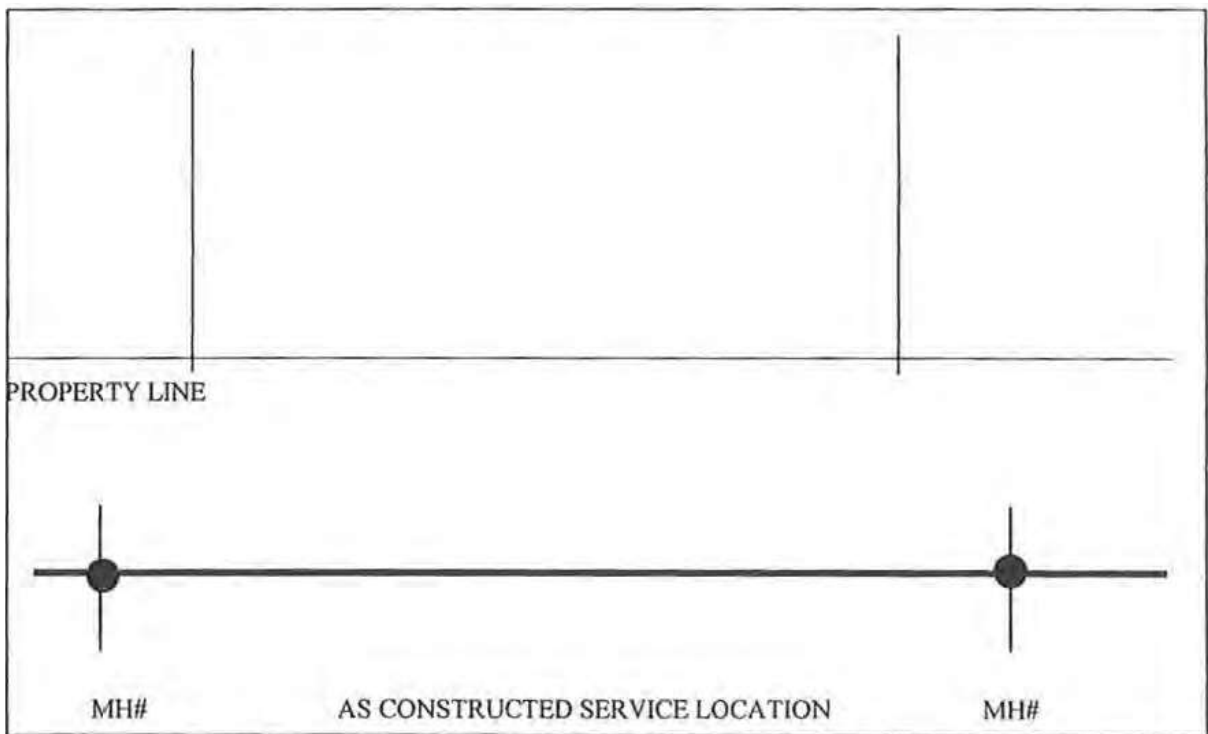
SEWER SERVICE

TYPE of PIPE _____ SIZE _____

GRADE _____

DISTANCE FROM MH# _____ IS _____ DISTANCE FROM MH# _____ IS _____

**CONTRACTOR IS REQUIRED TO PROVIDE WING TIES FROM STRUCTURE
CORNERS TO BOTH CURB STOP AND SEWER TESTING TEE.**



Note: Draw both water and sewer services on the same diagram including the location of the sewer clean out and the curb stop.

I certify that the dimensions shown above are correct: _____ Date: _____
Contractor's signature

Certified by: _____ Date: _____
Inspector's signature

TOWN OF GANANOQUE

**By-law No. 2008-20, as amended
SCHEDULE "D"**

SUMMARY OF CHARGES

WATER

| | |
|---|---|
| Water Meter Testing | All Actual associated costs for removing the water meter, testing and reinstalling plus a 30% administration fee. |
| Water Meter Maintenance & Repair due to damage or freezing | All Actual associated costs to repair water meter or hardware. This would include labour, equipment, materials and a 30% administration fee. |
| "Water Service Permit" | "Water Service Permit fee of \$35 per connection plus actual inspection costs. |
| New "Water (Lateral) Service" Installations | All Actual associated costs for labour, equipment and materials plus a 30% administration fee. |
| Turning Water off and on for repairs within unit to accomplish maintenance for internal plumbing. | All Actual associated costs to perform this task after normal working hours, weekends and holidays. This would include labour and equipment, plus a 30% administration fee. |
| Water service repairs | All Actual associated costs to repair service or provide hardware. This would include labour, equipment, materials, plus a 30% administration fee. |
| Frozen Water services (intake mains) | All Actual associated costs for this work. This would include labour, equipment, materials, plus a 30% administration fee. |
| Water Use during Construction (building) | One time cost of \$50.00 |
| Water Haulers | \$45/day plus current water rate/m3 |