

BYLAW NO. W-2

A BYLAW RELATING TO THE WATER AND SEWER SYSTEMS

BE IT ENACTED by the Council of the Village of Bath under the authority vested in it by the Municipalities Act, R.S.N.B. 1977, C.M.-22 as follows:

1. DEFINITIONS

In this Bylaw:

“building sewer” or “sanitary sewer service connection” means a pipe that is connected to a building drain 1 metre outside a wall of a building and that leads to a public sewer;

“building storm sewer” or “storm sewer connection” means the extension from the building storm drain to the storm sewer main;

“Committee” means any committee or member appointed by Council;

“cross connection” means a construction or a potential connection between any part of a potable water system and any other environment containing other substances in a manner which, under any circumstances, could allow such substances to enter the potable water system;

“CSA” means Canadian Standards Association;

“Customer’s water system” means a water system owned by a person other than the Village but which receives water from the water system;

“Owner” means any person, firm or corporation controlling the property under consideration;

“sewer system” means all of the property involved in the operation of the Village of Bath sewer utility, and includes land, wastewater lines and appurtenances, pumping stations, treatment works, and general property.

“wastewater” means spent or used water which contains dissolved and suspended matter;

“water” and “water supply” means the water supplied to consumers for the purposes herein specified;

“water service pipe” or “water service connection” means the pipe from the water

main to the building served;

“water system” means all of the property involved in the operation of the Village of Bath water utility, including land, wells, water lines and appurtenances, treatment plants, reservoirs, pumping stations, and general property.

2. WATER AND SEWER SYSTEMS

- 2.01 The Manager of Public Works directly through his designates, shall have the administration, supervision and control of the water and sewer systems, subject to the approval of the Council.
- 2.02 The Council may appoint such officers and employees as from time to time are deemed necessary for the efficient and continuous operation of the water and sewer systems.
- 2.03 Subject to the direction of the Council, the Manager of Public Works shall have general supervision of the construction, operation, and maintenance of the water system and sewer system.
- 2.04 The Manager of Public Works shall cause to be made appropriate plans of the water and sewer systems of the Village.
- 2.05 Water distribution system extensions, expansions and renewals will be designed and installed based on the assumption that the buildings or facilities being served, other than low density residential units, are provided with sprinkler systems, and require appropriately reduced flows for fire fighting.
- 2.06 The locations, elevations, materials and methods of installation for all public and private water and sewer mains, service pipes, and appurtenances shall be approved by the Manager of Engineering and Public Works prior to their construction.
- 2.07 The owner of all houses, buildings or properties, used for human occupancy, employment, recreation or other purposes situated within the Village of Bath and abutting on any street or right of way in which there is now located or may be located a public water and sanitary sewer system, is hereby required at his own expense to install directly with the water and or sanitary sewer system in accordance with the provisions of this bylaw, provided that such water and or sanitary sewer system is within forty five metres of the property line and not more than seventy five metres from the building to be serviced.

3. WATER PLUMBING

- 3.01 Water shall not be supplied from the water system to any customer's water system unless such system and related plumbing is:
- (1) approved by the Plumbing Inspector;
 - (2) approved by the Manager of Public Works; and
 - (3) is protected from frost.
- 3.02 (1) Where a customer's water system is found to have been installed in and unworkmanlike manner or in a manner insufficiently strong to resist the pressure to which it may be subjected or where water service pipes are not sufficiently protected from frost or where a person or property supplied with water has violated any provision of this bylaw, Bylaw W-1, Bylaw R-4 or Bylaw S-10, the Manager of Public Works may direct that the water supply be discontinued until such customer's water system is properly installed and approved and the person supplied has complied with the provisions of these bylaws.
- (2) Where a customer's water system requires a modification in the pressures from those supplied by the water system, the required apparatus and its installation shall be the responsibility of the owner.
- 3.03 No connections shall be made to the water system for the purpose of taking water there from except under the direct supervision of the Manager of Public Works or other person duly authorized by the Manager of Public Works for the purpose.
- 3.04 Where maintenance of a customer's sprinkler or other fire fighting system requires the removal of unmetered water from the water system, the customer shall obtain prior permission of the Manager of Public Works and shall notify the Fire Department dispatch personnel.

4. WATER CONNECTION APPLICATIONS

- 4.01 At the time of making application for a water service connection the owner shall deposit with the Village an amount equal to the estimated cost of installing the water service pipe or replacing the same as the case may be.
- 4.02 The amount deposited shall be credited to the cost of the work and should such cost exceed the amount of the deposit, the owner shall pay the difference to the Village before the water supply is activated, but should the deposit exceed the cost of the work the surplus shall be refunded to the owner.

5. CROSS CONNECTIONS

- 5.01 No owner or other person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, could allow water, waste water, or any other substance to enter the Village water system.
- 5.02 If a condition is found to exist which in the opinion of the Manager of Public Works is contrary to section 5.01 hereof, the Manager of Public Works may either;
- (1) shut off the service or services, or
 - (2) give notice to the customer to correct the fault within a specified period.
- 5.03 Notwithstanding the foregoing, the Manager of Public Works may permit cross connection control devices to be installed on the customer's water piping at the sources of potential contamination and/or on the water service pipe.
- 5.04 Where, in the opinion of the Manager of Public Works, a high risk of contamination of the potable water system exists, or the potential contaminant is extremely dangerous, water service to a customer shall be provided only on the provision that the customer's water service pipe a cross connection control device approved by the Manager of Public Works in addition to the cross connection control devices installed on the customer's water piping at the source of potential contamination.
- 5.05 (1) Where a cross connection control device is required by the Manager of Public Works, that device shall be tested upon installation, and thereafter annually, or more often if required by the Manager of Public Works, by personnel possessing a valid Cross Connection Control Tester Certificate.
- (2) The Manager of Public Works shall maintain requirements for Cross Connection Control Testers and shall issue Certificates to those individuals who meet these requirements each calendar year at a fee of \$35.00 (thirty five dollars) per certificate.
- (3) The Manager of Public Works shall maintain a master list of those individuals in possession of valid Cross Connection Control Testers Certificate and such master list shall be available to the public during business hours.
- 5.06 Should a test show that a cross connection control device is not in good working condition, the Manager of Public Works shall give notice to the customer to make repairs or replace the device within a specified period, and if the customer fails to comply with such notice the Manager of Public Works shall shut off the service or services.

- 5.07 Notwithstanding Section 8 of this Bylaw, the Manager of Public Works may permit the use of a water service for construction purposes for a limited time, provided he is satisfied that adequate provision is made to prevent backflow into the Village water system.
- 5.08 All cross connection control devices shall be installed as recommended by the manufacturer and approved by the Manager of Public Works.
- 5.09 Hose bib vacuum breakers shall be installed on all the threaded wall hydrants and threaded taps that are not otherwise protected from backflow in existing buildings when such buildings require new water service connections or relays, or when such buildings are receiving renovations requiring a plumbing permit.
- 5.10 The owner of any premises may file with the Village Clerk an application in the form provided for that purpose for the construction or replacing of a building sewer or building storm sewer and the connection thereof with the appropriate sewer main.
- 5.11 At the time of filing an application the owner shall deposit with the Village Clerk an amount equal to the estimated cost of such installation or replacement.
- 5.12 The amount deposited shall be credited to the cost of the work and should such cost exceed the amount of the deposit the owner shall pay the difference to the Village Clerk before a building is used., but should the deposit exceed the cost of the work the surplus shall be refunded to the owner.
- 5.13 No person shall make a connection to a sewer system, storm sewer or land drainage works until the owner had demonstrated to the satisfaction of the Manager of Public Works that the effluent from his premises will conform to the requirements set forth in Bylaw No. S-10, A Bylaw Regulating the Discharge of Water or Wastewater Into Drains, Storm and Sanitary Sewer Systems.

6. WATER USE RESRICTONS

- 6.01 The water supply shall be furnished for the following:
- (1) domestic and fire protection purposes within the Village;
 - (2) Village purposes;
 - (3) Industrial purposes
- 6.02 Water shall not be furnished for any purpose other than domestic and fire protection purposes when in the opinion of Manager of Public Works the quality or efficiency of the water supply for domestic and fire protection purposes within the Village would be thereby impaired.

- 6.03 The Manager of Public Works may, notwithstanding the foregoing limitations, furnish water for purposes other than domestic and fire protection purposes under an agreement in writing that the water supply may be discontinued temporarily or permanently by the Manager of Public Works.
- 6.04 No owner whose premises are served by the water system shall use any alternate source of water supply without consent of the Manager of Public Works.
- 6.05 No person shall allow an alternate source of water supply to be connected to the water system.
- 6.06 An alternate source of water supply which discharges to the Village sanitary sewer system shall be metered by the Village for the purposes of the Village of Bath Bylaw No. W-1, A Bylaw Respecting Water and Sewer Rentals, unless in the opinion of the Manger of Public Works, the amount discharged is not significant and not harmful to the sewer system.
- 6.07 Unless otherwise authorized by the Manager of Public Works, the water supply to any premises shall be measured by a water meter.
- 6.08 Every owner shall provide a place for a water meter suitably located within the building at or near the point of entry of the water service pipe and on the customer side of the shut off valve. The owner shall assure that the meter remains accessible so that it can be easily changed, serviced or read and will not be exposed to freezing temperatures.
- 6.09 Every owner shall also provide a place for automated meter reading device which shall be located on the electrical panel backer board.
- 6.10 No person being an owner, tenant, or occupant of any house, building or other place within the Village supplied with water by the Village shall without permission of the Manager of Public Works:
- (1) lend or sell the water;
 - (2) give water away or permit it to be taken or carried;
 - (3) use or apply it to the use or benefit of any other person.
- 6.11 Where the premises of a customer are of such a nature that a meter cannot be properly installed in a building, or if the building is not sufficiently frostproof as to guarantee the safety of the meter, the Manager of Public Works may order the construction of an approved frostproof chamber in which the meter can be installed, at the owners expense.

- 6.12 Where the required meter is larger than 20 millimetres nominal pipe diameter, or services more than one above ground floor, it shall be valved on both sides. Where the required meter is larger than 25 millimetres nominal pipe diameter, or where the required meter is a turbine type, or compound type, the owner shall provide a valved bypass arrangement to enable testing and servicing of the meter.
- 6.13 All water meters installed by the Village or for the Village are and shall remain the property of the Village.
- 6.14 Every owner whose water supply is metered shall be liable for any damage to, or loss of the meter resulting from any cause other than damage covered by the Village.
- 6.15 Where an owner requests a Village owned water meter be tested for accuracy, a fee of \$50.00 shall be required, such fee being refundable only if the tested meter is found to register high by more than two percent (2%). The owner may choose to be present during the testing.
- 6.16 A water supply may be refused or discontinued at any time for:
- (1) non payment of a water rate;
 - (2) non payment of a sewer rental;
 - (3) non payment of a water or sewer connection charge;
 - (4) non payment of any service or collection charges;
 - (5) non payment of any repair or maintenance related charge;
 - (6) evidence that a water meter has been removed, interfered with, or the plumbing re-configured so that the water meter will not function correctly;
 - (7) violation of any provision of this bylaw; or
 - (8) the convenience of an at the request of the owner and occupier of the premises.
- 6.17 Where a water supply has been discontinued under 6.16, the owner shall pay a fee of seventy five dollars (\$75.00), together with any amount in arrears before such supply shall be restored.
- 6.18 A building sewer or building storm sewer shall be constructed only of such material and of such dimensions and specifications and laid at such grade and in such manner as the Manager of Public Works shall direct.

7. DRAINAGE

No owner or occupier of any premises shall permit drainage from the perimeter drain or roof thereof to flow directly or indirectly to the sewer system.

8. SANITARY CONDITIONS

- 8.01 The owner of any building situate upon land abutting a street or public place wherein there is a sewer main or water main shall install in such building connections with such sewer main and water main and such apparatus and appliances as may be required in the opinion of the Manager of Public Works to insure the proper sanitary conditions of the premises and surrounding or adjacent properties.
- 8.02 The owner of any building connected by a building sewer to the sanitary sewer system shall permanently disconnect all other wastewater disposal systems upon completion of the building sewer.

9. LIABILITY

The Village shall not be liable for any damage or injury caused or done by reason of the interruption of water supply, water system operation, water pressure or its variation, drawing of a vacuum on the water system, or intermittent flow of the sewer system.

10. HYDRANTS

- 10.01 No person shall open or in any way interfere with any hydrant in the Village without approval of the Manager of Public Works; or in the case of the Fire Department uses, the Fire Chief appropriate his designate.
- 10.02 No person shall remove or in any way interfere with any water meter affixed to a water service of the Village without approval of the Manager of Public Works.
- 10.03 Fire hydrants connected to the Village water system but located on property other than village property shall, other than snow removal, be maintained, painted, flushed and kept operational by the Manager of Public Works. The property owner shall pay the fees for this service as provided in Bylaw No. W-1, A Bylaw Respecting Water Rates and Sewer Rentals. The property owner

shall also be responsible to reimburse the Village for all major repairs required to maintain the hydrant in an operable condition, and for replacement of the hydrant if unrepairable.

11. CONNECTION FEES

- 11.01 At the time the Village of Bath or a person extends water and sewer services, the Village shall collect a “connection fee(s)” from existing property owner(s) who want to connect to these water and sewer services.
- 11.02 The above-noted “connection fee(s)” shall be determined by the Manager of Public Works.
- 11.03 The “connection fee(s)” must be paid by the property owner(s) to the Village of Bath prior to the water and sewer services being connected.

12. PENALTIES

Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not less than fifty dollars (\$50.00) or more than two hundred dollars (\$200.00).

13. REPEAL PROVISIONS

- 13.01 Bylaw # 16, A Bylaw Respecting Water and Sewer Systems and amendments thereto, given third reading December 30, 1997, is hereby repealed.
- 13.02 The repeal of Bylaw # 16, A Bylaw Respecting Water and Sewer Systems, shall not affect any penalty, forfeiture or liability incurred before such repeal or any proceedings for enforcing the same completed or pending at the time of repeal nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed existing or pending at the time of repeal.

READ FIRST TIME _____ **May 10, 2010**

READ SECOND TIME _____ **May 10, 2010**

READ THIRD TIME AND ENACTED _____ **June 14, 2010**

SIGNED: _____
MAYOR

CLERK