

THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL

BY-LAW NO. 2013- 69

“BEING A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE  
SUPPLY OF POTABLE WATER BY THE TOWNSHIP TO THE  
RESIDENTS OF CARDINAL”

**WHEREAS** The Township of Edwardsburgh/Cardinal is a Township in the Province of Ontario and the *Municipal Act, 2001* authorizes a Township to operate a water system as a public utility for the purpose of supplying and distributing water to residents, industrial and commercial users, for fire protection, and to all other Owners in The Township of Edwardsburgh/Cardinal, and subject to Council approval, to Owners outside the Municipal boundaries;

**AND WHEREAS** The Township will collect water consumption information from all metered accounts for water billing purposes, thru a mobile radio frequency reading system, as part of a Universal Water Metering Strategy;

**AND WHEREAS** Part 7 (Plumbing) of the *Ontario Building Code*, O. Reg. 350/06, as amended, requires every Township to regulate the connection of individual water services to a municipal potable water works;

**AND WHEREAS** The Township deems it necessary to confirm the mandatory use and installation of water meters in the Township that are connected to the municipal water service;

**AND WHEREAS** section 80.(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a Township may, at reasonable times, enter on land to which it supplies a public utility, to inspect, install, repair, replace or alter a public utility meter;

**AND WHEREAS** section 80.(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that if a Owner discontinues the use of a public utility on land or a Township lawfully decides to cease supplying the public utility to land, the Township may enter on the land, to shut off the supply of the public utility, or to remove any property of the Township, or to determine whether the public utility has been or is being unlawfully used;

**AND WHEREAS** sections 9, 10, and 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a Township to pass by-laws imposing fees or charges for services or activities provided or done by the Township;

**NOW THEREFORE** the Council of the Township of Edwardsburgh/Cardinal, in the Province of Ontario, duly assembled, enacts as follows:

1 **DEFINITIONS**

In this By-law:

“**Building**” means a structure supplied with potable water by the Township;

“**Council**” shall mean the Council of the Township of Edwardsburgh/Cardinal;

“**Consumer**” shall mean the owner or occupant of property which is serviced by, connected to, and takes water from the Township’s water works;

“**Contractor**” shall mean a person, partnership, or corporation who has been retained to undertake the execution of work commissioned by the Township to install and/or maintain water meters and other appurtenances.

“**Township**” means The Township of Edwardsburgh/Cardinal.

“**Curb Stop**” shall mean the on/off valve on the Township’s water service pipe located on or about the boundary line between private property and the municipal road allowance;

“**Equipment**” means all equipment such as transmitter, AMR equipment, and any good required for the Universal Metering Program.

**“Duplex”** shall mean a residential building containing two separate living units each served by an individual water service connection from the Township’s water works;

**“Inspector”** means the Chief Building Official or Building Inspector of the Township and may also include the Director of Operations and a By-Law Enforcement Officer;

**“Main shut-off valve”** means the first isolation located on the plumbing system just within a premises and be equivalent to the definition provided for a “Building Control and Shut-off Valve” as described in Section 7.6.1.3. of the 2006 Ontario Code and Guide for Plumbing.

**“Meter”** means the water meter, metering equipment, register and radio frequency transmitter unit installed and owned by the Township to measure the quantity of water used by a owner;

**“Multi-family residential”** means a single building containing two or more single family units, including apartment buildings, which is serviced by, connected to, and takes water from the Township’s water works;

**“Owner”** shall include any consumer, occupant, person or any firm or municipal entity who is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian which is serviced by, connected to, and takes water from the Township’s water works;

**“Person”** means an individual, body corporate, partnership and any other group or association of individuals carrying on business or operating under a name other than those of the individuals comprising such group or association;

**“Potable water”** means water that is fit for human consumption;

**“Premises”** means the property being supplied or to be supplied with water;

**“Private water service”** means the pipes and fixtures used for the purpose of supplying any building with water from the Township’s water works that is located between the street line in front of or abutting the premises so supplied and the building on the abutting premises;

**“Service pipe”** means the pipe connecting a water main to a building or structure not owned by the Township;

**“Single family residential”** means any detached, semi-detached or row housing that is serviced by a single water service connection servicing each premise unit.

**“Water main”** shall mean the pipe used to distribute water and owned by the Township, which is generally located on or about a road allowance or Township easement;

**“Water service connection”** means the pipes and fixtures used for the purpose of supplying any premises with water from the Township’s water works that is located between the Township’s water main in the street and the street property line abutting the premises so supplied.

## 2 GENERAL PROVISIONS

- 2.1. Only one (1) meter shall be on a service pipe leading to any premise.
- 2.2. No two (2) separate premises shall be supplied from one (1) service. Each separate premise shall be supplied by each service pipe except for duplex, apartment or double house.
- 2.3. One (1) meter shall be placed in each single family residential, multi-family residential, commercial, industrial and institutional private water service that has a single connection to the Township’s water works and the plumbing shall be so arranged that all water used on such premises shall pass through such meter and the owner shall be held liable for water charges.
- 2.4. All Owners must be metered and meters installed prior to building occupancy.
- 2.5. All meters and related appurtenances supplied shall conform to the specifications of the Township and shall be installed by the Township’s authorized agent.

- 2.6. Meter location, once installed by the Township, shall not be changed by any person except with Township's consent.
- 2.7. All water passing through a meter will be charged to the owner, whether used or wasted.
- 2.8. All existing and new residential, institutional, commercial and industrial water users connected to or wishing to connect to the Township waterworks system are required to install a meter for the measuring of the quantity of water used. The Township may refuse or discontinue supply other than by a metered service.
- 2.9. All new dwellings and businesses shall be supplied with a meter, installed and managed by the Township. Applicant shall ensure their new building/dwelling/property plumbing system is ready for meter installation by incorporating a "spool piece" in the absence of a meter. After the building passes inspection and prior to occupancy, the owner shall inform the Township in writing, in order to replace the "spool piece" with a meter.
- 2.10. The Township shall determine and specify the type, size and arrangement of meters.
- 2.11. Unmetered consumed water during construction phase of a building may be charged as per unmetered rates on attached Schedule A.

### **3 OWNERSHIP OF FACILITIES AND EQUIPMENT**

- 3.1. All meters shall be owned, supplied and maintained by the Township unless otherwise provided in this bylaw.
- 3.2. All meters and related appurtenances remain the property of the Township even following installation within a premise.

### **4 TOWNSHIP'S RESPONSIBILITY**

- 4.1. The Township does not guarantee the continuous uninterrupted supply of any utility and is not liable for the stoppage of, or any damaged by, water from any cause over which the Township has no control.
- 4.2. The Township reserves the right at any time without notice to shut off water supply whenever required for the maintenance or operation of the utility.
- 4.3. The Township reserves the right to remove the meters when necessary and replace with another meter, if the Township sees fit under the conditions of the service installation. Such change shall be made in accordance with current regulations.
- 4.4. The Township will not supply, install, inspect or read private meters, nor will they arrange billing for consumption on private meters.

### **5 OWNER'S RESPONSIBILITY**

- 5.1. The Owner shall maintain the meters in a dry and warm location including providing adequate heat in the premises to prevent frost or other damage to the meter supplied hereunder.
- 5.2. The Owner shall ensure and provide convenient, safe, adequate, accessible location for the meters and appurtenances, for inspection, repair and maintenance.
- 5.3. The Owner shall provide a convenient and safe space, free of charge or rent, for the Township's meter, pipes and other appurtenances on their premises, and further agrees that no one who is not an employee or agent of the Township or otherwise lawfully entitled to do so, shall be permitted to remove, inspect or tamper with any of the Township's said equipment.
- 5.4. The Owner shall not remove meters from service without three (3) working days written notice from the Township except in case of emergency. In the case of emergency, the owners shall be responsible to ensure that the meter does not get damaged.
- 5.5. The Owner shall maintain the inlet valve and remote read-out of the meter including ensuring that all valves and its accessories are accessible for maintenance.
- 5.6. The Owner shall be responsible for the repairs necessary for the service pipes and/or valves of the meters which cannot be safely removed without fear of damage to the water service pipes and/or valves.

## **WATER SERVICE APPLICATION AND LIMITATION**

### **Application for Water Service**

- 6.1 All applications for laying service pipes shall be made in writing to the Township.
- 6.2 Every person who discontinues the use of water supplied by the Township from a water main for any purpose shall continue to be liable for the rates and charges billed therefore until such time as notice in writing of such discontinuance shall have been given to the Township.
- 6.3 The charges payable by the Owner to the Township for installation of water service shall be paid in advance based on anticipated actual cost of installation. If the actual cost exceeds such estimate, the applicant shall pay the balance before the water is turned on.
- 6.4 Additional charges will be payable by the Owner to the Township for:
  - 6.4.1 Repair of asphalt, concrete, macadam and grass areas, or any other appurtenances affected by the installation work;
  - 6.4.2 Rock or frost excavation;
  - 6.4.3 Temporary maintenance of repair; and
  - 6.4.4 Installation below depth of seven (7) feet.
- 6.5 Any new or consequent water meter re-connection shall apply to the Township and pay an application fee. Set-up fees may apply.
- 6.6 The installation of the water service will not be scheduled and/or commence until the application and payment have been made.

### **Limitations on Application**

- 6.7 The Township has the absolute discretion to reject any application for water service which is contrary to the by-law or other applicable law.
- 6.8 Any special direction by an owner as to the location of the service pipe may be followed if such direction does not interfere with the requirements of this by-law and is approved by the Township.

## **6 SERVICE CONDITIONS**

- 7.1 The Township shall not be obligated to provide utility services until access has been provided to the premises to enable the Township to install or obtain an initial meter reading for each utility service which is metered.
- 7.2 The Township shall not be obligated to provide utility services if access to install or obtain an initial meter reading has not been provided.

## **7 CONSTRUCTION OF SERVICES**

### **Extent of Work**

- 8.1. No person, other than a person having a contract with the Township for such work, shall do any work on the municipal water system.
- 8.2. Only the Township shall tap the water main or supply and install the "main stop" service piping from the water main to the street line or curb stop.
- 8.3. No person shall connect a water service pipe to a water main unless such pipe is laid and equipped in accordance with the provisions of this by-law and the Plumbing Code.
- 8.4. No work shall be done by the Township upon any land or premises taking municipal water services except as necessary for placing, repairing, removing or protecting meters.
- 8.5. The Township may supervise or inspect any or all work to be done beyond the property line of the road allowance or municipal easement which relates to watering service.
- 8.6. The expense of installing service pipes and fixtures for the distribution and use of water through lands and buildings shall be borne by the owners thereof.

### **Size and Location of Services**

- 8.7. No person shall install a water service pipe to any building or land except in compliance with the Plumbing Code and this By-law except with the prior written approval by the Township of a design by a Professional Engineer.
- 8.8. Every person installing a water service pipe shall do the installation by way of type K soft copper pipe from the water main to the property line, in a trench excavated and backfilled by the Township or its authorized agent.
- 8.9. The diameter of the service pipe to be used in all service connections, other than connections to single detached, semi-detached, or duplex homes shall be as determined by the Township, at the Township's discretion.
- 8.10. Every person laying service pipes upon premises to which water service is supplied shall ensure that such pipes are laid at a depth of not less than six feet, six inches (6'6") below the level of the surrounding ground and shall be properly protected against settlement.
- 8.11. Every person connecting water services into the building shall ensure that:
  - 8.11.1 All water services are carried into the building by water pipes of the same size and weight as those laid by the Township;
  - 8.11.2 Each building shall and every separate unit may have a separate service pipe with stop and drain placed immediately inside the building, well secured from frost; and
  - 8.11.3 All water service connections inside any building are wiped, jointed and graded to a stop and drain so that water shall drain when the service is closed;
- 8.12. Every owner shall keep service pipes on their property in good repair and free from frost at their own risk and expense.
- 8.13. Every owner shall promptly repair any leaks in service pipes on their property.
- 8.14. The Township may shut off water service where an owner fails to promptly make necessary repairs on private property, after reasonable notice.

**Variations**

- 8.15. Any variation from the requirements of this by-law approved by the Township relating to the installation and construction of a water service shall be done at the applicant's expense.

**Material Specifications**

- 8.16. Every plumber's work in any building supplied with water by the Township shall be subject to the approval of the Plumbing Inspector of the Township.

**Cross Connections**

- 8.17. Where a private water system is continued in service after the installation of municipal water service, no person shall construct, attach or otherwise connect a cross connection between the private water system and the municipal service.
- 8.18. No person shall construct, attach or otherwise connect a cross connection of any kind to the municipal service without the express written consent of the Township.
- 8.19. Every person who wishes to undertake work on a private water system which may in any way affect the Water Works Systems of the Township, shall notify the Township, in writing, prior to undertaking such work.

**8 OPERATION OF SERVICES**

**Curb Stops**

- 9.1 No person shall:
  - 9.1.1 turn OFF or ON any curb stop, or service pipe;
  - 9.1.2 make any connection with a water main;
  - 9.1.3 interfere with any meter or any service pipe leading to such meter whether inside or outside of the building;
  - 9.1.4 interfere with a water service in, on or under any street; or
  - 9.1.5 Alter any curb stop.
- 9.2 Every person who vacates any premises supplied with water from the municipal water system, or wishes to discontinue water services, shall give notice thereof to the Township, and be responsible for water rates until such notice is given.

- 9.3 The Township shall not turn water on again until notified of the name of the person responsible for water rates and all rates or charges in arrears have been paid.

#### **Frozen Services**

- 9.4 In the event that a water service becomes frozen, the Township will determine which section of the service is frozen and, where the water is frozen on the Township side of the curb stop at the property line the Township will thaw the service.

#### **Renewal Services**

- 9.5 Where an existing galvanized or lead pipe service requires renewal because of low volume or poor pressure caused by defective pipe, the Township shall renew the service within the street allowance only after the owner has replaced the portion thereof on the owner's property.

#### **Restricted Uses**

- 9.6 The Township may suspend the use of water whenever public exigency may require.
- 9.7 The Township may regulate the use of water by way of notice published in the newspaper having general circulation within boundaries of the Township at least three (3) times, which will be deemed effective notice to all owners of premises to which such water is supplied.
- 9.8 No person shall install any air conditioning equipment which requires the use of water without first acquiring a plumbing permit pursuant to the Plumbing Code.

#### **Municipal Fire Hydrants**

- 9.9 No person shall open, close, tamper with, use or interfere with any hydrant, valve, chamber, and service pipe or hydrant chamber, owned by the Township.

### **9 ADMINISTRATION**

- 10.1 This by-law shall not apply to authorized employees of the Township acting in the ordinary course of their employment.
- 10.2 In the event of violation of any of the provisions of this by-law, the Township may shut off or restrict the supply of water to any lands or premises and the supply of water shall not be turned on again or restored to normal until all rates and charges have been paid.
- 10.3 The Township and any person authorized by them may enter upon any premises in or upon which a meter has been installed for the purpose of reading, repairing or removing same between the hours of 8:00 a.m. and 6:00 p.m. on any day except Saturday and Sunday.

### **10 ACCESS TO OWNERS PREMISES**

- 11.1 Subject to compliance with Section 435 of the Municipal Act, c.25, any person authorized by the Township for the purpose of inquiring into the compliance with the provisions of this By-Law shall have reasonable access to the premises at all reasonable times. Upon reasonable notice given and request made to the owner and lands to which municipal water is supplied, no person occupying or in charge or apparently in charge of such buildings or other premises or lands shall refuse access to such authorized person.
- 11.2 The Township reserves the right to access Owner premises during reasonable hours for purpose of installation, inspection, repair, maintenance, etc. of water meters.
- 11.3 If the owner denies access to the property to perform meter work, water supply can be shut off.
- 11.4 Before restricting/shutting off water supply, the Township shall give due notice to Owners, informing them the dates upon which the Township intends to restrict/shut off water supply if access to the premises is not obtained.
- 11.5 If unable to get access within fourteen (14) calendar days after the notice served, the Township reserves the right to restrict/shut off water supply.
- 11.6 If the Township has restricted/shut off the water supply, the Township must restore the water supply as soon as possible after obtaining access to the property.

## **11 WATER METER INSTALLATION**

- 12.1 All water supplied by the Township through water service connection shall pass through a meter supplied by the Township for use upon such premises. The water rate charged shall be that fixed from time to time by the Township and as shown in Schedule "A" of this by-law.
- 12.2 All meters and related appurtenances shall be supplied and installed by persons authorized by the Township for that purpose, including by an approved contractor.
- 12.3 The Township's cost of supplying, relocating and installing meters and related appurtenances shall be recovered as follows:
  - 12.3.1. There is no direct charge for the meter or the meter installation to the owners that participated in the Universal Water Metering Program.
  - 12.3.2. For new premises to be metered which were not part of the Universal Water Metering Program, the cost of the meters and meter installation will be paid for by the Owner.
  - 12.3.3. If the meter is mechanically defective, the cost of repairs shall be paid by the Township, but if the meter is damaged by the carelessness or neglect of any person other than an employee or agent of the Township, the owner shall pay to the Township the cost of making the necessary repair to such meter.
  - 12.3.4. All sums charged for expenses incurred for the repair of meters, fixtures and all other appurtenances connected to the water service or for damage to same, as per Section 12.3.2, shall be charged to the owner. If these charges remain unpaid they shall be collected in the same manner as municipal taxes.
- 12.4 Every meter shall be placed in such location as the persons authorized by the Township shall direct. If possible, the meters shall be installed in the basement of residential buildings, and shall be located immediately after the main shut-off valve on the owner's plumbing system, so as to ensure that all water supplied to the building passes through the meter. In the event that a building has no basement, the meters shall be installed in another location in the building as authorized by the Township.
- 12.5 The Township retains the right not to install a meter at a particular premise if it is in their best interest to do so. The owner of such a premise will not be penalized by the decision of the Township to not install a meter and will be billed on a flat rate charge.
- 12.6 No person shall directly or indirectly connect between water lines which are part of a private water source (well or other) and water lines which are part of the Township's water system(s). Failure to comply with this requirement shall result in immediate disconnection of the water supply from the Township.
- 12.7 If the condition of the private water service is such that the meter cannot be safely installed or replaced without fear of damaging the private service line (due to old, corroded and/or inadequate piping) then the owner shall be notified of the situation by the Township or their contractor and the Township will give the owner thirty (30) working days to complete modifications to the private water service in order to make the installation or replacement of a meter possible. If such work is not completed within the allotted timeframe, the Township may perform such repairs as necessary at the owner's expense.
- 12.8 No person shall change the location of a meter, except persons authorized by the Township.
- 12.9 The Township may enter into agreements with others to provide for the installation of water services or meters in any manner satisfactory to the Owner.

## **12 WATER RATES AND CHARGES**

### **Water Charges**

- 13.1 The water consumed by the Owner shall be charged according to the water registered in the meter.
- 13.2 Water rates shall be according to the Township water rates and charges as shown in Schedule "A" in this by-law.
- 13.3 Meters may be read and accounts rendered in accordance with Township agreement with Rideau St. Lawrence Utilities (RSL). The bill shall be deemed served upon the Owner if it is delivered or sent by mail to the Owner.

- 13.4 Unpaid overdue accounts shall have a late payment charged prescribed by RSL.
- 13.5 All work and service charges mentioned in this bylaw shall be determined by the Township and paid in full by the Owner.
- 13.6 The Owner shall pay the connection fees according to the water rates and charges of the Township before the meter is supplied.

#### **Disconnection and Reconnection**

- 13.7 If the Owner refuses to pay any bill to which the Township is entitled, the Township shall reserve the right to shut off, with reasonable notice, its water supply to premises or to add balance to the property tax roll of the property. Reconnection fee may apply as per established policy.

### **13 INSPECTION, MAINTENANCE AND REPAIRS**

- 14.1 Meters suspected of registering incorrectly will be removed for inspection.
  - 14.1.1 If found to be defective due to normal wear and tear, then replacement cost will be paid by the Township;
  - 14.1.2 If found to be defective due to tampering or negligence on the part of the owner, then removing, repair and reinstalling cost of the meter will be paid by the owner.
- 14.2 Meters requested by Owners for accuracy test.
  - 14.2.1 If the meter is accurate, the Owner will pay for the testing cost;
  - 14.2.2 If the meter is inaccurate, the Township will pay for the testing cost.
- 14.3 A shut-off valve (approved by the Township) at the meter inlet shall be the first fitting inside of a serviced building for isolation/maintenance purposes.
- 14.4 A stop valve shall be installed near the outlet of the meter by the Owner at their expense to permit removal and/or repair of the meter without backflow from the internal water systems.
- 14.5 All appurtenances shall be maintained by the Township except for appurtenances paid for by any person other than the Township which shall be maintained by such persons through a written agreement with the Township.
- 14.6 The Township shall maintain and repair all meters, when rendered unserviceable through reasonable wear and tear. The same size of meter shall be replaced without charging the owners.
- 14.7 Where maintenance, repair, renewal or replacement of any meter or water connection is necessary by the act, negligence or carelessness of the owner, any expense incurred by the Township shall be charged to and collected from the owner.
- 14.8 The Township may shut off or restrict the supply of water to a property if the Township requires access to the property to install, replace, repair or inspect the meters and the remote read out unit.

### **14 WATER THEFT AND TAMPERING**

- 15.1 Every Owner shall be responsible for any damage to the meter seal or meter(s) on his premises resulting from negligence, steam, frost or from any other cause not the fault of the Township or its employees. The cost for any repairs or replacement of the meter seal or meter(s) shall be charged to the Owner.
- 15.2 The Township reserves the right to disconnect the Owner immediately if the meter seal is tampered with or broken by an unauthorized person in order to make illegal connection.
- 15.3 If the Township's seal and/or meter is broken, water system tampered with or meter does not register correctly, the bill for that service shall be estimated on the basis of past consumption in a corresponding period or using the best data available.
- 15.4 Each incident of tampering, vandalism, installation alteration, and removal of meters by anyone not authorized by the Township is in violation of this by-law.
- 15.5 No person shall tamper with the meter to calibrate and/or interfere with the recording of the quantity of water supplied to any lands or premises, unless authorized by the Township.



- 15.6 No person shall tamper with the pipes supplying water to any lands and premises so that the water supplied to any of the lands and premises wholly or partially bypasses the meters.
- 15.7 Any person who observes any leak that may develop at the meter or its couplings shall report it immediately to the Township. The Township shall not be held responsible for any damages resulting from such leaks that were not directly resulting from the Universal Water Metering Program and reported within the first year following installation of the meter.

**15 METER ACCURACY AND TOLERANCE**

- 16.1 All meters measuring consumption for billing purposes shall meet or exceed all current AWWA standards for accuracy as stated in the latest version of the M6 manual of practice.
- 16.2 Maintenance tolerances shall comply as shown in Table 1 and Table 2. When multiple tests are conducted at approximately the same flow rate, the range of the test results shall not exceed 0.6 percent for tests performed at the normal and intermediate flow rates, and 1.3 percent for tests performed at the minimum flow rate, and each test shall be within the applicable tolerance.

**Table 1: Normal Test**

Tolerance for Meters				
Meter size (inches)	Rate of flow (gpm)	Maximum Rate		
		Gal	Litres	Tolerance on over-and under-registration
Less than 5/8	8	50	227	1.5%
5/8	15	50	227	
3/4	25	50	227	
1	40	100	455	
1-1/2	80	300	1364	
2	120	500	2273	
3	250	500	2273	
4	350	1,000	4546	
6	700	1,000	4546	

Source: Vanasse (2003)

**Table 2: Special Test**

Tolerance for Meters (Special Test)									
Meter Size (inches)	Intermediate Rate			Tolerance on over and under registration	Minimum Rate				
	Rate of Flow (gpm)	Meter Indication			Rate of flow (gpm)	Meter indication		Tolerance	
		gal	Litres			gal	Litres	Over-registration	Under-registration
≤ 5/8	2	10	45	1.5%	1/4	5	23	1.5%	5%
3/4	3	10	45		1/2	5	23		
1	4	10	45		3/4	5	23		
1-1/2	8	50	227		1-1/2	10	45		
2	15	50	227		2	10	45		
3	20	50	227		4	10	45		
4	40	100	455		7	50	227		
6	60	100	455		12	50	227		

Source: Vanasse (2003)

**16 DISPUTE RESOLUTION**

**Consumption Reading Dispute**

- 17.1 Testing of any meters shall be initiated at any time by a Township's authorized agent, and adjustment of the meter inaccuracies shall be applied.

**Consumption Rate Dispute**

- 17.2 Where a dispute arises as to the classification and rate to be charged to the owner of water, the final decision as to such classification and rate shall be made by the Township.

#### **Testing or Calibration Dispute**

- 17.3 Any Owner may request a test for meter registration accuracy at his or her premises. An Owner who disputes meter reading shall give written notice to the Township. The Township shall test or calibrate the meters situated on the Owner's premises.
- 17.4.1. If the meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense shall be paid by the Owner.
- 17.4.2. If the meter is found not accurate within the said limits it shall be immediately repaired or be replaced by one that is accurate at the expense of the Township.
- 17.4 If the meter tested is found inaccurate within the said limits then any meter handling and testing fees paid by the Owner shall be refunded, and the billings adjusted to fully take into account such error.
- 17.5 If examination of the pass meter reading discloses the time at which such error commenced, then such error shall consider to have commenced three months prior to such testing of the meter or from date when meter is installed, whichever is lesser. The amount determined shall be accepted by both parties as full of all claims of the inaccuracy of the meter.

### **17 REGULATIONS AND PENALTIES FOR OFFENCES**

- 18.1. All water rates and charges shall be a charge against the person who incurred the charges and may be a lien against the lands pursuant to the Public Utilities Act.
- 18.2. No person shall,
- 18.2.1. wilfully hinder or interrupt, or cause to be hindered or interrupted, the Township or any of its officers, contractors, agents, servants or workman, in the exercise of any of the power conferred by the Municipal Act, 2001, S.O. 2001, c. 25, as amended;
- 18.2.2. being an owner, tenant, lessee, the agent of a lessee, or any person in possession of any house, building or other premises supplied with water from the water works, improperly waste water or, without the consent of the Township, lend, sell or dispose of water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his own;
- 18.2.3. wilfully alter any meter placed upon any service pipe or connected therewith, within or outside any building or other place;
- 18.2.4. lay or cause to be laid, any pipe or main to connect with any pipe or main of the Township's water works, or in any way obtain or use the water without the consent of the Township;
- 18.2.5. wilfully discharge water so that water runs waste or useless out of the water system.
- 18.3. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than Five Thousand Dollars (\$5,000.00) as provided for in the Provincial Offences Act, R.S.O. 1990, chapter 33, or any successor thereof.
- 18.4. In addition to other sanctions and remedies provided in this By-Law, the Township may turn off or restrict the supply of water to any owner where such owner has violated any of the provisions of this By-Law, and may refuse to restore normal service until the violation complained of has been terminated or remedied. The Township shall provide reasonable notice of the proposed shut-off to the owner of the premise by personal service or prepaid mail or by posting the notice at the premise in a conspicuous place. The Township will not be liable for any damage to property or injury to person by reason of shut-off of water supply.
- 18.5. If the Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw; they may serve upon such person an offence notice.
- 18.6. Any court of competent jurisdiction may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.
- 18.7. Any person violating any provisions of this Bylaw may be served by the Township with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or such additional time as determined by the Township. Such person shall, within the time stated in such notice, permanently cease all violations.

**18 GENERAL**

19.1 The requirements of this By-law are severable. If any requirements of this By-law are held invalid, the application of such requirements to other circumstances and the remainder of the By-law shall be valid and shall remain in force.

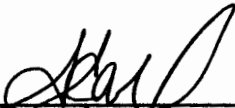
19.2 Where any inconsistency exists within this By-law and any other By-law of the Township of Edwardsburgh/Cardinal, the provision(s) of the By-law imposing a greater requirement, regulation, fee or enforcement and penalty provision shall apply and prevail.

19.3 This by-law will come into force and effect January 1, 2014.

19.4 By-law 2012-12 shall be repealed effective January 1, 2014.

Passed, signed and sealed in open Council this 9th day of December, 2013.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
D. Clerk

**SCHEDULE A – Rates & Fees**  
**By-law 2013- 69**

**Part A: Fixed Service Charge by Meter Size per Period**

Customer Type	Meter Size	Annual Fixed Service Charge		Quarterly Fixed Service Charge		Monthly Fixed Service Charge	
		Water	Wastewater	Water	Wastewater	Water	Wastewater
Residential	5/8" x 3/4"	\$ 273.33	\$ 283.89	\$ 68.33	\$ 70.97	\$ 22.78	\$ 23.66
Residential	3/4" x 3/4"	\$ 273.33	\$ 283.89	\$ 68.33	\$ 70.97	\$ 22.78	\$ 23.66
ICI	5/8" x 3/4"	\$ 273.33	\$ 283.89	\$ 68.33	\$ 70.97	\$ 22.78	\$ 23.66
ICI	3/4" x 3/4"	\$ 273.33	\$ 283.89	\$ 68.33	\$ 70.97	\$ 22.78	\$ 23.66
ICI	1"	\$ 382.66	\$ 397.45	\$ 95.67	\$ 99.36	\$ 31.89	\$ 33.12
ICI	2"	\$ 792.66	\$ 823.28	\$ 198.17	\$ 205.82	\$ 66.06	\$ 68.61
ICI	3"	\$ 3,006.63	\$ 3,122.79	\$ 751.66	\$ 780.70	\$ 250.55	\$ 260.23

**Part B: Single Block Consumption Rate by Metered Usage**

Water = \$1.90 per m<sup>3</sup> of metered usage per period.  
Wastewater = \$1.93 per m<sup>3</sup> of metered water usage per period.

**Unmetered Customers:**

Unmetered Residential Category A – Category A represents a residential property which cannot be metered due to unusual or difficult plumbing which prevents the installation of a water meter without excessive measures or cost.

Unmetered Residential Category A – Flat Rate Water = \$617.23 annually.  
Unmetered Residential Category A – Flat Rate Wastewater = \$633.22 annually.

Unmetered Residential Category B – Category B represents a residential property which the owner/resident has refused to have a water meter installed. The flat rate for such residential customer is to be three (3) times the Category A flat rate until the residence is metered.

Unmetered Residential Category B – Flat Rate Water = \$1,851.69 annually.  
Unmetered Residential Category B – Flat Rate Wastewater = \$1,899.66 annually.

Unmetered ICI – represents an industrial, commercial or institutional property which cannot be metered due to unusual or difficult plumbing which prevents the installation of a water meter without excessive measures or cost.

Unmetered ICI – Flat Rate Water = \$2,468.92 annually.  
Unmetered ICI – Flat Rate Wastewater = \$2,532.88 annually.

**Connection Fees**

Connection fees and re-connection fees are as established from time to time by by-law of the Township.