

# THE CORPORATION OF THE MUNICIPALITY OF BROCKTON

## BY-LAW NO. 2011-08

---

BEING A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE INSTALLATION, REPAIR, MAINTENANCE, AND ACCESS TO WATER METERS AND CHECK VALVES, AND TO SET WATER AND WASTEWATER RATES IN THE MUNICIPALITY OF BROCKTON

**WHEREAS** the Municipality of Brockton proposes to install water meters and check valves on all individual residential, industrial, commercial, and institutional establishments in Walkerton and other water systems in the Municipality.

**AND WHEREAS** the Municipality of Brockton proposes to install pressure reducing valves on all premises where the pressure at the water meter in the owner's premises exceeds 80 pounds per square inch.

**AND WHEREAS** the Municipality of Brockton deems it necessary and desirable to regulate the installation, repair, maintenance and access to water meters, check valves and pressure reducing valves and to set fixed and volumetric rates for various classes of water consumers and wastewater generators;

**AND WHEREAS** a lower-tier municipality may pass by laws respecting public utilities, including sewage collection and treatment and water production, treatment, storage and distribution where Counties are not assigned exclusive jurisdiction. Municipal Act 2001, c.25, s11, (2) Table; 2002

**AND WHEREAS** a public utility is defined as system providing water and sewage services to the public, Municipal Act 2001, c.25, s1 (1)

**AND WHEREAS** connections to potable water systems shall be designed and installed so that non potable water or substances that may render the water non potable cannot enter the system Building Code Act 1992-O.Reg 403/97 7.6.2.1 (1);

**AND WHEREAS** in situations where a the water supply is to be metered, the installation of the meter, including the piping that is part of the meter installation and the valving arrangement for the meter installation shall be according to the water purveyor's requirements. Building Code Act, 1992-O. Reg. 403/97 7.6.1.3 (5)

**AND WHEREAS** a municipality may, at reasonable times, enter on land to which it supplies a public utility,

- (a) to inspect, repair, alter or disconnect the service pipe or wire, valving, machinery, equipment and other works used to supply a public utility: or
  - (b) to inspect, install, repair, replace or alter a public utility meter
- Municipal Act 2001, c.25, s80 (1)

**AND WHEREAS** a municipality, after reasonable notice is given, may shut off or reduce the supply of the public utility to the land. Municipal Act 2001, c.25, s80 (2)

**AND WHEREAS** a municipality, after reasonable notice is given, may shut off the supply of a public utility by the municipality to land if fees and charges payable by the owners or occupants of the land for the supply of the public utility to the land are overdue. Municipal Act 2001, c.25, s81 (1)

**AND WHEREAS** in addition to the power under subsection 1 of Section 81 of the Municipal Act, a municipality may shut off the supply of water to land if the fees or charges payable by the owners or occupants of the land in respect of a sewage system are overdue and the fees or charges are based on the fees payable for the supply of water to the land Municipal Act 2001, c.25, s81 (2)

**AND WHEREAS** a municipality may recover all fees and charges payable despite shutting off the supply of the public utility Municipal Act 2001, c.25,s81 (4)

**AND WHEREAS** the municipality may allocate the available public utility among its consumers if the supply of a public utility to a municipality is interrupted or reduced. Municipal Act 2001, c.25, s82 (2)

**AND WHEREAS** a municipality may, as condition of supplying or continuing to supply a public utility, require reasonable security be given for the payment of fees and charges for supply of the public utility or for extending public utility to land. Municipal Act 2001, c.25, s83

**AND WHEREAS** a municipality may pass by laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it. Municipal Act 2001, c.25, s391 (a)

**AND WHEREAS** fees and charges imposed by a municipality on a person constitutes a debt of the person to the municipality. Municipal Act 2001, c.25, s398 (1)

**AND WHEREAS** the treasurer of a municipality may add fees and charges to the tax roll of the property to which the public utility was supplied and collect them in the same manner as municipal taxes. Municipal Act 2001, c.25, s398 (2)

**NOW THEREFORE** the Municipality of Brockton enacts as follows:

The Short Title for this by-law shall be **"Water Meter By-Law"**

### **DEFINITIONS**

1. In this by-law:
  - (a) "*building*" shall mean a structure supplied with water or wastewater treatment services by the Municipality.
  - (b) "*CAO/Clerk*" shall mean the CAO/Clerk of The Corporation of the Municipality of Brockton.
  - (c) "*check valve*" shall mean an assembly, valve or means owned by the Municipality that prohibits the backflow of any water from the owner's premises into the potable water supply.
  - (d) "*consumer*" for the purposes of supply of water shall mean the owner or occupant of property which is serviced by, connected to, and takes water from the Municipality's water works or is served by the Municipality's wastewater treatment and collection system.
  - (e) "*commercial consumer*" shall mean the applicant for water supply or wastewater service, the owner or occupant of and the person to whom

invoices are sent for water supplied to any premises in which the water supplied is used directly or indirectly or wastewater treatment services are provided, for or in the operation of any business, trade or commercial undertaking.

- (f) "*contractor*" shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by an owner or the Municipality to install or maintain water meters and other appurtenances.
- (g) "*Corporation*" shall mean The Corporation of The Municipality of Brockton.
- (h) "*Council*" shall mean the Council of The Municipality of Brockton.
- (i) "*developer*" shall mean the owner or firm specifically named in a Development Agreement or in a Subdivision Agreement.
- (j) "*external use of water*" shall mean the use of water for any purpose outside the walls of any building located at a municipal address.
- (k) "*individual water service pipe*" means any service where the water use of any additional dwelling or other units on that service pipe cannot, for practical or economic reasons, be metered.
- (l) "*individual establishment*" shall mean any property or premises capable of being serviced, within the limits of practicality or economics, by an individual water service pipe.
- (m) "*large user*" shall mean any user that withdraws 3,500 cubic meters of water or more per year from a municipal water system
- (n) "*meter*" shall mean the water meter supplied and owned by the Municipality to measure the quantity of water used by the consumer.
- (o) "*meter pit*" shall mean any chamber or pit the water service enters the owner's property dug below the frost line outside a building where approved by the municipality for the purpose of containing a water meter.
- (p) "*minimum charge*" shall mean the charge applied to any premises with pipes connecting it to the Municipal water or wastewater collection system even if no water is used.
- (q) "*multiple unit building*" shall mean a single building, served by a private water service, and containing two or more living or other units not served by an individual water service pipe.
- (r) "*Municipality*" shall mean The Corporation of The Municipality of Brockton.
- (s) "*pressure reducing valve*" shall mean an assembly or valve owned by the Municipality that limits the water pressure in an owner's premises to a level established by the Municipality as being appropriate for service.

- (t) "new" shall mean any private water service connected after the date of final passage of the by-law.
- (u) "occupant" shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premises.
- (v) "owner" shall include any person, persons or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.
- (w) "potable water" shall mean water that is fit for human consumption.
- (x) "premises" shall mean the property being supplied or to be supplied with water by means of an individual service pipe or by an individual connection to the waterworks treatment system.
- (y) "private water service" shall mean the pipes and fixtures used for the purpose of supplying any premises in the Municipality with water from the water works established by the Municipality and situated between the street line in front of or abutting the premises so supplied and the premises.
- (z) "remote read-out unit" shall mean the device installed at a separate location from the water meter and used to provide electronic access to the consumption reading on the meter.
- (aa) "shut-off valve" shall mean the valve on the water service or private main owned and used by the Municipality to shut off or turn on the water supply from the Municipality's water distribution system to any premises.
- (ab) "single residential dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling.

**WATER METER AND CHECK VALVES SUPPLY AND INSTALLATION**

2. All water supplied through existing and new private water services for use on premises connected to any of the municipally owned water systems shall pass through a meter, check valve and where required, a pressure reducing valve all owned by the Municipality for use upon such premises and the rates charged shall be those set from time to time by the Municipality, as provided for under Sections 391 (a) of Chapter 25 of the Municipal Act 2001, and the owner of the premises will be held liable for all water and wastewater treatment charges.

3.
  - a) The manufacturer, model and style of all meters, check valves and pressure reducing valves shall be approved by the Municipality.
  - b) The cost of installing meters, including the cost of such meters, check valves and pressure reducing valves, all owned by the Municipality, shall be paid by the owner of the private water service. If the meter is mechanically defective, then the cost of repairs shall be paid by the Municipality, but if the meter, check valves, pressure reducing valve or any wiring connecting these devices is damaged by the carelessness or neglect of any person other than an employee or agent of the Municipality, the owner of the premises shall pay to the Municipality the cost of making the necessary repair to such meter, check valves or pressure reducing valve.
4. If a meter fails to register, the consumer will be charged for the consumption in a previous pertinent period which shall not exceed the previous twelve (12) months, for that consumer or with the consumption of a similar consumer for the applicable period as determined by the Municipality.
5. All water passing through a meter will be charged for, whether used or wasted.
6. The owner of premises to be supplied with water agrees to provide convenient and safe space, free of charge or rent, for the Municipality's meter, check valves, pressure reducing valves, pipes and other appliances on said premises, and further agrees that no one who is not a servant or agent of the Municipality or otherwise lawfully entitled to do so, shall be permitted to remove, inspect or tamper with any of the Municipality's said equipment.
7. The owner or the premises to be supplied with water agrees to provide adequate heat in the premises to prevent frost damage to the meter, check valve and pressure reducing valve. In the event that the owner will be away from the premises for an extended period of time, they shall be required to notify the Municipality fifteen (15) days before departure so the owner in consultation with the Municipality can take the proper precautions to prevent frost damage. Otherwise repair will be at the expense of the owner.
8.
  - a) The owner or occupant of premises shall provide ready and convenient access to the meter, check valve and pressure reducing valve in said

- premises so that it may be frequently read and examined by persons authorized by the Municipality for that purpose.
- b) Where a meter and check valve cannot conveniently be placed inside a building, it shall be placed in a meter chamber located outside the building where the water service enters the owners property, the exact location and construction of which shall be discussed with the owner or occupant of the premises as provided for in section 13 of the by-law, and as approved by persons authorized by the Municipality, and the cost of which is paid for by the owner.
9. a) A meter will be removed and tested by the Municipality upon a written request from the consumer. If the meter is found to register correctly or not in excess of 3% in favour of the Municipality, the consumer requesting the test will be billed for the cost of the test and any expenses incurred in removing and testing the meter.
- b) If a meter, when tested, is found to register in excess of 3% in favour of the Municipality, a refund will be made to the consumer of an amount equal to such excess percentage of the water rates charged on previous water and sewer billings which in no case shall exceed twelve months prior to the testing of the said meter and there shall be no cost charged to the consumer for undertaking the test. Provided, however, that no reduction shall be made which will reduce the water rates for the twelve (12) months prior to the testing of such meter below the minimum water rates fixed by Council.
10. No reduction shall be made as provided in Section 9 if the owner or occupant of the building has not complied with the provisions of this by-law.
11. a) One meter and check valve shall be placed in each existing or new residential, commercial, industrial and institutional establishments in the Municipality, and the plumbing shall be so arranged that all water used on such premises shall pass through such meters and check valves and the owner of the premises will be held liable for water charges. Where the water pressure at the meter in the consumer's premises exceeds 80 pounds per square inch, a pressure reducing valve shall also be installed.
- b) Consumers having previously installed a lawn irrigation system, or any other water consuming system or device that is connected to the water service pipe at a location that is before the water meter location, shall be required to alter the connection to the water service pipe in such a man-

- ner that all water provided to the site passes through the water meter and check valve. Failure to comply with this requirement may result in the penalty provisions of Section 20.
- c) Every meter, check valve and pressure reducing valve shall be placed in such location as the persons authorized by the Municipality shall direct. If possible, the water meter, check valve and pressure reducing valve shall be installed in the basement of buildings, and shall be located after the inlet valve on the consumer's plumbing, so as to ensure that all water supplied to the building passes through the meter. In the event that a building has no basement, the water meter and check valve shall be installed in another location in the building or in a meter pit as directed by persons authorized by the Municipality.
  - d) The location of a meter, check valve and pressure reducing valve when once installed to the standards of the Municipality shall not be changed by any person except with the written consent of the persons authorized by the Municipality..
  - e) Where the meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the meter itself and the reading on the read-out device, the Municipality will consider the reading at the meter to be correct, and will adjust and correct the consumer's account accordingly.
  - f) Any leak that may develop at the meter, check valve or pressure reducing valve or any of their couplings must be reported immediately to the Municipality.
12. a) It is the responsibility of the consumer to have any existing or new reduced pressure backflow preventer, double check valve or pressure vacuum breaker inspected and tested upon installation, when cleaned , repaired or overhauled, when relocated and annually thereafter by an individual certified as a backflow preventer tester in accordance with the Ontario Building Code.
- b) No person shall without the permission of the Municipality of Brockton remove any cross connection control or backflow prevention devices.
  - c) Any costs incurred for the inspection and testing of the municipality's backflow prevention devices as described in this by-law shall be borne by the consumer.

- d) Any costs associated with the removal, cleaning, overhaul, relocation or re-installation of any of the municipality's backflow prevention devices are the responsibility of the consumer.
  - e) If the backflow prevention device installed by the municipality or by the consumer proves to be mechanically defective the cost to replace the device shall be paid by the municipality including the testing of the new device upon its installation.
  - f) The individual or firm employed by the consumer where a backflow prevention device is located shall submit a report to the municipality for any and all tests performed on backflow prevention devices within fourteen (14) days of a test and a record card or tag shall be displayed on or adjacent to the device on which the tester shall record the address of the premises, the location, type, manufacturer, serial number and size of the device and the test date, the tester's initials, the tester's name (if self employed) or the name of his/her employer and the tester's licence number.
  - g) If a consumer fails to have a backflow prevention device tested on an annual basis or immediately after the device is cleaned, overhauled or relocated the municipality may notify the consumer that the device must be tested within four (4) calendar days of the consumer receiving the notice. If the consumer fails to have the device tested within the time allowed, the municipality may shut off the water service or water services until the device has been tested and a report filed with the municipality.
  - h) When the results of a test referred to in sub-section f) of this policy show that a backflow prevention device is not in good working condition, the consumer shall make repairs or replace the device within four (4) calendar days. If a consumer fails to repair or replace the device within the time allowed, the municipality may shut off the water service or services until such repair or replacement has been made.
13. The Municipality may enter into agreements with owners to provide for the installation of water services or meters, check valves and pressure reducing valves.



14. a) Billings shall be rendered in accordance with Schedule A to this by-law, or on any other basis at the discretion of the Municipality. If meters are for any reason not read in accordance with Schedule A, an average of the previous water consumption will be used for billing.  
b) No charge for water supplied or wastewater service, for any type of service, shall be for less than the minimum fixed rate as established by Council.
15. When water is supplied to a multiple unit building, the account for the water supply shall be charged to the owner or principal occupant of the premises and, in case of non-payment where any such default continues for the period set out in Schedule B, the water may be shut off under authority of Sub-sections 81 (1) and 81 (2) of Chapter 25 of the Municipal Act 2001, notwithstanding that one or more of the occupants have paid part or all of the account to such owner or principal occupant.
16. All sums charged for water supplied, or for expenses incurred for the repair of private water services, meters, check valves, pressure reducing valve, fixtures and all other appliances connected with the water service or for damage to the same shall be charged to the owner of the premises. If for any reason charges for water rates cannot be collected from the owner, or the occupant of the premises, the water shall be turned off in accordance with Schedule B under authority of Sub-sections 81 (1), 81 (2) and 81 (4) of Chapter 25 of the Municipal Act on account of non-payment. No application for water supply for such premises shall be approved by the Municipality, notwithstanding that the ownership of the said premises shall have changed, until such sums and other charges have been paid in full to the Municipality.
17. A book shall be kept in the offices of the Municipality, which book shall contain the street number and location of premises from which water has been turned off for non-payment of accounts and the sum remaining unpaid, which book shall be for the information and protection of person or persons intending to purchase any property whether any accounts appear upon such book.

**THERMAL EXPANSION TANK**

18. The Municipality will install a thermal expansion tank in residences if the following criteria are met:

- a) The pressure relief valve on the hot water tank has been checked, by a licensed plumber, and shown to be operating properly.
- b) If the pressure relief valve is not operating properly it is to be replaced.
- c) The pressure in the residence, as measured by a representative of the Municipality, reaches a minimum level of 85 psi.
- d) The installation is pre approved by the Municipality.
- e) The installing plumber is approved by the Municipality.

The Municipality will cover the initial cost of the installation of the Thermal Expansion Tank and necessary piping. Any subsequent replacements, or repairs, to the initial thermal expansion tank, will be at the expense of the owner. Any replacement, or repairs, to the Pressure Reducing Valves installed by the Municipality during the initial installation of the water meters, is to be at the expense of the owner.

#### **WATER AND WASTEWATER RATES**

19. a) The water and wastewater treatment service rates charged by the Municipality for water supplied through the water service connection shall be those as set out in Schedule A to this By-Law, or as amended from time to time by by-law. Wastewater treatment services provided to those properties not connected to the municipal water system shall be those as set out in Schedule A to this By-Law, or as amended from time to time by by-law.
- b) The Council may from time to time change said water and wastewater rates in accordance with the provisions for notice set out in Section 12 (6) of Ontario Regulation 244/02 of the Municipal Act 2001 to any person taking a supply of water from the Municipality.
- c) Payment to the Municipality of accounts for the supply of water and wastewater treatment services shall be made in accordance with Schedule A to this by-law. Rates for water supply shall be due when billed. A penalty, as set out in Schedule B to this by-law, shall be charged on all accounts when an account is not paid on the due date. An overdue notice will be mailed to the consumer on the fourteenth (14<sup>th</sup>) day after default of payment.
- d) Should an account remain unpaid seven (7) days after the date of mailing of the overdue notice, a final notice will be sent by mail to the consumer, reminding him or her of the outstanding amount. Seven (7) days

after the date of mailing of the final notice, should the account remain unpaid, a notice of disconnection will be delivered by an employee of the Municipality to the service address advising the consumer that unless payment is received within forty-eight (48) hours, service will be disconnected.

- e) When it has been necessary for a notice of disconnection to be delivered as per section d) above, a collection charge shall be applied to the outstanding account. The rates for the collection charges are shown in Schedule B.
- f) If the owner or occupant of any premises omits, neglects or refuses to pay any bill rendered, whether for water, service pipes, meter, service charge, wastewater treatment service or any other monies to which the Municipality may be entitled in respect to such premises, the Municipality may at its discretion, under the authority of Sections 81(1), 81(2), 81(4), 398(1) and 398(2) of Chapter 25 of the Municipal Act 2001, shut off the water to the premises and such charges shall remain a lien on the property and may be collected in the same manner as municipal taxes. The bill shall be deemed to be served upon the owner if it is delivered or sent by mail to the premises supplied or the tenant of the premises supplied. The Corporation will not be liable for any damages to property or injury to persons by reason of shut-off of the water supply.
- g) In the case where there are any arrears of water rates, wastewater charges or any other rates or charges owing to the Municipality that are charged against any property, the water shall not be turned on for service of such property until all such arrears are paid, but the Municipality reserves all rights to collect the charges for water supplied, and all other charges, by any means which would be open to it if this by-law had not been passed.
- h) Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge will be levied against the delinquent account, in addition to the applicable collection charge. The reconnection charge rate is shown in Schedule B.
- i) Where a new consumer is added to the billing system, a charge to cover the cost of administrative work will be levied by the Municipality to the new consumer. Where there is an ownership change for an existing account, a charge to cover administrative costs will be levied by the municipality. The charges referred to above are as shown in Schedule A and will be included on the first billing to the consumer.

- j) When the owner or occupant requests a temporary removal of the water meter from his/her premises for any reason, the meter removal and re-installation charge, as shown in Schedule A, will be applied to his/her account.
- k) When an owner requests additional services such as pipe thawing, the installation of a smaller meter, the installation of a new meter or other such service, the charge as shown in Schedule A will be applied to his/her account.
- l) A consumer, for the purpose of payment shall be deemed to be the owner of the premises as identified in the current assessment roll.

**REGULATIONS AND PENALTIES FOR OFFENSES**

20. In accordance with sections 425 (1) and 426(1) of Chapter 25 of the Municipal Act 2001:

Every person who,

- (i) willfully hinders or interrupts, or causes or procures to be hindered or interrupted, the Corporation or any of its officers, contractors, agents, servants or worker, in the exercise of any of the power conferred by this by law;
- (ii) willfully and/or maliciously lets off or discharges water so that the water runs waste or useless out of the works;
- (iii) being a tenant or occupant of any house, building or other place supplied with water from the water works, improperly wastes the water or, without the consent of the Corporation improperly, lends, sells or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than his own, or increases the supply of water agreed for;
- (iv) without lawful authority willfully opens or closes any valve or hydrant, or obstructs the free access to any hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;
- (v) throws or deposits any injurious, noxious or offensive matter into the water or waterworks, or in any way fouls the water or commits any willful damage or injury to the works, pipes or water, or encourages the same to be done;

- (vi) willfully alters any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered; or
  - (vii) lays or causes to be laid any pipe or main to connect to any pipe or main of the water works, or in any way obtains or uses the water without the consent of the Corporation,
- is guilty of an offense.
21. Every person who contravenes or causes or permits any contravention of any of the provisions of this by law is guilty of an offence pursuant to the Provincial Offenses Act for the Province of Ontario and on conviction is liable to a fine of not more than \$5,000 exclusive of costs.
22. In addition to other sanctions and remedies provided in this by-law, the Municipality may turn off or restrict the supply of water to any consumer where such consumer has violated any of the provisions of this by-law, and may refuse to restore normal service until the violation complained of has been terminated or remedied. The Municipality will not be liable for any damage to property or injury to person by reason of shut-off of water supply.

**ENACTMENT**

23. This by-law shall be in full force and effect on the third reading and final passing hereof.
24. By-law(s) #2007-110 and #2009-08 are hereby repealed.

THAT THIS BY LAW BE ENACTED, SIGNED AND SEALED THIS 14<sup>th</sup> DAY of February, 2011.

---

MAYOR – David Inglis

---

CLERK – Debra Roth

**THE CORPORATION OF THE MUNICIPALITY OF BROCKTON**

**SCHEDULE A of BY-LAW #2011-08**

**Water Service Rates and Charges**

The following retail rate structure will apply to all classes of water consumers and wastewater users in the Municipality water supply and wastewater treatment service areas.

Rates will take effect as of the March 1<sup>st</sup>, 2011 billing.

**WATER**

**Metered Water Use**

All metered water users connected to a municipal water system will pay a fixed charge, a volumetric charge plus a fixed and a volumetric wastewater treatment service charge as set out below.

**Fixed Water Charge per Annum**

5/8X3/4 inch	\$146
3/4 inch	\$161
1 inch	\$205
1.5 inch	\$262
2 inch	\$423
2.5 inch	\$1,605
3 inch	\$2,044
4 inch	\$3,065
6 inch	\$4,232

**Volumetric Water Charge**

This charge applies to all water that passes through the meter.

- for water use for the first 292 cubic meters per month 91¢ per cubic meter
- for water use over 292 cubic meters per month 76¢ per cubic meter

**Flat Water Rate**

This rate applies to those who are connected to the Municipality's water system but are not metered under a special arrangement as approved by the Municipal Council.

Annual Fee \$459

**Minimum Fixed Water Charge**

This charge applies to all consumers connected to the Municipal water system and will be assessed whether or not any water has been used.

Annual Fee \$146

**Refusal to be Metered**

If it is physically possible for a consumer to have a water meter installed but refuses to allow one to be installed, the consumer will be charged three times (3X) the flat water rate per year for any meter up to 2.5 inch. For consumers with a meter larger than 2.5 inch, they will be charged three times (3X) the fixed water charge per annum based upon their meter size as per the table above.

**WASTEWATER**

**Based on Metered Water Use**

All those who are connected to the Walkerton wastewater collection system and use metered municipal water will pay, in addition to the water bill provisions set out above;

- 1) a fixed wastewater charge as set out below and,
- 2) a volumetric charge as set out below

**Fixed Wastewater Charge per Annum**

5/8X3/4 inch	\$154
3/4 inch	\$169
1 inch	\$214
1.5 inch	\$276
2 inch	\$445
2.5 inch	\$1,686
3 inch	\$2,145
4 inch	\$3,220
6 inch	\$4,445

**Volumetric Wastewater Charge**

This charge applies to all water that passes through the meter.

- for water use for the first 292 cubic meters per month 96¢ per cubic meter
- for water use over 292 cubic meters per month 80¢ per cubic meter

**Flat Wastewater Rate**

This rate applies to those who are connected to the Municipality's wastewater collection system but are not metered or not connected to a municipally owned water system:

Annual Fee \$483

**Minimum Fixed Wastewater Charge**

This charge applies to all consumers connected to a municipal water system and/or the municipal wastewater collection system and will be assessed whether or not any water has been used.

Annual Fee \$154

**Refusal to be Metered**

If it is physically possible for a consumer to have a water meter installed but refuses to allow one to be installed, the consumer will be charged three times (3X) the flat wastewater rate per year for any meter up to 2.5 inch. For consumers with a meter larger than 2.5 inch, they will be charged three times (3X) the fixed water charge per annum based upon their meter size as per the table above.

**Winter Rates (December 1-March 31)**

For only those consumers that the Municipality has specifically authorized in writing to run taps during the winter months, the following rate structure will be applied:

X = Average daily Water Use for the months of October and November of the current year

*For Smaller Users*

Rate Calculation = Fixed monthly charge for water plus (X times the number of days in the month times 91¢ cubic meter for water) plus the fixed monthly charge for wastewater plus (X times the number of days in the month times 96¢ per cubic meter for wastewater).

*For Larger Users*

Rate Calculation = Fixed monthly charge for water plus (X times the number of days in the month times 91¢ per cubic meter for water use for the first 292 cubic meters per month and 76¢ per cubic meter for water use over 292 cubic meters) plus the fixed monthly charge for wastewater plus (X times the number of days in the month times 96¢ cubic meter for the first 292 cubic meters per month and 80¢ per cubic meter for water use over 292 cubic meters).

**Service Rates for Water Used from Hydrants:**

- Fire Departments - No charge
- All Other Consumers (Metered Water Use Only) - \$1.78 per m<sup>3</sup> +

- Lines directly connected to the hydrant for any purpose are to be pre-approved by the Municipality and will be charged at a rate of:
  - \$11.30/month if connected for one (1) month or more.
  - \$20.50/hour up to a 1" line
  - \$30.75/hour up to a 1½" line

**Service Rates for Construction Water:**

All new construction water taking is to take place only after a building permit has been issued by the Municipality.

The rate charge will be the regular volumetric charge for water and sewer after the meter is installed, until the meter is sealed. No flat rate will be charged for this time period.

After the meter is sealed the rate will be the regular rates of the Volumetric and flat rate charges for water and sewer.

**Water Meter Equipment Supply Charges**

Supply charges for all water meter equipment supplied by the Municipality to be installed by the applicant's plumber for new residences (detached, semi-detached, etc.), apartment buildings, office buildings, schools, new commercial or new industrial buildings will be equal to the price paid by the municipality for the acquisition of this equipment and as such may vary from time to time based upon the prices paid by the municipality to the supplier. The municipality reserves the right to dictate the make, model and specifications for any water meter equipment it does not directly supply. Any water meter equipment installed in a consumer's or commercial consumer's premises shall become the property of the municipality. The applicant is to apply to the Municipality's Chief Building Official and pay the appropriate fees for the required equipment at the time of applying for a building permit.

**Water Meter Removal and Reinstallation Charges:**

Where the owner or occupant requests a temporary removal of the water meter from his/her premises, a charge of \$75.00 for removal and \$75 for reinstallation shall be applied to his/her account on the first billing after reinstallation of the meter.

**Water Service Shutoff Charges:**

Where the owner or occupant requests a temporary shutoff or service restoration within normal working hours, no charge shall apply. Outside of normal hours, where the owner or occupant requests a temporary shut off and the municipality incurs a specific charge for this service, then a charge of \$75.00 for shutoff and \$75 for service restoration shall be applied to his/her account on the first billing after reinstallation. During the shutoff period, the minimum bill shall apply.

**Water Meter Size Change Request**

This occurs where a consumer wishes a smaller meter. Purchasing of the new meter, accessories (back flow preventer, wire etc.), and installation cost is to be paid by the owner. The old meter is to be returned to the Municipality. The cost of dealing with the request and inspecting the installation and changing the account is \$65.

**Meter Freeze Up Repair by Municipality**



If the freeze up is the responsibility of the owner, then the fee for a broken back plate repair is \$128. If a meter, check valves or pressure reducing valve needs to be replaced, then add the above meter and labour charges.

**Pipe Thawing**

If the Municipality thaws pipes, then the following charges would apply:

First Hour	\$130
All additional Hours	\$100

**Broken or Damaged Hydrant or Additional Hydrant**

Time and materials

**Special Meter Readings**

Requested at the time of real estate closings etc. The fee is \$25.

**Open New Account**

The fee for the administrative work is \$20.

**THE CORPORATION OF THE MUNICIPALITY OF BROCKTON**  
**SCHEDULE B of BY-LAW #2011-08**

**DUE DATES**

Due Dates will be the last working day of the month. Bills will be processed bi-monthly.

**DELINQUENT ACCOUNTS****Late Payment Charge and Production of Overdue Notices:**

When an account is not paid on the due date a 1.25%/month late payment charge will be assessed to the account. An overdue notice will be sent by mail on the fourteenth (14<sup>th</sup>) day after default of payment. Seven (7) days after that date, a final notice will be sent by mail to the consumer, reminding him or her of the outstanding amount.

**Notice of Disconnection:**

Seven (7) days after the final notice is mailed and, should the account remain unpaid, a notice of disconnection will be delivered by an employee of the Municipality to the service address, advising the consumer that, unless a payment is received within forty-eight (48) hours, service will be disconnected. A copy of the Notice of Disconnect shall also be mailed to the owner at the owner's address.

**Collection Charge:**

When it has been necessary for a notice of disconnection to be delivered by an employee of the Municipality, a collection charge of \$25.00 shall be applied to the outstanding account in accordance with provisions specified through The Municipality of Brockton. Where two or more consecutive billings have resulted in the need for an employee of the Municipality to deliver a notice of disconnection, then the collection charge shall remain at \$25.00 for each occurrence.

**Disconnection and Reconnection Charge:**

Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge of \$20.00 shall be levied against the delinquent account. During any disconnection period, the minimum fixed water and sewer charge shall apply.

**Procedure for Disconnection of Delinquent Account:**

Where it becomes necessary to discontinue service, the following procedures shall apply:

1. Service shall be discontinued only if personal contact is made by a serviceman with the consumer or the consumer's representative.
2. If personal contact cannot be made, then discontinuance of service shall be deferred a minimum of 24 hours.
3. If contact is made with the consumer or his representative by telephone or by his acceptance of a registered letter advising him of discontinuance of supply, then the requirements for contact as set out in (1) shall be deemed to have been met.
4. If contact is not made, then the approval of the CAO or his/her designate, as a representative of the Council of the Municipality must be obtained prior to any discontinuance of water service.

**LIEN ON PROPERTY**

If the owner or occupant of any premises omits, neglects or refuses to pay any bill rendered, whether for water, service pipes, meter, service charge, wastewater treatment service or any other monies to which the Municipality may be entitled in respect to such premises, the Municipality may at its discretion, under the authority of Sections 81(1), 81(2), 81(4), 398(1) and 398(2) of Chapter 25 of the Municipal Act 2001, shut off the water to the premises and such charges shall remain a lien on the property and may be collected in the same manner as municipal taxes. The bill shall be deemed to be served upon the owner if it is delivered or sent by mail to the premises supplied or the tenant of the premises supplied. The Corporation will not be liable for any damages to property or injury to persons by reason of shut-off of the water supply.