

**THE CORPORATION OF THE VILLAGE OF CLINTON**  
**BYLAW NO. 442, 2006**  
Water Regulation Bylaw

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A bylaw to regulate the terms and conditions under which water from the Village Municipal Water Utility may be supplied and used.

**WHEREAS** pursuant to Section 8 of the *Community Charter* it is deemed expedient to make provisions for regulating the rates, conditions and terms under or upon which water may be supplied to and used by the inhabitants of the Village of Clinton.

**NOW THEREFORE** the Municipal Council of the Village of Clinton in open meeting assembled **ENACTS AS FOLLOWS:**

**1. TITLE**

This Bylaw may be known and cited as the "Village of Clinton Water Regulations Bylaw No 442, 2006".

**2. DEFINITIONS**

- 2.1 "*Building Connection*" shall mean the water pipe extending from the property line of the property concerned to the building situated thereon;
- 2.2 "*Building Inspector*" shall mean the person or persons appointed from time to time by the Council as Building Inspector and includes deputy and assistant Building Inspectors;
- 2.3 "*Village*" shall mean the Village of Clinton;
- 2.4 "*Collector*" shall mean the person appointed from time to time by the Council as Collector;
- 2.5 "*Property Owner*" shall mean the registered owner of any lands and premises within the Village and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises;
- 2.6 "*Superintendent of Public Works*" shall mean the person appointed as such by the Council of the Village and any person delegated to assist him in carrying out his duties under this bylaw;
- 2.7 "*Water Connection*" shall mean a connection of at least three-quarter inch pipe connecting to a main supply line and extending to the property line for the purpose of conveying water to the said property, and may or may not include a water meter but shall include a shut-off valve;
- 2.8 "*Water Service*" shall mean works and services provided by the Village and include:
  - supply of water for consumption or other use
  - water connection installation, repair or replacement
  - meter installation
  - water main extension
- 2.9 "*Water System*" shall mean all water pipes, fittings, valves, reservoirs, pumps, treatment or purification facilities or fire hydrants within a right-of-way, easements or property under the control of or title to the Village.

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**3 GENERAL PROVISIONS**

- 3.1 No person shall make any connection to the water system owned by the Village or to any water line being supplied with water from the Village water system without first receiving approval from the Village;
- 3.2 No person shall install, place or maintain in any premises any water connection, fixture, or fitting not in accordance with the requirements of this Bylaw or not authorized by the application for such water service;
- 3.3 No pump, device or other fitting shall be used for the purpose of, or having the effect or, increasing or decreasing the available water flow in the water system without prior written authorization from the Superintendent of Public Works;
- 3.4 All persons shall keep the service pipes, stopcocks, fixtures, and fittings on their own premises or property in good order and repair, and protect them from frost at their own risk and expense.
- 3.5 The Village shall not be required to supply water to any property within the Village, which is supplied by other than the Village water system.
- 3.6 The property owner shall be responsible for all costs associated with the works required for the installation of a water service for his property.
- 3.7 No person shall place or introduce contaminants or pollutants into the Village water system.
- 3.8 No works or services shall be performed on the water system unless authorized in writing by the Superintendent of Public Works.
- 3.9 All works and services performed on the water system shall conform with the requirements of the Village of Clinton Standard Construction Specifications as written in the Village of Clinton Subdivision Development Servicing Bylaw and Master Municipal Construction Documents.
- 3.10 No person, unless provided written authorization from the Superintendent of Public Works shall in any way interfere, operate or tamper with any pipe, fixture, fitting, fire hydrant, valve or other component of the Village water system.
- 3.11 The Village shall not be liable for damages caused as a result of a disruption or discontinuation of service.
- 3.12 No person being a property owner, occupant, or tenant of any premises supplied with water by the Village shall sell or dispose of any water or give away or permit the same to be taken away or applied for the benefit of others, except to those persons provided written authorization from the Superintendent of Public Works.
- 3.13 Nothing contained in this Bylaw shall be construed to impose any liability on the Village as to the availability, volume, pressure and quality of water to any person, property or premises in the Village.

**4. APPLICATION – CONNECTION**

- 4.0 Application for the water connection shall be made to the Village and shall be made on the form contained in Schedule “A” of this Bylaw and shall be accompanied by the proper fee as specified in Schedule “E” of the Village of Clinton Fees & Charges bylaw No 441, 2006 (which may be amended from time to time). Each application, when duly signed by the property owner, includes agreement to abide by the terms and conditions of this Bylaw and any subsequent amendments thereto.

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- 4.1 Applications for a water service submitted by other than the registered property owner must be accompanied by a letter of consent or authorization from the registered or legal property owner.
- 4.2 The connections fee paid in accordance with Section 4.0 hereof does not include works within private property.

**5. APPLICATION – DISCONNECTION**

- 5.1 Application for disconnection of a water connection shall be made to the Village and shall be made on the form contained in Schedule “A” of this Bylaw and shall be accompanied by the proper fee as specified in Schedule “E” of the Village of Clinton Fees & Charges Bylaw No. 441, 2006 (which may be amended from time to time). Until such application has been submitted, regular water rates may be charged as prescribed.

**6. WATER METERS**

- 6.1 The Village shall require the installation and use of water meters in the following instances:
  - Any new construction
  - Any existing commercial properties (phased in over several years)
  - Any properties suspected of using an excess of water. Estimates will be based on using an excess of 500 litres of water per capita per day

All new applications for non-residential properties using or consuming water shall be required to install and use a water meter. The charges as prescribed in Schedule “E” of the Village of Clinton Fees & Charges Bylaw No. 441, 2006 (which may be amended from time to time) shall apply. The water meter shall be the property of the Village.

**7. RATES AND CHARGES**

- 7.1 Property owners shall be responsible for payment of all rates for water used and consumed on properties owned by them.
- 7.2 The user rates and charges specified in Schedule “E” of the Village of Clinton Fees & Charges Bylaw No. 441, 2006 (which may be amended from time to time) are hereby imposed and levied for water services supplied by the Village. All such rates shall be due and payable upon receipt of the invoice in January of each year.
- 7.3 User rates are subject to a discount of 5% (five percent) if paid in full no later than February 28 of the billing year.
- 7.4 A penalty of 10% (ten percent) shall be imposed upon the balance of outstanding utilities that is unpaid after September 30<sup>th</sup> of the billing year.
- 7.5 For any water service turned on after the 1<sup>st</sup> day of January, the user account will be billed for an amount equal to the annual rate prorated for the number of days remaining in the year.
- 7.6 For any water service turned off after the 1<sup>st</sup> of January, the user account will be credited for an amount equal to the annual rate prorated for the number of days remaining in the year.

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7.7 All rates and charges remaining unpaid on the 31<sup>st</sup> day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.

**8. INSPECTION**

8.1 The building connection shall be left uncovered at the joint with water connection until it has been inspected and approved in writing by the Superintendent of Public Works.

8.2 Officers, employees, and agents of the Village are hereby authorized to enter upon any lands and premises in the municipality at all reasonable times to ascertain whether the requirements and regulations of this Bylaw are being observed.

**9. WATER RESTRICTIONS**

9.1 During the period from June 1<sup>st</sup> to September 15<sup>th</sup> of each year, use of water for irrigation or sprinkling will be prohibited between the hours of 11:00 am and 7:00 pm.

9.2 Notwithstanding Section 9.1, the Village may, whenever in its discretion the public interest so requires, suspend or limit the use of water from the Village water system, or may further regulate the hours of use, or may further prescribe the manner in which such water may be used.

9.3 No water shall be used for irrigation, sprinkling, and construction involving soil removal or replacement when restrictions have been imposed except as a permitted exemption under Section 9.4.

9.4 Application for exemption from water usage restrictions or regulations in place under Section 9.1 shall be made to the Village. Water usage exemption permits under this section may be issued for the following applications:

- New residential lawn or landscaping installation or construction
- As a means of controlling dust or cleaning of private driveways or parking lots of a metered commercial or multi-family user
- Within a construction or building project under a building or development permit issued by the Village

9.5 The following activities and facilities are exempt from Section 9.1:

- Commercial Nursery Operations
- Public Works activities and repair work
- Water Parks

9.6 An exemption permit may be revoked at any time.

**10. ENFORCEMENT**

10.1 Any person who installs a water connection to the Village water system, without first obtaining approval and paying the applicable charges, shall be liable for all costs associated with the disconnection of the said service connection and, in addition, is considered to be guilty of an offence under this Bylaw.

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- 10.2 The Village may discontinue the water service to any premise for contravention or violation of the regulations within this bylaw.
- 10.3 Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$1,000.00. This bylaw may also be enforced by a duly enacted Municipal Ticketing Information Bylaw.

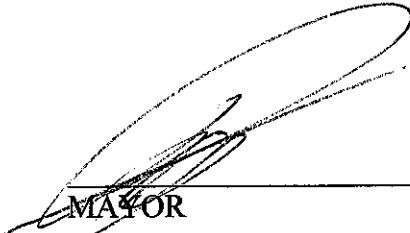
**11. SEVERABILITY**

If at any time, any provision of this bylaw is declared or held to be illegal or invalid in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal or invalid provision.

**12. REPEAL**

The Village of Clinton Water Regulation and Rates Bylaw No. 415, 2004 and any amendments thereto, are hereby repealed in their entirety.

READ A FIRST TIME	this 13 <sup>th</sup> day of December 2006
READ A SECOND TIME	this 13 <sup>th</sup> day of December 2006
READ A THIRD TIME	this 13 <sup>th</sup> day of December 2006
RECONSIDERED AND FINALLY ADOPTED	this 10 <sup>th</sup> day of January 2007

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

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**SCHEDULE "A"**

**APPLICATION FOR WATER SUPPLY AND SERVICE(S)**

I \_\_\_\_\_ being the property owner of the premises described as: Lot \_\_\_\_\_ Block \_\_\_\_\_ D.L. \_\_\_\_\_ Plan \_\_\_\_\_ and situated at # \_\_\_\_\_ Street/Road/Avenue in the Village of Clinton, hereby make application for the following services:

- \_\_\_ supply and use of water. The use or occupancy of the property or premise supplied will be \_\_\_\_\_  
(describe current or proposed occupancy and zoning) consisting of \_\_\_\_\_ square meters of total building floor area.
- \_\_\_ new water connection(s)
- \_\_\_ water meter installation(s)
- \_\_\_ water connection repair, replacement or adjustment
- \_\_\_ water disconnection for repair, replacement or adjustment
- \_\_\_ water main extension
- \_\_\_ other (provide description) \_\_\_\_\_

DATED at the Village of Clinton this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPLICANT \_\_\_\_\_

TOTAL COST OF SERVICE(S) = \$ \_\_\_\_\_

Note:

- a) a detailed cost summary is attached for the property owners review.
- b) The total costs presented herein will be held firm for a period not exceeding sixty (60) days from the date of issuance.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Superintendent of Public Works or designate