

## **By-law Number 26-08**

### **The Corporation of the Township of Clearview**

#### **Being a By-law to regulate, control and provide safe municipal water supply within the Township of Clearview**

(Safe Water Supply By-law)

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**Whereas** the Safe Drinking Water Act, 2002, provides for the protection of human health and the prevention of drinking water health hazards through the control and regulation of drinking water systems and testing;

**And Whereas** the Municipal Act, 2001, as amended, provides that a lower-tier municipality may pass by laws respecting public utilities, including water production, treatment, storage and distribution where Counties are not assigned exclusive jurisdiction;

**And Whereas** under the Municipal Act, 2001, as amended, states that a public utility is defined as a system providing water services to the public;

**And Whereas** under section 80 (1) of the Municipal Act, 2001, as amended, a municipality may, at reasonable times, enter on land to which it supplies a public utility,

(a) to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply a public utility or

(b) to inspect, install, repair, replace or alter a public utility meter.

**And Whereas** under section 80 (2) of the Municipal Act, 2001, as amended, a municipality, after reasonable notice is given, may shut off or reduce the supply of the public utility to the land;

**And Whereas** the Council of the Corporation of the Township of Clearview deems it necessary and desirable to establish a by-law for the purpose of regulating, controlling and providing safe supply of municipal water to inhabitants of the Township;

**Now Therefore** the Council of the Corporation of the Township of Clearview hereby enacts as follows:

#### **1. Definitions**

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1.1 For the purpose of this by-law the following definitions shall apply:

**"Building"** means any structure with a pressurized water supply used or intended for supporting or sheltering any use or occupancy with the land and premises appurtenant thereto and shall include a dwelling as defined in this by-law.

**"By-law Enforcement Officer"** means a person appointed by the Municipality to enforce the by-laws of the Corporation of the Township of Clearview.

**"Consumer"** means any owner, occupant, lessee, tenant or any person or company purchasing water from the Township.

**"Contractor"** means a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the Municipality to install or maintain mains, service mains, services, hydrants and other appurtenances.

**"Council"** means the Council of the Corporation of the Township of Clearview.

**"Critical Water Period"** means any period of time during which the Director of Public Works or their designate, is of the opinion that the level of available water is not at a sufficient level to maintain domestic, commercial or firefighting requirements.

**"Cross Connection"** means any temporary, permanent or potential water connection between any part of a potable water system and any environment containing other substances in a manner, which, under any circumstances, would allow such substances to enter the potable water system. Other such substances include, but are not limited to, gases, liquid or solids such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter, which may change the colour or add odour to the water. Such connections would include and not be limited to swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

**"Cross Connection Control Device"** means a mechanical valve which when connected to a Water Service Pipe prevents a Cross Connection, in accordance with the *Ontario Building Code Act*, as amended or replaced, including all regulations thereto, as revised from time to time, and "CAN/CSA-B64 SERIES-11, Backflow preventers and vacuum breakers.

**"Customer"** means any person who enters into a verbal or written contract with the Municipality to take water from the Municipality or to receive water related services from the Municipality and shall include an "occupant" and "owner" as defined in this by-law.

**"Director"** means the Director of Public Works for the Township of Clearview or their designate.

**"Domestic water use"** means drinking water used for such things as drinking, preparing food, bathing, washing clothes, washing dishes, etc. As well as all water used for residential, commercial, industrial, and institutional purposes.

**"Dwelling"** means any building, trailer or other covering or structure, the whole or any portion of which has been used, is used or intended for use or is capable of being used for the purpose of human habitation with the land and premises appurtenant thereto.

**"Fire Chief"** means the Chief of the Township of Clearview Fire & Emergency Services.

**"Garden"** means a piece of ground for the growing of fruits, flowers and/or vegetables.

**"Inspector"** means any employee authorized by the Township to conduct inspections related to this by-law.

**"Main"** means every water pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the Municipality has obtained easements.

**"Meter"** means the water meter and appurtenance (including Encoder Receiver Transmitter) supplied and owned by the Municipality to measure the quantity of water used by the customer.

**"Minimum charge"** means the charge applied to any premises with pipes connecting it to the Municipal water system even if no water is used or where fire protection is available from the Municipal water system to the property.

**"Multiple unit building"** means a single building, served by a private water service, and containing two or more dwelling units or other units not served by an individual water service pipe.

**"Municipal Act"** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or replaced.

**"Municipal address"** means a building or buildings identified by a number.

**"Municipal Water Area"** means an area within the Township of Clearview that is serviced by a Municipal Water System.

**"Municipal Water Supply"** means the water supplied from a Municipal Water System.

**"Municipal Water System"** means all water works established by the Township or the former municipality in the built areas of Nottawa, Colling-Woodlands, Buckingham Woods, Stayner, New Lowell and Creemore, and shall include any extensions to the Municipal Water Systems or additional waterworks authorized by an Act, by-law or agreement between the Township or its predecessors, but shall not include any private waterworks which have not been acquired, established, maintained, accepted by the Township or its predecessors.

**"Municipality or Township"** means the Corporation of the Township of Clearview.

**"Occupant"** means any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premise or dwelling unit.

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

**"Person"** means any human being, association, firm, partnership, private club, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to who the context can apply according to the By-law.

**"Plumbing System"** means the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter.

**"Potable Water"** means water that is fit for human consumption also known as drinking water.

**"Premises"** means any house, tenement, building, lot, or part of a lot, or both, in, through, or past which water service pipes run.

**"Private Main"** means a pipe connected to a Main and installed on private property and from which more than one service and/or hydrant lateral are connected.

**"Property"** means a parcel of land that has a unique roll number, which has a dwelling or building. In the case of a condominium, it will be the cumulating of parcels of land that form the condo site.

**"Service Stub"** means the portion of a Water Service Pipe from a main to the property line, which will always include one control valve.

**"Service Valve"** means the valve on the water service or private main owned and used by the Municipality to shut off or turn on the water supply from the Municipality's waterworks distribution system to any premises.

**"Single Detached Residence"** means a single dwelling, which is freestanding, separate and detached from other main buildings or main structures, including a split-level dwelling.

**"Treasurer"** means the Treasurer of the Corporation of the Township of Clearview or their designate.

**"Water"** means potable water supplied by the Municipality.

**"Water Distribution System"** means mains with connections to feeder mains, feeder mains within subdivision lands, private mains, Water Service Pipes, fire hydrants, and service valves and all other appurtenances thereto.

**"Water Related Services"** shall include but not be limited to those items set out under the heading "Miscellaneous Charges" in Schedule "A" of this by-law.

**"Water Service Pipe"** means the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or, for a fire service, to the inside of the exterior wall of a structure.

**"Waterworks"** means any works for the production, treatment, storage, supply and distribution of water, or any part of any such works, owned and operated by the Municipality, but does not include any Service Extension, Private Main, or Plumbing System to which the Ontario Building Code Act, as amended or replaced, including all regulations thereto, as revised from time to time.

## **2. Administration**

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- 2.1. This By-law shall be administered by the Director of Public Works of the Township or such other person or persons as Council may, by By-law, appoint and all such persons shall be considered an inspector under the terms of the By-law.
- 2.2. This By-law shall be enforced by the Director of Public Works or their designate(s) and By-law Enforcement Officer(s) or such other person or persons as the Council may appoint by By-law.
- 2.3. An inspector under this By-law:
  - a) Has the power to enter upon and examine any yards or buildings, other than a dwelling, at any reasonable time or times; and
  - b) May be accompanied by such other persons, as they deem necessary to properly carry out their duties under this By-law.

## **3. Connections**

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- 3.1. Every owner of a property located within a Municipal Water Area who wishes to connect an existing building to the Municipal Water System shall apply in writing to the Township. All applications for connection to the Municipal Water System shall be accompanied by the Connection Fee as set out in the Township's Fees and Charges By-law.
- 3.2. No person shall proceed with the construction, or any work related to the connection to the Drinking Water System until the application is approved to the satisfaction of the Director of Public Works.

- 3.3. Every existing or new building constructed or used for commercial, industrial or residential purposes on property located within a Municipal Water Area shall be connected to the Municipal Water System. An application for connection to the Municipal Water System shall be filed with the Township prior to the issuance of a building permit and shall be accompanied by the Connection Fee set out in the Township's Fees and Charges By-law.
- 3.4. The Township reserves the right to refuse any application for connection to the Municipal Water System, if the existing system is at capacity or where excess capacity has been allocated to other properties within the Municipal Water Area.
- 3.5. Where the water works must be extended from the water main to the property line in order to provide for a new water service connection, the owner shall, in addition to the Connection Fee, be responsible for the cost of the installation of the water works from the water main to the property line. An estimate of this cost shall be provided by the Director of Public Works at the time of application and the owner shall deposit said amount with the Township prior to issuance of the Connection Permit.
- 3.6. Prior to connection to the Municipal Water System, the owner must deposit with the Township, the Service Connection Fee as set out in the Township's Fees and Charges By-law. In the event that the actual cost exceeds the fee, the owner shall be invoiced the difference. If payment of said invoice is not received within ninety (90) days, the outstanding balance may be added to the tax roll and collected in the same manner as taxes.
- 3.7. Every property connected to a Municipal Water System shall have its own individual connection.
- 3.8. An owner of a building to be connected to a Municipal Water System shall install an angle meter stop control valve on the water service where it enters the building. The control valve will be installed as per the Township of Clearview's specification. This control valve is in addition to the curb stop located on the service pipe at the property line.
- 3.9. The owner shall be held liable for any damage to the meter or other equipment of the Township whether caused by carelessness or negligence on the part of the owner, or on part of any person acting for or on behalf of the owner and in particular, without limiting the forgoing, for damage occasioned by operating the Township's curb stop in lieu of a control valve, for damage due to ground wire attachments and for damage to the meter caused by hot water or steam from the building or from frost.
- 3.10. All water service extensions to and including the meter shall be properly protected from frost and any other damage at the expense and risk of the

owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension and/or private main and the charge for such water loss shall be determined by the Director, shall be paid by the owner upon demand by the Township, and the Township shall not be held responsible for any damages arising from such leakage.

- 3.11. When any premises is left vacant or without heat, it is the owner's responsibility to shut off the water supply from within the premises and to drain the piping therein. The owner or occupant may apply to the Township to have the service valve turned off to stop water supply. The valve will be turned on only at the owner's request and in the owner's presence. The owner shall pay for this service at the rate as indicated in the Fees and Charges By-law.
- 3.12. When any premises left vacant, unattended or without heat, where the water supply has not been shut off, suffers damage to it and/or its contents from a leaking or burst pipe, the owner or the occupant shall have no claim against the Township. Should the Director become aware of such leaking or burst pipes, the Director shall turn off the service valve, and the water supply shall not be turned on until the Director, in their discretion, shall consider it advisable.
- 3.13. Thawing out frozen water service stubs shall be the Township's responsibility providing the problem is located in the municipal road allowance. Thawing out frozen private service extensions and water mains located on private property shall be the owner's responsibility. Where any employee of the Township assists the owner in the thawing of frozen pipes on the owner's property, all such assistance work will be considered to be at the risk of the owner and shall have no claim against the Township by reason of such work.
- 3.14. Any owner who desires a change in the location, arrangement or size of a Municipal Water System service shall apply in writing to the Township and shall pay all costs incurred by the Township in carrying out such change. If payment of an invoice for such costs is not paid within ninety (90) days, an amount equal to the outstanding account may be added to the tax roll and collected in the same manner as taxes, and subject to interest.
- 3.15. Where any auxiliary water supply exists in any building connected to the Municipal Water System, said auxiliary water supply shall be disconnected from any piping connected to the Municipal Water System and permanently capped to prevent any contact with water or waters originating from the Municipal Water System.

- 3.16. Any owner desiring to have the Municipal Water Supply temporarily turned off or on for any reason whatsoever shall apply to the Township, who may direct that the water be turned off or turned on.
- 3.17. A Disconnection/Re-Connection Fee as set out in the Township's Fees and Charges By-law shall be charged by the Township for the turning off or on of the Municipal Water Supply where such action is necessitated by:
- a) A request by the owner;
  - b) Non-payment of a water bill; or,
  - c) Failure to provide access to a meter.
- 3.18. The Township reserves the right to turn off the Municipal Water Supply as deemed necessary by the Director of Public Works, to stop and prevent waste.
- 3.19. Failure to comply with any requirements relative to the protection of the Municipal Water Supply shall be sufficient reason for immediate discontinuance of water service by the Township until such time as it is determined that the requirements of the Township and the Ontario Building Code Act have been met.

#### **4. Water Conservation**

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- 4.1 For the purpose of limiting the consumption of water as necessary:
- a) During the period from May 1<sup>st</sup> to September 30<sup>th</sup> each year, the external use of municipal water is permitted:
    - i. On even calendar dates at only those municipal addresses ending with numbers 0, 2, 4, 6, 8;
    - ii. On odd calendar dates at only those municipal addresses ending with numbers 1, 3, 5, 7, 9.
  - b) The Director of Public Works is hereby authorized to place further watering and water use restrictions where it is deemed necessary.
- 4.2 Section 4.1 as it relates to watering of lawns does not apply to a consumer who has applied to the Director of Public Works and has received approval to waive the effect of this By-Law as it relates to watering of lawns in the event of a newly sodded lawn or newly seeded lawn.
- 4.3 Approval to waive the effect of this By-Law shall apply for a maximum of one (1) week.

- 4.4 A Critical Water Period may be applied to all or any part of the Township at the discretion of the Director of Public Works.
- 4.5 Before coming into effect, a Critical Water Period shall be announced by:
  - a) Publication on Township website and media channels; or,
  - b) Delivery of notice to the affected consumers.
- 4.6 At any time, there is a Critical Water Period, the Director of Public Works may alter the water conservation guidelines in 4.1 to prohibit the use of water, including; dates, times and uses.
- 4.7 The decision of the Director of Public Works to prohibit such water use during a Critical Water Period shall remain in effect until such time as the prohibition is rescinded by the Director.
- 4.8 The Director of Public Works is authorized to shut off the supply of Water to any Premises, upon reasonable notice to the Owners and Occupants, where the Owners or Occupants of the Premises do not adhere to the watering and Water use restriction issued for the area, and that the Water may be reconnected where the Director or By-law Enforcement Officer is satisfied that the Owners or Occupants will begin to adhere to the restriction. If reconnection is completed, a fee shall apply as indicated in the Township's Fees and Charges By-law, as amended or replaced.

## **5. Hydrants**

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- 5.1 No person shall use or discharge any water from any Hydrant connected to the Municipal Drinking Water System, except as follows:
  - a) Employees or volunteer fire fighters authorized by the Fire Chief or designate for the purposes of training or fighting fires.
  - b) Employee authorized by the Director of Public Works.
  - c) Persons having been granted permission by written agreement with the Township and having authorized access to a hydrant meter valve.
- 5.2 Private fire hydrants shall not be operated except in the case of fire, for fire protection purposes, unless special permission from the Director of Public Works has been obtained.
- 5.3 Where a person who is not a consumer wants access to the Municipal Water Supply, the person may apply in writing to the Township for access to the Municipal Water Supply through a hydrant meter valve. Such application shall be in writing and shall be accompanied by the fee as set out in the Township's Fees and Charges By-law.

- 5.4 Upon receipt of an application for access through a hydrant meter valve, a Hydrant Use Permit shall be completed and signed by the applicant and approved by the Director of Public Works.
- 5.5 No Hydrant Use Permit shall be issued to any company whose vehicles contain or may contain any pesticide or other chemicals or materials that may contaminate the Municipal Water Supply.
- 5.6 Installation of a hydrant meter valve shall be subject to availability. The customer shall accept all and any responsibilities associated with the installation in accordance with the terms of the agreement.
- 5.7 The Hydrant Meter shall be installed by the Public Works Department
- 5.8 The customer shall be invoiced for the Hydrant Use Permit and water taken in accordance with the rates as set out in the Fees and Charges By-Law.
- 5.9 Any hydrant situated within the road allowance is the property of the Township and shall be maintained by it; Township owned hydrants located on private property shall be maintained by the Township. Hydrants owned and paid for by any persons other than the Township shall be maintained by such persons through a written agreement with a qualified hydrant maintenance company.

## **6. Water Meters**

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- 6.1 The Township shall provide meters at a cost to the owner, for all new buildings to be constructed on properties within a Municipal Water Area. The owner shall pay the applicable fee for meters up to and including 25mm as set out in the Township's Fees and Charges By-law, prior to the issuance of the Building Permit.
- 6.2 Properties requiring meters and backflow devices larger than 25mm shall meet the following conditions:
  - a) Meter and backflow device will be included in Engineering design submissions;
  - b) Meters shall be compatible with the Township of Clearview's meter reading system;
  - c) Meters shall be installed by a person with a Plumber's Certificate of Qualification;

- d) Meters shall only be installed after design acceptance has been granted by the Director of Public Works, and all other requirements made under this By-law have been met; and,
  - e) All design, equipment, and installation costs shall be paid for by the owner.
- 6.3 Meters shall be required for all existing properties located within the Municipal Water Area, subject to the following:
- a) Where a property was exempted from connection by the former municipality and the owner wishes to connect to the Municipal Water Supply, meters shall be installed at the expense of the owner. The fee set out in the Township's Fees and Charges By-law shall be in addition to any Connection fee.
  - b) Where the Township determines that water meters shall be installed in existing buildings located within a Municipal Water Area, meters shall be installed by the Township at no cost to the owner.
  - c) One (1) meter shall be required for each property.
- 6.4 Meters shall remain the property of the Township and shall not be boxed in such a manner as to prohibit the meters from being read, examined, repaired or removed.
- 6.5 Water meters up to and including 25mm shall be installed only by a Township employee that has met the provincial qualifications for a water meter installer.
- 6.6 Meters shall be installed in a safe and convenient space, free from charge or rent, in a heated room suitable for this purpose, as close as possible to the entrance of the service pipe into the building. The meter shall be mounted in such a manner as to be fully braced to prevent movement.
- 6.7 Free access shall be afforded to such meters and their connections for person(s) authorized by the Township whenever such access is required.
- 6.8 Where the Township has reason to believe that a meter is not operable and is unable to gain access thereto for inspection and/or repair, written notice shall be sent by registered mail to the owner. Such notice shall require that access to the subject meter be provided to the Township within twenty-one (21) calendar days of the date of the notice. If access is not granted within the said twenty-one (21) calendar days, the Director of Public Works shall shut off the Municipal Water to the subject property.

- 6.9 Where the Municipal Water System has been shut off under section 9.8, the Director of Public Works shall turn on the water supply when the owner has complied with the following conditions:
- a) Access has been provided to the meter for inspection and/or repair by the Township; and,
  - b) The disconnection/re-connection fee as set out in the Township's Fees and Charges By-law has been paid to the Township.
- 6.10 The owner shall be responsible for the security of the meter and other Township equipment and shall pay the Township the value of such meter and equipment should any damage or loss occur which is, in the opinion of the Director of Public Works, due to circumstances beyond normal wear and tear.
- 6.11 The owner shall be responsible for maintaining, in good working order, the inlet valve to the meter and the outlet and by-pass valves for all meters if applicable and shall ensure that such valving is accessible.
- 6.12 Any leaks that may develop at the meter or its couplings must be reported immediately to the Township. The Township is not liable for damages caused by such leaks.
- 6.13 All water supplied to a Premises within the Township for Clearview, except water used for firefighting purposes shall pass through the Meter supplied by the Township for use upon premises, and in addition to whatever other remedies the Township may have By-law in respect to infringement of this By-law, the Township may, upon ascertaining that Water has been used which has not passed through the meter of such Premises, forthwith, without notice, shut off and stop the supply of water and apply fines.

## **7. Cross Connection Control and Backflow Prevention**

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- 7.1 No person shall connect, cause to be connected, or allow to remain connected to the Waterworks Distribution System any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow water, wastewater, non-potable water, or any other liquid, chemical or substance to enter the water works distribution system. In summary, "protection from contamination" shall be in accordance with the requirements of the Ontario Building Code Act, as amended or replaced, including all regulations thereto, as revised from time to time.
- 7.2 Where a risk of possible contamination of the water works distribution system exists in the opinion of the Director of Public Works, a customer shall, on notice from the Township, install on their water service pipe a cross

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

- 7.3 Free access shall be afforded to all parts of every building or other premises to which any water service pipe is supplied for any person authorized by the Township for the purpose of inspecting or disconnecting any water service pipe for cross connection within or outside a building.
- 7.4 Where access is not provided, a written notice by the Township will be issued allowing twenty-one (21) days to provide access. If access is not granted within the said twenty-one (21) calendar days, the Director of Public Works shall shut off the Municipal Water to the subject property.
- 7.5 If a condition is found to exist which is contrary to section 7.1 of this by-law, the Township shall immediately carry out an inspection and shall issue such order or orders to the consumer as may be required to obtain compliance with section 7.1 of this by-law.
- 7.6 If the customer to whom the Township has issued an order fails to comply with that order, the Director at their discretion, may:
  - a) Give notice to the customer to correct the fault, at their expense, within a specified time period and, if the notice is not complied with, the Director may then shut off the water service and apply fines; or
  - b) Without prior notice, shut off the water service or services and apply fines.
- 7.7 Cross connection control or backflow prevention devices, when required by the Township, shall be installed in accordance with the Ontario Building Code and "CAN/CSA-B64. 10-11 Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices", as amended from time to time.
- 7.8 Where a testable cross connection control device is required under section 7.2, the cross connection and control device shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Township, by personnel who are qualified and in good standing as an Ontario Water Works Association Certified Cross Connection and Control Specialist to demonstrate that the device is in good working condition. The customer shall submit a report to the Director on any or all tests performed on a cross connection control device within fourteen (14) days of a test, and a record card shall be displayed on or adjacent to the cross connection control device on which the tester shall record the address of the premises, the location, type, manufacturer, serial number and size of

the device, and the test date, the tester's initials, the tester's name (if self-employed) or the name of their employer and the tester's licence number.

- 7.9 If an Owner fails to have a cross-connection control device tested, the Director may notify the customer that the cross-connection control device must be tested within seven (7) days of the customer receiving the notice. If the customer fails to have the device tested within the time allowed, the Director may shut off the water service, water services, and/or apply fines until the Cross Connection Control Device has been tested and approved as required by section 7.8 of this by-law.
- 7.10 When the results of a test referred to in section 7.9 of this by-law show that a cross-connection control device is not in good working condition, the customer shall immediately notify the Township in writing and make repairs or replace the device within seven (7) days. If a customer fails to repair or replace the device within the time allowed, the Director may apply fines and/or shut off the water service until such repair or replacement has been made.
- 7.11 No person shall without the permission of the Township remove, damage, tamper with or in any way whatsoever interfere with any cross-connection control or backflow prevention devices.

## **8. Water Rates and Charges**

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- 8.1 At the end of two (2) months, the Director of Public Works shall read, or cause to be read, all meters connected to the Municipal Water System to determine the amount of water used during the previous two (2) months.
- 8.2 The Treasurer shall calculate water charges to be assessed against each consumer in accordance with the minimum monthly charge and surcharge per cubic meter as set out by By-law and approved by Council and as amended from time to time.
- 8.3 The Treasurer shall issue a bi-monthly bill to each consumer on the Municipal Water System.
- 8.4 Water bills shall be due and payable not less than fourteen (14) days from the date of billing.
- 8.5 Water bills shall be payable to the Township of Clearview.
- 8.6 The owner shall pay to the Township, upon demand, the water charges assessed against each property.

- 8.7 In the circumstance where a property/building has more than one unit or where a property/building is occupied by a tenant, the owner shall be billed and liable for payment of the accounts of all units.
- 8.8 The Treasurer shall impose a one-time five percent (5%) late charge on all unpaid accounts on the day after the due date.
- 8.9 If an account remains unpaid for a period specified in the Delinquent Utility Bill Collections Policy, the Treasurer shall follow the procedures as set out in the Delinquent Utility Bill Collections Policy.
- 8.10 Where a water bill remains unpaid, the Treasurer may add the unpaid amount to the Tax Roll to be collected in the same manner as property taxes.
- 8.11 Where a billing error has resulted in over-billing, the account shall be credited with an amount equal to any overpayment during the twelve-month period preceding the discovery of the error by the Township. Where a property has change ownership during the twelve-month period, the Township shall make every reasonable effort to locate and refund any applicable credit to the previous owner.
- 8.12 Where a billing error has resulted in under-billing, the account shall be charged an amount equal to any underpayment during the twenty-four-month period preceding the discovery of the error by the Township. Where a property has change ownership during the twenty-four month period, the Township shall only be charged the amount attributable to the current owner.
- 8.13 If, for any cause, any meter is found to be malfunctioning, then the amount of water to be charged shall be estimated on the average reading for the previous three (3) billing periods, when the meter was working properly, and the charge for the water for the period during which the meter was not working properly shall be based thereon.
- 8.14 The billing start date for newly constructed buildings will be the date the meter is installed. The water meter must be installed prior to occupancy.
- 8.15 The billing start date for new customers in existing buildings will be the date of legal change of ownership. Proof of ownership change must be provided to the Township.
- 8.16 For the purpose of calculating the Water Charges under this By-law, 220 gallons equals 1 cubic meter.

## **9. General**

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- 9.1 This By-law shall apply to all Municipal Water Systems located within the geographical boundaries of the Township.
- 9.2 Any extension or connections to the Municipal Water System shall be constructed in accordance with the Township of Clearview Engineering Standards.
- 9.3 All pipes, valves, fittings and other equipment between the water main and the street line shall remain the property of the Township.
- 9.4 Where a water service line between the street line and the meter is 50.8 millimeters (2 inches) or greater in diameter, any installation, testing, service or maintenance on said line shall be conducted by, or under the supervision of the Township. The cost of said repairs shall be the responsibility of the property owner.
- 9.5 The Director of Public Works is authorized to take such measures as are necessary and proper to ensure an adequate and continuous Municipal Water Supply and to safeguard the hygienic purity thereof within the Provincial Acts and Regulations as established by the Ministry of the Environment, or such other approval authority.
- 9.6 The Township does not guarantee the continuous supply, quality or pressure of water from a Municipal Water System. Failure to supply water shall not be constructed as neglect on the part of the Township, its officers or employees.
- 9.7 The Township shall be responsible for the operation and maintenance of all Municipal Water Systems including required testing, servicing and the removal of snow from around all hydrants, as deemed necessary.
- 9.8 When the Director of Public Works deems it necessary to limit or shut off the Municipal Water Systems 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 or consumers. The Director of Public Works shall report to Council all such incidents and actions taken as soon as is practical.
- 9.9 The Township, its officers, employees or agents shall not incur any liability whatsoever by reason of water running from an open or faulty fixture, or from broken or damaged connections.
- 9.10 No vehicles owned or operated on behalf of the Fire Department, or the Public Works Department of the Township shall be used for transporting water for the purpose of placing water into a privately owned swimming pool.

- 9.11 Should any provision, or any part of a provision, of this By-law be declared invalid, or declared to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or any part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.
- 9.12 Any reference in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or By-laws, as amended, restated or replaced from time to time.
- 9.13 Where an individual is authorized to do any act pursuant to this By-law, such act may be done by such individual's authorized designate.

## **10. Offences, Enforcement and Penalties**

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- 10.1 No person shall construct or connect any Water Service Pipe or Private Main to the Waterworks, or in any way obtain or use Water without the consent of the Township.
- 10.2 No person other than a person authorized by the Director of Public Works for that purpose shall open or close a valve in the water works distribution system, including private mains, or remove, tamper with or in any way interfere with any valve, water meter, backflow prevention device, structure, watermain or water service in the water works distribution system, including private mains.
- 10.3 No person shall operate a fire hydrant, except for Township personnel who are working and who are approved by the Director of Public Works and authorized under the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended or replaced, or who are firefighting.
- 10.4 No person shall use a Municipal fire hydrant for water supply except for water use for firefighting and system maintenance.
- 10.5 Every person shall only use water supplied or made available for any land or building for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires for only that purpose.
- 10.6 No person shall, 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 or benefit other than their own.
- 10.7 No person shall improperly or willfully discharge wastewater so that the water runs to waste or is of no use out of the waterworks.

- 10.8 No person, other than a person authorized by the Director of Public Works for that purpose, shall remove, damage, tamper with or in any way whatsoever interfere with the Waterworks, including but not limited to any Waterworks facilities, equipment, machinery, fittings or appurtenances.
- 10.9 No person shall throw or deposit any injurious or offensive matter into the Water, Water Distribution System or Waterworks, or in any way foul the Water, or expose the Water, Water Distribution System or Waterworks to contaminates of any kind.
- 10.10 No person shall connect, cause to be connected, or allow to remain connected to the Water Distribution System any piping, fixture, fitting, container or appliance, in a manner which under any circumstances may allow Water, wastewater, non-potable water or any other liquid chemical or substance to enter the Water Distribution System.
- 10.11 No person shall open or close a valve in the Water Distribution System.
- 10.12 No person, other than persons authorized by the Director for that purpose shall be permitted to operate the Service Valve to any Premises.
- 10.13 No person shall remove, damage, tamper with, or in any way whatsoever interfere with a Meter.
- 10.14 No person shall remove, fail to repair, damage, tamper with, or in any way whatsoever interfere with a Cross Connection Control Device or backflow prevention device.
- 10.15 No person shall fail to install a water service, Meter, or Cross Connection Control Device as required under this By-law.
- 10.16 No person shall hinder, obstruct or interrupt, or cause or procure to be hindered or interrupted, the Township or any of its officers, contractors, agents, servants or workers, in the exercise of any power conferred by this By-law.
- 10.17 No person shall obstruct the free access to any hydrant, Service Valve, Meter, Water Service Pipe, Cross Connection, Cross Connection Control Device, Backflow Prevention Device, Private Main or Main, or any pipes, connections, seals, fixtures, chambers, stopcocks, valves or other appurtenances.
- 10.18 If free and clear access to a Premises or Meter is not provided in accordance with section 6.6 of this By-law, the Township may, at its discretion apply fines and/or shut off or restrict the supply of Water to the Premises, in

Accordance with this By-law, until such time as free and clear access to the Premises and/or Meter is provided.

- 10.19 If free and clear access to a Premises and its water service pipe is not provide in accordance with section 7.3 of this By-law, the Township may, at its discretion apply fines and/or shut off or restrict the supply of Water to the Premises, in accordance with this By-law, until such time as free and clear access to the Premises and/or water service pipe is provided.
- 10.20 No person shall use water that has not passed through a Meter that has been installed by the Township.
- 10.21 No person shall use Water externally during the period from May 1 to September 30 except in accordance with the requirements set out in Section 4 of this By-law.
- 10.22 No person shall use Water externally in contravention of the conditions established by the Director of Public Works as set out in Section 4 during a Critical Water Period.
- 10.23 Each day that a situation as described in section 10 of this By-law is allowed to continue, it shall constitute a separate offence under this By-law and any Judge or Justice of the Peace adjudicating on such matter may assess a separate fine for each and every day that such situation has been allowed to continue.
- 10.24 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offence Act, R.S.O. 1990, Chapter P.33, as amended.

## **11. Schedules**

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- 11.1 That Schedule A "Part I Provincial Offences Act Fines" attached hereto forms part of this by-law.

## **12. Repeal**

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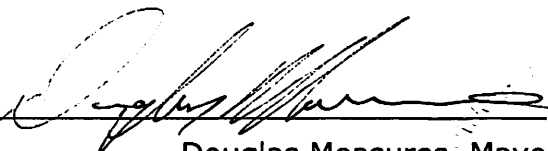
- 12.1 That By-law 07-29 and By-law 17-108 and all amending by-laws are hereby repealed.

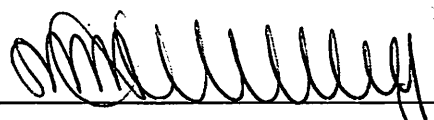
## **13. Force and Effect**

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- 13.1 This by-law shall take force and effect upon final passage hereof.

**By-law Number 26-08 read a first, second and third time and finally passed this 26<sup>th</sup> day of January, 2026.**

  
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Douglas Measures, Mayor

  
\_\_\_\_\_  
Sasha Helmkey, Director of Legislative Services/Clerk

**Safe Water Supply By-law 26-08**  
**The Corporation of the Township of Clearview**

**Schedule A – Part I Provincial Offences Act Fines**

<b>Item</b>	<b>Short form wording</b>	<b>Provision creating or defining offence</b>	<b>Set Fine</b>
1.	Unauthorized connection to Waterworks	Section 10.1	\$500.00
2.	Tamper with Water Distribution System	Section 10.2	\$500.00
3.	Unauthorized operation of hydrant	Section 10.3	\$1,000.00
4.	Unauthorized use of hydrant	Section 10.4	\$500.00
5.	Unauthorized use of water supplied for fire purposes	Section 10.5	\$500.00
6.	Improper use of water	Section 10.6	\$500.00
7.	Improperly discharge wastewater	Section 10.7	\$500.00
8.	Tamper with waterworks	Section 10.8	\$500.00
9.	Expose water distribution system to contamination	Section 10.9	\$500.00
10.	Connection causing substance to enter water distribution system	Section 10.10	\$500.00
11.	Unauthorized operation of valve	Section 10.11	\$500.00
12.	Unauthorized operation of service valve	Section 10.12	\$500.00

<b>Item</b>	<b>Short form wording</b>	<b>Provision creating or defining offence</b>	<b>Set Fine</b>
13.	Interfere with meter	Section 10.13	\$500.00
14.	Removal of device	Section 10.14	\$500.00
15.	Failure to install	Section 10.15	\$500.00
16.	Obstruct an officer or agent	Section 10.16	\$500.00
17.	Obstruct free access	Section 10.17	\$500.00
18.	Obstruct access to meter	Section 10.18	\$500.00
19.	Obstruct access to water service pipe	Section 10.19	\$500.00
20.	Unmetered water	Section 10.20	\$500.00
21.	Water outside when prohibited	Section 10.21	\$250.00
22.	Water outside during critical water period	Section 10.22	\$500.00

**Note: The penalty provisions for the offences indicated above is section 10 of By-law 26-08, a certified copy of which has been filed.**