

BY-LAW NO. 23

A BY-LAW OF THE MUNICIPALITY OF PERTH-ANDOVER  
RESPECTING THE WATER AND SEWERAGE SYSTEMS

The Council of the Municipality of Perth-Andover, duly assembled, hereby enacts as follows:

1. In this by-law
  - (a) "Council" means the council of the Municipality of Perth-Andover;
  - (b) "owner" means the person in whose name a property is assessed under the Assessment Act;
  - (c) "person" means a person and includes a corporation, partnership, credit union and co-operatives;
  - (d) "private water system" means a water system owned by a person other than the municipality;
  - (e) "public works superintendent" means the public works superintendent appointed by the Council of the municipality of Perth-Andover;
  - (f) "sewer lateral" means a sewer pipe leading to a sewer main;
  - (g) "sewerage system" means a system of two or more interconnected sewer mains having one or more common discharge outlets and includes necessary pumping plants, force mains, siphons, other like works, treatment works and sewerage disposal plants;
  - (h) "water service pipe" means a water pipe leading from a water main;
  - (i) "water system" includes a system of wells, tanks, reservoirs, dams, watercourses, lakes, streams, rivers, buildings, machinery, filtration plants, cribs, basins, hydrants, water service pipes, fittings, motors, apparatus, water works and all other things useful for the drawing, collecting and storing of water and treating, distributing and selling water to consumers, and

1. (j) "water" and "water supply" means the water supplied by the water system to consumers for the purposes specified in this by-law.
2. Subject to the approval of council, the public works superintendent shall administer, supervise and control the water and sewerage systems.
3. The council may appoint the officers and employees necessary for the efficient and continuous operation of the water and sewerage systems.
4. The public works superintendent
  - (a) subject to the direction of the council, shall supervise the construction and maintenance of the water and sewerage systems,
  - (b) subject to the approval of the council, may by regulation define the duties of all municipal employees engaged in work connected with the water and sewerage systems,
  - (c) shall cause to be made
    - (i) plans of the water system showing the storage facilities and the land of the municipality surrounding it, the water mains and the size thereof in each street, all junctions and manholes, valves and hydrants, all additions and alterations made to the system from time to time and all other information which the council deems necessary, and
    - (ii) plans of the sewage system showing the location, depth, material, size, shape, thickness and construction thereof and all additions and alterations made thereto from time to time, and
  - (d) shall keep or cause to be kept a record of all work done in connection with the water and sewerage systems showing the cost of labour and materials for each job, the depth of the pipe, the location of shut-offs and any other details of each job required by the council for water service and sewerage connections.

5. (1) The municipality shall furnish the water supply for
- (a) domestic and fire protection purposes,
  - (b) municipal purposes, and
  - (c) industrial purposes.
- (2) Notwithstanding subsection (1), when in the opinion of the council the efficiency of the water supply for domestic and fire protection purposes is impaired.
- (a) by furnishing water for industrial purposes or for any other purpose not specified in subsection (1), the municipality shall not supply water for industrial purposes or for any other purpose not specified in subsection (1), and
  - (b) by a water shortage, the council may by resolution regulate the use of the water supply as it deems proper.
- (3) Subject to subsection (2), the council may furnish water for purposes other than domestic and fire protection under a written agreement that the water supply may be discontinued temporarily or permanently by resolution of the council.
- (4) The municipality shall not be deemed to guarantee an uninterrupted supply or a sufficient or uniform pressure and shall not be liable for any damages or injury by reason of the interruption of supply, variation of pressure, or on account of the turning off or turning on of the water supply, or for any cause whatsoever.
6. No person shall make or cause to be made an extension or addition to the water or sewerage systems without the consent of council.
7. Water mains, water service pipes, sewer laterals and sewer mains shall be placed at a sufficient depth within the ground or otherwise sufficiently secured to assure that they are protected from frost under ordinary conditions to the satisfaction of the public works superintendent.

8. Water service pipes for the supply of water for domestic purposes shall not exceed three-quarters of an inch (19 mm) internal diameter except where the water service pipe is required to supply more than six separate faucets or taps or where the premises to be supplied with water is sufficiently elevated to cause a reduction in the water pressure to render the three-quarter inch (19 mm) internal diameter water service pipe insufficient for domestic purposes in which cases water service pipes not exceeding one and one-half inches (38 mm) shall be installed.
9. No connection shall be made with the water system for the purpose of taking water therefrom except under the direction and personal supervision of the public works superintendent or a person duly authorized in writing by him for that purpose.
10. No person
  - (a) shall make an excavation for the purpose of connecting a private water system with a water main or for taking water therefrom without the written approval of the public works superintendent, and
  - (b) shall install an additional fixture to a private water system unless the owner thereof holds a water permit authorizing the installation of an additional fixture.
11. Water shall not be supplied from the water system to a private water system unless the private water system is
  - (a) protected from frost,
  - (b) installed in a workman like manner,
  - (c) strong enough to resist the pressure to which it may be subjected, and
  - (d) approved by the public works superintendent.
12. No person shall permit a continuous stream of water to flow from a private water system connected with the water system except with the permission of the council.

13. When the fire department is extinguishing a fire within the municipality, no person shall allow water to run from a private water system connected with the water supply except for domestic purposes or for the purposes of extinguishing or preventing a fire.

14. The owner of all premises having a private water system, before receiving a water supply, shall install or cause to be installed in the private water system a shut-off and waste cock and a vacuum breaker, and shall provide for the installation of a water meter.

15. (1) The owner of any premises

(a) before receiving a water supply,

(b) before extending his private water system, adding fixtures thereto, or

(c) before a water service pipe is renewed

shall file an application for a water permit in Form "A" with the clerk.

(2) When filing an application for a water permit under subsection (1), the owner shall deposit with the clerk an amount equal to the estimated cost of installing the water service pipe or replacing it, as the case may be.

(3) Upon receipt of an application under subsection (1), the clerk may issue a water permit authorizing the supply of water.

(4) The amount deposited under subsection (2) shall be credited to the cost of the work and where the cost exceeds the deposit the owner shall pay the difference to the clerk before the water service pipe is used and where the deposit exceeds the cost of the work, the surplus shall be refunded to the owner by the clerk.

16. (1) Before operating an out of door fountain, a person shall file an application in Form "A" for a permit to do so with the clerk.

16. (2) The clerk may issue a permit to operate an out of door fountain that shall specify the number of hours not to exceed six per day for a period of months not to exceed four in any year during which the fountain may run.
- (3) The owner of an out of door fountain shall provide the water supply pipe to that fountain with a stop cock that is accessible to the public works superintendent.
- (4) The stop cock referred to in subsection (3) is under the control of the public works superintendent.

SEWER LATERALS

17. Sewer laterals shall
  - (a) be constructed only of the material,
  - (b) be of the dimensions and the specifications, and
  - (c) be laid at the grade and in the manner directed by the public works superintendent.
18. No owner of any premises shall permit drainage from the roof or cellar thereof to enter any sewer lateral connected with a sewer main.
19. No person shall connect a sewer lateral servicing a manufacturing plant with a sewer main unless the owner thereof has met any special requirements of the public works superintendent.
20. (1) Before the construction or replacement of a sewer lateral and connecting it with a sewer main, the owner of any premises shall
  - (a) file an application for a sewer lateral in Form "B" with the clerk, and
  - (b) deposit with the clerk an amount equal to the estimated cost of installing or replacing a sewer lateral and connecting it with a sewer main.

20. (2) The amount deposited under subsection (1) shall be credited to the cost of the work and where the cost exceeds the deposit the owner shall pay the difference to the clerk before the sewer lateral is used and where the deposit exceeds the cost of the work, the surplus shall be refunded to the owner by the clerk.

(3) When filing an application under subsection (1), the owner shall pay to the clerk the sewer rental, if any, for the current half year.

21. The council may order that the water supply to any property shall be metered by a water meter approved by council and rented to the owner of a property by the municipality.

22. No person shall be entitled to damages or to a refund of any payment for stoppage or interruption of the water supply caused by accident, frost or for the purpose of making additions or repairs to the water system or for any purpose which in the opinion of the public works superintendent is necessary or desirable.

23. The public works superintendent, or any person authorized by him, may at any reasonable hour, enter any premises in the execution of his duties respecting maintenance or repair of the water and sewerage systems and examine and read water meters.

24. The council may discontinue the water supply to any premises

(a) where the public works superintendent or a person authorized by him is refused entry onto the premises,

(b) during the construction or repair of the water or sewerage system or both, and

(c) while a fire is in progress in the municipality.

25. No person shall use water for air conditioning purposes at a rate in excess of one tenth of a gallon per minute per ton of air conditioning.

26. Where a water system is made available by the municipality in any area of the municipality, the owner of premises using a water supply and situate upon land abutting or within 100 feet of a street or public place

where there is a water main or sewer main shall install in the premises connections with the water and sewer mains and any apparatus and appliances required to insure the proper sanitary conditions of the premises to the satisfaction of the public works superintendent.

27. No person shall discharge or cause to be discharged any of the following described water or waste into any public sewer:

(a) any gasoline, waste oil, benzine, naptha, fuel oil or other flammable or explosive liquids, solid or gas,

(b) any waters or wastes containing toxic or poisonous solids, liquids or gasses in sufficient quantity either singly or by interaction with other waste, to:

(i) injuire or interfere with any sewerage treatment process,

(ii) consititute a hazard to humans or animals or plants,

(iii) create a public nuisance or,

(iv) create any hazard in the receiving waters of the sewerage treatment plant.

(c) any waters or wastes having a corrosive property capable of causing damage or hazard to structure, equipment and personnel of the sewerage works.

(d) solid or viscous substances in quantities or of such size capable, of causing obstruction in the flow of sewerage, or other interference with the proper operation of the sewerage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders, sanitary pads, fruit and vegetables (either whole or sliced), disposable diapers.



28. (1) The council may discontinue a water supply at any time for

(a) a violation of this by-law or,

(b) at the request of and at the convenience of the owner of the premises.

(2) Where a water supply has been discontinued under subsection (1), the owner of the premises shall pay a ten dollar (\$10.00) charge before the water supply is reconnected.

29. No person being an owner, tenant or occupant or inmate of any premises supplied with water by the municipality shall

(a) lend or sell the water,

(b) give water away or permit water to be taken or carried away,

(c) use or apply it to the use of any other person, or

(d) wrongfully neglect or improperly waste the water.

30. A person who violates any provision of this by-law is guilty of an offence and is liable on summary conviction to a penalty not exceeding two hundred dollars (\$200.00) and in default of payment thereof to imprisonment for not more than thirty days (30 days.).

31. The size, shape, alignment, materials of construction of a building sewer line and methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench shall be subject to the supervision and approval of the public works superintendent.

32. The municipality shall not be required to lay any service pipes at any season of the year which in the opinion of the public works superintendent is not suitable for the performance of the work.

33. All owners connected to the water or sewerage system are responsible for damages incurred or repairs required to be made to their lateral sewer lines or water service pipes running from their premises to the edge of their property lines.

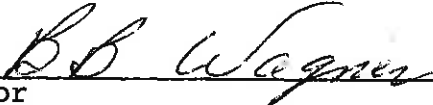
34. This by-law comes into force on the date of final passing thereof.

READ A FIRST TIME BY TITLE this 5th day of March, 1979.

READ A SECOND TIME BY TITLE this 16th day of May, 1979.

READ IN ITS ENTIRETY IN COUNCIL this 16th day of May 1979.

READ A THIRD TIME BY TITLE AND ENACTED this 7th day of January 1980.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

FORM "A"

APPLICATION FOR A WATER PERMIT

TO THE MUNICIPALITY OF PERTH-ANDOVER:

The undersigned owner requests a water permit to renew/install a water service pipe between the water main at \_\_\_\_\_ Street and a point on the property of the owner at \_\_\_\_\_ Street.

The undersigned owner agrees to pay to the municipality of Perth-Andover on demand the costs and charges for construction of the extension of the water service pipes through the lands of the owner as determined by the public works superintendent.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Applicant

NOTE: The public works superintendent of the municipality or any person authorized by him for that purpose shall have free access at reasonable hours of the day to all parts of any premises in which water is supplied by the municipality or which is served by a sewerage system for the purpose of reading any water meter or of installing, inspecting or replacing any water meter, sewer lateral, or plumbing.

FORM "B"

APPLICATION FOR A SEWER LATERAL

TO THE MUNICIPALITY OF PERTH-ANDOVER:

The undersigned owner requests that a sewer lateral be replaced/laid from the building at (no.) \_\_\_\_\_ Street to the sewer main on that street, and that the occupants thereof may be allowed to use that sewer main for the purpose of disposing of sewerage from that building.

The undersigned agrees to pay to the municipality of Perth-Andover before the sewer lateral is used, the cost of installing the sewer including the labour and materials and any other expense necessarily incurred in its proper construction as determined by the public works superintendent.

The undersigned further agrees to conform to the by-laws, orders and regulations relating to the sewerage system and to the by-laws respecting plumbing.

The undersigned further agrees that no claim for damages occasioned to the premises or any property thereon in any manner by the construction, use or existence of the sewer lateral or connection shall be made against the municipality of Perth-Andover and undertakes to indemnify and save harmless the municipality for any such claims, and the undersigned further agrees that no cellar drain, roof drain, or weep tile shall be connected to the sewer lateral.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Owner

NOTE: The public works superintendent of the municipality or any person authorized by him for that purpose shall have free access at reasonable hours of the day to all parts of any premises in which water is supplied by the municipality or which is served by a sewerage system for the purpose of reading any water meter or of installing, inspecting or replacing any water meter, sewer lateral or plumbing.

BY-LAW NO. 25

A BY-LAW TO AMEND BY-LAW NO. 23, BEING A BY-LAW  
RESPECTING THE WATER AND SEWERAGE SYSTEMS

The Council of the Municipality of Perth-Andover duly assembled hereby enacts as follows:

1. Section 26 of By-Law No. 23, being the by-law respecting the water and sewerage systems, is repealed and the following substituted therefor:

"26. (1) where a water system is made available by the municipality, the owner of premises which

(a) use a water supply, whether or not from a private water system, and

(b) are situate within 100 feet of the right of way of a street or public place where there is a water main, whether or not the lands abut that street or public place

shall install in the premises, connections with the water main and any apparatus and appliances required to insure the proper sanitary conditions of the premises to the satisfaction of the Public Works Superintendent.

(2) where a sewage system is made available by the municipality, the owner of premises which

(a) use a water supply, whether or not from a private water system, and

(b) are situate within 100 feet of the right of way of a street or public place where there is a sewer main, whether or not the lands abut that street or public place

shall install in the premises connections with the sewer main and any apparatus and appliances required to insure the proper sanitary conditions of the premises to the satisfaction of the Public Works Superintendent."

2. This by-law comes into force on the date of final passing thereof:

READ A FIRST TIME by title this 3rd. day of March 1980.

READ A SECOND TIME by title this 3rd. day of March 1980.

READ IN ITS ENTIRETY IN COUNCIL this 3rd. day of March 1980.

READ A THIRD TIME BY TITLE AND ENACTED this 8th. day of April 1980.

  
MAYOR

  
CLERK

BY-LAW NO. 26

A BY-LAW TO AMEND BY-LAW NO. 23, BEING A BY-LAW  
RESPECTING THE WATER AND SEWAGE SYSTEMS

The Council of the Municipality of Perth-Andover duly assembled hereby enacts as follows:

1. Sub-section (4) of Section 5 of By-Law No. 23, being the by-law respecting the water and sewerage systems, is repealed and the following substituted therefor:

"(4) The municipality shall not be deemed to guarantee an uninterrupted supply of water, or a sufficient or uniform pressure, or consistently clear water, and the municipality shall not be liable for any damages or for injury sustained by reason of the interruption of the supply of water, variation of water pressure, unclear water, or on account of the turning off or turning on of the water supply, or for any other cause whatsoever."

2. Sub-section (2) of Section 15 is repealed and the following substituted therefor:

"(2) Except as provided by Sub-section (5), when filing an application for a water permit under Sub-section (1), the owner shall deposit with the Clerk an amount equal to the estimated cost of installing the water service pipe or repairing or replacing it, as the case may be."

3. Section 15 of By-Law No. 23 is amended by adding immediately after Sub-section (4) the following:

"(5) When filing an application for a water permit or when filing an application for a sewer lateral pursuant to Section 20, the owner shall pay to the Clerk, if the premises to be serviced have not been previously connected to the water supply or sewerage system, a fee of \$200.00 with either application or a fee of \$250.00 for both applications provided the water service pipe and sewer lateral are installed in the same excavation and at the same time.

(6) Those fees set out in Sub-section (5) may be amended by Council from time to time and it shall not be necessary to formally amend this by-law when such fees are so changed."

4. Paragraph (b) of Sub-section (1) of Section 20 of By-Law 23 is repealed and the following substituted therefor:

"(b) Except as provided by Sub-section(4), deposit with the Clerk and amount equal to the estimated cost of installing or repairing or replacing a sewer lateral and connecting it with a sewer main."

5. Section 20 of By-Law 23 is amended by adding after Sub-section (3) the following:

"(4) If the premises to be serviced have not been previously connected to the water supply or sewerage system, the owner shall pay to the Clerk such fees as are set out in Sub-section (5) of Section 15 or such fees are may be set by Council from time to time."

6. This by-law comes into force on the date of final passing thereof:

READ A FIRST TIME by title: April 9, 1984

READ A SECOND TIME by title: May 14, 1984

READ IN ITS ENTIRETY IN COUNCIL: June 11, 1984

READ A THIRD TIME BY TITLE AND ENACTED: July 9, 1984



MAYOR



CLERK