

Bylaw 1378-09  
Water Meters

**Definitions:**

As used in this bylaw, the following terms shall have the meanings indicated:

**AUTOMATED METER READING** -- The programs or projects, as may be adopted by the City, for the supply and installation of water meters and a radio communications network capable of reading, transmitting and collecting water meter readings throughout the City and includes all related equipment, software and hardware. Automated Meter Reading Program includes the water meter replacement and automated meter reading system project currently undertaken by the City as at the enactment of this chapter.

**BUILDING** -- All type of residential, commercial, industrial and institutional buildings.

**OCCUPIER** -- A person residing on or in a property; a person entitled to the possession of the property if there is no other person residing on or in the property; and a tenant or leaseholder; and, where that person is a corporation, shall include the officers, directors and shareholders of that corporation. An occupier includes an occupant.

**OWNER** -- A person who has any right, title, estate, or interest in a property, other than that of only an occupant and, where that person is a corporation, shall include the officers, directors and shareholders of that corporation, and shall include any person with authority or power over or control of that property on the behalf of an owner. An owner includes a developer.

**PERSON** -- A natural person, an association, a partnership or a corporation, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

**PROPERTY** -- Includes a house, building, structure, lot or any part of a house, building, structure or lot within the Town which has a unique municipal address and is adjacent to the waterworks.

**REMOTE READOUT UNIT** -- Any device which is used to record or transmit, or both, the water consumption reading of a water meter and may be installed at a separate location from the water meter but does not include the water meter register.

**SHUT-OFF VALVE** -- The valve on or at a water service connection owned and used by the Town to shut off or turn on the water supply from the waterworks to a property.

**WATER** -- Potable water supplied by the Town.

**WATER METER** -- An apparatus at a property which measures and records the quantity of water passing through it and is read, serviced, maintained or supplied by the Town.

**WATER SERVICE CONNECTION** -- That part of the waterworks, consisting of pipes, fittings and appurtenances which supplies water to a property, and which is located between the Town watermain and the boundary line of private property.

**WATERWORKS** -- Any works for the collection, production, treatment, storage, supply, transmission and distribution of water by the Town, or any part of any of those works including the water service connection, but does not include plumbing to which the Building Code Act or any amendments thereto apply.

### **Administration**

- A. The administration of the waterworks and fixed water meter reading equipment shall be under the jurisdiction of the Town designated employee.
- B. The administration of water meter reading, water rates, accounting, billing and collection shall be under the jurisdiction of the Town designated employee.

### **Use and receipt of water**

- A. No person shall use, cause or permit water to be used otherwise than in connection with the property at which it is supplied nor shall water be sold or otherwise similarly disposed of without the prior written permission of the Town, other than authorized Towns Fire Services personnel or other Town personnel, acting in the course of their duties.
- B. No person shall obtain water without paying the applicable charges, fees or rates for that water, except with the prior written approval of the Town, other than authorized Town Fire Services personnel or other Town personnel, acting in the course of their duties.

### **Water service connections**

- A. New or changed connections
  - (1) No person shall erect or cause to be erected any building or structure, except an ancillary building, on lands which are serviced by the waterworks unless the new building or structure is connected to the waterworks.
  - (2) No person shall connect or allow to be connected to the waterworks or change or alter an existing connection to the waterworks without the approval of the Town.
  - (3) The minimum size water service connection shall be no less than 19mm in diameter.

B. Application for connection

- (1) Any persons who require water to be supplied to a property or a change or alteration to the existing water service connection in relation to a property shall obtain prior authorization from the Town.
- (2) Applications under previous section shall be accompanied by such plans as may be required by the Town.

C. Installation of water service connection

Upon approval by the Town, of an application submitted under previous section, a water service connection shall be installed at the expense of the owner as per Town's standards.

D. No installation in road allowance

No person shall install or cause the installation of a water service connection to be installed within any road allowance, Town easement or other Town land, save and except an authorized employee, agent or contractor of the Town or a person expressly authorized to do so by a written agreement with the Town.

E. Single connections

- (1) No person shall install or cause the installation of a water service connection that services more than one property.
- (2) No owner or occupant of a property shall permit the installation of a water service connection that services more than one dwelling unit on a property which that person owns or occupies.

F. Replacement of existing water service connection

If a new water service connection replaces an existing water service connection, the existing water service connection shall be disconnected from the Town watermain and the shut-off valve shall be removed, all at the same time as the new water service connection is installed. The owner shall pay all costs associated with the disconnection and the new connection.

G. Demolition of a property

- (1) If a building or structure on a property is demolished or substantially demolished, the water service connection shall be disconnected by the Town at the connection point to the Town watermain.

- (2) The owner shall pay all costs associated with the disconnection prior to the demolition of the building or structure.

#### H. Costs of disconnection of water service connection

In the event that an owner requests a disconnection of a water service connection, the owner shall pay the disconnection fee prior to commencement of the disconnection of the water service as set for from time to time by the Town.

### **Metering of Water**

#### A. Water to be metered

- (1) No person, other than authorized Town of Vulcan Fire Services personnel or other Town personnel acting in the course of their duties or authorized agents or contractors of the Town expressly acting within the scope of their work or services, shall use or permit the use of water that has not passed through a water meter.
- (2) No owner shall fail to have a water meter installed and in use at that owner's property where that property is supplied with water by the Town.

#### B. Installation of Water Meter

- (1) Water meters, including strainers, valves and remote readout units for new or renovated buildings shall be installed by the owner, at the sole expense of the owner, in accordance with the standards and specifications.
- (2) Every owner, required to install a water meter shall install a water meter on that owner's property in a secure location.
- (3) Despite any other provision of this bylaw, the water meter, conduit and wire for the remote readout unit shall be installed prior to occupancy of a new or renovated building or part thereof.

#### C. Supply and payment for water meters

The Town shall be the sole supplier of all water meters. The Town will supply, free of charge, a 5/8" water meter for all buildings to which a water service connection is provided. Owners who wish to install a larger size meter will pay the cost difference between a 5/8" and their requested size.

#### D. Refusals to Install

- (1) No owner shall refuse or obstruct the Town or designated in the installation of:
  - (a) A water meter and related items; and
  - (b) Automated meter reading equipment
  - (c) In the event that an owner refuses or obstructs the Town in the installation of a water meter or any related items and equipment, the Town may shut the water off for this property
- (2)
  - (a) No owner of a property shall fail to install a water meter and any related items and equipment as required under this bylaw.
  - (b) In the event that the owner fails or refuses to install a water meter and any related items and equipment as required the Town may issue an order to the owner to do so.
  - (c) The owner shall comply with an order no later than seven (7) days after an issuance.
  - (d) If an owner fails to comply with an order the Town may undertake the work at the owner's expense.

#### E. Number of Water Meters

If two or more water service connections supply water to a property, each water service connection shall be separately metered the owner shall pay all costs associated with those installations.

#### F. Water Meter Loss or Damage

- (1) Every owner shall be responsible for any loss or damage to every water meter on that owner's property including any damage from freezing.
- (2) If a water meter is lost or damaged the owner shall be responsible for the full replacement cost of the water meter and related items or equipment within seven (7) calendar days from the date the new water meter and related items and equipment are delivered to the owner.

#### G. Water Meter Inspection Sealing and Access

- (1) Every water meter installed on a property shall be sealed at or about the time of installation.
- (2) Every owner and occupier shall, at reasonable times and on reasonable notice, permit the Town to have free, clear and unobstructed access to that person's property and to the location where a water meter is installed or is to be installed in or on that property or to permit the Town to test, read, repair, maintain, alter, disconnect, remove, replace or install a water meter or seal a water meter which has been installed.
- (3) The Town shall at all times be permitted to take photographs, including digital images, of any water meter, related items and equipment.

#### H. Water Meter Interference Prohibited

No person, except a person authorized by the Town, shall, or allow any person to open, or in any way alter or tamper with any water meter or seal or do anything which may interfere with the proper registration of the quantity of water that passes through a water meter.

#### I. Maintenance of Water Meter Appurtenances and Piping

Every owner shall ensure that all valves are fitted with proper handles and shall provide, install and properly maintain all valves to, from and around the water meter, to allow for proper flow of water.

#### D. Relocation of Water Meter

No person shall change or permit to be changed the location of a water meter or related items and equipment at a property once the water meter is installed to the satisfaction of the Town without the prior written consent of the Town, and as required by the Building Code Act.

#### E. Water Meter Leaks

- (1) An owner of a property shall immediately, and no later than within 72 hours, repair any leaks developing at the water meter or its couplings.
- (2) The Town shall not be responsible for any damage to the property as a result of any leaks at the water meter or its couplings.

#### F. Building Demolition

- (1) No person shall demolish a building, or permit a building to be demolished until the final water meter reading is obtained and the water is turned off at the shut off valve.
- (2) The owner shall return to the Town the water meter and remote readout unit.

#### G. Water Shut Off and Turn On

- (1) An owner of a property shall notify the General Manager no less than 48 hours in advance of the date on which the owner requires the General Manager to temporarily or permanently shut off the water supply to a property.
- (2) The owner's notification shall be in writing if the owner requires the water supply to the property to be shut off permanently.
- (3) The owner shall pay the Town for any shut off or turn on of the water supply to a property the amount set by the Town from time to time.
- (4) No person shall turn on or shut off the supply of water to a property at the shut-off valve without the prior authorization of the Town.
- (5) If the water supply to a property has been shut off by the Town, no person shall turn on or use the water supply or permit the water supply to be turned on or used without the prior approval of the Town.
- (6) The Town may shut off the supply of water to a property if the fees or charges imposed by the Town to supply water are overdue or if a leak or other fault is found on the water service pipe or water service connection and is creating or is likely to create an emergency situation, including but not limited to, injury to persons or damage to adjacent properties including those of the Town, and may keep the supply of water to a property shut off until the time that the leak or fault is completely repaired.
- (7) The Town may shut off the supply of water if an emergency or potential emergency exists and an owner or occupier has not provided to the Town immediate free, clear and unobstructed access to the property, premises, water meter and any related items and equipment.
- (8) The Town shall, prior to the shut off of a water supply, provide reasonable notice as may be practical and possible under the circumstances of the shut-off to the owners and the occupiers.

- (9) The Town shall not be liable for damages or loss caused by the stoppage, interruption or reduction of the amount of water supplied to the land or property of any person as a result of an emergency or a breakdown, repair or extension of the waterworks.

#### Protection from Damage

- (1) No person shall damage, destroy, deface or tamper or cause or permit the breaking, removal, damaging, destroying, defacing or tampering with:
  - (a) Any part of the waterworks; or any seal placed thereon, or attached thereto, or
  - (b) Any permanent or temporary device installed in or on the waterworks for the purposes of flow measuring, sampling, testing, contamination prevention or other purpose that the Town may deem necessary for the administration of this chapter or the operation or maintenance of the waterworks.
  - (c) Any owner or person receiving water from the waterworks shall be liable for any damage or expense arising out of their failure to properly protect the waterworks.

#### Offences and Penalties

- (1) Every person who contravenes any provision of this bylaw or knowingly concurs in a contravention of any provision of this bylaw is guilty of an offence.
- (2) Every person who contravenes a provision of this bylaw or knowingly concurs in a contravention of a provision of this bylaw, upon conviction, shall be liable to a fine of not less than \$50 and not more than \$50,000 for a first offence and to a fine of not less than \$100 and not more than \$75,000 for any subsequent offence.

#### Severability

Despite that any section or sections of this bylaw, or any part or parts thereof, may be found by any court of law to be invalid or illegal that section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this bylaw, or parts thereof, are separate and independent there-from and enacted as such.



## Repeal

Any bylaw of the same nature and notably Bylaw Number 1012 are repealed.

## Effective Date

This Bylaw comes into affect upon third and final reading hereof.

READ this FIRST time this 26<sup>th</sup> day of October A.D., 2009.

READ for a SECOND time this 26<sup>th</sup> day of October A.D., 2009.

READ for a THIRD time this 26<sup>th</sup> day of October A.D., 2009.



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Thomas Grant, Mayor



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Alcide Cloutier, Chief Administrative Officer