



## **The Corporation of the Town of Orangeville**

### **By-law Number**

### **A by-law to enact rules and regulations for the operation of a water supply system, a water distribution system, a wastewater collection system and a wastewater treatment system in the Town of Orangeville and to establish rates for water and wastewater services related to the operation of the systems**

Whereas under section 11 of the Municipal Act, 2001, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public utilities, which includes systems to provide for services relating to sewage, which is defined to include wastewater and stormwater and other drainage from land and commercial wastes and industrial wastes that are disposed of in a sewage (wastewater or stormwater) system;

And whereas section 391 (1) of the Municipal Act, 2001, S.O. c.25, provides that a municipality may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

And whereas section 398 (1) of the Municipal Act, 2001, S.O. c.25, provides that fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

And whereas section 398 (2) of the Municipal Act, 2001, S.O. c.25, provides that a municipality may add fees and charges to the tax roll of the property to which the public utility is supplied and collect them in the same manner as municipal taxes;

And whereas Section 429 (1) of the Municipal Act, 2001, S.O. c.25, provides that a municipality may establish a system of fines for a by-law passed under the Municipal Act;

And whereas Section 436 (1) of the Municipal Act, 2001, S.O. c.25, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

And whereas Section 446 of the Municipal Act, 2001, S.O. c.25, provides that a municipality may proceed to do things at a Person's expense which that Person is otherwise required to do under a by-law but has failed to do and the costs

incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes.

And whereas The Corporation of the Town of Orangeville has constructed and operates and maintains a water supply system and a water distribution system and a wastewater collection system and a wastewater treatment system;

And whereas Council deems it expedient to make certain rules and regulations for the operation of the said system and to establish water and wastewater rates and charges;

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Orangeville as follows:

## **1. Definitions**

In this By-law:

“Adult” means a person eighteen (18) years of age or older.

“After Hours” means hours other than those defined in Regular Business Hours.

“Customer” means the owner, tenant or occupant of a Premises to which water and/or wastewater services are supplied by the Town.

“Department” means Department of Infrastructure Services.

“General Manager” General Manager, Infrastructure Services or their designate.

“Leak” means water loss caused by broken and/or malfunctioning plumbing fixtures and/or pipes within a residence or building. A leak occurs when there is a failure of the Plumbing System to do what it was designed to do.

“Plumbing System” means the system of connected piping, fittings, valves, equipment, fixtures and appurtenances on a Premises and that is connected to the Water Distribution System.

“Premises” means any house, building, lot or part of lot or both, in, through or past which a Water or Wastewater Service Pipe runs.

“Private Main” means a water main located on private property.

“Regular Business Hours” means 8:30 am to 4:30 pm Monday to Friday, excluding statutory and civic holidays.

“Remote Meter Reading System” means a device installed at a separate location from the water meter and used to record the consumption reading of the meter.

“Road Allowance” means land dedicated to The Corporation of the Town of Orangeville or to the Province of Ontario for a public highway.

“Shut-off Valve” means the valve located at or near the Street Line used to start or stop the flow of water from the Water Distribution System to the Water Service Pipe.

“Street Line” means a boundary of a property adjoining the Road Allowance.

“Temporary Water Supply Connection” means a water supply pipe which is installed for a specific short-term purpose.

“Town” means The Corporation of the Town of Orangeville.

“Wastewater” means the composite of Water and water-carried wastes from any residential, commercial, industrial, or institutional Premises or any other source. Any water adversely affected in quality by anthropogenic influence and not fit for human consumption.

“Wastewater Collection System” means the wastewater pumping stations, sewer mains, and Wastewater Service Connections that convey sewage to the wastewater treatment system.

“Wastewater Service Connection” means the wastewater pipe that connects a Wastewater Service Pipe from the Street Line to a Wastewater sewer main.

“Wastewater Service Pipes” means wastewater pipes that convey sewage from a Premises to the Wastewater Collection System.

“Water” means potable water that is fit for human consumption.

“Water meter pit” means any exterior chamber or pit approved by the Town for the purpose of containing a water meter.

“Water Service Connection” means the water pipe that conveys water from the municipal water main to the street line, including the Shut-off Valve at the Street Line, and which supplies water to any Premises in the Town.

“Water Service Pipe” means the water pipes which convey water from the

Water Service Connections to water meters.

“Water Distribution System” means the water mains and appurtenances, the works and the equipment under the jurisdiction of the Town for the supply and distribution of water or any part of such system.

## **2. Administration**

- 2.1. The administration of the water supply system, the Water Distribution System, the Wastewater Collection System, and the wastewater treatment system shall be under the jurisdiction of the Department of Infrastructure Services of the Town.
- 2.2. The administration of water works and wastewater accounting, servicing and water meter reading shall be under the jurisdiction of the Department of Infrastructure Services of the Town but may be delegated to such other entities as Council may, from time to time, direct.

## **3. Water and Wastewater Rates and Charges**

- 3.1. The owner shall pay a fee to the Town or designate for the cost of the water meter for all Water Service Pipe sizes, and the cost for the Remote Meter Reading System, to be paid at the time of the building permit issuance in accordance with Schedule “A” of this By-law. These water meters and associated Remote Meter Reading Systems shall be supplied by the Town and installed by the owner, unless otherwise provided for by agreement.
- 3.2. The water consumed on all Premises in the Town shall be charged for as indicated by the water meter for each respective property at rates and the base monthly charges, shown in Schedule “A” to this By-law. Wastewater charges for all Premises in the Town shall be charged for based on the quantity of water consumed as indicated by the water meter for each respective property at rates, including the base monthly charges, shown in Schedule “A” to this By-law.
- 3.3. The Town shall consider applications for financial relief for water and wastewater fees and charges in accordance with provisions of this By-law as outlined in Schedule B or any other By-law or Policy regarding financial relief for water and wastewater fees and charges adopted by Council.
- 3.4. In instances where the General Manager has determined that a water meter cannot be installed, the Customer shall pay the flat rate charges as are set out in Schedule “A” of this By-Law or, the General Manager or

designate may install a water meter pit near property line.

- 3.5. Customers who refuse to allow the General Manager to install a water meter or who refuse access to the water meter shall pay the flat rate charges as are set out in Schedule "A" of this By-Law, and such surcharges as are set out in the said Schedule "A. The General Manager or designate may install a water meter pit near property line, and the customer shall pay the costs of installation as are set out in Schedule "A" of this By-Law.
- 3.6. Water meters may be read and accounts rendered monthly, bi-monthly, or on any other basis at the discretion of the Town. The Town may serve bills upon the Customer, by delivery or mail, either at an address supplied by the Customer, or bills shall be deemed to be served upon the said Customer, if they are delivered or sent by mail to the Premises supplied with water.
- 3.7. If a water meter fails to register or a water meter reading is not collected for any reason, the Customer shall be billed on the basis of a reasonable estimate derived from the previous twelve (12) months' water consumption. If historical water consumption information is not available, the Customer shall be billed for one (1) cubic metre of water usage per day that meter readings are not available for a billing period.
- 3.8. If a billing calculation error is made, the account will be retroactively recalculated for a period not exceeding two years from the date of detection with resulting credits or charges being applied to the account.
- 3.9. When an account is not paid by due date on the bill, a late payment charge shown in Schedule "A" of this By-law be assessed to the account and an overdue notice will be sent by mail reminding the Customer of the outstanding account.
  - 3.9.1. Fourteen (14) days after the overdue notice is mailed and, should the account remain unpaid, the Town may deliver, or cause to be delivered, a notice of disconnection to the Premises supplied or the address supplied by the Customer, advising the Customer that unless payment is received within forty-eight (48) hours, service will be disconnected.
- 3.10. When it has been necessary for a notice of disconnection to be delivered as set out in Section 8.1 of this Part of this By-law, a collection charge shall be applied to the outstanding account. Where two (2) consecutive bills have resulted in the need for such notice of disconnection to be delivered as described herein, then a collection charge shall be applied for each occurrence. The rates for collection

charges are shown in Schedule "A" to this By-law.

- 3.11. If a Customer omits, neglects or refuses to pay any bill rendered, whether for water service, pipes, service charges or any other monies to which the Town may be entitled in respect of the water and wastewater services to such Premises, the General Manager may, at their discretion, shut off or reduce the flow of water to the Premises and in addition to the amount owing and unpaid, a disconnection charge as shown in Schedule "A" of this By-law will be levied against the delinquent account. All charges and amounts owing may be collected in accordance with the provisions of this By-law and all applicable provisions of the Municipal Act, 2001 as same may be amended from time to time. Every owner of property, even though the owner is not the occupant of the property at the time a water rate charge becomes payable in respect of the property, under this By-law, is liable to pay the rate unless it is first paid by the occupant of the property.
- 3.12. Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge as shown in Schedule "A" of this By-law will be levied against the delinquent account, in addition to the applicable collection charge.
- 3.13. At the time of a change of ownership of Premises, an administrative fee as shown in Schedule "A" of this By-law will be levied by the Town to the new Customer to cover the cost of administration work and the said charge will be included on the first billing to the new Customer.
- 3.14. When the Customer requests a temporary removal of the water meter from their Premises, for any reason, the water meter removal and reinstallation charge, as shown in Schedule "A" of this By-law will be applied to their account.
- 3.15. The base monthly charges for providing and maintaining water supply to and wastewater collection for a premise is payable in accordance with Schedule "A". In instances when the Customer terminates their account with the Town, or shuts off the water supply to the Premises, subsequent base monthly charges shall be rendered to the Customer until such time as a new owner applies to the Town for the supply of Water or the Customer requests the water supply to be turned back on.
- 3.16. Except in cases where property is being developed pursuant to the terms of a Development Agreement or a Subdivision Agreement with the Town and Water and Wastewater services are being installed pursuant to such Agreement, all Water and Wastewater Service Pipes shall be installed at the discretion of the General Manager with the owner of the property being serviced being responsible for the actual

cost of such installation.

- 3.17. The General Manager, in their sole discretion, may recover the cost of providing Water supply and Wastewater collection in accordance with the rates and fees for temporary connection for construction set out in Schedule "A" of this By-law.
- 3.18. Where a Customer requires a Temporary Water Supply Connection, such Customer shall apply to the General Manager for a connection to a fire hydrant. If the connection is approved and an agreement signed, the Customer shall pay, prior to connection or when billed, the applicable fees and rates shown in Schedule "A" of this By-law.
- 3.19. When the General Manager has installed a Temporary Water Supply Connection, and the Temporary Water Supply Connection connects the Plumbing Systems of two Premises, the General Manager will read the water meter of each affected Premises and:
  - 3.19.1. The Customer of the Premises supplying the water through the Temporary Water Service Connection will not be billed for any water consumption during the period that the Temporary Water Service Connection is in service; and
  - 3.19.2. The Customer of the private property receiving the water through the Temporary Water Service Connection will be billed for consumption for the period that the Temporary Water Service Connection is in service based on the daily average consumption for the same time period in the prior year.
- 3.20. When a water meter(s), Remote Meter Reading System(s), and/or equipment is changed, tampered with or otherwise interfered in any way whatsoever, the General Manager, in their sole discretion, may charge the Customer a fee for illegal tampering and/or damage, as specified in Schedule "A" of this By-Law.
- 3.21. If the General Manager determines that Water has been used which has not passed through the water meter of a Premises, the Customer will be charged a fee, as specified Schedule "A" of this By-Law.
- 3.22. If the owner, tenant or occupant misses any appointments for a water meter and/or appurtenance reading, inspection, repair, and/or replacement, the Customer shall be charged a fee as specified in Schedule "A" of this By-Law.
- 3.23. A charge for testing the accuracy of a water meter is as shown in Schedule "A" of this By-law and is payable as explained in Section 7 of Part 9 of this By-law.

3.24. A reconnection/disconnection fee shall be charged on a per occasion basis for shutting off or turning on of the water supply to a property as shown in Schedule "A" of this By-Law.

#### **4. Wastewater Service**

- 4.1. Any and all defects to the Wastewater Service Pipes shall be repaired by the owner of the property being serviced. Should the General Manager become aware of any such defect, and upon written notification to the owner and/or Customer, the said defect is not repaired within seven (7) days of the date of the notification or within such time as the General Manager may deem necessary, then the General Manager may turn off the Water supply to the property. If the Town is ordered to restore the Water supply, then the General Manager may repair the defective Wastewater Service Pipe and charge the cost to the owner and/or Customer and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the same manner and in the same priority as taxes. The Town shall not be held responsible for the cost of restoration.
- 4.2. No person shall erect or cause or permit to be erected any new or substantially renovated Premises unless the Premises is connected to the Wastewater Collection System for Wastewater drainage purposes, save and except a building not required to contain plumbing or a sewage system by the Building Code Act, 1992, as may be amended from time to time, or any other applicable federal or provincial law.
- 4.3. No person shall construct, install, maintain or cause or permit to be constructed, installed or maintained, whether installed prior to the date of the passing of this article or any of its predecessors, a direct or indirect connection to the Wastewater Collection System which would permit anything other than domestic and industrial sewage to discharge into the Wastewater Collection System.
- 4.4. No Wastewater Service Pipes shall be constructed on any Road Allowance, easement, or other public land, except by the Town or, where authorized in writing by the General Manager, under a written agreement satisfactory to the General Manager.
- 4.5. Any person who requires or desires a new connection to the Wastewater Collection System to be supplied to a property, or a change or alteration to the existing Wastewater Service Pipes in relation to a property, shall submit an application for such connection, change or alteration to the General Manager. The application shall be accompanied by such investigational



studies, reports, drainage plans, grading plans, engineering plans and other detailed documentation and information as may be required by the General Manager to determine if the application is in accordance with the standards and specifications and the requirements of Town, and the owner shall be governed by the requirements of this By-law.

- 4.5.1. The applicant shall pay to the Town, at the time of making the application, all applicable fees, charges, deposits and costs, including the cost for disconnection of the existing sewer connection and for the new sewer connection, if one is required.
- 4.5.2. The owner of the property, or the owner's agent, shall sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such application and in the supporting documentation provided.
- 4.6. The Town shall renew the Wastewater Service Connection from the wastewater sewer main to the street line at its expense and to its specifications when the piping is deemed by the General Manager to be beyond repair or does not meet municipal standards, and replacement piping shall be in accordance with the Municipal Design standards.
- 4.7. An owner may make an application to the General Manager to replace a Wastewater Service Connection if they have replaced their Wastewater Service Pipe(s) in accordance with Municipal Design Standards.
- 4.8. If an owner makes an application to the General Manager to replace the Wastewater Service Connection and the General Manager approves the application, the owner shall pay to the Town all costs related to:
  - 4.8.1. The installation of the new Wastewater Service Connection; and
  - 4.8.2. The disconnection of existing Wastewater Service Connection, where required.

## **5. Operation of Water Works**

- 5.1. No person other than a person authorized by the General Manager for that purpose shall open or close a valve in the Water Distribution System, or remove, tamper with or in any way interfere with any valve, water meter, structure, watermain or Water Service Connection in the Water Distribution System.
- 5.2. Any hydrant situated within the Road Allowance is the property of the Town and shall be maintained by the General Manager. Town-owned hydrants located on private property shall be maintained by the General Manager.

Hydrants located on private property and owned and paid for by any persons other than the Town shall be maintained by such persons.

- 5.3. Except for water used for fire-fighting, any other use of a Town's fire hydrant for water supply must be approved by the General Manager. The method of application and payment shall be according to Section 17 of Part 3 of this By-law. The terms and conditions required for granting the permit shall be at the discretion of the General Manager and may be changed from time to time as the Town deems necessary.
- 5.4. Any water supplied or made available for any land or Premises for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose.

## **6. Water Service**

- 6.1. Before the initial supply of Water or any subsequent reconnection to any Premises in the Town, the owner shall make an application for same and the owner shall be governed by the requirements of this By-law.
- 6.2. Any and all defects to the Water Service Pipe and Private Main shall be repaired by the owner of the property being serviced. Should the General Manager become aware of any such defect, and upon written notification to the owner and/or Customer, the said defect is not repaired within seven (7) days of the date of the notification or within such time as the General Manager may deem necessary, then the General Manager may turn off the Water supply to the property. If the Town is ordered to restore the Water supply, then the General Manager may repair the defective Water Service Pipe and Private Main and charge the cost to the owner and/or Customer and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the same manner and in the same priority as taxes. The Town shall not be held responsible for the cost of restoration.
- 6.3. No person, other than persons authorized by the General Manager for that purpose shall be permitted to operate the Shut-off Valve to any Premises.
- 6.4. All Shut-off Valves must be left clear and accessible at all times so that the water in the Water Service Pipe and Private Mains may be turned off or on as may be found necessary by the General Manager.
- 6.5. The General Manager may shut off the supply of water to a property if:
  - 6.5.1. The fees or rates imposed by this By-Law in relation to the treatment and supply of Water or collection and treatment of Wastewater are overdue; or

- 6.5.2. The owner has failed to comply with an order of the General Manager made under this By-Law within the time required for the same; or
  - 6.5.3. A leak or fault is found on the Water Service Pipe, Private Main or any other piping on private property that is creating or is likely to create an emergency situation; or
  - 6.5.4. The General Manager determines that a water meter, Remote Meter Reading System and/or equipment placed on any Premises or property by the Town has been changed, tampered with, or otherwise interfered with; or
  - 6.5.5. The General Manager determines that Water has been used which has not passed through the water meter of a Premises; or
  - 6.5.6. The General Manager determines that an immediate threat of contamination to any part of the Water Distribution System exists that may endanger public health or safety, for the purposes of preventing, limiting or containing any such threat of contamination; or
  - 6.5.7. An emergency or potential emergency exists and a Customer has not provided the General Manager with immediate free, clear and unobstructed access to the Premises, Water Service Pipe, Private Mains, or water meter; or
  - 6.5.8. If access to the property is not provided for the installation, replacement, repair or inspection of a water meter; or
  - 6.5.9. The General Manager requires the water to be shut off to permit the installation, repair, maintenance or replacement of new or existing Water Distribution System infrastructure.
- 6.6. The General Manager may shut off the Water supply to any Premises and keep it shut off as long as may be necessary and the Town shall not be liable for any resulting damage.
  - 6.7. If the Water supply to a Premises has been shut off by the General Manager, no person shall turn on or use the water supply or permit the water supply to be turned on or used without prior written approval of the General Manager. The General Manager will authorize the Water Supply be turned back on only when he/she is satisfied that the reason for the shut off has been rectified.
  - 6.8. All water service extensions to and including the water meter shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced.

- 6.9. The owner shall be responsible for the water loss occasioned by a leak in the Water Service Pipe and/or Private Main and/or Plumbing System and the charge for such water loss, shall be paid by the owner upon demand by the Town and the Town shall not be held responsible for any damages arising from such leakage.
- 6.10. When any Premises is left vacant, unattended or without heat, it is the Customer's responsibility to shut off the Water supply from within the Premises and to drain the piping therein. The Customer may apply in writing to the General Manager to have the Shut-off Valve at the street line turned off to stop Water supply. The Shut-off Valve will be turned on only at the Customer's request and in the Customer's presence. The owner shall pay for the Water supply to be turned off and on at the rate shown in Schedule "A" of this By-law.
- 6.11. Any Premises left vacant, unattended or without heat, where the Water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, the owner or the occupant shall have no claim against the Town. Should the General Manager become aware of such leaking or burst pipes, the General Manager may turn off the Shut-off Valve at the street line and the Water supply shall not be turned back on until the General Manager, in his/her discretion, shall consider it advisable.
- 6.12. The Town shall renew the Water Service Connection at its expense and to its specifications when the piping is deemed by the General Manager to be beyond repair or does not meet current Municipal Design Standards.
- 6.13. An owner may make an application the General Manager to replace the Water Service Connection if they have replaced the Water Service Pipe in accordance with current Municipal Design Standards.
- 6.14. If an owner makes an application to the General Manager to replace the Water Service Connection in accordance with Section 13 of this Part of this By-Law and the General Manager approves the application, the owner shall pay to the Town all costs related to:
- 6.15. Where a Customer discontinues the use of the Water Service Pipe, or the Town lawfully refuses to continue any longer to supply Water, the General Manager may, at all reasonable times, enter the Premises in or upon which the Customer was supplied with Water, for the purpose of cutting off the Water supply or of making an inspection from time to time to determine whether the Water Service Pipe has been or is being unlawfully used, or for the purpose of removing therefrom any fittings, machines, apparatus, water meters, pipes or other things being the property of the Town in or upon the Premises and may remove the same therefrom, doing no unnecessary

damage.

- 6.16. The Town agrees to use reasonable due diligence in providing a regular and uninterrupted supply of Water but does not guarantee a constant service or the maintenance of unvaried pressure or supply of Water and is not liable for any damages suffered by any Customer caused by the breaking of any Water Service Connection or appurtenance, or for shutting off water to repair watermains or tap watermains.

## **7. Requests for Water Shut Off and Turn On**

- 7.1. A Customer shall notify the General Manager no less than forty-eight (48) hours in advance of the date on which the Customer requires the General Manager to temporarily or permanently shut off, or turn on, the Water supply to a property.
- 7.2. The Customer's notification of a Water supply shut off shall be in writing if the Customer requires the Water supply to the property to be shut off permanently.
- 7.3. In the event that the property where a water shut off is requested in accordance with Section 1 and 2 of this Part of this By-Law is occupied by tenants, the owner shall provide the tenants and the Wellington-Dufferin-Guelph Medical Officer of Health with notice of the water shut off at the same time as the owner notifies the General Manager.
- 7.4. The Customer shall make an appointment for a water shut off or turn on with the General Manager so that the General Manager may attend at the property and shut off the Water supply, or turn on the Water supply, at the Shut-off Valve. The Customer or the Customer's representative shall attend at the property at the time of the appointment to ensure the General Manager has access to the property, the water meter and the Shut-off Valve.
- 7.5. In the case of an emergency, the advance notice requirements in Section 1 of this Part of this By-Law do not apply but the Customer shall provide the notice to the General Manager as soon as possible.
- 7.6. Except in the case of an emergency or when routine maintenance is being performed on the Water Distribution System by the General Manager, the Customer shall be present at the property when the water is either shut off or turned on by the General Manager.

## **8. Frozen Water**

- 8.1. Thawing frozen Water Service Pipes, Private Mains and Plumbing Systems

shall be the Customer's responsibility.

- 8.2. In circumstances where the General Manager has given direction in writing to run water at a private property during a specified 'run water' period as a preventative measure against freezing occurring within the Water Distribution System, the water consumption charges during the specified 'run water' period shall be adjusted:
  - 8.2.1. For private properties identified in Town records as properties at which freezing has previously taken place within the Town's Water Distribution System, a consumption charge shall be determined using the daily average consumption for the September to December water meter reading period prior to the specified 'run water' period; or
  - 8.2.2. For all private properties except as described in Section 3.1 of this Part of this By-Law, a consumption charge shall be determined using the daily average consumption for the same period in the prior year for which the 'run water' period was in effect
- 8.3. Where there is a freezing occurrence in the Water Distribution System affecting a private property that has not received a notice pursuant to Section 3 of this Part of this By-Law, the Town staff who attend on the private property may exercise the authority of the General Manager and give oral direction that the Customer should run water as a preventative measure against future freezing until directed by the General Manager to stop the 'run water' period. The water consumption charges during the 'run water' period shall be adjusted to reflect a consumption charge based on a daily average consumption for the same period in the prior year.
- 8.4. The General Manager may direct a water meter reading be taken before and after the specified 'run water' period identified in Section 3 and 4 of this Part of this By-law. The start date for the calculation period for the adjustment in Section 3 and 4 of this Part of this By-Law shall be the date of the water meter reading taken immediately prior to the 'run water' period and the date of the water meter reading taken at the end of the 'run water' period. If a water meter reading is not taken at the start of the 'run water' period, the date of the last water meter reading prior to the commencement of the specified 'run water' period shall be used instead. If no water meter reading is taken at that the end of the 'run water' period, the end date shall be at the next water meter reading following the end of the 'run water' period.
- 8.5. Where a Customer chooses to run water as a preventative measure to prevent freezing in the Plumbing System in the absence of written direction from the General Manager to 'run water', there shall be no adjustments to the

billing during the period that water was left to run.

- 8.6. It is the Customer's responsibility to ensure that their Plumbing Systems and drains will accommodate continuous, unattended running of water for 'run water' periods identified in Section 3 and 4 of this Part of this By-Law.

## **9. Water Meters**

- 9.1. Except as provided in Sections 3 and 4 of Part 3 of this By-Law, all water used on Premises within the Town, except water used for fire-fighting purposes, or water authorized by the General Manager, for construction or other purposes, shall pass through a water meter approved by the General Manager for use upon such Premises.
- 9.2. Where the water meter is equipped with a Remote Meter Reading System of any type and a discrepancy occurs between the reading at the register of the water meter itself and the reading on the read-out device, the Town will consider the reading at the water meter to be correct and will adjust and correct the Customer's account accordingly.
- 9.3. Any leaks that may develop at the water meter or its couplings must be reported immediately to the General Manager. The Town is not liable for damages caused by such leaks.
- 9.4. Water Meter Installation
  - 9.4.1. All water meters shall be installed prior to occupancy of a property, and owners must permit the water meter to be inspected by the General Manager or their agent in a timely manner.
  - 9.4.2. All water meters installations shall conform to the current Municipal Design Standards.
  - 9.4.3. All Town or designate-supplied water meters and Remote Meter Reading Systems shall remain the property of the Town.
  - 9.4.4. Where required by the Municipal Design Standards or where entry for water meter repair, replacement or installation is refused, the Town may place at the discretion of the General Manager, a meter pit to be located outside of the building where the water service enters the owner's property. The exact location and construction will be determined by the Town. The meter pit will be fitted with a water meter, a Remote Meter Reading System and a backflow preventer, if required. The Town will not be responsible for final restoration work, including, but not limited to, topsoil, grass, sod, asphalt or concrete. The costs associated with a water meter pit installation shall be

charged to the owner. The Customer will become responsible for all water consumption from the point of the meter.

- 9.4.5. The location of a water meter and/or appurtenance shall not be changed except with the written consent of the General Manager. Customers requesting a water meter and/or appurtenance relocation shall be charged a fee in accordance with Schedule "A" of this By-law. No person, other than a person authorized by the General Manager for that purpose, shall relocate a water meter and/or appurtenance.
- 9.4.6. The Customer shall maintain free and clear access to water meters and internal shut-off valves at all times. Water meters shall not be located behind drywall or paneling.
- 9.4.7. The Town will not supply, install, inspect or read private water meters, nor will the Town bill consumption on private water meters. Water supply pipes to private water meters must be connected to the owner's plumbing downstream of the Town's water meter.

#### 9.5. Unauthorized Interference with or By-Passing of Water Meter

- 9.5.1. No person, except a person authorized by the General Manager for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any water meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of Water passing through such water meter.
- 9.5.2. Should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter(s), Remote Meter Reading System(s), and/or equipment placed in or on any Premises or property by the Town, the General Manager may forthwith, shut off the water to such Premises or property, and the water shall not be turned back on to such building or property without the express consent of the General Manager. If the General Manager shuts off the Water supply, the Customer will be charged a fee for turning the Water supply off in accordance with Schedule "A" of this By-Law.
- 9.5.3. Should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter(s), Remote Meter Reading System(s), and/or equipment placed in or on any Premises or property by the Town, the General Manager, in their sole discretion, may charge the Customer a fee as specified in Schedule "A" of this By-Law.
- 9.5.4. In addition to whatever other remedies the Town may have by law in respect to infringement of this By-law, the General Manager may, upon



ascertaining that Water has been used which has not passed through the water meter of a Premises, forthwith, without notice, shut off and stop the supply of Water.

#### 9.6. Water Meter and Remote Meter Reading System Repairs and Maintenance

- 9.6.1. The entire cost of maintaining and repairing water meters and Remote Meter Reading Systems shall be paid for by the Town, unless such water meter or Remote Meter Reading System is damaged by the carelessness or neglect of the owner or occupant of the property.
- 9.6.2. If a water meter or appurtenance requires replacement or repair, and the replacement or repair was not the result of an inherent defect in the water meter or appurtenance, a fee will be charged to the Customer for equipment and labour costs associated with the repair or replacement of the water meter and/or appurtenance, in accordance with Schedule "A" of this By-Law.
- 9.6.3. The fee charged for the replacement or repair of a water meter or any appurtenance under Section 6.2 of this Part of this By-Law does not depend on and is not related to who owned the property at the time of, or who was or may have been responsible for the damage, loss or freezing or other event which led to the need to repair or replace the water meter or any appurtenance.
- 9.6.4. The General Manager and persons authorized by the General Manager for that purpose shall be allowed access to the Premises and be provided free and clear access to the water meter where water is being supplied at all reasonable times for the purpose of reading, installing, replacing, repairing or inspecting a water meter or Remote Meter Reading System at the discretion of the General Manager.
- 9.6.5. The General Manager may shut off or restrict the supply of water to a property if the General Manager requires access to the property to install, replace, repair or inspect a water meter. Any person authorized by the General Manager for that purpose has free access, at all reasonable times and upon notice given as set out in Section 6.6 of this Part of this By-law, to all parts of every Premises to which Water is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the Premises, or for placing water meters upon any Water Service Pipe or connection within or without the Premises as he/she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the water meter, may set it or alter the position of it.
- 9.6.6. Before shutting off or restricting the supply of Water as identified in

Section 6.5 of this Part of this By-Law, the General Manager shall prepare a notice that indicates the date upon which the General Manager intends to shut off or restrict the supply of water if access to the property is not obtained before that date, and

- 9.6.6.1. By personal service or by registered mail, serve the owner of the property as shown on the last returned assessment roll of the municipality with the notice; or
- 9.6.6.2. Ensure that the notice is securely attached to the property in a conspicuous place.
- 9.6.7. The Customer shall ensure that an Adult is present for all appointments made with the Customer by the General Manager, or persons authorized by the General Manager, to complete repairs or replace a water meter or any appurtenance. If an Adult is not present, the appointment will be considered a missed appointment and the Customer will be charged a missed appointment fee in accordance with Schedule "A" of this By-Law.
- 9.6.8. Where access to the Premises and/or free and clear access to a water meter is not provided by the Customer within fourteen (14) days upon written notification by the General Manager or persons authorized by the General Manager for that purpose, the General Manager may, at its discretion, shut off the supply of Water to the Premises until such time as free and clear access to the water meter or Remote Meter Reading System or appurtenance is provided.
- 9.6.9. All charges for any of the work and services mentioned in Section 6.8 of this Part of this By-law will be determined by the General Manager as set out in Schedule "A" of this By-law and will be paid in full by the Customer.
- 9.6.10. If the General Manager has shut off or restricted the supply of Water under Section 6.8 of this Part of this By-law, the General Manager shall restore the supply of Water as soon as practicable after obtaining access to the property.
- 9.6.11. If in the opinion of the General Manager, the condition of the Water Service Pipe and/or valves and of the Plumbing System on such piping is such that the water meter cannot be safely removed for the purpose of testing, replacing, repairing or testing in place without fear of damage to the Water Service Pipe and valves, the General Manager may require the Customer to make such repairs as may be deemed necessary to facilitate the removal or testing of the water meter.

9.6.12. If, upon notification, the Customer does not comply with the General Manager's request under Section 6.11 of this Part of this By-Law within fourteen (14) days, then the Water supply to the property may be turned off at the Shut-off Valve during removal, replacement, repair and testing of the water meter and the Town shall not be held responsible for any damages to the Customer's property arising from such work. The Customer will be responsible for all fees relating to turning off the Water supply, and turning on the Water supply again, in accordance with Schedule "A" of this By-Law.

## 9.7. Water Meter Testing

9.7.1. A Customer may, upon written application to the General Manager, have the water meter installed at his or her Premises tested for accuracy of registration. Every such application shall be accompanied by a deposit of the fee for testing water meters set out in Schedule "A" of this By-law.

9.7.1.1. All water meters shall be tested in accordance with American Water Works Association standards and procedures, by a properly accredited test facility as determined by the General Manager.

9.7.1.2. If when tested, the water meter is found to operate outside of applicable specifications, the General Manager will estimate the applicable flow volume under-registration or excess and a bill or refund will be made to the Customer as applicable. The time frame used for the calculation of the estimate shall be limited to the four (4) month period prior to testing. If the testing determines that the water meter reads in excess of the actual flow volume, the Customer's deposit for the test shall be refunded.

9.7.1.3. If when tested, the water meter is found to operate within the applicable specifications, the General Manager will direct the meter to be re-installed at the Premises and the Customer's deposit shall be retained.

## 10. Prohibitions

### 10.1. Prohibitions under this By-law

No person shall:

10.1.1. Willfully hinder or interrupt, or cause or procure to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power

conferred by this By-law;

- 10.1.2. Willfully let off or discharge Water so that the Water runs to waste or useless out of the works;
- 10.1.3. Being a Customer or occupant of any Premises or other place supplied with Water from the Water Distribution System, waste the Water or, without written consent of the Town, lend, sell or dispose of the Water, give it away, or permit it to be taken or carried away;
- 10.1.4. Without lawful authority open or close any valve or hydrant, or obstruct the free access to any hydrant, Shut-off Valve, valve, meter pit, chamber or pipe;
- 10.1.5. Throw or deposit any injurious or offensive matter into the Water or Water Distribution System, or upon the ice if the Water is frozen, or in any way foul the Water or commit any damage or injury to the Water Distribution System, pipes or Water or encourage the same to be done;
- 10.1.6. Alter any water meter placed upon any service pipe or connected therewith, within or without any Premises or other place, so as to lessen or alter the amount of Water registered;
- 10.1.7. Make alterations to the Plumbing System to allow Water to be used which has not passed through the water meter of a Premises; or
- 10.1.8. Lay or cause to be laid any pipe or main to connect with any pipe or main of the Water Distribution system, or in any way obtain or use the Water without the consent of the Town.

## **11. Enforcement**

- 11.1. Any person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.
- 11.2. The Court in which the conviction has been entered and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.
- 11.3. Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any water public utility works or to any water works plant,

machinery, fitting or appurtenance thereof is liable to the Town, therefore.

11.4. Every person who damages or causes or knowingly suffers to be damaged any water meter, Water Service Connection, conduit, water fitting and any related parts belonging to the Town or impairs or knowingly suffers the same to be altered or impaired, so that the water meter indicates less than the actual amount of water that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the Town and for any expenses of repairing or replacing the water meter, Water Service Connection, conduit, wire, rod or fitting and double the value of the surplus water so consumed, all of which is recoverable under the Provincial Offences Act.

11.5. Every person who removes, destroys, damages, alters or in any way injures any Water Service Connection, conduit, wire, rod, pedestal, post, or other apparatus or thing belonging to the Town is guilty of an offence and on conviction is liable to a fine, to the use of the town and is also liable for all damages occasioned thereby, which are recoverable under the Provincial Offences Act.

## **12. Severability**

12.1. If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue in force unless the court makes an order to the contrary.

## **13. Conflict With Any Other By-law**

13.1. In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed, the provisions of this By-law shall prevail.

## **14. Effective Date**

14.1. The effective date of this By-law is January 1, 2025.

## **15. Repealing Section**

15.1. By-law 2020-014 of the Town of Orangeville is hereby repealed.

15.2. By-law 2024-029 of the Town of Orangeville is hereby repealed.

## **16. Short Title**

16.1. This by-law shall be known as the "Water and Wastewater Rates By-law;"

Read three times and finally passed this 18th day of November, 2024.

---

Lisa Post, Mayor

---

Raylene Martell, Town Clerk

## Schedule "A"

### 1. Effective Dates:

#### Rates and Charges

The rates and charges set out in this Schedule for 2025 shall come into force and effect on the effective date of the By-law. The rates and charges shall be charged for all water used on or after the date on which the rates and charges come into force. Water used prior to that date will be billed at the rate existing on the day before the new rate becomes effective. These rates and charges may be modified during the term of this By-law at the discretion of Council.

#### Equipment Rentals

The monthly rates and charges for equipment rentals set out in this Schedule shall come into force and effect on the effective date of the By-law and be charged for all rentals applicable on or after that date. Rentals applicable after that date shall be billed at the rates existing on the day before the effective date of this By-law.

#### Miscellaneous Charges

The miscellaneous rates and charges set out in this Schedule shall come into force and effect on the effective date of the By-law and be charged for all miscellaneous charges incurred on or after that date. Miscellaneous charges incurred prior to that date shall be charged at the rates existing on the date before the effective date of this By-law.

### 2. Base Monthly Charges – 2025:

<b>Meter Size</b>	<b>Water Monthly Charge per Meter</b>	<b>Wastewater Monthly Charge per Meter</b>	<b>Total</b>
5/8" to 3/4"	\$14.73	\$14.39	\$29.12
1"	\$19.64	\$19.19	\$38.83
1 ½"	\$29.46	\$28.78	\$58.24
2"	\$44.21	\$43.17	\$87.38
3"	\$51.57	\$50.37	\$101.94
4" and larger	\$73.67	\$71.96	\$145.63

### 3. Metered Monthly Rates – 2025:

<b>Customer Type</b>	<b>Block</b>	<b>Water Per Cubic Metre Rate</b>	<b>Wastewater Per Cubic Metre Rate</b>	<b>Total Per Cubic Metre Rate</b>
Residential	Block 1	\$2.34	\$2.00	\$4.34
Residential	Block 2	\$3.16	\$2.69	\$5.85
Non-Residential	Block 1	\$2.45	\$2.09	\$4.54
Non-Residential	Block 2	\$3.31	\$2.82	\$6.13

The per cubic metre rate increases to Block 2 rates for consumption in excess of that shown in the table below:

<b>Meter Size</b>	<b>Water Consumption per Month</b>	<b>Wastewater Consumption per month</b>
5/8 <sup>11</sup> to 3/4"	>20 m <sup>3</sup>	>20 m <sup>3</sup>
1"	>100 m <sup>3</sup>	>100 m <sup>3</sup>
1 1/2"	>500 m <sup>3</sup>	>500 m <sup>3</sup>
2"	>1,000 m <sup>3</sup>	>1,000 m <sup>3</sup>
3"	>3,000 m <sup>3</sup>	>3,000 m <sup>3</sup>
4"	>6,000 m <sup>3</sup>	>6,000 m <sup>3</sup>

### 4. Flat Rate Water and Wastewater Charges (Non-Metered Accounts):

- (a) Where the Town has determined a meter cannot be installed, customers shall be charged an annual fee of \$826.49 for Water services and/or \$725.85 for Wastewater services for a total combined fee of \$1,552.34.
- (b) Where the customer refuses to allow the Town to install or read a water meter, customers shall be charged an annual fee of \$3,305.96 for Water services and/or \$2,903.40 for Wastewater services for a total combined fee of \$6,209.36.



## 5. Miscellaneous Charges:

Service/Activity	2025 Fee	HST
Change in Ownership	\$35	N
Late Payment Fee	Compounded Monthly interest Charged at 1.5%	N
NSF Cheques	\$45	N
Collection Charges	\$30 per trip	N
Reconnection/ Disconnection - During Regular Business Hours	\$300	N
Reconnection/ Disconnection - During Non-Regular BusinessHours	\$600	N
Water Arrears Certificate (per property)	\$65	N
Water Meter Check, at Customer's Request - Up to 1"	Cost Recovery + 10% admin fee	N
Water Meter Check, at Customer's Request - Over 1"	Cost Recovery + 10% admin fee	N
Supply a Water Meter and/or Appurtenances	Cost Recovery + 10% admin fee	N
Install Remote Water Meter and/or Appurtenance	Cost Recovery + 10% admin fee	N
Repair a Damaged Water Meter	Cost Recovery + 10% admin fee	N
Water Meter and/or Appurtenance Relocation	Cost Recovery + 10% admin fee	N
Temporary Hydrant/Other Connection/Temporary Connection:		N
Flat Fee for Connection	\$125	N
Refundable Deposit	\$150	N
Water Cost	Cost Recovery + 25% surcharge	N
Oversee the Installation of an Approved New Water and/or Service Connection - During Regular Business Hours	\$150	N
Oversee the Installation of an Approved New Water and/or Service Connection - During Non-regular Business Hours	\$300	N
Temporary Water Meter Removal Charge	Cost Recovery + 10% admin fee	N
Tampering with Water Meter Charge	\$1,500	N
Meter By-pass Fee	\$1,500	N
Missed Appointment Fee	\$100	N