

BY-LAW NO. 30

A By-Law of The Municipality Of The Village Of Hillsborough respecting water and sewerage systems, water rates and charges, water meter charges and sewer rates and charges.

The council of The Municipality of The Village Of Hillsborough, duly assembled, hereby enacts as follows:

1. In this by-law,

- (a) "Consumer" means a person or persons using water supplied by the municipality;
- (b) "Owner" means the person in whose name a property is assessed under the Assessment Act;
- (c) "Public Works Superintendent" means the Superintendent appointed or hired by the village council;
- (d) "Water" and "Water Supply" means the water supplied by the municipal water system to the consumer, for the purposes specified in this By-Law; and
- (e) "Water System" includes a system of wells, tanks, reservoirs, buildings, machinery, cribs, basins, hydrants, water mains, 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 to the consumer.
- (f) "Shut-Off" is to be defined as a water shut-off on a branch line and being that shut-off located exterior to the building. All shut-off locations are to be determined by the Public Works Superintendent or his designate;
- (g) "Private Water System" means the water system owned by a person other than the municipality;
- (h) "Water Service Pipe" means a water pipe leading from a water main;
- (i) "Sewer System" or "Sewerage" means a system of two or more inter-connected sewer mains having one or more common discharge outlets and includes necessary pumping plants force mains, siphons, other like works, treatment works and lagoons;
- (j) "Branch Sewer" means a sewer pipe leading to a sewer main:

2. The council of the Municipality Of The Village Of Hillsborough 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.

LIABILITY

4. (a) The owner of the property is liable for all water rates and charges, and sewerage rates and charges imposed by this by-law, on that property whether it is occupied by himself or his tenants, or vacant, and shall pay all those rates, rentals and charges to The Bank Of Nova Scotia, Hillsborough or the clerk prescribed by this by-law.
- (b) Where the owner fails to connect up with the said sewer and/or water main, such owner shall pay a rate equal to what the rate would be if the connection had been made.
- (c) The owner of a property receiving water and sewerage services and the owner of a property wherein water and sewerage services are available but not connected shall pay a net rate as it is or shall be determined by council.
- (d) The owner of a property is liable for all repairs, costs of materials including labour and any other expenses necessarily incurred to replace or install any water or sewer branch from the shut-off to the owners residence.
- (e) The owner of a property is liable for a \$500. non-refundable charge payable to the municipality in advance, for installation of a water service to a new construction house or other building.
5. All residential, residential apartments, institutional, commercial and industrial water and sewerage rates are based on annual rates and payable in quarterly installments on the first day of January, April, July and October in each year.

WATER RATES:

6. The rates for a water supply to a property shall be as follows:

Private Residence -	\$ 216. per year
Residential Apartments -	216. per year
* Institutional -	216. per year
Commercial -	216. per year
Industrial -	216. per year

amended

- * In the case of Schools in the village the rate will be based on one user fee for every 15 students or teachers for that year.

Every property owner connected to the municipal water system shall have a water meter installed on their 3/4" line inside the premises. The water meter will be supplied by the municipality and will be the responsibility of the property owner to install in a manner that it will accurately record the volume of water consumed.

METER RATE:

To be applied at a later date as an addition to this by-law.

SEWERAGE RATES:

7. The sewerage Rate for a property is to be calculated in accordance with the following:

Private Residence -	\$128. per year
Residential Apartment -	128. per year
* Institutional -	128. per year
Commercial -	128. per year
Industrial -	128. per year

amended

- * In the case of schools in the village , the rate will be based on one user fee for every 15 students or teachers for that year.

REFUNDS:

8. Upon application by the owner of a property, the clerk may, with the approval of Council, grant a refund of rates, rentals or charges or reduction in rates, rentals or charges for a cause deemed proper.

INTEREST:

9. All rates, rentals and charges remaining unpaid for thirty (30) days after they become due and payable under this by-law, including delinquent rates and charges from the date they become due and payable, bear interest at the rate of 24% per annum (2% per month) or part of a month until paid.

DISCONTINUATION OF WATER SUPPLY:

10. The Public Works Superintendent may shut-off the water supply to a property, with respect to which any rates, rentals or charges payable under this by-law remain un-paid, for more than thirty (30) days after they become due and payable.

Where a water supply is discontinued under sub-section (1) the charge for reconnecting the water supply is \$25.00 payable on demand.

SUB-DIVISION WATER & SEWER SERVICES:

11. All cost of installations of water and sewer services in respect to any sub-division, housing development, mobile home parks, and any other housing facilities for residential purposes, shall be the responsibility of the owner or developer.
12. All cost of installation of water and sewer services to any industrial installations shall be the owners or developers responsibility.
13. No water and sewer services shall be installed by anyone, except village employees or contractors appointed by the village and/or approved by the village, and at all times under village supervision.

14. All user-charge rates, fees, rentals and penalties payable for water and sewer services supplied to, or with respect to, any land within the municipality which is liable to taxation under the Assessment Act, and which shall have been due and payable for a period of thirty (30) days, shall constitute a special lien and charge on such land, in priority to every claim, privilege or encumbrance of every person except the crown, and such lien shall not be lost or impaired by any neglect or omission of the municipality or of any officer or employee of the municipality or by want or registration.
15. The Public Works Superintendent,
 - (a) subject to the direction of Council, shall supervise the construction and maintenance of the water and sewer systems,
 - (b) subject to the approval of council, may by regulation define the duties of all municipal employees engaged in work connected with the water and sewer 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 council deems necessary, and
 - (ii) Plans of the sewer system showing location, depth, material, size, shape, thickness and construction thereof, and all additions and alterations made there 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 sewer systems, showing the cost of labour and material for each job, the depth of the pipe, the location of the shut-offs and any other details of each job required by council for water service and sewerage connections.
16. (1) When in the opinion of council, the efficiency of the water supply for domestic and fire protection purposes is impaired;
 - (a) 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.
 - (b) By a water shortage, council may by resolution regulate the use of the water supply as it deems proper.

17. No person shall make or cause to be made, an extension or or additions to the water or sewer systems, without the consent of council.
18. Water mains, water service pipes, sewer mains and branch sewers, 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.
19. Water service pipes for the supply of water for domestic purposes shall not exceed 3/4" 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 3/4" internal diameter water service pipe insufficient for domestic purposes, in which case water service pipes not exceeding 2" shall be installed.
20. No connection shall be made to 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.
21. 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 village clerk or the public works superintendent, and
 - (b) Shall service an accessory building to the water system, unless the water to the accessory building passes through the water meter.
22. 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 to, and
 - (d) Approved by the public works superintendent.
23. No person shall permit a continuous stream of water to flow from a private system connected with the municipal water water supply, except with the permission of council.
24. The owner of any 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.

OUTDOOR FOUNTAINS

25. (1) A person may not operate an outdoor fountain for more than six (6) hours per day, and for a period of months not to exceed two in any year.

25. (2) The owner of an outdoor fountain shall provide the water supply pipe to that fountain, with a stop cock that is accessible to the public works superintendent.
- (3) The stop cock referred to in subsection (2), is under the control of the public works superintendent.

BRANCH SEWERS

26. A branch sewer shall,
 - (a) be constructed only of approved material,
 - (b) be of the dimensions and the specifications, and be laid at the grade and in the manner directed by the public works superintendent.
 - (c) be protected with a back-up or check valve where in the opinion of the public works superintendent, it is necessary to install such a back-up or check valve.
 - (d) be supplied with an approved clean out, inside the foundation, the clean out to be the same size of pipe that is being used.
 - (e) all existing sewer users should have no open ends or fixtures below street level, without having some protection of back water valve.
27. No owner of any premises shall permit drainage from the roof or cellar thereof, to enter any branch sewer connected with a sewer main.
28. No person shall connect a branch sewer servicing a manufacturing plant with a sewer main, unless the owner thereof has met any special requirements of the public works superintendent.
29. Before the construction or replacement of a branch sewer and connecting it with a sewer main, the owner of any premises shall obtain approval from the public works superintendent.
30. 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.
31. 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, repairs or examinations of the water and sewerage systems.
32. Council may discontinue,
 - (a) the water supply to any premises 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 sewer system or both, and
 - (c) while a fire is in progress in the municipality.

33. Where a water system is made available by the municipality in any area of the municipality, the owner of a premises using a water supply, and situate upon land abutting 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 ensure the proper sanitary conditions of the premises, to the satisfaction of the public works superintendent.
34. 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.
35. 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) wrongly neglect or improperly waste the water,
 - (d) Use the water to top up or fill lakes or ponds on his or another persons premises.
36. A person who violates any provision of this by-law is guilty of an offence, and is liable on a summary conviction. to a penalty not exceeding two hundred (\$200.00) dollars, and in default of payment thereof, to imprisonment for not more than thirty (30) days.
37. The Municipality Of The Village Of Hillsborough shall not be deemed to guarantee an uninterrupted supply or sufficient or uniform pressure and shall not be liable for any damage or injury done by reason of the interruption of water supply, variation of pressure or on account of the turning off or turning on of the water for any cause.
38. By-Law Number 27 is here-by appealed.

FIRST READING: June 4/90

SECOND READING: June 4/90

THIRD READING: July 5/90


MAYOR


CLERK/ADMINISTRATOR